

<b>Item No.</b> 18.	<b>Classification:</b> Open	<b>Date:</b> 18 January 2022	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Bromyard House, Ledbury Estate Compulsory Purchase Order	
<b>Ward(s) or groups affected:</b>		Old Kent Road	
<b>Cabinet Member:</b>		Councillor Stephanie Cryan, Council Homes and Homelessness	

## **FOREWORD - COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR COUNCIL HOMES AND HOMELESSNESS**

In 2017 concerns were raised by a resident about the fire safety of the four tower blocks on the Ledbury Estate. We took swift action, and have worked closely with resident to secure the future of the Ledbury Estate. Following a successful ballot in March 2021 where the residents in the four tower blocks voted to regenerate the estate, we have allocated a project team, appointed a design team, worked closely with Ledbury residents and the local community to prepare designs, and gained approval to take the scheme to planning and a budget to appoint a contractor to deliver 340 high-quality new homes, the majority of which will be for council rent. These replacement homes will meet the commitment made in the Landlord offer to Ledbury residents. As well as replacing existing homes, we will also be building additional and much needed new council homes to help meet the needs of the 16,200 households on our housing allocations list.

This report seeks authorisation to bring forward a Compulsory Purchase Order to enable the delivery of the first development sub-phase on the Ledbury estate.

This will not only assist with the delivery of new homes but also in the provision of several benefits for the Ledbury community. This will include a new larger multi-use TRA hall as voted for by the community, a new football pitch and better play spaces and green spaces across the estate including a net gain in the number of trees. Wider estate improvements, which will help to integrate new and existing spaces, include an enhanced BMX track and a shared surface road providing a direct route from Bird in Bush Road on to Pencraig Way and an improved outlook and enhancements for the benefit of Camelot Primary School. The proposals also include non-residential space, which is anticipated will bring economic benefits to the local community.

Whilst negotiations are significantly progressed with all leasehold interests in the site, the Council's aim is to secure vacant possession by agreement. However, to give certainty to delivery, to secure GLA funding, and provide much needed new homes for Southwark residents it is necessary to commence the CPO process.

## RECOMMENDATIONS

1. That Cabinet resolves to make a Compulsory Purchase Order under Section 226 (1)(a) of the Town & Country Planning Act 1990 (“the 1990 Act”) for all land and rights within the Phase 1 area of land identified within the plan at Appendix 1 for the purposes of facilitating the redevelopment, development and improvement of the land and securing the delivery of new homes on the site in line with the proposed planning consent (“the Scheme”) and thereby securing vacant possession of Bromyard House and the regeneration of the Ledbury Estate
2. That the Director of Planning and Growth, in consultation with the Director of Housing, be authorised on behalf of the Council to:
  - a. take all necessary steps to secure the making, confirmation and implementation of the Order including the publication and service of all notices and the presentation of the council’s case at Public Inquiry should one be called.
  - b. Acquire for planning purposes all interests in land and new rights within the CPO area as may be necessary to facilitate the Scheme, either by agreement or compulsorily, including entering into negotiations with any third parties for the acquisition of the land interests and/or for new rights over their land (as appropriate), the payment of compensation and dealing with any blight notices served in connection with the CPO;
  - c. Approve agreements with land owners setting out the terms for the withdrawal of objections to the CPO, including where appropriate seeking the exclusion of land or new rights from the CPO or giving undertakings as to the enforcement of the terms of the CPO;
  - d. Make any minor additions, deletions or amendments to the extent of the land to be included in the CPO as shown in Appendix 1 should the need arise, so as to include all interests in land and rights required to facilitate the construction, maintenance and use of the Scheme;
  - e. Take all necessary actions in relation to any legal proceedings relating to the CPO, including defending or settling (as appropriate) any compensation claims referred to the Lands Chamber of the Upper Tribunal due to the making or implementation of the CPO, and to take all necessary steps in respect of any other legal proceedings that relate to the making, confirmation or implementation of the CPO;
  - f. Appoint and/or retain such external professional advisors and consultants as are necessary to assist the Council in facilitating the

Scheme, including in the promotion of the CPO and the settlement of any compensation claims.

