

To persons occupying or having an interest in the land described within Schedule 1 below:

NOTICE OF CONFIRMATION OF COMPULSORY PURCHASE ORDER

**THE CITY OF WESTMINSTER (SITE A CHURCH STREET)
COMPULSORY PURCHASE ORDER 2023**

THE TOWN AND COUNTRY PLANNING ACT 1990, LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 AND THE ACQUISITION OF LAND ACT 1981

- 1 Notice is hereby given that an Inspector appointed by the Secretary of State for Housing, Communities and Local Government in exercise of his powers under the above Acts, on 16th September 2024 confirmed with modifications the City of Westminster (Site A Church Street) Compulsory Purchase Order 2023 submitted by the City of Westminster.
- 2 The order as confirmed provides for the purchase of the land and new rights described in Schedule 1 hereto for the purposes of carrying out development, redevelopment or improvement on or in relation to the land by demolition of existing buildings and the erection of a residential-led mixed use development comprising the erection of new buildings to provide mixed-tenure residential units and including ancillary residential facilities, community, commercial business and service floorspace, library, market infrastructure and ancillary facilities, the provision of publicly accessible open space, new pedestrian and vehicle routes, accesses and amenity areas, servicing and other associated works.
- 3 A copy of the order as confirmed by the Inspector and of the map referred to therein have been deposited at the offices of City Hall, 64 Victoria Street, London SW1E 6QP and Church Street Regeneration Space, 56 Church Street, London NW8 8QE and may be seen during normal working hours and can also be inspected at www.westminster.gov.uk/church-street-a-cpo.
- 4 The order as confirmed becomes operative on the date on which this notice is first published. A person aggrieved by the order may, by application to the High Court within 6 weeks from that date, challenge its validity under section 23 of the Acquisition of Land Act 1981. The grounds for challenge can be that the authorisation granted by the order is not empowered to be granted or that there has been a failure to comply with any relevant statutory requirement relating to the order.
- 5 Once the order has become operative, the City of Westminster may acquire any of the land described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement of the effect of Parts 2 and 3 of that Act is set out in Schedule 2 below.
- 6 Every person who, if a general vesting declaration were executed under section 4 of that Act in respect of the land comprised in the order (other than land in respect of which notice to treat has been given), would be entitled to claim compensation in respect of any such land, is invited to give information to the City of Westminster at the offices of City Hall, 64 Victoria Street, London SW1E 6QP about the person's name, address and interest in land, using a prescribed form. The relevant prescribed form is set out in Schedule 3 below.
- 7 The City of Westminster has a period of 3 years beginning with the date the order becomes operative to serve a notice to treat or execute a general vesting declaration. The order will become operative on the date on which this notice is first published or, if the order is subject to special parliamentary procedure, the date on which the order becomes operative under the Statutory Orders (Special Procedure) Act 1945.

SCHEDULE 1

LAND COMPRISED IN THE ORDER AS CONFIRMED

DESCRIPTION OF LAND

The land particularised in the Order and identified on the map referred to in the Order comprising:

approximately 10,012 square metres of land broadly bound by Church Street, Edgware Road, Broadley Street and Penfold Street, excluding land where rights for crane oversailing and rights associated with demolition, construction and maintenance will be acquired.

The land to be acquired includes: parts of the public footpath, wall boundary, subsoil and airspace situated on Edgware Road and Church Street and the land to the rear passageway to 372 Edgware Road; parts of the public highway known as Church Street, Penfold Street and Broadley Street; Underground car park (Q-Park Church Street) and associated stairways, accessways, hard standing and service roads; storage areas and motorbike parking area; commercial premises at 97-123 and 125-127 Church Street, public house (Lord High Admiral, 95 Church Street) and units 382 - 386 Edgware Road; residential properties within Blackwater House, Ingrebourne House, Cray House, Lambourne House, and Pool House including communal walkways, stairways and accessways communal gardens, amenity areas, bin storage areas, footways, hard standing, service roads and accessways associated with the same; the gated London Power Networks plc transformer chamber; the parking area to the rear of commercial premises at 372 Edgware Road; hardstanding and storage areas east of 125-127 Church Street and south-west of Blackwater House, London.

