



**WATFORD
BOROUGH
COUNCIL**

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The Watford Borough Council (Land at the Gossamers, Central Meriden Estate, Watford) Compulsory Purchase Order 2019

Acquiring Authority's Statement of Reasons

CONTENTS

Clause	Page
1. INTRODUCTION.....	1
2. STRUCTURE OF THIS STATEMENT	1
3. DESCRIPTION OF THE ORDER LAND.....	3
4. BACKGROUND TO THE SCHEME AND THE NEED FOR REDEVELOPMENT	4
5. THE COMPULSORY PURCHASE ORDER AND ENABLING POWERS	4
6. DETAILS OF ATTEMPTS TO ACQUIRE INTERESTS BY AGREEMENT	5
7. JUSTIFICATION FOR USE OF THE ENABLING POWER	6
8. WATFORD COMMUNITY HOUSING TRUST	6
9. TIMESCALE FOR DELIVERY	7
10. FUNDING	7
11. COMPLIANCE WITH GUIDANCE	8
12. DETAILS OF THE SCHEME.....	9
13. PLANNING POLICY AND ANALYSIS FOR THE SCHEME	10
14. RELATED APPLICATIONS, ORDERS ETC.....	13
15. SPECIAL CONSIDERATIONS AFFECTING THE ORDER LAND	14
16. HUMAN RIGHTS ACT 1998	14
17. EQUALITIES ACT 2010	14
18. VIEWS OF GOVERNMENT DEPARTMENTS.....	14
19. INQUIRIES PROCEDURE RULES.....	15
20. DOCUMENTS ETC TO BE REFERRED TO OR PUT IN EVIDENCE IN THE EVENT OF A PUBLIC INQUIRY BEING HELD	15
21. CONTACTS FOR FURTHER INFORMATION	15
22. NEGOTIATIONS	15
23. COMPENSATION	15
24. COPIES OF DOCUMENTS.....	16
APPENDIX 1.....	17
Core Document List.....	17

1. INTRODUCTION

- 1.1 This document is the Statement of Reasons produced by Watford Borough Council (**Acquiring Authority** or the **Council**) explaining the reasons and justification for making the Watford Borough Council (Land at the Gossamers, Central Meriden Estate, Watford) Compulsory Purchase Order 2019 (**Order**).
- 1.2 The Order was made by the Acquiring Authority under the provisions of the Town and Country Planning Act 1990. The Order will be submitted to the Secretary of State for Housing, Communities and Local Government to request its confirmation. The Order is required to support the regeneration of land forming part of the Central Meriden Estate. The proposed scheme (**Scheme**) is described in more detail in **section 12** and the Order Land forms a part of that Scheme with the other land required for the development already secured by Watford Community Housing Trust. The Acquiring Authority is seeking to acquire land and any existing rights over land required for the Scheme which it has not been able to secure by way of private treaty. The area over which land and rights are required to be acquired compulsorily for the Scheme is referred to in this Statement as the Order Land.
- 1.3 The Acquiring Authority has the power to acquire land compulsorily pursuant to the provisions of the Town and Country Planning Act 1990 (**1990 Act**).
- 1.4 This Statement of Reasons has been produced in accordance with the advice in Section 11 of the guidance issued in October 2015 (and updated in February 2018) by the Department for Communities and Local Government (as was) entitled "Guidance on Compulsory Purchase process and The Crichel Down Rules for the disposal of surplus land acquired by, or under threat of, compulsion" (**CPO Guidance**). It sets out the reasons why the powers of compulsory purchase contained in the Order are necessary and why there is a compelling case in the public interest for the Order to be confirmed by the Secretary of State. This Statement of Reasons is a non-statutory document.
- 1.5 This Statement is not intended to constitute the Acquiring Authority's Statement of Case for the purposes of the Compulsory Purchase (Inquiries Procedure) Rules 2007 in the event of a public local inquiry being held into the Order.

2. STRUCTURE OF THIS STATEMENT

- 2.1 Section 11 of the CPO Guidance provides advice on what the contents of a Statement of Reasons should address. The following sections of this Statement reflect the CPO Guidance and include:
 - 2.1.1 A description of the Order Land (**section 3**);
 - 2.1.2 A description of the Scheme and the proposals for its use or development (**section 12**);
 - 2.1.3 An explanation of the enabling power under the 1990 Act (**section 5**);
 - 2.1.4 A statement of the Acquiring Authority's purpose in seeking to acquire the Order Land, justification for use of the enabling power and explanation of how regard has been given to the European Convention on Human Rights (**sections 3, 5, 7 and 16**);
 - 2.1.5 A statement justifying the extent of the scheme to be disregarded for the purposes of assessing compensation in the "no-scheme" world (**section 12**).

