

THE TOWN AND COUNTRY PLANNING ACT 1990
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
AND
THE ACQUISITION OF LAND ACT 1981

THE LEICESTER CITY COUNCIL (LEICESTER WATERSIDE) COMPULSORY
PURCHASE ORDER 2016

STATEMENT OF REASONS

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1 INTRODUCTION

- 1.1 This document is the Statement of Reasons of Leicester City Council (“**the Council**”) prepared in connection with the making of a compulsory purchase order entitled the Leicester City Council (Leicester Waterside) Compulsory Purchase Order 2016 (“**the Order**”).which is submitted to the Secretary of State for Communities and Local Government (“**Secretary of State**”) for confirmation. The Council is the acquiring authority for the purposes of the Order.
- 1.2 The Council has made the Order pursuant to powers in section 226(1)(a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976. These powers are explained later in this Statement of Reasons. In this document the land and rights included within the Order are referred to as (“**the Order Land**”). The Council is the local planning authority and the local highway authority for the Order Land.
- 1.3 The Order has been made to facilitate the development, redevelopment and improvement of the Order Land which comprises phase 1 of the redevelopment of the Waterside Area. Phase 1 seeks to deliver a new, attractive and high quality residential-led, mixed use development, in a key gateway location to Leicester City Centre (“**the City Centre**”) comprising: affordable and market housing; commercial office accommodation; improvements to the physical environment including improvements to highway connectivity and access between Waterside and the City Centre; public realm improvements including the provision of new public open space; and enhancements to biodiversity and the historic built environment (“**the Scheme**”).
- 1.4 The total area of land to be acquired is 61,867sq.m. New rights are sought over 11,867sq.m. Outline Planning Permission for the Scheme was granted on 10 December 2015. A detailed description of the proposals is found at Section 5 of this Statement of Reasons.
- 1.5 The Council is in the process of negotiating the terms of a development agreement with Keepmoat to deliver the Scheme (see Section 9)
- 1.6 This Statement of Reasons has been prepared in compliance with both paragraphs 21 and 154 of the Government “*Guidance on compulsory purchase process and the Crichton Down Rules for the disposal of surplus land acquired by, or under threat of, compulsion*“(October 2015).

2 DESCRIPTION OF THE ORDER LAND

- 2.1 The Order Land comprises approximately 7.33 hectares and is bounded by the Grand Union Canal to the north, Northgate Street and Jarvis Street to the east, All Saints Road to the south and the River Soar to the west. The site also includes Soar Island which is situated to the west of Soar Lane, between the Grand Union Canal and the River Soar. The site is intersected by a number of public vehicular highways with Soar Lane and Pringle Street running across the site from east to west and New Henry Street and Swan Street dissecting the site in a north/south direction.
- 2.2 The Council owns a significant proportion of the Order Land having been actively negotiating with owners for the purchase of land since August 2014. At the date of making the Order, the Council owns over 70% of the site. In addition to the Council the following parties have legal interests in the Order Land:

Occupier/Owner	Property	Tenure	Description of Property
Inshade Limited	23-32 Swan Street (Plot 47)	Freehold	Two storey brick built workshop and office building
Leicester Vocal Tech		Leasehold	

Mudhefi Properties Limited	16 Swan Street (Plot 45)	All interests in Business Base, 16 Swan Street	A two storey office block providing service office accommodation which is multi-let.
Spring Educational Society	2 Swan Street (Plot 40 and 43)	Freehold	A three-storey office building located on the junction between Swan Street and Pingle Street used by Spring Educational Society and the car park on Swan Street.
Frisco Limited	New Pingle Street (Plot 28)	Freehold	Former Dominoes Warehouse- A large warehouse located adjacent to the Grand Union Canal. The building is dilapidated and not occupied.
K H Norton Group	Pingle Street (Plot 39)	Freehold	A single storey brick built warehouse and a two storey brick built premises located on the north side of Pingle Street
DLG Shopfitters Limited		Leasehold	
Hurst Automotive	1 Pingle Street (Plot 25)	Freehold	A single storey workshop located on the north side of Pingle Street to the east of New Pingle Street
Djinn Genie (London) Limited	10 New Henry Street (Plot 35)	Freehold	A two storey brick build warehouse with office accommodation
Forward Microsystems Limited	40 Northgate Street (Plot 23 and 29)	Freehold	Two storey office building
Jamie Lewis Residential Lettings Limited	Unit 1-17 Jarvis Street Industrial Estate (Plot 10)	All interests in Jarvis Street Industrial Estate	A collection of small industrial and two residential units
Barry and Joan Eden	All Saints Road (Plot 3)	Freehold	A cleared site
Mandy's Snack Bar	All Saints Road (Plot 5)	Leasehold	A single storey café and food takeaway building

