

Executive Decision Report

USE OF COMPULSORY PURCHASE POWERS – LEICESTER WATERSIDE - PHASE 1

Decision to be taken by: City Mayor
Decision to be taken on: 18 April 2016
Lead director: Andrew Smith

Useful information

- Ward(s) affected: Abbey / Fosse
- Report author: Brendan McGarry
- Author contact details: 37 2139
- Report version number: V1

1. Summary

The declaration of a Compulsory Purchase Order (CPO) is reserved to the City Mayor. This report seeks approval to declare and make a CPO to acquire any property interests and rights not already acquired, which are required for the proposed Leicester Waterside-Phase 1 Project as identified on the plan in the Appendix 1. Although negotiations are currently underway to acquire all the required property interests and rights by agreement, approval is sought to start the compulsory purchase process to acquire the identified property and rights and run it in parallel with the current negotiations.

2. Recommendations

It is recommended that:-

- 2.1 The City Council declare and subsequently make a Compulsory Purchase Order pursuant to Section 226 (1) (a) of the Town and Country Planning Act 1990, for the purpose of acquiring the land and rights identified in Appendix 1 (the Order Lands). This is required to carry out the development, redevelopment or improvement of the land to deliver the Leicester Waterside-Phase 1 Project.

The formal making of the Order will be subject to:

- The Council ensuring that all reasonable steps have been taken to acquire the required interests in the land by agreement.
- A resolution by Full Council to secure the necessary funding to carryout the CPO property interests and rights acquisitions and associated compensation claims and the subsequent infrastructure works
- The Council ensuring that satisfactory progress is achieved with a developer to undertake the scheme.

- 2.2 The City Barrister & Head of Standards be authorised to advertise the making of the Order referred to above and take all relevant action thereon to promote the confirmation of the Order and to prepare and execute all the necessary documentation required throughout the CPO process, including the acquisition of land and interests by agreement.

- 2.3 The Strategic Director City Development & Neighbourhoods, Regeneration & Culture be authorised to make any further decisions that are required in relationship to the making of the CPO

3. Supporting information including options considered:

3.1 Planning Policy and Outline Consent

3.1.1 The redevelopment and enhancement of the Waterside area, of which the Order Lands as identified in Appendix 1 form part, has been a long held ambition of the Council.

3.1.2 First identified in the 2002 Local Plan as a potential development site, the Waterside's regeneration credentials were further enhanced when the Local Plan adopted in 2006 identified the river and the canal as major city assets for the delivery of high quality residential-led mixed use development.

3.1.3 The need for comprehensive development was emphasised with PS07.Waterside stating:

“Planning permission will be granted for development that contributes towards a new comprehensive Waterside development in the vicinity of Frog Island. Development that frustrates delivery of this project will be resisted”.

3.1.4 Core Strategy Policy CS4 (adopted July 2014) identifies the Waterside area as a key intervention area within the Strategic Regeneration Area (SRA), with policy CS1 stating that 54% of all new residential development within the Leicester City administrative area is to be within the SRA. As well as a key location for new housing it is also the focus for physical change to provide *“the impetus for economic, environmental and social investment and [to] provide benefits from existing communities”*. To achieve these ambitions CS Policy 4 requires new development within the SRA to be comprehensive and co-ordinated.

3.1.5 In order to build on the core strategy and planning policies stretching back to 2002 the Council adopted a Waterside SPD in August 2015 which provides more detailed guidance on the Council's planning proposals for the Waterside area

3.1.6 The adopted SPD provided the context for the outline planning application (20151587) for the Waterside Phase 1-Scheme which was granted consent on 10/12/2015. This consent allows for up to 500 residential units, up to 5,500 sq.m of Commercial office space and up to 1,000 sq.m retail along with ancillary highway works, green infrastructure and matters relating to scale and layout.

3.1.7 Both the SPD and the planning consent 20151587 are now formal and approved and the date for any legal challenge through a Judicial Review has

now passed. Therefore on a planning basis, there is not any planning impediment to resolving to make a CPO for Leicester Waterside - Phase 1.

3.2 Reasons for the CPO

3.2.1 Section 226 of the Town and Country Planning act enables the City Council to acquire land compulsorily for “planning purposes”. Section 226(1) (a) allows these powers to be used if acquiring the land will facilitate the carrying out of the development, redevelopment or improvement on or in relation to the land being acquired and it is not certain that it can be done by acquiring through agreement. This is a wide power and is subject to sub section (1A) of Section 226 which provides that an acquiring authority must not exercise this power unless it thinks the proposed development: redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental wellbeing of the area.

