

**The London Borough of Merton (Eastfields No. 1) Compulsory Purchase Order 2022 (APP/PCU/CPOP/T5720/3303017)**

**The London Borough of Merton (High Path No. 1) Compulsory Purchase Order 2022 (APP/PCU/CPOP/T5720/3303018)**

**The London Borough of Merton (Ravensbury No. 1) Compulsory Purchase Order 2022 (APP/PCU/CPOP/T5720/3303020)**

## **Proof of Evidence of Iona McConnell**

**Dated 26 January 2024**

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# 1 INTRODUCTION

## 1.1 Qualifications and experience

- 1.1.1 I, Iona McConnell am the Head of Merton Regeneration for Clarion Housing Group (**Clarion**). I have been in this role since April 2022. In my role I am responsible for the customer facing aspects of regeneration within the borough of Merton. This includes consultation and engagement with residents, buying back homeowner interests, and supporting tenants to move. I manage a team of Regeneration Managers and a Communications Manager to achieve this. I previously worked as Head of Housing in North London for Clarion. Accordingly, I have extensive experience in social housing and have worked in this industry for approximately 19 years.
- 1.1.2 This proof of evidence is made in support of the London Borough of Merton (High Path No 1) Compulsory Purchase Order 2022 (the **High Path CPO**), the London Borough of Merton (Eastfields No 1) Compulsory Purchase Order 2022 (the **Eastfields CPO**) and the London Borough of Merton (Ravensbury No 1) Compulsory Purchase Order 2022 (the **Ravensbury CPO**) (together the **CPOs**) in connection with the wider Merton Estates Regeneration Programme (also referred to in this proof of evidence as the **Scheme**).
- 1.1.3 The Scheme was started by Merton Priory Homes which was the original landlord of the properties following the stock transfer from London Borough of Merton. Merton Priory Homes was part of the Circle Housing Group and this merged with Affinity Sutton in 2016. As a result a new landlord was created, Clarion Housing Association. I shall refer throughout to Clarion but the actions and activity may have taken place when Merton Priory Homes was the landlord.
- 1.1.4 The facts and matters set out in this proof of evidence are within my own knowledge. The facts set out below are true to the best of my knowledge and belief. Where reference is made to facts which are outside my knowledge, I set out the source of my information and I believe such information to be true.
- 1.1.5 I have been assisted by other professional advisors and officers of the Council with the preparation of this proof of evidence, some of whom will also provide evidence to the inquiry. I have also obtained evidence from files held by Clarion and by liaising with colleagues within the organisation.

## 1.2 Involvement with the Scheme

1.2.1 I have been working on the Merton Estates Regeneration Programme as part of my role at Clarion since April 2022. My role involves managing and overseeing the customer facing elements of regeneration in Merton. This varies depending on the needs of the Scheme which will change as the regeneration progresses. I manage the Regeneration Managers who are focussed on working with the tenants and homeowners to ensure they move into their new homes. They will ensure we have all the required information about each resident so they are correctly matched and will then support them to move. We will assist the resident homeowners to decide if they wish to move to a replacement home or move away from the estate. We carry out resident engagement and consultation, this varies greatly including planning consultations, surveys and research, and general resident events e.g. Halloween Party. I am also the lead for the CPOs and work closely with the London Borough of Merton (the **Council**) and our professional advisors. My team is the point of contact for other departments within the organisation whose work is affected by the regeneration so we co-ordinate those communications. We are also the main point of contact for stakeholders. Our work really ramps up when we are working to get vacant possession of a block as this is a very intensive time as we arrange for tenants to sign up and move home, for homeowners to go through the conveyancing process and take appropriate action where needed, including legal processes.

1.2.2 Throughout my time working on the Merton Estates Regeneration Programme I have been working alongside Elliot Brunton, Tara Butler and the legal team at the Council. I have also worked closely alongside Clarke Vallance of Savills and Mark Kidd of DPR (formerly Avison Young) who were commissioned by Clarion to engage with any objectors to the CPOs including discussions and negotiations with the objectors to secure withdrawal of objections, support on negotiations for Rights of Lights compensation and general CPO advice.

## 1.3 Scope of evidence

My evidence provides:

- 1.3.1 an overview of general engagement with residents and interest holders;
- 1.3.2 an explanation of our efforts to negotiate with interest holders to voluntarily acquire rights in respect of the Merton Estates Regeneration Programme for the High Path Estate;

- 1.3.3 a summary of interests acquired to date and outstanding interests; and
- 1.3.4 response to objectors.

## 2 GENERAL ENGAGEMENT WITH RESIDENTS AND INTEREST HOLDERS

Clarion first started discussing the future of the Eastfields, High Path and Ravensbury Estates (the **Estates**) and possible regeneration with residents in 2013. Events took place at similar times across the Estates. Some key principles were set for this consultation. Venues must be accessible (local to residents with disability access), activities were arranged for children and there was a wide circulation of invites. We try to hold events on the weekend to enable as wide an attendance as possible. An attendance record is taken and Clarion will prepare a report outlining the key feedback. These remain the principles for engagement today.

### 2.1 Eastfields

- 2.1.1 On the Eastfields Estate there is no community space. Therefore the events are held in local venues including St Marks Academy and the Acacia Adventure Playground.
- 2.1.2 The consultation kicked off in July 2013 with a series of events for residents to discuss their views of the Estate, what they liked and disliked and what they might like to see in the future.
- 2.1.3 Then a more intensive period of engagement started in June 2014 with an event to feedback on the first ideas for regeneration. Three further events were held between July and September 2014 covering the themes of house types, internal layouts and open spaces. There were also resident visits to regeneration schemes in July and August.
- 2.1.4 This resulted in the Draft Masterplan Launch in October 2014 which took place over four days and was a chance for Clarion to discuss the masterplan with the residents and hear their views.
- 2.1.5 There were a further two workshops in March 2015, one on landscaping and parking and the other on house types and layouts.
- 2.1.6 In May 2015 we launched Clarion's Offer and held three events in June to enable residents to further discuss this and understand what it meant for them.
- 2.1.7 In the Summer of 2015, Membership Engagement Services were commissioned to conduct a survey across all three Estates to establish the levels of support for the regeneration. They conducted a mixture of face to face, online and phone surveys between 1 and 29 July 2015. This survey was comprised of named tenants and owners of properties (both resident and non-resident).

- 2.1.8 On the Eastfields Estate, there was a response rate of 51.3%. Of those surveyed, 60.1% believed that regeneration was the best for their household and 69.7% agreed it was best for the Estate. 22.9% disagreed it was best for their household and 16.5% disagreed that it was best for the Estate. The remainder were either "neither agree nor disagree" or "don't know".
- 2.1.9 In November 2016 there were two sets of events to discuss the Masterplan revisions, with each event based on a different theme (landscape & park and house types). This culminated in a Final Proposals exhibition held in December 2016. Residents were then kept informed of progress of the outline planning application, which was granted on 29 April 2019.
- 2.1.10 In April 2019 we moved forward with the detailed proposals for Eastfields Phase 1 and held an event for residents to find out more. This was followed in October with a second event showcasing the changes made following the resident feedback.
- 2.1.11 At this point there was some delay whilst Clarion carried on certain necessary negotiations and discussions with the Council. However, in May 2021 we wrote to residents to acknowledge the delay in updates, confirm the current position and advising of forthcoming drop-in sessions.
- 2.1.12 The same year we then restarted engagement with residents on the detailed proposals for Eastfields Phase 1 and held further online consultation events in August, October and November (with an in person event) for this. We also wrote to residents in November to confirm amendments to the outline permission.
- 2.1.13 In January 2022 we held two webinars for homeowners to learn more about the compulsory purchase process and what it would mean for them.
- 2.1.14 We did a special newsletter in May 2022 to advise that the Council had approved the reserved matters application (the detailed proposals) for Phase 1 (the **Eastfields Phase 1 RMA**). We followed this up in June 2022 with leaflets and posters to promote that the Regeneration Manager was on site twice a week and able to discuss housing needs, buyback and other matters of concern.
- 2.1.15 We have also kept residents informed of changes to the outline planning permission and the Eastfields Phase 1 RMA. We write to all residents on the Estate, not just those we have a statutory requirement to inform.