## **BACKGROUND INFORMATION**

3. The decision to redevelop the Ledbury Towers, including Bromyard House, followed a long process of engagement with residents, subsequent to concerns that were raised with safety of the blocks in 2017 and culminated in July 2021 in Cabinet taking the formal decision to redevelop the blocks. A detailed history of this engagement and decision making process is contained within reports set out in the Background Documents, and is summarised below.
4. In June 2017, following concerns raised about the fire safety of the four tower blocks on the Ledbury Estate, the Council instructed an urgent investigation into the safety and structural integrity of the towers. The Council engaged Arup to carry out intrusive investigations into the structure of Bromyard House as part of these works. Bromyard House was chosen for these pilot works as it was the block at the time with most empty properties. It did however require the move of a small number of households, including leaseholders, into temporary accommodation to allow this work to take place.
5. The subsequent findings from Arup confirmed that the strengthening works required during the original construction of the towers by the GLC had not taken place and that the structural integrity was compromised and in early 2021 a resident ballot was held on the future of the towers. The result of the ballot was that the majority voted for the demolition of the four tower blocks and provided a mandate for redevelopment and provision of additional new homes on the estate.
6. Following the result of the ballot in July 2021 the Council's Cabinet agreed a way forward for the Ledbury estate, which would see the four towers, including Bromyard, demolished. Cabinet also approved officers to proceed with the building of a minimum of 333 homes on the Ledbury Estate, with a variation to the Housing Investment Programme for funding of £5.4M to take the project, subject to planning consent, out to tender for a contractor.
7. Bromyard has been chosen as the first phase of the scheme as it is a stand-alone block set further back from the Old Kent Road than the three other Ledbury towers, with vacant public realm surrounding it, which can help facilitate redevelopment. It also has the benefit of the block not being occupied at present, which means that vacant possession of the block should be more straightforward to achieve than the other tower blocks where a number of residents are still in occupation.

## KEY ISSUES FOR CONSIDERATION

### *The Scheme*

8. The existing Ledbury tower blocks, including Bromyard House, are large panel system construction, built by Taylor Woodrow between 1968 and 1970 and are former GLC properties which transferred to Southwark Council in 1982.
9. The proposed scheme for the redevelopment of the Estate as a whole will deliver approximately 340 new homes across a range of tenures, with at least 50% of the new homes being council homes at council rents. These new council rent homes will provide permanent homes for existing residents of the Ledbury tower blocks, those with the right to return and a number of households on the council's housing waiting list.
10. The new scheme will replace the predominately existing hard landscaping and underutilised sporadic pockets of green space surrounding the towers and will provide new soft landscaping both in the form of accessible open green space and play space, which will be an increase in the quantum, quality and so useability. The green space will also include disaggregated play equipment for younger age groups as well areas for quiet enjoyment for other age groups. This will bring the benefits of improving the public realm not just for the residents of the new development but the wider community as well.
11. The wider development will also include improvements to the existing MUGA, a new tenants and residents hall which will be 10% larger than the existing hall and which will be considerably modernised to include improved facilities such as broadband provision for remote working and multi-use space. The project will also see new trees planted and the provision of non-residential space, which will add economic benefits for the whole local community.
12. The proposed scheme for the redevelopment of the Bromyard Site will deliver 83 homes, comprising 57 for council rent and 26 for market sale.
13. In addition to housing, at the rear of the new homes, planting and trees will be included along with play space for younger children adjoining the existing estate courtyard. To integrate with the new development the existing courtyard is to be separately improved as part of the Council's Great Estates commitment. There will also be a dedicated area for older children to the east of the site. Overall, these additions and improvements to the existing landscaping will bring improvements for not just the new development but the wider estate as well.
14. It is envisaged that planning permission for the scheme as a whole (including the Bromyard site) will be sought in early in 2022.

