

**THE LONDON BOROUGH OF EALING
(GREEN MAN LANE ESTATE PHASE 4 WEST EALING W13)
COMPULSORY PURCHASE ORDER 2023**

STATEMENT OF REASONS

London Borough of Ealing, Perceval House, 14-16 Uxbridge Road, Ealing, London W5

THE LONDON BOROUGH OF EALING (GREEN MAN LANE ESTATE PHASE 4 WEST EALING W13) COMPULSORY PURCHASE ORDER 2023

STATEMENT OF REASONS FOR MAKING THE ORDER

1. BACKGROUND AND SUMMARY

1.1. Summary

- 1.1.1. This document is the Statement of Reasons produced by the London Borough of Ealing Council (**Acquiring Authority** or **Council**) explaining the reasons and providing justification for the making of the London Borough of Ealing (Green Man Lane Estate Phase 4 West Ealing W13) Compulsory Purchase Order 2023 (**the Order**).
- 1.1.2. On 17th June 2014, the Council by a decision of its Cabinet resolved to delegate and grant authority to the Council's Executive Director for Regeneration and Housing to make a compulsory purchase order to acquire all interests in certain areas of land at the Green Man Lane Estate, West Ealing, London W13 (**the Estate** or **Green Man Lane**) as necessary for the purpose of redevelopment.
- 1.1.3. By an Officer Decision dated 1st September 2022, the Order was made by the Acquiring Authority on 5th June 2023 under the provisions of section 226(1)(a) of the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981. The Order will be submitted to the Secretary of State for Housing, Communities and Local Government to request its confirmation and is required to support the regeneration of Green Man Lane. Some of the land required for this phase of the scheme has already been secured by the Acquiring Authority, but it is seeking to acquire the land and any existing rights which it has not been able to acquire by way of private treaty. The area over which land to be acquired compulsorily for this phase of the redevelopment of the Estate is referred to in this Statement as the Order Land.
- 1.1.4. The Acquiring Authority has the power to acquire land compulsorily in its area under section 226(1)(a) of the Town and Country Planning Act 1990 (**1990 Act**). The Council is of the view that the 1990 Act is the most appropriate enabling power in this development, for the assembly of the Order Land. For example, in addition to new housing, the proposed redevelopment of the overall Estate will include the provision of a new community centre. The redevelopment will re-create a sustainable community through a better balanced housing market. The acquisitions will facilitate the carrying out of the proposed development, redevelopment and improvement in relation to the land and will contribute to the promotion and improvement of the economic, social and environmental wellbeing of the whole area.
- 1.1.5. This document is the non-statutory Statement of Reasons which has been prepared in accordance with the Ministry of Housing, Communities and

Local Government Department for Communities and Local Government “Guidance on Compulsory Purchase Process and The Crichel Down Rules July 2019 (**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.

- 1.1.6. The Order Land is required to deliver Phase 4, the final phase of the redevelopment of Green Man Lane which includes the properties at Tintern Court, Dean Hall Christian Church (**Dean Hall**) and adjoining areas of land. The interests in those areas that are not already owned by the Council are proposed to be compulsorily acquired under the Order.
- 1.1.7. The Order is being made at this time because it is intended that once vacant, the Tintern Court properties together with Dean Hall will be demolished to allow the site to be redeveloped with new build housing for private sale, social rent and shared ownership and new and replacement community space. The private sale housing will help cross-subsidise the building of affordable homes on the Estate.
- 1.1.8. The Schedule to the Order lists owners, lessees, occupiers and tenants of the Order Land. In addition, it also lists other parties with a qualifying interest in the Order Land, where known. It is intended that, unless acquired by private treaty, the Council pursuant to the Order will acquire all interests within the Order Land except those already owned by the Council.
- 1.1.9. 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.

1.2. Purchase of Freehold and Leasehold Interests

1.2.1. The CPO Guidance confirms that

‘The confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement. Where acquiring authorities decide to/arrange to acquire land by agreement, they will pay compensation as if it had been compulsorily purchased, unless the land was already on offer on the open market.

Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:

- *plan a compulsory purchase timetable as a contingency measure; and*
- *initiate formal procedures’*

- 1.2.2. In accordance with the CPO Guidance, the Council has attempted to negotiate, from the outset, a mutually agreed valuation with leaseholders and freeholders for the purchase of their interests in the Order Land. This

has involved the Council undertaking an open market valuation of their property and making an offer of purchase to include (where appropriate), also, statutory Home Loss, Basic Loss and disturbance payments to cover all incidental costs. Leaseholders and freeholders have been advised to appoint their own valuer to act on their behalf to negotiate with the Council with their fees being reimbursed by the Council.

- 1.2.3. To date 16 of the 18 individual leaseholders and freeholders have agreed a negotiated value with the Council for the purchase of their interests or completed the sale to the Council.
- 1.2.4. Ongoing attempts will be made to purchase interests after the submission of the Order with officers attempting regular contact with all owners who have yet to agree a negotiated settlement. Negotiations are being led by Parmjit Ruprah, Regeneration Project Officer (mailto: RuprahPa@ealing.gov.uk - 020 8825 7286).

1.3. History

- 1.3.1. Save for the freehold of those town houses on the Estate and previously completed phases of the regeneration (mentioned below), the Council is the freehold owner of the Green Man Lane Housing Estate (“the Estate”) situated at West Ealing, London W13. The Estate is run and managed by the Council in its capacity as local housing authority for the area. The Estate was built in the 1970s and originally consisted of 464 homes, mostly in blocks of flats with some town houses constructed using the BISON large panel system. The approximate area of the original Estate is shown edged red on the Plan annexed at Appendix 1 (“the Site Location Plan”).
- 1.3.2. On 8th November 2005 the Council’s Cabinet agreed to the development of a comprehensive strategy, which would identify options for the regeneration of the Estate. The Estate was one of the Council’s ‘key estates’ and it was perceived that a regeneration solution was likely to be required in order to resolve the significant crime, anti-social behaviour, and design and management issues on the Estate.
- 1.3.3. Urban Initiatives, (Urban design and masterplanning consultants), were appointed by the Council in February 2007 to undertake an options appraisal and masterplanning exercise and work began with local residents to explore potential options for their Estate.
- 1.3.4. In May 2007, a Stage 1 report was produced which included a baseline analysis of the Estate and its issues, a vision for the future of the Estate and an initial investigation into a possible framework for the regeneration of the Estate.
- 1.3.5. During August 2007, Fordham Research conducted a door-to-door survey of residents to ascertain their views about their homes and the Estate and to begin to understand some of the specific housing needs of the households on the Estate.
- 1.3.6. The key findings from the survey were as follows:-
 - 58% of residents were from a Black Minority Ethnic group;

