



## **Use of Compulsory Purchase Powers – Belgrave Gate & Mansfield Street Link Road & Improvement Scheme**

Decision to be taken by: City Mayor  
Decision to be taken on: 12 October 2017  
Lead director: Andrew L Smith

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## **Useful information**

- Ward(s) affected: Castle
- Report author: Jeannette Franklin
- Author contact details: Ext 37 2142 / email: Jeannette.Franklin@leicester.gov.uk
- Report version number plus Code No from Report Tracking Database: 01

### **1. Purpose of the report**

The report seeks approval to declare and make a Compulsory Purchase Order (CPO) to acquire any property interests and rights not already acquired which are required for the proposed Belgrave Gate and Mansfield Street Link Road and Improvement Scheme ("the Scheme").

### **2. Summary**

Although negotiations are currently underway to acquire all the required property interests by agreement, approval is sought to start the compulsory purchase process to acquire the property and rights and run it in parallel with the current negotiations. As these negotiations have not yet been concluded, the declaration of Compulsory Purchase Orders (CPOs) is reserved to the City Mayor and approval is now sought.

### **3. Recommendations**

It is recommended that:-

- 3.1 The City Council declare and subsequently make a Compulsory Purchase Order pursuant to Sections 239, 240 and 250 contained within Part XII of the Highways Act 1980, Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981 for the purpose of acquiring the land and rights identified in the plan in Appendix 1, which is required to successfully carry out the Belgrave Gate & Mansfield Street Link Road & Improvement Scheme.
- 3.2 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.
- 3.3 Authority is given for an increase of £2.5m in the capital programme for the North City Centre Access Improvement Programme, relating to the Belgrave Gate and Mansfield Street Link Road and Improvement Scheme and improvements to surrounding streets, (making the overall expected cost to be around £8.5m); this increase to be funded by an anticipated s106 contribution.
- 3.4 Authority is given for the underwriting (by prudential borrowing if necessary) of up to £4.5m to finance any potential shortfall in funding of the scheme caused by Local Growth Fund and s106 monies not being confirmed as expected.

- 3.5 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.
- 3.6 The Director of Estates and Building Services be authorised:
- 3.6.1 To agree terms to acquire the necessary interests within the CPO land, including those, if any, determined by the Upper Tribunal (Lands Chamber).
- 3.6.2 In the event that further decisions are required during and relevant to the CPO, to make those decisions.
- 3.7 The City Barrister & Head of Standards is authorised to prepare and execute all the necessary documentation required throughout the CPO process, including the acquisition of land and interests by agreement.

#### **4. Supporting information including options considered**

- 4.1 Several scheme options were considered. The preferred Scheme (option 3a) concerns the construction of a bus, pedestrian, cycle and taxi link road between Mansfield Street and Belgrave Gate and road and pavement widening and highway improvements to Mansfield Street.
- 4.1.2 The new link road will provide a shorter route out of the city centre for ten bus services (34 buses per hour currently), pedestrians, cyclists and taxis. It is proposed to make highway improvements to Mansfield Street to facilitate the passage of buses.
- 4.1.3 The link road, which will create a new pedestrian route between the City's two bus stations, Haymarket and St Margaret's, is seen as an important facility to encourage the use of public transport to and from the city centre, creating a safe and visible route between these two major transport interchanges. At present there is a well-used, but unauthorised, route for pedestrians across the existing car park between Mansfield Street and Belgrave Gate which is the approximate route of the proposed link road.
- 4.1.4 Improvements to Mansfield Street itself will also ensure greater pedestrian safety for those accessing this part of the city and will enable the introduction of a two way traffic flow on this road between Short Street and Sandacre Street to the benefit of traffic circulation in this area of the city centre.
- 4.2 Approval is being sought to declare and make a CPO to acquire all the property interests and any rights required for this Scheme. The boundary of the Order Land is shown outlined on the plan in Appendix 1. The extent of the Order Land represents the maximum extent of scope of any order and realistically it is anticipated that the final scope may be smaller than that depicted. Within these areas all necessary land and rights which need to be acquired for the Scheme will be acquired under the CPO (where negotiation has failed to achieve agreement) to provide a clear title to the land. This includes land, cables, pipes, rights and interest under, on and over the land. Other than undertaking a CPO

there is no other route available to ensure all the property required for this Scheme can be acquired and the Scheme delivered within a reasonable timescale.

4.3 A draft Order Map (Appendix 2) and Schedule of Ownerships have been prepared and the current Schedule of Ownerships is included in Appendix 3. This Schedule and Order Map will be finalised and published as part of the process for preparing the Order.

4.4 If a CPO resolution is made, this will be recorded in the Local Land Charges Register and disclosed on searches.

4.5 Options considered:

Six options were considered in a report to the City Mayor in February 2014. These comprised:

- Option 1 - do nothing
- Option 2 - one-way gyratory utilising Mansfield Street
- Option 3a - construct the new link road to operate one way north bound
- Option 3b - construct the new link road and Mansfield Street to operate two way
- Option 3c - construct the new link road to operate two way and Mansfield Street one way west bound
- Option 4 - Mansfield Street reconstructed to accommodate two way traffic

4.6 Option 3a was the preferred option for the following reasons:

- it provided an improved route for buses exiting the city centre to the west
- it provided a direct pedestrian route between the two bus stations
- it had the potential to open up the area for redevelopment
- making the new road two way was impractical operationally as inbound buses could not access the Haymarket Bus Station or Charles Street.

4.7 Planning Policy

4.7.1 The National Planning Policy Framework within its core planning principles states the planning system should be used to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

It also goes on to say (para 35) developments should be located and designed where practical to have access to high quality public transport facilities.

4.7.2 The City of Leicester Core Strategy was adopted in June 2014 which sets out the key planning principles for Leicester. Policy CS 1 of this plan titled 'the location of development' states that the City Council will focus on the priorities for action set out in the One Leicester vision to ensure that Leicester develops as a sustainable city, with an

improved quality of life for all its citizens.

One of the ways this will be achieved will be by ensuring that residential, employment and City Centre growth will be supported by investment in an efficient and integrated public transport network and alternatives to using the car.

4.7.3 Policy CS 12 of the adopted Core Strategy 'City Centre' goes on to state that the Council will work to promote the growth of the City Centre as a sub-regional shopping, leisure, historic and cultural destination, as the most accessible and sustainable location for main town centre uses by various methods including making the City Centre the focus of public transport initiatives by improving the bus interchange facilities.