- 2.1.16 We also carry out various events and activities for residents that are not strictly for consultation. However, these are valuable as they enable us to reach more people who may not come out for a more formal event. It gives residents the chance to speak to regeneration officers in a more informal setting. We organised a Halloween Event in October 2022 and a King's Coronation Party in May 2023. In the summer of 2023 we set up a Community Gardening Club which has been well attended and will prepare residents for managing their own green spaces in the future and encourage stewardship of communal areas.
- 2.1.17 It was necessary to get a Stopping Up Order to start Eastfields Phase 1a on site. We wrote to all residents in April 2023 with the notice and information pack and again in June 2023 once the order was granted.
- 2.1.18 We also held a Resident Engagement Day on Eastfields in late September 2023. We spoke to 126 residents about repairs, regeneration, estate services and any other issues they may have.
- 2.1.19 The Eastfields Estate has a Resident Steering Group which meets monthly. Around 12 – 15 residents (both tenants and leaseholders) attend each meeting, they were held online over the pandemic but are now held in person at the St Mark's Church of England Academy. The group discuss issues relating to all aspects of regeneration and represent the rest of the Estate in some decision making.
- 2.1.20 We send out regular newsletters to all residents (including non-resident homeowners). These go out every so often, roughly 2 – 3 times a year depending on the amount of information we have to share. These are sent in addition to the letters and leaflets about specific events.

## 2.2 High Path

- 2.2.1 There is no community hall on the High Path Estate so events are held in local places including St John The Divine Church Hall and the Elim Pentecostal Church Hall.
- 2.2.2 The first community events were held in July and August 2013 with five drop in events. This gave a chance for the residents to feed back on their current homes and Estate and what they might like to happen in the future. There was also a youth workshop in August 2013 with local group, Uptown Youth Group.
- 2.2.3 This was followed up in June 2014 with events for the residents to hear about early ideas and in July 2014 with resident visits to regeneration schemes in Haggerston and Orchard Village. In August and



September 2014 there were workshops for residents to feed back their thoughts on these early plans. This was wrapped up in a workshop in October 2014 to feedback on ideas so far.

- 2.2.4 In May and June 2015 following Clarion's Offer Launch, there were three events held to enable residents to find out more about this and hear what it means for them.
- 2.2.5 The residents survey was also conducted on the High Path Estate and had a response rate of 51.1%. 56.3% of respondents agreed that it was best for the High Path Estate – although this figure was slightly skewed downwards by those who do not live on the Estate.
- 2.2.6 In May, July and September 2016 there were a series of workshops to discuss a 'kickstart' option whereby some garages and a play area would be demolished to enable building early and avoiding a double decant. This culminated in submission of the planning application for this phase.
- 2.2.7 In November 2016 there were two more 'Have Your Say' days to get feedback on Masterplan proposals and in December 2016 there were two events to launch the final proposals.
- 2.2.8 In September and October 2017 there were three events to discuss a change in phasing. There was also a meeting with St John's Church in November 2017 as they were impacted by this update.
- 2.2.9 We held two sets of events for the reserved matters application proposals for High Path Phase 2, first in October 2018 and then again in February 2019 which enabled us to demonstrate the changes we had made based on the feedback from the first round of events. We also held a stakeholder event for non-residents who were interested in the plans including Wimbledon Civic Society, Battle Road Residents Association and local churches.
- 2.2.10 In June 2019 we kicked off the community consultation on the detailed proposals for High Path Phase 3, giving residents the opportunity to hear more about the details and to share some early plans. There were further workshops in July, August, September and October 2019 on themes including land uses, heritage, and the neighbourhood park.
- 2.2.11 In October 2021 there were a mix of online and in person events to discuss options for High Path Phases 4 – 7 and this was followed up by a feedback event in November 2021.

- 2.2.12 In January 2022 there were two webinars for homeowners across all three Estates to provide information on the forthcoming Compulsory Purchase Order and what it might mean for them. There were also online events to discuss High Path Phase 3 plans. These were followed up by two more online events in July 2022. In September 2022 there were online and in person events to discuss the updated proposals for High Path Phases 4 – 7.
- 2.2.13 In November 2022 a final exhibition was held which included the final plans for both High Path Phase 3 reserved matters application and the new application for High Path Phases 4 – 7. We then wrote to all residents on the Estate on 15 December 2022 to confirm the applications have been submitted. This was followed with a letter in January 2023 advising the local authority had validated the applications and giving information on how to comment.
- 2.2.14 We wrote to all remaining resident homeowners in May 2023 to remind them that we had vacant homes in High Path Phase 1 that were ready to move into and to encourage them to make contact with us to arrange a viewing.
- 2.2.15 We updated all residents in July 2023 that the Council had resolved to approve the outline planning application for High Path Phases 4 – 7 subject to a legal agreement and referral to the Greater London Authority.
- 2.2.16 We held two Resident Engagement Days in September 2023. This involved someone door knocking every home on the Estate to discuss any issues. Repairs Operatives were on site to do minor repairs and surveyors were able to inspect more complex repairs to get them booked in.
- 2.2.17 Alongside this programme of engagement, we seek to involve the wider community, including young people. This started in August 2013 with a Youth workshop held with Uptown Youth Group. We have held four 'Regeneration Week' events with Merton Abbey Primary School with the first one in February 2015 and the most recent in March 2018. More recently we held play workshops in September 2022 with Year 2 pupils at Merton Abbey Primary School.
- 2.2.18 We have also participated in the Open House festival of London architecture on two occasions. First in September 2018 and latterly in September 2022. This gives the wider community the opportunity to hear more about our plans and to see inside the new buildings.

- 2.2.19 As on the Eastfields Estate, we have also held community events to give residents a chance to come together and meet with staff in more informal settings. Examples of these events include the End of High Path Phase 1 Celebration in June 2022 and the Balcony Planting Days in June and October 2022.
- 2.2.20 We have sent out regular newsletters since the start of the discussions about regeneration although the frequency of these depends on the volume of information to share. These go out to all residents including non-resident homeowners and local stakeholders including Councillors.
- 2.2.21 On the High Path Estate we used a new tool to engage with residents called EBrik. This is an online platform linked to timelapse photography on the building site. The platform has the plans for each specific property so the residents can follow the construction of their new home. This is also available to anyone who is interested and can see the different stages of construction. High Path Phase 1 ran from April 2021 and had 2,400 users and 17,000 page views. This was greatly appreciated and valued by residents.