3.2.2 The proposed Leicester Waterside-Phase 1 scheme, will contribute towards Leicester’s economic growth by leveraging in up to £25M of public funds to enable the comprehensive residential led transformation of approximately 7 hectares of land. This area currently does not make a sufficient contribution to the city’s financial, social and economic wellbeing given the vacant land and underutilisation of many plots as well as the poor condition of existing property stock. This site adjacent to the city centre and with an advantageous water frontage has been designated as a regeneration area for many years and this CPO will enable a comprehensive regeneration scheme to come forward.

3.2.3 The CPO will enable a scheme to come forward which will create up to 500 residential units, 5500 sq.m of offices and up to 1000 sq.m of retail as well as new public realm and improved accessibility, especially for pedestrians. The Council’s opinion is that the scheme is not viable unless the £25M of public funding through the Local Growth Fund (LGF) and the Leicester Economic Action Plan is available. Due to the multiple property ownerships in the area, the need for large scale demolition and remediation and the requirement for new infrastructure which addresses the site as a whole, it is not possible to see how the Council’s regeneration policies and aspirations for the area can be achieved in the short to medium term unless the site is acquired and subsequently redeveloped in a comprehensive manner.

3.2.4 The scheme when completed will significantly improve the City’s economic output as the new offices create net job gains when compared to the existing jobs on site at present. In addition there will be up to 500 new residential units adjacent to the city centre with the net additional spend this brings as well as the benefits created by the new retail element. The scheme will create improved public realm and access enhancements, especially for pedestrians. There will be improvements to existing roads and pavements and new canal paths to open up further access to the waterways. The proposals will maximise the site’s potential, create public open space and will be accessible, legible and sustainable. This will provide a safe environment and will have a beneficial impact on wellbeing.

3.2.5 Guidance is given on these issues and other concerns that the City Council should take into account in a . CPO powers should only be exercised where

there is a compelling case in the public interest. This is confirmed in the DCLG Guidance for CPO's issued in October 2015 "Compulsory Purchase and The Crichel Down Rules". Compulsory acquisition is usually a last resort, as the preference is to acquire by way of agreement wherever practicable.

3.2.6 Council Officers have contacted all the known freeholders and leaseholders occupiers affected by this scheme in an attempt to purchase the various interests required by agreement. Although negotiations are ongoing it might not be possible to reach a successful conclusion with all parties and the only way to progress the acquisition of all the property interests required for such a development is to undertake a CPO, which can be used as a last resort to acquire property interests.

3.2.7 The use of a successful CPO should enable the proposed development to proceed within an appropriate timescale. It should also be noted that the confirmation of a CPO can add impetus to secure negotiated settlements, as it brings certainty to the acquiring process. Please see Appendix 3 for a brief description of the CPO process and an indicative timescale.

3.2.8 It is difficult to ascertain how long it takes to obtain a confirmed CPO as the length of time to get a public inquiry and then to receive the final report is in the sole control of the Department of Communities of Local Government. A delay in the anticipated start date can be expected if the Council has to rely on CPO Powers.

3.3 The Economic Action Plan

3.3.1 The adopted Leicester Economic Action Plan – A plan for jobs and growth: 2012 to 2020, sets out the Council's strategy for investment in the City's economy up until 2020. Twenty priorities are listed divided into five strategic themes: Leicester to Work, Enterprising Leicester, Thriving City Centre, Growing City, Confident City.

3.3.2 In relation to Growing City there are four priorities:

1. Priority 11: Unlocking development opportunities to meet housing and business needs;
2. Priority 12: Delivering high quality, low carbon development;
3. Priority 13: Delivering efficient transport infrastructure;
4. Priority 14: Enabling world-class broadband infrastructure.

3.3.3 The Leicester Economic Action Plan (LEAP) identifies that growth of the City will be essential over the period to 2020 to meet the housing, education and employment needs of an expanding population and to allow businesses to expand and thrive. Strong and well planned sustainable growth will directly contribute to local economic success and job creation.

3.3.4 Priority 11: *'Unlocking development opportunities to meet housing and business*

needs' is directly relevant to the Waterside area. The LEAP states that the City Council has an important and proactive role to play in helping unlock and 'kick start' opportunities for development and will focus on supporting and enabling development at the Waterside and Abbey Meadows regeneration areas.

- 3.3.5 Priority 12: '*Delivering high quality, low carbon development*' recognises that providing the right type and quality of housing, in the right locations and at the right price the City can attract and retain workers and others with the right skills needed for a prosperous economy

3.4 Development Strategy

- 3.4.1. The approach taken will result in the site being in the control of one master developer who will enter into a Development Agreement with the Council. This approach is the traditional method of redeveloping sites of this nature and it allows the Council to contract with one party who have a track record of delivery and to enter into a development agreement which mirrors the Council's aspirations for this regeneration area. This method also affords the Council more control than the other traditional route, where land is sold, conditional upon planning been secured. Once the land is sold by this method, the only control the Council has is through the planning consent and the buyback clause if delivery is not completed by a certain date.

