

The London Borough of Haringey
(High Road West Phase A)

Compulsory Purchase Order 2022

Section 226(1)(a) of the Town and Country Planning Act 1990

s226(3)(a) of the Town and Country Planning Act 1990

Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and

The Acquisition of Land Act 1981

Draft Statement of Reasons

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1. INTRODUCTION

- 1.1 The London Borough of Haringey (“the Council”) has made The London Borough of Haringey (High Road West Phase A) Compulsory Purchase Order 2022 (“the Order”) pursuant to section 226(1) (a) of the Town and Country Planning Act 1990, s226(3)(a) of the Town and Country Planning Act 1990 (“the 1990 Act”), section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (“the 1976 Act”) and the Acquisition of Land Act 1981. This Statement of Reasons is a non-statutory statement provided in compliance with paragraphs 25 and 196 of the Ministry of Housing, Communities and Local Government (“MHCLG”) “Guidance on Compulsory Purchase Process and The Crichel Down Rules” July 2019 (“the 2019 Guidance”).
- 1.2 The Council’s purpose in making the Order and seeking its confirmation by the Secretary of State for Levelling Up, Housing and Communities (“the Secretary of State”) is to enable the Council to acquire compulsorily the land and the new rights over land included in the Order (“the Order Land”) in order to facilitate the delivery of the initial phase of the comprehensive residential led mixed use regeneration of the High Road West area in Tottenham, London (“the Regeneration Scheme”) described in Section 4. The Scheme to be carried out on the Order Land comprises the first phase (“Phase A”) of the Regeneration Scheme and is to be undertaken in the southern part of the High Road West area. The Scheme comprises plots A-G within planning permission HGY/2021/3175 (‘the Planning Permission’). Plots H-N of the Planning Permission form the second phase of the Regeneration Scheme to be undertaken in the northern part of the High Road West area (“Phase B”).
- 1.3 The Order is being submitted to the Secretary of State for confirmation pursuant to the Acquisition of Land Act 1981. If confirmed by the Secretary of State, the Order will enable the Council to acquire compulsorily the land and new rights included in the Order.
- 1.4 The map to the Order (“Order Map”) identifies the land proposed to be acquired (coloured pink) and the land on, over or under which new rights are to be created and acquired (coloured blue).
- 1.5 The schedule to the Order (“Order Schedule”) lists owners, lessees, tenants and occupiers of the Order Land, so far as known. In addition, it lists other parties with a qualifying interest in the Order Land as defined by section 12(2) Acquisition of Land Act 1981.
- 1.6 The delivery of the Regeneration Scheme has been a key policy objective of the Council since adoption of the Tottenham Strategic Regeneration Framework in 2014.
- 1.7 The Regeneration Scheme proposals have been developed with residents, businesses and the community through multiple rounds of consultation dating back to 2012. A resident ballot on the Love Lane Estate was held in August / September 2021. The majority of participating residents on the Love Lane Estate voted in favour of the regeneration of the Love Lane Estate as part of the Regeneration Scheme.

- 1.8 The Scheme will deliver at least 1,350 new homes including 500 social rented units for existing and new residents, to meet Haringey and London's urgent housing need and provide the foundation for better health and financial stability. The Scheme will also reinvigorate the High Road, promoting economic growth, bringing employment and training opportunities for local people, and creating high-quality public realm including a new public square. The square will be part of an improved link between White Hart Lane station and the Tottenham Hotspur Football Club ("THFC") Stadium. These new spaces alongside new community uses including a new Library and Learning Centre, will be designed to promote community cohesion, safer neighbourhoods and better health and wellbeing for residents.
- 1.9 The range of non-residential uses capable of being provided within the Scheme pursuant to the Planning Permission provides an opportunity to diversify employment and leisure opportunities and create a destination people will be drawn to, as well as providing much needed new homes in Tottenham. As such, as well as High Road West enhancing the social, environmental and economic wellbeing of the area, the Scheme will in turn drive further investment and regeneration opportunities.
- 1.10 Phase A is the first phase of the Regeneration Scheme and can be completed and deliver the benefits to the community set out above and in paragraph 9.8 et seq below independently, and without reliance on the delivery of Phase B.
- 1.11 The Scheme will be delivered by the Council's development partner, Lendlease (High Road West) Limited ("Lendlease"). The Scheme is proposed to be delivered through a phased programme of demolition and redevelopment as set out in paragraphs 7.21-7.32 below.
- 1.12 Over 80% of the freehold interest in the Order Land is owned by the Council. This includes the Love Lane Estate which occupies the majority of the Order Land and which is located to the south of White Hart Lane, between the railway line and the High Road, and which includes 297 residential properties. The Order Land also comprises an area to the west of the railway tracks on which 100 Whitehall Street and the Whitehall & Tenterden Community Centre are situated, Nos 731 to 759 High Road to the east of the Love Lane Estate, and surrounding areas over which new rights are sought.
- 1.13 The Council has been undertaking negotiations for the acquisition of third-party leasehold interests on the Love Lane Estate since 2014, and to date has acquired 42 of the 85 interests on the Love Lane Estate.
- 1.14 CBRE, Lendlease's appointed property surveyors, commenced negotiations for the acquisition of all other third-party freehold and leasehold interests in the Order Land in January 2018.
- 1.15 Notwithstanding the extent of the Council's ownership of the Order Land and despite years of negotiations, the only way to ensure the timely delivery of the Scheme is via the Council's intervention and the use of its compulsory purchase powers.

1.16 The Council is satisfied that there is a compelling case in the public interest for the compulsory purchase of the Order Land and rights to deliver the Scheme, on the basis that the Scheme fits within the planning framework for the area, will make a significant contribution to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area, and satisfies the other matters set out in Paragraph 106 of the 2019 Guidance.

2. BACKGROUND & SCHEME EVOLUTION

2.1 The Regeneration Scheme is located in north Tottenham, in the north-eastern part of the London Borough of Haringey. It is principally bounded by Tottenham High Road to the east and the railway line (including White Hart Lane Station (the "Station")) to the west.

2.2 For many years, north Tottenham has been ranked as one of the most deprived areas of the country. Per the 2019 Index of Multiple Deprivation (IMD), the north Tottenham areas of Haringey 037A and 037D LSOA are, respectively, within the top 10% and top 20% most deprived neighbourhoods in England¹. Key statistics include the following:

- The Tottenham constituency has the third highest levels of overcrowded homes in the UK, with 20.5% of households overcrowded².
- North Tottenham has very high unemployment rates, stated to be nearly double the borough and London average as of the 2011 census³. There are also high rates of claimants for Universal Credit, Job Seekers Allowance, and other job-related benefits⁴.
- Haringey has a rate of crime 18% above the London average and is one of the top ten boroughs for serious youth violence in England.

2.3 In recent years, the wider Tottenham area has made considerable progress, supported by the development of the Tottenham Hotspur Football Stadium (THFC) and targeted interventions to enhance the town centre offer and public realm. However, the difficulties facing residents and businesses remain to a considerable degree and have been made acutely worse by the impact of Covid-19, particularly in relation to vulnerable groups and children. It is still the case that many local people in north Tottenham do not have access to good-quality housing, financial security and good health and wellbeing.

2.4 Since 2004 the area has been designated as an Opportunity Area in the London Plan, reflecting its strategic location in the London-Stanstead-Cambridge-Peterborough growth corridor which has long

¹ Source: ONS, English indices of deprivation 2019. The IoD2019 is comprised of seven distinct domains of deprivation which, when combined and appropriately weighted, form the IMD2019. These are income, employment, health deprivation and disability, education, skills and training, crime, barriers to house and services, and living environment.

² Source: House of Commons, Overcrowded housing England, 2021. [Overcrowded housing \(England\) - House of Commons Library \(parliament.uk\)](https://www.parliament.uk/library/research-briefings/crystal-ball-forecasts/overcrowded-housing-england-2021/)

³ Source: ONS Census 2011. The Census 2021 data will be available in autumn/winter 2022.

⁴ Source: DWP/MYE, 2019

been identified as providing opportunities for higher density development to provide new jobs and housing.

2.5 In recognition of the above, the Council has long held aspirations to address these issues and bring meaningful change to the area for the benefit of residents and businesses. In 2011, a Tottenham-wide consultation took place (“Have your say on Tottenham’s Future”), which 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.

2.6 The following paragraphs summarise how the Regeneration Scheme was developed in response to these priorities.

High Road West Masterplan

2.7 In February 2012, the Council’s Cabinet agreed that a masterplan should be prepared to guide future change in the High Road West area, defined as a 10 hectare area covering north of Brereton Road up to the Borough boundary east of the railway line. The Council envisaged that the masterplan would support the creation of new homes, jobs and public space for the benefit of the community. A number of key principles for change were agreed for further consultation with the community, informed by earlier consultation and analysis of the area.

2.8 Core to the development of the masterplan was early public consultation on three masterplan options for the High Road West area. All three options showed some 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. Option 1 proposed the redevelopment of two of the existing residential blocks within the Love Lane Estate, Option 2 proposed the redevelopment of six of the existing residential blocks within the Love Lane Estate, and Option 3 proposed the redevelopment of the entirety of the Love Lane Estate. The redevelopment of No’s 731-759 High Road was included in all three options in order to facilitate the delivery of a new area linking the improved Station to the new THFC Stadium. The three masterplan options were published for public consultation between April and June 2013.

2.9 A further option which considered only refurbishment of the Love Lane Estate had been discounted from the outset, 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 between the Station and the THFC Stadium.

- 2.10 Responses to the public consultation clearly demonstrated that the local community were supportive of significant change in the High Road West area and that option 3, which suggested the most comprehensive redevelopment, was the favoured option.
- 2.11 Following the above, in November 2013, the Council's Cabinet approved plans to develop a comprehensive masterplan based on the community's feedback and agreed that further public consultation should take place with local residents and businesses to develop that masterplan.
- 2.12 The Council carried out further extensive public consultation with the community, including a six-week consultation between September and October 2014. In December 2014, the Council's Cabinet considered the feedback from this consultation and approved the High Road West Masterplan Framework ("the 2014 Masterplan"). The 2014 Masterplan reflects residents' desire for comprehensive redevelopment and sets out the vision for High Road West which is to create a vibrant, attractive and sustainable neighbourhood. It established the parameters and key principles for change in High Road West based on existing policy and best practice that would guide future development proposals.

Tottenham Strategic Regeneration Framework

- 2.13 Alongside the development of the 2014 Masterplan, 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 was developed through an extensive community engagement programme ("Tottenham's Future") which ran from October 2013 to February 2014, with over 3,700 people consulted.
- 2.14 Both the SRF and the SRF Delivery Plan, which sits alongside the SRF, set out an ambitious growth strategy for Tottenham.
- 2.15 The SRF identifies a need to deliver 10,000 new homes and 5,000 new jobs in Tottenham within twenty years. North Tottenham and the High Road West area are identified as providing the opportunity to contribute significantly to these growth targets.

The SRF identifies seven key strategies needed for Tottenham to achieve its potential. One of the key strategies is the provision of a "a different kind of housing market " by improving existing homes and building new high-quality homes to meet demand at a range of prices and tenures.

Tottenham Area Action Plan 2017 ("TAAP")

- 2.16 The TAAP was adopted in 2017 following public consultation. It sets out the planning framework for the Tottenham area, including High Road West. It sets out the Council's vision to regenerate Tottenham (and deliver 10,000 new homes together with 5,000 new jobs).

- 2.17 High Road West (which includes the Order Land) is identified as a Site Allocation in the TAAP (Ref: NT5). The site allocation includes a vision for High Road West, set out in Section 6.
- 2.18 The TAAP sets out the requirements of the site allocation. Development is required to create a new residential neighbourhood through 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). The site allocation also seeks increased and enhanced community facilities and social infrastructure, including a new library and learning centre alongside the provision of a new and enhanced public open space, including a high-quality public square.
- 2.19 Supporting commentary states that the development of the THFC Stadium will provide the catalyst for comprehensive regeneration and that a priority is to ensure that on non-match days people are still attracted to the area, to ensure a viable and vibrant location throughout the year. The commentary notes that a new public space between the Station, the High Road and the THFC Stadium will bring new retail, leisure and community facilities. Further detail regarding site allocation NT5 is set out in section 6.18.

Procurement of a development partner

- 2.20 In December 2015, the Council's Cabinet resolved that the best way to deliver the objectives for High Road West was to procure a development partner. The Competitive Dialogue procedure under the Public Contract Regulations 2015 was initiated in May 2016.
- 2.21 The procurement process concluded in 2017 with the selection of Lendlease as the Council's preferred development partner. On 20 December 2017 the Council and Lendlease entered into a Development Agreement ("the DA"), alongside a CPO indemnity agreement ("the CPOIA") to facilitate the delivery of the Regeneration Scheme. More information on the DA is provided in Section 7.

Review of scheme and progress to planning

- 2.22 In 2018 the Council and Lendlease commenced a further round of public consultation with the community on the detailed proposals for the Regeneration Scheme. The consultation was paused in late 2018, so that the scheme could be reviewed with the aim of increasing the number of social rented homes to be delivered as part of the Regeneration Scheme to better support the new political and strategic Council priorities. At the same time, the GLA introduced the Mayor's Ballot Funding condition, which required the Council to undertake a ballot on the Love Lane Estate to secure/draw down GLA funding.

- 2.23 In March 2021 the Council's Cabinet approved a funding package which totalled £91,512,000 and consists of £70,312,000 of Affordable Housing Grant and £21,200,000 of Mayor's Land Fund.
- 2.24 Following that approval, several rounds of consultation took place with the community between February and September 2021. This included statutory consultation on the High Road West Local Lettings Policy and Love Lane Leaseholder Offer, as well as engagement on the Council's proposed commitments to non-secure tenants living in temporary accommodation on the Love Lane Estate, which together formed the basis of the Love Lane Landlord Offer (the 'Landlord Offer'). It also included engagement on the proposals for the Regeneration Scheme. More information on consultation is set out in section 3, and the housing guarantees in the Landlord Offer are set out in section 11.
- 2.25 Following a positive ballot result in September 2021, through which 55.7% of the participating residents voted in favour of the regeneration of the Love Lane Estate as part of the Regeneration Scheme on the basis of the Landlord Offer, on 2 November 2021 Lendlease submitted the application for the Planning Permission. The Planning Permission was granted on 31 August 2022.

3. CONSULTATION AND ENGAGEMENT

- 3.1. As explained within section 2 above, since 2013 the Council has worked with residents of the Love Lane Estate, local businesses, and other stakeholders and members of the local community to develop the regeneration proposals for High Road West.
- 3.2. A summary of the public consultation undertaken since 2012 is set out fully within the Statement of Community Involvement submitted by Lendlease alongside the application for the Planning Permission and in the Planning Officer's Report on that application.
- 3.3. This section sets out the key representations received during the public consultation process and information on how this has been taken into account in progressing the Scheme and the wider Regeneration Scheme.

Love Lane Estate Residents – Housing Offer

- 3.4. Residents on the Love Lane Estate have consistently shown support for the redevelopment of the Love Lane Estate as part of the wider comprehensive redevelopment of High Road West.
- 3.5. When consulted in 2013 on the three masterplan options for High Road West, 68% of the respondents from the Love Lane Estate supported the redevelopment of the entirety of the Love Lane Estate (Option 3 – see paragraph 2.8 above).
- 3.6. In responses to the Council's consultation in 2014 (pursuant to Section 105 of the Housing Act 1985) 70% of secure tenants on the Love Lane Estate agreed that the Love Lane Estate should be demolished, and 86% of secure tenants agreed that more homes should be provided to increase housing choice. This support was reaffirmed in the resident ballot which took place between August and September 2021, where 55.7% of participating residents voted in favour of redevelopment.
- 3.7. The Council has worked closely with residents to develop a housing offer which meets their needs and aims to keep the existing community together. The Resident Guides, consulted on in September and October 2014, were adopted by the Council's Cabinet in December 2014. For secure tenants, this included the commitment to a new home which met their needs in the redevelopment, or elsewhere in the Borough if they preferred. Resident leaseholders were offered several rehousing options, including the opportunity to purchase an affordable home in the redevelopment or elsewhere in the Borough or a leasehold swap. Private tenants were given assurances including timely rehousing advice, so they were aware of all their options.
- 3.8. Key feedback from all the consultations was that residents desired the Council to retain ownership of the new socially rented homes to be built in the area. This was reiterated in a further Section 105 consultation in March to May 2017. In response to this feedback, the Council's Cabinet agreed in

September 2017 to acquire the replacement homes in the Regeneration Scheme, which comprised 145 social rented homes and 46 intermediate homes.