## 2.3 Ravensbury

- 2.3.1 Our engagement on the Ravensbury Estate began in July 2013 with the first community events.
- 2.3.2 This was followed up with a series of events in Summer 2014 starting with a Resident Drop In to discuss the Estate, history and heritage of the area and hopes for the future. This was followed by Resident Walkabouts with the architects and residents, visits to other regeneration schemes and workshops on Resident Design.
- 2.3.3 Two specialist focus groups were held in July 2014, one focussing on Older People and the other on the Refurbishment options. These were followed by Resident Design Workshops in August and September. These gave residents the chance to comment on the possible new home layouts and typologies. Also on how refurbishment could look and next steps.
- 2.3.4 There was then a public exhibition in October 2014 and a final Exhibition in January 2015.
- 2.3.5 Workshops took place in March 2015 discuss parking, phasing, landscaping and planting and one for refurbishment.

- 2.3.6 In June 2015 there were three events following the launch of Clarion's Offer to enable residents to hear about the offer and what it means for them. There were two different offers for Ravensbury. One was for those in Ravensbury Court, this is the block of flats which is of brick construction and without the same issues as the rest of the Estate. This was an offer for refurbishment and other improvements. The other offer mirrored those on the Eastfields and High Path Estates and was for those residents living in buildings that could not be refurbished. These events also featured the Masterplan Exhibitions which shared the vision for the Ravensbury Estate including refurbishment of Ravensbury Court, house and flat typologies and layouts.
- 2.3.7 As set out above, the residents survey was also conducted on the Ravensbury Estate and had a response rate of 59.7%. Overall the percentage of residents on Ravensbury in the regeneration area who agreed that regeneration was the best option was 45.8%.
- 2.3.8 In January 2016 there was another opportunity to see the latest designs of the new homes.
- 2.3.9 This was followed in May with a workshop on temporary parking. This is a key issue on the Ravensbury Estate and residents were concerned about how the works would impact this. The workshop was a chance to see the proposals to temporary parking and comment on them.
- 2.3.10 There were further opportunities to comment on the Masterplan at exhibitions in November 2016.
- 2.3.11 Then in May 2018 there was wildlife workshop. The Ravensbury Estate is next to the River Wandle which is teeming with wildlife and residents were keen to ensure there was no impact on this from the regeneration.
- 2.3.12 We held consultation events in July 2018 about the Community Space and then further events in September 2018 about the homes, layouts and landscaping.
- 2.3.13 In January 2019 we held two events about the final proposals ahead of submission of the reserved matters planning application.
- 2.3.14 In August 2019 there were 'Resident Choice Appointments' these were for those moving into Phase 1 to discuss the enhanced offer (different titles and flooring in the kitchen and bathroom) and decide if they wished to opt for this.

- 2.3.15 In January 2022 we held a 'Meet the Contractor' event with Henry Construction who were appointed to build out Ravensbury Phase 2.
- 2.3.16 Unfortunately, in June 2023 Henry Construction went into administration. We then held two meetings with residents on Ravensbury on 13 July and 9 August 2023 to update them on next steps and answer their queries.
- 2.3.17 We send out regular newsletters to the residents across the whole estate and also to residents who are temporarily decanted away from the Ravensbury Estate. The frequency of these depends on what is happening and how much news there is to share. This means they go out around 2 – 3 times a year. In addition, when there is a contractor on site, they will send out their own newsletters which give an update on the progress of works and what can be expected next.
- 2.3.18 On Ravensbury we also used EBrik. For Ravensbury Phase 1 this ran from August 2019 to February 2022 and had 2,800 users and 20,167 page views. For Ravensbury Phase 2 it ran from March 2022 to June 2023 and had 2,699 users and 7,135 page views.

### 3 EFFORTS TO NEGOTIATE WITH INTEREST HOLDERS

#### 3.1 Introduction

- 3.1.1 Clarion acquired the housing stock at High Path, Ravensbury and Eastfields (the **Estates**) in 2010. Following acquisition it was clear that extensive refurbishment, retrofit, maintenance and ongoing investment would be needed to bring the housing up to modern standards to ensure better quality of life for our residents and it was decided that the best option would be a regeneration scheme. A team was then created with a Director of Regeneration to lead on this. When the Head of Regeneration retired in 2022, I was appointed to the role.
- 3.1.2 The negotiations with interest holders in respect of all three Estates were initially led by the previous Head of Regeneration. This was following a period of significant consultation with the residents so that we could ensure we fully understood the uncertainties and challenges for residents before we established Clarion's Offer.
- 3.1.3 Each Estate has a dedicated Regeneration Manager and they are the first point of contact for all our residents on the Estate. They will discuss the options with the homeowners, consult on their views and keep them updated with the latest developments. We also have a Regeneration Manager who works across all buybacks. She will also provide advice on the buyback process and she works closely with our appointed surveyors, Strettons, and with the solicitors who are carrying out the conveyancing.

#### 3.2 Clarion's Offer

- 3.2.1 Clarion in 2015 published its offer relating to resident homeowners, non-resident homeowners and tenants. Resident Homeowners (who meet the criteria) can opt for the Replacement Home offer, Shared Equity option or move away from the Estate. Tenants are offered a replacement home, on the Estate, that meets their needs. Non Resident Homeowners are offered the value of the property plus an additional payment.
- 3.2.2 Clarion's Offer (CD 8.2a-c) detailed the replacement home option available to those resident homeowners who were living on one of the three Estates on the 27 May 2015 (when Clarion's Offer was published). Clarion's Offer has since been updated in 2018 (CD 8.3a-c) and again in 2023 (CD 8.4a-c). The Replacement Home Option confirms we offer a replacement home which means the homeowner can move into a new home on the Estate. To qualify for this they need to continue their residency and to invest the full value of their current

home plus the home-loss payment into the new home. They will then own the new property (leasehold or freehold depending on the type of property). If they sell the home within 11 years of buying it, they have to pay back a proportion of the difference in cost between their previous home and the new home. This is on a taper down to zero after 11 years. If they do not meet the criteria for a replacement home, they can move into a new home on the Estate on a shared equity basis (without paying rent on the unowned portion). If they would prefer to move away from the Estate then they get the full value of the home plus the home-loss payment. In all cases we will pay a £3,000 disturbance payment and will pay additional sums as required (with evidence of receipts or invoices). We also pay for legal costs, Stamp Duty Land Tax, surveyors costs and any other related costs of the sale and purchase. In most cases we are able to move people directly into their new home. Where this is not possible we will arrange for suitable temporary accommodation and they will not need to pay rent on this property. They will receive a disturbance payment for each move they make.

- 3.2.3 Non-resident homeowners receive the full value of their property plus a 7.5% additional payment. We also pay for legal costs, SDLT, surveyors costs and any other related costs of the sale and also for an onward purchase if completed within 12 months of the sale.
- 3.2.4 Tenants are offered a home that meets their needs (in line with Merton Council's Allocation Policy). Where they are under-occupying they can move into a new home on a 'need + 1' basis. They receive a home-loss payment and a £3,000 disturbance payment. We arrange and pay for removals on top of this. For vulnerable residents we offer additional services such as packing, handyman and help with updating utility providers.
- 3.2.5 Negotiations have gone well. We offered to buy back properties from the start and have been open to buy backs well in advance of requiring the homes for the regeneration. We completed some buy backs before Clarion's Offer was published. Our first buy back was in April 2013 on the Eastfields Estate and before May 2015 (i.e. before the launch of Clarion's Offer) we bought back 3 properties. We bought back 5 properties on High Path Estate before May 2015 and one on the Ravensbury Estate. A number of resident homeowners have opted to move off the Estates but we have a large number of resident homeowners who were pleased with the offer and who looked forward to having a new, modern, energy efficient home.

