

COMPULSORY PURCHASE **(Or an Englishman's home is not his castle)**

What is a Compulsory Purchase Order?

A vehicle for a statutory authority to acquire an interest in property without consent, but subject to paying appropriate compensation.

How Does It Work?

When a statutory authority wishes to compulsorily acquire land (Usually for Highway Improvements, Statutory Undertakings or Comprehensive Redevelopment), they announce that a CPO is to be sought and advise affected parties. People whose property is affected may lodge objections which are heard at a public inquiry, overseen by a Government Inspector. Once the Compulsory Purchase Order has been approved by the Government Minister, the statutory authority seek to acquire the interest in property, either by agreement or under the statutory powers invested.

What Compensation is payable?

The aim is to put the affected parties in the same position as if the Compulsory Purchase Order had not taken place i.e. they are paid the market value of their interest in the property, owner and occupier loss payments, plus further compensation for disturbance to reflect the cost involved in moving property, including loss of profits as a result. In some cases there may be compensation for total extinguishment where the proprietor is over 60 or the business can not be relocated.

Why Use a Surveyor?

The methods of assessing compensation are varied and specialised. Towler Shaw Roberts have been heavily involved in the proposed Summer Row (Wolverhampton) Compulsory Purchase Order which has affected over 200 owner/ occupiers over the last 3 to 4 years. It is important that they do not act or incur expenditure prematurely, as this may not be recoverable if the Compulsory Purchase Order does not eventually proceed, which is the current position with the Summer Row Development. Should you consider that your property may become, or is affected, by Compulsory Purchase and require further advice, please contact Philip Plant FRICS at the Wolverhampton Office of TSR on 01902 390833.