- 2.1.6 A statement about the planning position of the Order Land (**sections 12 and 13**);
 - 2.1.7 Any special considerations affecting the Order Land (**section 15**);
 - 2.1.8 A statement on the absence of impediments to the implementation of the Order and delivery of the Scheme (**sections 4, 6, 7, 9, 10 and 12**);
 - 2.1.9 Details of any views which may have been expressed by a Government department about the proposed development of the Order Land (**section 18**);
 - 2.1.10 What steps the Acquiring Authority has taken to negotiate the acquisition of the land by agreement. (**section 6**);
 - 2.1.11 Any other information which would be of interest to persons affected by the Order (**sections 21 and 22**);
 - 2.1.12 Details of related orders, applications etc (**section 15**); and
 - 2.1.13 Details of documents which the Acquiring Authority would intend to refer to or put in evidence in the event of an inquiry (**Appendix 1**).
- 2.2 This Statement describes the case for compulsory purchase and provides conclusions on the Acquiring Authority's reasons for promoting the Order.

The following terms are used in this Statement:

Acquiring Authority	Watford Borough Council
Compensation Code	the body of Statute, Lands Tribunal and Lands Chamber of the Upper Tribunal decisions and case law applicable to the determination of compensation in relation to compulsory purchase
Convention	The European Convention on Human Rights which was incorporated into domestic law by the Human Rights Act 1998
CPO Guidance	the guidance issued by the Department of Communities and Local Government in October 2015 and updated February 2018 entitled Guidance on Compulsory Purchase process and The Crichel Down Rules for the disposal of surplus land acquired by, or under threat of, compulsion
MHCLG	Ministry of Housing Communities & Local Government
Order	the Watford Borough Council (Land at the Gossamers, Central Meriden Estate, Watford) Compulsory Purchase Order 2019
Order Land	the land included within the Order for compulsory acquisition
Order Map	Map referred to in the Watford Borough Council (Land at the Gossamers, Central Meriden Estate, Watford) Compulsory Purchase Order 2019

Planning Application	the development proposed in respect of the Order Land (and other parts of the Meriden Estate) as shown on the Order Map pursuant to Planning Application Ref No. 15/00919/FULM submitted by WCHT
Scheme	the redevelopment of the Central Meriden Estate
Secretary of State	the Secretary of State for Housing, Communities & Local Government
WCHT	Watford Community Housing Trust

- 2.3 A list of the documents which the Acquiring Authority intends to refer to in the event of an inquiry into the Order is provided at **Appendix 1**. The Acquiring Authority reserves its right to add to the list as necessary and will endeavour to notify the inquiry and any remaining objectors of any such documents as soon as possible prior to the opening of such an inquiry.

3. DESCRIPTION OF THE ORDER LAND

- 3.1 The land included within the Order to be compulsorily acquired is shown edged red coloured pink being the Order Land and is shown on the Order Maps. The total area of land to be compulsorily acquired is approximately 500 m² .

3.2 General Location of the Order Land

The Meriden Estate is located approximately two miles north of Watford Town Centre. Constructed in the 1950s and 60s on a previously greenfield site it is bounded by the M1 to the east, A41 to the south and the Abbey rail line to the west. Garston Train Station is the closest railway station, lying on the north boundary of the estate, with trains from Watford Junction to St Albans.

3.3 The Order Land in detail

The Order Land comprises only part of the land required for the Scheme. WCHT has secured vacant possession of the remainder of the land. The Order Land is located within a retail parade on the Gossamers and includes both retail units and residential accommodation. There are 2 retail units with tied residential accommodation, one stand-alone retail unit and one stand-alone residential property.

3.4 Description of interests in the Order Land

All of the interests in the Order Land are held leasehold. WCHT is the freeholder and it is the interests of WCHT's tenants as well as the occupying interests which are to be acquired under the Order.

- 3.5 In order to ensure that the regeneration of the area and development can take place it will be necessary for the Acquiring Authority to compulsorily acquire the interests in the land needed.

- 3.6 The purpose of the Order is to enable the delivery of the Scheme to facilitate the carrying out of redevelopment of the Central Meriden Estate and ensuring that clean title to land can be transferred to the Acquiring Authority and interests transferred to WCHT in a timely manner, free of encumbrances which could otherwise prevent development. The Order is also necessary to ensure site assembly in a timely manner.