- 3.2.6 We have been in regular communication with the homeowners on all three Estates. There were no homeowners moving into the first phase of the Ravensbury Estate so the first phase of resident homeowners moving into replacement homes was on the High Path Estate. We have completed on 35 purchases and there were some delays as we resolved the technical details of the purchase and the SDLT implications. However once this was resolved the completions progressed well.
- 3.2.7 We kept in close contact with the resident homeowners who were moving into High Path Phase 1 and wrote them in April 2019 to confirm which property they were matched into. We offer homeowners and tenants the opportunity to upgrade to a more expensive finish in the kitchen and bathrooms and they were given details on the options then and asked if they wished to go ahead with this. This was followed up with further letters and opportunities for meetings to discuss the decisions. A number of homeowners arranged these visits and confirmed their options.
- 3.2.8 We then contacted them in the Summer of 2021 to arrange a valuation of their home by our appointed surveyor, Strettons. These appointments were booked in and Strettons would then send their valuation report over and we then wrote to the homeowners confirming the offers for their home plus all the other payments we would make (as set out above). They were also made aware that they could choose to appoint their own RICS chartered surveyor to make a valuation of their home and negotiate with Strettons with the aim of coming to an agreed value (if there was a difference in opinion).
- 3.2.9 In October 2021 the properties were ready to view and we set up appointments for the homeowners to view the property they had been allocated to and once this was completed they were then asked to instruct their conveyancing solicitor. The majority of completions took place between April 2022 and December 2022 but we have one still in progress.
- 3.2.10 We wrote to the resident homeowners in Eastfields Phase 1 in September 2022 to confirm the property they had been matched to and the next steps. For residents living in Eastfields Phase 1b/c they need to move out into temporary accommodation. We explained how this would work and started arranging appointments for them to view some of the properties we had ready. For those living in Eastfields Phase 1d/e, they do not need to move out but we offered them the chance to sell their home back to us now and remain living there on a licence until their newly built home is ready for them to move into.



- 3.2.11 It has been a lengthy process of arranging suitable temporary accommodation, and negotiating with the resident homeowners but the first completion in Eastfields Phase 1b/c took place on 27 July 2023 and, as at 19 January 2024, we have since bought back a further 7. Of the remaining 11, 10 have accepted temporary accommodation and we are completing final works and negotiations and aim to complete on these transactions in the next couple of months. We have bought back three homes in Phase d/e with one more in conveyancing.
- 3.2.12 On the Ravensbury Estate we originally had 2 resident homeowners who were due to move into Ravensbury Phase 2. We wrote to them in June 2020 to confirm the properties they were matched with. Ultimately one of the homeowners decided to sell the property and move away. This has left one remaining homeowner who is keen to accept the replacement home but has some queries about this.
- 3.2.13 I am satisfied that a strong offer has been made that treats residents fairly and ensures communities can remain consistent and cohesive after the regenerations which is reflected in the fact that we have successfully acquired a large proportion of property interests.

### 3.3 Residential interests acquired to date

- 3.3.1 Since April 2013 up to 19 January 2024, Clarion has voluntarily acquired freeholder and leasehold interests as set out below:

<b>CPO Land</b>	<b>Freehold interests</b>	<b>Leasehold interests</b>	<b>Total</b>
Eastfields Phase 1	31	14	45
High Path Phases 2 and 3	23	53	76
Ravensbury Phases 2 to 4	7	6	13
<b>Total</b>	61	73	134

- 3.3.2 Please see CD 8.29, which lists all property interests acquired for each Estate.

### 3.4 Residential interests outstanding

3.4.1 Further to section 3.3 above, the following property interests remain outstanding in respect of the CPO Land:

<b>CPO Land</b>	<b>Freehold interests</b>	<b>Leaseholds interests</b>	<b>Objectors to CPO</b>	<b>Total</b>
Eastfields Phase 1	22	12	0	34
High Path Phases 2 and 3	10	5	1(3)	15
Ravensbury Phases 2 to 4	1	0	1(2)	1
<b>Total</b>	<b>33</b>	<b>17</b>	<b>2(5)</b>	<b>50</b>

3.4.2 Please see CD 8.30 which lists all property interests which remain to be acquired for each Estate. In this schedule, I have set out key dates in terms of communications with the relevant homeowner, including the dates of all letters sent with an overview of what these letter related to.

### 3.5 Conclusion

3.5.1 I consider that Clarion has gone to a great deal of effort to engage with homeowners and to create a generous offer which reflects the feedback from homeowners. Clarion has been open to buying back interests across the Estates from the start and have been open and fair in our negotiations. This is reflected in the progress that has been made in acquiring the interests to date. Our team has worked hard to acquire back as many interests as possible through negotiation and this is evident in the figures. On the Eastfields Estate, we have had successful negotiations with the majority of resident homeowners and are expecting to complete on a number of transactions before the date of the Inquiry. This has been a complex task. On the High Path Estate, the majority of homeowners have moved to a new home or taken the decision to move away from the Estate. We had fewer homeowners on the Ravensbury Estate and most of them have opted to move away, with only one interest left to acquire.

3.5.2 I do not believe that the Scheme could progress without the CPOs. In respect of the Eastfields Estate, we have non-resident homeowners

within Eastfields Phase 1 (and who are subject to the Eastfields CPO) who have not engaged with us and it is essential that we acquire those properties so that the long awaited regeneration can continue. In respect of the High Path Estate, we have remaining resident and non-resident homeowners who have not engaged with the buyback process and it is also essential we acquire those properties. Despite extensive attempts, we still have two homeowners left in High Path Phase 2 and we currently have a tower block of 66 flats left with just one homeowner outstanding. Without the acquisition of those interests we cannot proceed with the necessary demolition for the regeneration to progress. On the Ravensbury Estate we have one interest left to acquire and we have not yet reached agreement on this albeit we are close to concluding this matter.

## 4 RESPONSE TO OBJECTORS

### 4.1 Introduction

In this section I have set out my responses to the objections received in respect of the CPOs. Please note that my responses should be read alongside the responses provided by Clarke Vallance and Tara Butler who have also addressed some of the objections.

### 4.2 Eastfields CPO

Whilst three objections were received in respect of the Eastfields CPO, they have all been withdrawn. Consequently, I do not address these objections within my proof of evidence.

### 4.3 High Path CPO

#### 4.3.1 Objections dated 22 July 2022 and 19 August 2022 – 46 Priory Close

##### (a) Objection

General objection to the CPO advising that he will not sell under any circumstances (22 July 2022).

##### (b) Objection

Further general objection to CPO advising he will not sell under any circumstances (19 August 2022).