15. The early delivery of new homes on the Bromyard site is a key priority for the programme as it will deliver a number of new Council homes and rehousing options for tenants and leaseholders in later phases of the development, supporting the delivery of vacant possession of these later phases of development.

### *Funding*

16. Cabinet approved funding for the delivery of the entire scheme, in December 2021, which included the commitment in the Council's Housing Investment Programme of £149.58M to "enter into a Works contract following approval of a contractor appointment", alongside a further commitment "£19.16 million of on costs required to take the project to Practical Completion."

### *Vacant Possession*

17. Bromyard House contains 56 residential properties. At the time that the defects associated with the block were first identified in 2017 a total of 48 of the properties were occupied by households on secure tenancies, 6 properties were held leasehold, having previously been purchased under the right to buy and two were being held as voids.
18. To date and under the voluntary scheme for tenants to move from the estate into another secure tenancy, with an option to return, the Council has successfully rehoused 44 of the 48 households who occupied properties in Bromyard House on secure tenancies, granting them an option to return to the redeveloped estate.
19. Under the voluntary scheme for leaseholders to sell their properties to the Council implemented in December 2017 the Council has acquired three leasehold interests in Bromyard House. Although at that time it was envisaged that a refurbishment of the blocks would take place, the voluntary buy back scheme that the Council put in place enabled those leaseholders who sold their properties early in the process to benefit as if the Council was buying the properties pursuant to a CPO. This meant they were entitled to a loss payment alongside reasonable legal and other costs associated with the Council's acquisition of their property and their purchase of a replacement property.
20. In late 2018 the Council determined that it required possession of one block to enable intrusive surveys to fully determine whether repair works to the blocks could be undertaken. Bromyard House was chosen as the block with the fewest residents remaining in at that time. The Council therefore worked in early 2019 to temporarily move all remaining tenants and leaseholders from the block, whilst these intrusive surveys were conducted.
21. By July 2021 when Cabinet agreed the redevelopment of the blocks, these tenants and leaseholders had not returned and were still living temporarily in other properties. However, there were still four extant secure tenancies in

the block and three leasehold interests which remain, although the building itself is empty.

22. Whilst the four secure tenants have been moved to temporary housing, their secure tenancies in Bromyard House still remain. The Council's Area Housing Office continues to work with these remaining four secure tenants and their households to facilitate moving their secure tenancy to another property.
23. Since July 2021 the Council has also secured agreement with two of the remaining three leaseholder interests in the block and lawyers have been instructed in regard to the acquisitions of those properties. There is therefore just one leasehold interest where terms are still to be agreed.
24. The remaining leasehold interest to be acquired was a non-resident leaseholder before the decision was taken to empty the block, and the leaseholder's tenants who were previously occupying have moved on and are now residing elsewhere in other private rented accommodation not related to the scheme.
25. In addition to the secure tenants and the leasehold interests set out above a mobile phone telecoms aerial is located on the roof of Bromyard House, which is protected by the Electronic Communication Code. Officers have served the necessary legal paperwork to terminate the aerial tenancy and the formal notice for the telecoms equipment to be removed. However, to facilitate a consensual agreement to remove the equipment at Bromyard House, discussions are ongoing with the Operator with regard to the temporary replacement of the telecommunication equipment on another local Council estate in order that the network in the area can be maintained short term. In the longer term the aerial is proposed to be permanently re-located to another Council owned residential block on the Old Kent Road.
26. Negotiations to acquire the remaining leasehold interest are ongoing, and the council's aspiration is to acquire this outstanding interest and move the phone aerial by agreement and thereby secure vacant possession of the block and complete the redevelopment of the site without the need to utilise its statutory compulsory purchase powers.
27. However, the making, confirmation and implementation of a compulsory purchase order on Bromyard House is recommended to achieve certainty of acquiring all the interests and other property within the envisaged timescale and to mitigate risk to the project.

### *Statutory powers*

28. Bodies which have compulsory purchase powers, such as a local authority, may make a compulsory purchase order (CPO), but the powers may not be exercised until that order has been confirmed by the Secretary of State, who must be satisfied that the powers are to be used for their proper purpose

and that there is a compelling case in the public interest for the use of those powers.