- 43% of tenants living in social rented housing said they had too few bedrooms;
 - 71% of residents felt unsafe on the Estate at night;
 - Drugs and drunken behaviour were the main issues faced by residents; and
 - 59% of residents were dissatisfied with the Estate as a place to live.
- 1.3.7. Stage 2 of this process commenced in September 2007 with the establishment of the Green Man Lane Joint Working Group (“JWG”). The purpose of the JWG was to be the main body for joint working between residents and the Council and to oversee the process for the development and assessment of the options for the future of the Estate. The JWG consisted of representatives from the Residents Consultative Group, the Police, St Johns School, Dean Hall and the Ward Councillors. The JWG was chaired by the Portfolio Holder for Adult Services and Housing.
- 1.3.8. Urban Initiatives then developed a series of masterplan options for the Estate to demonstrate what could be achieved if the Estate was partially/fully redeveloped. These options were developed in conjunction with the wider review of the West Ealing area being undertaken for the Council by Tibbalds, a Planning and Urban Design Consultancy. The majority of residents who were consulted expressed a preference for an option which involved the full redevelopment of the Estate.
- 1.3.9. In late November 2007, the Council worked with Urban Initiatives to analyse the feedback from resident consultation exercises and finalise the scheme options to identify a core scheme in order to provide clarity on the extent of the redevelopment which could be delivered on housing land and identify the potential for additional sites which would be subject to further discussion. This was presented at a fun day and drop in session in December 2007 and at the December 2007 JWG meeting. At this meeting the JWG asked the Council’s Portfolio Holder for Adult Services to make a recommendation to Cabinet that an open competition for a developer partner should be undertaken to develop a comprehensive regeneration scheme option for the Estate.
- 1.3.10. The Independent Resident Advisor, Partners in Change, produced a comprehensive report at the end of the Stage 2 process. This set out the work that Partners in Change undertook throughout 2006 and 2007 to provide independent advice to residents and details the support it has given to the Council’s consultation and engagement activities. The report endorsed the Council’s findings regarding the residents’ preferred option for the Estate.
- 1.3.11. On 29th January 2008 the Cabinet received a comprehensive report on the regeneration options for the Estate. The report indicated that the majority of residents supported the option of full redevelopment of the Estate.
- 1.3.12. The Cabinet agreed in principle to the comprehensive redevelopment of the Estate and agreed to commence an open competition to select a developer partner to redevelop the Estate. It was agreed that the outcome of the exercise would be brought back to Cabinet to approve the developer shortlist, prior to further selection stages.

- 1.3.13. Following the January 2008 Cabinet decision, letters were sent to all the residents on the Estate informing them of the decision to proceed in principle with comprehensive redevelopment. The letters explained the background to the Cabinet's decision and indicated how residents would be consulted and involved in developing proposals.

1.4. **Developer Selection Process**

- 1.4.1. The first stage brief outlining the development opportunity was produced and agreed in consultation with the Developer Selection Group (DSG – comprising of residents and local interested parties) and the Portfolio Holder for Adult Services and Housing. Bidders were asked to respond to a Pre-Qualifying Questionnaire identifying the bidder or bidding group and providing information in line with the Council's standard procurement requirements.
- 1.4.2. An advertisement was placed in the Estates Gazette and Official Journal of the European Union (OJEU) on 08 March 2008. Following OJEU rules, 37 days were allowed for potential bidders to complete expressions of interest in being invited to tender with a closing date of 15 April 08. The brief indicated that 3-5 bidders would potentially be shortlisted to the next stage
- 1.4.3. Cabinet received a report on the progress of the competitive selection process on 24th June 2008, which recommended a shortlist of six bidders to proceed to the second stage of the competition. The shortlisted bidders were
- Countryside Properties and London & Quadrant Housing Trust;
 - Hyde Housing Association;
 - Network Housing Association and Mulalley Ltd;
 - Rydon Construction;
 - Inspace Ltd & Catalyst Housing Association; and
 - Durkan Ltd, Genesis Housing Group and Logic Homes.
- 1.4.4. Following the June 2008 Cabinet decision, letters were sent to all residents on the Estate informing them of the decision to invite shortlisted bidders to submit more detailed proposals. The letters explained the background to the Cabinet's decision and indicated how residents would be consulted and involved in developing proposals.
- 1.4.5. Over the summer period, all residents were invited to visits organised to view examples of shortlisted bidders' homes on previous schemes. These were well attended by a range of residents across the Estate. A video was made of the schemes and this was shown at two drop in sessions on the Estate for those unable to make the visits.
- 1.4.6. An independent tenant adviser (Dome) was also appointed to provide residents with independent advice on the proposals.
- 1.4.7. The JWG with wide resident and stakeholder representation had been established in 2007 to oversee the process of developing options for the Estate. A smaller Developer Selection Group (DSG) comprising 6 residents and a ward member was nominated by the JWG in 2008 to work with Council officers on the developer selection process. External solicitors

(Nabarro) and financial advisers (Price Waterhouse Cooper) were also appointed to provide advice on the evaluation of bids at the second stage.

1.4.8. The second stage brief outlining the development opportunity was produced with input from residents on the DSG and agreed by the Executive Director for Regeneration and Housing. Bidders were asked to set out detailed proposals on their approach to:

- Their overall vision for the future of the area;
- Detailed design and redevelopment proposals;
- Details of new homes provided;
- Their approach to decanting and re-housing existing residents;
- Project delivery;
- Finance;
- Managing the new homes;
- Creating a sustainable community; and
- Regeneration of the wider West Ealing area.

1.4.9. On 11th November 2008, the Cabinet received a report on the selection of a developer partner to undertake the redevelopment of the Estate and agreed to:

- Approve a shortlist of two final bidders and to proceed with the final Stage 3 of the Developer Selection process, and
- Authorise the Director of Housing to progress stage 3 of the Developer Selection process.

1.4.10. The two shortlisted bidders were:

- London & Quadrant Housing Trust and Countryside Properties and
- Rydon Construction and A2Dominion.

1.4.11. The two final short-listed developers were asked to develop their proposals in the third stage in response to a written brief supported by feedback from residents, Planning, Economic Development, Highways and Housing in order to provide firm commitments for the regeneration of the Estate.

1.4.12. The brief required bidders to demonstrate how key risks were to be shared between the Council and developer, and to propose key heads of terms outlining the legal agreements between the parties. It also asked for more detailed design and financial proposals informed by resident consultation. Bidders were also asked to demonstrate how they could contribute toward the wider regeneration of the West Ealing area.

1.4.13. The third stage started with exhibitions by each of the short-listed bidders open to all residents on the Estate, which took place on 29th November and 6th December 2009. These gave residents an opportunity to give their comments on the initial proposals, to say what they would like to see in any future scheme and to allow the bidders to develop their schemes based on this information.

1.4.14. After the initial exhibition there was an 8-week period for proposals to be developed, which concluded with a formal submission being submitted by each bidder on 20th February 2009.

- 1.4.15. On Saturday 28th February 2009, an exhibition of the two bidders' final proposals was held on the Estate and in the adjoining Jubilee Hall. While primarily targeted at Estate residents, local stakeholders and neighbouring residents were also invited to attend. Over 130 people visited the event with 92% of these being overwhelmingly in favour of redevelopment and viewing the redevelopment proposals as being good or excellent.
- 1.4.16. On 7th April 2009, the Cabinet agreed to the selection of Rydon and A2Dominion as the Council's preferred development partners to undertake redevelopment of the Green Man Lane Estate, subject to the satisfactory conclusion of legal agreements.
- 1.4.17. Rydon and A2Dominion were selected on the basis of their response to the Council's brief requiring submission of an overall package of proposals setting out their commitments for the regeneration of the Estate.
- 1.4.18. The Cabinet report noted the progress made in agreeing draft heads of terms and agreed that Officers should continue work on negotiating legal agreements with the preferred development partner, reporting back to Cabinet for approval to the final terms.
- 1.4.19. Cabinet subsequently gave authority for the Council to enter into a Principal Development Agreement (PDA) on 13th October 2009 on the basis of the details set out in the Cabinet report. The Council subsequently entered into the PDA on 8th September 2010 with A2Dominion London Limited and a special purpose company established by the preferred bidder consortium, Green Man Lane LLP.
- 1.4.20. While the terms of the PDA were being negotiated, a series of detailed consultation events and newsletters were used to encourage Estate residents, local neighbours and other local stakeholders to contribute to the development of the new Estate design. This culminated in February 2010 in the submission by Rydon and A2Dominion of a detailed planning application for Phase 1 of the development (planning ref: P/2010/0148) and an outline application for the overall scheme (planning ref P/2010/0419) forming the masterplan for the scheme. Planning permission was subsequently granted on 29th September 2010 in relation to both the applications.
- 1.4.21. The regeneration was proposed to be undertaken in four phases. As a phased scheme, each phase is dependent on the previous phase. The construction of the new properties allows secure Council tenants, leaseholders and freeholders to move into these once constructed. The residents are then decanted from the next phase of construction, and any surplus properties are offered to secure residents and eligible leaseholders and freeholders in future phases of the regeneration. This enables vacant possession of the next area and so on throughout the life of the scheme.