4.7.4 Policy CS 14 of the adopted Core Strategy 'The Transport Network' also states amongst other things that the Council will work with partners to develop and maintain a Transport Network that will maximise accessibility, management congestion and air quality, and accommodate the impacts of new development. One of the ways this will be achieved is through identifying and safeguarding land for a new city centre bus station and interchange facilities and for the Quality Public Transport Corridors.

4.7.5 The City of Leicester Local Plan was adopted in 2006; this document was partly superseded by the Leicester Core Strategy, however some policies were saved indefinitely until they are replaced by a new Local Plan. The following policy in this document is still therefore relevant: -

4.7.6 Saved Local Plan policy AM05 'Buses and Development' states that planning permission for large scale developments (large scale development includes future development as well as already approved development) should not be granted unless they maximise the opportunity for extending the existing network of bus services in the City.

4.7.7 Saved Local Plan Policy PS09a 'Proposed Potential Development Areas within the Strategy Regeneration Area' is also of relevance as this policy identifies Mansfield Street as a Potential Development Area:-

PS09a – Map Ref 2 – Mansfield Street 'Provision for bus operations along Mansfield Street'.

4.7.8 Underpinning the Local Plan are the principles of sustainable development. These are well rehearsed at the national level in PPGN's and PPS's. In the context of Leicester the following sets out its key principles:-

e) its use, where appropriate, of previously developed land and densities to support local services and make efficient use of land.

#### 4.8 National Transport Policy

4.8.1 In October 2012 the Department for Transport (DfT) published a policy document, 'Improving Local Transport' which was updated in May 2015. This highlighted the issue that "55% of car journeys are under 5 miles - many of these could be walked or made by bike or public transport. Making these ways of travel more attractive encourages people to leave the car at

home. This reduces their carbon footprint and helps the UK reach its climate change goals”.

4.8.2 The Department for Transport’s Door to Door Strategy (2013) - a strategy for improving sustainable transport integration set out a vision – “Our vision is for an inclusive, integrated and innovative transport system that works for everyone, and where making door-to-door journeys by sustainable means is an attractive and convenient option.” Two of four key areas for implementation through the strategy is to;

- i) increase choice through better connectivity and efficiency on transport; and
- ii) make it easier to change between different modes of transport during a journey.

#### 4.9 Local Transport Policy

4.9.1 Leicester’s current transport strategy is the Local Transport Plan (LTP3) which is a statutory plan covering the period 2011 - 26.

Successful delivery of this Local Transport Plan will, amongst other things, enable more rapid progress in delivering attractive alternatives to car travel, the transport network being almost at capacity during peak periods. It will also cater for anticipated housing growth of approximately 40,000 new homes in the Leicester Principal Urban area between 2016 and 2026. This increase on existing stock will give rise to a corresponding increase in travel. This growth needs to be accommodated whilst also:

- Keeping congestion under control and improving accessibility for all, but particularly for deprived groups to support prosperity;
- Encouraging more people to walk, cycle and use public transport, thus reducing carbon emissions;
- Providing a transport system that facilitates a safer and healthier way of life.

Locally this translates into many more walking and/or cycling journeys in and around the city and more bus use for longer journeys, particularly into the city centre.

4.9.2 A key theme of the emerging **Leicester and Leicestershire Strategic Transport Plan** is to make best use of the existing highway network and to invest in capital improvement schemes where appropriate. The proposed Belgrave Gate and Mansfield Street Link Road and Improvement Scheme is a good example of amending the existing highway layout to improve efficiency both for pedestrians and bus services (and hence bus passengers).

4.9.3 The proposed Link Road Scheme is part of the North City Centre Access Improvement Programme (Connecting Leicester Phase 2). The **Connecting Leicester** project is establishing links between shopping, leisure, heritage, housing and transport facilities to facilitate the move to sustainable transport modes as well as increasing footfall within the city centre to support economic growth.

4.9.4 By continuing to help reduce the level of car use and facilitate sustainable and active travel the project is integral to Leicester's **Air Quality Action Plan**, Leicester's **Sustainability Action Plan**, the **Leicester Economic Action Plan**, the **Leicester Cycle City Action Plan**, the **Leicester Tourism Action Plan** and **Leicester's Joint Health and Wellbeing Strategy**.

#### 4.10 The Economic Action Plan

4.10.1 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.

4.10.2 The successful delivery of the Belgrave Gate & Mansfield Street Link Road & Improvement Scheme will help achieve the objective of creating a "thriving city centre".

4.10.3 More specifically in section 9.1 of the Action Plan, the Council has a priority to "Meeting Transport Needs in the City Centre". The successful development of the Belgrave Gate & Mansfield Street Link Road & Improvement Scheme will improve the City Centre transport infrastructure as part of the Connecting Leicester initiative to better plan and co-ordinate delivery of bus infrastructure in the City.

4.10.4 The proposed Belgrave Gate and Mansfield Street Link Road and Improvement Scheme is in accordance with national and local transport policy and the Leicester Economic Action Plan in that it will:

- i) facilitate re-routing of bus services to improve bus journey time and bus journey time reliability making bus services a more attractive choice,
- ii) improve connectivity between local bus services and local and national bus services,
- iii) improve walking and cycling routes and facilitate further improvements through future planned schemes,
- iv) improve accessibility and pedestrian safety,
- v) increase footfall in this part of the city centre leading to increased opportunities for employment, retail and leisure,
- vi) help to tackle congestion,
- vii) improve air quality,
- viii) meet our priorities as a low carbon city

#### 4.11 Land and rights to be included in the Compulsory Purchase Order

4.11.1 The land required for the scheme comprises car parking and parts of access roads to properties facing Belgrave Gate and Church Gate. All parties known to be affected by the Scheme, where they will lose land they occupy, either as freeholder or leaseholder, have appointed professional advisers to act on their behalf. Other parties, where known, who only have rights of access over land have been notified of the Scheme and assured of alternative access routes to their premises at all times, after and during the construction process.

4.11.2 There may be parties who may claim rights of way over the land affected, but Land Registry searches have not, to date, revealed any such rights

other than those defined in Appendix 3. However, in some cases rights may have been acquired by prescription and following the making of the CPO, parties may come forward. Where, from site inspections, it is apparent that parties take access over land to be acquired, the occupants have been notified of the Scheme. There will, however, be no detriment to such parties' property interests as they will still have access to the public highway, albeit over a shorter section of access road.

