

## The CPA Survey on Health and Wellbeing in connection with Compulsory Purchase



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# The CPA Survey on Health and Wellbeing in connection with Compulsory Purchases



- Growing concern amongst compulsory purchase practitioners of the direct impact that the threat, use and implementation of compulsory purchase powers can have on the health and wellbeing of affected parties.
- **CPA Affected Parties Working Group** – cross-profession group focused on considering the impact of compulsory purchase on those affected and to consider suitable recommendations for reforms and best practice for CPO practitioners.
- First step to undertake comprehensive survey of CPA and other professional member organisations to gain a deeper insight.
- This is the first time such a survey focused exclusively on assessing health and wellbeing outcomes in relation to the compulsory purchase process has been conducted.

# The CPA Survey on Health and Wellbeing – Key Statistics

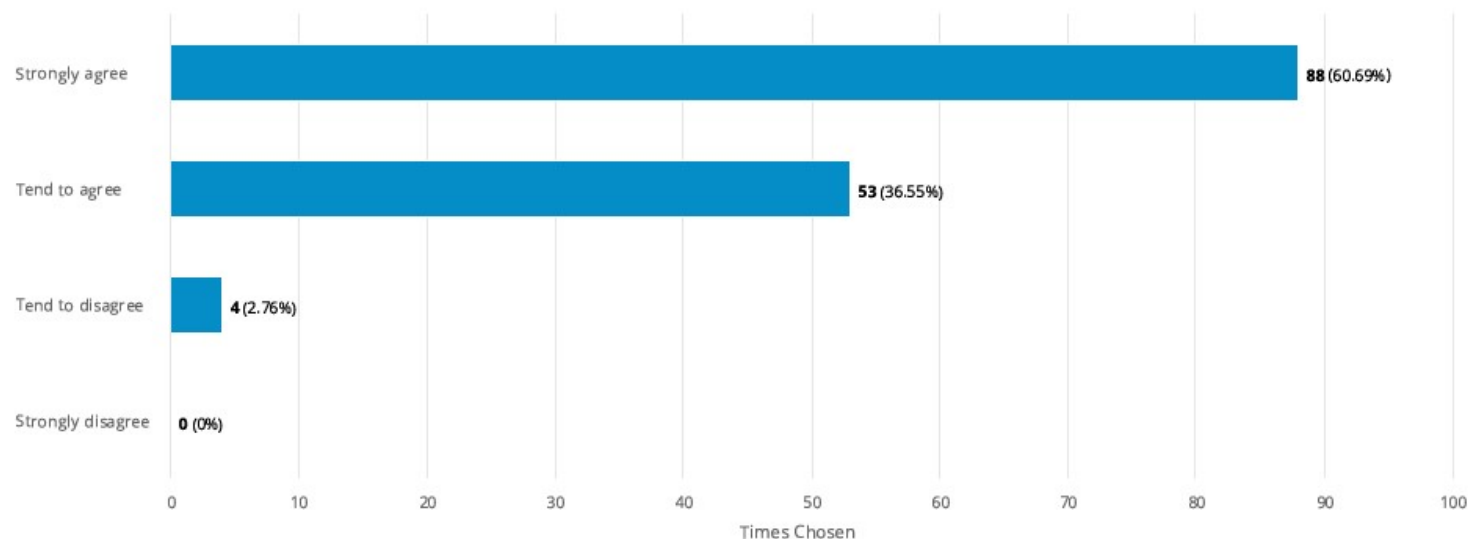


- The survey was open from 24 March 2022 to 22 May 2022.
- Survey sent to all CPA members and circulated by other member organisations including the Royal Institution of Chartered Surveyors, Planning and Environment Bar Association, National Infrastructure Planning Association and The Central Association of Agricultural Valuers
- Total of **124 people** completed **the survey**
- The overwhelming majority of responses were submitted by surveyors (**76.19%**).
- Respondents split fairly evenly between:
  - 42.86% employed by the Acquiring Authority;
  - 31.97% employed by Claimants; and
  - 26.53% employed by both equally.