- 3.9. The Secure Tenant Guide put in place resulted in many residents exercising their choice to make a voluntary early move off the Love Lane Estate. To make effective use of its housing stock and to mitigate the significant pressure on temporary accommodation in the Borough, the Council used empty homes within the Love Lane Estate to accommodate homeless households in line with its rehousing duty under Section 193 of the Housing Act 1996.
- 3.10. By 2021, non-secure tenants in temporary accommodation made up the largest resident group on the Love Lane Estate, with most having lived on the Love Lane Estate over three years. The feedback from this group of residents was that they felt the existing community should be protected, and that they should benefit from the increased opportunities for housing, employment and training and other benefits that the Regeneration Scheme would deliver.
- 3.11. In response to this, the Council consulted on a Local Lettings Policy in February and March 2021. The policy proposed that non-secure tenants, alongside secure tenants, would be prioritised for the new Council homes within the Regeneration Scheme. The consultation took place with households on the wider housing register as well as tenants on the Love Lane Estate. Following a positive response from most respondents, the policy was adopted by the Council in July 2021.
- 3.12. Alongside the Local Lettings Policy, the Council also consulted on and adopted a Love Lane Estate Leaseholder Offer in July 2021. The Leaseholder Offer responds to feedback by leaseholders by providing an enhanced equity loan offer to tackle concerns around the affordability of new homes in the Regeneration Scheme, as well as other features including a twelve-month grace period for succession of the equity loan.

Love Lane Estate Residents – Design and Procurement

- 3.13. The Council and Lendlease have sought to develop the proposals for the Regeneration Scheme, specifically the design of the 500 new socially rented Council homes within the Scheme, through engagement with residents of the Love Lane Estate.
- 3.14. The Resident Charter ("the Charter") was developed between the Council and the Resident Adviser in 2013 and 2014. The Charter set out residents' aspirations for the key principles that should guide the Regeneration Scheme, including, the type of place, the design of homes, the housing offer, and the approach to joint working with the Council.

- 3.15. A Resident Design Panel ("the Panel") was established in 2015, supported by the Independent Tenant & Leaseholder Advisor, which created the Love Lane Resident Design Guide ("the Guide"). The Guide focused on the physical side of the Regeneration Scheme. The Charter and Guide made clear that residents' highest priority was the design of the new homes.
- 3.16. A group of tenants and leaseholders selected by the Panel were also involved in the procurement process of the Council's development partner between 2015 to 2017. This group worked with bidders to shape their proposals, maximise the community, social and economic benefits and ensure that resident aspirations were met. The group also encouraged bidders to enhance their affordable housing offer to residents of the Love Lane Estate.
- 3.17. The first new homes to be delivered within Plot A of the Scheme are 100% social rented homes which will be provided to existing residents of the Love Lane Estate. These units have been developed in response to the Charter and Guide.
- 3.18. The housing need assessment process will identify any adaptations that an individual household requires which will be arranged prior to the move. The homes will also have the appropriate number of bedrooms, determined in line with the Council's Housing Allocation Policy 2015 (Revised 2021). Plot A will provide 8% wheelchair units across the residential accommodation, designed in compliance with part M4(3) of the Building Regulations, and future plots will meet or improve on this minimum requirement.
- 3.19. The Council's Landlord Offer, which was the subject of the resident ballot in 2021, also contains commitments to residents around the new Council homes to be delivered beyond Plot A. This includes a choice of interior designs, a range of living areas and kitchen layouts. In response to feedback from residents, further commitments within the Landlord Offer include the provision of substantial storage space (particularly within kitchens) and improved security features to access the respective buildings. The Landlord Offer also confirms that all existing households will have the option of a parking permit within the new development or on nearby roads.
- 3.20. Residents have expressed a preference for medium-rise blocks. The new social rented homes at Whitehall Mews (Plot A) were originally intended to be up to 8 storeys but are now five and six storeys, responding to this preference. While it is not possible for the entire Scheme to consist of medium rise blocks, as this would fail to deliver the number of homes required pursuant to local and regional planning policy, it is the intention that replacement homes for existing residents will be predominantly located in the lower floors of the residential blocks.
- 3.21. A consistent theme in resident engagement has been the need for safe and accessible places for children to play and for family activities to take place. Play has been a key driver of landscape design across the Regeneration Scheme, with both formal play and exercise equipment proposed to be provided alongside incidental opportunities for play. The provision of private communal gardens within

the blocks has also been made with a view to providing secure and quieter spaces for residents and easy access to play for families.

- 3.22. The public square within the Scheme (Moselle Square) will be designed for active use with provision for spatial programming and cultural activities, such as children's play, commercial and retail activities (including markets) and community activities including outdoor performances and events. This will complement its role in providing the improved connections between the Station and the High Road which the public square will make possible.
- 3.23. Residents have also been clear of the need for more opportunities for young people, better access to community services and more jobs and training. The proposals for the library and learning centre have been developed based on this aspiration and feedback from the 2013 masterplan consultation, and will continue to be progressed with the community as the Scheme is progressed. This will act as a true community asset, catering for all ages and backgrounds. It will act as a hub for skills, training and lifelong learning, that will provide opportunities for local people to develop their skills and optimise their employment options.
- 3.24. There has also been feedback that residents wanted more diverse and healthier food choices. The new retail spaces in the public square will be designed to accommodate a mix of operators from small and local to larger chains. The Business Charter sets out the aim to relocate existing businesses within the new spaces, which would support the aim of maintaining businesses in the scheme with local connections, helping to support a wide range of services that respond to local demands and requirements. Further detail of the existing businesses is set out in the paragraphs below.

Business Owners

- 3.25. High Road West contains a number of existing businesses across its area. Within the Scheme, there are 15 businesses located within 15 commercial properties which front onto the High Road. These are occupied by a range of businesses, including restaurants and takeaways, retail, convenience stores, services and a GP surgery.
- 3.26. Business owners situated within and nearby the Regeneration Scheme have been consulted on the proposals from the outset. In the development of the 2014 Masterplan Framework, all businesses within the Regeneration Scheme and within a 300m radius received a newsletter promoting the consultation. Two business drop-in sessions were held and one-to-one meetings also took place with various businesses potentially affected by the plans.
- 3.27. 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 Regeneration Scheme as to the impact on the future of their business if they were required to relocate. Feedback from businesses in consultation has reflected those concerns.

The Council has sought to respond to this feedback, both through commitments to affected businesses and through the design of the Regeneration Scheme, together aimed at responding to the concerns regarding their relocation and demonstrating the benefits for the area.

- 3.28. In 2014 the Council agreed a High Road West Business Charter (the 'Business Charter'). This sets out four key commitments:
1. Ensure businesses are able to participate in the regeneration proposals and fully support businesses throughout the process
 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
 3. A fair and equitable valuation and compensation process
 4. Endeavouring to keep the businesses and jobs within the area or within the borough
- 3.29. Following its appointment in 2017, Lendlease committed to align its objectives with the commitments within the Business Charter, and has sought to meet businesses on a one-to-one basis to discuss acquisition and relocation options, including within the Scheme. Several dedicated business drop-in sessions have been held to provide business owners with the opportunity to understand the Regeneration Scheme such that they may plan the future of their business accordingly. In addition to the dedicated drop-in sessions, the Council and Lendlease have and will continue to meet with business owners to discuss the delivery of the Scheme and what it may mean for their business.
- 3.30. The Scheme has been designed to offer modern accommodation suitable for a range of retailers and commercial occupiers, with suitable flexibility to accommodate a proportion of existing businesses, with the aspiration that some can relocate within the Scheme. This includes new retail space fronting onto the High Road and the new public square, both of which will provide locations that experience high footfall. The Scheme will provide a minimum of 2,150 sqm GEA commercial space (Use Class E(a-e)). Further information is provided in Section 5.

Tottenham Hotspur Football Club (THFC)

- 3.31. The THFC Stadium is situated on the eastern side of the High Road opposite the Scheme and Order Land. The Stadium was completed in 2019 following the redevelopment of THFC's previous stadium.
- 3.32. The redevelopment of the Stadium was facilitated by The London Borough of Haringey (Northumberland Development Project) (No 1) Compulsory Purchase Order 2012 which authorised the Council to acquire certain land and rights to enable the construction and use of the Stadium.

- 3.33. As well as owning the Stadium, THFC owns property within Phase A and a number of parcels of land within Phase B.
- 3.34. THFC, as a significant landowner and occupier within North Tottenham, has been consulted on the redevelopment proposals for the Regeneration Scheme, with particular emphasis on the Stadium's operational requirements in respect of the new route between the Station and the Stadium.
- 3.35. THFC responded to the 2013 masterplan options consultation, stating its support for the principle of the masterplan as the first step towards a clear planning policy framework for the area. THFC stated its support for "Option 3" which sought to provide significantly improved housing for both existing and new residents, an opportunity to plan the new public realm more effectively, and to introduce an improved mix of community, recreational and commercial uses set within a high-quality public realm.
- 3.36. THFC also responded to the 2014 consultation on the 2014 Masterplan. THFC supported the general approach of the 2014 Masterplan and its design principles and highlighted a number of areas for further consideration. This included feedback relating to the vision, the new public square, the new Station entrance, the location of the community hub, the quantum of residential development, and street signage and place branding.
- 3.37. Following selection by the Council, Lendlease has been in regular dialogue with THFC regarding the Regeneration Scheme overall and the Scheme. This has either been as part of the general consultation undertaken by Lendlease regarding the Regeneration Scheme, or, via more focused bilateral discussions between Lendlease and THFC.
- 3.38. These meetings have covered a wide range of topics, but particular areas of focus have included:
- a) Lendlease's capability, approach and vision to development – these discussions have included a site tour of the Elephant Park development site currently being delivered by Lendlease;
 - b) THFC's operational requirements in the context of the Stadium and the Station;
 - c) the acquisition of THFC's landholdings within the Regeneration Scheme, and the potential for the Council to acquire the land required for the Scheme pursuant to a CPO; and
 - d) numerous issues relating to the application for planning permission which has subsequently been granted by the Council, in particular, how the development permitted by the Planning Permission would ensure that THFC's operational requirements, particularly in respect of crowd flow, would be protected.

4. DESCRIPTION OF THE ORDER LAND AND SURROUNDINGS

- 4.1. The Order Land comprises approximately 4.2 hectares of mixed-use land within the High Road West area of which the Council owns the freehold interest in over 80%. It is predominantly occupied by the Love Lane Estate, which comprises 297 homes across ten residential blocks, and which are set out in paragraph 4.6. The Order Land is bounded to the west by Love Lane, the Station and the railway line. To the east, the Order Land includes a row of terraced buildings, in mixed commercial and residential use, that front the High Road (No.s 731 to 759 High Road (odd numbers only)) and face the recently constructed THFC Stadium. The Order Land also comprises an area to the west of the railway line on which 100 Whitehall Street and the Whitehall & Tenterden Community Centre are situated (this is referred to as "Plot A").

- 4.2. The Order Land forms the southern part of the AAP site allocation NT5 and comprises the southern part of the Regeneration Scheme. The northern part of the Regeneration Scheme is located to the north of White Hart Lane and is largely characterised by industrial and commercial buildings located within the Peacock and Carbery Industrial Estates. A large, two storey B&M store and a block of 5 smaller retail units, with associated parking, occupies the northern-most part of the land to which the Regeneration Scheme relates. This includes Chapel Place, the rear of La Royale and the listed buildings at 867 / 869 High Road.
- 4.3. The boundary of the Order Land is shown edged red on the Order Map. The land coloured pink identifies the land over which the Council seeks to compulsorily acquire third party interests (“the Pink Land”) in order to deliver the Scheme. The freehold of the Love Lane Estate and Plot A]is held by the Council. There are a number of third-party leasehold interests within the Love Lane Estate where residents have exercised the right to buy. The High Road properties are held under several third party freehold interests. Of the commercial properties, 3 are owner occupied and 12 are let on commercial leases and assured shorthold tenancies.
- 4.4. The land coloured blue identifies the land over which new rights over land are proposed to be created and acquired compulsorily (“the Blue Land”) to facilitate the delivery of the Scheme. These rights are for crane oversailing, to erect and use scaffolding, carry out highway and landscaping works, and access. Further information on the rights sought over particular parts of the Order Land is provided below at paragraph 4.7 below.
- 4.5. The Pink Land includes:
- The Love Lane Estate built in the early 1960s and comprising 297 homes across ten blocks ranging from low-rise 4 storey blocks to 10 storey towers – the freehold of which is owned by the Council;
 - Coombes Croft Public Library, located on the ground floor of Kathleen Ferrier Court, a 5-storey residential building within the Love Lane Estate – the freehold of which is owned by the Council;
 - Nos 731 to 759 High Road (odd numbers only) comprising a 3-storey Victorian terrace with ground floor retail and residential on the upper floors;
 - A small sub-station to the south of No 731 High Road;
 - 100 Whitehall Street, a two/three storey building of which one part is used for Stage One Temporary Accommodation for 22 households, and the remaining space comprising former community space – the freehold of which is owned by the Council;

- The Whitehall and Tenterden Community Centre, a single-storey building leased to a community organisation – the freehold of which is owned by the Council; and
- All or parts of roads including Love Lane, Whitehall Street, Moselle Street, Moselle Place, William Street, High Road and White Hart Lane.

4.6. The table below sets out the blocks which comprise the Love Lane Estate alongside the current tenure and occupation of each block.

	Secure tenants	Non-secure tenants	Resident leaseholders	Non-resident leaseholders (some with private tenants in situ)	Voids	Total
Ermine House	7	40	3	1	9	60
Charles House	14	27	0	6	13	60
Moselle House	10	32	3	1	14	60
9-39 White Hart Lane	2	7	2	3	2	16
Kathleen Ferrier Court	2	10	3	3	1	19
2-32 Whitehall Street (evens)	0	3	1	4	8	16
3-29 Whitehall Street (odds)	1	10	2	1	0	14

31-61 Whitehall Street (odds)	0	12	1	2	1	16
63-89 Whitehall Street (odds)	1	11	1	1	0	14
2-28 Orchard Place	1	11	2	0	0	14
4-18 Brereton Road	0	5	3	0	0	8
Total	38	168	21	22	48	297

4.7. The Order makes provision for the following new rights to be acquired over the land shown shaded blue on the Order Map:

- Parts of roads including Headcorn Road, Tenterden Road and Whitehall Street and area of land to the north of Whitehall Street – where by reason of the current status of the roads, rights of access are sought with or without vehicles for all purposes.
- Land to the north and south of 100 Whitehall Street, part of Love Lane, part of White Hart Lane, land and properties on the north and south sides of White Hart Lane, part of William Street and properties to the east of William Street, and part of Brereton Road – where the right to swing the jib of a crane loaded or unloaded is sought to facilitate the delivery of the Scheme.
- Land and properties to the south, east and west of 9 -39 White Hart Lane – where rights are sought to access the land and erect and retain scaffolding and temporary hoarding for the purpose of constructing the Scheme on the adjoining land.
- Land to the east of the railway line and land surrounding 100 Whitehall Street and Whitehall and Tenterden Community Centre – where rights are sought to access the land and erect and retain scaffolding and temporary hoarding and demolish and re-build any structures for the purpose of constructing the Scheme on the adjoining land.
- Land surrounding 100 Whitehall Street and Whitehall and Tenterden Community Centre and part of Whitehall Street (west of the railway line)– where rights are sought to access the land to carry out landscaping and road works.