4. BACKGROUND TO THE SCHEME AND THE NEED FOR REDEVELOPMENT

- 4.1 The Scheme provides an opportunity to create a high quality mixed use development. It contains new retail space specifically designated for the current retail operators which is also flexible to cater for the needs of future operators.
- 4.2 It offers the opportunity to significantly address the chronic affordable housing need within the Borough. There are 658 families registered on the Council housing register that are deemed to be in urgent housing need. The Scheme which includes land outside of the Order Land as well will provide an additional 112 new affordable homes within the Meriden estate, as well as replacing the 21 residential dwellings that will have to be demolished as part of the regeneration process.
- 4.3 The Scheme will include a 50 unit flexi-care scheme, that will provide specialist self-contained apartments for older clients. The scheme is designed to cater for a range of support needs, for example physical disabilities and dementia. It has been designed so individual apartments can be adapted to meet the long term changing needs of the residents, allowing them to remain in their homes for as long as possible.
- 4.4 WCHT is the only provider of flexi-care accommodation within Watford. They currently have 45 apartments split between two schemes. 26 are self-contained 1 bedroom apartments and the remaining are studio apartments.
- 4.5 This development will provide an opportunity for older clients in family accommodation to down size into 1 bed apartments with the added benefit of onsite support services.
- 4.6 This in turn provides an opportunity for affordable family homes to be freed up to be offered to families on the Council's housing register.
- 4.7 Hertfordshire County Council has indicated that it wishes to fund an additional 160 flexi-care spaces within Watford to cater for current and future needs.
- 4.8 The flexi-care scheme has been specifically designed to meet the projected growth in this housing need, and will be constructed within the final phase of the regeneration process. It can only be delivered if vacant possession is gained over the properties within the Order Land.

5. THE COMPULSORY PURCHASE ORDER AND ENABLING POWERS

- 5.1 On 6 November 2017 the Acquiring Authority's Cabinet formally resolved to make the Order under section 226(1)(a) of the Town and Country Planning Act 1990 (**1990 Act**) (as amended by section 99 of the Planning and Compulsory Purchase Act 2004).
- 5.2 The statutory authority for compulsory acquisition is contained within Part IX of the 1990 Act. By virtue of section 226(1)(a) the Acquiring Authority has the power to acquire the Order Land compulsorily, on being authorised to do so by the Secretary of State, if the Acquiring Authority thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to land.
- 5.3 The Acquiring Authority is satisfied that the use of the powers contained in section 226(1)(a) of the 1990 Act will contribute to the development, redevelopment or improvement on or in relation to the Order Land.
- 5.4 The enabling power is qualified by section 226(1A) of the 1990 Act which states that a local authority must not exercise the power unless it thinks that the development, redevelopment or

improvement is likely to contribute to the achievement of any one or more of the following objects:

- 5.4.1 The promotion or improvement of the economic well-being of their area;
 - 5.4.2 The promotion or improvement of the social well-being of their area; and
 - 5.4.3 The promotion or improvement of the environmental well-being of their area.
- 5.5 The Scheme would contribute to the promotion of the environmental, social and economic well-being of the Council's area, in accordance with section 226(1A) of the 1990 Act because:
- 5.5.1 The Scheme will contribute to and enhance the central Meriden estate, by promoting a mixed use retail and residential accommodation on a currently under used site. It will create new retail space to cater for the existing retail operators, a total of 133 affordable new homes and will create temporary construction jobs, which will be available to the local labour market;
 - 5.5.2 The Scheme will provide a high quality retail and residential development to serve the needs of the local community and visitors to the Meriden. The development is designed to create a high quality architectural scheme.
 - 5.5.3 The Project represents a scheme where the Council and Watford Community Housing Trust are working together with a view to re-develop the Order Lands by improving the quality of life of those living, working or otherwise involved in community life of the central Meriden estate. The Scheme will bring regeneration to the centre of the estate and promote the urban shopping area.

6. DETAILS OF ATTEMPTS TO ACQUIRE INTERESTS BY AGREEMENT

Acquisition of Land

- 6.1 WCHT has engaged with all of the categories of interests affected and has done so in accordance with the principles within the Estate Regeneration National Strategy - Good Practice Guide. Where practicable to do so it has sought to acquire interests by agreement. This has included negotiating lease terms to exclude security of tenure under the provisions of the Landlord and Tenant Act 1954 with seven of the existing 10 retailer operators on The Gossamers, who have been more recently granted leases. This means that where possible the Council will not need to use CPO powers against those occupiers as their interests will be terminable by WCHT as landlord and indeed are not included within the CPO.
- 6.2 WCHT has been in negotiations with those leaseholders and tenants whose interests will be acquired compulsorily if the CPO is made and confirmed. Since May 2015 WCHT has held 1 to 1 meetings seeking to enter into agreements to acquire through private treaty wherever possible and has made positive progress in successfully acquiring a number of other interests by agreement.
- 6.3 The Alterstart garage lease (located immediately to the south of the Order Land) was acquired on 22 June 2016 by private treaty. WCHT has permanently rehoused 7 families into suitable alternative accommodation, that were previously renting maisonettes above the shops.
- 6.4 In September 2016, the tied accommodation, linked to the Meriden Fish and Chip shop lease was surrendered by the retailer in return for alternative suitable family accommodation within the Meriden estate. This was agreed through private treaty.