- 3.4.2 The Homes and Communities Agency (HCA) DPP2 panel route was chosen because it is understood by the development industry and has most of the large developers capable of delivering this scheme signed up to it. The chosen developers have already engaged in a OJEU compliant procurement exercise to be on the framework. As it has already gone through a successful OJEU procurement process, it takes considerably less time and fees than a full developer procurement starting from scratch. This is important as the Council's financial input into the scheme is time limited to the LGF funding deadline as described in the Financial Implications in 5.1 below. A long procurement process followed by the CPO process potentially could have exceeded the capital spend deadlines.

- 3.4.3 Currently the Council's developer procurement exercise is in the Invitation to Tender (ITT) stage with 3 parties and their final submissions should be received by 18th May 2016. The first developer clarification meeting was on Friday 11th March 2016 and the officers involved are confident there will be 3 tender submissions returned by reputable developers in line with the Council's vision for the Waterside.

- 3.4.4 It is expected that a preferred developer will be confirmed in June 2016 and the development agreement will be formally completed shortly after. The ITT document included a draft development agreement. This should ensure that an agreement can be reached relatively quickly with the developer once they have been chosen, especially as the ITT lasts 3 months and there is the ability for any issues on the development agreement to be clarified and resolved prior to the developer's final submission.

- 3.4.5 Therefore, with regards to the compulsory purchase and developer procurement, officers are confident an appropriate developer will enter into a

development agreement with the Council and that the procurement route chosen adheres to both UK and European Union law. The draft development agreement contractually obliges the developer to complete 100 residential units and 1858 sq.m (20,000sq.ft) of offices within 2 years of the Council taking possession of the site. This is to demonstrate the Council requires quick transformational change and the process would not allow a developer to undertake a land banking exercise.

3.4.6 The development agreement also requires the developer to take over the whole site, demolish all the existing buildings (unless there are any they specifically want to keep), remediate the land, and undertake various infrastructure works before December 2020. Local Growth Fund allocation will meet the cost of these infrastructure works and this creates the necessity to undertake all these works by the deadline of 2020. This is a further reason why a comprehensive and timely strategy of land acquisition is required and why a CPO is necessary.

3.4.7 It should be noted that the Order Lands Plan in Appendix 1 includes the Canal and river adjacent to the site. This is purely for access and crane over sailing, if required

3.5 Consequences on current owners and occupiers

3.5.1 There are forty five plots within the Waterside phase 1 that the council wish to acquire see Appendix 2 for a plan and a schedule of known interests. This needs the caveat that a formal referencing schedule is yet to be undertaken but it will be shortly. It will need to be undertaken before making the Order. Within these plots the Council owns or is under contract with the current owners on 26 plots, leaving 18 other freehold owners to acquire and fifty nine leasehold and licences interests. These figures will be updated once the formal referencing has occurred and before the formal order is made.

3.5.2 The majority of these interests are industrial/commercial/office uses. Before receiving confirmation of funding to develop Phase 1 the Council historically owned eight plots in the area mainly around Soar island, the corner of Northgate Street and Soar lane and Friars Mill. In the period from December 2012 to March 2015 the Council acquired a further ten properties (which amounts to 12 plots), which were the Friars mill and car park, the Ship Inn and the 7 HCA properties.

3.5.3 Since the approval of LGF funding was confirmed in summer 2015, the Council have been in active negotiations with twenty three freehold and long leaseholders and all known leaseholder and licensees have been contacted. The Council have agreed acquisitions of a further six properties with 5 due to complete this financial year. Following these acquisitions the Council own twenty seven interests, which equates to 66% of the site including adopted highway.

3.5.4 Many of the businesses are seeking new premises for their businesses. The Council has a relocation strategy for aiding those affected to secure relocations. A fortnightly schedule of available properties in the city and surrounding area is made available to affected businesses. Additionally all

local agents in the area are aware of the relocation requirements of the businesses affected and provide details of possible relocation properties that mirror requirements.

3.5.5 Section 6 of the Human Rights Act 1998 (paragraphs 1, 8 & 14) prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights (ECHR). Various convention rights may be engaged in the process of making and considering a CPO. It is considered that the Leicester Waterside-Phase 1 Scheme and the proposed CPO will not infringe rights under the ECHR.

3.6 Concurrent/Associated Procedures

In tandem with the Leicester Waterside – Phase 1 CPO, an application, if required once the final scheme is known will be submitted to the body for both temporary and if necessary permanent stopping up of highways in order to facilitate the carrying out of the scheme.