4.8. Full details of the ownership of each interest in the land and the new rights comprised in the Order are contained in the Order Schedule (which can be inspected at the addresses given in Section 16 of this

Statement). In respect of the Pink Land the Council is seeking the power to acquire all interests in the land unless expressly stated in the Order Schedule.

5. DESCRIPTION OF THE SCHEME

5.1. The Scheme constitutes the comprehensive mixed use residential-led redevelopment of the Order Land.

5.2. The Planning Permission grants planning consent for the entire Regeneration Scheme, including the Scheme, namely:

1) outline component comprising demolition of existing buildings and creation of new mixed-use development including residential (Use Class C3), commercial, business & service (Use Class E), business (Use Class B2 and B8), leisure (Use Class E), community uses (Use Class F1/F2), and Sui Generis uses together with creation of new public square, park & associated access, parking, and public realm works with matters of layout, scale, appearance, landscaping, and access within the site reserved for subsequent approval; and

2) detailed component comprising Plot A including demolition of existing buildings and creation of new residential floorspace (Use Class C3) together with landscaping, parking, and other associated works.

5.3. The planning application submitted for the Planning Permission was supported by a range of technical documents, including an Environmental Statement, Development Specification, Parameter Plans, Design Code, Transport Assessment, Arboricultural Impact Assessment, Economic Benefits Statement, Energy and Sustainability Statement and an Equalities Impact Assessment.

The Scheme

5.4. In respect of the Scheme the Planning Permission grants consent for:

- The delivery of between 127,500sqm and 156,500 sqm of residential floorspace, which equates to between 1,350 and 1,665 new homes
- The provision of 40% affordable housing (by habitable room) which will include the provision of 500 social rented Council homes including replacement homes for existing residents on the Love Lane Estate;
- A new Library and Learning Centre;

- A new public square of a minimum of 3,500 sqm (Moselle Square). The new Square will provide a range of benefits for the community, including leisure and social spaces and capacity for events, markets and other activities, as well as providing a more spacious and appropriate access to and from the Station and the Stadium;
- A District Energy Network to serve the Scheme and which has the capacity to serve other buildings including potentially those within Phase B
- All new homes within the Scheme will be 'visitable' dwellings in line with Part M Volume 1 M4(1) of the Building Regulations;
- New communal residents' amenity space;
- A pedestrian link between Whitehall Street and Headcorn Road;
- Landscaping, amenity space and parking provision.

In addition, the Scheme has provision for further non-residential space, with the precise quantum of this to be decided within the reserved matters applications for the remaining plots within Phase A, including:

- New retail provision of a range of sizes and types to extend and enhance the existing provision on the High Road;
- New leisure uses and public realm including indoor sports and public houses creating a vibrant area;
- Office space;
- New public realm (in addition to Moselle Square); and
- A new Health Centre if required (current plans are to relocate the existing Health Centre to the Scheme).

Plot A

- 5.5. The Planning Permission grants detailed consent for Plot A.
- 5.6. Plot A consists of two residential blocks containing 60 residential dwellings. The dwellings will include a mix of 1 bed, 2 bed, 3 bed and 4 bed units. 5 of the units will be designed for wheelchair users with the remaining 55 being wheelchair adaptable.
- 5.7. Pursuant to the terms of the Section 106 Agreement dated 31 August 2022 entered into alongside the Planning Permission (the "Section 106 Agreement") the 60 residential dwellings within Plot A will be provided as social rented units which will facilitate the first stage of re-housing of existing residents within the Love Lane Estate. The social rented homes will be allocated in line with the Council's High Road West Local Lettings Policy.

Remainder of the Scheme

- 5.8. The majority of the Scheme is approved in outline a Development Specification and a series of Parameter Plans and Design Code were approved as part of the Planning Permission which together provide further detail of the proposals sufficient to enable a reasonably detailed overview of the form of the development to be delivered in accordance with the Planning Permission. This is achieved through the Development Specification which includes minimum and maximum floorspace areas and the Parameter Plans which specify the proposed upper building scale limits, location of the proposed uses and the areas of public realm.
- 5.9. An illustrative masterplan for the Regeneration Scheme, including the Scheme, was submitted alongside the planning application for the Planning Permission showing an illustrative development layout and overall development strategy.
- 5.10. In respect of the Scheme, the illustrative masterplan shows a mixed-use development comprising residential, leisure, commercial, office, business and local community uses with a new 0.35ha public square and a library and learning centre (1,659 sqm GEA) at its heart. The illustrative masterplan includes 1,486 dwellings (500 of which are social rented Council homes) spread across seven plots within buildings ranging between 5 and 29 storeys interwoven with purpose-built cycle lanes, landscaped public realm and accessible play spaces. Alongside the creation of new homes to enable the rehousing of all existing residents on the Love Lane Estate, the illustrative masterplan contains 1,838 sqm of indoor sports, recreation or fitness floorspace, 69 sqm of office floorspace and 4,022 sqm GEA sqm of Class E(a-c) floorspace to facilitate the provision of active frontages and diverse retail and commercial offering to complement and act as an extension to the existing High Road district town centre uses including restaurants, food and beverage outlets and retail and commercial spaces.
- 5.11. The exact location and quantum of uses across the Scheme will be confirmed as reserved matters applications are determined by the Council in accordance with the Development Specification, Parameter Plans and Design Code. However, the Planning Permission permits the following.
- A minimum of 127,500 and maximum of 156,500 sqm of residential floorspace, which equates to between 1,350 and to 1,665 new homes. By reason of the Section 106 Agreement, at least 40% (by habitable room) of the new homes will be affordable homes, which includes the provision of 500 social rented Council homes.
 - a minimum of 2,150sq m and a maximum of 9,000 sq m GEA of non residential Class E(a-f) development. ;
 - a maximum of 6,000sq m GEA of Class F space, which will comprise the new Library and Learning Centre required to be delivered within the Scheme by reason of the related Section 106 Agreement;
 - Up to:

(i) 2,150 sq m GEA of Class E(g) floorspace;

(ii) 3,000 sq m GEA of sui generis floorspace for the provision of a public house;

(iii) 3,000 sq m GEA of sui generis floorspace for the provision of a cinema; and

- a minimum of 3,500sq m GEA public space comprising Moselle Square which will provide a direct link between the Station and the THFC Stadium.

5.12. The Scheme will make a significant contribution to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area and respond to the long-standing issues facing the community in north Tottenham. This is described in Section 9 of this Statement.

The Regeneration Scheme context

5.13. As set out above, the Planning Permission grants consent for the whole of the Regeneration Scheme.

5.14. In respect of Phase B of the Regeneration Scheme, the Planning Permission grants consent for:

- Housing - between 50,000sqm – 124,500sqm GEA of residential floorspace which equates to approximately 540-1360 residential dwellings of which a minimum of 40% (by habitable room) will be required to be provided as affordable pursuant to the terms of the Section 106 Agreement.
- Commercial, Retail and Leisure - between 0sqm – 4,500sqm GEA of Class E(a-e) floorspace.
- Creche, Day Nursery or Day Centre - between 0sqm – 2,000sqm of Class E(f) floorspace
- Learning and Community Facilities - between 0sqm and- 2,500sqm GEA of Class F floorspace.
- Office - between 1,525sqm-7,200sqm GEA of Class E(g) floorspace.
- Cinema/ Public House and Energy Centre – between 0 sqm – 1,000sqm GEA of floorspace for the provision of a public house, between 0sqm – 3,000sqm GEA of floorspace for the provision of a cinema and between 0sqm – 1800sqm GEA of floorspace for the provision of an energy centre.
- Industrial Workspace - between 0 sqm – 1,000sqm GEA of floorspace for the provision of B8 Industrial floorspace and between 0sqm – 7000sqm GEA of B2 Industrial floorspace.
- Open Space –in the form of a new public park which will provide a minimum area of 5,300 sqm GEA public space.

5.15. Section 6 of this Statement sets out further information about the relevant planning policies and compliance of the Scheme with the strategic planning framework.

6. THE PLANNING FRAMEWORK AND PLANNING STATUS OF THE ORDER LAND

- 6.1. Tier 2, Section 1, paragraph 104 of the 2019 Guidance requires that any programme of land assembly needs to be set within a clear strategic framework and that this is particularly important when acquiring land under section 226(1)(a) of the 1990 Act. It requires that the planning framework providing the justification for a CPO be as detailed as possible to demonstrate that there are no planning or other impediments to its implementation. Tier 2, Section 1, paragraph 106 of the 2019 Guidance refers to the Secretary of State being expected to take into consideration whether the purpose for which the land is being acquired accords with the adopted Local Plan and the National Planning Policy Framework.
- 6.2. As set out within section 9, the compulsory purchase of the Order Land is required to deliver the Scheme, being the residential led mixed use redevelopment of part of a key strategic site. For the reasons set out below the acquisition of the Order Land to facilitate the delivery of the Scheme (and by extension the wider Regeneration Scheme) would accord with the Development Plan and other policy and guidance, including the National Planning Policy Framework and National Planning Practice Guidance when read as a whole.

Planning Framework

- 6.3. There is a clear planning framework for the Scheme, which has been founded on an appropriate evidence base and has been the subject of consultation.

- 6.4. The following paragraphs summarise how a) the principle of the Scheme and b) the Scheme as permitted by the Planning Permission, meet key planning policy objectives of the strategic planning framework and how the purpose for which the Order Land is being acquired accords with the adopted Development Plan and the revised National Planning Policy Framework, as required by Tier 2 paragraph 104 bullet point 2 of the 2019 Guidance. A comprehensive appraisal of the Scheme as permitted by the Planning Permission in the context of all relevant planning policy is set out in the Officer's report to the Council's Planning Committee of 21 July 2020.
- 6.5. The Development Plan comprises:
- London Plan (2021)
 - Strategic Policies Development Plan Document (DPD) (2017) (formerly known as the Core Strategy)
 - Development Management DPD (2017)
 - Site Allocations DPD (2017)
 - Tottenham AAP DPD (2017)
- 6.6. The key document within the Development Plan is the Tottenham AAP DPD which identifies the Order Land within Site Allocation NT5 (the Regeneration Scheme) and sets the principles for its redevelopment.
- 6.7. National planning policy is set out in the form of the adopted National Planning Policy Framework (NPPF), which was updated in July 2021. The NPPF is subject to updates by the Government and is supplemented by the National Planning Practice Guidance (NPPG) which is updated on a regular basis. Both of these documents carry significant weight.

Principle of the Scheme

- 6.8. The London Plan (2021) sets out the Mayor's spatial vision and overall strategic plan for London.
- 6.9. The vision, objectives and policies set out in the London Plan are underpinned by the principles of Good Growth which is described as "growth which is socially and economically inclusive and environmentally sustainable." As part of delivering Good Growth, the London Plan proposes more efficient use of land in the capital as part of improving the lives of existing and new Londoners. This means creating areas of higher density in appropriate locations, encouraging a mix of land uses and co-locating different uses to provide communities with a wider range of services and amenities.
- 6.10. As part of delivering Good Growth in appropriate locations, the London Plan also states that growth should be directed to the most accessible and well-connected places, making the most of the transport network across all modes. To this end, the London Plan states that all options for using the City's land

more effectively should be explored, including the redevelopment of brownfield land and the intensification of existing places, including outer London. Through making the best use of land, the City is envisaged to grow in a way which works for all and will allow high-quality homes to be built and workspaces to be developed.

- 6.11. High Road West (which includes the Order Land) is identified within the Upper Lea Valley Opportunity Area in the London Plan. Policy SD1 of the London Plan states that the Mayor will support regeneration in Opportunity Areas and ensure that they deliver the maximum affordable housing and create inclusive and mixed communities. To this end, Part B of Policy SD1 states that boroughs, through development plans and decisions should: support development which creates employment opportunities and housing choice for Londoners; establish capacity for growth in Opportunity Areas; take into account the indicative capacity for homes and jobs in the London Plan; and include ambitious transport mode share targets. It should also support wider regeneration and ensure that development proposals integrate into the surrounding area.
- 6.12. Policy SP1 of the Strategic Policies DPD states that the Council will focus Haringey's growth in suitable locations, as part of meeting its minimum housing target of 19,802 new homes over the lifetime of the Plan (2011 – 2026); this includes High Road West amongst other strategic sites in North Tottenham, Wood Green and Tottenham Hale.
- 6.13. Policy DM55 of the Development Management DPD states that where development comes forward as part of an allocated site, the Council will require a masterplan to be prepared and accompanied by the proposal. In preparing a proposal, the Council expects the applicant to have engaged with landowners and occupiers on other parts of the allocated site, and where appropriate neighbouring boroughs. Supporting paragraph 7.37 states that particular projects which require masterplans, include Estate Renewal projects (including High Road West), where community consultation and co-ordination will be required.
- 6.14. Policy DM56 of the Development Management DPD states that the Council will support land assembly to achieve comprehensive and co-ordinated development. It will only use Compulsory Purchase Order (CPO) powers where necessary to assemble land for development in the borough where:

“Landowners and developers can demonstrate that they have:

- *a viable, deliverable and Local Plan compliant scheme;*
- *have made all reasonable attempts to acquire, secure an option over the land needed through negotiation.*
- *comprehensive redevelopment of the assembled Site is required to meet the Site Allocation (including the requirements of a Masterplan where stated in the Plan); and*

- *the development proposed for the assembled site would contribute to the delivery of the Local Plan's objectives."*
- 6.15. The TAAP was adopted in 2017 and sets out the Council's vision to regenerate Tottenham (including High Road West) and deliver 10,000 new homes together with 5,000 new jobs.
- 6.16. In order to achieve the vision set out in the TAAP, Policy AAP1 outlines that the Council will expect all development proposals to be brought forward comprehensively. To this end, development proposals which form part of a site allocation within the TAAP will require a masterplan. Policy AAP2 also states that the Council will support site assembly to achieve comprehensive development.
- 6.17. High Road West is identified as a Site Allocation in the TAAP (Ref: NT5). The site allocation states the following proposals for High Road West:
- "Masterplanned, comprehensive development creating a new residential neighbourhood and a new leisure destination for London. The residential-led mixed-use development will include a new high quality public square and an expanded local shopping centre, as well as an uplift in the amount and quality of open space and improved community infrastructure."*
- 6.18. A key tenet of the Site Allocation seeks the creation of a new residential neighbourhood through 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). The Site Allocation also seeks increased and enhanced community facilities and social infrastructure, including a new library and learning centre alongside the provision of a new and enhanced public open space, including a high-quality public square.
- 6.19. The most recent revision of the National Planning Policy Framework (NPPF) was published on 20th July 2021. It sets out the Government's economic, environmental and social planning policies. This is enshrined in Paragraph 8 of the NPPF which states *that "achieving sustainable developments means that the planning system has three over-arching objectives, which are interdependent and need to be pursued in mutually supportive ways..."* These are economic, social and environmental.
- 6.20. In terms of compliance with the London Plan, the Scheme is located in an opportunity area, is allocated for development, is significantly underutilised and is adjacent to an upgraded railway station. It also contains a wide variety of potentially different uses alongside significant residential and the open space.
- 6.21. Turning to the policies at the local level, the Scheme represents the realisation of the Council's long held ambition for the High Road West area.