- 6.5 WCHT is in direct dialogue with The Meriden café operator and the Meriden Post office operator on options for suitable residential accommodation within the local areas.
- 6.6 Since September 2016 WCHT has offered six different 3-bedroom properties to the leaseholder at No 158 The Gossamers and will continue to look to identify suitable alternatives to be offered through private treaty.
- 6.7 In respect of the current retailers within the Order Land WCHT has discussed with each of them the design and location of alternative retail units that will be constructed as part of the first phase of the redevelopment to enable relocation. Three shop units have been identified for suitable relocation, shop footprints have been agreed and sample leases have been issued for discussion.
- 6.8 WCHT continues to engage with all of the remaining interests and has identified sites for relocation of both the retail and residential accommodation including where residential accommodation is tied with the retail unit.
- 6.9 A single ownership is required to implement the development because there are still outstanding leasehold interests to be acquired. Without having control and the ability to terminate the interests, the development cannot proceed in a timely fashion and there is a risk it could not proceed at all.

Acquisition of Existing Rights

- 6.10 All parties who have the benefit of rights, easements and covenants in land which is affected by a compulsory purchase order and known to the acquiring authority must be served with notices of the making of the Order. Diligent enquiries have been carried out to identify these parties but if there are any parties who have not been notified of the Order who are within this category they may still be notified of the Order by the posting of notices on site.
- 6.11 National Grid Electricity Transmission PLC has rights relating to overhead pylons above the garages to the rear of the shopping parade – plots 6 and 7. These are not listed in the Order as they will not be affected by the scheme. No works will be undertaken which affect the overhead pylon or the rights associated with them.

7. JUSTIFICATION FOR USE OF THE ENABLING POWER

- 7.1 The Acquiring Authority is a landowner of part of the land for the Scheme but it does not own any interests in the Order Land. There are negotiations with third parties to acquire by private treaty. A comprehensive site assembly is required to enable the Scheme to proceed in a timely manner and without impediments. Without the use of compulsory purchase powers there is no guarantee that the acquisition of all interests through private treaty could be achieved within the timescales envisaged for the Scheme to proceed. Discussions with affected parties will continue with a view to securing the acquisition of interests at market value and reducing the number of interests which need to be acquired compulsorily.
- 7.2 Without compulsory purchase the Acquiring Authority has a substantially reduced chance of bringing about the regeneration of the Estate.

8. WATFORD COMMUNITY HOUSING TRUST

- 8.1 WCHT is the freeholder of the majority of the wider estate – save where there has been the exercise of right to buy of houses. It is a charitable, not-for-profit housing association registered under the Co-operative and Community Benefit Societies Act 2014. In promoting the Scheme it

has approached the Council to make a CPO. The Council has entered into an Indemnity Agreement with WCHT which will provide for the reimbursement of costs of promoting the CPO in respect of the Order Land and will also provide for the transfer of interests from the Council to WCHT acquired by the Council.

9. TIMESCALE FOR DELIVERY

- 9.1 WCHT has appointed a contractor for the works. The Scheme has been designed so it can be delivered in phases and crucially to enable the relocation of the retail units without interruption in trade. The first phase will contain newly constructed retail space to enable the retail operators to transfer from their current premises on the Gossamers. Once they have relocated the Gossamers Shopping parade and the maisonettes above will then be demolished and redeveloped. It is therefore essential that vacant possession of the Order Land is secured. By October 2020 it is anticipated that the new retail units will be available so that possession of the Order Land is then secured for start on site and, the part of the Scheme which comprises the Order Land, completed by August 2022.
- 9.2 WCHT has already commenced some enabling works to allow the Scheme to proceed. The Alterstart garage building, which is on the site of the flexi-care scheme and for which the Order Land is also required, has been demolished. Orders with the gas, electricity and telecoms utility providers for the new infrastructure networks needed for the regeneration scheme have been placed with a value in excess of £500,000.
- 9.3 This timescale will be dependent on the successful confirmation of the Order to acquire third party interests in the Order Land.
- 9.4 It is envisaged that with the Order having been made in May 2019; if objections are made, then it is likely a public inquiry would be held in the final quarter of 2019 or earlier. If confirmed it is anticipated that the Order would take effect from quarter 2 in 2020. It is expected that as a consequence the relevant interests would be acquired to enable programme to be met.

10. FUNDING

- 10.1 WCHT has confirmed that the capital cost of the Central Meriden Regeneration scheme is contained within its existing business plan.
- 10.2 WCHT has secured £1.9m of Social Housing Grant, from Homes England as part of its 2015-2018 Affordable Housing Programme. Half of this has already been claimed to enable site preconstruction works.
- 10.3 A further grant allocation of £2.5m for the 50 unit Flexi-Care element of the Scheme has been approved by the Homes England under the new Shared Ownership Affordable Housing Programme (SOAHP) 2016-21. This grant is specific to creating specialist housing, for affordable rent, to meet a particular need.
- 10.4 The overall project therefore attracts a total grant funding of £4.4m. The aggregate represents a significant investment in the Borough to support affordable housing provision.
- 10.5 Both of these packages of funding are provided on condition that key milestones are achieved and these include physical start on site for the project and practical completion of the new homes. It is essential that vacant possession of the Order Land is secured.