1.5. Construction Phases

- 1.5.1. **Phase 1:** the Council acquired all interests in this phase of the scheme including Wigmore Court and a multi-storey car park on Singapore Road, which were both demolished and redeveloped to provide 162 new build homes. This phase completed in April 2014 with residents from future phases occupying the social rent properties.

- 1.5.2. **Phase 2a:** this phase comprised the construction of 4 houses and a small block of 10 flats all for social rent. This land in this phase was already owned by the Council with construction completing in July 2012.
- 1.5.3. **Phase 2:** this phase included the demolition of Evesham Court, Lacock Court, Glastonbury Court and Tewkesbury Road properties. The construction of the 187 new homes completed in August 2017. The social units were again tenanted by secure Estate residents living in future phases of the Estate regeneration.
- 1.5.4. While construction of Phase 2 was underway, the Council's regeneration team were approached by education colleagues who were keen to rebuild and expand the existing St John's Primary School which was located on the boundary to the east of the Estate. This required a change to the Green Man Lane Masterplan and enabled Green Man Lane LLP to build the new St John's Primary School on land already held by the Council for educational, highway and housing purposes while the existing school remained in use. On construction of the new school, the old school was demolished with the land being transferred to Green Man Lane LLP under the terms of a varied PDA which permitted the development of housing for sale with the land value subsidising the cost of building the new primary school. This development does not form part of the Green Man Lane Masterplan but has been addressed in this Statement of Reasons as it resulted in a change to the original phasing plan to incorporate a new Phase 6.
- 1.5.5. **Phase 6:** this was a variation to the original Green Man Lane Masterplan and came about as a result of the new St John's Primary School being built by Green Man Lane LLP. It involved the demolition of 8 properties at Tintern Court together with a community centre. This land along with part of the former St Johns Primary School playground was used to build the new school site which opened in October 2017. A temporary community centre has been built on another part of the Estate until the new centre is constructed as part of Phase 4.
- 1.5.6. **Phase 3:** involved the demolition of Melrose Court, Buckfast Court and properties on Romsey Road and Williams Road. Demolition of the buildings commenced in November 2018 and the construction of the 143 new units completed in August 2021. The social units in this phase were used to rehome the last remaining residents of Tintern Court, Phase 4 of the scheme, with any oversupply being offered to residents on the Council's housing register.
- 1.5.7. **Phase 4:** this now final phase involves the demolition of 1 – 134 Tintern Court along with Dean Hall. 1 – 134 Tintern Court is formed of 2 six storey tower blocks connected by a podium level low-rise block with parking underneath.
- 1.5.8. Dean Hall, a standalone building used by the International Presbyterian Church, Ealing (IPC) which is owned by trustees, was in the original Green Man Lane Masterplan for the redevelopment of the Estate. Church services are held in an alternative facility, also owned by the trustees, in Drayton Green which is approximately 400m away from the Estate and separated by the Paddington to Reading railway line. In the original Masterplan, Dean Hall was intended to be part of Phase 3; however, as

title to the land was unregistered, it was difficult to ascertain its owners. In July 2016, the Council's Cabinet approved red line boundary changes to the Masterplan which moved Dean Hall from Phase 3 to Phase 4 affording more time for negotiations with the trustees of Dean Hall. It was originally proposed to replace the existing hall with a purpose-built facility in the new development, of the same size and offered on leasehold basis of 999 years. The trustees of Dean Hall would prefer a freehold facility that does not form part of a larger block and to remain on the Estate throughout the redevelopment. Negotiations for a land swap are therefore ongoing with the trustees which will enable Dean Hall to remain on the Estate in an area which allows them to redevelop their building in a manner which suits them; however, contracts are yet to be exchanged.

1.5.9. Throughout 2020 and 2021, the COVID-19 pandemic together with the accompanying COVID-19 restrictions greatly impacted the decanting of Tintern Court and the ability to provide timely vacant possession. Restrictions also impacted on the progress of the overall redevelopment of the site with Phase 3 not completing until August 2021.

1.5.10. With the remaining secure and temporary residents being rehoused on the completion of Phase 3, Phase 4 vacant possession was not achievable due to Dean Hall and one remaining leaseholder, still, to be purchased. However, in an effort to progress the redevelopment, it was noted that the North Tower, located to the north of phase 4, was vacant and all interests in this block had been acquired. This provided an opportunity to divide phase 4 into 2 sub phases permitting construction to continue with the demolition of the North Tower, now known as phase 4a and the remainder of phase 4 known as 4b.

2. THE ORDER LAND

2.1. Location

2.1.1. The Order Land forms Phase 4 of the Green Man Lane Masterplan originally approved in September 2010 and as approved in its revised form in 2015 which is within the London Borough of Ealing. Ealing is in West London and borders the boroughs of Hillingdon to the West, Harrow and Brent to the north, Hammersmith and Fulham to the east and Hounslow to the south.

2.1.2. The Estate lies in the middle of Ealing and is bounded by Felix Road to the north, the newly constructed St Johns School and Green Man Lane to the east, Singapore Road to the south and the rear gardens of properties on Eccleston Road to the west.

2.1.3. The Order Land comprises 28 Tintern Court and Dean Hall as more delineated and outlined and shaded in red on the Order Map and forms part of Phase 4 of the redevelopment of Green Man Lane as described above. The Order seeks to acquire all estates and interests in the Order Land, including any rights, easements, the benefit of covenants, rent charges and options in the Order Land, other than those already owned by the Council.

2.1.4. The Order Land is represented on the compulsory purchase order map as follows:

- i. 28 Tintern Court outlined and shaded in red and marked as 1; and
- ii. Dean Hall Christian Church, Williams Road, London, W13 0NS outlined and shaded in red and marked as 2.

2.2. Proposed Redevelopment

2.2.1. The Council proposes to purchase all estates and interests in the Order Land (except those already owned by the Council) preferably by agreement, but if necessary compulsorily under this proposed Order. Once purchased the properties will be demolished to allow the site to be cleared and redeveloped with new built housing for private sale, which will help cross-subsidise the building of further affordable homes. A total of 357 new homes will be built, as illustrated in paragraph 7 below.

2.3. Compulsory Purchase

2.3.1. The envisaged regeneration, and the long-term physical economic social and environmental benefits that flow from it, can only be achieved if the Estate as a whole is demolished. Where a purchase by agreement with the leaseholders and freeholder cannot be reached the Council must, as a matter of last resort, have recourse to compulsory purchase.

2.3.2. Without ensuring that the block and any other properties identified for demolition and the land required for replacement housing are completely vacant when needed, the rolling development programme will stall, and the regeneration of the Estate will fail. Whilst it is hoped all acquisitions can be made by agreement, reserve compulsory purchase powers are nevertheless essential to ensure the regeneration process is sustained.