# The CPA Survey on Health and Wellbeing – Summary of Responses



- To what extent do you agree that the **claimant** suffers high levels of anxiety and stress during a CPO process?



- **60.69%** strongly agree;
- **36.55%** tend to agree;
- **2.76%** tend to disagree; and
- **0%** strongly disagree.

## What do you feel are the principal contributors to a claimant's anxiety or stress?



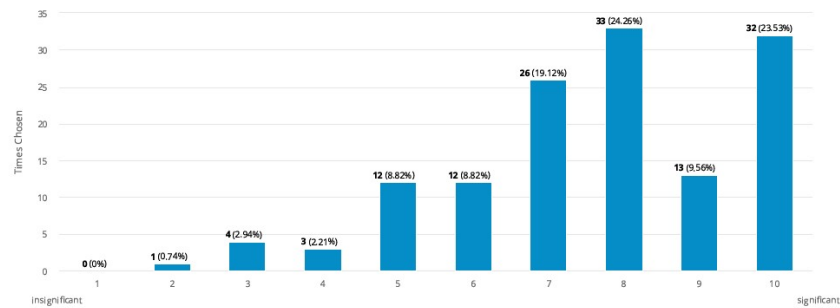
- **Uncertainty in the process** - in relation to the scheme timetable, quantum of compensation and why the CPO is required.
- **Inconsistency in implementation of CPO** - too many approval stages created long winded processes and a lack of compassion. Complex matrix organisations can lead to a claimant dealing with lots different people.
- **Quality of advice** – poor advice from agents who are often insufficiently experienced and do not properly outline the process.
- **Lack of control** - feeling of loss of control and powerlessness by the claimants.
- **Confidence in the system** - lack of information and approach of surveyors and a lack of trust. Lack of confidence in the compensation system.
- **Lack of communication** - delay in settling compensation claims, timescales generally and uncertainty created, too much of a “money” focus as the only way of settling loss.

# What do you feel are the principal contributors to a claimant's anxiety or stress?



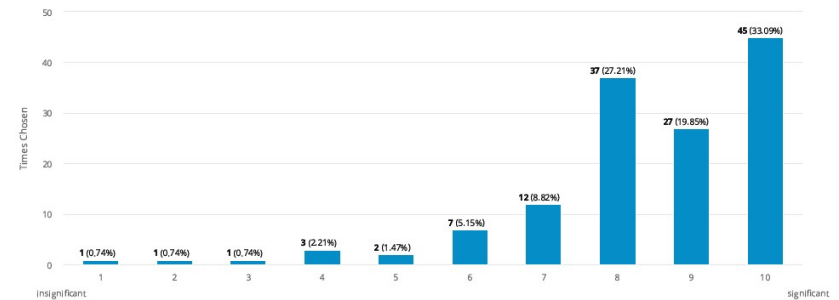
## A claimant's imperfect or incomplete understanding of the CP system

Number of responses: 136



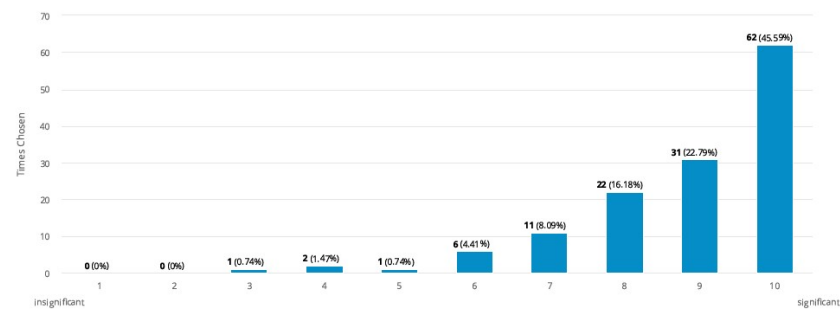
## The lack of a definitive CPO timescale