11. COMPLIANCE WITH GUIDANCE

- 11.1 In promoting a compulsory purchase order, acquiring authorities should have regard to government guidance. The relevant government guidance is DCLG Guidance on Compulsory Purchase Process the CPO Guidance. Matters which should be addressed include:
- 11.1.1 Authorities should seek to acquire interests by negotiation where practicable. A compulsory purchase order is intended as a last resort in the event that attempts to acquire by agreement fail. A summary of the negotiations with third parties is contained in section 6 above.
 - 11.1.2 There must be a compelling case in the public interest to justify the compulsory acquisition.
 - 11.1.3 There should be a clear idea of how the Council intends to use the land and that the necessary resources are likely to be available to achieve that end within a reasonable timescale.
 - 11.1.4 Substantive information on the sources of funding of the scheme is required, together with information on the timing.
 - 11.1.5 There must be a reasonable prospect of the Scheme proceeding and be unlikely to be blocked by impediments to implementation.
- 11.2 In accordance with the advice contained within Section 1 of Tier 2 of the CPO Guidance the Council has had careful regard to the following in particular:-
- 11.2.1 the planning framework;
 - 11.2.2 the extent to which the Scheme would comply with the Council's statutory requirements to satisfy the well-being test; and
 - 11.2.3 whether the proposed purpose for which the Council is proposing to acquire the land could be achieved by any other means.
- 11.3 Single unencumbered ownership of the Order Land is required to enable the development to proceed. Compulsory Purchase will enable redevelopment to take place at an early date by providing certainty for site assembly and programming and thus enable the Scheme to be implemented. All of the land comprising the Order Land is required in order to secure the carrying out of the proposed development.
- 11.4 The Council and its appointed agents have attempted, and will continue to attempt, to purchase outstanding interests by agreement. Discussions have taken place and are continuing with those affected by the proposals. However, whilst WCHT is the freehold owner of the land, it is not in a position to ensure that it can obtain vacant possession or necessary title of the whole of the site.
- 11.5 The Council is satisfied that the principle of development for the Scheme proposed is established by planning policy and planning permission is in place and so will not be blocked by planning or other impediments. The Scheme has already commenced on areas of land other than the Order Land.
- 11.6 The Council is of the view that, as a result of the economic, environmental and social well-being benefits of the redevelopment for those within Meriden, there is a compelling case in the public interest for the making of the Order and interfering with the human rights of those whose land will

be taken or whose occupation of their homes will be disturbed by the Compulsory Purchase Order.

12. DETAILS OF THE SCHEME

12.1 The proposed development will involve the demolition of the central Meriden estate shopping parade, 11 existing dwellings located above the shops, 10 dwellings located on York Way and The Turnstones, 2 garage blocks on York Way and a further group of garages located to the rear of the shopping parade. This will enable the site to be redeveloped to provide a total of 133 new homes – all of which will be affordable, a new shopping parade specifically designed to accommodate the existing retail operators, upgraded infrastructure and public open spaces. There will be a net increase of 112 residential units and a net increase of 223 m² of retail/community floor space. The breakdown across the site is as follows:

Bungalows and open space at the Turnstones

12.2 Demolition of the existing 10 bungalows and the construction of the following :

12.2.1 Block A – A terrace of 9, one bedroom bungalows fronting York Way. Parking provision is within on-street parking bays on York Way.

12.2.2 Block B – A terrace of 9 two storey, four bedroom houses fronting onto the open space. Some parking spaces are provided in front of the houses.

12.2.3 Block C1 – A detached, two storey, two bedroom house fronting The Turnstones.

12.2.4 Block C2 – A row of 6 two storey, link-detached, 3 bedroom houses fronting The Turnstones. Each will have a single, on-site parking space.

12.3 The proposed dwellings will all have private garden areas and are arranged as a perimeter block around an internal parking court to supplement the parking provision. The open space will be improved with the addition of a children's play area.

Shopping parade and Alterstart garage

12.4 Specifically this includes the Order Land. Demolition of the existing 3 storey parade of shops and maisonettes, single storey commercial unit, Alterstart garage, community room and estates office, and lock-up garages and the construction of the following:

12.4.1 Block D – An irregular Y-shaped block of 2-4 storeys providing 47 one bedroom 'Flexi care' flats for the elderly. The block also includes 3 one bedroom 'Flexi care' bungalows for the elderly. The block is set around an internal garden courtyard for residents and also includes a residents' lounge/dining area, kitchen and staff facilities. The southern corner of the block incorporates a retail unit for a hairdresser to serve both the residents and the wider community. Parking spaces to serve the block are provided to the side and rear of the building.