- 6.22. As noted in Section 2, the comprehensive redevelopment of the High Road West area, particularly the Love Lane Estate, has been a key focus for the Council since 2012. The adoption of the TAAP and allocation of the High Road West area as a site for comprehensive residential led mixed use development marked the conclusion of a comprehensive consultation process.
- 6.23. The Scheme accords with policies within the Strategic Policies DPD directing development to North Tottenham and High Road West in particular. The Scheme is also part of a wider masterplan and planning consent according with the approach required for large scale development sites. As noted above, there has been significant consultation with local stakeholders including residents of the Love Lane Estate alongside landowners in the generation of the Redevelopment Scheme (of which the Scheme forms part), as policy requires.
- 6.24. With regard to local policy directly related to CPOs, the Scheme (as permitted by the Planning Permission) has been demonstrated to be deliverable and to be broadly compliant with the Development Plan. Section 11 of this Statement discusses the Council and Lendlease's attempts to secure vacant possession of the land within the Scheme, whilst the comprehensive redevelopment of the Order Land is critical to the delivery of the wider Site Allocation and the Local Plan more widely.
- 6.25. The TAAP builds on the requirements set out in the Strategic Policies DPD and again seeks comprehensive redevelopment to deliver the Site Allocation. The Scheme is part of a wider comprehensive redevelopment i.e. the Regeneration Scheme.
- 6.26. The Scheme will deliver a large quantum of housing and affordable housing, new leisure uses alongside the new shopping opportunities, new open spaces and new and improved community infrastructure such as the library and learning centre. As such, the principle of the Scheme aligns with the aspirations of TAAP while the Scheme as permitted by the Planning Permission has a high degree of conformity with the policies within the TAAP.
- 6.27. Taking the above into account, the principle of the Scheme is in accordance with the Development Plan and the Scheme will deliver significant economic, social and environmental improvements in accordance with the NPPF.

The Scheme as permitted by the Planning Permission

- 6.28. The Scheme is the delivery of the residential led mixed use redevelopment of the Order Land.
- 6.29. The following paragraphs summarise how the Scheme as permitted by the Planning Permission and described in further detail at Section 5 accords with the adopted Development Plan and the revised National Planning Policy Framework.

Residential use – including relevant policies for estate renewal and replacing social rented units

- 6.30. The London Plan seeks to increase the number of homes across the capital, with a borough target of 15,920 new dwellings over the plan period (until 2028/29), equivalent to 1,592 dwellings per annum. Policy GG2 states that those involved in planning and development must enable the development of brownfield land, particularly in Opportunity Areas.
- 6.31. Policy H8 of the London Plan sets out the requirements for the loss of existing housing and estate redevelopment. Part A outlines that the loss of existing housing should be replaced with new residential development at an equivalent or higher density, with a minimum amount of floorspace equivalent to the existing provided.
- 6.32. Policy DM11 of the Development Management Plan and supporting paragraph 3.7 also outlines that the renewal of estates should re-provide housing on a habitable room basis to increase the capacity to rehouse families into suitable accommodation. This also acknowledges the need to 'cross-subsidise' renewal schemes, through the provision of market housing and shared ownership products which will simultaneously contribute towards creating mixed and balanced communities.
- 6.33. The TAAP sets to deliver 10,000 new homes within the AAP including High Road West which sets a minimum of 1,400 new homes in the Site Allocation (Ref: NT5) with a mix of tenure, type and unit sizes.
- 6.34. Chapter 5 of the NPPF seeks to significantly boost the supply of housing. Paragraph 65 states that in order to significantly boost housing supply, it is important that a sufficient quantum and variety of land can come forward where needed to meet specific housing requirements.
- 6.35. The Scheme delivers significant new housing on this large brownfield site in the Opportunity Area as required by the London Plan. The delivery of new housing significantly exceeds the existing number within the Order Land at a higher density. This equates to more housing by unit, by floorspace and by habitable room. Market housing and intermediate housing will also be introduced into the Scheme to deliver a mixed and balanced community. The Scheme accords with the housing policies of the London Plan.
- 6.36. The Scheme also accords with the requirements of the TAAP. The Scheme can deliver the minimum requirement of 1,400 homes for the Site Allocation as a whole including the required mix of unit tenures, types and sizes.
- 6.37. The Scheme's delivery of a significant increase in housing with a range of types and tenures also accords with the NPPF.

Affordable Housing

- 6.38. Policy H4 of the London Plan sets a strategic target of 50% for all new homes delivered in London to be genuinely affordable.

- 6.39. Policy H6 of the London Plan sets out the split of affordable tenures to be applied to residential development. This sets a split of 30% low-cost rented homes (either as London Affordable Rent or Social Rent), 30% Intermediate (London Living Rent or Shared Ownership) with the remaining 40% determined by the local authority.
- 6.40. Part E of Policy H8 of the London Plan states that the demolition of affordable housing (including estate regeneration proposals) will only be permitted where an equivalent amount of affordable housing floorspace is provided. Affordable housing that is replacing social rented accommodation should similarly be provided at social rent levels where a right to return is being facilitated.
- 6.41. TAAP Policy AAP3 states that the Council will expect affordable housing to be provided in accordance with Policy SP2 and DM13 with the exception of the tenure split which in the TAAP should be provided at 60% intermediate and 40% affordable rented accommodation. This is to rebalance the mix of tenure types in Tottenham which is currently dominated by a single tenure type.
- 6.42. In accordance with these policy requirements, the Scheme delivers a significant quantum of affordable housing units, replacing all the existing Love Lane Estate homes and increasing the current supply of social housing on the Order Land. The Scheme, as permitted by the Planning Permission, will also provide a minimum of 40% affordable housing (by habitable room) which could rise in the event of the receipt of further grant funding and the outcome of the various viability reviews required pursuant to the Section 106 Agreement.
- 6.43. The delivery of at least 500 social rented Council homes (which will facilitate the rehousing of existing Love Lane Estate tenants as well as providing a significant increase in the Council's housing stock) means that the affordable housing to be provided within the Scheme pursuant to the Planning Permission favours social housing. However, the significant delivery of other types of housing fulfils the same policy objective of creating mixed and balanced communities. The Scheme does not directly accord with the tenure split set out in the TAAP due in large part to the significant number of homes needed to be reprovided for the existing Love Lane Estate households. However, Site Allocation NT5 specifically requires new homes for the existing secure Council tenants living on the Love Lane Estate, which the Scheme provides in addition to new social rented homes for existing non-secure tenants on the estate.

Town Centres

- 6.44. Policy SD6 of the London Plan states that the vitality and viability of London's varied town centres should be promoted and enhanced by encouraging the delivery of diverse hubs which meet the needs of Londoners. Town centres should also be identified as locations for mixed-use or housing-led intensification to optimise residential growth potential which secures a high-quality environment and complements the local character and heritage assets.

- 6.45. Policy SP10 of the Strategic Policies DPD states that Town Centres, including the Local Shopping Centre at Tottenham High Road, will continue to be supported in providing core local shopping facilities and services.
- 6.46. Paragraph 86 of the NPPF states that policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 6.47. The Scheme will contain a significant proportion of town centre type uses including leisure / retail. The Scheme also provides significant public realm improvements and social infrastructure such as Moselle Square. This will realise the aspiration to extend the town centre into the Scheme, specifically around Moselle Square. These town centre uses are accompanied by significant residential development which provides a greater diversity of uses.

Employment Uses

- 6.48. Part C of Policy GG5 of the London Plan states that those involved in planning and development should plan for sufficient employment and industrial floorspace in the right locations and support economic development and regeneration. Policy E1 states that improvements for the provision of office floorspace of different sizes should be supported by the provision of new, refurbished and mixed-use development.
- 6.49. Policy SP8 of the Strategic Policies DPD seeks to ensure a strong economy whilst the TAAP seeks to deliver high quality workspace.
- 6.50. The Planning Permission grants consent for the provision of office floorspace and other complementary leisure and town centre uses which will contribute to job creation.

Community, Leisure and Cultural Uses

- 6.51. Policy HC5 of the London Plan states that proposals should identify and promote new, or enhance existing, locally-distinct clusters of cultural venues and related uses, especially where they can provide an anchor for local regeneration and town centre renewal. In addition, Part A5 outlines that development in Opportunity Areas and large-scale mixed-use developments should include new cultural venues and/or facilities and spaces for outdoor cultural events.
- 6.52. Policy SP14 of the Strategic Policies DPD states that the Council will seek to improve health and well-being of existing and future residents through supporting the integration of community facilities and services in multi-purpose buildings. In addition, Policy SP15 outlines that the Council will safeguard and foster the borough's cultural heritage and promote cultural industries and activities through supporting the provision of new workspaces together with social and cultural venues to support cultural and leisure activities.

- 6.53. Policy DM41 of the Development Management Plan DPD states that proposals for new leisure and cultural uses will be supported in Local Centres where they are consistent with the size, role and function of the centre and its catchment; sustain and enhance the town centre network; and contribute towards the borough's spatial strategy.
- 6.54. Site Allocation NT5 requires the creation of new leisure, sports and cultural uses along with an increase and enhancement in the quality and quantity of community facilities and social infrastructure.
- 6.55. The Planning Permission grants consent for a variety of new leisure uses including the library and learning centre, indoor sports facilities, retail and food and beverage space. These sit alongside the delivery of the new Moselle Square which will be the focus of the community, cultural and leisure uses . In addition, a new health centre can be accommodated within the Scheme.

Design and Tall buildings

- 6.56. Policy D3 of the London Plan states that all development must make the best use of land by following a design-led approach with high density development guided towards areas of good connectivity. Policy D4 also seeks high-quality and well designed developments.
- 6.57. Policy SP11 of the Strategic Policies DPD requires development to enhance and enrich the borough's built environment.
- 6.58. Policy D9 of the London Plan defines tall buildings, where tall buildings should be located and how the adverse impacts of tall buildings should be minimised. Policy SP11 of the Local Plan requires tall building proposals to be assessed against the criteria within the TAAP and the associated masterplan. The TAAP identifies the Site as being suitable for tall buildings.
- 6.59. Consultation during preparation of the Scheme has included the Quality Review Panel process.
- 6.60. The Scheme contains a number of buildings that fall within the policy definition of 'tall buildings'. As noted in Section 3 above and more fully set out within the Design and Access Statement submitted in support of the application for the Planning Permission, the design process was rigorous. The tall buildings approved pursuant to the Planning Permission were thoroughly appraised in the Heritage Townscape and Visual Impact Assessment submitted in support of the Planning Permission. Pursuant to Condition 40 of the Planning Permission, each reserved matters application for landscaping, layout, scale and appearance must conform with the approved Design Code, Development Specification and Parameters Plans. The requirement to comply with the approved Design Code provides design comfort and control as the outline component of the Scheme comes forward.

Transport

- 6.61. The London Plan promotes car-free development and sustainable transport modes with a view to meeting the Mayor's strategic target of 80% of all trips made by foot, cycle or public transport. Development should make effective use of land, reflecting its connectivity and accessibility by existing and future transport routes.
- 6.62. Policy SP7 of the Strategic Policies DPD states that the Council will work with its partners to deliver key transport and highway changes as part of tackling climate change, improve local place-shaping and public realm together with environmental and transport quality and safety.
- 6.63. Site allocation NT5 requires the creation of a new square connecting the Station with the new THFC Stadium.
- 6.64. Paragraph 102 of the NPPF states that development should take opportunities to promote walking, cycling and public transport use as part of the earliest stages of development proposals.
- 6.65. The Planning Permission provides for a limited quantum of parking associated with those rehoused residents from the Love Lane Estate. The remainder of residential and other uses will be car free and thus encourage more sustainable modes of transport. Moselle Square will also connect the Station to the Stadium. In addition there are a variety of cycling infrastructure improvements.

Public Realm and Open Space

- 6.66. London Plan Policy D4 includes standards for private outdoor space. London Plan Policy D8 promotes the need for well-designed public realm to create safe, accessible, inclusive, attractive and well-connected places. London Plan Policy S4 supports residential development or development likely to be used by children and young people to provide opportunities for play.
- 6.67. Policy DM20 of the Development Management DPD seeks to create new open spaces in areas of open space deficiency in line with the Haringey Open Space and Biodiversity Study (2013).
- 6.68. Policy AAP9 states that high priority will be afforded to enhance access through on-site provision of Tottenham Green Grid project in areas identified as deficient in access to open spaces.
- 6.69. Site Allocation NT5 requires the provision of a new and enhanced public open space including a high quality public square.
- 6.70. The Planning Permission provides for a new public square of 3,500sqm – Moselle Place. This new amenity space will be a focal point of activity in the Scheme. In addition to this new piece of open space infrastructure, there will significant environmental improvements throughout the Scheme, including new streets, footpaths planting, and doorstep play.

Energy

- 6.71. The London Plan sets out that major development should be designed to be net zero-carbon in accordance with the energy hierarchy set out in Policy SI2. Policy SI3 also seeks to encourage and coordinate energy infrastructure for major developments such as this.
- 6.72. Policy SP4 of the Strategic Policies DPD states that the Council will promote and require all new developments to adopt measures to reduce energy use and carbon emissions during design. In accordance with Part 2 of Policy SP4, developments are required to assess, identify and implement site-wide and area-wide decentralised energy facilities including the potential to link into the wider network, where viable.
- 6.73. Paragraph 148 of the NPPF encourages proposals which support renewable and low carbon energy and associated infrastructure.
- 6.74. The Scheme will establish a District Energy Network to which the buildings within the Scheme will connect. Furthermore, the Scheme will achieve net zero for the residential uses in accordance with the Mayor's energy hierarchy.

Planning Policy Summary Assessment

- 6.75. In summary, the Scheme delivers on key policy requirements within the Development Plan. The acquisition of the Order Land will facilitate the delivery of the Scheme and by extension a significant number of national, strategic and local policy goals, including the delivery of:
- A new residential neighbourhood which increases housing choice and supply with a mix of tenure, type and unit size including the re-provision of all existing social housing;
 - New additional social housing;
 - New additional intermediate affordable housing;
 - New market housing;
 - The creation of a new public square that also creates a safer, more generous, more coherent connection from the Station to the Tottenham High Road and the THFC Stadium;
 - New retail provision to create an enhanced town centre and extend and enhance the provision on the High Road;
 - Introduction of new uses including indoor sports uses , retail and the library to create a vibrant area which is activated seven days a week;
 - Providing a larger and enhanced Library and additional community space as part of a new Library and Learning Centre.

6.76. As noted at the start of this Section, paragraph 104 of the 2019 Guidance requires that any programme of land assembly needs to be set within a clear strategic framework and that this is particularly important when acquiring land under section 226(1)(a) of the 1990 Act. Paragraph 106 of the 2019 Guidance indicates that the Secretary of State will take into consideration whether the purpose for which the land is being acquired fits in with the adopted Local Plan and the National Planning Policy Framework. For the reasons given in this section, it is the Council's position that the Secretary of State is able to confidently conclude that the purposes for which the Council proposes to acquire the land and rights included in the Order are set within a clear strategic framework, and are in accordance with both the Development Plan and the relevant objectives of the NPPF when read as a whole.

7. DELIVERY STRUCTURE AND FUNDING

7.1. This section sets out how the Scheme will be delivered and funded.

7.2. On 20 December 2017 the Council and Lendlease entered into the DA to secure the delivery of the Regeneration Scheme. On the same date the Council and Lendlease entered into the CPOIA pursuant to which Lendlease undertook to indemnify the Council in respect of costs incurred in promoting, making and securing the compulsory acquisition of the Order Land and the compensation payments arising from those acquisitions.

7.3. The phased nature of the Scheme is reflected in the delivery arrangements, with leases for land required to deliver each phase, granted to Lendlease on the satisfaction of conditions. These are described further below.

7.4. For the reasons set out below, the Council is satisfied that, following confirmation of the Order, the Scheme will be delivered.

7.5. As highlighted above, the proposed regeneration at High Road West is an important policy priority for the Council. The Council has worked with Lendlease to ensure that the necessary funding, approvals and consents and all other matters required for delivery of the regeneration proposals are in place.

