



Department for
Communities and
Local Government

Ms Antonia Murillo
Bond Dickinson
St Ann's Wharf
112 Quayside
Newcastle upon Tyne NE1 3DX

Please ask for: Lorraine Gamble
Tel: 0303 44 48071
Email: Lorraine.gamble@communities.gsi.gov.uk
Our ref: NPCU/CPO/P1940/76588

27 March 2017

Dear Ms Murillo

**THE TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 226(1) (a)
THE ACQUISITION OF LAND ACT 1981**

**THREE RIVERS DISTRICT COUNCIL (LAND AT HENBURY WAY, OXHEY DRIVE,
BRIDLINGTON ROAD, ST ANDREWS ROAD, THE PARADE, PRESTWICK ROAD,
FAIRFIELD AVENUE AND STATION APPROACH, SOUTH OXHEY) COMPULSORY
PURCHASE ORDER 2016**

1. The report of the Inspector, Ken Barton BSc(Hons) DIPArch DipArb RIBA FCI Arb, who held a public local inquiry into the above order on 22 and 23 November 2016 and made a site visit on 23 November 2016, has been considered. A copy of the Inspector's report is enclosed. References in this letter to paragraphs in the Inspector's report are indicated by the abbreviation IR, followed by the relevant paragraph number(s).
2. The Order, if confirmed, would authorise the compulsory purchase of land at Henbury Way, Oxhey Drive, Bridlington Road, St Andrews Road, The Parade, Prestwick Road, Fairfield Avenue and Station Approach, South Oxhey for the purpose of facilitating the carrying out of development, redevelopment and/or improvement on or in relation to the Order land including the demolition of existing buildings for the provision of mixed use development including residential and commercial uses with associated infrastructure, car parking and other community facilities thereby achieving the promotion and/or improvement of the economic, social and environmental wellbeing of the area.
3. Twelve objections were received to the Order. Eight objections were withdrawn prior to the public local inquiry and two objections were withdrawn whilst the public local inquiry was in progress.

4. Although objector 2 (obj 2) (incorrectly referred to as obj 1 on page 12 under 'Appearances') confirmed verbally during the inquiry that, on the basis of discussions held outside the Inquiry, the objection would be withdrawn, no written confirmation was received before the close of the inquiry (IR30).
5. The main reasons for the second remaining objection from objector 5 (obj 5) (incorrectly referred to as obj 8 in IR51) are the failure to offer reasonable relocation provision in order to secure the land by agreement and ensure the continuation of the business (IR28).
6. The Inspector's report summarises the submissions made at the local inquiry. His conclusions are at paragraphs IR38-54 of the report. He has concluded: that the need for redevelopment has long been established and the majority of the community support it; that order lands are limited to those necessary for redevelopment; there is no alternative to the proposed scheme and the CPO is necessary; all reasonable steps have been, and continue to be taken, to acquire properties by agreement; there is no reason to doubt the scheme on financial grounds; the scheme would deliver environmental, economic and social benefits and lasting change, and a compelling need in the public interest to justify confirmation of the CPO (IR52).
7. Although the Inspector concludes that there is only one outstanding objection (obj 5) and that this objection does not concern the principle of development, he goes on to state that for the avoidance of doubt, he is also treating objector 2 (obj 2) as a remaining objector (IR51). This is because the verbal withdrawal of the objection was not confirmed in writing by objector 2.
8. The Secretary of State agrees with the Inspector and considers that there are two remaining objectors.
9. The Inspector has recommended that the Order be confirmed without modification (IR55).
10. The Secretary of State for Communities and Local Government has carefully considered whether the purposes for which the compulsory purchase order was made sufficiently justifies interfering with the human rights of the owners, lessees, occupiers and tenants under section 12(2A) of the Acquisition of Land Act 1981 and that he is satisfied that such interference is justified. In particular he has considered the provisions of Article 1 of the First Protocol to, and Article 8 of, the European Convention on Human Rights. In this respect the Secretary of State is satisfied that in confirming the compulsory purchase order a fair balance would be struck between the public interest and the interests of the owners, lessees, occupiers and tenants
11. The Secretary of State has considered the Equality Act 2010. Section 149 of the Equality Act 2010 introduced a public sector equality duty whereby public bodies must, in the exercise of their functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In making this decision, the Secretary of State has had due regard to the requirements of the Public Sector Equality Duty.

12. The Secretary of State has also given careful consideration to the Inspector's report and the submissions of the parties. He accepts the Inspector's findings and agrees with his conclusions. He accepts that a compelling case in the public interest for confirming the order has been made.
13. The Secretary of State has therefore decided to accept the Inspector's recommendation and to confirm the Three Rivers District Council (Land at Henbury Way, Oxhey Drive, Bridlington Road, St Andrews Road, The Parade, Prestwick Road, Fairfield Avenue and Station Approach, South Oxhey) Compulsory Purchase Order 2016.
14. I enclose the confirmed Order and the map to which it refers. With the agreement of Bond Dickinson, acting on behalf of Three Rivers Council, a clerical modification has been made to the Order. A dash has been added to Table 1 in the 5th column on entry G43. This modification has been duly endorsed and authorised.
15. Your attention is drawn to section 15 of the Acquisition of Land Act 1981 about publication and service of notices now that the order has been confirmed. Please inform us of the date on which notice of confirmation of the order is first published in the press.
16. Copies of this letter and the Inspector's report are being sent to the two remaining objectors.

This letter does not convey any other consent or approval in respect of the land to which the order relates.

Yours sincerely

Dave Moseley

Signed by authority of the Secretary of State for Communities and Local Government
Dave Moseley
Senior Planning Casework Manager