12.4.2 Block E1 – This is attached to the southern end of Block D and incorporates 1, 3 and 4 storey elements. It provides a retail unit and community Hub at ground floor and 9 one and two bedroom flats on the upper floors. At the southern corner of the site, adjoining the junction with York Way and The Gossamers, a new market square will be formed which is intended as a multi-use space. This provides car parking to serve the shops but can also be used for community events, occasional markets, etc.

Green verge at junction of Meriden Way/ York Way and car park to Coldharbour House

12.5 The construction of the following:

12.5.1 Block E2 – A part 1, 3 and 4 storey block fronting York Way providing 7 commercial units at ground floor and 8 one and two bedroom flats on the upper floors.

12.5.2 Block E3 – A part 3, part 4 storey block sited at the corner of York Way and Meriden Way and attached to the eastern end of Block E2. It provides 1 commercial unit at ground floor and 17 one and two bedroom flats above. The existing car park serving Coldharbour House is to be enlarged and reconfigured to provide parking for the Coldharbour House and Blocks E2 and E3.

Green verges and garage courts along York Way and adjoining car park

12.6 Demolition of existing lock-up garages sited at the end of Foxtree House and Maple Court and the construction of the following:

12.6.1 Block F1 – A 3 storey block attached to the eastern end of Foxtree House, providing 8 one and two bedroom flats.

12.6.2 Block F2 – A 3 storey block attached to the eastern end of Maple Court, providing 8 one and two bedroom flats.

12.6.3 Block G – A part 2, part 3 storey block sited at the junction of Garsmouth Way and York way and fronting York Way. The two storey element comprises 3 two bedroom houses and the 3 storey element 5 two bedroom flats. Parking provision will be in the form of small parking courts between the blocks and new parking lay-bys on York Way and Garsmouth Way. The existing car park between Maple Court and Foxtree House is to be reconfigured and improved.

12.7 The Planning Application was considered by the Council's Development Management Committee and a decision to grant planning permission subject to a Section 106 Planning Agreement was made on 29 October 2015. A Unilateral Undertaking was completed on 1 February 2016 and planning permission was issued on the same date.

12.8 This is the extent of the scheme to be disregarded for the purposes of assessment of compensation in the "no-scheme" world. The relevant policies which support the scheme are set out in paragraph 13 below.

13. PLANNING POLICY AND ANALYSIS FOR THE SCHEME

13.1 In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

13.1.1 Watford Local Plan Core Strategy 2006-31;

13.1.2 the continuing "saved" policies of the Watford District Plan 2000;

13.1.3 the Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026; and

13.1.4 the Hertfordshire Minerals Local Plan Review 2002-2016.

13.2 The Watford Local Plan Core Strategy 2006-31 was adopted in January 2013. The Core Strategy policies, together with the “saved policies” of the Watford District Plan 2000 (adopted December 2003), constitute the “development plan” policies which, together with any relevant policies from the County Council’s Waste Core Strategy and the Minerals Local Plan, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to the Scheme.

13.2.1 Watford Local Plan Core Strategy 2006-31

- (a) WBC1 Presumption in favour of sustainable development
- (b) SS1 Spatial Strategy
- (c) SD1 Sustainable Design
- (d) SD2 Water and Wastewater
- (e) SD3 Climate Change
- (f) SD4 Waste
- (g) TLC1 Retail and Commercial Leisure Development
- (h) TLC2 Neighbourhood Centres
- (i) HS1 Housing Supply and Residential Site Selection
- (j) HS2 Housing Mix
- (k) HS3 Affordable Housing
- (l) T2 Location of New Development
- (m) T3 Improving Accessibility
- (n) T4 Transport Assessments
- (o) INF1 Infrastructure Delivery and Planning Obligations
- (p) UD1 Delivering High Quality Design
- (q) GI1 Green Infrastructure
- (r) GI3 Biodiversity

13.2.2 Watford District Plan 2000

- (a) SE7 Waste Storage, Recovery and Recycling in New Development
- (b) SE22 Noise
- (c) SE23 Light Pollution
- (d) SE24 Unstable and Contaminated Land

- (e) SE27 Flood Prevention
- (f) SE28 Groundwater Quality
- (g) SE36 Replacement Trees and Hedgerows
- (h) SE37 Protection of Trees, Woodlands and Hedgerows
- (i) SE39 Tree and Hedgerow Provision in New Development
- (j) T10 Cycle Parking Standards
- (k) T21 Access and Servicing
- (l) T22 Car Parking Standards
- (m) T24 Residential Development
- (n) H16 Retention of Affordable Housing
- (o) S12 Planning Conditions for Use Class A3 Food and Drink
- (p) L8 Open Space Provision in Housing Development
- (q) L9 Children's Play Space
- (r) CS3 Loss of Community Facilities
- (s) U24 Shopfronts
- (t) U25 Advertisements and Signs

13.2.3 Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026

- (a) 1A Presumption in Favour of Sustainable Development
- (b) 2 Waste Prevention and Reduction
- (c) 12 Sustainable Design, Construction and Demolition

13.2.4 Hertfordshire Minerals Local Plan Review 2002-2016

- (a) There are no relevant policies.