3. ENABLING POWERS FOR THE COMPULSORY PURCHASE ORDER

3.1. By virtue of section 226(1)(a) of the Town and Country Planning Act (as amended by section 99 of the Planning and Compulsory Purchase Act 2004) the Council has the power to acquire land compulsorily for “development and other planning purposes” if it thinks that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to that land. The Council is exercising its power under section 226(1)(a) however must not exercise this power unless (Section 226(1A)) the Council thinks that the development, re-development or improvement is likely to contribute to the promotion of the economic, social or environmental well-being of its area.

3.2. The Council considers that the use section 226(1)(a) is appropriate having regard to the objectives which will be achieved through the delivery of the scheme. The Council is satisfied that the use of the powers contained in section 226(1)(a) will contribute to the development, redevelopment or improvement of the Order Land. The Council is further satisfied that the development, redevelopment or improvement of the Order Land will contribute to the promotion and improvement of

the economic, social and environmental wellbeing of those living in, working in and visiting their area.

3.3. The regeneration of the Estate is one of the most important of the Council's current community strategies. This comprehensive scheme involves not just the provision of mixed tenure housing accommodation but also:

3.3.1. the provision, integration and enhancement of community facilities and a local shop on the Estate;

3.3.2. improvements to movement within the Estate, the transport infrastructure and car parking; and

3.3.3. improved landscaping, public areas and open spaces.

3.4. There is therefore a range of activities or purposes being proposed for which land assembly is required. The development will assist in tackling social exclusion; promote regeneration initiatives; improve local environmental quality; and create sustainable communities through a better balance of available housing.

3.5. In summary, the Council is utilising Section 226(1)(a) powers of the 1990 Act because the scheme will facilitate the comprehensive redevelopment of the Estate and surrounding area. The Scheme will significantly contribute to the improvement of the economic, social and environmental wellbeing of the Council's area.

4. REGENERATION AIMS AND OBJECTIVES

4.1. The purpose of the regeneration initiative is to secure the comprehensive and fundamental redevelopment and regeneration of the Estate.

4.2. The remaining Estate which has yet to be redeveloped consists of Council owned and managed blocks of flats which were formally occupied by Council tenants and, to a much smaller degree, by one remaining leaseholder together with Dean Hall which is owned by a freeholder.

4.3. The Estate has many strengths, not least its community spirit and some excellent transport links but has suffered from under investment in the past and the parts of the Estate that have not been redeveloped are in essence socially excluded areas with poor quality housing juxtaposed against adjoining higher quality housing.

4.4. The Estate regeneration project responds to the significant opportunities provided by the Estate's geographical position and its access to nearby transport links and, embracing the strong sense of community, has already begun to transform the area both physically and economically into a vibrant and sustainable neighbourhood.

4.5. The objective of is a high-quality urban environment with residential neighbourhoods that mix housing types, tenures and different income groups. This has been achieved on other phases of the scheme delivered by Green Man Lane LLP. The new completed development, including Phase 4, will provide a much higher density of housing accommodation than currently prevails and in this context will achieve:

4.5.1. no loss of affordable rented housing in relation to habitable rooms per hectare, and a better mix of unit sizes;

4.5.2. the provision of intermediate market affordable housing for rent and for shared ownership sale;

- 4.5.3. replacement housing for current leaseholders who cannot afford to buy new homes outright; and
 - 4.5.4. a balance of housing for outright sale.
- 4.6. In addition to the above qualitative and quantitative housing gains, the scheme will integrate and/or provide and/or enhance:
- 4.6.1. community facilities;
 - 4.6.2. employment opportunities;
 - 4.6.3. commercial premises for the locality;
 - 4.6.4. significantly improved landscaping and public areas including additional public open space;
 - 4.6.5. integration with the surrounding area; and
 - 4.6.6. affordable and green energy supplies for residents in the new homes.
- 4.7. The benefits set out in paragraphs 4.5 and 4.6 above taken together, should greatly add to the economic, social and environmental wellbeing of the Estate.
- 4.8. The Council is working in partnership with Rydon and A2Dominion to ensure that a comprehensive approach to regeneration activities on the Estate is undertaken. These centre on investment in training and employment opportunities for local people and ensuring that construction activities provide longer-term jobs and skills for those currently excluded from the labour market.
- 4.9. Tenants who want to move into new homes on the Estate are offered homes that are appropriate for their household needs and this will assist to ease the significant overcrowding issues on the Estate.
- 4.10. The regeneration scheme seeks to build on the many positive aspects on the Estate, will produce more green spaces and supports the arrangements for community involvement which have been developed to help address problems such as social exclusion.
- 4.11. The Council, Rydon Construction and A2Dominion are pursuing a Green Energy policy, which will include the use of Community Heating System with Combined Heat and Power, supplemented by the use of solar photovoltaic panels. This combined with the adoption of low energy design principles will provide a cumulative CO2 saving of 57% over the base case, which exceeds the 44% which is required for Code for Sustainable Homes Level 4.
- 4.12. The fabric of the Estate environment will also continue be improved through the creation of a series of community squares and clear and safe parking areas. The effective street lighting and good quality street furniture that will be installed will also contribute to the environmental improvements.

5. JUSTIFICATION FOR COMPULSORY PURCHASE

- 5.1. The envisaged regeneration, and the long-term physical economic social and environmental benefits that flow from it, are reliant upon the timely provision of

vacant possession of existing buildings, and the Order Land delivers the final phase of this major regeneration programme with the demolition and rebuilding of the Green Man Lane Phase 4 area. If the terms for the remaining land interests cannot be reached by private treaty, the Council may, as a matter of last resort, have to recourse to compulsory purchase authorised by the Order.

- 5.2. Without ensuring that the buildings identified for demolition and the land required for replacement housing are completely vacant when needed, the rolling development programme will stall and the last phase of regeneration of the Estate will fail. Whilst it is hoped all acquisitions can be by private treaty, reserve compulsory purchase powers are therefore essential to ensure the regeneration process is sustained.
- 5.3. The Ministry for Housing, Communities and Local Government recognises in the Guidance that there are situations where it is appropriate to make a compulsory purchase order at the same time as seeking to purchase land by agreement. The Council is satisfied that it has and continues to make reasonable attempts to acquire outstanding interests by private treaty. However, the Council requires the Order to be made and confirmed at this stage to ensure that the acquisition of outstanding interests required to enable the implementation of the regeneration scheme in a timely manner will be possible. Discussions will, however, continue with the owners of the relevant interests to seek to acquire the land by agreement with a view to limiting the number of interests which need to be compulsorily acquired. The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest which justifies the overriding of private rights in the land sought to be acquired. It is considered that the benefits of the proposed scheme as explained in this Statement are compelling and overwhelmingly in the public interest.

6. HOUSING NEEDS

- 6.1. The Council faces extensive demands on its affordable housing provision. There are currently 10,676 households on the Council's Housing Register, of which 6,726 households require family sized accommodation of 2 bedroom or larger. Only 822 social housing lettings were recorded in 2019/20 from housing association and the Council's own stock of accommodation.
- 6.2. As part of its aims for the regeneration of the Estate, the Council has sought and gained no net loss in the supply of affordable rented housing, together with a re-profiling of the unit size mix to ensure more family-sized homes, a shortage of which has been identified across all tenure types in the borough of Ealing.
- 6.3. The regeneration programme effectively enables households to be moved to homes more suitable for their needs through new provision, whilst conserving the very limited number of homes available elsewhere in the borough of Ealing.
- 6.4. The Council will ensure that such affordable housing aims are achieved, using its powers as planning authority, as vendor of the land and through its role as one of the strategic partners in the regeneration.