##### (c) Response

46 Priory Close is owned by a non-resident homeowner. The property is located in High Path Phase 7 and we are therefore not seeking to acquire the property at this time. I wrote to the objector on receipt of the objection to confirm this matter and to also explain that the property was included within the High Path CPO schedule as there was a possible Right of Light that we were seeking to acquire. Since the High Path CPO was made, further investigations have established that there are no Rights of Light at this property and so we have asked to remove property from the High Path CPO schedule (CD 8.5). We wrote to the homeowner in May 2023 to advise of this new information. We send out the newsletters and any relevant letters about the Scheme to all homeowners whether they live on the Estate or not. These have included phasing plans and so the homeowner is aware of when we are likely to seek to acquire his property.

We anticipate making a further compulsory purchase order for High Path Phase 7 as the Scheme progresses and will seek to acquire the property at that time. However, the homeowner is welcome to approach us for a valuation in the meantime and, as noted earlier, we are buying back properties across the Estate regardless of the phase. I further followed up with a letter in January 2024 to confirm the position and offer to discuss this as needed.

#### 4.3.2 **Objection dated 31 August 2022 - Flat 18, Gilbert Close**

##### (a) **Objection**

Concerns as Clarion have been renovating properties on the High Path Estate and moving in new residents from outside of the Borough including people from Eastfields when previous High Path residents had been informed that no transferring between estates would be allowed (which if offered to former residents of High Path would have been accepted).

##### (b) **Response**

The majority of residents have moved out of Becket Close and Gilbert Close and into the completed new homes in High Path Phase 1. This includes both tenants and resident homeowners. As we are not able to start the demolition of these blocks, it is not a good idea to leave them empty. There are risks of vandalism and squatting and the costs of an empty block are significant. We had a number of tenants on Eastfields on short term, assured shorthold tenancies (**AST**). They are not eligible to move into a new home in the regeneration, however they were living in properties that we needed to get back, either as they need to be demolished or we needed to use the property as temporary accommodation for permanent residents on the Eastfields Estate. As we had empty homes in Becket Close and Gilbert Close, the decision was taken to offer them another AST in these blocks. We have also had a number of residents who live on both the Eastfields and High Path Estates as 'Property Guardians'. Where we do not need a property for the AST tenants or other use, we then offer to the Property Guardian company who let the homes on licences. Again, this offers the benefits of keeping the property occupied but on a short term basis where we can move people out promptly when we need the property back for demolition.

(c) **Objection**

Within all properties that have been earmarked / identified for compulsory purchase it appears that the largest proportion of those identified are from predominantly a Muslim or South Asian background. Those who do not have English as their first language have not found the consultation process accessible, some residents have agreed that they would have had more input had they been extended the same courtesy and service by Newman Francis which the Tamil families in the High Path community received.

(d) **Response**

I strongly disagree that we have assisted some groups more than others. Newman Francis worked with us some time ago (approximately 2015 – 2017). Clarion has carried out a large number of consultation events and individual appointments with families in their homes or other suitable locations. We translate the newsletters and other key documents into other languages (currently 8 including Bengali, Mandarin & Farsi). Where necessary we also use interpreters for one to one conversations and several residents have used this service. We have carried out a full Equality Impact Assessment and have adopted measures to ensure we mitigate any disproportionate impacts.

(e) **Objection**

Concerned by the delay in communication from Clarion reporting vital changes e.g. timelines. Vulnerable people need to feel at ease with any transition that takes place, with help to understand what is happening and why rather than just a letter through the door.

(f) **Response**

We always aim to update residents in a timely fashion. Regeneration is a complex process to manage and there are often delays, some caused by internal changes but others imposed through external factors. We always offer a home visit, phone call or video meeting and work closely with vulnerable people to ensure they are fully supported. The Regeneration Manager is on the Estate every week and arranges appointments outside of working hours where necessary.

(g) **Objection**

Last year I received an email about a property that had been allocated to us but then in June I was told that it was no longer available for us and that it would be offered to the next eager leaseholder only to be told earlier this year that the property originally allocated to us was still available and waiting for us.

(h) **Response**

We originally wrote to the homeowners on 28 May 2020 and provided a design layout of the home that had been matched to them. We asked them to get in touch with us with any queries and to confirm acceptance of this plot. We followed up again in June and October with no response to calls and messages. We then wrote on 23 October 2020 to advise that another homeowner was interested in the ground floor property and could they confirm if they were interested in this by 30 October. One of the homeowners then contacted the Regeneration Manager on that date and explained he had been unwell and asked for an extension of time, this was granted and he was given a further two weeks until 16 November 2020. On this date, the homeowner emailed asking a number of questions. The Regeneration Manager responded the next day on all points. An email with further questions was sent on 23 November 2020 and this was responded to in full on 30 November 2020. This was followed up on 29 April 2021 when the Regeneration Manager emailed the homeowner asking if he had come to a conclusion about the property or had any further queries. He responded on 26 May 2021 to advise they had experienced bereavements hence his lack of response. However, he would like to get a valuation to understand his position further. The Regeneration Manager emailed him to confirm this would be set up and on 9 June 2021 wrote to advise that as the homeowner had not confirmed acceptance of the ground floor flat, she would offer that to another family who were interested in it, Clarion would now hold a property for him on the 1<sup>st</sup> floor. The Regeneration Manager noted that all the flats are level access. Having had over a year to consider the offer, it was not reasonable to hold the property for the homeowners any longer. Another family were keen to have a ground floor property and it was unclear if the homeowners were going to take up the option of a replacement home. At no point have we advised that this property is now available again. However, it remains the case that we are holding a 3 bedroom flat for the homeowners in High

Path Phase 1. This is a completed building and ready to move into.

(i) **Objection**

We requested a valuation in early 2021 but were told there was no one available to conduct one.

(j) **Response**

The homeowner requested a valuation in his email dated 26 May 2021. He was booked in for the next available valuation date which was 14 July 2021 and he was emailed on 26 June 2021 to confirm this. The Regeneration Manager responsible for buybacks then wrote to him on 2 August 2021 to advise that our surveyor was unable to gain access in July and advising that our next valuation date was 15 September 2021. The homeowner was asked to confirm if this was suitable. He emailed back on 6 September and asked if he could have a valuation appointment after 20 September to accommodate the particular needs of his family. The Regeneration Manager wrote back on 27 September 2021 to offer an inspection date of 30 September 2021. The homeowner wrote back to advise the family were now self-isolating and would be better to have an appointment in the first two weeks of November to accommodate his daughter's needs and his jury duty service. The Regeneration Manager emailed on 11 October to offer 3 November. As she received no response, she rang on 26 October and got no response. She therefore hand delivered a letter on 27 October. On 2 November the homeowner emailed to advise that a family member had tested positive for covid and so he needed to cancel. He stated he would contact Clarion when they were all clear to arrange a new appointment. Following receipt of the objection to the High Path CPO from the homeowner, he was offered an appointment on 26 October 2022 (via letter dated 7 October). I then emailed again on 24 October to see if this date was confirmed. As no response to this was received, he was then offered a date in December (via letter dated 30 November). Again, no response was received and so another date of 15 March 2023 was offered via email on 8 March 2023. I then agreed with Clarke Vallance of Savills that he would undertake a valuation of the property based on a kerbside inspection. In advance of this being sent to the homeowner, I wrote to him on 5 October 2023 to remind him of the terms of Clarion's Offer, confirm that we continue to hold a



property for him in Phase 1 of the regeneration and that he will hear shortly from Mr Vallance. Please see Mr Vallance's evidence for more details of this. The homeowner had not responded to any correspondence to date so I sent a further letter dated 11 December 2023 to ask if he had any further queries and to re-confirm our position and our current offer available to him. In total this objector has been offered 7 different dates for a valuation. He has either been unable to accommodate any of these dates or has failed to respond to the additional suggestions that he proposes a convenient date.