13.2.5 Supplementary Planning Documents

The following Supplementary Planning Documents are relevant to the Scheme, and were a material planning consideration.

- (a) Residential Design Guide - adopted in July 2014. It provides a robust set of design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from new individual dwellings to large-scale, mixed-use, town centre redevelopment schemes.

- (b) Watford Character of Area Study - adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces.
- (c) SPG10 Open Space Provision – adopted in October 2001. This guidance sets out the standards of open space provision required per thousand population as part of new developments.

13.2.6 National Planning Policy Framework

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

- (a) Achieving sustainable development
- (b) The presumption in favour of sustainable development
- (c) Core planning principles
 - (i) Section 1 Building a strong, competitive economy
 - (ii) Section 4 Promoting sustainable transport
 - (iii) Section 6 Delivering a wide choice of high quality homes
 - (iv) Section 7 Requiring good design
 - (v) Section 8 Promoting healthy communities
 - (vi) Section 10 Meeting the challenge of climate change, flooding and coastal change
 - (vii) Decision taking

13.3 The Scheme provides opportunities to make better use of the land in an area which is at the heart of the estate. The housing provision is policy compliant and exceeds the minimum thresholds for the provision of affordable housing.

13.4 The Scheme significantly enhances the character and appearance of the area and fully accords with Policy UD1 of the Core Strategy which seeks high quality design that respects and enhances the character and appearance of the surrounding area.

13.5 The planning committee report concluded that the proposals would achieve a successful and high quality regeneration of that part of the estate and the benefits of the proposals would significantly outweigh the loss of open space and the local garage that are necessary to facilitate the development.

14. RELATED APPLICATIONS, ORDERS ETC

WCHT is in the process of making an application to the Secretary of State for Transport to stop up the various public highways. The Council will also be consulted on that process. In the event of there being a public inquiry it is anticipated that this would be joined with any public inquiry for the Order.

15. SPECIAL CONSIDERATIONS AFFECTING THE ORDER LAND

15.1 There are no special considerations affecting the Order Land

16. HUMAN RIGHTS ACT 1998

16.1 The Human Rights Act 1998 (**HRA**) came into force on 2 October 2000 and must be considered by authorities promoting the use of compulsory purchase. In its report to the Acquiring Authority on 21 March 2016 the Acquiring Authority considered the impact on human rights of those affected by the Scheme. In particular the Acquiring Authority has had regard to the following as part of the Convention which can be invoked by individuals pursuant to the HRA:-

16.1.1 Article 8 – the right to respect for private and family life and his/her home

16.1.2 Article 1 of Protocol 1 – the protection of property.

16.2 The Acquiring Authority carried out an assessment of the interference with individuals' rights and in resolving to make the order considered that:-

16.2.1 With regard to Article 8 there is a legal basis for making the Order under Section 226 (1) (a) of the 1990 Act and the Order pursues a legitimate aim to improve the wider public, economic and social well-being of local residents, visitors and stakeholders in the interests of the community. It is considered that in balancing the rights of the individuals who are affected by the Order against the benefit to the community of proceeding with the Order, the making of the Order and the interference with the individuals' rights are justified in the interests of the community in order to effect the Scheme in accordance with the local planning policy and the Planning Application sought.

16.2.2 With regard to Article 1 Protocol 1, it is considered that the interference with the individual's property is justified by the advantages accruing to the public by proceeding with the development particularly taking into account the fact that there is a legal right to compensation under the Compensation Code for the property taken, rights acquired and rights extinguished under the Order.

17. EQUALITIES ACT 2010

17.1 In addition to the HRA, the Council is required to comply with the Equalities Act 2010. An equality impact analysis has been undertaken. This identifies both the negative and positive impacts of the proposals and considers that, overall, the positive impacts outweigh the negative impacts of the Scheme. In addition, it identifies how any negative impacts might be mitigated and any positive impacts ensured through the delivery of the project.

17.2 In undertaking negotiations with affected parties WCHT has taken time to understand the requirements of those parties. Those requirements have been taken into account when offering replacement retail space or in connection with the residential leaseholder, identifying suitable accommodation as well as any adaptations which may be reasonably required.

18. VIEWS OF GOVERNMENT DEPARTMENTS

18.1 No views relating to the Order have been expressed by Government departments.

19. INQUIRIES PROCEDURE RULES

- 19.1 This statement is not intended to discharge the Acquiring Authority's obligations under the Compulsory Purchase (Inquiries Procedure) Rules 2007 in the event of a public local inquiry being held.

