

**TALBOT GARDENS REGENERATION**

## Briefing Report

**Talbot Gardens Regeneration****1.0 Introduction**

- 1.1 The wider regeneration of Barne Barton has started – with the decant of residents and demolition of first phases of the approved Clarion development (land adjoining Talbot Gardens) due to commence Feb/March 2020.
- 1.2 Sanctuary Housing have recently purchased the freehold of Talbot Gardens and have secured control of the land. They are now engaging in community consultation to bring forward a regeneration of Talbot Gardens - land which adjoins the Clarion Regeneration scheme.
- 1.3 Clarion and Sanctuary are working together to ensure that plans for regeneration are well integrated, and that designs and layouts are cohesive. The alignment of both redevelopment schemes presents an exciting opportunity to make significant improvements to the built fabric of the area, alongside social, health and community benefits in the Barne Barton area of the City.
- 1.4 Sanctuary have requested that Cabinet takes the first step in the CPO process by agreeing a resolution to make a Compulsory Purchase Order should the need arise, in the event that any legal interest in properties in Talbot Gardens cannot be acquired by agreement. Sanctuary Housing does not have compulsory purchase powers and therefore Cabinet is required to make a CPO, if needed, on their behalf.

**2.0 Proposals**

- 2.1 It is proposed that Cabinet agrees a resolution to make a CPO for those properties which are in private ownership in the Talbot Gardens area.

The resolution will be as follows:

Having full regard to the rights of the individual to have a public and independent hearing if they object to the loss of their property, assets and rights under the compulsory purchase procedures and under the Human Rights Act 1998 and to the purposes for making the Compulsory Purchase Order (CPO) sufficiently justifying the interference with the rights of those having an interest in the land affected under Articles 1 and 8 of the First Protocol to the European Convention on Human Rights, a Compulsory Purchase Order be made pursuant to section 17 of the Housing Act 1985 in respect of the properties listed below which are within the areas outlined in red on the plan submitted (appendix one):

*List of properties by road and number:*

*5 Talbot Gardens – PL5 IBU*

*6 Talbot Gardens – PL5 IBU*

*7 Talbot Gardens – PL5 IBU*

*8 Talbot Gardens – PL5 IBU*

9 Talbot Gardens – PL5 IBU  
10 Talbot Gardens - PL5 IBU  
11 Talbot Gardens – PL5 IBU  
12 Talbot Gardens – PL5 IBU  
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44 Talbot Gardens – PL5 IBU  
45 Talbot Gardens – PL5 IBU  
46 Talbot Gardens – PL5 IBU  
47 Talbot Gardens – PL5 IBU  
48 Talbot Gardens - PL5 IBU  
104 Savage Road – PL5 IBT  
108 Savage Road – PL5 IBT  
116 Savage Road – PL5 IBT  
119 Savage Road – PL5 IBT  
121 Savage Road – PL5 IBT  
122 Savage Road - PL5 IBT  
123 Savage Road – PL5 IBT  
124 Savage Road – PL5 IBT  
125 Savage Road – PL5 IBT  
126 Savage Road – PL5 IBT

### **3.0 Justification for Using CPO Powers**

3.1 The use of CPO powers is very much seen as a last resort to be implemented only in the event that properties in private ownership cannot be acquired by agreement. A similar resolution was made for all Phases of the North Prospect development, and in every case privately owned

properties have been successfully acquired by PCH without the need to resort to CPO powers. It is expected that this can also be achieved for the Talbot Gardens development.

3.2 However this cannot be guaranteed and it is necessary to have the agreement of Cabinet to make a CPO should the need arise to ensure that the regeneration of Barne Barton is able to continue.

3.3 The following reasons are set out by way of justification for the use of CPO powers:

- Sanctuary Housing have advised the City Council that there is considerable building survey evidence that confirms the need for major redevelopment in Talbot Gardens to the extent that repair and rehabilitation work is not practicable.
- The regeneration of Barne Barton is identified as an investment priority in the City and contributes to delivery of the City Vision and Corporate Objectives to provide Decent Homes. In order to achieve the scale of change needed in the area, it is essential that the next phase of development in Barne Barton continues through to completion.

#### **4.0 Consultation**

4.1 A substantial amount of work has also been undertaken to understand the views and needs of the community affected by the redevelopment proposals, and in particular the needs of the owners of properties in Talbot Gardens. Information regarding number and tenure of households (including voids) within each block is set out on the plan – Appendix I. Within Talbot Gardens there were 38 properties identified as being in private ownership.

4.2 Sanctuary Housing will carry out the following actions to engage with the owners living in this phase of development:

- Letters have been sent to all residents in Talbot Gardens, explaining the regeneration proposals for the area.
- Drop in events will be held (Feb 2020 onward) on a number of occasions to allow owners to meet with representatives of Sanctuary, to discuss the terms of sale and details of the compensation offer that would be available.
- Sanctuary Housing have carried out/will carry out 1 to 1 interviews with the owners of properties and provide a detailed information pack outlining the basis of any offers that Sanctuary make.
- The offers made by Sanctuary Housing are based on the open market value of property as assessed by an independent valuer and the statutory compensation required by legislation.
- In addition to the market value offer Sanctuary Housing will cover the costs of: independent property valuations, conveyancing, and providing Independent Financial Advice for home owners.
- Sanctuary Housing will also pay a disturbance allowance covering the reasonable costs of one house move, including removals, disconnection and reconnection of utilities.
- Sanctuary are looking to develop a scheme whereby existing owner occupiers are offered the opportunity to buy into the new properties developed using the equity from their existing home. The exact format of this scheme is yet to be determined but is likely to be on a shared equity or shared ownership basis.

4.3 Of the original 38 private owners, so far 1 owner has sold, and 1 agreed terms leaving a further 36 owners who are yet to agree terms. Sanctuary Housing intends to reach agreement with all of the remaining owners, however in the event that this is not possible, it will necessary for the City

Council to proceed with making a CPO in order to resolve the issue of ownership and enable the redevelopment process to continue.

## **5.0 Legal Basis**

- 5.1 The CPOs would be made under S17 of the Housing Act 1985 to provide a quantitative or qualitative increase in housing provision and will follow a similar justification to that used in all Phases of the North Prospect regeneration project.
- 5.2 The City Council is fully aware of its responsibilities under the Human Rights legislation arising from the European Convention of Human Rights (2008) and of the need to address the rights of the individual in any action considered.

## **6.0 Conclusion**

- 6.1 Sanctuary Housing is requesting that Cabinet agree a resolution to make a CPO, in the event that all interests in land in Talbot Gardens cannot be acquired by agreement. Without making this resolution, and in turn the CPO itself, should it be required, the completion of the regeneration of the Barne Barton area will be put at risk, as the other options to achieve the redevelopment have been considered and dismissed for the reasons stated above.
- 6.2 The resolution to make a CPO will provide a level of certainty of achieving unified land ownership to Sanctuary Housing to proceed with the development at Talbot Gardens. To date some progress has been made to acquire the privately owned units by agreement and Sanctuary Housing will continue to make every effort to acquire all remaining interests without resorting to a CPO. However as this cannot be guaranteed, it is considered necessary for Cabinet to agree a resolution to make a CPO should it be required.

## Appendix 2