4.11.3 Temporary rights will be required to allow for accommodation works to be undertaken and temporary access to those properties affected by the Scheme. The areas required temporarily whilst works are undertaken will be included in the Order as outlined in Appendix 1 (Belgrave Gate & Mansfield Street Link Road & Improvement Scheme – The Order Lands).

4.11.4 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights (ECHR). The Convention Rights contained in Articles 1 of the First Protocol, 8 and 14 are engaged in the process of making and considering a CPO. The Council considers that the Belgrave Gate & Mansfield Street Link Road & Improvement Scheme and the proposed CPO will constitute a proportionate interference with third party rights under the ECHR.

#### 4.12 Reasons supporting the need for compulsory purchase

4.12.1 Sections 239, 240 and 250 of the Highways Act 1980 enable the City Council to acquire land compulsorily which is required for the construction of a highway maintainable at public expense and for the acquisition of rights over land by creating them as well as for the acquisition of rights already in existence.

4.12.2 The Scheme will significantly improve the transport and pedestrian environments, reduce bus journey times and create a safer environment for pedestrians.

4.12.3 The Connecting Leicester project, of which this Scheme is part, is designed to improve routes through the city centre for pedestrians while making it more attractive to investors and developers.

4.12.4 The proposed bus link road and highway improvement Scheme will contribute towards Leicester's economic growth by enabling ease of access by buses and bus users and helping prevent traffic congestion associated with increased economic activity by improving this accessibility.

4.12.5 The provision of improved City public transport facilities brings important benefits with improved access to employment for all sections of the community and therefore contributes to social wellbeing.

4.12.6 The Church Gate/Haymarket area is presently a pedestrian dominated area which buses and other vehicles have to negotiate. This has resulted in this being an accident cluster location and taking traffic out of this area, which will be achieved with this new link road scheme, will make it safer for pedestrians.



- 4.12.7 Guidance is given on these issues and other concerns that the City Council should take into account in guidance on 'Compulsory Purchase and the Crichel Down Rules' issued by the Government in October 2015. CPO powers should only be exercised where there is a compelling case in the public interest. Compulsory acquisition is usually a last resort, as the preference is to acquire by way of agreement wherever practicable.
- 4.12.8 Estates and Building Services have contacted all the known 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. Terms for acquisition have been agreed with the freeholder of Plots no. 7 & 8 on the Order Map.
- 4.12.9 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 5 for a brief description of the CPO process.
- 4.12.10 It is very hard 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 are in the sole control of central government departments. A delay in the anticipated start date can be expected if the Council has to rely on CPO Powers.
- 4.13 Statement of Reasons for the Compulsory Purchase Order
- 4.13.1 Although the Statement of Reasons document is non-statutory, this is an important document and is served with the statutory notices when the Order is made. It describes the land within the Order boundary, gives an outline of the case for the acquisition and of the proposed use and development, with details of the planning position, special considerations (e.g. listed buildings), policies and views of Government departments, and details of any related orders.
- 4.13.2 At this stage of the process, in accordance with the Government guidance, a draft Statement of Reasons for the CPO is being prepared. A final Statement will be produced and will be served on all landowners with the statutory notices when the Order is actually made.
- 4.14 Concurrent/Associated Procedures
- 4.14.1 In tandem with the Belgrave Gate & Mansfield Street Link Road & Improvement Scheme CPO, Traffic Regulation Orders (TRO's) will be made. These will include
- (i) The restriction of the new link road to buses, taxis and cycles only
  - (ii) The introduction of one-way flow on the new link road
  - (iii) The amendment of waiting and loading restrictions on Mansfield Street and Sandacre Street

(iv) The amendment of the direction of flow on Mansfield Street, Sandacre Street and Church Gate between Mansfield Street and Gravel Street

- 4.14.2 To enable the improvement works to be carried out it will be necessary to temporarily close Mansfield Street and Sandacre Street at various times during the construction period. Any temporary road closure will be introduced in accordance with the powers set out in Section 14 of the Road Traffic Regulation Act 1984. Access for pedestrians and any premises along these streets will be maintained at all times during the periods of closure.
- 4.14.3 This Scheme could enable the future pedestrianisation of part of Belgrave Gate, Haymarket and part of Church Gate.
- 4.14.4 Outline planning consent for the Scheme was granted on 6<sup>th</sup> April 2017, subject to conditions relating to timescale, finishes, landscape, drainage and archaeology. These will be discharged pre-commencement where necessary. A reserved matters application will not be required.

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

### 5.1 Financial implications

- 5.1.1 The Belgrave Gate and Mansfield Street Improvement Scheme is a major capital project estimated to cost £8.5m (including a contingency of £0.65m) and is expected to be completed in 2019/20.
- 5.1.2 The Council has previously authorised expenditure on this Scheme of £6m up to 2018/19 within the capital programme as part of the North City Centre Access Improvement Programme (NCCAIP). Accordingly, this report recommends that this authorisation is increased by £2.5m to the current estimated whole Scheme cost of £8.5m.
- 5.1.3 The NCCAIP funding already approved is based on funding that has already been secured, with the exception of £2m of Local Growth Fund financing for 2018/19 which has been promised by Central Government but which will not be formally confirmed until March/April 2018.
- 5.1.4 The funding of £2.5m to be added would be met from a s106 contribution from the Castle Acres development.
- 5.1.5 It is regarded as a low risk that either the £2m LGF funding for 2018/19 or the £2.5m s106 contribution will not be secured. However, to give assurance that the Council is fully committed to the Scheme and has all the funding in place including contingency, it is proposed that the Council will underwrite the £4.5m not yet formally confirmed, by prudential borrowing if necessary.
- 5.1.6 In the event the Council has to prudentially borrow the full £4.5m, the annual revenue cost could be in the region of £270k p.a. over 25 years.

*Nick Booth, Principal Accountant – ext 37-4063*

## 5.2 Legal implications

5.2.1 The Council needs to be able to satisfy the Secretary of State that there is a compelling case in the public interest for the proposed compulsory acquisition. 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 about 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 guidance on 'Compulsory Purchase and the Crichel Down Rules' issued by the Government in October 2015.

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. The Secretary of State has to be satisfied that the statutory procedures have been followed correctly and that no-one has been or will be substantially prejudiced as a result of a defect in the Order, or by a failure to follow the correct procedures. Authorities are therefore urged to take every possible care in preparing compulsory purchase orders. The Council will continue to take advice to ensure that it complies with the statutory procedures and guidance associated with the promotion of the compulsory purchase orders.