20. DOCUMENTS ETC TO BE REFERRED TO OR PUT IN EVIDENCE IN THE EVENT OF A PUBLIC INQUIRY BEING HELD

- 20.1 Should it be necessary to hold a Public Local Inquiry into the Order, the Acquiring Authority would intend to refer to or put in evidence the documents identified in Appendix 1. It should however be noted that the Acquiring Authority reserves its right to add to the list as necessary and will endeavour to notify the Inquiry and any remaining objectors of any such documents as soon as possible prior to the opening of the Inquiry.

21. CONTACTS FOR FURTHER INFORMATION

- 21.1 Any queries in relation to this Order can be raised with WCHT's programme manager in respect of the Scheme:-

Ayesha Ahmad Tel: 01923 209 000 or E: ayesha.ahmad@wcht.org.uk

22. NEGOTIATIONS

- 22.1 Owners and occupiers of property affected by the Scheme who wish to negotiate or discuss matters of compensation should contact:

Roger Moore Director - Valuation Lambert Smith Hampton

Tel: 01245 215 543 E: RMoore@lsh.co.uk

for further details and so that further discussions can take place.

23. COMPENSATION

- 23.1 Provision is made by statute with regard to compensation for the compulsory acquisition of land and the depreciation in value of properties. More information is given in the series of booklets published by the Department for Communities and Local Government entitled "Compulsory Purchase and Compensation" listed below:

23.1.1 Booklet No. 1 - Compulsory Purchase Procedure.

23.1.2 Booklet No. 2 - Compensation to Business Owners and Occupiers.

23.1.3 Booklet No. 3 - Compensation to Agricultural Owners and Occupiers.

23.1.4 Booklet No. 4 - Compensation for Residential Owners and Occupiers.

23.1.5 Booklet No. 5 - Reducing the Adverse Effects of Public Development: Mitigation Works.

- 23.2 Copies of these booklets are obtainable, free of charge, from:

Communities and Local Government Publications, Cambertown House, Goldthorpe Industrial Estate, Rotherham S63 9BL, Tel: 0300 123 1124

23.3 In addition, the booklets are available to download for free online at:

<https://www.gov.uk/government/organisations/department-for-communities-and-local-government/series/compulsory-purchase-system-guidance>

24. COPIES OF DOCUMENTS

24.1 A copy of this Statement, the Order and maps are available for inspection during opening times detailed in the table below at the following locations:

Location	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Watford Borough Council, Town Hall Hempstead Road, Watford, WD17 3EX	8.45am-5.15pm	8.45am-5.15pm	8.45am-5.15pm	8.45am-5.15pm	8.45am-4.45pm	Closed	Closed
Meriden Community Centre, Garsmouth Way, Watford. WD25 9ET	9am-10pm	9am-10pm	9am-10pm	9am-10pm	9am-10pm	Closed	Closed

Further details about the Scheme can be found at:

https://www.watford.gov.uk/info/20009/housing_and_community/983/meriden_compulsory_purchase_order

and

<https://www.wcht.org.uk/page/Meriden-CPO/>

APPENDIX 1

Core Document List

Doc No.	Document
1.	Compulsory Purchase Order and Supporting Documents
1.1.	Order
1.2.	Order Maps
1.3.	Statement of Reasons
1.4.	Press Notices
1.5.	Specimen Notice of Making of the Order served on owners
1.6.	Specimen Site Notice advertising Making of the Order
1.7.	6 November 2017 Cabinet report and resolution to make the Order
2.	Planning Policy Documents
2.1.	13.1.1 Watford Local Plan Core Strategy 2006-31 in particular Policies WBC1 SS1 SD1 SD2 SD3 SD4 TLC1 TLC2 HS1 HS2 HS3 T2 T3 T4 INF1 UD1 GI1 GI3
2.2.	National Planning Policy Framework (2018)
3.	Planning Consent Documents
3.1.	Planning Permission Ref No. 15/00919/FULM
3.2.	Unilateral Undertaking 1 February 2016
3.3.	Committee Report for Planning Application 29 October 2015
4.	Legislation
4.1.	Town and Country Planning Act 1990 (as amended) together with subordinate legislation
4.2.	The Acquisition of Land Act 1981
4.3.	Compulsory Purchase (Inquiries Procedure) Rules 2007

Doc No.	Document
4.4.	CLG Circular 01/08 "The Compulsory Purchase (Inquiries Procedure) Rules 2007"
4.5.	Guidance on Compulsory Purchase process and The Crichton Down Rules for the disposal of surplus land acquired by, or under threat of, compulsion (CPO Guidance)
4.6.	Estate Regeneration National Strategy – Good Practice Guide Part 1