Western Power Distribution (East Midlands) PLC	Soar Lane (Plot 14)	Leasehold	A electricity substation located on Soar Lane
UK Thermals Ltd.	34 Northgate Street (Plot 21)	Freehold	A two storey brick built retail and commercial premises
Digital Print		Leasehold	
Charles Street Buildings (U.K) Limited	Jarvis Street (Plot 7)	Freehold	Open car park and storage located on All Saints Road and Jarvis Street
Abdul and Yakub Caratella		Leasehold	
Pinemill Limited	Soar Island (Plot 53)	Freehold	A concrete batching site located on Soar Island
Hope Ready Mixed Concrete Limited		Leasehold	

2.3 As well as securing the land necessary to deliver the Scheme, new rights are also necessary to allow the Scheme to proceed, namely rights to:

2.3.1 enter for the purposes of carrying out works connected to the construction of the development with or without vehicles and with such plant machinery, equipment and materials as may be necessary

2.3.2 oversail land with loaded or unloaded cranes;

2.3.3 install a pontoon off the south western bank of Soar Island over the River Soar.

2.4 The new rights are described in more detail in the schedule to the Order.

3 ENABLING POWERS

3.1 The Council is empowered by section 226(1)(a) of the Town and Country Planning Act 1990 (“**the Act**”) to make a compulsory purchase order to acquire land if it thinks that its acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. Section 226(1A) of the Act provides that the Council may not exercise this power unless it thinks that such development, re-development or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of its area.

3.2 Section 226(4) of the Act provides that it is immaterial that the development, re-development or improvement is to be carried out by a third party.

3.3 Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to compulsorily acquire any such new rights over the land as are specified in a compulsory purchase order.

3.4 The Government has prepared a document entitled “*Guidance on compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under threat of, compulsion*” (October 2015) (“**the Guidance**”). Paragraph 1 of the Guidance states that:

“Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the

revitalisation of communities, and the promotion of business – leading to improvements in quality of life”.

- 3.5 The Guidance provides general advice on the use of compulsory purchase powers by acquiring authorities and in particular Section 1 of Tier 2 provides specific guidance to local authorities on the use of their powers under section 226 of the Act. Paragraph 65 of the Guidance provides that the power is “*intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement the proposals in their Local Plan or where strong planning justifications for the use of the powers exist*”.
- 3.6 The promotion of the Order for the Scheme is in accordance with the Guidance.

4 THE COUNCIL’S PURPOSE IN SEEKING TO ACQUIRE THE ORDER LAND

- 4.1 The redevelopment and enhancement of the Waterside area, has been a long held ambition of the Council, with the 2006 Adopted Local Plan first identifying this area as a key opportunity for regeneration (see Section 6)
- 4.2 The Waterside area, as delineated by the Proposals Map that accompanies the Council’s Local Development Plan, is large: bounded by the northern bank of the River Soar to the north; St. Margaret’s Way to the east; the inner-city ring road to the south; and the western side of the River Soar to the west. The Order Land lies broadly in the centre of this area, situated immediately south of Frog Island and represents Phase 1 of the redevelopment of Waterside (“**Phase 1**”). The Council intends that the delivery of Phase 1 will act as a catalyst for the further redevelopment of the wider Waterside area.
- 4.3 Waterside forms part of the Strategic Regeneration Area (“**SRA**”) which extends to the National Space Centre to the north, and to the former Gasworks site (Aylestone Road) to the south, incorporating the City Centre in-between.

5 THE PROPOSALS FOR THE DEVELOPMENT

- 5.1 On the 10th December 2015 outline planning permission was granted (ref: 20151587) for Phase 1 permitting the demolition of all the existing structures within the Order Land and to allow the Scheme to be brought forward to provide:
- 5.1.1 up to 500 new dwellings (Class C3 use);
 - 5.1.2 up to 1,000 sq. m. of retail (Class A1 to A5 use);
 - 5.1.3 up to 5,500 sq. m. office space for small businesses (Class B1 use a, b, c); and
 - 5.1.4 new and improved green infrastructure and pathways.
- 5.2 Whilst included within the planning application boundary, 9 Soar Lane, an attractive three-storey office building dating from the Victorian period, is to be retained.
- 5.3 The proposed green infrastructure includes a new local park located in a central location within the Scheme and a continuous canal side path for walking and cycling with adjoining new public open spaces.