4. **Details of Scrutiny**

Economic Development, Transportation and Tourism Scrutiny Committee

Economic Action Plan- October 2014

<http://www.cabinet.leicester.gov.uk:8071/ieListDocuments.aspx?CId=741&MId=6515&Ver=4>

Waterside Supplementary Planning Document (SPD) Public consultation- January 2015

<http://www.cabinet.leicester.gov.uk:8071/ieListDocuments.aspx?CId=741&MId=6521&Ver=4>

Waterside Project Update- September 2015

<http://www.cabinet.leicester.gov.uk:8071/ieListDocuments.aspx?CId=741&MId=6937&Ver=4>

Economic Action Plan 2- December 2015

<http://www.cabinet.leicester.gov.uk:8071/ieListDocuments.aspx?CId=741&MId=6939&Ver=4>

5. **Financial, legal and other implications**

5.1 Financial implications

5.1.1 The Waterside development is a major regeneration scheme with a gross total cost of approximately £35m over 5 years. Of this, the Council expects to

receive some £20 million from the Government's Local Growth Fund via the LLEP (of which £9.2m is confirmed for 2015/16 and 2016/17) and has planned to set-aside some £5m from the Economic Action Plan (of which £2m has been formally confirmed). The £10m balance is expected to come mainly from earmarked land disposals.

- 5.1.2. The potential costs of making a CPO are in the order of £10 million, taking account not only of the process but particularly the land acquisitions that would result in the absence of pre CPO agreements for voluntary acquisition. This cost is part of the overall budget of £35 million.
- 5.1.3 The proposal is to resolve to make the order for a CPO. Before making a formal order, the Council must (amongst other things, see para 2.1), ensure that the necessary funding is first in place. A meeting of Full Council will subsequently be asked to confirm this.
- 5.1.4. The current funding package currently includes approximately £15 million which is not yet secured and which the Council would effectively need to underwrite/guarantee upon the making of a CPO. This includes £10.8 million of Local Growth Fund from years 2017-18 to 2019-20 which is only confirmed annually (but about which there is a high level of assurance from Government), and also £3 million from the Economic Action Plan from 2017-18 onwards (which is reliant upon sufficient resources being allocated to fund the Plan).
- 5.1.5. Progress in acquiring sites voluntarily has been good in the current year. It is expected that the current year's grant allocation of £5.5 million will be fully spent.

Nick Booth
Principal Accountant ext 4063

5.2 Legal Implications

- 5.2.1. In making a CPO and commencing the compulsory purchase process, the Council will need to be able to satisfy the Secretary of State that there is a compelling case in the public interest for the proposed compulsory acquisition, in accordance with DCLG Guidance for CPO's issued in October 2015 "Compulsory Purchase and The Crichel Down Rules" The more comprehensive the justification that an authority can present, the stronger its case is likely to be. In demonstrating its justification, the acquiring authority should provide as much information as possible concerning the resource implications both of acquiring the land and implementing the scheme for which the land is required, as well as having to demonstrate that there is a reasonable prospect of the scheme going ahead and that it is unlikely to be blocked by any impediments to implementation (such as the grant of planning permission). In proceeding with a CPO, the Council will need to have regard to the requirements of the DCLG Guidance.
- 5.2.2 Although the compulsory purchase process is intended as a last resort, once

attempts to acquire by agreement fail, an acquiring authority should consider when the land it is seeking to acquire will be needed and, as a contingency measure, should plan a compulsory purchase timetable at the same time as conducting negotiations. It is essential that the acquiring authority keeps any delay to a minimum by completing the statutory process as quickly as possible and that the authority should be in a position to make, advertise and submit a fully documented order at the earliest possible date after having resolved to make it. The authority should also take every care to ensure that the Order is made correctly and under the terms of the most appropriate enabling power.

- 5.2.3 The Secretary of State has to be satisfied that the statutory procedures have been followed correctly, even in respect of an unopposed order, and to be satisfied that no-one who has been or will be substantially prejudiced as a result of a defect in the order, or by a failure to follow the correct procedural requirements. Authorities are therefore urged to take every possible care in preparing compulsory purchase orders. The Council will continue to seek advice from the Council's advisors to ensure that all appropriate steps are adhered to and DCLG Guidance followed during the compulsory purchase process. It should also be noted that where the Council embarks upon the compulsory purchase procedure, the liability to acquire statutorily blighted properties could arise immediately.
- 5.2.4. As compulsory purchase proposals will inevitably lead to a period of uncertainty and anxiety for the owners and occupiers of the affected land, it is essential that the acquiring authority keeps any delay to a minimum by completing the statutory process as quickly as possible (as directed by Government guidance). The authority should also take every care to ensure that the Order is made correctly and under its terms of the most appropriate enabling power.
- 5.2.5. As explained in Paragraph 3.3.5, the Human Rights Act 1998, and in particular the provisions of Articles 8, 14 and Article 1 of the First Protocol of the European Convention on Human Rights (ECHR) prohibits public authorities from acting in a way which is incompatible with the ECHR. Various convention rights may be engaged in the process of making and considering a CPO. It is considered that the Leicester Waterside-Phase 1 Scheme and the proposed CPO will not infringe rights under the ECHR.