Number of responses: 136



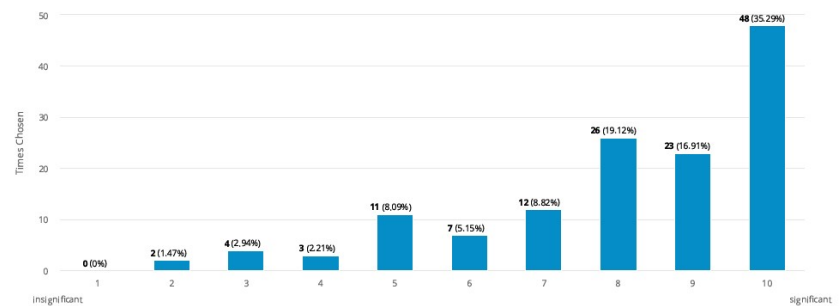
## A feeling of lack of control/influence over events

Number of responses: 136



## Uncertainty as to when compensation payment will become payable

Number of responses: 136



## Please tell us what are the principal contributors to this anxiety or stress?



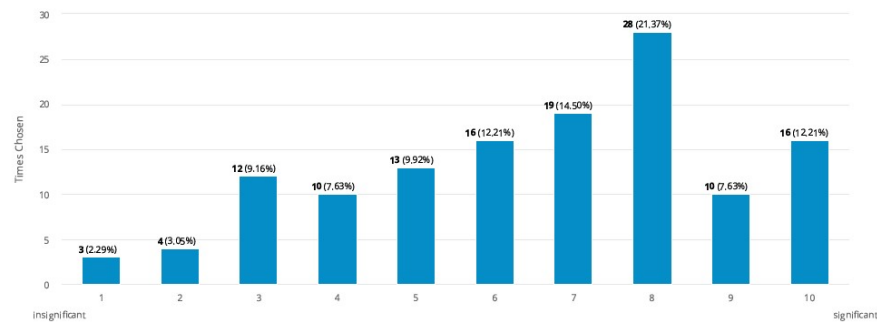
- **Lack of empathy with Claimants' situation** - Acquiring authority agents not fully understanding the impact and specialising in CPO and having no rounded knowledge of rural industry.
- **Adversarial approach** - Unreasonable and irrational approaches to negotiations by either party. Discussions and negotiations between surveyors are often unnecessarily adversarial. The hostile approach taken by many in the industry undoubtedly contributes to the difficulty in attracting and retaining talent in the CPO industry.
- **Claimant expectations** - Managing clients' stress levels and managing their expectations. When stress arises, it is invariably caused by ill informed and/or poorly advised claimants who have usually been given unrealistic expectations.
- **Limited dispute resolution options** - having no recourse other than the Upper Tribunal – acquirers using the Tribunal as a negotiating tactic knowing claimants can't afford it.

# Are there any other contributors to your own anxiety or stress levels?



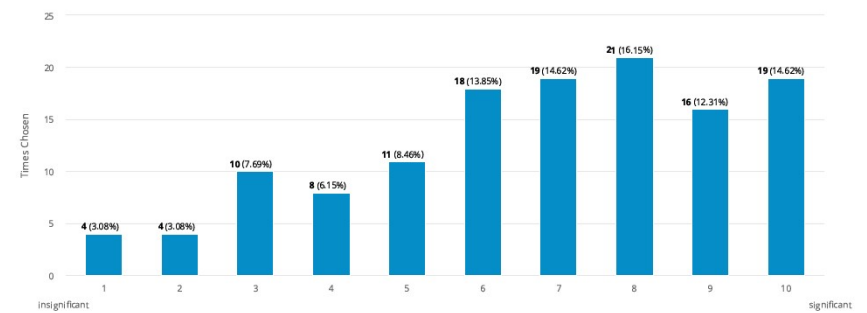
## Frequent exposure to anxious or stressed claimants