**4.3.3 Objection dated 15 July 2022 and objection dated 15 July 2022– Flat 18, Gilbert Close**

**(a) Objection**

Concerns regarding the timeframes associated with High Path Phase 3 as there have been ongoing renovation works to neighbouring properties of Flat 18 Gilbert Close and people from outside of the Borough have moved into the building since being made aware of the CPO plans and further that as new tenants are moving into the building concerns that the Developer is no longer planning to demolish the building. Comments were also raised regarding the accessibility of the consultation process and translation services.

**(b) Response**

The response to both of these objections has been set out in my response to the objection made by the other objector from Flat 18 Gilbert Close above.

**4.3.4 Objection dated 31 August 2022 - 8 Hudson Court and 22 Ryder House**

**(a) Objection**

Concerns (including of their tenants) that light to the properties will be obstructed due to the development and that there will also be lot of disruption, especially with regards to the natural light.

**(b) Response**

- i Please see the response in the proof of evidence from Tara Butler.

- ii On receipt of this objection I sent an acknowledgement dated 22 September 2023.
- iii Further investigations were carried out on the leases of the properties formerly sold under the Right to Buy within the High Path Estate and it was established that there was no right to compensation for loss of light within those leases. We then wrote to the property owners in May 2023 to advise of this.
- iv I then further wrote to them in January 2024 in regards to the disruption that may be caused by the development. I explained that we will take measures to limit the impact of the construction and these will be set out in the detailed planning application for the High Path Phase 3 regeneration. This will include set hours for operation, dust minimisation measures and a traffic management plan.

4.3.5 **Objections dated 12 July 2022 – 42 Abbey Road, 72 Abbey Road, 64 Abbey Road, 58 Abbey Road, 56 Abbey Road, 54 Abbey Road, 52 Abbey Road, 50 Abbey Road, 48 Abbey Road, 46 Abbey Road, 46 Abbey Road, 44 Abbey Road, 44 Abbey Road, 42 Abbey Road**

(a) **Objection**

Objection to the building which will replace Lovell House which currently sits at a height of 9.6 metres to the highest point of the main rooftop structure and at 18.6 metres away from the Abbey Road properties. The proposed development will reduce the gap between the properties to 14 metres and the height will be 10 metres. The Abbey Road properties were built in 1906 and the properties all face West and South-West and due to the age of the properties they do not have cavity wall (or other) insulation so in the cooler months the properties can be cooler inside so every moment of sunlight is essential. Our properties will receive reduced sunlight throughout the year if the property is brought forward and increases in height. The development will inevitably look straight into our homes. We already have to have either shutters, voiles or blinds to maintain any level of privacy due to how close the properties sit to the pavement, so we do not want to have to add to these further.

(b) **Response**

- i The objections were acknowledged individually on 4 October 2022. The owner of 42 Abbey Road emailed me on 14 October to note that she had not received an acknowledgment and was

surprised as she had co-ordinated the objection. She also noted that non-resident homeowners had been written to at the property address. I re-sent the acknowledgment which had gone to her via email and also sent copies of the acknowledgments to the postal addresses of the non-resident homeowners. I then emailed her on 1 November to advise that we had got an assessment of the impact on the Rights of Light completed by Avison Young and Savills would be writing to her (and other similarly affected) shortly to make the offer on our behalf. I also offered meeting with the residents of Abbey Road, ourselves, Avison Young and Savills.

- ii I had anticipated this letter would be going out shortly after 1 November but there was a significant amount of due diligence involved as there were a large number of properties that were receiving letters and it was important that all anomalies were ironed out. This meant I was unable to write again to the homeowner of 42 Abbey Road with a substantive update until 12 January when I confirmed the letters were going out and reiterated the offer of a meeting. The homeowner was unhappy with the delay and raised a number of queries about the handling of this matter. She also noted that the compensation offered was not acceptable. I responded to her queries on 20 January 2023. I received a further email dated 30 January 2023 where the homeowner explains she has been discussing possible dates with neighbours. She also stated that compensation is not what they are seeking. She noted some issues with making contact and therefore trouble meeting the deadline set. I responded to confirm that some residents have been in touch and I noted her comments and await dates for a meeting.
- iii The homeowner emailed again on 2 February 2023 as Clarke Vallance of Savills had been in touch with the homeowner of 72 Abbey Road and had shared information which the homeowner of 42 Abbey Road had not had sight of. I confirmed I was in the process of pulling together a pack of information that clearly showed the height and set back of existing homes on Abbey Road (Lovell House) and the height and setback of the new homes. This involved commissioning new drawings so was taking some time. The homeowner of 42 Abbey Road responded on 7 February to advise there was no point setting a meeting until the pack of drawings was available. I was able to send this over on 20 February. The homeowner then responded on 17 April 2023 to advise that 4 May at 7 pm had been agreed with the Abbey Road residents as a suitable date. I responded

on 20 April that this date looked possible, as Brian Ham, Project Director, could attend along with Clarke Vallance and we were awaiting confirmation from Avison Young. I also noted that there was an error with the original pack of drawings I had sent over. This has been rectified and I re-sent a corrected pack of drawings (CD 11.2).

iv We then booked a room in Harris Academy Wimbledon which is on High Path and very close to Abbey Road. The meeting went ahead and the homeowners then dealt directly with Clarke Vallance to progress matters.

(c) **Objection**

Properties on Dane Road should have been included in the Daylight, Sunlight and Overshadowing survey.

(d) **Response**

Avison Young carried out a comprehensive Rights of Light surveys and are confident there will be no impact from the new homes on Abbey Road on the Rights of Light in those properties.

4.3.6 **Objection dated 31 August 2022 – 23 Norfolk House, Nelson Grove Road**

(a) **Objection**

Wishes to claim for loss of light for both the present block constructed on to the South of Nelson Grove Road and the East of Pincott Road as the height, mass and colour has denied spring and autumn light into my kitchen and other west elevation windows, resulting in a need for additional electric lighting.

(b) **Response**

Following due diligence, as described earlier, it became evident that there was no right to compensation for loss of light to 23 Norfolk House due to the terms of the lease. We wrote to this objector in May 2023 to confirm this. This was also repeated in a letter sent dated 20 October 2023.

(c) **Objection**

Houses in Dowman Close and Hayward Close are being undervalued for their location compared with other nearby properties in SW19. This also applies to the dwellings on Pincott

Road- which while replacements have been indicated to be available the layout of such replacement again is not acceptable.

(d) **Response**

In line with established guidance, all valuations are carried out by a qualified member of the Royal Institution of Chartered Surveyors (RICS). If a homeowner feels that the valuation is not accurate, we pay the costs for them to obtain their own valuation carried out by a RICS member. If the two surveyors do not agree on value then they will discuss the evidence of comparable properties and generally come to an agreement. We have done this for a number of homeowners and come to a satisfactory conclusion. It is important to note that the surrounding streets to High Path are primarily formed of Victorian terraces. While the homes on Hayward Close and Dowman Close may be of a comparable size, they were constructed significantly later and form part of a social housing estate. Both of these factors reduce the value of the homes when compared to a Victorian terrace. Resident homeowners who live in a house are offered a new house to move into. These are not the same layout as the homes we are demolishing but are generous in size, have a pleasing appearance and offer all the benefits that have been discussed before including energy efficiency.