7. PROPOSED DEVELOPMENT

- 7.1. The Council has already acquired all interests in Phases 1, 2A, 2B, 4a and 3. Phases 1, 2A, 2B and 3 are now complete and occupied comprising 506 new homes. Phase 4a is now under construction and will provide 77 new homes.
- 7.2. It is intended that once demolished, the site within Phase 4 will be cleared and utilised to build housing for social rent and private sale, the latter of which will help cross-subsidise the building of affordable homes.
- 7.3. The Local Planning Authority approved an outline planning application for the whole Estate redevelopment (planning reference P/2010/0419) which included the original Phase 4. Although the outline planning permission has lapsed, Green Man Lane LLP carried out pre-application discussions on the draft design proposals for Phase 4 consistent with the revised Masterplan incorporating the redevelopment of the school. A full application for Phase 4 was submitted in July 2022 (planning reference 223093HYBRID) which was approved by the Council's Planning Committee on the 18th January 2023 subject to referral to the Mayor and completion of a section 106 agreement. The application is expected to be referred to the Mayor shortly.
- 7.4. The proposed mix of housing accommodation to be provided in on the Phase 4 site in which the Order Land is situated is as follows:

Tenure	1 Bed	2 Bed	3 Bed	Total
Social Rent	53	56	20	129
Shared ownership	22	27	5	54
Private Sale	78	102	0	180
Total	153	185	25	363

- 7.5. In addition to the housing accommodation, there will be 2 community spaces consisting of 301.3 sq. metres and 231.7 sq. metres. The proposed use of these areas are as replacement space for the temporary community centre and a replacement for Jubilee Hall, a social services space, which is currently located off site in temporary buildings.

8. COMPENSATION

- 8.1. 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:
- 8.1.1. Booklet No. 1 – Compulsory Purchase Procedure.
- 8.1.2. Booklet No. 2 – Compensation to Business Owners and Occupiers.
- 8.1.3. Booklet No. 3 – Compensation to Agricultural Owners and Occupiers.
- 8.1.4. Booklet No. 4 – Compensation for Residential Owners and Occupiers.
- 8.1.5. Booklet No. 5 – Reducing the Adverse Effects of Public Development: Mitigation Works.

8.2. Copies of these booklet are obtainable, free of charge, from:

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

8.3. 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>

9. FUNDING

9.1 The regeneration process of the Estate is being supported by the Homes and Communities Agency who has approved a grant allocation of £13m towards the scheme together with the capital funding detailed below:

9.2 Repurchase of leasehold interests

9.2.1 The private treaty acquisitions are being forward funded by the Council's Capital Programme, with land assembly costs being reimbursed to the Council when Green Man LLP takes ownership of the land.

9.2.2 On 17th June 2014 the Council's Cabinet resolved to commit funding to acquire the leasehold interests the Council does not already own on the scheme.

9.2.3 The funding specified above remains committed.

9.3 New Affordable Housing

9.3.1 Green Man Lane LLP is a joint venture between Rydon and A2Dominion. It was specifically set up to develop the Green Man Lane Estate. 506 homes have completed to date. Green Man Lane LLP has submitted a planning application for 363 homes on Phase 4. This is all fully funded by Green Man Lane LLP.

9.3.2 Rydon has subsequently become a part of REAL. REAL is an multi-discipline, Developer, Contractor and Investor who place emphasis with working with customers to help develop and create high quality communities where people enjoy living. REAL specialising in Residential, Commercial, Education & Health projects, including mixed use Estate Regeneration.

REAL's ability to deliver is supported by their highly experienced team consisting of the following:

- Paul Nichols – Chief Executive
- Ben Cox – (Chief Operating Officer)
- Tom Rigby (Development Director)
- Mark Unsworth (Regional Director)
- Vivienne Frankham (Chief Financial Officer)
- Joe Tatham (Senior Development Manager)

9.3.4 A2Dominion is a not for profit Industrial and Provident society which, over the last 70 years, has committed to providing high-quality homes with a variety of tenures.

9.3.5 For the year 2020, A2Dominion reported assets less liabilities amounting to £965.9 million. With an open market value asset base of £8.4 billion and a track record of attaining high credit ratings A2Dominion continues to be financially strong and is in a good position to successfully manage any economic uncertainties.

9.3.6 A2Dominion's commitment to regeneration is shown by its investment in homes and local communities having delivered 63% of homes for rent or shared ownership which exceeds the group target of 60%. As well as building great places to live by providing well-designed, larger housing schemes with a strong sense of community, as in Ealing, A2Dominion is also investing in Elmsbrook eco-town in Bicester, Redcliff Quarter in Bristol and Fellows Square in Cricklewood.

9.3.7 This work is supplemented and supported by a strong management team structure following down from the chief executive as follows:

- Darrell Mercer (Chief Executive)
- Nick Hutchings (Executive Director of Construction & Commercial)
- Steve Waite (Director of Commercial & Technical)
- Peter Flewitt (Head of Commercial)
- Mike Pan (Commercial Manager)
- Jamie Wrye (Project Manager)
- Ian Rolt (Construction Contract Manager)
- Fergal Joyce (Technical Lead)
- Dominic Cherry (Employer's Agent – John Rowan Partnership)

9.3.8 The Council and Green Man Lane LLP entered into the PDA with obligations on both parties. Under the PDA, the scheme is split into 4 phases and contains mechanisms for each phase to be progressed and to minimise the risk of a phase not proceeding or being delayed. In particular the PDA provides for financial viability testing on a phase by phase basis. Green Man Lane LLP have confirmed that the viability of the Green Man Lane project has been maintained since the first viability test undertaken prior to the commencement and transfer of Phase 1.

9.3.9 Delivery of Phase 4, as in the previous phases on Green Man Lane, is being fully funded by Green Man Lane LLP albeit that land acquisition is currently being forward funded by the Council pending transfer of the land to Green Man LLP in due course.

10. TIMESCALE FOR DELIVERY

10.1. The voluntary decanting of Phase 4 was approved by the Council's Cabinet on 17th June 2014 and decanting of the block has been progressing on that basis since that time, with residents either moving into new build properties on the estate or away from the estate according to their choices.

10.2. The completion of decanting and the purchase of the remaining leasehold and freehold interests in Phase 4 properties was aimed for August 2023.

10.3. It is intended that as soon as vacant possession is secured and the leasehold and freehold interests have been acquired that Tintern Court and Dean Hall will be demolished to enable new homes to be constructed on the Phase 4 site.

- 10.4. The construction period will run for approximately 18 months, and it is envisaged that new properties will become available from the summer 2025.

11. IMPLEMENTATION

11.1 Joint Working

11.1A The Council has been working with its partners, A2Dominion and Rydon Construction, along with residents of the Estate via a series of residents working groups and a main steering group, and with input from local stakeholders and neighbouring residents, has produced a scheme design that takes into account, as far as possible, the interests of all parties and achieved outline planning consent in June 2010.