Number of responses: 131



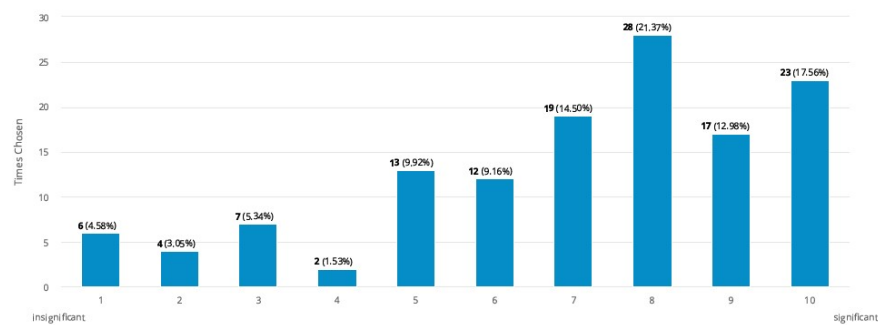
## Shortcomings or frustrations in the process

Number of responses: 130



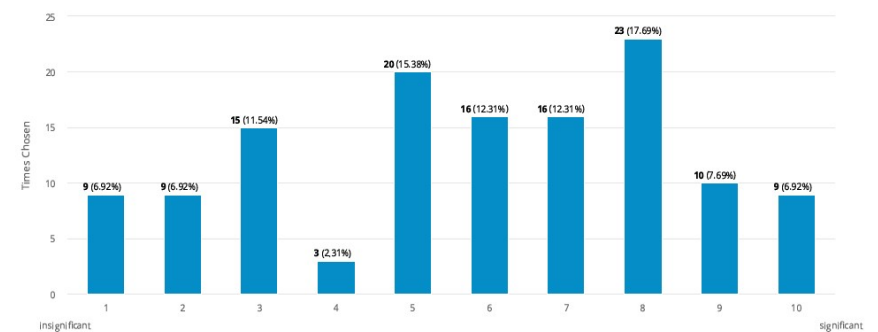
## The inability to provide parties with definitive answers

Number of responses: 131



## The lack of details regarding public work proposed

Number of responses: 130





## Are there any other contributors to your own anxiety or stress levels?



- **Challenges of delivering clear advice to claimants** - Residential, small business and farming businesses cannot cope with lack of detailed information on basic points such as access, services, timing which can be crippling.
- **Claimant behaviour** - Claimants asking the same questions in a different format to try to find fault. Experiences of threatening behaviour towards acquiring authority advisers due to stress.
- **Uncertainty with process and timescales** - the lack of certain timescale in most CPOs where you can be certain that the programme provided at the outset will not be delivered. Everyone involved in the project is frustrated by the delays.
- **Clarity of instructions** - changing or late instructions by acquiring authorities can lead to mixed messages for claimants. Acquiring authorities often have limited control over their contractors which can significantly exacerbate issues.

## What would you describe as the most positive aspects of the compulsory purchase/compensation assessment regime?



- **Public benefits** - the most positive aspect is that significant public benefits can be delivered whilst compensating claimants fairly
- **Proactive engagement** - Have acted on behalf of a private acquiring authority in the past who were much more proactive and informative in helping/working with claimants
- **Quality of practitioners** - the majority of surveyors are very knowledgeable and experienced. Legal support from either in-house resources, external legal companies and barristers is usually of a high quality
- **Effective communication** - Positive outcomes have been achieved when there is good communication and plans available from the acquiring authority and their agents.

## What changes would you like to implement to the process with the specific goal of reducing levels of anxiety experienced by claimants and others?



- **Improved Training** – for both Claimant and Acquiring Authority advisers to better understand the CPO process and best practice, including mental health issues.
- **Claimant engagement strategies** - require acquiring authorities to produce a strategy with their CPO to engage with owners and occupiers and to present positive protections for those being displaced. Introduce a protocol for acquiring authorities at an early stage to give periodic reports to potentially affected parties.
- **Minimum compensation commitments** - government guidance should encourage acquiring authorities to provide minimum compensation commitments
- **Better public information on CPOs** - Clearer public information about the process available to claimants, possibly on gov.uk or RICS website.
- **Regulation** – introduction of an overarching CPO Regulator.