

Compulsory Purchase and Land Compensation

Our dedicated Compulsory Purchase and Compensation team specialise in all aspects of the compulsory purchase process. Our team is made up of expert lawyers in the fields of planning, real estate, dispute resolution and taxation, ensuring our clients receive a service tailored to their individual needs.

Whether you are a claimant seeking to recover compensation for the impact of infrastructure projects on your rights or a compensating authority with responsibility for such claims, our team provides a complete advisory service. We believe that the depth of our expertise is unparalleled and provides our clients with a market leading service.

Planning

With over 20 years of experience within the team we advise on the preparation of policy support for the use of compulsory purchase powers, drafting Orders and statement of reasons and formulation of grounds for objection. We project manage major inquiries, including the preparation of proofs of evidence and providing advocacy services where appropriate.

We handle all the legal formalities including drafting various notices and executing general vesting declarations and/or Notices to Treat. We can also advise in respect of legal challenges resulting from the confirmation of Orders.

We advise on the planning aspects of both compulsory purchase and compensation, including dealing with planning assumptions under the new legal provisions of the Localism Act 2011.

Our in depth experience in this specialist field means that we can assist on particularly complex and difficult cases including advice in dealing with blight and purchase notices.

Real Estate

Our specialist property lawyers are experienced in dealing with all types of agreement that flow from the CPO process. This includes drafting and negotiating indemnity agreements and collaboration agreements, as well as complex development agreements to secure the acquisition and development of land.

We offer a full land referencing service, carried out by ourselves or in conjunction with a land referencing agency. We specialise in dealing with CPOs involving complicated land ownerships and preparing orders to reflect these. We also advise on executing general vesting declarations, serving notices to treat, and notices of entry, organising advance payment documentation and negotiating operation agreements for statutory undertakers.

We advise on relocation packages, business continuity and securing premises in the newly developed site once the CPO process is complete. We work closely with our clients to gain an understanding of their circumstances and to enable them to decide on a course of action which best suits their needs.

We draft and negotiate Upper Tribunal contracts where the parties transfer legal title to land for an initial payment but reserve the right to refer the final compensation award for determination by the Upper Tribunal.

Why Squire Patton Boggs?

- With offices in London, Leeds, Birmingham and Manchester we operate as a single national team.
- Our specialist planning, real estate, litigation and taxation lawyers ensure an all-encompassing advisory service.
- We have a proven track record of running successful cases for both claimants and acquiring authorities in the Upper Tribunal (Lands Chamber).

Planning Services

- Compulsory Purchase Orders
- Major infrastructure projects
- Planning assumptions
- Objections
- Planning inquiry representation
- Regeneration projects
- Transport and Works Act Orders
- Development Consent Orders

Real Estate Services

- Land referencing
- Complex multi-party development agreements
- Collaboration agreements
- Development contracts
- Upper Tribunal (Lands Chamber) contracts
- Relocation agreements
- Advance purchase
- Land transfer negotiations
- Wayleaves and Easements

Litigation

Our dedicated dispute resolution team provides a complete advisory service in CPO cases, from strategic advice prior to acquisition through to determination in the Upper Tribunal (Lands Chamber). Our team has a wealth of experience of handling a broad array of CPO compensation matters, with a proven track record in handling cases in the Tribunal. We provide a complete advisory service in CPO cases, from strategic advice prior to acquisition through to determination in the Upper Tribunal (Lands Chamber).

We are also experienced in resolving disputes through alternative dispute resolution procedures such as mediation and explore such possibilities in every case. This can often be an effective means to resolve disputes and avoid lengthy and costly litigation proceedings.

Additionally, we provide expert advice in dealing with costs issues at every stage of the claims process. Our team includes an expert in-house Director for Costs who specialises in costs assessment proceedings and works with our clients to seek to limit costs risk both prior to and throughout formal legal proceedings. We take a flexible approach to funding and always explore available options for litigation funding and insurance products where appropriate.

Having recently acted in the very first case to apply new costs shifting rules in the Tribunal (*Dickinson v Network Rail*), we are uniquely placed to advise clients of the potential opportunities for parties to seek costs protection or costs capping orders to eliminate or reduce the potential risk of adverse costs orders being made against them in legal proceedings.

Litigation Services

- Comprehensive case management service
- Compensation negotiation
- Lands Chamber representation
- Witness Evidence
- Statements of Case
- Alternative Dispute Resolution
- Specialist costs advice
- Costs assessment representation

Recent Experience

- *Jumbuk Limited v West Midlands Passenger Transport Executive* [2008] R.V.R. 186
- *Stynes & Stynes v Western Power (East Midlands) plc* [2013] UKUT 214 (LC)
- The first major compensation case arising from the Olympics CPO - *Halpern, Galdwell, Clearun Limited & Dominion Tile & Mosaic Company Limited v Greater London Authority* [2014] UKUT 116 (LC)
- *Abbey Developments Limited v London Development Agency*
- *Solartrack plc v London Development Agency*
- *Macleod v National Grid Co Plc* [1999] R.V.R. 94
- *Dickinson v Network Rail Infrastructure Ltd* [2014] UKUT 372 (LC)
- Major housing regeneration scheme in Gosport of former MOD site as part of consortium including Homes & Communities Agency, Hampshire County Council and Taylor Wimpey.
- Major housing regeneration scheme at Chigwell for LB Redbridge. This includes acting for LB Redbridge in the negotiation of an indemnity agreement for the CPO costs with the private sector developer.
- Major retail regeneration scheme for Sheffield City Council in conjunction with Dransfield Properties at Stocksbridge.
- Major retail regeneration scheme for Manchester City Council on a site at Openshaw.
- Major town centre regeneration scheme at Workington.
- Major new highway scheme for Lincolnshire County Council.
- Acting for the LDA (and now GLA) on the disposal of land at the National Stadium, Wembley following its compulsory acquisition.
- Acting for the LDA in the acquisition of land at Silvertown Way by private treaty in parallel to the proposed compulsory purchase of the wider development site.
- Acting for Wingas Storage UK Limited in the compulsory purchase of an underground gas storage facility in Lincolnshire, including the compulsory acquisition of underground rights.