- 11.1. The PDA entered into by the Council and its partners includes 14 development objectives. The completion of Phase 4 of the scheme brings forward the remaining objectives and cements those already achieved by completion of previous phases, namely:
- 11.1.1. provision of nine hundred and eight (908) habitable rooms of replacement affordable rented housing provision in a mix agreed by the Council;
 - 11.1.2. development of the main bid redevelopment proposals into a mixed tenure, tenure blind scheme incorporating additional housing for rent, housing for sale or intermediate tenures, public and private amenity space, parking and community facilities;
 - 11.1.3. provision of such additional affordable shared ownership or shared equity housing units as are required to re-house existing owner-occupiers who wish to buy a home in the completed scheme;
 - 11.1.4. new affordable homes to re-house existing tenants or owner-occupiers to be built to Parker Morris space standards (inclusive of storage) plus five per cent (5%) and to comply with HCA design and quality standards;
 - 11.1.5. achieving Code for Sustainable Homes Level 4 for all new homes developed as part of the scheme;
 - 11.1.6. provision of seventy-five (75) spaces of public parking provision for Council ownership;
 - 11.1.7. development of proposals and a financial contribution to Section 106 commitments as agreed with the Council's planning department;
 - 11.1.8. implementation of a co-ordination and consultation strategy aimed at consulting and involving the Council, Estate residents, neighbouring residents, local stakeholders and relevant statutory organisations in order to maximise support for the development programme;
 - 11.1.9. maintenance of a project delivery team of staff, consultants and advisers resourced at an appropriate level to support the development of the project;

- 11.1.10. provision of practical support and re-housing options for Estate residents, including a shared equity option for resident freeholder/leaseholders who wish to purchase a replacement property on the Estate;
 - 11.1.11. implementation of an integrated management arrangement for the completed homes by the Registered Provider, including options for resident involvement in management and a unified approach toward the management of Estate services;
 - 11.1.12. letting of homes to transferring tenants on the same terms as their existing secure tenancy, including a preserved right to buy;
 - 11.1.13. implementation of controls to limit the impact of "buy to let" on the new development including offering a management service to buy to let landlords and clauses on subletting and management by private owners; and
 - 11.1.14. provision of specialist staff support and financial resources over a five to six year initial period to fund the development of social and economic regeneration initiatives.
- 11.2. Under the PDA, the scheme is split into 4 phases and contains mechanisms for each phase to be progressed and to minimise the risk of a phase not proceeding or being delayed. In particular the PDA provides for financial viability testing on a phase by phase basis. Green Man Lane LLP have confirmed that the viability of the Green Man Lane project has been maintained since the first viability test undertaken prior to the commencement and transfer of Phase 1.
- 11.3. During construction of Phase 2 of the Regeneration scheme, the Council's Education Service saw an opportunity to deliver on their aspiration to rebuild and expand the existing St John's Primary School which bounded the Estate. Following an extensive selection and negotiation process, Green Man Lane LLP were appointed to construct the new St John's Primary School.
- 11.4. Key to the construction of the new St John's Primary school was the requirement to have it completed and delivered before the commencement of Phase 4 of the regeneration; therefore, it became necessary for Green Man LLP to introduce new phases into their works schedule to incorporate the school. Factoring the demolition of the existing St John's Primary School and building of the new school delayed the construction of Phase 3 of the regeneration. Subsequently, the delay to Phase 3 led to a further delay in the commencement of Phase 4 taking it outside of the timeframe set by the outline planning permission.

12. PLANNING PERMISSION AND POLICY

12.1. Planning Policy

12.1.1. This scheme is considered to be in compliance with the following national and local policies:

- (a) National Planning Policy Framework (**NPPF**)
 - (i) Paragraph 7 and 8: The NPPF seek to encourage "sustainable development" and defines this as having 3 dimensions:

(A) economic – development in the right place,

(B) social – supporting strong, vibrant and healthy communities and

(C) environmental: minimising waste and pollutions.

- (b) The development proposed by this Order complies with all three of these elements. It is a housing development on an existing housing estate, its objective is to create strong communities, and it will be built to comply with the latest environmental standards.

12.1.2. Paragraph 126, the NPPF encourages high quality, well designed homes in sustainable, inclusive, and mixed communities with a good mix of housing. Further it encourages the use of compulsory purchase to bring properties back into residential use.

- (a) The development proposed by this order will create a sustainable community of well-designed homes with an appropriate size and tenure mix and is therefore in accordance with these policies.

12.1.3. Paragraph 92, the NPPF promotes mixed use developments, strong neighbourhood centres and active street frontages; safe and accessible environment where crime and disorder do not undermine quality of life or community cohesion; and safe and accessible developments that contain clear and legible pedestrian routes and high-quality public space.

- (a) The development proposed by this order achieves the above objectives by providing a mixed-tenure scheme with a combination of family and non-family housing that would be accommodated in a perimeter block. The block would provide a legible street arrangement that would create a safe and well over-looked public route for direct cars and pedestrians along the public footpaths around the buildings.

12.1.4. Paragraph 93, the NPPF promotes healthy and safe communities by providing social, recreational and cultural facilities encourages development that interaction

- (a) The development proposed by this order achieves the above objectives by the provision of community facilities, a local shop, public areas and open spaces.

12.1.5. Ealing's adopted Development Strategy 2026 (also known as the Core Strategy DPD) (**DS2026**) sets out a vision for the future development of the borough and covers a 15-year plan period up to 2026.

12.1.6. DS2026, Policy 1.1:

- (a) by 2026, we aim to provide 14,000 additional homes; and
- (b) development of these new homes will be primarily concentrated in Uxbridge/Crossrail Corridor – particular focus in Acton, Ealing, Southall Town Centres, around key stations at Acton Main Line, Ealing Broadway and Southall; and municipal housing estates including, Copley, Green Man Lane, Havelock and South Acton.

12.1.7. The development proposed by this Order will help the Council meet its vision by creating 231 additional homes above the existing housing on the site, thereby complying with this policy. The development proposed by this Order is taking place in the Green Man Lane Estate, which is directly identified by the DS2026, Policy 1.1(b).

12.1.8. DS2026, Policy 2.6

(a) To regenerate the Green Man Lane Estate and achieve an attractive and popular residential locality, stitching together the municipal and owner-occupied residential areas and integrating the new development into West Ealing Broadway. This will lead to the provision of 242 additional mixed tenure homes.

(b) To further explore opportunities for creating a district energy network.

12.1.9. The development proposed by this Order involves the development of Green Man Lane Estate, creating new and altered streets, open space for use by the residents of the proposed development, and mixed tenure housing. The development would be future-proofed for connection to the district heating energy network to be constructed.

12.2. The Scheme complies with the principles of both the MHCLG Estate Regeneration National Strategy (December 2016) as well as the Mayor of London's Good Practice Guide to Estate Regeneration – Better Homes for Local People (February 2018).

12.3. Planning Permissions

12.3.1. During the selection process and throughout the pre-application period, Green Man Lane LLP and the Council's regeneration team have worked closely with the Council's Planning Service and Estate residents to develop detailed planning proposals for each phase of the Masterplan and revised Masterplan) that meet the national, regional and local planning policies and guidance, as well as the design aspirations and standards that were described in the approved Design and Access Statement and Design Code for the Estate regeneration Masterplan (and revised Masterplan).

12.3.2. Following extensive stakeholder consultation, an outline planning application for the regeneration of the Estate was submitted in February 2010 together with a full planning application for Phase 1 for consideration by Ealing's Planning Service.

12.3.3. Outline permission for the original Green Man Lane Masterplan [P/2010/0419] together with full planning permission for Phase 1 [P/2010/0418] was subsequently granted in September 2010 following the receipt of a positive Stage II response to the application from the Mayor of London and a resolution to grant by Ealing's Planning Committee.

12.3.4. Full planning permission for Phase 2a [P/2010/4484], Phase2 [PP/2013/2509], Phase 3 [164732REM] and phase 6 were all granted based on the outline permission granted in 2010. The outline permission granted in 2010 has now lapsed due to the delay caused by the introduction of additional phases to incorporate the construction of the new St John's Primary School as outlined in paragraph 11 above.