Lendlease

7.6. The Scheme will be delivered by Lendlease.

7.7. Lendlease is a wholly owned subsidiary of Lendlease Corporation Limited ("Lendlease Ltd").

7.8. Lendlease has been fully committed to delivering the Regeneration Scheme since entering in the DA.

7.9. Lendlease Ltd is a globally integrated real estate and investment group with expertise in delivering complex regeneration schemes. It was established in Australia in 1958 and listed on the Australian Securities Exchange in 1962 and Lendlease Ltd has been operating in the United Kingdom since 1991.

- 7.10. Lendlease Ltd has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors. As at 31 December 2021, Lendlease Ltd has a pipeline of development projects valued at A\$111.8bn, and assets and funds under management of circa A\$70.8bn.
- 7.11. Lendlease Ltd has a proven track record of funding and delivering similar large scale residential led regeneration projects in the Europe, Australia, Asia and the Americas, including:
- Elephant & Castle – Lendlease Ltd, in partnership with the London Borough of Southwark, is currently bringing forward the redevelopment of Elephant & Castle. Planning permission for the redevelopment of the site was granted in 2010 for a mixed use development comprising circa 3,208 residential units as well as office and retail space. Construction commenced in 2013 with 2,303 residential units and 9,000 sqm of retail space provided to date and a further 646 residential units currently under construction.
 - International Quarter London – Lendlease Ltd obtained planning permission in 2010 for the redevelopment of the nine hectare site located at the gateway to the Olympic Park in Stratford, London. Construction commenced in 2014 with over 333 residential units, 97,000 sqm of office space and 3,000 sqm of retail space provided to date.
 - Deptford Landings – Lendlease Ltd is bringing forward the residential-led mixed-use redevelopment of the 4.7 hectares in Deptford alongside the London Borough of Lewisham. The site was acquired in 2014, and will deliver more than 1,400 residential units and 10,000 sqm of commercial, retail and leisure space. Construction commenced in 2018, with 203 units delivered to date, and a further 251 currently under construction.
- 7.12. Lendlease Ltd has a team of in-house experts working on the Scheme covering development, finance, project management and construction as well as a team of experienced consultants, covering design, planning, community engagement and site assembly, to bring forward the Scheme following the grant of the Planning Permission.
- 7.13. Accordingly, the Council considers that Lendlease is well placed to undertake and deliver the Scheme.

Investment to date and delivery

- 7.14. Lendlease is committed to delivering the Scheme.
- 7.15. Since entering into the DA and CPOIA, Lendlease has invested significantly in order to progress the Scheme and wider Regeneration Scheme through the planning process and the acquisition of relevant property interests. Lendlease has advised the Council that it has, to date, committed to significant costs in relation to the delivery of the Regeneration Scheme.

7.16. The Council is satisfied that Lendlease have the necessary funds to complete the assembly of the Order Land and to carry out and complete the Scheme. Lendlease has indicated that the Scheme is likely to be funded by a combination of grant funding, internal funding and potentially third-party capital. The Council has secured a £91.5 million grant funding contribution made up of £70.3m from the Affordable Housing Grant towards the delivery of affordable housing within the Scheme and £21.2 million from the Mayor's Land Fund to facilitate the delivery of market units within the Scheme.

7.17. As is commonplace with development agreements, the DA obliges Lendlease to carry out the Regeneration Scheme, subject to the fulfilment of specified conditions. In summary, these are as follows:

Initial Site Wide Conditions

7.18. The Strategy Condition which requires strategies, including those relating to the design and delivery of the development to be agreed. The Strategy Condition has been satisfied.

7.19. The Statutory Consents Condition which requires all necessary statutory consents for the disposal of the land to which the DA relates to have been obtained. The Statutory Consents Condition has been satisfied.

7.20. The Planning Condition which requires planning permission to have been granted for the entire Regeneration Scheme that is satisfactory to Lendlease and the Council and is free from legal challenge. The Planning Permission was granted on 31 August 2022. The six-week period for legal challenge expired on 12 October 2022. Two pre-action protocol letters were received during the judicial review period, followed by two claims for judicial review. The Council and Lendlease have responded to the pre-action protocol letters to confirm that they will each be robustly defending the challenges.

Phase Conditions

7.21. As is commonplace for a project of this size and scale, the Scheme will be delivered in phases, and the DA sets out a set of conditions for each phase.

7.22. The DA envisages that "Phase 1" (which for the purposes of the DA includes Plots A and D of the Planning Permission) will come forward first with the remainder of the phases following thereafter. Following the satisfaction of the Initial Site Wide Conditions, the obligation on the Council to grant a lease of "Phase 1" to Lendlease (which consists of Plot A and Plot D), thereby enabling the delivery of the development, is subject to certain conditions being satisfied. In summary, these are as follows:

- The Planning Condition which requires detailed planning permission to have been granted for that phase that is satisfactory to Lendlease and the Council and is free from legal challenge. The Planning Permission grants detailed planning permission for Plot A and Lendlease will submit reserved matters applications setting out the detail of Plots B-G within the project programme to ensure this condition is satisfied.
- The Affordable Housing Grant Condition which requires Lendlease to have entered into a grant agreement with the GLA for affordable housing grant in respect of the affordable housing units within Phase 1. The Affordable Housing Grant Condition has been satisfied for the whole of the Scheme.
- The Vacant Possession Condition which requires the securing by agreement, appropriation or otherwise of vacant possession of Phase 1. The Council anticipates securing vacant possession of Plot A by agreement and is included in the Order to provide certainty that it can be delivered. Vacant possession of Plot D and the remaining phases will be obtained either via agreement, the use of the Council's powers contained within the Housing Act 1985 or the use of the powers within the Order. The Council has set out above and within the Order the extent of the freehold and leasehold interests that have been acquired to date and those remaining to be acquired. The confirmation and implementation of the Order will satisfy this condition.
- The Building Contract Condition which requires a building contract to have been entered into in respect of all of the works contained within Phase 1 or (subject to the remaining phase conditions having been satisfied) the first plot within Phase 1. The Council is satisfied that this condition will be met.
- The Delivery Methodology Condition which requires a methodology to be agreed for the delivery of the development demonstrating that any effect on operations, housing and / or commercial activity in other parts of High Road West is fully mitigated during the delivery of Phase 1. The Delivery Methodology for Plot A has been submitted to the Council and the Council is satisfied that this condition will be met.

7.23. The obligation on the Council to grant a lease to Lendlease of any subsequent phase, thereby enabling the delivery of the Scheme, is subject to the above mentioned conditions being satisfied in relation to that phase. Subject to confirmation of the Order, the Council is satisfied that all the conditions set out above for Phase 1 have either been or will be met.

7.24. In addition, as is common practice in a scheme of this size and type, the following conditions are also required to be satisfied for subsequent phases:

- Pre Planning Viability Condition: in respect of any phase which contains market units, Lendlease is, prior to the submission of reserved matters for that phase, required to demonstrate the viability of a) the phase of the Scheme and b) the overall Regeneration Scheme.
- Post Planning Viability Condition: in respect of any phase which contains market units, Lendlease is, following the grant of reserved matters for that phase, required to demonstrate the viability of a) the phase of the Scheme and b) the overall Regeneration Scheme.

Lendlease is satisfied that the development which will deliver the Scheme will be viable and the Council is satisfied that Lendlease will have the necessary funds to complete the assembly of the Order Land and to carry out (and complete) the Scheme in accordance with the Planning Permission.

- Socio Economic Output Condition: requires Lendlease to have achieved the outputs and key performance indicators identified in the Socio Economic and Skills Strategy in relation to the preceding phases. The Council is satisfied that this condition will be met.
- Milestone Condition: requires Lendlease to have achieved a certain level of progress in respect of earlier phases. The Council is satisfied that this condition will be met.

Timetable for Delivery

7.25. The Scheme will be delivered in a number of phases. The phasing has been developed to reflect a realistic programme for delivery of the Scheme as well as the strategy for rehousing existing residents of the Love Lane Estate. The Scheme is capable of being delivered independently of Phase B and this is the current intention of the Council and Lendlease.

7.26. The current phasing strategy for the Scheme, including an indicative programme with proposed start on site and completion dates is set out below.

Phase	Plots	Anticipated Start Date	Anticipated Comp. Date
Sub-Phase 1	Plots A, G	Q4 2022	Q4 2024
Sub-Phase 2	Plots D & F	Q1 2023	Q3 2028
Sub Phase 3	Plots B, C, E and Moselle Square	Q4 2028	Q1 2032

7.27. The phasing strategy is currently being reviewed with the intention to bring forward the benefits of the Scheme quicker and reduce the level of disruption to existing residents. In light of this review, it is anticipated that the phasing strategy outlined above will change as the Scheme progresses, albeit Plot A will remain the first plot to be commenced.

- 7.28. The Council and Lendlease will continue to seek to acquire any outstanding interests in the Order Land in accordance with the phasing strategy for the delivery of the Scheme and similarly will implement the Order (where required) to allow the phasing and decant proposals to be achieved.
- 7.29. In order to provide certainty on the ability to deliver the Scheme (which will include the delivery of new housing funded by the GLA and the flexibility to enable the re-provision of homes for all qualifying residents) the Council has included all land and rights required to deliver the Scheme within the Order now, including land required for the later sub phases which are not due to commence until Q4 2028.
- 7.30. Works are due to commence on Plot A in Q4 2022, prior to the confirmation of the Order. Notwithstanding this, the Council has adopted a precautionary approach to land assembly for Plot A and included the entirety of the land and rights required to deliver Plot A within the Order.
- 7.31. Works on the remaining phases will commence in accordance with the phasing strategy, subject to vacant possession of the land required to deliver that phase having first been obtained.
- 7.32. It is anticipated that the first residential units, within Plot A, which will be affordable homes for existing residents, will be ready for occupation in Q4 2024.

8. THE USE OF THE ENABLING POWERS

Section 226(1)(a) and section 226(3)(a) of the Town and Country Planning Act 1990

- 8.1. Section 226 of the Town and Country Planning Act 1990 (“the 1990 Act”) confers power on a local authority to acquire land compulsorily for development and other planning purposes if authorised to do so by the Secretary of State.
- 8.2. Section 226(1)(a) of the 1990 Act gives a local authority power to acquire compulsorily any land within its area if it thinks that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to that land.
- 8.3. Where a local authority exercises its power within Section 226(1)(a), pursuant to Section 226(3)(a) of the 1990 Act it may also acquire land adjoining the land so required to facilitate its development or use.
- 8.4. The power to acquire land compulsorily conferred by Section 226(1)(a) of the 1990 Act is subject to subsection (1A), which provides that the acquiring authority must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objectives:
 - the promotion or improvement of the economic well-being of its area;
 - the promotion or improvement of the social well-being of its area;
 - the promotion or improvement of the environmental well-being of its area.
- 8.5. The Council considers the Scheme meets the tests within subsection (1A). Section 9 of this Statement describes the well-being benefits arising from the implementation of the Scheme.

Section 13 Local Government (Miscellaneous Provisions) Act 1976

- 8.6. Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (“the 1976 Act”), enables local authorities to create and purchase compulsorily new rights over land, where the acquisition of the land itself is not required and where such rights are not in existence when the compulsory purchase order is made. In the Order, new rights are sought for: (i) crane oversailing, (ii) access, (iii) works to the highway and landscaping, and (iv) erecting scaffolding and hoarding during the construction period. Having considered how the redevelopment is to be carried out, in order to ensure delivery, the Council is seeking to exercise powers under section 13 of the 1976 Act for the creation and compulsory purchase of new rights over part of the Order Land. These are required to implement and complete the redevelopment of the Order Land. At the time of making the Order the Council confirms that such rights were not in existence over that part of the Order Land.

- 8.7. Section 9 below explains why the exercise of these powers is necessary and compellingly justified in order to facilitate the delivery of the Scheme.

2019 Guidance (July 2019) – Compulsory Purchase and the Crichel Down Rules

- 8.8. Government guidance on the use of compulsory purchase powers is provided in the 2019 Guidance which states that a compulsory purchase order should only be made where there is a compelling case in the public interest.
- 8.9. The 2019 Guidance at Tier 1, paragraph 2 sets out that acquiring authorities 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. It requires that the officers' report seeking authorisation for the compulsory purchase order should address human rights issues. Section 10 of this Statement sets out further consideration of human rights.
- 8.10. Tier 1, paragraph 2 also sets out that acquiring authorities are required to demonstrate that they have taken reasonable steps to acquire all the land and rights included in the Order by agreement. The Council has sought to acquire the interests by agreement and continues to do so alongside the promotion of the Order. Further details are set out in section 11 below.
- 8.11. Tier 1, paragraph 6 provides guidance that the Public Sector Equality Duty in section 149 of the Equality Act 2010 must be fulfilled. The Council (and the Secretary of State) must discharge the Public Sector Equality Duty when making (and confirming) a compulsory purchase order. Paragraphs 10.14-10.22 of this Statement provides further information on how the Council has done so throughout the process.
- 8.12. Tier 2, section 1 (paragraphs 94-106) provides specific advice on the making of orders under section 226 of the 1990 Act. Paragraph 95 of section 1 states that the powers under section 226 are intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist. Sections 6 and 9 of this Statement address the planning framework and justification for the Order.
- 8.13. Paragraph 97 of tier 2, section 1 refers to section 226(1)(a) of the 1990 Act enabling acquiring authorities with planning powers to acquire land if they think that it will facilitate the carrying out of development, redevelopment or improvement on, or in relation to, the land being acquired, and it is not certain that they will be able to acquire it by agreement.
- 8.14. Paragraph 103 of the same section refers to section 226(1) (a) being restricted under section 226(1A), in the terms set above. It makes clear that the benefit to be derived from exercising the power is not restricted to the area subject to the compulsory purchase power, as the concept of wellbeing is applied

to the whole (or any part) of the acquiring authority's area. Section 9 of this Statement includes information regarding the wellbeing benefits which will arise from the Scheme.

- 8.15. Paragraph 104 of tier 2, section 1 sets out further information on the justification required to support an order to acquire land compulsorily under section 226(1)(a) of the 1990 Act. This includes;
- Programme of land assembly to be set within a clear strategic framework [see Sections 2, 3 and 6 of this Statement of Reasons]
 - Such a framework needs to be founded on an appropriate evidence base and to have been subjected to consultation processes [see Sections 3 and 6]
 - The planning framework should be as detailed as possible in order to demonstrate that there are no planning or other impediments to the implementation of the scheme [Sections 5, 6 and 9].
 - Consideration of the National Planning Policy Framework as this is a material consideration in all planning decisions [Section 6].
- 8.16. Paragraph 105 of tier 2, section 1 makes clear that it is not always feasible or sensible to wait until the full details of the scheme have been worked up before proceeding with the order. In such cases the responsibility lies with the acquiring authority to put forward a compelling case for acquisition in advance of resolving all uncertainties. Section 5 sets out details of the Planning Permission and explains the parameters for delivery of residential and non-residential floorspace within the Scheme. The Council considers that there is a compelling case to make the Order now, in order to secure delivery of the Scheme and the associated wellbeing benefits set out in section 9, in advance of the details of development within each sub-phase.
- 8.17. Paragraph 106 further provides that in making a decision whether to confirm an order made under section 226(1)(a), the Secretary of State will take the following factors into account:
- Whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up to date Local Plan exists, with the draft Local Plan and the NPPF (this is addressed in Section 5 of this Statement).
 - 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 (this is addressed in Section 9 of this Statement).
 - 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 (this is addressed in paragraphs 9.38-9.47 of this Statement).

- 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. Section 7 paragraph 7.16 sets out how Lendlease will fund the Scheme. 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. The Council has entered into agreements with the GLA for the provision of £70,312,000 of Affordable Housing Grant and £21,200,000 of Mayor's Land Fund to facilitate the delivery of the Scheme. As is common with such agreements, the provision of the funding is subject to the Scheme progressing in line with the target dates set out within the respective agreements.

