

**NOTICE OF CONFIRMATION BY AN ACQUIRING
AUTHORITY OF A COMPULSORY PURCHASE ORDER**

**THE LONDON BOROUGH OF SUTTON (ELM GROVE ESTATE) COMPULSORY PURCHASE ORDER
2024**

**TOWN AND COUNTRY PLANNING ACT 1990
THE ACQUISITION OF LAND ACT 1981**

1. Notice is hereby given that the Secretary of State for Housing, Communities and Local Government, in exercise of her powers under the above acts on 2 June 2025 confirmed the London Borough of Sutton (Elm Grove Estate) Compulsory Purchase Order 2024 (the “**Order**”) submitted by the London Borough of Sutton (the “**Acquiring Authority**”).
2. The Order as confirmed provides for the purchase of the land described in Schedule 1 hereto for the purpose of facilitating the carrying out of development, re-development and improvement on or in relation to such land consisting of a regeneration scheme comprising the provision of residential units, associated amenity and open space, new pedestrian and vehicular access, landscaping and new infrastructure that will contribute to the promotion and improvement of the economic, social, and environmental wellbeing of the Acquiring Authority’s area.
3. A copy of the Order as confirmed by the Secretary of State for Housing, Communities and Local Government and of the map referred to therein may be seen at all reasonable hours at:

Sutton Council, Civic Offices, St Nicholas Way, Sutton SM1 1EA and at the following web address:

[Compulsory Purchase Order - sutton.gov.uk](https://www.sutton.gov.uk/Compulsory-Purchase-Order)
4. The Order as confirmed becomes operative on the date on which this notice is first published. A person aggrieved by the order may, by application to the High Court within 6 weeks from that date, challenge its validity under section 23 of the Acquisition of Land Act 1981. The grounds for challenge can be that the authorisation granted by the Order is not empowered to be granted or that there has been a failure to comply with any relevant statutory requirement relating to the Order.
5. Once the Order has become operative, Acquiring Authority may acquire any of the land described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement of the effect of Parts 2 and 3 of that Act is set out in Schedule 2 below.
6. Every person who, if a general vesting declaration were executed under section 4 of the Act in respect of the land comprised in the Order (other than land in respect of which notice to treat has been given), would be entitled to claim compensation in respect of any such land, is invited to give information to Sutton Council, Civic Offices, St Nicholas Way, Sutton SM1 1EA about the person's name, address and interest in land, using a prescribed form. The relevant prescribed form is set out in Schedule 3 below.
7. The Acquiring Authority has a period of three years beginning with the date the Order becomes operative to serve a notice to treat or execute a general vesting declaration. The Order will become operative on the date on which this notice is first published.

SCHEDULE 1

LAND COMPRISED IN THE ORDER AS CONFIRMED DESCRIPTION OF LAND

The land particularised in the Order and identified on the map referred to in the Order, being land and buildings within an area of land of approximately 0.89 hectares and is comprised of the Elm Grove Estate and 216-220 High Street.

SCHEDULE 2 PART 1

FORM OF STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

Power to Make General Vesting Declaration

1. Once the London Borough of Sutton (Elm Grove Estate) Compulsory Purchase Order 2024 has become operative, the London Borough of Sutton (the “**Acquiring Authority**”) may acquire any of the land described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 (“the **Act**”). This has the effect, subject to paragraph 3 and 5 below, of vesting the land in the Acquiring Authority at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

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

Modifications with respect to certain Tenancies

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

service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

SCHEDULE 3

PART 2

FORM FOR GIVING INFORMATION

**THE LONDON BOROUGH OF SUTTON (ELM GROVE ESTATE) COMPULSORY PURCHASE ORDER
2024**

To: London Borough of Sutton
C/O Bevan Brittan LLP (Ref 102064.45/KL), Kings Orchard, 1 Queen Street, Bristol, BS2 0HQ.

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

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

Signed

[On behalf of]

Date

- (i) *In the case of a joint interest insert the names and addresses of all the informants.*
- (ii) *The land should be described concisely.*

- (iii) *If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given, eg name of building society and roll number.*

Date: 19 June 2025

**JOHN SCARBOROUGH
MANAGING DIRECTOR OF SOUTH LONDON LEGAL PARTNERSHIP
LONDON BOROUGH OF SUTTON**