(e) **Objection**

Replacement dwellings proposed do not in all cases have such size and layout of accommodation including storage and circulating areas, and separated areas such as kitchens, which the likes of Covid-19 have shown that safe separation within family houses and unnecessary mixing in households and interruptions arising enabling working from home or study at home less practical to carry out. This observation also applies to many of the flat units in Marsh Court and others. Additionally, replacement flats not only are of an inappropriate and undersized layout, but have been built to a means that the likes of storage cupboards or shelves cannot be affixed to walls in reasonable locations.

(f) **Response**

We have a mix of homes, both open plan and with a separate kitchen. Some households prefer an open plan layout as it gives

flexibility to the space. The proposals put forward as part of the Extant High Path Outline Planning Permission and the outline planning application for High Path 4-7 comprise a sustainable mix of tenure and dwelling types and sizes in accordance with the aims and objectives of local, regional and national planning policies. Any development pursuant to these permissions must be in accordance with the Design Codes submitted as part of the applications, which stipulate that all units must comply with minimum space standards within the London Plan. All the homes have a significant amount of storage. However, tenants and homeowners alike are able to put up shelves or wall-mount cupboards as they see fit, our recommendations are that appropriate fixings are used depending on the wall construction.

**(g) Objection**

The Council may make a case that replacement properties are more energy efficient than those existing, but no figures as to heat loss through walls or windows as comparatives have ever been provided other than a mention that existing over window lintels are of a design that does not have an insulation sandwich that modern regulations demand – potentially leading to cold bridging – not something that I have noted in the properties fitted with double glazing to be significant problem itself in terms of damp or major additional demand for thermal heating. It should be noted that existing properties are generally double glazed, (or easy to do so at the owner's desire), loft insulated and all were built with brick and block cavity construction with later infill of insulation materials or for flats of a cast in situ concrete with brick sandwich externals (which is the same construction method the replacement flats have generally been made of).

**(h) Response**

The new homes will be built in line with existing building regulations and we have submitted an Energy Strategy for both High Path Phase 2 and Phase 3 planning applications. I provided copies of these to this objector for her to read and consider. These strategies set out our approach to energy efficiency and include detailed calculations to demonstrate this. The planning permissions have section 106 agreements which contain various conditions and obligations to secure sustainability standards in line with national, regional and local policies. There are a range of typologies of homes across the High Path Estate and it is not the case that all are well insulated.

Both the Ellis & Moore Consulting Engineers report of November 2010 (CD 9.1) and the Baily Garner LLP report of 2016 (CD 9.6) highlighted issues with damp and mould as well as cold bridging. The Baily Garner report also noted that residents were raising issues with the sound performance of the buildings. All of these matters are indicative of poor insulation.

(i) **Objection**

The Council may present a case as to the development enhancement of an area for demolition of houses that are only 40 years old built of substantial brick (and the photographic evidence submitted was deliberately misleading showing "missing" downpipes to building fronts).

(j) **Response**

The Statement of Reasons (CD 1.3) sets our analysis of the need for regeneration in section 4. There is no mention of downpipes. However this covers a number of reports which all identify a large amount of serious works required to the estate. It is worth noting that they also identify a significant proportion of homes have issues with damp, mould and condensation. We appreciate that some parts of the High Path Estate are not particularly old but we consider that the stock condition surveys demonstrate significant issues on the estate. Whilst incremental refurbishment works would improve the internal housing quality in the short to medium term, comprehensive regeneration and redevelopment was determined to be the most effective way of delivering long term sustainable Decent Homes.

(k) **Objection**

The development enhancement of itself can be questioned particularly with the insistence of public transport – which still in terms of work outside the area would depend either on an overcrowded tube line toward central London (which we know from covid and similar contagious diseases with uncertain long term effects, is no longer a good idea, or bus services which are slow to get to other destinations, and of course are inappropriate for the number of workers in the area whom use vans for their building / plumbing / electrical and waste transfer businesses or taxi and vehicle recovery owner businesses that are at present accommodated in the houses sought to be acquired.

(l) **Response**

We agree that there is a focus on public transport access as a key feature of the Estate – however we consider this to be a significant benefit considering the close proximity of South Wimbledon tube station, many bus routes and also mainline rail and tram links in the locality. This position is recognised as such by both the London Borough of Merton and the GLA. There will be parking available as part of the regeneration and access to this is prioritised for existing residents. Within the Extant High Path Outline Planning Permission and the outline planning application for High Path 4-7 are conditions and obligations to secure various mitigations and improvements, including highway improvement works, contributions towards bus stop improvement works, on-site cycle parking and car club obligations.

(m) **Objection**

Present proposals to acquire family (or multiple occupation) housing units for a replacement with large-flatted studio/1 bed blocks does give rise to the development authority getting a substantial development gain, which my understanding of the compensation system must be fairly and equitably shared with the existing holders of rights of occupation in the land, and this should be made specific in any decision you may come to.

(n) **Response**

Clarion strongly disagree with the assertion that we are replacing family sized homes with studio and 1 bed blocks. All existing residents who move into a new home, will find their new home is either the same size or larger than their current home (with the exception of any tenant who is significantly under-occupying their current home). Around 30% of existing tenants are overcrowded. We are replacing all the social rented homes on the estate as well as offering a replacement home to all resident homeowners who meet the conditions of Clarion's Offer and who wish to remain on High Path. This means we are building a mix of 1, 2, 3 and 4 bed homes for social rent and the private sale blocks are also a mix of 1, 2 and 3 bed homes. There are no studio flats planned on this Estate.



(o) **Objection**

It should be noted that present plans appear to be overbearing in height mass and scale along with loss of mature public realm and private garden trees, and also reduce significantly winter light to residential elements of properties on the North of Merton High Street, which are not addressed or mentioned in the CPO sought.

(p) **Response**

We have obtained outline planning permission for both Phases 2 & 3 of the development and this was the opportunity to raise concerns with height, mass and scale. We believe this to be at an appropriate level considering the other developments in the area and in line with Planning Guidance. Avison Young (although the relevant team later became 'Delva Patman Redler' – DPR) carried out a full review of the impact on Rights of Light of Phases 2 & 3 including all the properties on the north side of Merton High Street and also those in Hamilton Road, Hamilton Road Mews and Hardy Road. We have contacted all interest holders about their specific circumstances and have offered compensation payments where the impact warrants this. We are also removing some properties from the CPO schedule as we were initially very conservative in our initial estimations.

(q) **Objection**

Where a landowner suffers unnecessary disturbance or other loss of rights (right to light or other enjoyment) they may force the development authority to compulsorily purchase their property.

(r) **Response**

We understand this objection to refer to the service of blight notices and would note that we have not received one from the objector or from any other property owner affected by the High Path development. This continues to be the position as at the date of this proof of evidence.

(s) **Objection**

The site will give rise to development gain and the benefits of this should be shared with existing holders of rights to the land.

