OPDC
OLD OAK AND PARK ROYAL DEVELOPMENT CORPORATION

D DECISION – DD 17

Title: Residential Occupiers Vacant Possession Strategy

Executive summary

The OPDC Land Assembly and Relocation Strategy ("LARS") sets out the principles that OPDC will apply in engaging with existing owners and occupiers of land and property within the boundary of Old Oak. Much of the land required to deliver Old Oak is in public ownership with the remainder in private ownership. The LARS documents the approach to landowner and occupier engagement for the land in private ownership.

OPDC made The Old Oak and Park Royal Development Corporation (Old Oak) Compulsory Purchase Order 2025 ("the CPO") to facilitate delivery of the regeneration at Old Oak. OPDC is seeking to acquire the private interests within the boundary of the CPO but where this is not possible some interests may need to be acquired compulsorily to provide certainty, within a reasonable timeframe, that the land and rights required for regeneration will be available.

The CPO boundary includes a small number of residential properties located at Wells House Road and Victoria Terrace. OPDC has already acquired some of the required residential properties and will continue to acquire the others through private treaty wherever possible.

Where tenants are in situ, this document outlines how OPDC will secure the vacant possession of these properties, in a way that meets its commitment to support affected residential occupiers and minimise the disruption associated with the acquisition of their properties. This document seeks approval for expenditure of £100,000 over financial years 2026/27, 2027/28 and 2028/29 to achieve this.

Decision

That the Executive Director approves:

i. Expenditure of up to £100,000 across three financial years (2026/27, 2027/28 and 2028/29) to facilitate the vacant possession of residential properties at Wells House Road and Victoria Terrace.

Executive Director

I do not have any disclosable interest in the proposed Decision. It is consistent with OPDC's priorities and has my approval.

Signature: Gareth Blacker **Date:** 15/05/2026

PART 1: NON-CONFIDENTIAL FACTS AND ADVICE

1. Background and context

1.1 OPDC is proceeding with the acquisition of property at Old Oak to achieve the objectives of the Old Oak development project, in accordance with the Land Assembly and Relocation Strategy (“LARS”) approved by OPDC Board in February 2025.

1.2 The LARS sets out the principles that OPDC will apply in engaging with existing owners and occupiers of land and property within the boundary of the Old Oak regeneration area. It demonstrates how OPDC will act in accordance with the requirements of the relevant Government Guidance, whilst also recognising that inference with property rights can be unsettling and disruptive.

1.3 On 12 September 2025, OPDC made the Old Oak CPO which includes a small number of residential properties. OPDC is seeking to acquire these properties wherever possible outside of the CPO process and to secure vacant possession to enable the delivery of the Old Oak objectives. In accordance with sections 2.3 and 2.4 of the LARS (included at Appendix 1) OPDC will take steps to help those affected by the compulsory purchase proposal.

2. The proposal and how it will be delivered

2.1 OPDC has taken commercial and legal advice to estimate the expenditure required to secure vacant possession of the residential properties within the CPO boundary, once acquired by OPDC.

2.2 Based on this advice, the following is considered reasonable compensation for each of the properties to relocate to a new letting of a similar size and specification, that is commensurate to their current property, in the open market:

- Three months’ passing rent.
- Up to five weeks’ rent per tenancy (at 40% higher than each unit’s current rent) per tenancy over five weeks.

2.3 In addition, OPDC will provide the following:

- A ‘not before’ date (which is currently 31 December 2027). Tenants will not be required or expected to vacate their premises ahead of the not before date.
- Provision of advance funds, if required, for example a holding fee, deposit, or initial rent payment.
- Reimbursement of tenants’ full tenancy deposits once tenants have moved out.
- Close engagement with residents throughout the process, offering one-to-one meetings and phone calls, as requested.

2.4 Support from OPDC, or its managing agents, to provide assistance in the search for a suitable relocation property.

2.5 OPDC will issue a letter to applicable residential occupiers following its acquisition of the occupied residential properties. The letter will set out the details of the offer and inform tenants that the basis of their occupation has changed since their property has been acquired by OPDC and is required for development.

2.6 OPDC has appointed a ‘Residents Friend’, who is available to offer advice, guidance and support to those impacted by OPDC’s regeneration activities at Old Oak. The Residents Friend has issued contact cards to all affected residents at Old Oak and remains available to engage in dialogue at residents’ request.

2.7 If a tenant fails to vacate their premises on an agreed date, either by notice or other mutual agreement, any compensation provided is at ODPC’s absolute discretion.

2.8 If vacant possession of property cannot be secured in accordance with this proposal, OPDC may seek to obtain possession through the courts. Any litigation will be managed between OPDC, TfL Legal’s Commercial Disputes Team and external counsel.

2.9 A minimum notice period of four months shall be given to tenants to vacate their premises. Such notice may be served by OPDC at any time to align with the ‘not before’ date. The compensation referred to above shall apply once notice has been served on the tenants and shall remain valid throughout the notice period, unless extended or altered by mutual agreement.

3. Objectives and expected outcomes

3.1 The Old Oak development project will deliver approximately 8,000 new homes in a mix of housing types and tenures. The regeneration proposals also include the delivery of 150,000-200,000 sqm of new commercial and employment space, and new retail and cultural space. The development is located adjacent to the new HS2 station at Old Oak Common as well as having connections to the Elizabeth Line, London Underground and Overground services.

3.2 Acquiring sites for development through private treaty with local landowners is required for OPDC to progress a fully comprehensive and master-planned scheme.

4. Project governance and assurance

4.1 The Executive Director of Delivery will act as Senior Responsible Officer of the workstream. Day-to-day engagement with residents and stakeholders to obtain vacant possession at the residential properties in question will be led by the Senior Development Manager with support from a Project Officer and Project Support Officers.