8.18. Tier 2, section 19 (paragraphs 245 to 254) of the 2019 Guidance is also relevant as it provides guidance on the compulsory purchase of new rights including under the 1976 Act. Paragraph 248 sets out that there should be a description of relevant powers and purposes (which purposes may, as here, be the same purposes as those for the land to be acquired). These matters are addressed in Section 4.

8.19. The Council has followed the 2019 Guidance in making the Order. The Council is exercising the powers under section 226(1)(a) of the 1990 Act because the Scheme will facilitate the redevelopment of the area and will make a significant contribution to the improvement of the economic, social and environmental well-being of the Council's area, including residents of the Order Land. The exercise of the powers conferred by section 13 of the 1976 Act is also required to facilitate development of the Scheme (as set out in section 4 above). Further explanation as to the justification for the use of compulsory purchase powers is set out in the subsequent sections of this Statement.

9. THE PURPOSE AND JUSTIFICATION FOR THE USE OF COMPULSORY PURCHASE POWERS

- 9.1. Through its policies, the Council has consistently recognised and promoted the need to regenerate the North Tottenham area and specifically the High Road West area, as summarised in section 2 of this Statement.
- 9.2. The section below sets out the purpose and justification of the use of compulsory purchase powers to facilitate the carrying out of development applying the tests set out in the 2019 Guidance.
- 9.3. It explains how the Scheme will improve the environmental, social and economic well-being of the Order Land and the surrounding area.
- 9.4. The Council's case is that the use of compulsory purchase powers is necessary to acquire the Order Land (including the new rights) to facilitate the delivery of the Scheme and that delivery of the Scheme is compellingly in the public interest.

Facilitate the carrying out of development

- 9.5. The acquisition of the Order Land is required to secure the delivery of the Scheme. It will also facilitate delivery of the wider Regeneration Scheme, consistent with adopted planning policy.

Clear Strategic Framework

- 9.6. The Scheme will contribute to the delivery of the planning policies and the requirements of the Development Plan, including London Plan (2021), the Strategic Policies Development Plan Document (2017) and TAAP (2017).
- 9.7. Further information on how the Scheme accords with the Development Plan, as well as the NPPF, is set out in Section 6 of this Statement.

Wellbeing benefits

- 9.8. The Scheme will make a significant contribution to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area, as follows.

Economic

- 9.9. The Scheme will make a significant contribution to tackling the economic issues facing the community in north Tottenham. This includes providing employment and training opportunities so that residents

have access to more jobs locally, while also having the right skills to access jobs across London. The investment in an enhanced town centre as well as the increased customer base will also deliver a significant boost to the local economy, benefiting existing and new businesses in the local area.

- 9.10. The North Tottenham area has consistently been ranked as one of the most deprived in the country. The Index of Multiple Deprivation (IMD) brings together data covering seven different aspects or 'domains' of deprivation into a weighted overall index, which are used to rank the Lower-layer Super Output Areas (LSOA) nationally. The entire population within the Scheme area fall within the most deprived quintile, which is considerably higher than the comparative population for Haringey (34%), London (16%) and England (20%).⁵
- 9.11. The Northumberland Park ward, within which the Scheme was situated prior to local ward boundary changes in May 2022, has the highest number of people claiming Universal Credit, Jobseekers Allowance and other job-related benefit allowances within the Borough. The ward also has the highest level of people not in employment, education or training (NEETs) within the Borough, which is likely to reflect the younger population that live within the Northumberland Park Ward. The unemployment rate in the ward is nearly double the borough and London average⁶. The average income in the Northumberland Park ward is also significantly below the Haringey and London average⁷.
- 9.12. The impacts of Covid-19 are evident; at times in 2020, the Tottenham constituency had the highest furlough rate in the UK, likely due in part to the substantial proportion of local jobs in the retail and hospitality sectors that were particularly heavily affected by lockdowns and the consequent economic shocks⁸. While the number of job vacancies has increased, employers are struggling to find the people with the right skills to fill their vacancies. Many residents continue to face complex challenges and barriers to finding and sustaining good quality employment. The increasing cost-of-living threatens those community members already affected by two years of income disruption.
- 9.13. Within this context, there is a compelling need to regenerate this part of the Borough. It is for this reason that the regeneration of Tottenham has been and continues to be a key priority for the Council.

⁵ Source: ONS 2020 mid-year population estimates and MHCLG 2019 Indices of Multiple Deprivation

⁶ Source: ONS Census, 2011 and DWP/MYE Claimant Count, 2019. The Scheme is situated within the Bruce Castle ward as of May 2022. Updated ONS Census data to reflect these ward boundary changes is not yet available.

⁷ Source: GLA, 2012/13 and LIFT, 2021

⁸ Source: Coronavirus Job Retention statistics, 2021

9.14. On the basis of the illustrative masterplan⁹, the Scheme will directly and indirectly benefit the economic wellbeing of the residents of Tottenham and the Borough by:

- 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.
- 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.
- Generating £43.3 million direct Gross Value Added ("GVA") and £49.8 million indirect and induced GVA per annum from the construction phase of the Scheme.
- Supporting the ongoing vitality and viability of the local economy by generating a net additional annual expenditure of £12.6 million 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.
- 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 £8.1 million over a ten-year period following occupation of the first homes within the Scheme.
- Delivering £2.5 million in (gross) Council Tax receipts and around £413,200 of (gross) Business Rates revenue each year for the Council in perpetuity.

9.15. In addition to the above, and on the assumption that the maximum parameters of the Planning Permission were delivered, the Scheme could support the delivery of up to 504 net additional FTE jobs¹⁰.

9.16. Furthermore, the new Library & Learning Centre will provide training and education opportunities for residents to support new jobs and further education, particularly beneficial for NEETs and jobseekers.

⁹ Based on the information contained within the "High Road West Hybrid Planning Application – Socio Economic Benefits Statement" prepared by Lichfields dated May 2022

¹⁰ Based on the information contained within the "High Road West Hybrid Planning Application – Socio Economic Benefits Statement" prepared by Lichfields dated May 2022

9.17. The delivery of new jobs and the learning opportunities is underpinned by further obligations contained within the Section 106 Agreement to secure local training and employment benefits. In particular, the Section 106 Agreement requires Lendlease to:

- Provide work experience placements (such number to be agreed with the Council prior to each plot of the Scheme coming forward).
- 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 £3m 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.

9.18. The Council is satisfied that the Scheme will make a significant contribution towards the improvement and promotion of the economic well-being of its area.

Social

9.19. The economic benefits noted above and the environmental benefits listed below will improve the social well-being of the Council's area by creating jobs and creating a new attractive environment within which to live. In addition to those benefits of the Scheme, the opportunities presented by the Scheme would create social benefits for local people and businesses in North Tottenham and the wider community and make a significant contribution towards the promotion and improvement to social well-being in the Council's areas.

9.20. The Scheme makes an important contribution to the Borough's housing targets and responds to local need. The Borough has over 11,000 households on the housing waiting list. The Tottenham constituency has the 3rd highest levels of overcrowding in the UK, with housing supply not meeting need, particularly for families. 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, with 32.0% of children living in poverty, more than 50% higher than the London average. There is a deficit of family housing, with fewer than 14% of properties in Council ownership providing 3 or more bedrooms.

9.21. North Tottenham has a high rate of people in 'poor health' (11% compared to 7% Borough average). In addition to impacting on quality of life, this results in shorter life expectancy. For example, a man living in North Tottenham has a life expectancy 2.4 years lower than the Borough average, 3.4 years lower than the London average and approximately 7 years lower than the average in some wards in the West of the Borough. North Tottenham also has a marked level of inactivity, between 27.8% and

35.7%. This has both direct impacts on health and resultant human, social and economic costs, including instilling barriers to employment.

9.22. Residents have consistently asked for a safer and more welcoming neighbourhood. When compared to residents in the wider Borough, residents of north Tottenham, are more likely to feel unsafe both during the day and after dark. 62% of residents in north Tottenham referenced crime and anti-social behaviour as the aspect they disliked most about their local area. Haringey has a rate of crime 18% above the London average and is one of the top ten boroughs for serious youth violence in England.

9.23. In the context of the above, specific social well-being benefits of the Scheme include:

- The delivery of between 1350 and 1665 new homes within an area of high housing need.
- The delivery of affordable homes (40% by habitable room) which will include at least 500 new social rented Council homes in an area with substantial housing waiting lists and overcrowding.
- As set out in the Landlord Offer and Local Lettings Policy, existing secure and non-secure tenants will be offered a new social rented home in the Scheme, supporting retention of existing family, community and social ties built up within the community.
- Resident leaseholders within the existing Love Lane Estate will have the opportunity to purchase a new home within the Scheme, supporting retention of family, community and social ties built up within the community.
- A new public square (Moselle Square), which will provide a range of benefits for the community, including leisure and social spaces and capacity for events, markets and other activities, as well as providing a more spacious and appropriate access to and from the Station and the Stadium.
- The new Library and Learning Centre will provide a community hub which will enable stronger links to be made between residents and the Council enabling a variety of community and social benefits, such as youth support and counselling, a business hub and a gallery.
- The provision of a new modern GP surgery (if the existing floorspace is not re-provided within an alternative neighbouring location prior to it being required for redevelopment) will ensure high quality medical services are located within walking distance for the community.
- The provision of new private amenity space for residents will encourage social interaction, play for children, and provide the benefits of green space to residents.
- 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.

9.24. The Council is satisfied that the Scheme will make a significant contribution towards the promotion and improvement of the social well-being of its area.

Environmental

9.25. The Scheme has been designed to enhance the environmental well-being of the residents and other occupiers within the area and the Borough as a whole and tackle issues currently facing local residents.

- 9.26. The Council adopted a Climate Change Action Plan in March 2021. This includes an objective to reduce emissions related to road transportation by 50% by 2025, by growing public and active travel options, low-carbon transport options and infrastructure (e.g. electric vehicle charging stations). There is also an objective to connect around 12,000 homes to low carbon heat sources and generate at least approximately 13 GW of renewable energy locally.
- 9.27. As discussed in the economic benefits sub-section, the local economic challenges mean there is an even greater need to reduce energy costs for residents. 11.9% of Haringey's population is in fuel poverty, and 16.4% of the population within the LSOA's in which the Scheme is located.¹¹
- 9.28. In the context of the above, specific environmental benefits of the Scheme include:
- The 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 thereby reducing energy use.
 - The Scheme will improve connectivity via safe and accessible walking and cycling routes which will encourage active travel, reducing vehicle use and increasing residents' health and wellbeing.
 - The Scheme will include provision for all new homes to connect to the Council's District Energy Network, once operational, ensuring that the Scheme aligns with the Council's energy strategy to deliver low carbon, sustainable energy.
 - The Scheme will result in a net reduction in 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.
 - The landscaping 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 of the Lea Valley.
 - The public realm will also provide new and enhanced amenity space for both residents and the wider local community.
 - The Scheme will deliver significant biodiversity enhancements through the delivery of new public realm, together with extensive tree planting and greening throughout.
 - The Scheme could support the creation of 504 net additional FTE jobs which would provide opportunities for employment close to home for residents, reducing transport use and encouraging active travel¹²
- 9.29. The Council is satisfied that the Scheme will make a significant contribution towards the promotion and improvement of the environmental well-being of its area.

¹¹ Source: Fuel Poverty by LSOA, Department for Business, Energy and Industrial Strategy 2020

¹² Based on the information contained within the "High Road West Hybrid Planning Application – Socio Economic Benefits Statement" prepared by Lichfields dated May 2022

Efforts to acquire by agreement

- 9.30. As set out in Section 11 of this Statement, the Council and Lendlease has contacted all those with required interests within the Order Land inviting them to enter into negotiations with a view to securing acquisition of their interests by agreement. These negotiations 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. Compulsory powers are being sought so that, in the event that the Council is unable to acquire all the necessary interests by private agreement within a reasonable timescale, the Scheme can still proceed. This is consistent with paragraphs 2 and 17 of Tier 1 of the 2019 Guidance. Further information is set out in Section 11 of this Statement.
- 9.31. Lendlease is committed to working with the Council to redevelop the Order Land to implement the regeneration achieved by the Scheme.

Lack of impediments, funding and deliverability

- 9.32. The Council has considered whether there are any financial, planning, physical or legal impediments to the Scheme proceeding. The Council has selected Lendlease, and as set out in section 7 above, Lendlease has the experience, capacity, proven track record and skills to deliver the Scheme.
- 9.33. Section 5 of this Statement confirms that the Planning Permission for the Scheme was granted on 31 August 2022. The Planning Permission granted detailed consent in respect of Plot A which will enable works to commence on this element of the Scheme in Q4 2022. The remainder of the Scheme was consented in outline. Reserved matters applications for the detailed design of the remainder of the Scheme will be submitted in time to meet the proposed delivery programme. Overall there are no planning impediments to the Scheme proceeding.
- 9.34. Section 7 of this Statement confirms that funding for the delivery of the Scheme is available.
- 9.35. There is some operational land of statutory undertakers and electronic communications network code operators within the Order Land. All statutory undertakers and operators have been identified and discussions are progressing with them as described in Section 10 of this Statement.
- 9.36. Section 12 below describes the related highways orders needed in connection with the implementation of the Scheme which are being progressed in time to meet the proposed delivery programme.
- 9.37. In summary, the Council is satisfied that once the Order Land has been assembled, there are no financial, physical, planning or legal impediments to the Scheme proceeding.

OTHER MEANS TO DELIVER THE BENEFITS

- 9.38. Tier 2, section 1, paragraph 106 of the 2019 Guidance states that consideration should be given to 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 owners of the land, or any other persons, for its reuse or examining the suitability of alternative locations.
- 9.39. The Council has considered whether there are any realistic alternatives which could achieve the planning objectives and the purposes of the Order. The purposes for which the Order Land is proposed are in accordance with the adopted Development Plan and the established strategic objectives of the Council. The Planning Permission and the DA envisage comprehensive redevelopment in accordance with the Development Plan.
- 9.40. 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.
- 9.41. 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.
- 9.42. The only realistic alternative means of delivery would require the Council to enter into an arrangement with a different developer partner for the delivery of the objectives of the Scheme and wider Regeneration Scheme and which would necessitate further procurement processes and potentially the promotion of a new scheme. This would lead to very significant delay in the realisation of the benefits identified earlier in this Statement and of the Council's long held policy and strategic objectives for High Road West. There is no reason to suppose that, at the end of the process here envisaged, the outcome would be in any way an improvement over the current delivery arrangements. To the contrary, the Council is satisfied with the quality and efficacy of the current delivery arrangements.
- 9.43. As regards the prospect of the purposes of the Order being achieved at a different location, in the present case any scope for this is 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.
- 9.44. In respect of the existing buildings along the High Road, which sit to the east of the Love Lane Estate, these are required in order to deliver on the requirements of Site Allocation NT5 within the TAAP.
- 9.45. The TAAP requires comprehensive development of the site allocation, which includes the High Road properties contained within the Order Land. The TAAP also requires:

- the creation of a new public square, connecting an enhanced White Hart Lane station, and Tottenham High Road to complement the redeveloped THFC Stadium; and
- new retail provision to enlarge the existing local centre.

9.46. The above is not capable of being delivered without the removal of the High Road properties given their location in the context of the Station and the THFC Stadium. In order to deliver Moselle Square and the east to west connectivity it will deliver, the existing properties along the High Road are required to be removed. Furthermore, to best achieve the amenity space regeneration benefits of Moselle Square, it needs to be bordered by active frontage that promotes activity and a sense of safety and comfort, as well as enhancing the existing local centre. This can only be achieved with the removal of the High Road properties. The significance of this part of the Scheme in place making terms and the opportunity it provides to create a new enhanced local centre is evidenced by the Council's decision to de-designate a number of the existing High Road properties from the North Tottenham Conservation Area.