## 5.3 Climate Change and Carbon Reduction implications

5.3.1 There are no immediate implications arising from the recommendations in this report. Completion of the Mansfield Street bus link road is expected to have significant positive climate change implications by enabling improved public transport provision and hence minimising potential growth of car travel. There are likely to be improvements to air quality in Church Gate/Haymarket/Belgrave Gate resulting from the removal of traffic from these roads.

*Mark Jeffcote, Senior Environmental Consultant, ext 37-2251*

## 5.4 Equality Impact Assessment

5.4.1 The provision of accessible and modern city centre public transport facilities brings important benefits, with improved accessibility to employment for the

socially excluded thereby reducing inequality.

5.4.2 An equality impact assessment has been carried out to ensure the proposed design takes into consideration the needs of all users.

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:**

Held in Estates and Building Services

**7. Summary of appendices:**

Appendix 1 – Plan of area subject to CPO – The Order Lands

Appendix 2 – Plan of plots to be acquired

Appendix 3 – Schedule of Interests

Appendix 4 – Scheme general arrangement plan

Appendix 5 – 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)?**

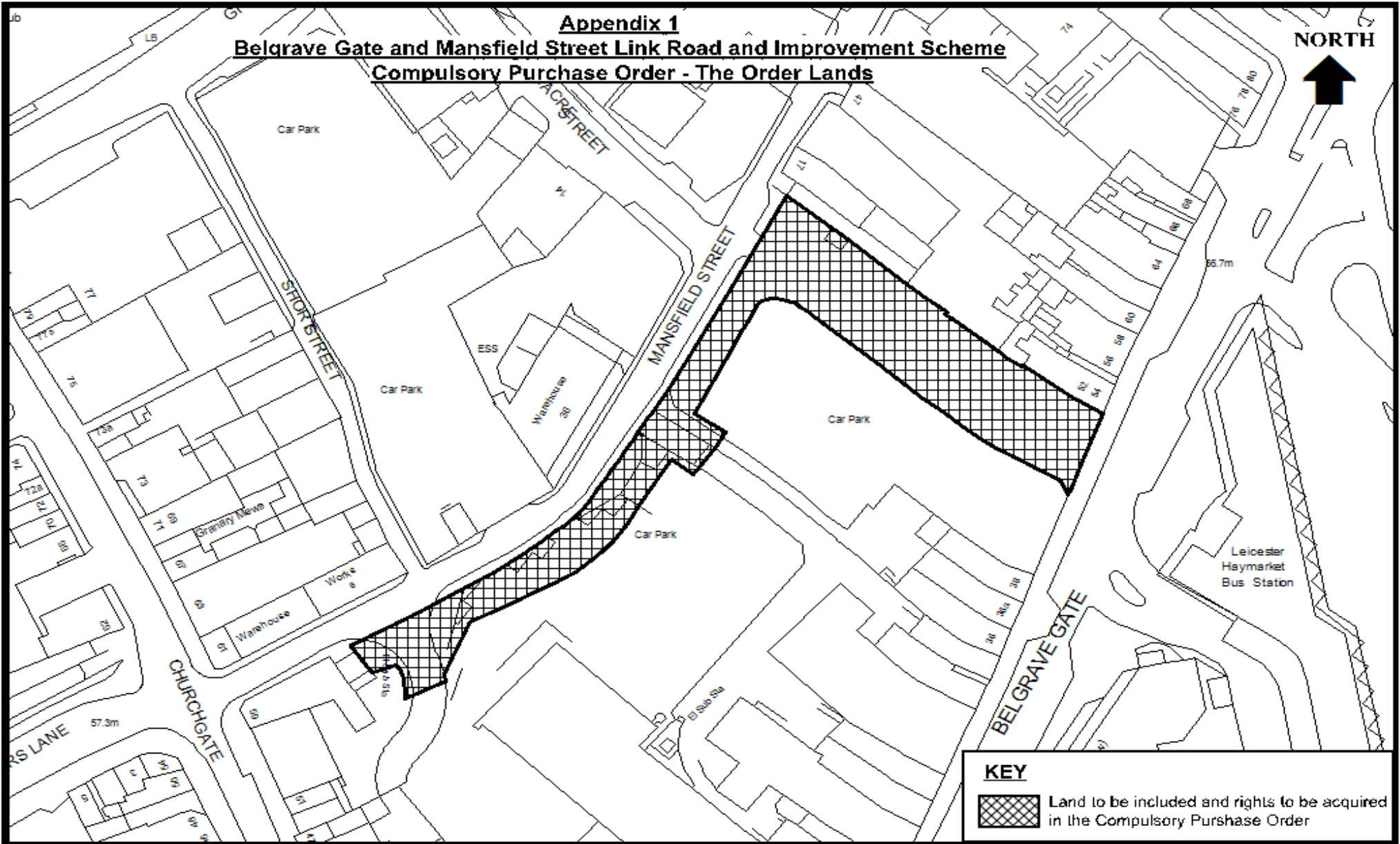
No

**9. Is this a “key decision”?**


Yes, as capital expenditure of over £1m is proposed which has not been approved by Full Council.

**Appendix 1**  
**Belgrave Gate and Mansfield Street Link Road and Improvement Scheme**  
**Compulsory Purchase Order - The Order Lands**

**NORTH**



**KEY**

 Land to be included and rights to be acquired in the Compulsory Purchase Order

BASED UPON THE ORDINANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF ILM. STATIONERY OFFICE. CROWN COPYRIGHT RESERVED. LICENCE NO. D0019264