29. There are a number of different Acts which provide the powers for Local Authorities and other bodies to exercise compulsory purchase powers. The principal CPO powers applicable to the provision of housing are contained within Section 226 (1)(a) of the Town and Country Planning Act 1990 or Section 17 of the Housing Act 1985.
30. The s.17 power may be used where the purpose is the provision of housing accommodation that will achieve a qualitative and/or quantitative housing gain. Whilst the s.226(1)(a) power may be used if the CPO is likely to facilitate the carrying out of redevelopment or improvement on or in relation to the land acquired will contribute to the economic, social, environmental wellbeing of the area. Both Acts however require the Council to demonstrate there is a compelling case in the public interest for use of CPO powers.
31. The Council has considered the use of either power in relation to bringing forward a CPO on Bromyard House but considers that the most effective and appropriate power in deliver the redevelopment of the Ledbury towers to be Section 226 (1)(a) of the Town and Country Planning Act 1990.

#### *Use of CPO powers*

32. Officers acknowledge that compulsory purchase powers should only be exercised if there is a compelling case in the public interest. Members should be sure that the purpose for which CPO powers are sought sufficiently justify interfering with the human rights of those with an interest in the land affected.
33. The background to this project has already been set out above and the steps taken to acquire the affected interests in Bromyard House described.
34. Whilst it is acknowledged that whilst the Council only confirmed the redevelopment of the Ledbury towers in July 2021, officers recommend that it is appropriate to bring forward a CPO at this point in time. The government's key document governing Compulsory purchase process and powers is titled "Guidance on Compulsory purchase process and The Crichel Down Rules". The guidance states that whilst "compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects ... 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

This will also help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations."

35. Officers consider that in the case of Bromyard House and the proposed redevelopment timescale to meet funding requirements, this meets the test set out in the government guidance where it is appropriate to initiate formal procedures at an early stage in order to secure vacant possession of the land required.
36. Officers are satisfied that the Scheme underlying the CPO will contribute to the well-being of both the local area and deliver wider benefits for the Southwark. The first phase of redevelopment will significantly contribute to and promote the overall social and environmental well-being of the area through the delivery of new high quality, energy efficient homes, planting of new trees, new play equipment for young people and through the new and improved areas of public realm which will better integrate the existing streetscape.
37. As a result of identifying the separate stages/phases of development of the Ledbury towers site, it is proposed that the CPO boundary only comprise the first stage of development, that being Bromyard House. However, it is likely that a further CPO report will be brought forward at a later stage in the project to secure vacant possession of Peterchurch House, Sarnsfield House, Skenfrith House and surrounding land, should it not prove possible to obtain full vacant possession by agreement.

#### *Appropriation*

38. The Council intends that the CPO only covers the land occupied by Bromyard House. All public realm surrounding the site of Bromyard House and which forms part of the first phase of the development of the Ledbury Towers is envisaged to be dealt with by a separate report which will come forward to appropriate this land for planning purposes. If approved, this will ensure that any rights over that land are not injunctable rights and are only compensatable rights, therefore enabling the development to proceed without risk.

#### **Policy framework implications**

39. As set out in previous reports the new homes on the estate will align and comply with National, and Regional policies including the newly adopted London Plan (2021), as well as Local Planning policy frameworks including the Old Kent Road Area Action Plan (OKR AAP) and the emerging New Southwark Plan.
40. The New Southwark Plan is now at an advanced stage. The New Southwark Plan (NSP) was submitted to the Secretary of State in January 2020. The Examination in Public (EiP) for the NSP took place between

February and April 2021. The Inspectors wrote a post hearings letter on 28 May 2021 and under Section 20(7)(c) of the Planning and Compulsory Purchase Act (2004) the Council asked the Inspectors to recommend Main Modifications to ensure the Plan is sound. The Council consulted on the Main Modifications as recommended by the Inspectors from 6 August 2021 to 24 September 2021. The Inspectors will publish their report once they have had the opportunity to consider representations. It is anticipated that the plan will be adopted in early 2022 and will replace the saved policies of the 2007 Southwark Plan, the 2011 Core Strategy, the Aylesbury Area Action Plan 2010, the Peckham and Nunhead Area Action Plan 2014 and the Canada Water Area Action Plan 2015. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework. The Inspectors have heard all the evidence submitted at the Hearings and in previous stages of consultation. The Main Modifications comprise the changes to policies the Inspectors consider are needed to ensure the Plan is sound.

41. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. The extension of the Bakerloo Line will enable substantial growth, with the number of homes rising from 14,500 to 34,500 and the number of jobs rising from 10,000 to 20,000. The policies in the plan will guide new development to provide urgently needed housing and jobs, while providing new opportunities and improving the lives of people who live and work there now. The document refers to the fact that proposals to improve and build new homes are being developed in consultation with residents of the Ledbury Estate.
42. Consultation has been underway for 5 years, with a first draft published in 2016. The December 2020 draft version was consulted on between 11 January 2021 to 10 May 2021. As the document is still in draft form, it can only be attributed limited weight.

## **Community, equalities (including socio-economic), health and human rights impacts**

### **Community impact statement**

43. Section 149 of the Equality Act 2010 lays out the Public Sector Equality Duty (PSED) which requires public bodies when taking decisions, to have due regard to the need to:
  - a) Eliminate discrimination, harassment, victimisation or other prohibited conduct;
  - b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;

- c) Foster good relations between those who share a relevant characteristic and those that do not share it.
44. The Council through a process of regular review has been considering the impact on all protected groups throughout the development of the Council's proposals for all regeneration projects within the borough. This has led to the Council developing rehousing policies for tenants and leaseholders affected by regeneration proposals in the borough.
  45. The redevelopment proposals entail the demolition of 56 homes in Bromyard House, which are no longer fit for purpose and where the residents of the estate have voted for redevelopment rather than refurbishment. The Scheme as a whole will significantly address the poor quality of the existing physical environment, whilst the re-provision of new homes will be of a high quality and compliant with current statutory policies, requirements and regulations including fire safety and sustainability.
  46. The delivery of new homes on the Bromyard House site will provide residents on the rest of the Ledbury estate with the option to move to this part of the estate in advance of the demolition of their blocks, whilst it also offers an opportunity for residents who have moved from the estate an option to return should they so wish. The new homes will be of the same space standards as their previous homes or above in line with the terms set out in the Landlord Offer document.
  47. The provision of half of the additional homes for council rent will address the housing need identified on the Ledbury Estate and provide homes for others across the borough with most need for safe and secure housing.
  48. Across the development as a whole there will also be an increase in both the quantum and useability of green space, as well as an increase in quantum and variety of play space, new commercial spaces and a new and modernised tenant hall for the benefit of all estate residents.
  49. While these scheme benefits are significant and compelling they must however be weighed against any potential dis-benefits. The council has given detailed consideration to the potential adverse impacts of bringing forward the proposed redevelopment and promoting the associated CPO. The Council has conducted an Equalities Impact Assessment (EqIA) for the Ledbury project as a whole which was presented to Cabinet in July 2021. This EqIA has since been further updated and an updated EqIA was presented to Cabinet in December 2021.
  50. The EqIA identified that the Council has a range of measures in place to mitigate any potential impacts of regeneration proposals, including:
    - a) Rehousing policies through the Council which provide a range of local re-housing opportunities that enable residents to move locally (if they choose to do so) to a new home that meets the needs of their family and financial position.

- b) A dedicated team of officers which supports both tenants and leaseholders through the rehousing process.
- c) Providing support and guidance about a range of routes to all residents affected by regeneration but with particular focus on those that may be vulnerable or in need of additional support.
- d) The development of new homes in the borough which will provide high quality homes to modern standards for residents in the borough to move to.