6 PLANNING POLICY BACKGROUND

- 6.1 The following planning policy and guidance is relevant to the Scheme:
- 6.1.1 The National Planning Policy Framework and National Planning Practice Guidance
 - 6.1.2 The Adopted City of Leicester Local Plan (2006) (Saved Policies) and Proposals Map
 - 6.1.3 The Adopted Core Strategy 2014

6.1.4 The Leicester Waterside Supplementary Planning Document (2015).

National Policy

- 6.2 The National Planning Policy Framework ("**NPPF**") does not form part of the adopted Development Plan; it does, however, provide guidance on planning at a national level and is a material consideration for planning purposes. The NPPF promotes the delivery of a wide choice of quality homes and recognises the need for opportunities for home ownership to be widened and for sustainable, inclusive and mixed communities to be created. Local authorities are required to pursue policies to ensure the delivery of their assessed needs for market and affordable housing in their area through the identification not only of key sites which are critical to the delivery of the housing strategy over the plan period but also specific deliverable sites sufficient to provide five years' worth of housing against their assessed housing requirements including an appropriate buffer of either 5% or 20% depending on past performance of housing delivery (paragraph 47).
- 6.3 In particular, the NPPF promotes the preference for "*mixed use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity*" (paragraph 69) and encourages the "*effective use of land by re-using land that has previously been developed*" (paragraph 111).
- 6.4 The Ministerial Statement on Planning For Growth (March 2011) is material to planning decisions and emphasises that local authorities should make "*every effort to identify and meet the housing, business and other development needs of their areas, and respond positively to wider opportunities for growth*".

Core Strategy (adopted July 2014)

- 6.5 The Core Strategy is the most important of the Development Plan Documents that together form the Local Development Framework because it sets out the spatial planning policy strategy for the Council's area and provides the context for subsequent Development Plan Documents.
- 6.6 The Core Strategy identifies a number of issues facing the Council's area grouping these into three categories: "*People, Prosperity and Place*" (para 2.2). Issues identified that directly relate to the Scheme include:
- 6.6.1 delivery of housing to accommodate population growth in the City;
 - 6.6.2 ensuring the quality, type and affordability of housing meets the needs of the people of Leicester;
 - 6.6.3 ensuring there is an adequate supply of employment land and workspace to meet local need and attract new business;
 - 6.6.4 increasing graduate retention;
 - 6.6.5 improving the image and perception of the City, both for residents and people in other parts of the Country;
 - 6.6.6 reconnecting the City with the river and canal corridor; and
 - 6.6.7 making efficient use of land.
- 6.7 The Order Land falls within the Strategic Regeneration Area ("**SRA**") as defined by the Proposals Map which is to be the focus of major housing development with CS Policy 1 stating that 54% of residential development is to take place in the SRA.
- 6.8 CS Policy 4 provides additional context to the SRA but also to Waterside which is identified as a specific area of intervention. CS Policy 4 states:
- "The Strategic Regeneration Area will be the focus of major housing development and physical change to provide the impetus for economic, environmental and social investment and provide benefits for existing communities. New development within the Strategic Regeneration Area must be comprehensive and co-ordinated, complementing and building on delivery programmes and Supplementary Planning Documents.*

Development will promote:

- *Prosperity and economic growth where regeneration is the focus for major employment development;*
- *Liveability, with high quality residential neighbourhoods having access to a range of facilities;*
- *High quality urban environments that provide mixed uses and spaces;*
- *The potential to live, work, play and enjoy opportunities for leisure and cultural activity;*
- *Continuing investment in University related projects;*
- *Improved accessibility to jobs, homes and services and connectivity between areas including the riverside and water corridors, through opportunities for walking, cycling and use of high quality frequent public transport;*
- *The protection and enhancement of designated and other heritage assets and where the City Council considers appropriate the use of heritage-led regeneration; and*
- *Protection of existing habitats and enhancement or creation of new areas for wildlife. A comprehensive management and maintenance programme for the canal and riverside will be required, to safeguard the natural environment and increase its ecological value."*