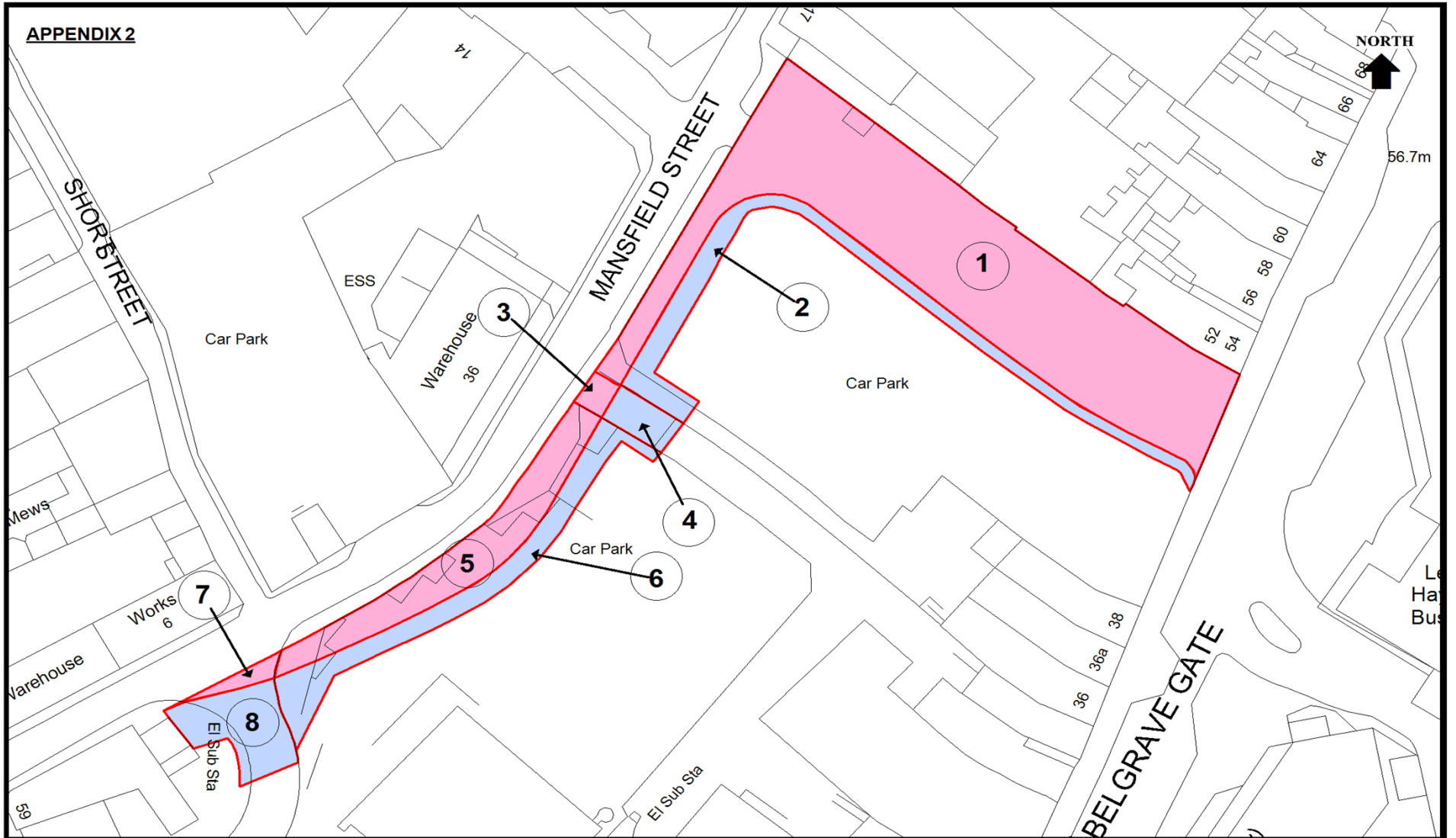
DRAWN BY RF  
 CHECKED BY JAF

PLAN No Citee 409  
 DATE 06/02/2017

**NOT TO SCALE**  
 @ A4

DIRECTOR OF ESTATES & BUILDING SERVICES  
 LEICESTER CITY COUNCIL

**APPENDIX 2**



**LEICESTER CITY COUNCIL**

BASED UPON THE ORDNANCE SURVEY MAP WITH THE  
SANCTION OF THE CONTROLLER OF H.M. STATIONERY OFFICE.  
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**MAP REFERRED TO IN THE CITY COUNCIL  
BELGRAVE GATE AND MANSFIELD STREET  
LINK ROAD AND IMPROVEMENT SCHEME PROJECT  
COMPULSORY PURCHASE ORDER 2017**

**BELGRAVE GATE AND MANSFIELD STREET  
LINK ROAD AND IMPROVEMENT SCHEME  
PROJECT ORDER MAP**

**DRAWING No. CPO-01  
Date: 09/02/2017  
Scale: Not to Scale**

**APPENDIX 3**

**Land to be purchased and new rights  
Schedule of known interests affected by Mansfield Street bus link road proposal**

No. on map (Appx 2)	Extent, description and situation of the land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address			
		Freeholder	Lessees or reputed lessees	Rights of Way	Occupiers
1	All interests in approx 1,542 sq yds comprising car park operating on site of former ABC cinema and part of access route into 36, 36a & 38 Belgrave Gate	Gurmail Singh, Surinder Kaur & Rana Singh of 9 Grove Court, Grove Park, Enderby, Leicester, LE19 1SA and David Booler Trustees Ltd of 9 Grove Court, Grove Park, Enderby, Leicester, LE19 1SA, the Trustees of the GS Fashions Limited Retirement Benefits Scheme		<p>Rights of access over land for benefit of property at 36, 36a &amp; 38 Belgrave Gate Sanjay Bahadursinh Thakor, Pritti Sanjay Thakor, 4 Manor Road Extension, Oadby, Leicester, LE2 4FF</p> <p><u>36 Belgrave Gate</u> Right of access: Imtiaz Ahmed Mulla, 14 Dorchester Road, Leicester, LE3 0UF</p> <p><u>36a Belgrave Gate</u> Right of access: i) Subway Realty Ltd, Chaston House, Millcourt, Great Shelford, Cambridge, CB22 5LD c/o Subway Doctors Associates, 325 Subway, Milford, Connecticut, USA ii) Dipak Patel, 24 Glebe Farm Close, Collingtree, Northampton, NN4 0NR</p> <p><u>38 Belgrave Gate</u> Right of access: Reyhan Secer, Grd Flr, 38 Belgrave Gate, Leicester, LE1 3GP</p>	
1(a)	All interests in approx 71 sq yds of land comprising car park operating on site of former property known as 50 Belgrave Gate				

