

**THE METROPOLITAN BOROUGH OF SOLIHULL
(SHIRLEY TOWN CENTRE REDEVELOPMENT)
COMPULSORY PURCHASE ORDER 2007**

SUMMARY PROOF OF EVIDENCE

OF

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For GC Shirley Limited of 15 Hockley Court, Stratford Road, Hockley Heath, Solihull, B94 6NW, a statutory objector to the Compulsory Purchase Order

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(Ref: DGC.132469.1)**

Inquiry into the Metropolitan Borough of Solihull (Shirley Town Centre Redevelopment) Compulsory Purchase Order 2007

Evidence of Stanley L J Edwards MBA FRICS

Summary

My evidence is based on experience and knowledge of the development process and in particular the CPO process. In recent years the focus has been on the requirements of diversity, sustainability and community engagement to ensure a more robust CPO process.

I have monitored the subject CPO scheme since October 2006 and have been asked to provide evidence in respect of standards appropriate to the CPO process as they apply here.

I have looked at seven areas which although dealing with individual topics do significantly impact on one another.

The first area looks at the approach to this evidence.

Second, I reviewed the appropriate empowerment confirming that the Town and Country Planning Act 1990 (as amended) is appropriate for delivering this CPO.

Third was a review of the exercise of authority by the Solihull Metropolitan Borough Council. It was necessary to investigate the contents of earlier Reports not individually listed (in particular Report 21st July 2005) to ascertain the scope of the intended works and their purpose.

Next, the Order Documents were considered by me. They are meant to encapsulate the scheme for the Order and present them in a way which would assist the public and interested parties in understanding the impact of the scheme. I consider that in many instances this was not achieved.

In reviewing the compelling case in the public interest it has to be considered in terms as to how the public in the form of the community were allowed to engage with the process of assessing sustainability in line with PPS1 and the impact of the 'well-being' factors. As no consultation took place in respect of the CPO process it could be said, in a number of instances, that the well-being of the community of Shirley was not uppermost in the minds of the acquiring authority.

Last in consideration and application of guidelines, I draw the Inspector's attention to the significant possibility that the Public Open Space was not dealt with in line with ODPM Circular 06/2004 in that it could be demonstrated that, in the knowledge of an imminent CPO scheme, the requirement to follow the procedure set out in Section 19 of the Acquisition of Land Act 1981 was not pursued. I believe that this is the case and that consequently an additional serious (and irretrievable) flaw has arisen.

Stanley L J Edwards
17 April 2008