John McIvor
Principal Lawyer Planning, Property and Highways Team Ext 371409

5.3 Climate Change and Carbon Reduction implications

Regeneration of the Waterside area will result in the replacement of numerous old industrial and commercial buildings with new residential and workspace buildings built to modern environmental standards. The regeneration will also provide considerable transport infrastructure improvements. Both of these will help to reduce city-wide carbon dioxide emissions and promote progress towards the council's target to reduce emissions to 50% of the 1990 level by 2025/26.

Louise Buckley
Senior Environmental Consultant – Climate Change Ext 37 2293

5.4 Equality Impact Assessment

The equality impacts of the schemes within the programme and mitigating actions will be considered during the development of schemes and individual EIAs will be produced as appropriate

5.5 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

6. Background information and other papers:

None

7. Summary of appendices:

Appendix 1 - Plan of area to be acquired – The Order Lands
Appendix 2 – Plan of plots and schedule of interests
Appendix 3 - CPO process

8. Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?

No

9. Is this a “key decision”?

Yes

This decision is not a key decision on financial grounds as this report does not commit the Council to spending monies which will be incurred when the CPO is made. As stated in the recommendations and the Financial Implications prior to making the CPO a full Council Decision will be required to underwrite the costs of the CPO.

However, under Article 6 of the Constitution a key decision is required for the following grounds:

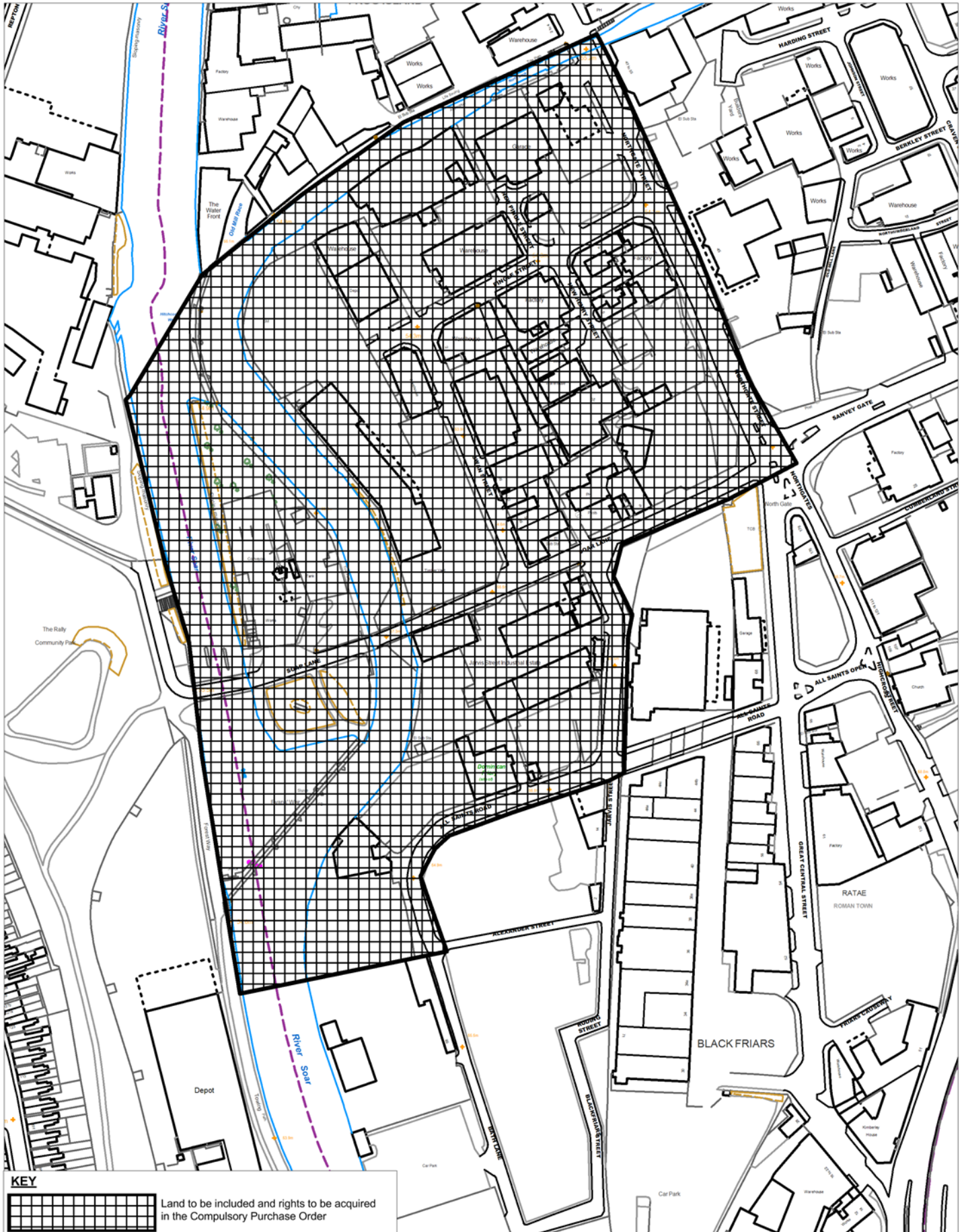
“In deciding whether a decision is significant the City Mayor will take into account

