

<b><u>MEETING</u></b> <b>COUNCIL</b>
<b><u>DATE AND TIME</u></b> <b>MONDAY 4<sup>TH</sup> APRIL, 2016</b> <b>AT 7.00 PM</b>
<b><u>VENUE</u></b> <b>HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ</b>

Dear Councillors,

The Commissioning Director Growth & Development has requested that this supplementary information (which provides an outline of CPO procedures and timescales) be circulated to Council Member to assist understanding of the West Hendon CPO 2 and 2a report.

Item No	Title of Report	Pages
12.2	Referral from Assets, Regeneration & Growth Committee - West Hendon Compulsory Purchase Order 2 & 2a (CPO2 and CPO2a):  Supplementary Information – CPO Schedule	1 - 4

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## AGENDA ITEM 12.2

### **TYPICAL COMPULSORY PURCHASE ORDER PROCEDURES AND INDICATIVE TIMESCALES**

STAGE	TASK	INDICATIVE TIMESCALE
1 PREPARATION <sup>1</sup>	Define extent of land (including any new rights) required	Approx 6 months
	Land referencers appointed to identify interests to be included within the Compulsory Purchase Order (CPO)	
	Requisition Notices sent to those identified as possibly having an interest in the CPO Land requiring them to provide the Council with details of their interest (s16 Local Government Miscellaneous Provisions) Act 1976	
	Land Referencer prepares draft Order Schedule & Order Map	
	Prepare draft Order and Statement of Reasons	
	Obtain resolution to Make the Order	
	Finalise Order, Schedule, Order Map and Statement of Reasons	
2 MAKING	Make the Order (i.e. seal Order and Order Map)	
3 NOTIFICATION & PUBLICITY	Notice of Making the Order to be published in local newspaper	Two consecutive weeks
	Notice of Making the Order to be posted on site	
	Individual Notices of Making to be served on owners, lessees, tenants and occupiers	
	Copy of the Order, Schedule, Map and Statement of Reasons placed on deposit for inspection	
	Submit the Order, Schedule, Map, Statement of Reasons and Relevant Certificates to the Secretary of State for Confirmation	

<sup>1</sup> These preparation tasks may be undertaken simultaneously

4 OBJECTIONS	The notices served and published in Stage 3 of the process will invite the submission of objections to the relevant government minister	Min 21 day objection period
	Officers consider objections received (if any) and continue to negotiate with objectors	
	If objections are received and not withdrawn Secretary of State will determine whether to hold a public local inquiry or (where parties agree) arrange for objections to be considered through a written representation procedure	
4  INQUIRY PROCESS	Where the Secretary of State determines to hold a public local inquiry, relevant parties will be notified by letter (the date of this letter is usually referred to as “the Relevant Date” )	Within 5 weeks of the expiry of the objection period or the date the Order is submitted to the Secretary of State (whichever is the latter)
	The Secretary of State may cause a pre inquiry meeting to be held	Within 16 weeks of the Relevant Date
	Council serves Statement of Case on remaining objectors and Secretary of State	6 weeks after the Relevant Date
	The Secretary of State may notify any remaining objector that they are required to send a statement of case to the Council	Within 6 weeks from the date of the notice
	Date of Inquiry (6 weeks notice of the any inquiry date is usually given)	No later than 22 weeks of the Relevant Date OR where a Pre Inquiry Meeting is held no later than 8 weeks from the conclusion of that meeting)
	All parties intending to give evidence at the Inquiry are to serve proofs of evidence	3 weeks before the date fixed for the Inquiry

4  DECISION & NOTIFICATION	Secretary of State serves written notice of decision on Council and remaining objectors	No statutory timescale for decision
	Where the Secretary of State confirms the Order, the Council must publish and serve notice of the confirmation (a notice of intention to make a general vesting declaration may also be published and served at the same time)  The first publication date of the notice of confirmation is the date on which the Order becomes 'Operative'	Notice to be published in a local newspaper for 2 consecutive weeks
5  POSSESSION  (General Vesting Declaration or Notice To Treat / Notice of Entry)	Council executes a General Vesting Declaration (GVD)	At least two months after notice of intention to make a general vesting declaration is published
	Notice of GVD served on owners etc - giving notice of vesting date (i.e. date on which Council will take possession)	Minimum 28 days notice
	Alternatively, the Council may serve a Notice to Treat	Up to 3 years after the operative date
	Following the service of a Notice to Treat the Council will serve a Notice of Entry specifying a minimum 14 day period of its intention to gain entry	
6  COMPENSATION	Council will deal with claims for compensation, including where matters are referred to the Lands Tribunal	

**NOTE: The Council will continue private treaty negotiations for the acquisition of third party interests throughout the CPO process - up until the point at which the property / interest vests in the Council (by virtue of the GVD process) or the date on which the Council takes possession (under the Notice of Entry).**

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