2	All interests in approx 27 sq yds of access road to numbers 20-34 Belgrave Gate	Abbey Commercial Ltd, 233-237 Old Marylebone Road, London, NW1 5QT		<p>Right of access over land for benefit of property at 20-34 Belgrave Gate</p> <p><u>26 Belgrave Gate</u> Done Brothers (Cash Betting) Ltd, The Spectrum, 56-58 Benson Road, Birchwood, Warrington, WA3 7BQ</p> <p><u>22 Belgrave Gate</u> Right of access: Rajesh Ambalal Limachiya of 22 Belgrave Gate, Leicester, LE1 3GP trading as Cutz &amp; Pareshkumar Parekh of 22 Belgrave Gate, Leicester, LE1 3GP trading as Cutz</p> <p><u>30 Belgrave Gate</u> Right of access: Polski Sklep Smaczek Ltd of 1 Kingfisher Court, Farnham Road, Slough, SL2 1JF</p> <p><u>20 Belgrave Gate</u> Right of access: Greggs plc, Fernwood House, Clayton Road, Jesmond, Newcastle upon Tyne, NE2 1TL</p> <p><u>28 Belgrave Gate</u> Right of access: KNRR Ltd, 28 Belgrave Gate, Leicester, LE1 3GP</p> <p><u>32 &amp; 34 Belgrave Gate</u> <b>Unregistered leases? Interests?</b></p>	
3	All interests in approx 351 sq yds of car park and service access to 16-18 Belgrave Gate	Verity Trustees Ltd, Verity House, 6 Canal Wharf, Leeds, LS11 5BQ	Argos Ltd 489-499 Avebury Boulevard, Saxon Gate, Milton Keynes, MK9 2NW		Euro Car Parks, 30 Dorset Square London, NW1 6QJ
4	All interests in approx 31 sq yds of access road serving 14 Belgrave Gate and properties on Church Gate	Zikoma Properties Ltd, OMC Chambers, Wickhams Cay 1, Road Town, Tortola, British Virgin Islands	Iceland Foods Limited, Second Avenue, Deeside Industrial Park, Flintshire, CH5 2NW	Rights of way for other parties on Church Gate i) <u>39 Church Gate</u> Unregistered ii) <u>41-45 Church Gate</u>	



				<p>Hatimi Ltd, 21 High View Close, Hamilton Office Park, Leicester, LE4 9LJ</p> <p>iii) <u>53-57 Church Gate</u> Right of access: Mode Ltd, 57 Church Gate, Leicester, LE1 3AL</p> <p>iv) <u>59 Church Gate</u> H B Popat &amp; M W Trustees Ltd 28 De Montfort Street, Leicester, LE1 7GD</p>	
5	Land comprising 308 sq yds comprising car park operating on site of former ABC cinema and part of access route into 36, 36a & 38 Belgrave Gate	<p>Gurmail Singh, Surinder Kaur, Rana Singh and Vanita Sadhra of 120 Ross Walk, Leicester, LE4 5HH, the Trustees of the GS Fashions Retirement Benefit Scheme</p> <p><b>Check this</b></p>		<p>Rights of access over land for benefit of property at 36, 36a &amp; 38 Belgrave Gate Sanjay Bahadursinh Thakor, Pritti Sanjay Thakor, 4 Manor Road Extension, Oadby, Leicester, LE2 4FF</p> <p><u>36 Belgrave Gate</u> Right of access: Imtiaz Ahmed Mulla, 14 Dorchester Road, Leicester, LE3 0UF</p> <p><u>36a Belgrave Gate</u> Right of access: i) Subway Realty Ltd, Chaston House, Millcourt, Great Shelford, Cambridge, CB22 5LD c/o Subway Doctors Associates, 325 Subway, Milford, Connecticut, USA ii) Dipak Patel, 24 Glebe Farm Close, Collingtree, Northampton, NN4 0NR</p> <p><u>38 Belgrave Gate</u> Right of access: Reyhan Secer Grd Flr, 38 Belgrave Gate, Leicester, LE1 3GP</p>	
6	Land comprising 64 sq yds of access road to numbers 20-34 Belgrave Gate	Abbey Commercial Ltd, 233-237 Old Marylebone Road, London, NW1 5QT		<p>Right of access over land for benefit of property at 20-34 Belgrave Gate</p> <p><u>26 Belgrave Gate</u> Done Brothers (Cash Betting) Ltd, The Spectrum, 56-58 Benson Road, Birchwood, Warrington, WA3 7BQ</p> <p><u>22 Belgrave Gate</u> Right of access: Rajesh Ambalal Limachiya of 22 Belgrave</p>	

				<p>Gate, Leicester, LE1 3GP trading as Cutz &amp; Pareshkumar Parekh of 22 Belgrave Gate, Leicester, LE1 3GP trading as Cutz</p> <p><u>30 Belgrave Gate</u> Right of access: Polski Sklep Smaczek Ltd of 1 Kingfisher Court, Farnham Road, Slough, SL2 1JF</p> <p><u>20 Belgrave Gate</u> Right of access: Greggs plc, Fernwood House, Clayton Road, Jesmond, Newcastle upon Tyne, NE2 1TL</p> <p><u>28 Belgrave Gate</u> Right of access: KNRR Ltd, 28 Belgrave Gate, Leicester, LE1 3GP</p> <p><u>32 &amp; 34 Belgrave Gate</u> <b>Unregistered leases? Interests?</b></p>	
7	Land comprising 282 sq yds of car park and service access to 16-18 Belgrave Gate	Verity Trustees Ltd, Verity House, 6 Canal Wharf, Leeds, LS11 5BQ	Argos Ltd 489-499 Avebury Boulevard, Saxon Gate, Milton Keynes, MK9 2NW		Euro Car Parks, 30 Dorset Square London, NW1 6QJ
8	Land comprising 181 sq yds of access road serving 14 Belgrave Gate and properties on Church Gate	Zikoma Properties Ltd, OMC Chambers, Wickhams Cay 1, Road Town, Tortola, British Virgin Islands	Iceland Foods Limited, Second Avenue, Deeside Industrial Park, Flintshire, CH5 2NW	<p>Rights of way for other parties on Church Gate</p> <p>i) <u>39 Church Gate</u> Unregistered</p> <p>ii) <u>41-45 Church Gate</u> Hatimi Ltd, 21 High View Close, Hamilton Office Park, Leicester, LE4 9LJ</p> <p>iii) <u>53-57 Church Gate</u> Right of access: Mode Ltd, 57 Church Gate, Leicester, LE1 3AL</p> <p>iv) <u>59 Church Gate</u> H B Popat &amp; M W Trustees Ltd 28 De Montfort Street, Leicester, LE1 7GD</p>	