- *Whether the decision may incur a significant social, economic or environmental risk.*
- *The likely extent of the impact of the decision both within and outside of the City.*
- *The extent to which the decision is likely to result in substantial public interest.*
- *The existence of significant communities of interest that cannot be defined spatially in determining whether a decision is key.”*

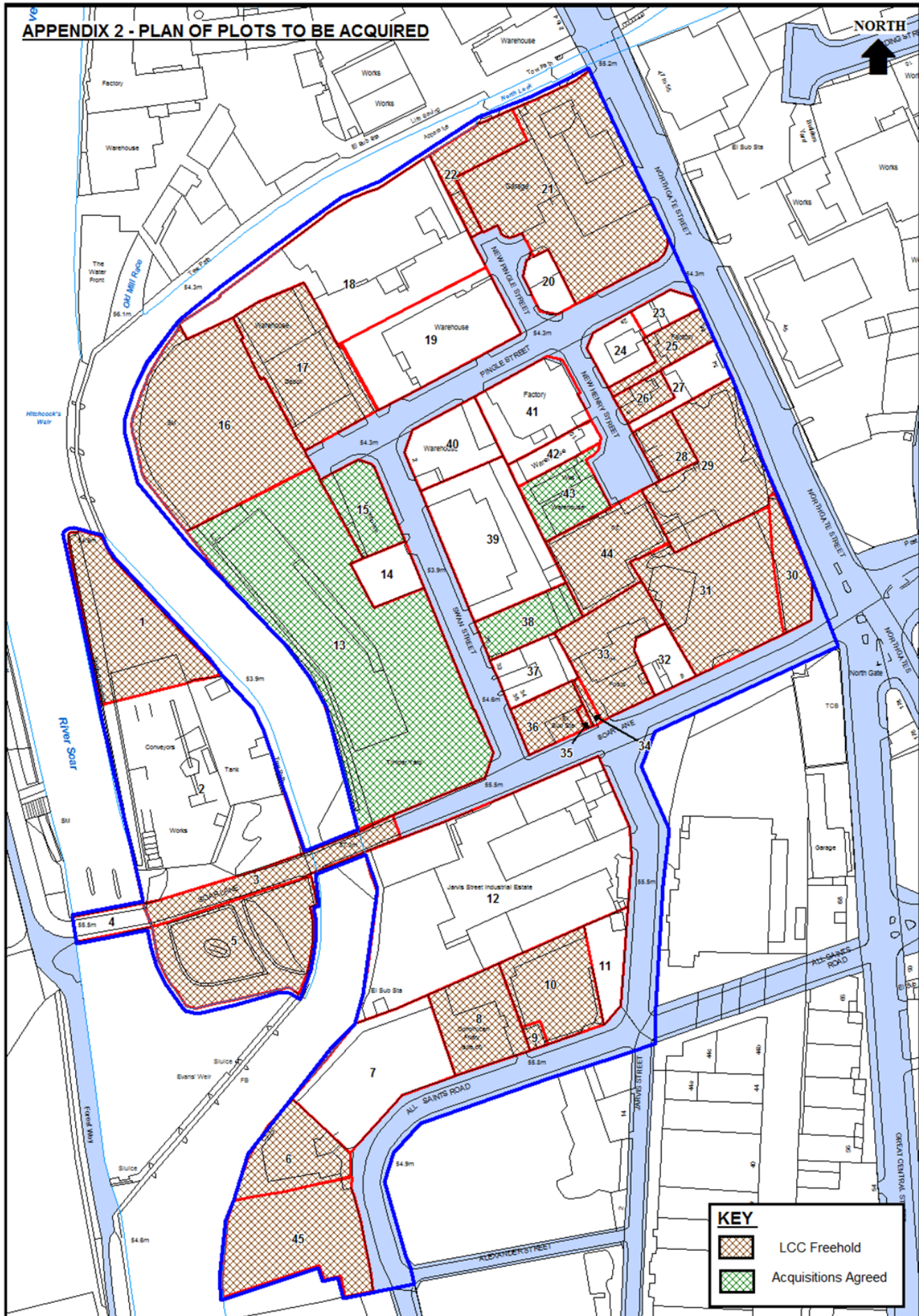
It is felt that under these grounds this report constitutes a key decision.