12.3.5. Since the lapse of the outline permission, Green Man Lane LLP has carried out pre-application discussions with the Council's Planning Service on the draft design proposals for Phase 4, which remains within the local authority's development plan for the area consistent with the revised Masterplan approved in 2015. The key principles of the Phase 4 development in terms of layout, scale and access have been all been previously established and were accepted in the outline permission granted in 2010 which has seen the completion of Phases 1, 2a, 2b, 3 with Phase 4a currently under construction.

12.3.6. Further pre-application meetings were scheduled prior to the submission of the planning application to ensure that Phase 4 adheres to national, regional and local planning policies and guidance are complied with, which further underpins Green Man Lane LLP's commitment to progress with the implementation of the regeneration of the Estate including the provision of specific community spaces on the Estate for residents consistent with the revised Masterplan Given that approved in 2015.

12.3.7. A full application for Phase 4 was submitted in July 2022 (planning reference 223093HYBRID) which was approved by the Council's Planning Committee on the 18th January 2023 subject to referral to the Mayor and completion of a section 106 agreement. The application is expected to be referred to the Mayor shortly.

13. HUMAN RIGHTS CONSIDERATIONS

13.1. The Human Rights Act 1998 requires (amongst other things) that every public authority must act in a manner which is compatible with the European Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention"). The parts of the Convention rights which should be considered in the course of the making of the Order and leading up to the confirmation of the Order are set out below: Article 1 of the First Protocol and Articles 6 and 8 of the Convention are of particular relevance.

13.2. Relevant parts of Article 1 of First Protocol of the Convention provide:

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

13.3. Relevant parts of Article 8 of the Convention provide:

13.3.1. "(1) Everyone has the right to respect for his private and family life, his home and his correspondence. (2) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interest of ... the economic well-being of the country..."

13.4. The Council is permitted to control the use of property in accordance with the general interest and considers the exercise of powers of compulsory purchase in accordance with statute is a proportionate and justified course of action to secure in the public interest the economic, social and environmental wellbeing which will follow the implementation of this major redevelopment scheme.

13.5. The Council considers that there is a compelling case in the public interest that the Order Land can be acquired in order to achieve the purposes described in this Statement. If the Secretary of State agrees with the Council that there is a compelling case in the public interest, he may confirm the Order. If the Order is confirmed, compensation may be claimed by persons whose interests in land have been acquired or whose possession of land has been disturbed. In the circumstances, if the Order is confirmed, the compulsory acquisition of the Order Land will not conflict with Article 1 of the First Protocol or Article 8 of the Convention.

13.6. Relevant parts of Article 6 provide that:

13.6.1. "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".

13.7. So far as this Order is concerned, any owner, lessee, tenant or occupier of land included in the Order has had the opportunity to make an objection and the objector will have the opportunity to appear before a person appointed by the Secretary of State before a decision is made as to whether or not the Order should be confirmed.

13.8. Those persons directly affected by the Order will also be entitled to compensation proportionate to any losses that they may incur as a result of any compulsory acquisition made pursuant to the Order.

13.9. Application of the principle that interference with Convention rights must be proportionate and justified in the public interest

13.9.1. In promoting this Order the Council has carefully considered the balance to be struck between individual rights and the wider public interest.

13.9.2. To the extent that the Order would affect those individual rights, the Council considers that proposed interference with them would be in accordance with the law, necessary in the public interest and proportionate.

13.9.3. All of those persons whose rights under Article 8 of the Convention and under Article 1 of the First Protocol of the Convention would be affected by the Order will have an opportunity to object to the Order and to have their objection considered at a fair and public hearing, in accordance with their rights under Article 6 of the Convention.

13.9.4. Appropriate compensation will be made available to those entitled to claim it under the relevant provisions of the statutory Compensation Code.

13.9.5. In addition, having regard to the provisions of the Town and Country Planning Act 1990 and the guidance in the Circular, the Council considers that the Order Land is both suitable for and will facilitate the carrying out of development, redevelopment and improvement and will, for the reasons explained in this Statement, make a positive contribution to the promotion or achievement of the economic, social and environmental wellbeing of its area.

13.9.6. It is therefore considered that the scheme and the Order will not unduly infringe the rights of individuals which are provided by the European Convention on Human Rights.

14. PUBLIC SECTOR EQUALITY DUTY

14.1. The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Section 149 of the Equality Act 2010 places the Council, as a public authority, under a legal duty (“the public sector equality duty”), in the exercise of all its functions, to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equalities Act;
- advance equality of opportunity between persons who share "a relevant protected characteristic" (i.e. the characteristics referred to above other marriage and civil partnership) 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.

14.2. A full equalities assessment was undertaken to evaluate any potential impact of the scheme on groups with protected characteristics in 2008. Initial equalities impact assessment screenings were also carried-out in 2009 and 2010 to examine any differential impacts prior to decanting. No potential impacts were identified at that stage.

14.3. Due regard has been had to the Council’s public sector equality duty when making the decision to proceed with a compulsory purchase order for this Scheme. The latest assessment dated 1st December 2022 assessed the impact on groups with protected characteristics arising from the Order and has taken those matters into account when dealing with the parties affected by the Order. The Council has engaged and consulted with all whom have interest. There are two remaining interests, and the Council will continue to engage and consult with anyone who has an interest and is affected by the Order both generally and having regard to the Council’s equality duty.

14.4. The impact of the scheme on those with protected characteristics will continue to be reviewed and updated throughout the compulsory purchase process including the impact of the Order.

15. SPECIAL CONSIDERATIONS AND SPECIAL CATEGORY LAND

There are no special considerations affecting the Order Land. There are no listed buildings or consecrated land within the Order Land, and nor is there any common land, open space land, or fuel and/or field garden allotments.

16. PUBLIC CONSULTATION

16.1. Extensive consultation has been carried out and continued since A2Dominion and Rydon Construction were appointed as the Council’s development partner to produce a scheme to be submitted for planning permission. Even though the Council has already approved the outline planning application for the whole Estate redevelopment and the detailed applications for Phases 1 to 3 and 4a, further consultation remains ongoing to ensure all other aspects of the scheme, such as

decanting residents; buying back properties; the allocation of new properties; community facilities; management of the neighbourhood and buildings are progressed and monitored.

- 16.2. Consultation carried out in the time between appointment of the partners in April 2009 and December 2012 can be summarised as follows:
- 16.2.1. 10 residents Design Group meetings, one site tour for residents to look at building and homes design types and two exhibitions for Estate residents as well as local stakeholders (school, shops, mosque, police, Primary Care Trust etc) and neighbouring residents to comment on and progress the designs for the new Estate;
 - 16.2.2. Over 50 other resident working group meetings looking at community, management, allocations and leaseholders/freeholder issues have also taken place;
 - 16.2.3. community endorsement of a Community Lettings Plan and a Leaseholders' and Freeholders' Handbook;
 - 16.2.4. meetings with service providers such as Virgin, BT, Transco and Thames Water; and
 - 16.2.5. meetings with national and regional bodies such as Transport for London, the local police force, the former Housing Corporation (now the Homes and Communities Agency), and the Greater London Authority.
- 16.3. Consultation has continued on a phase by phase basis with owners and interested parties to progress the scheme, provide updates and advice.
- 16.4. Four stages of consultation have been carried out as part of the planning design prior to submission for Phase 4. This included a residents drop in event, flyers and newsletters sharing the feedback from residents in early 2020. Subsequently, an online webinar was held in spring 2020 where residents and the wider community were invited to attend where we discussed the developed masterplan proposals – this was also an opportunity for questions to be asked by residents. In late summer 2020, an onsite consultation stand was held where residents and neighbours were invited to view the updated plans and ask any further questions. In early 2021, a final Q&A webinar and newsletter was issued setting out the developed plans to be submitted for planning which consolidated the various discussions during the consultation period to provide a balanced final proposal.