6.9 In respect of the Waterside area, CS Policy 4 states:

"The Waterside area connects existing communities with the City Centre and the riverside and canal. Our strategy is to develop the Waterside as an attractive, high quality, residential-led, mixed neighbourhood and city leisure attraction, focusing on water, which enhances the riverside, the canal and its ecology, improves connectivity to adjoining areas and reduces the severance effect of the Central Ring Road. We will do this by:

- *Encouraging a full mix of housing types;*
- *Encouraging small scale offices and workspaces and supporting neighbourhood uses where they are on key safe, connecting routes;*
- *Defining a new local centre to serve the area on the A50;*
- *Improving vehicle and pedestrian access through and within the area, including improvements to the Sanvey Gate/Highcross Street/Great Central Street junction and assessing the case for provision of the St. Augustine's/Bath Lane link road and bridge; and*
- *Seeking to provide access links, education provision, improvements in the provision of public open space (including to Rally Park) and health care facilities."*

6.10 The Core Strategy includes a target of 1,280 homes to be built annually, reflecting a 50% increase on annual house building rates during 2001-06. The supporting text of the Core Strategy provides a target provision of 11,854 new homes to be delivered within the SRA with the majority of these to be delivered within the three key intervention area of Abbey Meadows, Waterside and St. George's North (para 4.4.22).

6.11 The following Core Strategy Policies are also relevant:-

6.12 **CS02 (SUDS/ flooding);** Sites should be assessed for their contribution to overall flood risk, taking into account climate change.

6.13 **CS03 - Good quality design;** Good quality design is central to the creation of attractive, successful and sustainable places. The Council expects high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. Development must respond positively to the surroundings, be appropriate to the local setting and context and take into account Leicester's history and heritage.

6.14 **CS06 mix / type of housing; and CS07 Affordable housing;** New housing development will be required to provide an appropriate mix of housing types, sizes and tenures to meet the needs of existing and future households in the Council's area. The Council will expect the developments in the SRA to provide 15% affordable housing. Any proposal below this will need to be fully justified through clear evidence set out in a viability assessment, and will need to demonstrate that grant funding sources have been fully explored.

- 6.15 The Order Land and wider Waterside area falls outside of both the Primary Employment Area designation and the Key Employment Area designation, as defined by the Proposals Map. However, there are relevant employment and retail policies relating to Waterside. CS Policy 10 relates to employment opportunities and states that the Council will promote small offices between 100 and 1,000 sq. m. in the City Centre, on safe, key connecting routes at Waterside, and St George's to the south of Humberstone Road.
- 6.16 CS Policy 10 states that the Council will work with partners to support businesses to relocate from the SRA into appropriate property where it enables regeneration. This policy recognises that in order for the redevelopment of the SRA to be brought forward existing businesses will need to be displaced and the Council has prepared a relocation strategy to assist existing businesses find suitable alternative accommodation.
- 6.17 CS Policy 13 recognises the importance of "*maintaining and enhancing the quality of the green network so that residents and visitors have access to good quality green space, sport and recreation provision*". The supporting text recognises that the new communities created in the SRA will need access to a variety of green spaces and that it is important to make sure connections and routes through to large green spaces are made. The Core Strategy also recognises the strategic importance of the River Soar and Grand Union Canal corridor and that regeneration activity should enhance the biodiversity on the River Soar and Grand Union Canal.
- 6.18 CS Policy 18 "*Historic Environment*" states that, "*The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. We will support the sensitive reuse of high quality historic buildings and spaces, promote the integration of heritage assets and new development to create attractive spaces and places, encourage contemporary design, ...and the protection and where appropriate, enhancement of historic public realm. Within the regeneration areas particular importance will be given to the integration of the historic environment with new development through encouraging heritage-led regeneration*".

Adopted Local Plan 2006

- 6.19 When the Core Strategy was first adopted only a few of the policies of the Local Plan policies were saved. (See table of saved policies in Appendix 2 on page 109 of the Core Strategy).
- 6.20 With regard to Waterside, policy PS07 of the Adopted Local Plan was saved. This states that:-
- "...PS07. WATERSIDE - Planning Permission will be granted for development that contributes towards a new comprehensive Waterside development in the vicinity of Frog Island, in the area shown on the Proposals Map. Development that frustrates delivery of this project will be resisted. Development proposals must demonstrate how they contribute towards achieving comprehensive development by addressing the following factors:*
- (a) creation of a new vibrant predominantly residential mixed-use Waterside area;*
 - (b) provision of comprehensively designed schemes which maximise the potential of the area in accordance with an agreed development framework and the principles of sustainable development;*
 - (c) provision of transport and highway measures agreed with the local authority that contribute to a reduction of the severance effect of the Central Ring Road, particularly at the principal access points to Waterside off Highcross Street and St. Nicholas Circle; that provide opportunities for existing through-traffic to be removed from the area; that provide a comprehensive network of cycle routes and footpaths to link Waterside to the City Centre and to surrounding Tudor Road and Woodgate areas;*
 - (d) provision of new housing providing a mixture of house type, size and affordability as well as the necessary supporting community facilities including education infrastructure;*