Appendix 1.

Waterside Compulsory Purchase Order - The Order Lands



APPENDIX 2 - PLAN OF PLOTS TO BE ACQUIRED



KEY	
	LCC Freehold
	Acquisitions Agreed

BASED UPON THE ORDNANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF HM STATIONERY OFFICE. CROWN COPYRIGHT RESERVED. LICENCE No. 100019264

DRAWN BY MH PLAN No Appendix 2
 CHECKED BY BMG DATE 18/3/2016

SCALE 1 : 1250
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DIRECTOR OF INVESTMENT
 LEICESTER CITY COUNCIL

APPENDIX 2- SCHEDULE OF PLOTS TO BE ACQUIRED

Plot number	FH/LH	Address	Interest
1	FH	N/A	LCC
2	FH	Soar Lane, LE3 5DE	Pinemill Ltd
2	LH	Soar Lane, LE3 5DE	Hope Ready Mixed Concrete Limited
3	FH	N/A	LCC
4	FH	N/A	Unregistered believed to be LCC
5	FH	N/A	LCC
6	FH	Dekton Components, All Saints Road, LE3 5AB	LCC
7	FH	All Saints Road, LE3 5AB	B Eden and J Eden
8	FH	Gethin House, All Saints Road, LE3 5AB	LCC
8	LH	Gethin House, All Saints Road, LE3 5AB	Posinstall Ltd.
9	FH	N/A	LCC
9	LH	Mandy's Snack Bar, All Saints Road, LE3 5AB	R Herring and M Herring
10	FH	N/A	LCC
11	FH	All Saints Road, LE3 5AB	Charles Street Buildings (UK) Ltd
11	LH	All Saints Road, LE3 5AB	A Caratella and Y Caratella
12	FH	Jarvis Street Industrial Estate, LE3 5BN	Jamie Lewis Residential Lettings Limited
12	LH	Unit 1 & 2a Jarvis Street, LE3 5BN	End of Life Centre Ltd.
12	LH	Unit 2B Jarvis Street, LE3 5BN	Vacant
12	LH	Unit 3 Jarvis Street, LE3 5BN	Mr A G Needham
12	LH	Unit 4 Jarvis Street, LE3 5BN	Mr N Anderson
12	LH	Unit 5 Jarvis Street, LE3 5BN	Mr L Brunka
12	LH	Unit 6 Jarvis Street, LE3 5BN	Gaz Autoschool (Education and Training) Ltd.

12	LH	Unit 7 Jarvis Street, LE3 5BN	Mr T Bhojani
12	LH	Unit 8 Jarvis Street, LE3 5BN	Mr H Mitchell
12	LH	Unit 8-9 Jarvis Street, LE3 5BN	Mr P Raeziewicz
12	LH	Unit 11 Jarvis Street, LE3 5BN	Mr M Bale
12	LH	Unit 11a Jarvis Street, LE3 5BN	Mr M Bale
12	LH	Unit 11b Jarvis Street, LE3 5BN	Mr H Hussain
12	LH	Unit 12 Jarvis Street, LE3 5BN	Mr L Lorache
12	LH	Unit 13 Jarvis Street, LE3 5BN	Mr I Kudko
12	LH	Unit 13A Jarvis Street, LE3 5BN	Mr B Jones
12	LH	Unit 13B Jarvis Street, LE3 5BN	Impulse Electrical
12	LH	Unit 13C Jarvis Street, LE3 5BN	Mr M Pavlov
12	LH	Unit 14 Jarvis Street, LE3 5BN	Mr P Rowe
12	LH	Unit 15-16 Jarvis Street, LE3 5BN	Mr M Sharp
12	LH	Unit 17 Jarvis Street, LE3 5BN	Mr F Hana
12	LH	Unit 17A Jarvis Street, LE3 5BN	Mr F Hana
12	LH	Unit 18A Jarvis Street, LE3 5BN	Gaz Autoschool (Education and Training) Ltd.
12	LH	10 Jarvis Street, LE3 5BN	Ms. T Brett
12	LH	Unit 17a Jarvis Street, LE3 5BN	Ms. D Bamford
13	FH	17 Swan Street, LE3 5AW	Travis Perkins (Properties) Limited
14	FH	Car Park	Spring Educational Society
15	FH	1 Swan Street, LE3 5AW	James Hay Pensions Trustees Limited
15	LH	1 Swan Street, LE3 5AW	Premier Frames
16	FH	N/A	LCC
16	LH	Swan Street, LE3 5AW	Travis Perkins (Properties) Limited
17	FH	N/A	LCC
17	LH	Pingle Street, LE3	Decormax Limited