17. THE VIEWS OF GOVERNMENT DEPARTMENTS

There have been no views expressed by Government departments about this proposed development of the Order Land.

18. CONCLUSION

- 18.1. The Green Man Lane Regeneration Project is one of the most significant regeneration initiatives currently being progressed in West London. Its transformation is being achieved through the phased demolition of the existing 464 homes, making way for 869 new properties for affordable rent, shared ownership and outright sale, plus community buildings and commercial space for retail or community use. The transformation of the Estate has also been further enhanced with the inclusion of an additional phase to expand the existing St Johns Primary School at the western edge of the regeneration area.

- 18.2. Once demolition has taken place, the Phase 4 site will be redeveloped by Green Man Lane LLP, who has already completed Phases 1, 2a, 2, 3 of the scheme with Phase 4a currently under construction. The Order Land represents Phase 4 being the final remaining phase of the regeneration programme.
- 18.3. The design team have consulted residents, neighbours, local stakeholders, planners, urban designers, highway engineers and housing officers with the Council, with the Greater London Authority, the Commission for Architecture and the Built Environment and Secured by Design throughout the process.
- 18.4. New homes will be robust, attractive, accessible and designed to the highest “Building for Life” standards. In addition, a range of community and play facilities will also be provided. The new development will also produce significantly less carbon and use significantly less water per dwelling. New homes will be designed to Code for Sustainable Homes Level 4 and there will be an onsite Combined Heat & Power Energy Centre.
- 18.5. The Outline Planning Application for the Estate was considered by Ealing’s Planning Committee with full reference to local, regional and national strategic planning frameworks and involved a comprehensive and inclusive consultation process. Development of the proposals for the Order Land, and the land immediately surrounding it, has taken place within the context of this planning framework and the purpose for which the land is being acquired fully accords with it. Although the Outline Planning Application has lapsed, the Order Land remains within the Council’s Local Plan and is the final stage in the multiphase redevelopment of the Estate.
- 18.6. The full application for Phase 4 was submitted in July 2022 (planning reference 223093HYBRID) which was approved by the Council’s Planning Committee on the 18th January 2023 subject to referral to the Mayor and completion of a section 106 agreement. The application is expected to be referred to the Mayor shortly.
- 18.7. The Council’s use of compulsory purchase powers would meet the tests in the Guidance for the reasons which have been set out throughout this statement and which are further highlighted below.
- 18.8. The proposed development will contribute towards the promotion and improvement of the economic, social and environmental well-being of the area. This will be accomplished through:
- 18.8.1. introducing a mix of tenure types into an area of mono-tenure, so increasing the local housing offer;
 - 18.8.2. replacing the current bed size mix with one tailored to suit the needs of residents who are to reside there, and for the wider population when re-let;
 - 18.8.3. replacing poorly designed and laid-out blocks with new homes that will offer much improved amenity, and will have extremely low cost-in-use;
 - 18.8.4. increasing the quality and delineation of public and private spaces, and provide good safety and security; and
 - 18.8.5. incorporating the latest features for environmental sustainability.
- 18.9. The financial viability of the scheme has been secured through the selection of a developer partner for the scheme with a binding PDA incorporating an unconditional undertaking to carry out the phase of the scheme relating to the Order Land.
- 18.10. The Council is satisfied that the purpose for which the Order Land is being acquired cannot be achieved by other means.
- 18.11. The Regeneration Scheme as a whole and Phase 4 itself, will not only produce a substantial qualitative and quantitative housing gain but with the benefit to the Estate of the many other improvements referred to above will greatly contribute to the economic, social and environmental well-being of the area. For Phase 4 to be implemented, vacant possession of all the buildings will be required for demolition prior to the construction of the proposed new homes and community facilities.

- 18.12. It is envisaged that the first of the new properties would become available from summer 2025.
- 18.13. Notwithstanding the continuing negotiations that are taking place to purchase outstanding interests by private treaty, the use of compulsory purchase powers may also be necessary to ensure that vacant possession is secured and the Scheme, which will be for the benefit of all Estate Residents, can be fully implemented.

19. INQUIRIES PROCEDURE RULES

- 19.1. This Statement of Reasons for making the Order is not intended to discharge the Council's obligations under the Compulsory Purchase (Inquiries Procedure) Rules 2007 (SI 2007 No. 3617), should a public inquiry be held.
- 19.2. In the event of a public inquiry, a Statement of Case, further supporting material, plans and documents will be put in evidence by the Council. A list of these, together with the addresses at which they can be inspected, will be notified to the public in accordance with the relevant Rules.

20. INFORMATION OF INTEREST TO PERSONS AFFECTED BY THE ORDER

- 20.1. A copy of the Order, Order Map and Schedule and this Statement of Reasons and the documents referred to in the attached list can be inspected by prior notice during normal office hours at Director of Legal & Democratic Services, 5th floor, Perceval House, 14-16 Uxbridge Road, Ealing, London W5.
- 20.2. Individuals seeking advice regarding the Order should in the first instance contact one or other of the persons listed below, depending on the nature of the query:
- 20.2.1. general queries about re-housing contact Parmjit Ruprah, Regeneration Officer RuprahP@ealing.gov.uk or Tel: 020 8825 7286; and
- 20.2.2. queries about legal issues contact Ajay Thakerar, Senior Lawyer, thakerara@ealing.gov.uk or Tel: 0208 825 6728.

21. RELATED ORDERS

The Council will be making a stopping up order under the Town and Country Planning Act 1990 to enable the development to proceed in the event that the Order is confirmed.

22. RELEVANT DOCUMENTS FOR INQUIRY

The Council intends to refer to, or put in evidence, the documents (or relevant extracts from those documents) which are listed in Appendix 1 and which are referred to in this Statement of Reasons. This is not an exhaustive list and the Council may also refer to additional documents in order to address any objections made to the Order. An updated list would be provided to inform any public inquiry.

Dated this 5th June 2023



Helen Harris (Director of Legal and Democratic Services)

APPENDIX 1

Core Document List

Document
Compulsory Purchase Order
London Borough of Ealing (Green Man Lane Estate Phase 4 West Ealing W13) Order
London Borough of Ealing (Green Man Lane Estate Phase 4 West Ealing W13) Order Map
National and Local Planning Policy Documents
London Borough of Ealing Adopted Development (or Core) Strategy 2026 (3 rd April 2012)
London Borough of Ealing Adopted Development Management DPD (December 2013)
London Borough of Ealing Adopted Development Sites DPD (December 2013)
The Mayor of London's Good Practice Guide to Estate Regeneration (February 2018)
Estate Regeneration National Strategy
Cabinet Reports and Officer's Decision
London Borough of Ealing Cabinet Report dated 8 th November 2005
London Borough of Ealing Cabinet Report dated 29 th January 2008
London Borough of Ealing Cabinet Report dated 24 th June 2008
London Borough of Ealing Cabinet Report dated 11 th November 2008
London Borough of Ealing Cabinet Report dated 7 th April 2009
London Borough of Ealing Cabinet Report dated 17 th June 2014
London Borough of Ealing Cabinet Report and minutes dated 12 th July 2016
London Borough of Ealing Officer Decision dated 1 st September 2022
Guidance
Ministry of Housing, Communities and Local Government: Guidance on Compulsory purchase process and The Crichel Down Rules, 2019

Dated 5th June 2023