- (e) *provision of new waterspace and improved access to existing waterspace;*
- (f) *provision of public car parking to serve both the Waterside and Central Shopping Core; and*
- (g) *the contribution to provision of high quality public realm and a varied mix of open spaces throughout the area.”*

Leicester Waterside Supplementary Planning Document (adopted 15th August 2015) (“SPD”)

- 6.21 Waterside is described as having the *“potential to be one of the most exciting large-scale regeneration opportunities in the East Midlands”* and presents the opportunity for the creation of a *“thriving neighbourhood with great places to live and space for businesses to flourish”* (foreword). The SPD further recognises that the Waterside Area is *“a gateway to Leicester City Centre and has significant potential for economic and physical transformation to create a high quality residential-led mixed use neighbourhood which connects the City Centre and the waterfront”* (pg. 5).
- 6.22 The purpose of the SPD is to drive forward the regeneration of Waterside through the creation of a spatial plan and vision for change and investment over the next 10-15 years. The document’s aim is to *“guide the mix, quality and character of development and will enable the delivery of sites and infrastructure in a co-ordinated and comprehensive manner”* (pg. 5).
- 6.23 The SPD describes the area as having existing high levels of vacancy and dereliction which create a poor approach to the City Centre and a physical and economic barrier between the City Centre and the adjacent neighbourhoods of Newfoundpool (pg.14). The document identifies Waterside’s advantage of being close to the City Centre and the waterfront, the established urban identity with many characterful historic structures and the proximity to green open spaces which together create a distinctive character and identity to the area (pg. 11) but also acknowledges the limitations and existing challenges of the site in the context of flooding (pg. 26), the existing road infrastructure (pg. 17) and the presence of Japanese Knotweed and Himalayan Balsam (pg. 20).
- 6.24 However, these challenges are all surmountable and the site presents a unique opportunity to *“deliver a distinctive new urban quarter which meets the identified need for high quality homes in an attractive and vibrant location”*. (para 2.2, pg.11)
- 6.25 In concluding the economic context and potential for the Waterside area the SPD states:
- “The Waterside provides a substantial regeneration opportunity to help meet the City’s housing needs and underpin its local economic growth strategy. It will do so by:*
- *Providing a range of housing types including town houses for younger households, as well as high quality apartments;*
 - *Creating a distinctively urban but attractive residential environment to retain those people who may otherwise leave the City Centre to satisfy their housing needs;*
 - *Creating a truly mixed use area incorporating business space and including smaller office suites with good parking standards suitable for owner occupiers;*
 - *Providing local services and amenities including shops and leisure facilities to serve the new population and complement the City Centre. Retailing is seen as key part of creating a sustainable mixed use community;*
 - *Improving access to other social infrastructure and community facilities as well as open space to establish the Waterside as an attractive and sought after area.”* (para 14.5, pg. 35)