9.47. Overall, it is concluded that there is no credible or realistic alternative which could deliver a comprehensive scheme for the Order Land which meets the planning policy objectives and the purposes of the Order within a reasonable timeframe.

Compelling case in the public interest

9.48. Taking account of the benefits above, the Council believes that the public benefits of the Scheme strongly outweigh the interference with the rights of affected parties. Consequently, the Council believes that there is a compelling case in the public interest sufficient and proportionate to justify the making and confirmation of this Order.

9.49. As noted above, the Council is also confident that there are no planning or other impediments to the implementation of the Scheme except the need to obtain vacant possession of the Order Lands. Without the use of compulsory purchase powers, the Scheme is likely to be delayed or prevented altogether.

9.50. Further information on the consideration of the impact of the Order on human rights and the Council's consideration of the Public Sector Equality Duty under the Equality Act 2010 is set out in Section 10.

9.51. Land assembly is required to ensure the delivery of the policy objectives. If the Order was not available, the Scheme could not be delivered and the associated wellbeing benefits would not be realised.

10. HUMAN RIGHTS AND PUBLIC SECTOR EQUALITY DUTY

- 10.1. The Human Rights Act 1998 (“the Act”) incorporated into domestic law the European Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”). Section 6 of the Act makes it unlawful for a public authority to act in a manner which is incompatible with a Convention right.
- 10.2. The Convention rights engaged in the context of a compulsory purchase order include Article 1 of the First Protocol of the Convention and Articles 6 and 8 of the Convention. Article 14 of the Convention (prohibition of discrimination) is also relevant.

Article 1 of the First Protocol of the Convention states:

- 10.3. “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 interests and subject to the conditions provided for by law and by the general principles of international law...”

Article 6 of the Convention provides that:

- 10.4. “In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”.

Article 8 of the Convention provides:

- 10.5. “(1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- 10.6. (2) 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 interest ofthe economic well-being of the country...”

- 10.7. The Courts have recognised, in the context of Article 1 of the First Protocol of the Convention, that regard must be had to the fair balance which has to be struck between the competing interests of those whose rights are affected and the community as a whole.
- 10.8. In relation to Article 6, all those whose proprietary rights are affected by the Order will be notified of the making of the Order, will have the right to make representations or raise objections to the Secretary of State, and any remaining objectors will have the right to be heard at any public inquiry. There is also a statutory right to challenge the validity of confirmation of the Order under the Acquisition of Land Act 1981. The statutory processes have been found to be compliant with Article 6 of the Convention.
- 10.9. Any interference with the Article 8 Convention rights must be in accordance with the law and must be necessary and proportionate.
- 10.10. The Council has taken into account the impact of the Order on the Convention rights of those whose land or interests will be affected by the Order. In view of the factual background to the Order as set out in this Statement, and the compelling justification for making the Order, the Council considers that any interference with protected rights resulting from the exercise of compulsory purchase powers in this case is justified because it is in the public interest, authorised by law and necessary and proportionate in order to achieve the Council's objectives of securing the wider benefits to be achieved from the regeneration of the Order Land.
- 10.11. The Council and Lendlease have carried out extensive public consultation and engagement with residents and businesses within the Order Land and the wider community on the regeneration proposals. Through the various consultation processes, residents and businesses within the Order Land and the wider community have had the opportunity to make representations to the Council and Lendlease on the regeneration proposals and on key proposals to mitigate the effects of the Order on the community. The views of affected parties will be considered by the Secretary of State before reaching a decision on confirmation of the Order.
- 10.12. If the Secretary of State confirms the Order, the powers of compulsory acquisition conferred by the Order will be exercised for the purpose of acquiring those interests included in the Order Schedule which have not already been acquired by agreement. As explained in Section 11 below, efforts to acquire the relevant interests are ongoing. Further, all those whose interests are compulsorily acquired will be entitled to fair compensation to be assessed in accordance with the Land Compensation Acts, such compensation to be determined independently by the Upper Tribunal (Lands Chamber), if it cannot be agreed.
- 10.13. In light of the above, the Council is of the view that there is a clear and compelling case in the public interest for the compulsory acquisition of each and every parcel of land and the rights comprised in the Order Schedule. It considers that the public interest that is to be served by the development

and the wider social, environmental and economic benefits to be realised as a result of the Scheme outweigh the necessary interference with the private rights and interests that exist in the Order Land. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions. The Council, therefore, believes that in making the Order it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the wider public interest.

Equality Act 2010

10.14. In discharging all of their functions, public authorities are bound by the Public Sector Equality Duty set out in section 149 of the Equality Act 2010. In exercising their compulsory purchase and related powers the Council as acquiring authority (and the Secretary of State as confirming authority) must have due regard to the need to;

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.15. The “relevant protected characteristics” are:

- pregnancy and maternity;
- sexual orientation;
- sex;
- gender reassignment;
- religion or belief;
- race;
- age; and
- disability.

The Public Sector Equality Duty has been considered at each stage of the key decision-making for the Regeneration Scheme. The Council has developed and updated the Equalities Impact Assessment (EqIA) for the Regeneration Scheme when making recommendations to Cabinet as it has progressed and has also produced specific assessments for relevant housing policies. The findings of the assessments have been monitored and informed subsequent decisions on the Regeneration Scheme.

- 10.16. The Council commissioned an EqlA for the Scheme to accompany this Statement of Reasons and its recommendation to Cabinet at its meeting of November 2022 to resolve to use compulsory purchase powers to deliver the Scheme. The EqlA was produced by Mott MacDonald. This 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.
- 10.17. For residents within the Scheme, the EqlA 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, if the existing mitigations by the Council are implemented. This includes providing the right to remain on the estate for eligible existing residents, covering reasonable costs for the moves to the new homes, keeping Council rents at a similar level to the existing Love Lane properties, providing support through the Council's Rehousing & Engagement Team at each stage of the move process and ensuring access to independent advice from an Independent Tenant & Leaseholder Advisor (ITLA). Both the Rehousing & Engagement Team and the ITLA will provide support and advice on an individual basis and respond to the specific needs of each household, recognising where residents may be disproportionately affected or face specific barriers.
- 10.18. 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 impacts are likely however to be minor given the limited number of private tenants, who make up less than 15% of the residents within the Order Land. The Council has set out 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 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.
- 10.19. There are 15 businesses located within the Scheme who will be impacted as a result of the redevelopment. For these business owners and their employees, the EqlA assesses that there are likely to be limited adverse effects on persons sharing protected characteristics, particularly as a number of businesses on site are minority ethnic-owned. Any potential loss of business, potential redundancy of employees associated with business loss or relocation, or impact on the existing customer base, would particularly affect ethnic minority groups and children, due to these being

disproportionately represented in the study area. It may also particularly impact older people and disabled people due to their specific needs.

10.20. The Council has set out mitigation measures to reduce these impacts on business owners and employees as far as possible. The mitigation measures include the following:

- Provision of relocation support and aim to relocate businesses within the Scheme if possible, or elsewhere within the borough if not
- 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)
- 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
- 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
- Businesses will be independently valued by a surveyor who can be appointed by the business owner, with reasonable costs reimbursed by the Council
- Commitment to work with businesses to help them develop individual business plans

10.21. The assessment identifies 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.

10.22. The EqIA or equivalent 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.

11. EFFORTS TO ACQUIRE AND RELOCATION STRATEGY

Existing ownership within the Scheme

Council Ownership

- 11.1. The Council owns the freehold interest in over 80% of the Order Land.
- 11.2. The Council's ownership includes the freehold of the Love Lane Estate. Paragraph 4.7 provides a breakdown of tenure within the 297 residential properties on the Love Lane Estate.
- 11.3. The Council also holds the freehold interest in the land to the west of the railway line (Plot A). The Whitehall & Tenterden Community Centre located to the west of the railway line is currently let to the Grace Organisation who are providing older people day provision services from the building. Notice to quit has been served by the Council under its Landlord & Tenant powers, and the occupier is due to relocate to a new property at Pretoria Road Community Centre (known as "the Irish Centre") on completion of leases.
- 11.4. Part of 100 Whitehall Street is used by the Council as short-term emergency accommodation. This emergency accommodation provision will be met at various sites across the Borough following its closure. The remainder of the building was used for community services.

Third Party Ownership

- 11.5. The properties located on the eastern boundary of the Order Land, fronting onto the High Road, are contained with 15 freehold titles. The properties generally consist of commercial units on the ground floor with residential accommodation above. In summary:
 - The Council owns 2 freehold titles (731 and 743 High Road);
 - Canvax Limited (which the Council understands is affiliated to THFC) owns 5 freeholds titles (733, 735, 737, 741 and 751 High Road);

- Owner A own 5 freeholds titles (745, 747, 749, 755 and 757 High Road) and the leasehold title of flat 8 Kathleen Ferrier Court, Brereton Road;
- the freehold to 739 High Road is owned by Owner B;
- the freehold to 753 High Road is owned by Owner C; and
- and the freehold to 759 (currently the Tottenham Health Centre) is owned by Kingwell Investments Limited.

11.6. An electricity sub-station, owned by Eastern Power Networks plc is also located within the Order Land.

Negotiations

11.7. The Council and Lendlease have sought to acquire all of the required interests within the Order Land by agreement, as summarised in the following paragraphs.

11.8. As would be expected for a scheme of this size, there remain a number of interests where it is expected that compulsory purchase powers will need to be exercised either because reasonable terms cannot be agreed for private treaty acquisition or because it has been difficult to make contact with the owner or occupier.

11.9. As required by best practice, the Council and Lendlease will continue to seek to acquire the outstanding interests within the Order Land by agreement. However, the Council considers that it is highly unlikely that it will be able to achieve the assembly of the entirety of the Order Land by agreement within a reasonable timescale without the use of compulsory purchase powers.

Housing assistance for tenants and leaseholders on the Love Lane Estate

11.10. In 2021, the Council adopted a Landlord Offer for residents on the Love Lane Estate which sets out their housing offer and builds on previous policies and consultations, including the Secure Tenant Guide. The Landlord Offer was the subject of the positive resident ballot in 2021 and is consistent with best practice guidance set out in The Mayor of London's Good Practice Guide to Estate Regeneration (February 2018) and DLUHC Estate Regeneration National Strategy 2016.

11.11. The offer to leaseholders is also expanded upon specifically in the Love Lane Leaseholder Offer, which was also adopted by the Council in 2021. The offer to private tenants is captured in the High Road West Private Tenant Guide, adopted by the Council in 2014.

11.12. The guarantees to residents are summarised in the following paragraphs.

11.13. All secure council tenants on the Love Lane Estate will:

- Be offered a new, high quality, modern council-owned home in the redevelopment area that meets their needs
- Continue to pay council rent at a similar level to what they pay now
- Continue to have a long-term tenancy
- Have a dedicated re-housing officer to support them through the whole moving process
- Receive 'Home Loss' compensation, with all reasonable moving costs paid
- Any adaptations required within the new property
- Have a voluntary early move if they choose

11.14. All resident leaseholders will:

- Receive the full market value for their home, with an additional 10% as compensation
- Have the opportunity to purchase a new home in the redevelopment area, with the Council offering to pay a contribution through an enhanced equity loan
- Have the opportunity to purchase a new home elsewhere in the borough, with the Council offering to pay a contribution through an equity loan
- Have all reasonable legal and moving costs paid

11.15. Eligible non-secure tenants in temporary accommodation will:

- Be offered a new, high quality, modern council-owned home in the redevelopment area that meets their needs
- Be offered a secure tenancy at council rent
- Have a dedicated re-housing officer to support them through the whole moving process
- Have all reasonable moving costs paid
- Any adaptations required within the new property

For non-secure tenants to be eligible, they will need to have both lived on the Love Lane Estate and have been accepted as homeless by the council for at least 6 months prior to the publication of the Landlord Offer (published in July 2021).

11.16. All private tenants will receive timely, one-to-one advice on their re-housing needs and options.

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

11.17. As noted above, within the Landlord Offer the Council has provided guarantees to existing secure and non-secure tenants that they will be prioritised for the new Council homes delivered within the Scheme. This is achieved by the Council's Local Lettings Policy, adopted by the Council's Cabinet in July 2021.

11.18. Although the Council is required to list all existing Council tenants within the Order and notify such tenants of the making of the Order, the Council's preference is to secure vacant possession by means other than the Order.

11.19. The Council's preference is to obtain vacant possession of the remaining units occupied by secure and non-secure tenants by mutual agreement through an offer of suitable alternative accommodation. This includes the new Council homes to be delivered as part of the Scheme.

- 11.20. A dedicated rehousing team in the Council is in place to undertake housing need assessments to inform the allocation of the new homes. Rehousing officers are available to meet households on a one-to-one basis and get to know their needs and requirements. Support in the move process includes help with removals, disconnecting and reconnecting appliances, and packing/unpacking. The rehousing team will also arrange for any adaptations required in the new properties prior to the resident moving in.
- 11.21. In the event secure tenants do not wish to move into the Scheme they also have priority banding to bid for social homes elsewhere in the Borough and to make a voluntary early move.
- 11.22. If the Council cannot reach mutual agreement with secure tenants, following an offer of suitable accommodation being made (including the new Council home in the Scheme), it may seek to obtain vacant possession of units occupied by secure tenants through possession proceedings under section 83 of the Housing Act 1985 and Ground 10A of Part II to Schedule 2 of that Act. If the Ground 10A process does not deliver vacant possession of the properties within the programme timescale, the Order will provide certainty that the Scheme can progress in accordance with its programme.
- 11.23. The use of Ground 10A powers would not be required for properties which are subject to non-secure tenancies (as secure tenants have additional security of tenure). When serving notices to quit, the Council will be required to demonstrate that suitable alternative accommodation has been offered. The Council has committed to do this through the guarantees to non-secure tenants set out in paragraph 11.15.

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

- 11.24. Properties on the Love Lane Estate where a long leasehold interest has been acquired by a third party are included within the Order. The Council has contacted all such leaseholders with a view to acquiring their interests by private treaty. Where appropriate, the Council has also supported leaseholders to access their rehousing options within the Love Lane Leaseholder Offer and Leaseholder Guide and will continue to do so as negotiations progress.
- 11.25. For eligible resident leaseholders who cannot afford to purchase a new property in the Scheme (an eligible resident is someone who has been living in their home for over one year from the date the 2014 Masterplan was agreed on 16 December 2014), there are a number of options proposed. These include:
- Buying a home in the Scheme with an enhanced rent and interest-free equity loan offer from the Council, who will contribute up to 75% of the value of the new property
 - Buying a home elsewhere in the Borough with a rent and interest-free equity loan offer from the Council, who will contribute up to 40% of the value of the new property

- A leaseholder swap option, where a leaseholder can buy and own the leasehold of a Council-owned property of equivalent value
- Option to buy a property on the open market without financial support from the Council

11.26. The above is described in more detail in the Council's Love Lane Leaseholder Offer.

11.27. Negotiations with resident leaseholders on the Love Lane Estate commenced in 2014. Since that time, the Council has acquired 42 of the 85 interests that were present at that time. These negotiations will continue in tandem with progression of the Order.

Efforts to acquire commercial/retail owners and occupiers and associated residential property

11.28. The Council's Business Charter sets out the commitment to a fair and equitable valuation and compensation process for businesses.

11.29. Lendlease and its property advisors CBRE are leading on the negotiations with commercial owners and occupiers and associated residential premises. All third-party landowners and tenants have been contacted by letter offering a one-to-one meeting, with dialogue either through phone calls, emails or meetings.

11.30. Since 2018, meetings have taken place with all but one (Owner B) of the landowners of the commercial premises within the Order Land.

