

## The objector's perspective: opposing acquisition



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## Key objector points

- **Negotiation** – have reasonable steps been taken to acquire the land/rights by agreement?
- **Alternatives** – have alternatives to compulsory acquisition been fully explored, e.g. is there scope for securing the objectives of the order without recourse to compulsory powers?
- **Planning** – is there any reason to think planning permission might not be achievable for the scheme?
- **Funding / deliverability** – are all necessary resources likely to be available within a reasonable time-scale, and is the prospect of delivery reasonable?

## Other important objector points

- Has the authority complied with the **Public Sector Equality Duty** under section 149 of the Equality Act 2010?
- Has the authority justified an interference with the human rights of those affected by the compulsory acquisition?
  - **Article 1, Protocol 1 ECHR** – the right to peaceful enjoyment of possessions
  - **Article 8 ECHR** – the right to private and family life (engaged where acquisition would affect objector's home)
- Has the authority justified the need to acquire **all** of the land in the Order?

## Compelling case?

Can the acquiring authority demonstrate a “*compelling case in the public interest*” to justify compulsory acquisition?

# Thank you for listening

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