- 6.26 The SPD provides that residential development will be focused to the east and west of the River Soar and to the west of the A50 (illustrated in Map 6.3). The Order Land encompasses land located within the following “Character Areas”:
- 6.26.1 Waterside East: a new residential and mixed use community to the east of the River Soar and west of the A50, which integrates new development with retained heritage assets including Friar’s Mill and forms an important link from the City Centre to the River Soar.
 - 6.26.2 Soar Island: a new destination on the river with a mix of uses including green space. The highly visible central location of the Island calls for a special publicly accessible use and high quality design response which takes the needs of wildlife into consideration.
 - 6.26.3 Waterside: the corridors of the River Soar and Grand Union Canal form linear character areas. They will be revitalised for leisure uses, walking and cycling and form an attractive setting for new development. Wildlife habitats will be retained and enhanced or new areas of habitat created in less disturbed areas.
 - 6.26.4 A50 Corridor: a mix of employment, community facilities and a new local centre on the A50 which serves the adjacent residential and business communities. A more pedestrian-friendly character will be re-established with wider pavements, on street parking, cycleways and street trees along the A50.
- 6.27 A range of housing types and amenities are to be delivered including town houses, quality apartments, local shops and small office suites with the focus on delivering an attractive residential environment for households who have not previously found an appropriate housing offer in the City Centre to satisfy their housing needs.
- 6.28 In respect of the residential accommodation, the SPD provides that this is to be focused on the Waterside West and Waterside East Character Areas (pg. 36) and should comprise high quality structures and buildings that create a cohesive townscape rather than standalone developments (pg. 11).
- 6.29 Soar Island is described as “*one of the most interesting parts of the river*”, “*a distinctive and highly visible site*” that “*is well connected*” (pg. 36). The SPD states that:
- “Soar Island is identified for a mixed use (potentially including housing, commercial and community uses) that enables public access to the island and provides green space. It needs to include a use which creates an attractive destination which draws people to it, where they can enjoy being by the river”* (pg. 36)
- 6.30 In respect of the A50 Corridor the SPD seeks to strengthen the existing mix of commercial and community uses on the A50 through new employment, community and leisure development (pg. 36). Across the Waterside area, new employment development will include provision of both office and workshop space that caters for small and medium sized enterprises (pg. 38).
- 6.31 Whilst the Waterside area has the intrinsic qualities required to establish a successful residential neighbourhood and mixed use environment, the SPD acknowledges that development “*has been prohibited from coming forward at the rate expected in recent years owing to the need to assemble land and the cost of required infrastructure for access and servicing*” (para 4.2, pg. 29).
- 6.32 In Section 6: Delivery, the SPD says that the Council wishes to see the Waterside area developed in a comprehensive and co-ordinated way, albeit it recognises that this may be on a phased basis over a number of years (pg. 56). The requirement for flood mitigation works necessitates a comprehensive approach to the design and phasing of the development in the Waterside East area. The SPD concludes that a comprehensive approach is required:
- 6.32.1 to create a new and attractive residential-led mixed use environment;
 - 6.32.2 to optimise regeneration benefits by creating an opportunity for town houses as well as apartment led development. This will deliver additional housing in line with Council objectives and will also underpin sustainable growth in the local economy;

6.32.3 to deliver improved access to the Waterside; and

6.32.4 to achieve better connectivity throughout the Waterside area.

and that where appropriate and required to achieve its policy objectives, the City Council will use its compulsory purchase powers to assemble key sites. (pg. 57)

7 EFFORTS TO ACQUIRE BY AGREEMENT

7.1 Single ownership of the Order Land is required to implement the Scheme. Negotiations have been taking place with all freeholders and leaseholders in the Order Land.

7.2 The Council has actively sought to acquire land and property required for the Scheme since August 2014.

7.3 At the commencement of the land acquisition process for the Scheme the Council owned 11 plots of land and the sub-soils of some of the adopted highways. Following a concerted effort in the last two years, it has acquired the freehold interests and long leasehold interests in the following properties:

Interest	Plot number
Mandy's Snack Bar	5
Land at Pingle Wharf, Pingle Street	12
Gethin House, All Saints Road	4
60 Northgate Street	24 and 27
25 Soar Lane	13
The Ship Inn, Soar Lane	16
Builders Merchants, 17 Swan Street	12
26 Swan Street	46
1 Swan Street	42
Decormax, Pingle Street	41
Pingle House, 22 Pingle Street	36
Leicester Shoe Building, 2a Pingle Street	30 and 29
14-18 New Henry Street	34
20 New Henry Street	33
9 New Henry Street	31
38 Northgate Street	22
Dekton Components, All Saints Road	2