		5DB	
18	FH	New Pingle Street, LE3 5AJ	Frisco Limited
19	FH	Pingle Street, LE3 5DB	Nortons
20	FH	1 Pingle Street, LE3 5DB	Hurst Automotive
21	FH	N/A	LCC
21	LH	60 Northgate Street, LE3 5BY	East Midland Vans Limited
22	FH	N/A	LCC
23	FH	40 Northgate Street, LE3 5BY	Forward Microsystems
24	FH	Unit 1 Leicester Shoe building, 4-8 Pingle Street, LE3 5DB	Leicester Taxis
24	LH	Unit 3 Leicester Shoe building, 4-8 Pingle Street, LE3 5DB	JA Allen Shoes Limited
25	FH	38 Northgate Street	LCC
25	LH	38 Northgate Street	Martial Arts Academy
25	LH	38 Northgate Street	Mr J W Bird
26	FH	9 New Henry Street, LE3 5AP	LCC
26	LH	9 New Henry Street, LE3 5AP	Ms. M Panayi
27	FH	34 Northgate Street	Ms. K Thobani and Mr J Thobani
27	LH	34 Northgate Street	Digital Print Leicester Limited
27	LH	34 Northgate Street	UK Thermal Limited
28	FH	New Henry Street, LE3 5AP	LCC
29	FH	N/A	LCC
29	LH	12-32 Northgate Street	J Coates (Contract Hire) Ltd
30	FH	N/A	LCC
31	FH	N/A	LCC
31	LH	5 Soar Lane, LE3 5DE	Yug Chemicals
32	FH	9 Soar Lane, Ground and First Floors, LE3 5DE	Leicestershire and Rutland Wildlife Trust Limited
32	LH	9 Soar Lane, Second Floor, LE3 5DE	Versant Associates
33	FH	N/A	LCC

34	FH	N/A	LCC
35	FH	N/A	LCC
35	LH	N/A	EMEB
36	FH	N/A	LCC
36	LH	25 Soar Lane, LE3 5DE	The Trustees of the Apostolic Faith Mission International Ministries UK
37	FH	34-36 Swan Street, LE3 5AW	Inshade Limited
37	LH	34-36 Swan Street, LE3 5AW	Leicester Vocal Tech
38	FH	26 Swan Street, LE3 5AW	S and K Abeysondera
38	LH	26 Swan Street, LE3 5AW	Mr B Hubbard
39	FH	Action Business Centre, 2 Swan Street, LE3 5AW	Swan Street Business Base
40	FH	2 Swan Street, LE3 5AW	Spring Educational Society
41	FH	22 Pingle Street, LE3 5DB	RST International
42	FH	10 New Henry Street, LE3 5AP	Djinn Ltd.
43	FH	14-18 New Henry Street, LE3 5AP	Eyre and Elliston
44	FH	N/A	LCC
44	LH	20 New Henry Street, LE3 5AP	JJ Print Finishers
45	FH	N/A	LCC

THE CPO PROCESS

This appendix provides a very brief and simplified description of the Compulsory Purchase procedure. The process outlined below is dependent on the initial investigations (e.g. agreement of the extent of the site and full title investigations) being successfully undertaken. It should also be noted that every effort should be made to acquire by agreement and CPO is really used as a last resort.

Once the above initial investigations have been carried out, the process for this scheme is briefly outlined below:-

- a) Cabinet resolution to declare and make a CPO- March 2016
- b) Preparation of statement of reasons – justification on why the CPO is required.
- c) Making the Order and notifying known owners and occupiers then submitting the Order to the Office of the Secretary of State – this includes the Statement of Reasons. The making of the Order is advertised and is available for general inspection. – July/August 2016
- d) If no objections are received and the Minister is satisfied proper procedures have been followed; he can confirm the order without modification, subject to modification (e.g. certain properties are excluded from the Order) or reject it. This is unlikely for Waterside – Phase 1 due to the number of interests
- e) If objections are received, it is usual for a public inquiry to be held usually within approximately 6 months from making the Order. The Council will have to provide a full statement of case for the inquiry. – Jan/Feb 2017 is a best estimate at this time
- f) The Inspector heading the public inquiry provides a written report for the confirming Minister with his recommendations and the confirming Minister then either confirms, modifies or rejects the Order. – Expect to take about 2 months, can take longer - April 2017
- g) 3 months after the CPO confirmation (providing proper procedure is followed and relevant notices served) a General Vesting Declaration can be executed which transfers all the land into the City Council's ownership, with the compensation payable to the owners and occupiers to be agreed later, if not already agreed at the time. – July 2017
- h) In the event that compensation cannot be agreed between the Council and the claimant, then the compensation will be determined by the Lands Tribunal

NOTE: This is a very simplified version of the CPO procedure which should not be used as a definitive guide.