Number on map	Name and address	Description of interest to be acquired	Extent, description and situation of the land
5	Gurmail Singh, Surinder Kaur & Rana Singh of 9 Grove Court, Grove Park, Enderby, Leicester, LE19 1SA and David Booler Trustees Ltd of 9 Grove Court, Grove Park, Enderby, Leicester, LE19 1SA	Temporary rights of access whilst works being undertaken and construction of any accommodation works	Land comprising approx 308 sq yds comprising car park operating on site of former ABC cinema and part of access route into 36, 36a and 38 Belgrave Gate
6	Abbey Commercial Ltd, 233-237 Old Marylebone Road, London, NW1 5QT	Temporary rights of access whilst works being undertaken and construction of any accommodation works	Land comprising approx 64 sq yds of access road to numbers 20-34 Belgrave Gate
7	Verity Trustees Ltd, Verity House, 6 Canal Wharf, Leeds, LS11 5BQ  Argos Ltd 489-499 Avebury Boulevard, Saxon Gate, Milton Keynes, MK9 2NW	Temporary rights of access whilst works being undertaken and construction of any accommodation works	Land comprising approx 282 sq yds of car park and service access to 16-18 Belgrave Gate
8	Zikoma Properties Ltd, OMC Chambers, Wickhams Cay 1, Road Town, Tortola, British Virgin Islands  Iceland Foods Limited, Second Avenue, Deeside Industrial Park, Flintshire, CH5 2NW	Temporary rights of access whilst works being undertaken and construction of any accommodation works	Land comprising approx 181 sq yds of access road serving 14 Belgrave Gate and properties on Church Gate

**Schedule**  
**Land to be purchased and new rights**

National Grid Gas plc	Grand Buildings, 1-3 Strand, London, WC2N 5EH
British Telecommunications plc	BT Centre, 81 Newgate Street, London, EC1A 7AJ
Western Power Distribution plc	Avonbank, Feeder Road, Bristol, Avon, BS2 0TB
Virgin Media Limited	Media House, 10-14 Bartley Wood Business Park, Hook, Hampshire, RG27 9UP
Vodafone Limited	Vodafone House, The Connection, Newbury, Berkshire, RG14 2FN
Severn Trent Water Limited	Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ
Cityfibre Holdings Limited	15 Bedford Street, London, WC2E 9HE
McNicholas Construction (Holdings) Limited	Lismirrane Industrial Park, Elstree Road, Elstree, Borehamwood, Hertfordshire, WD6 3EA
Level 3 Communications Limited	7 <sup>th</sup> Floor, 10 Fleet Place, London, EC4M 7RB
Sky Telecommunications Services Limited	Grant Way, Isleworth, Middlesex, TW7 5QD
Verizon UK Limited	Reading International Business Park, Basingstoke Road, Reading, Berkshire, RG2 6DA
Envoy Asset Management Limited	Energy House, Woolpit Business Park, Windmill Avenue, Woolpit, Bury St Edmunds, Suffolk, IP30 9UP
EE Limited	Unit 1-4, Trident Place, Mosquito Way, Hatfield, Hertfordshire, AL10 9BW
Hutchison 3G UK Limited	Star House, 20 Grenfell Road, Maidenhead, Berkshire, SL6 1EH

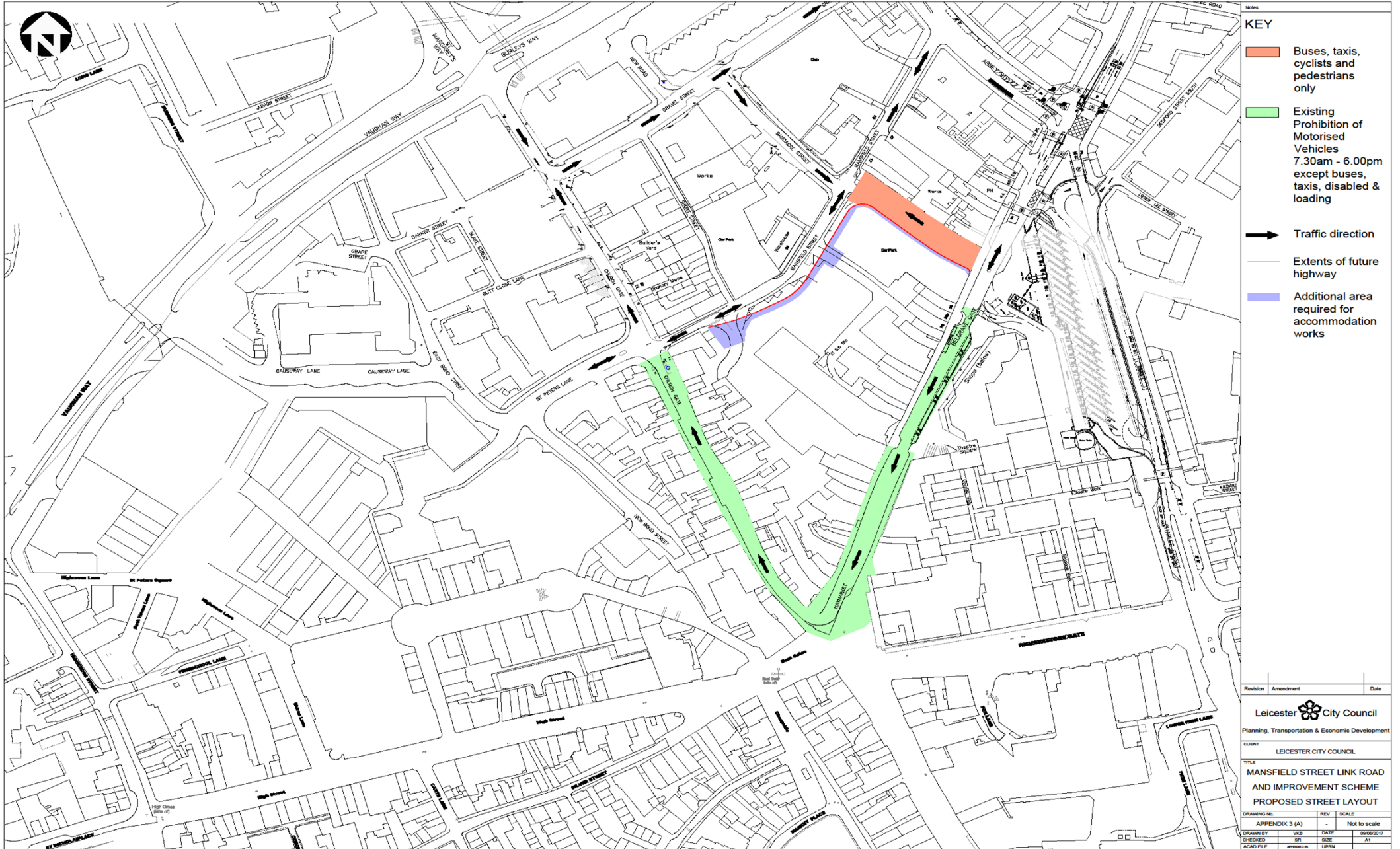
**Schedule  
Land to be purchased and new rights**

