# THE LONDON BOROUGH OF EALING (ACTON GARDENS, BARWICK HOUSE AND CARISBROOKE COURT) COMPULSORY PURCHASE ORDER 2020 THE TOWN AND COUNTRY PLANNING ACT 1990 SECTIONS 226(1) (a) AND THE ACQUISITION OF LAND ACT 1981 COMPULSORY PURCHASE OF LAND AT ACTON GARDENS, BROUNCKER ROAD AND CARISBROOKE COURT

**OBJECTION TO COMPULSORY PURCHASE ORDER**

An objection to the above Compulsory Purchase Order (“the Order”) is submitted on behalf of the under-mentioned persons (“the Objectors”). The Objectors each have a long leasehold interest in their homes at Brouncker Road/Carisbrooke Court. The full name of each objector is given below, together with the address that they occupy and a brief description of the grounds of objection.

1. Mr [insert your name here] of [insert your address here].

2. Mr and Mrs [insert names and addresses of any other objectors here].

3. [Mrs etc, etc].

**GROUNDS OF OBJECTION**

The Objectors have the following grounds of objection to the Order:

1. All the Objectors have lived on the Acton Gardens estate for many years, ranging from [27] years to [43] years; some for most of their lives. They are happy with their homes and where they live. All of the Objectors have approximately [100] years remaining on their leases. Those who have gardens wish to continue to enjoy them and those with balconies to sit out on them. None of the Objectors wish to be uprooted from their homes. To forcibly evict them after the length of time that they have lived at the Order Land would be harsh and oppressive.
2. Some of the Objectors are very advanced in years. Only one is less than 50 years old. Five of the Objectors are in their 70s; three are in their 80s; and one is 95 years old. A forced move at this stage could be particularly traumatic for the older residents anddetrimental to their physical and mental well-being.
3. Notwithstanding the package of support measures referred to by the Acquiring Authority and its claims that leaseholders will be placed in an equivalent position, the Objectors have not been offered or seen any alternative accommodation in then local area, which would be suitable and offer the same advantages as their present homes, without being financially disadvantaged or losing the benefits they currently enjoy with their leasehold tenure.
4. The Acquiring Authority has as such, failed in its duty to undertake reasonable steps to negotiate with affected homeowners[[1]](#footnote-2) and has instead invoked compulsory purchase powers, which should only be used as a last resort.

**Well-being Test**

1. The Compulsory Purchase Code requires a CPO to contribute to the improvement of the economic, social or environmental well-being of the area.
2. The Objectors question whether it is necessary to demolish their blocks in order to achieve the Council’s regeneration objectives and whether the vast sums of public money assigned to the regeneration wouldn’t be better spent on refurbishment.
3. The blocks occupied by the Objectors are in a prime location, with ample green space, good access to local shops and excellent accessibility to public transport. It is believed that the blocks are basically sound. They would benefit from a “face-lift”, as has happened elsewhere, but there is no reason to destroy buildings which still have a reasonable length of useful life. This is particularly relevant in light of the current climate crisis and the government’s ambitious carbon reduction policies. The existing buildings contain a significant amount of ‘embodied carbon’ (C02 already emitted during construction). The demolition of these buildings and construction of their replacements would result in tens of thousands of tonnes of unnecessary carbon emissions. The Objectors consider that the Acquiring Authority should give further consideration to the option of refurbishment of this part of the Estate.
4. The Objectors also question whether the compulsory purchase order will result in any social well-being benefits. It is understood that the redevelopment of the estate will result in the loss of nearly 400 social rented homes and that the replacement social rented homes that are being provided, will incur significantly higher rent levels. Given the acute shortage of social rented homes in the borough and the growing number of households on the Council’s housing waiting list, the Objectors question the Acquiring Authority’s ability to claim that the compulsory purchase order will result in the improvement of social well-being.
5. The Compulsory Purchase Code requires the purpose for which the land is being acquired to fit in with the adopted Local Plan for the area. The Objectors submit that the scheme underlying the CPO fails to comply with several key Local Plan policy requirements including affordable housing, viability, renewable energy and sustainability. The Objectors will supply more information on this and other grounds of objection in the Statement of Case, which is currently being prepared.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. See paragraph 2 of the government’s official Compulsory Purchase guidance: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/817392/CPO\_guidance\_-\_with\_2019\_update.pdf [↑](#footnote-ref-2)