



Edward Payne & Veness  
16 Croham Road  
Croydon  
CR2 7BA

**Property Services**

**Direct Line** 020 7525 5626  
**Email** Patrick.McGreal@Southwark.gov.uk  
**Date** 11 December 2012

***Without prejudice***

Dear Mrs Veness

**49 CUDDINGTON WALWORTH**

We spoke about this property last week and I followed up our conversation with a letter dated 3 December asking if your client is prepared to enter into meaningful negotiations for the surrender of his leasehold interest. I am mindful that you advised this time last year terms were agreed but your client without explanation did not proceed with the surrender.

On 4 December 2012 I received the attached email from your client. This came as a surprise because as his instructed surveyor I would expect such correspondence to come from yourself. In accordance with standard professional etiquette I will not respond directly to your client but to you.

This email suggests to me that your client wants the consideration for his property established by way of mediation. My Council is generally supportive of mediation as a means of resolving disputes without reference to the formal court structure. However I do not consider mediation is appropriate for determining consideration under the compulsory purchase code. I am sure you will agree the application of the compensation rules is very complex and involves abstract concepts such as the *no scheme world*. There is of course a considerable amount of case law to which regard must be had. In the light of these technical complexities, the Council is of the view that if an amicable agreement cannot be reached the interests of both parties will be better served by a determination of the Upper Tribunal (Lands Chamber) rather than the use of mediation. As Mr Glasspool's professional advisor I shall be obliged if you will explain this to him.

I should however respond to you in respect of a number of points in your client's email appendix.