

**Chrisp Street Regeneration Scheme**

**Frequently Asked Questions:**

**Section 203 of the Housing and Planning Act 2016**

**Q) What is Section 203 (s203)?**

This is a power that Local Authorities can implement under certain conditions to enable a development to get underway.

In this instance, s203 allows particular third-party property rights to be overridden if necessary, for the delivery of the Chrisp Street Regeneration Scheme – see attached plan.

It is important to note that the implementation of s203 by the London Borough of Tower Hamlets (“the Council”) does not change your entitlement to occupy your home or business premises. It does not mean that the Council will be taking possession of your premises, only that rights over the external areas identified may be affected. It also prevents parties with a property ownership interest on the site seeking an injunction to halt or delay the progress of the scheme.

**Q) I am a shopkeeper at Chrisp Street. What are the practical implications for me?**

Poplar HARCA (“HARCA”) and Chrisp Street Developments Ltd (CSDL) have been communicating with affected parties with regard to changes to your lease, in particular in relation to access to your store for deliveries and for your customers. If you have yet to reach an agreement with HARCA/CSDL, any rights of way that you currently enjoy will be overridden. However, the Council will expect HARCA/CSDL to agree a suitable management plan with you to maintain access to your shop for deliveries and customers during the construction period and on completion of the scheme.

**Q) I am a resident at Chrisp Street. What are the practical implications for me?**

The implementation of s203 is only relevant to the residents in the Festival of Britain properties in the northern section of the Chrisp Street Regeneration Scheme. Interim arrangements will need to be put in place for access to your property as the stairwells that

currently exist will need to be remodelled or replaced. Lifts are to be installed at no capital cost to you. A management plan will be developed by HARCA/CSDL to explain timelines and interim access arrangements.

**Q) What are Rights of Light Impacts?**

The implementation of the regeneration scheme will potentially affect the Rights to Light to some neighbouring properties around the site, these rights will be overridden by the use of the Council’s section 203 powers and where applicable this will be converted to compensation. Parties who believe to have an adverse impact are requested to contact Poplar HARCA’s Rights of Light consultant EB7 to carry out a property assessment. Please contact Jonathan Lonergan or Eliot Kerr on 0207 148 6290 or by email: Jonathan.Lonergan@eb7.co.uk / Eliot.Kerr@eb7.co.uk

**Q) Why is the Council engaging these powers?**

The Chrisp Street Regeneration Scheme is a strategic priority for the Council. As such, the Council has agreed with HARCA/CSDL to use all reasonable efforts to ensure that the development can proceed to provide a regenerated Town Centre with improved shops and services and much needed new homes.

**Q) Is this part of the Compulsory Purchase Order?**

While this power can be used in conjunction with a Compulsory Purchase Order (CPO) process, it can also be used under other circumstances. In this instance, the Council is implementing this power separately and in advance of its use of the CPO process to enable the development without further delay.

**Q) If I am affected, am I entitled to compensation?**

When the Chrisp Street Regeneration Scheme proceeds, these powers permit any affected third-party rights to be converted into a claim for compensation. To qualify for compensation, you would have to demonstrate that you have legal rights that have been overridden and that you have suffered loss as a result by way of ‘diminution’ in value to your property. This means that you would have to evidence that the value of your premises has been reduced as a direct consequence of the Council’s implementation of this power.

**Q) Will the Council fund support from professionals to help with a claim?**

No, the Council will not provide funding support. If you consider that you have a strong case for seeking compensation you should discuss this with a suitable solicitor or surveyor to get some initial advice. If you decide to proceed with a claim and are successful, you will be able to recover your costs as part of the compensation payment. If you are not successful, you will have to pay your own costs and those of your advisors.

You can use the Law Society ‘Find a Solicitor’ service at <https://solicitors.lawsociety.org.uk/> if you do not already have a solicitor.

You can use the Royal Institution of Chartered Surveyors service at: <https://www.ricsfirms.com/?_ga=2.186631534.678816869.1590574860-33987797.1590574860> if you do not already have a surveyor.

**Q) How long do I have to make a claim?**

You will need to make a claim for compensation within 6 years of the date that the section 203 powers are exercised.

**Q) Who do I contact at the Council for more information or to make a claim?**

Contact details if you require further information:

Monju Ali (Housing Regeneration)

Email: Monju.Ali@towerhamlets.gov.uk

Tel: 0207 364 2962

Jason Ofosu (Legal Services)

Email: Jason.Ofosu@towerhamlets.gov.uk

Tel: 0207 364 2648

**If you wish to find out more about the scheme proposals contact:**

Tony Draper (Poplar HARCA)

Email: Tony.Draper@poplarharca.co.uk

Tel: 07878 160306