51. In most CPOs the primary potential area for direct adverse impacts arises from the requirement for households currently resident within the Site to be relocated outside of the Site in order to allow for the construction of the development in line with the proposed planning application. In the case of Bromyard House however, whilst there are some remaining interests within the site, no residents actually currently reside in the development area.
52. For those residents that have already moved from the development area, the Council has offered an option to return to the new development and has a detailed rehousing offer for secure tenants, resident leaseholders and non-resident leaseholders which is set out in the Ledbury Offer document, which provides detailed support to enable these residents to remain within the local area. It is therefore considered that any potential adverse impacts are fully mitigated by the Council's policies and there is therefore a compelling case in the public interest for the scheme to proceed and therefore for the council to promote a CPO for the site.
53. Therefore, the Council considers that the potential impacts of the scheme are fully addressed through the operation of its rehousing policies and provision of dedicated support and guidance available through Council officers and local independent organisations that provide support and guidance to Ledbury Estate residents.
54. Following review of the updated EQIA the actions the Project team will be taking forward is analysis of feedback received from engagement and consultation carried out since July of this year, and where possible, continue to use it to inform and shape the design proposals throughout the duration of the project. The project will continue to review the make-up and needs of individuals and residents who are affected by the rehousing process and will continue to monitor any resulting impacts. The Council will also seek to update and expand upon this information throughout the ongoing process as it continues to discharge its public sector equality duty.
55. In human rights terms, the compulsory acquisition of land will interfere with Article 1 First Protocol Convention Rights. However Article 1 of the First Protocol allows such interference if it is in the public interest and in accordance with the law. The use of CPO powers as contemplated by this report is lawful in Article 1 terms provided that the Council strikes a fair balance between the public interest and the private rights of

individuals which are protected by Article 1. It is also relevant that compensation is available by persons affected by compulsory acquisition in certain circumstances. It is considered that the compelling benefits of the Scheme in the public interest justify the interference with Article 1 rights in this case when weighed against the private rights of individuals.

56. As regards Article 6 Convention Rights, there are well-established statutory procedures that will give all of those likely to be affected by a CPO the right to be notified and the opportunity to object. Any such objections may cause a public inquiry to be held where those objections can be heard. Compensation disputes can be referred for hearing by the Lands Chamber of the Upper Tribunal. For these reasons Article 6 is complied with.

#### **Health impact statement**

57. There are no direct health impacts as a result of this report, whilst a health impact statement covering the programme as a whole is included within the December 2021 Cabinet report.

#### **Climate change implications**

58. There are no direct climate change impacts as a result of this report, but a detailed summary of the climate change implications of the redevelopment as a whole is contained within the December 2021 Cabinet report.

#### **Resource implications**

59. Appropriate resourcing through the Chief Executive's department and the My Southwark Homeowners Team is in place to deliver the acquisition of leasehold interests on the estate, whilst the Ledbury Team is in place to deliver the rehousing of secure tenants.
60. The New Homes Delivery Team is in place to take forward the delivery of the new homes on the site, including the securing of planning permission and a developer to deliver the scheme.

#### **Legal implications**

61. The compulsory purchase procedure is complex and has regard to a variety of factors. Details of relevant procedural and legal matters are set out below in the legal concurrent from the Director of Law and Governance.

#### **Financial implications**

62. In December 2017 Cabinet approved funding of £10M for the buy back of leasehold interest on the Ledbury estate. The cost of securing vacant

possession of Bromyard House, including bringing forward a CPO, are contained within these existing financial resources.