The new rights comprise:

- (i) the right to oversail with cranes (loaded or unloaded) through the airspace over hardstanding, accessway and bin storage area at Wandle House, Penfold Street and the residential garden and accessway to Flats 1 to 7 Wandle House, Penfold Street; and
- (ii) The right to oversail with cranes (loaded or unloaded) through the airspace and to enter on to premises with or without vehicles, plant, machinery, materials contractors and others for the purpose of carrying out demolition and building works and the maintenance of such building works on the adjacent land together with the right to erect, retain, use, replace and dismantle scaffolding, scaffolding fans and temporary hoarding at the rear of the premises (including on the rear façade) and the roof of the premises together with the carrying out of ancillary works and the right to prevent access to areas of land at the rear of the premises or the rear exterior of parts of buildings and the exterior part of the roof during demolition construction or maintenance activities over the following land and property: parts of the public highway, footway and verges comprising Church Street, Edgware Road, Broadley Street and Penfold Street; commercial premises and residential properties at 360, 360a and 362, 372, 374, 376, 378 and 380 Edgware Road and the covered passage way adjoining 372 Edgware Road; commercial premises and residential properties at 358 Edgware Road and 122-124 Broadley Street; commercial premises and residential properties at 354-356 Edgware Road and 122-126 Broadley Street.

SCHEDULE 2

FORM OF STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY PURCHASE

(VESTING DECLARATIONS) ACT 1981

POWER TO MAKE GENERAL VESTING DECLARATION

- 1 Once the City of Westminster (Site A Church Street) Compulsory Purchase Order 2023 has become operative, the City of Westminster (hereinafter called the "Council") may acquire any of the land described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 (the "Act"). This has the effect, subject to paragraphs 3 and 5 below, of vesting the land in the Council at the end of the period mentioned in paragraph 2 below.

NOTICES CONCERNING GENERAL VESTING DECLARATION

- 2 As soon as may be after the Council execute a general vesting declaration, they must serve notice of it on every occupier of any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 4) and on every person who gives them information relating to the land in pursuance of the invitation contained in the confirmation notice of the order. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in the Council together with the right to enter on the land and take possession of it. Every person on whom the Council could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 4) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.
- 3 The "vesting date" for any land specified in a declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter-notice is served under Schedule A1 to the Act within that period. In such circumstances, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with Schedule A1.

MODIFICATIONS WITH RESPECT TO CERTAIN TENANCIES

- 4 In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a "minor tenancy", i.e. a tenancy for a year or a yearly tenancy or a lesser interest, or "a long tenancy which is about to expire". The latter expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.
- 5 The modifications are that the Council may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 unless they first serve notice to treat in respect of the tenancy and then serve every occupier of the land with a notice of their intention to enter and take possession after the period (not less than three months from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

SCHEDULE 3

FORM FOR GIVING INFORMATION

**THE CITY OF WESTMINSTER (SITE A CHURCH STREET)
COMPULSORY PURCHASE ORDER 2023**

To: City of Westminster, City Hall, 64 Victoria Street, London SW1E 6QP (reference M Begum)

[I] [We] being [a person] [persons] who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the compulsory purchase order cited above in respect of which notice of treat has not been given, would be entitled to claim compensation in respect of [all] [part of] that land, give you the following information, pursuant to the provisions of section 15 of, or paragraph 6 of Schedule 1, to the Acquisition of Land Act 1981.

- 1 Name and address of informant(s).(i)
- 2 Land in which an interest is held by informant(s).(ii)
- 3 Nature of interest.(iii)

SIGNED
[On behalf of]
Date

- (i) In the case of a joint interest insert the names and addresses of all the informants.
- (ii) The land should be described concisely.
- (iii) If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given e.g. name of building society and roll number.

Dated 25th September 2024, Debbie Jackson, Executive Director for Regeneration Economy and Planning The City of Westminster