(t) **Response**

We have reviewed our offers to buy-back properties and rights and believe these accord with the CPO Guidance.

(u) **Objection**

The former leader of the Council as acquiring authority indicated during election hustings that the Council was dis-inclined to carry out compulsory purchase orders.

(v) **Response**

The regeneration of High Path is fully supported by the London Borough of Merton and this is evidenced by the reports that have been considered and approved at committee for the Scheme itself, as well as the making of the CPO. It is important to note that using compulsory purchase powers is a last resort and this is the case with this CPO.

(w) **Objection**

Notices on the lampposts contained an incorrect email address for the Planning Casework Unit.

(x) **Response**

i Our solicitors have reviewed this in conjunction with the Planning Inspectorate and have confirmed the notices contained all the required statutory information. Notwithstanding this, we apologise for the error made.

(y) In November the objector's granddaughter-in-law got in touch with Clarion to discuss moving to a new property. Her family have a power of attorney for her affairs and have discussed with her the possibility of moving early into a new home. This would be more accessible than her current home and offer more opportunities. Visits were arranged in December 2023 and January 2024 to view the available homes in Phase 1. It seems likely that the objector will opt to buy a new home in Phase 1 of the regeneration scheme and withdraw her objection.

#### 4.4 **Ravensbury CPO**

##### 4.4.1 **Objection from resident of the property (the First Objector) and objection from resident and freehold owner of the property (the**

**Second Objector) both dated 31 August 2022 - 217 Morden Road, Mitcham, CR4 4DJ**

**(a) Objection**

The First Objector has concerns of overcrowding as a result of their particular family circumstances. The First Objector wishes to remain within the Estate in Council housing, specifically within the Phase 2 area of the Ravensbury Estate, and has written to the Regeneration Manager to consider the objectors specific circumstances. The objector submitted the objection when a reply was not received from the Regeneration Manager.

**(b) Response**

I sent an acknowledgement to the objector on 7 October 2022 and asked him to advise if he had applied to join the housing register held by the Council. I noted that the Council have 100% of the nomination rights across Clarion's stock in Merton so we are unable to directly allocate a social housing property to him. As I did not hear further, I wrote on 20 December 2022 asking to set up a meeting to discuss this further. There was some discussion about dates (see detail below) and a meeting took place on 23 February 2023. During this meeting, the objector explained his situation and that he would like to move into a new home on the Ravensbury Estate, thereby living independently with his family but still close to his parents and existing support networks. I explained the position with regards to allocating social housing on the Estate and that we would not be able to agree this as part of our negotiations to remove the objection. I suggested he discuss further with the Council the possibility of joining the housing register and putting in an application for social housing. However I also noted that the Council operate a choice based lettings scheme so would be unlikely to be able to nominate him into a home on the Ravensbury Estate. We agreed to explore the possibility of releasing some equity from the new home that his father was due to move into which would enable him to invest this into a new home likely to be a shared ownership property. There was some discussion of this option via email and in April I proposed meeting in May to resolve this matter. I didn't hear back from the objector so followed up again in July and we tried to find a suitable date in July and August but with annual leave this wasn't possible. During this intervening period, our legal and finance team confirmed that a release of equity wasn't possible and so we sought to look at alternatives

to enable the objector to purchase a home on the regeneration scheme at Ravensbury. Mr Vallance had a phone call with the objector in September 2023 as we had not been able to fix a date. He explained the situation and as an alternative they agreed we would look into holding a shared ownership property for the objector to which he would have first refusal. There were no shared ownership properties within the plans for the Ravensbury Estate so I discussed this with senior managers who agreed to prepare a paper for approval for our internal governance to agree to flip a private sale property to shared ownership. Since then we have been discussing the terms of such an agreement and working through internal processes for sign off. I am confident we are close to agreement and will be able to agree a proposal which will enable the objector to have some comfort about future opportunities and therefore withdraw his objection.

(c) **Objection**

The Second Objector (being the resident and freehold owner of the property) is in agreement with the Scheme and the new proposed home. However, the objector's ground for objection are that they would like minor amendments to be made to the inside of the property.

(d) **Response**

I sent an acknowledgement via email on 7 October 2022 and asked for the objector to get in touch with me to clarify the extent and detail of the amendments that he would like to have done to the property. I did not hear back to this request so sent a letter dated 20 December proposing a meeting and suggesting some dates. The objector then responded on 3 January 2023 providing a plan showing some amendments and also detailed some additional items. He then proposed a date for the meeting. An appointment was made for 1 February but this was cancelled due to the objectors ill health. This was rescheduled for 23 February and a meeting took place in the offices owned by Clarion in Morden. During the meeting, the objector confirmed he wanted installation of a partition wall between the living room and the kitchen, extension of a glazed window / door to the full width of the living room, movement of a gate to 5-6m along the garden fence, installation of toilets with shower hose, addition of external electric sockets to front and rear of building and water points to front and rear of building. I advised after the meeting

that we would discuss these with the contractor and confirm following this meeting. The objector also raised issues with the windows and to see if this could be amended. I advised we couldn't change the number or design of the windows as this would affect the planning permission already obtained. However I provided the daylight / sunlight assessment noting that the buildings all passed BRE standards. I then responded on 23 March to confirm we could complete all the changes with the exception of the extension of the glazed window / door. This was because it was part of the planning permission. However I noted that the objector could change this himself post completion. I also sent the window schedule and drawings of the buildings so that he could see the size and location of the windows. I also provided details of the garden which had also been requested. We then made the offer of a cash settlement in lieu of changing the window / door at the rear of the building. There were some delays in moving forward with the agreement of this as the objection made by this objection is intertwined with that of his son which is more complicated to resolve. We were able to send a draft set of commitments over on 24 October 2023. I then spoke with the objector's son on 13 November 2023 and he clarified some points around the lump sum for his father. The objector's son then emailed on 17 November 2023 confirming some minor clarifications. We are now agreed on the terms for this objector. Once the terms are agreed with the other objector, we will be able to sign the Schedule of Commitments. We anticipate the objection will be removed once this is done.

**CONCLUSION**

As is explained above, I have been working on the Merton Estates Regeneration Programme since April 2022. My role has involved leading the frontline teams who work directly with the tenants and homeowners on the Estate and I have had a particular focus on leading the negotiations to acquire outstanding interests. Whilst negotiations have proved successful as a result of our strong offer, we consider that the use of compulsory purchase powers to acquire both the outstanding interests and the new rights to be necessary, as it is unlikely that we will be able to reach agreement within an acceptable timescale without the CPOs.

## 6 STATEMENT OF TRUTH AND DECLARATION

### 6.1 Statement of Truth

I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

### 6.2 Declaration

- 6.2.1 I confirm that my report has drawn attention to all material facts which are relevant and have affected my professional opinion.
- 6.2.2 I confirm that I understand and have complied with my duty to the inquiry as an expert witness which overrides any duty to those instructing or paying me, that I have given my evidence impartially and objectively, and that I will continue to comply with that duty as required.
- 6.2.3 I confirm that I am not instructed under any conditional or other success based fee arrangement.
- 6.2.4 I confirm that I have no conflicts of interest.
- 6.2.5 I confirm that I am aware of and have complied with the requirements of the rules, protocols and directions of the inquiry.



Signed: \_\_\_\_\_ Dated: 26 January 2024

**IONA MCCONNELL**