## **Consultation**

63. The redevelopment of the Ledbury towers has been the subject of extensive consultation over a number of years, since 2017, which culminated in the majority of residents voting in favour of the redevelopment proposals. Consultation will be ongoing. A summary of the consultation to date has been set out in the July 2021 Cabinet report and further updated in the December 2021 Cabinet report.
64. In addition, a dedicated webpage [www.southwark.gov.uk/ledburytowers](http://www.southwark.gov.uk/ledburytowers) has been set up where all information related to the project is posted, including letters to residents, the weekly newsletters that commenced in September 2017 and copies of all the reports and Fire Risk Assessments related to the blocks.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

65. The purpose of this report is to make, and subject to confirmation, to implement, a compulsory purchase order under section 226(1)(a) of the 1990 Act.
66. Section 226(1)(a) of the 1990 Act gives local authorities the power to compulsorily acquire land in their area if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. The use of the power is limited by s226(1A) which provides that a local authority must not exercise the power unless they think that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of three objects, namely the promotion or improvement of the economic, social or environmental well-being of their area.
67. Paragraphs 9 to 15 set out a summary of the economic, social and environmental well-being benefits the implementation of the Scheme will bring to the area.
68. Appendix 2 provides further detail on the legal powers available to the Council in connection with the use of its CPO powers and the curbs on the use of those powers, further detail on the Human Rights and Equalities implications of the use of those powers. There is also detail of the CPO process including the entitlement of affected parties to compensation.

### **Strategic Director of Finance and Governance (H&M 21/117)**

69. This report seeks Cabinet approval to implement a compulsory purchase order under section 226(1)(a) of the 1990 Act with the aim to secure vacant

possession of Bromyard House and facilitate Phase 1 of the regeneration of the Ledbury Estate. As outlined in the financial implications section of this report, the cost of securing vacant possession of Bromyard House are contained within the existing financial resources approved for the regeneration of Ledbury Estate, the cost of which will be met from funds available to the council's Housing Investment Programme.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Ledbury Estate Towers - Future redevelopment update Cabinet, December 2021	Housing and Modernisation 160 Tooley Street	Mike Tyrrell <a href="mailto:Mike.tyrell@southwark.gov.uk">Mike.tyrell@southwark.gov.uk</a>
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/mgIssueHistoryHome.aspx?Id=50027427&amp;Opt=0">https://moderngov.southwark.gov.uk/mgIssueHistoryHome.aspx?Id=50027427&amp;Opt=0</a>		
Ledbury Estate Towers update on resident ballot and future redevelopment Cabinet, July 2021	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7388">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7388</a>		
Ledbury Estate Towers - Ledbury Towers Residents' Ballot Cabinet, February 2021	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7281">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7281</a>		
Ledbury Towers Arup Structural Survey Report Cabinet, October 2019	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6963">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6963</a>		
Ledbury Towers Update Cabinet, July 2019	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6871">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6871</a>		
The Way Forward: Ledbury Estate high rise blocks Cabinet, November 2018	Housing and Modernisation 160 Tooley Street	

Background Papers	Held At	Contact
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6619">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6619</a>		
Local Lettings scheme for Southwark Council tenants living at Bromyard House, Peterchurch House, Sarnsfield House and Skenfrith House on the Ledbury Estate IDM, February 2018	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6447">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6447</a>		
Ledbury Estate - Next Steps Update Cabinet, February 2018	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6417">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6417</a>		
Ledbury Estate - Next Steps Cabinet, January 2018	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6408">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6408</a>		
Ledbury Estate - Arup Structural Survey Report Cabinet, December 2017	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6372">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6372</a>		
Southwark Council's Buy-back Offer for Ledbury Towers Leaseholders Cabinet, December 2017	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6371">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6371</a>		
Ledbury Estate - Tenants right to return IDM, November 2017	Housing and Modernisation 160 Tooley Street	
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6335">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6335</a>		
Appointment of Keepmoat for Emergency Works at Ledbury Estate Cabinet, September 2017	Housing and Modernisation 160 Tooley Street	

Background Papers	Held At	Contact
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6274">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6274</a>		

## APPENDICES

No.	Title
Appendix 1	CPO red line boundary
Appendix 2	Legal summary

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Stephanie Cryan, Council Homes and Homelessness	
<b>Lead Officer</b>	Michael Scorer, Strategic Director of Housing and Modernisation	
<b>Report Author</b>	Marcus Mayne, Principal Surveyor	
<b>Version</b>	Final	
<b>Dated</b>	6 January 2022	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		6 January 2022