4.2 Progress updates will be given to the Executive Director of Delivery regularly at bi-weekly meetings and at the monthly Delivery Programme Board. Overall progress on land acquisition and vacant possession is reported to OPDC’s Development, Investment and Sustainability Committee, OPDC Board and regular GLA quarterly reporting.

5. Risk, Issues and Opportunities

5.1

Risk description	Inherent score	Mitigations	Target score
Failure to reach agreement on compensation.	Likelihood: [3] Impact: [4] Total: [12]	OPDC will meaningfully engage tenants in accordance with the LARS and the strategy set out in this document. Funding has been allocated for OPDC to obtain possession via the courts if compensation cannot be reasonably agreed with tenants.	Likelihood: [2] Impact: [3] Total: [6]
Failure of tenants to vacate by the required date.	Likelihood [3] Impact [4] Total [12]	OPDC will use its ability to obtain possession via the courts under the Housing Act 1985.	Likelihood: [3] Impact: [1] Total: [3

6. Equity, Diversity and Inclusion Comments

6.0 Under Section 149 of the Equality Act 2010, as a public authority, OPDC must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.1

6.1 In carrying out this negotiation OPDC has followed the residential property process as set out in the approved Land Assembly and Relocation Strategy (approved by OPDC Board in 2025) and found at Appendix 1. OPDC will work collaboratively with occupiers to achieve a mutually agreeable vacation of the property that has included compensation.

[1] The protected characteristics and groups are: age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation and marriage/ civil partnership status. Fulfilling this duty involves having due regard to: the need to remove or minimise any disadvantage suffered by those who share a protected characteristic or one that is connected to that characteristic; taking steps to meet the different needs of such people; and encouraging them to participate in public life or in any other activity where their participation is disproportionately low. Compliance with the Equality Act may involve treating people with a protected characteristic more favourably than those without the characteristic. The duty must be exercised with an open mind and at the time a Decision is taken in the exercise of the OPDC's functions.

7. Other considerations

7.1 There are no other considerations that need to be considered in the taking of this decision.

8. Conflicts of interest

8.1 No one involved in the preparation or clearance of this Form, or its substantive proposal, has any conflict of interest.

9. Financial comments

9.1 The expenditure has been previously identified in budgets although it is not possible to allocate it to individual financial years given the nature of the negotiations.

9.2 Tax law confirms that these are capital payments given that they enhance the value of our asset per CG71262 of the HMRC Capital Gains Tax Manual, which says that 'If a landlord makes a payment to a tenant to procure the surrender of a lease, that payment will qualify as allowable expenditure under TCGA92/S38 (1)(b), provided that it is reflected in the state or nature of the property at the date of its disposal by the landlord.

10. Legal comments

10.1 OPDC is a Mayoral development corporation established under the Localism Act 2011 and is defined as a Mayoral development corporation for the purposes of Section 80(1) of the Housing Act 1985 (the "Housing Act").

10.2 The residential interests being acquired by OPDC are assured shorthold tenancies ("AST"). The change in landlord from the previous owners to OPDC has significant legal implications for the tenants occupying the respective premises under those ASTs. Under Section 79(1) of the Housing Act 1985, where a tenant of a property held under an AST becomes a tenant of a Mayoral development corporation, that tenancy ceases to be an AST and in certain circumstances converts to a secure tenancy. However, these ASTs will not qualify as secure tenancies due to Schedule 1, Paragraph 3 of the Housing Act which provides that a tenancy is not a secure tenancy if:

"the dwelling-house is on land which has been acquired for development and the dwelling-house is used by the landlord, pending development of the land, as temporary housing accommodation."

10.3 As OPDC was established to secure the regeneration of the Old Oak opportunity area and has acquired the relevant properties for the purposes of facilitating this development, the property is deemed to be temporary housing accommodation. As such, OPDC is entitled to serve a Notice to Quit to terminate the relevant AST at any time, providing (in most cases) a statutory minimum one months' notice as requiring the tenant to vacate the Property.

10.4 Following the expiry of any notice to quit served on a residential tenant, if they fail to vacate the property then possession proceedings can be issued seeking possession of the property on the above grounds.

10.5 Legal has advised that OPDC write to all residential tenants following acquisition of the relevant property to advise of the change in landlord and the change in the basis of the tenant's occupation.

11. Summary timeline

Activity	Date
Decision Paper Approval	April 2026
Current Vacant Possession ('not before') Date	31 December 2027

Appendices

Appendix 1: OPDC Land Assembly and Relocation Strategy.pdf

PUBLIC ACCESS TO INFORMATION

Information in this Form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA). OPDC aims to publish the Form within three working day of approval.

If immediate publication risks compromising the implementation of the Decision (for example, impacting a procurement process), it can be deferred until a specific date (when it will be published). Deferral periods are kept to the shortest length strictly necessary.

Part 1 – Deferral

Publication of this Part 1 is to be deferred: **No**

Part 2 – Confidential information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in or attached to any separate Part 2 Form, together with the rationale for withholding the information at this time.

There is a separate and confidential Part 2 Form: **Yes**

DECLARATIONS

Drafting officer(s): Aidan Fletcher Watts & Jacques Dhillon have drafted this Form in accordance with OPDC procedures, including for handling conflicts of interests, and confirm that: ☑

Advice: The Governance, Finance and Legal teams have commented on the proposal. ☑

CONFIRMATIONS

Section 106 funding: N/A

Review: This Decision was circulated for **Senior Review** on 20 April 2026.

Chief Finance Officer

Financial and legal implications have been appropriately considered in the preparation of this Form.

Signature: **Date:** 27/04/26