**General Entries**

**List of Statutory Undertakers and other like bodies having or possibly having a right to keep equipment or having the benefit of easements on, in or over the land within the Order**

<b>Party Name</b>	<b>Address</b>
E.S. Pipelines Limited	1 <sup>st</sup> Floor, Bluebird House, Unit 22, Mole Business Park, Randalls Road, Leatherhead, Surrey, KT22 7BA
Interoute Vtesse Limited	Interoute Communications Limited, 25 Canada Square, Canary Wharf, London, E14 5LQ
Zayo (UK) Limited	Harmsworth House, 13-15 Bouverie Street, London, EC4Y 8DP
Kier Integrated Services Limited	Tempsford Hall, Sandy, Bedfordshire, SG19 2BD
SSE plc	Inveralmond House, 200 Dunkeld Road, Perth, Perthshire, PH1 3AQ
Telefonica UK Limited	260 Bath Road, Slough, Berkshire, SL1 4DX
Engie Urban Energy Limited	Shared Services Centre, Q3 Office, Quorum Business Park, Benton Lane, Newcastle upon Tyne, NE12 8EX
Doocey North East Limited	65 Low Lane, Brookfield, Middlesbrough, Cleveland, TS5 8EG
Environment Agency	Legal Services, Horizon House, Deanery Road, Bristol, BS1 5AH

# APPENDIX 4

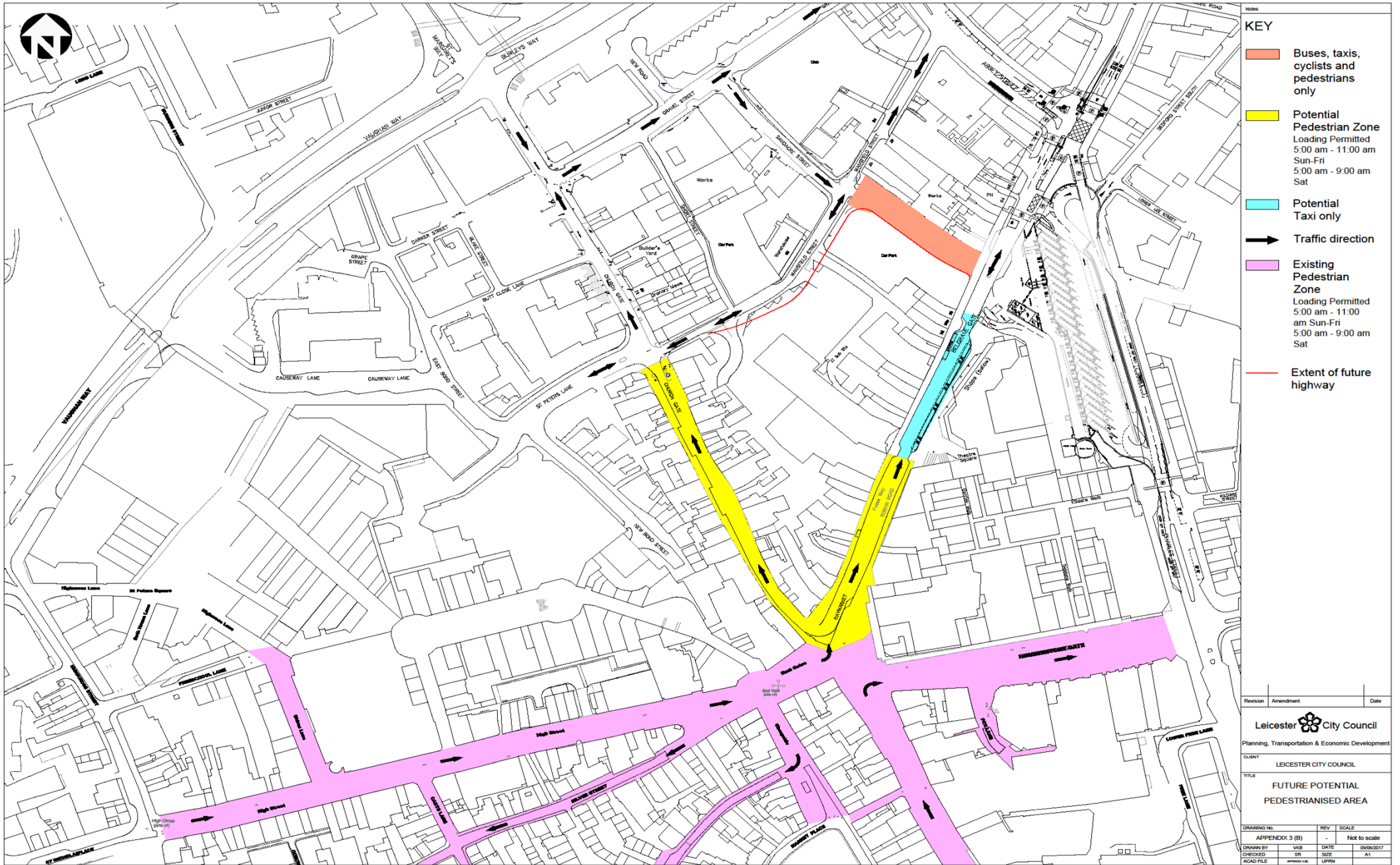


**KEY**

- Buses, taxis, cyclists and pedestrians only
- Existing Prohibition of Motorised Vehicles 7.30am - 6.00pm except buses, taxis, disabled & loading
- Traffic direction
- Extents of future highway
- Additional area required for accommodation works

Revision	Amendment	Date

**Leicester City Council**  
 Planning, Transportation & Economic Development  
 CLIENT: LEICESTER CITY COUNCIL  
 TITLE: MANSFIELD STREET LINK ROAD AND IMPROVEMENT SCHEME PROPOSED STREET LAYOUT  
 DRAWING NO: APPENDIX 3 (A) REV: - SCALE: Not to scale  
 DRAWN BY: VVB DATE: 09/06/2017  
 CHECKED: SR SIZE: A1  
 ACAD FILE:



### 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) Executive resolution to declare and make a CPO.
- 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 Secretary of State (SOS) for Transport – this includes the Statement of Reasons. The making of the Order is advertised and is available for general inspection.
- 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.
- 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.
- 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.
- g) Following confirmation of the CPO (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.
- h) In the event that compensation cannot be agreed between the Council and the claimant, then the compensation will be determined by the Upper Tribunal (Lands Chamber).

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