11.31. Most recently, a letter was sent by the Council in February 2022 to landowners within the Scheme confirming that the Council and Lendlease were seeking to focus on delivery of Phase A of the Regeneration Scheme and would like to seek to reach mutual agreement with owners for the purchase of their interest in the Order Land. This was followed by a letter from Lendlease in May 2022 within which Lendlease re-confirmed its desire to acquire interests within the Order Land by agreement.

11.32. Specific negotiations with major landowners to date include the following. *Individuals' names have been removed for the purposes of this draft but will need to be included in the final Statement of Reasons.*

THFC

As noted at paragraph 11.5 above, the Council understands that THFC owns 733, 735, 737, 741 and 751 High Road (albeit the registered proprietor of such properties is Canvax Limited).

11.33. Since 2018, Lendlease have led on the discussions with THFC. During this period Lendlease has had over 20 meetings with THFC. The topics discussed have included the acquisition of THFC's landholdings required to deliver the Regeneration Scheme, including those within the Order Land. A summary of the consultation undertaken with THFC is set out in paragraph 3.40-3.41 above.

- 11.34. A meeting was held between Lendlease and THFC in September 2020 to discuss the acquisition of all the land and property required to deliver the Regeneration Scheme. As part of this meeting an offer was made to THFC for the acquisition of all its land and property required to deliver the Regeneration Scheme. This was declined.
- 11.35. An email seeking engagement relating to its land and property within the Scheme was sent to THFC in May 2022. THFC responded confirming that it would be premature to discuss any CPO prior to the grant of the Planning Permission.

Owner A

- 11.36. As noted at paragraph 11.5 above, the Council understands that Owner A (including individuals in the same family) owns the freehold title to 745, 747, 749, 755 and 757 High Road, the long leasehold title to 755a High Road, and the leasehold title of flat 8 Kathleen Ferrier Court, Brereton Road. It is understood that family members of Owner A live in two of the residential premises located above the shops (755 and 757 High Road) and that family members own and operate the Chick King fast food restaurant (755 High Road).
- 11.37. Owner A has been a long time objector to the Scheme.
- 11.38. Notwithstanding this, there been a considerable amount of correspondence with Owner A regarding their family's interests within the Order Land. Since 2014, the Council has had many meetings with Owner A (who leads discussions on behalf of the wider family who have interests in the Order Land).
- 11.39. Since 2018, Lendlease (with CBRE) have progressed discussions and have had numerous engagements with Owner A. There have been two formal engagements (2 August 2018 and 28 June 2022) while Lendlease (alongside CBRE) have met Owner A in their shop (Chick King) on numerous occasions. Owner A has also attended a number of drop-in sessions organised by both the Council and Lendlease, the most recent being in October 2021.
- 11.40. During the meetings, discussions included updates on the delivery timetable and programme for the Scheme and also opportunities for relocation inside and outside of the Scheme. This specifically included the relocation of the Chick King business within the Scheme. During the latest meeting Lendlease detailed specific locations within the Scheme that it thought would be suitable for the relocation of the Chick King business. In addition, outline discussions on the potential commercial arrangements that could be offered to Owner A were provided.
- 11.41. Furthermore, discussions were also had regarding the family's wider property holdings, specifically the residential property where some of the family currently resides. These discussions included opportunities for replacement premises within the Scheme.

- 11.42. In terms of offers, the Council made a written offer in April 2015 to purchase all properties owned by the family of Owner A within the Order Land. This was declined.
- 11.43. During the meeting in August 2018, CBRE (on behalf of Lendlease) made a verbal offer which was also declined.
- 11.44. The next meeting which Owner A agreed to attend was on 28 June 2022. This meeting was attended by Lendlease, CBRE, the Council and representative members of the family. With a view to submitting a further offer CBRE requested to visit the properties owned by the family of Owner A and are currently awaiting confirmation as to the date the site visit can take place.

Owner B

- 11.45. Owner B has been sent numerous letters within which the Council and Lendlease have outlined their desire to acquire Owner B's interest in the Order Land. A further letter was sent in August 2022. The most recent letter was sent in October 2022. No response has been received to any of the letters sent. The Council and Lendlease will continue to seek to engage with Owner B.

Owner C

- 11.46. Discussions are ongoing with Owner C's agents regarding the potential sale of their interest within the Order Land. The last meeting between Owner C, their agent and CBRE was on 28 June 2022 where the commercial unit and 1st floor flat was inspected and measured.
- 11.47. Owner C's agent is currently formulating a valuation of her interest, receipt of which will enable discussions regarding the acquisition of Owner C's interest to proceed.

Kingwell Investments Limited

- 11.48. Negotiations with Kingwell Investments Limited regarding its interest within the Order Land are ongoing.
- 11.49. The tenants of (Tottenham Health Centre – GP Surgery) are the owners of Kingwell Investments Limited.
- 11.50. The latest meeting with the agents for the owners of Kingwell Investments Limited took place on 28 September 2022 during which options for the relocation of the business within the Scheme (including commercial terms, access to parking and timescales) were discussed.
- 11.51. It was agreed that a further meeting and site visit should take place agreeing the area of the premises. This will help inform the valuation of the premises and assist in progressing an agreement for the relocation of the business within the Scheme.

Community premises owners and occupiers

- 11.52. The Whitehall & Tenterden Centre is leased by the Council to the Grace Organisation. The Council have worked closely with the Grace Organisation to find suitable alternative premises for their important community service. The Grace Organisation are scheduled to soon move to newly refurbished equivalent sized space and facilities at Pretoria Road Community Centre (“the Irish Centre”), located on Pretoria Road, N17 8DX. The Irish Centre is located less than 0.4 mile north of the Grace Centre’s current location. This relocation ensures that this important community service can continue to operate in the local area and main its existing client base.

Acquisition of rights

- 11.53. The Council and Lendlease have contacted those with an interest in the land over which new rights are required in order to deliver the Scheme with a view to obtaining the necessary rights by agreement.

Owners of Existing Rights

- 11.54. An assessment of the potential for the Scheme to impinge upon existing rights to light enjoyed by land adjoining the Order Land has been carried out and identified (on a precautionary basis adopting the largest Scheme parameters) a number of potential injuries to land interests held by owners of surrounding buildings. The properties and interests that are potentially affected are included in Table 2 of the Schedule to the Order (Appendix 3 (**exempt**)). Those parties who may suffer an interference have been contacted by letter. The Council and Lendlease are willing to enter into arrangements with those parties affected with a view to agreeing the level of compensation for interferences with rights to light in the event that the Scheme proceeds. Parties who have engaged on rights to light matters have been advised of this.
- 11.55. There are a significant number of other rights and similar interests which affect parts of the Order Land. These are mainly rights attaching to freehold or leasehold interests within the Order Land, and the relevant rights would fall away once those interests are acquired by the Council.

Unknown Owners

- 11.56. Other than areas of sub-soils beneath roads and pavements, there are 3 parcels of unregistered land (plots 5, 25, 47). Site notices in respect of these plots have been posted as part of the land referencing process, to seek to identify the owners of the land. Site notices will be placed around the Order Land following the making of the Order in respect of these plots as well as those unregistered plots which sit beneath roads and pavements.

Streets

- 11.57. Sections of streets are included in the Order Land where necessary, including those within the Scheme area and where relevant those adjacent to it. Parts of the streets will be subject to stopping up applications where this is necessary to allow the Scheme to proceed (see further in Section 13 below).

Utilities and statutory undertakers

- 11.58. Information on statutory undertakers and apparatus within the Order Land has been gathered through the land referencing process, utilities searches and discussions with utility providers.
- 11.59. The Order Land provides for the acquisition of new rights over operational land of Network Rail Infrastructure Limited.
- 11.60. There are a number of utility networks in and around the Order Land, as would be expected for an urban development site with a large number of buildings on site.
- 11.61. The Scheme will require various works in relation to existing services, including removal and diversion works.
- 11.62. A substation is located within the Order Land to the west of the High Road. The substation will be relocated as part of the Scheme in agreement with UKPN. Multiple small diameter low pressure gas mains are located throughout the Order Land, including a strategic medium to low pressure reducing station (PRS). The PRS is responsible for the gas network within the wider area and must therefore be maintained to ensure continuity of service. A new PRS will be constructed as part of the Scheme which, once operational, will replace the existing PRS.
- 11.63. There are other statutory undertakers and utility providers with assets within the Order Land, including for the provision of water, sewerage and telecommunications.
- 11.64. A large element of existing apparatus within the Order Land services the existing buildings within the Order Land that will be demolished and redeveloped. As such this apparatus will either a) no longer be required and will be removed as part of the early works relating to each part of the Scheme with new apparatus to serve the Scheme put in place as each part of the Scheme comes forward b) be relocated with the agreement of the affected statutory undertakers or c) retained to ensure continuity of service.

12. SPECIAL CONSIDERATIONS

- 12.1. There are no areas of special category land (such as open space, commons or allotments) included within the Order Land.
- 12.2. Three plots within the Order Land (28, 128 and 128), over which new rights are sought, are owned by or have interests owned by companies which have been dissolved. Property of dissolved companies vests in the Crown, until sold or disclaimed by the relevant Crown authority, and the Council therefore considers that the relevant plots may be Crown land. Crown land cannot be compulsorily acquired. The Council has sought to contact the relevant Crown authority to determine the position, and if relevant to then seek to acquire the interests required by agreement.

Conservation Areas and Listed Buildings

- 12.3. The Order Land includes a number of listed and locally listed non designated heritage assets, specifically:

Pink Land

- Nos. 743-757 High Road N17 (odd) (locally listed)
- No.759 High Road N17 (former Whitehall Tavern PH) (locally listed)
- Electricity Substation (adjoining library) (locally listed)

Blue Land

- Nos. 773-779 High Road N17 (locally listed)
- 7 White Hart Lane (Grade II Listed)
- 34 White Hart Lane (Grade II Listed)

- 12.4. A small part of the Order Land (Blue Land) is contained within the North Tottenham Conservation Area. No buildings within the North Tottenham Conservation Area are intended to be demolished as part of the Scheme and none of the North Tottenham Conservation Area is included within the land to be acquired pursuant to the Order.

13. ASSOCIATED ORDERS

- 13.1. Paragraph 15 of the 2019 Guidance requires acquiring authorities to be able to show that the scheme is unlikely to be blocked by any physical or legal impediments to implementation. It references the

programming of any infrastructure accommodation works and the need for any planning permission or other consent or licence.

- 13.2. As explained in Section 5 planning permission has been granted for the Scheme.
- 13.3. In order to implement the Planning Permission and deliver the Scheme, parts of Love Lane, Moselle Street and Whitehall Street will need to be stopped up.
- 13.4. In addition, a number of existing footpaths which run across the Order Land will either need to be stopped up or diverted to enable the Scheme consented pursuant to the Planning Permission to proceed.
- 13.5. The stopping up or diversion of the existing highways is proposed to be secured via one or more stopping up orders under section 247 of the Town and Country Planning Act 1990 as the relevant phases of the Scheme come forward.
- 13.6. In light of Plot A being the first plot to be delivered, an application made pursuant to section 257 of the Town and Country Planning Act 1990 to stop up the existing footpath which runs between Headcorn Street and Tenterden Road has been submitted to the Council and is currently being determined.
- 13.7. The required application(s) to secure the above are being/will be progressed by Lendlease. If there are any objections to any stopping-up order(s) or diversion order(s) made prior to the Order it is intended that the inquiry into those objections will be conjoined with any inquiry relating to the Order.

14. CONCLUSION

- 14.1. The implementation of the Scheme will result in the transformation of the High Road West area by providing a high quality residential-led mixed-use development which will create a balanced, mixed and inclusive community and a new destination in the Borough whilst also acting as a catalyst for further growth, regeneration and improvements to the wider area. This will improve the quality of life of existing and future residents and the wider community. In order to achieve this, the compulsory acquisition of interests in the Order Land specified in the Schedule to the Order are required so that if the Council is unable to acquire all such interests by private treaty it will still be able, within a reasonable timescale, to deliver the Scheme.

14.2. The Council considers that implementation of the Scheme will bring about the transformation of the area and is satisfied there is a compelling case in the public interest for the Order to be confirmed so as to secure the redevelopment and improvement of the Order Land through the delivery of the Scheme. This will result in significant improvement in the economic, social and environmental wellbeing of the Council's area.

14.3. The Council has set out above how the Order and the Scheme meet the relevant statutory requirements and those in the 2019 Guidance.

1. *the Scheme accords with national and local planning policies as set out in section 6;*
2. *The Scheme will deliver a quantitative increase and qualitative improvement and better mix of housing and wider well-being benefits as set out in section 9 above;*
3. *The Council has a development agreement with an experienced development partner with proven track record of delivering comparable schemes;*
4. *Funding has been secured to cover the costs of land acquisition/compensation, construction and associated costs;*
5. *The Council already owns over 80% of the Order Land and only it and Lendlease can deliver the Scheme; and*
6. *subject to confirmation of the Order, there are no impediments to the Scheme proceeding.*

14.4. The Council, therefore, requests the Secretary of State to confirm the Order.

15. OTHER INFORMATION OF INTEREST TO PERSONS AFFECTED BY THE ORDER

15.1. Parties affected by the Order who wish to discuss matters with a representative of the Council/Lendlease should contact: [TBC]

15.2. Those parties affected by the Order who wish to discuss the purchase of their interest by agreement should contact: [TBC]

15.3. For those parties wishing to know more about the Phase A and the Regeneration Scheme as whole or who have questions about the Order, further information can be downloaded from the website below. This website provides information on behalf of the Council and the Developer: [<https://highroadwest.london>]

- 15.4. The Royal Institution of Chartered Surveyors (RICS) operates a compulsory purchase helpline which provides initial free advice. Those parties wishing to make use of that service should contact RICS via its website: www.rics.org

Covid-19 and Language of Documents

- 15.5. The Council has considered whether there are any specific implications of Covid-19 which should be taken into account in making the Order. The Council is satisfied that there are no specific implications of Covid-19 which should be taken into account when making the Order, but will keep this under review during the process.
- 15.6. The Council has consistently made information available in a variety of formats and languages (i.e., braille, audio, large print or translated) that ensure that information provided to residents, businesses and other stakeholders is as clear, concise and easy to understand as possible, and will continue to do so as the Order and Scheme progress.

16. DOCUMENTS TO BE REFERRED TO IN THE EVENT OF AN INQUIRY

- 16.1. In the event that it becomes necessary to hold a public inquiry into the Order, the Council may refer to the documents listed below. The list is not exhaustive and the Council may also refer to additional documents in order to address any objections made to the Order.
- the Order, Order Schedule and Order Map;
 - Cabinet report, appendices and minutes of [date], authorising the making of the CPO;
 - report to 21st July 2022 Planning Sub-committee, appendices and minutes of 10th October 2022 in relation to the planning application
 - Decision notice granting planning permission ref: HGY/2021/3175 and dated 31st August 2022;
 - Agreement pursuant to section 106 of the Town and Country Planning Act 1990, dated 31st August 2022;
 - Love Lane Landlord Offer, July 2021
 - High Road West Business Charter, December 2014
 - National Planning Policy Framework;

- London Plan 2016, the spatial development strategy for London consolidated with alterations since 2011;
- London Plan 2021
- London Borough of Haringey Local Plan – Strategic Policies 2013 (with alterations 2017)
- Tottenham Area Action Plan (2017);
- DLUHC Guidance on Compulsory purchase process and The Crichel Down Rules July 2019
- DCLG Estate Regeneration National Strategy December 2016
- Mayor of London’s ‘Better homes for local people - The Mayor’s Good Practice Guide To Estate Regeneration’

17. INSPECTION OF THE ORDER AND ORDER DOCUMENTS

- 17.1. Copies of the Order, Order Schedule, Order Map and this Statement can be inspected during the following times at these locations: [TBC]
- 17.2. Documents relating to the Order can be downloaded from the Council’s website via the following link: [TBC]