- 7.4 The Council has in addition agreed another 6 freehold acquisitions. The contracts for acquisition are now with the respective parties' legal representatives and completions are expected in the coming months.
- 7.5 The Council has also reached agreement with the following leasehold interests benefiting from leases expiring after 2016:
- 7.5.1 Martial Arts Academy Raja Thomas, 38 Northgate Street (Plot 22)
 - 7.5.2 Maria Panayi, 9 New Henry Street (Plot 31)
 - 7.5.3 JJ Print Finishers Limited, 20 New Henry Street (Plot 33)
 - 7.5.4 Premier Frames, 1 Swan Street (Plot 42)
 - 7.5.5 J. Coates Contract Hire Limited, 12-32 Northgate Street (Plot 20)
 - 7.5.6 G Salvage, 26 Swan Street (Plot 46)
- 7.6 The Council is monitoring the existing leases of those present in the area. Additionally the Council has granted 6 flexible leases and agreed a further one with landowners with whom they have concluded agreements to acquire their land. This allowed freeholders to sell their interest, but remain in the property until it is required. This gives them time to arrange relocation, if required.
- 7.7 The Council is keeping records of vacant property in Leicester and the immediate surrounding area and this information has been made available to all those having to relocate, including both owners and occupiers. These records have been updated during the land assembly process. The Council has actively sought to obtain details of relocation requirements from affected parties so it can assist in matching requirements with available properties. The Council is proactively using its own property portfolio to enable relocations where this is possible.
- 7.8 The Council has actively engaged with local agents to assist in identifying suitable premises for affected businesses to relocate to. Additionally, the Council has actively sought to incentivise local agents for off-market opportunities that are suitable to be brought forward to assist in the relocation of occupiers from the Order Land by offering finder fees for suitable accommodation.
- 7.9 The Council has been active in its engagement with owners and occupiers of the Order Land. In June 2015 the Council wrote to all landowners to advise them that it wanted to purchase their interests by agreement in order to progress with the redevelopment and also extending the offer of assistance with relocations. This resulted in a number of parties engaging with the Council and agreements being reached on a significant number of parcels of land. From having a minor land holding in the Order Land, the Council has acquired 21 interests in the Order Land in a relatively short period of time with a further eight acquisitions and lease surrenders agreed
- 7.10 The Council considers, as successful as it has been, that the use of its compulsory purchase order making powers to acquire all outstanding interests in the Order Land and the new rights is required as it has not been possible to achieve this by agreement and it is highly unlikely that it would be able to do so within an acceptable timescale without the Order.

8 JUSTIFICATION FOR THE USE OF COMPULSORY PURCHASE POWERS

- 8.1 The purpose for which the Order Land is being acquired supports the delivery of key national and local planning policies and the use of compulsory purchase powers complies with the Guidance.
- 8.2 The Council considers that there is a compelling case in the public interest for the making of the Order. The principle of the Scheme is supported by planning policy at both a national and local level. There are no planning or viability impediments to the implementation of the Scheme: the Council has secured outline planning permission and it is in the process of entering into a development agreement with Keepmoat ("**Keepmoat**"), a specialist housing and construction company to deliver the Scheme (see Section 9).

- 8.3 Single ownership and control of the Order Land is required to enable the Scheme to proceed. A significant level of infrastructure works is required to alleviate flood risk including raising the ground level across some of the site by as much as 1m, installing a suitable surface water drainage system across the site and undertaking works to the canal wall. If the burden of the costs of undertaking these works and installing the required infrastructure had to be met solely by a developer any scheme would not be viable. As such it is only through the Council's intervention, and the use of funding it has secured, that the ambition for the Order Land can be realised. The Council can only commit to undertaking these works if the full ambition of the Scheme and planning policy can be fulfilled: it is only through complete control of the site that the Council can ensure that the infrastructure works are undertaken, that comprehensive development is achieved and that the public benefits of the Scheme are realised.
- 8.4 The Council has carefully considered the need to include each parcel of land and each new right in the Order Land and is satisfied that these interests are required for the delivery of the Scheme.
- 8.5 The overarching consideration for the Secretary of State in deciding whether a compulsory purchase order should be confirmed, and which is of equal relevance to the Council in reaching its decision to make an order, is whether the interference with private rights would be in the public interest. Paragraph 76 of the Guidance identifies the following issues be considered:
- 8.5.1 whether the purpose for which the land is being acquired fits with the adopted planning framework for the area;
 - 8.5.2 The extent to which the Scheme would contribute to the achievement of the promotion and/or improvement of the economic, and/or social, and/or improvement of environmental well-being of the Council's area.
 - 8.5.3 Whether the purposes for which the proposed Order Land is to be acquired could reasonably be achieved by any other means within a reasonable timeframe.
- 8.6 Paragraph 13 of the Guidance also requires that the Council demonstrate that all the necessary resources are likely to be available to deliver the Scheme within a reasonable time-scale.
- Whether the purpose for which the land is being acquired fits with the adopted planning framework for the area***
- 8.7 Overall, for the reasons given elsewhere in this Statement, the Council is satisfied that the purposes for which the Order Land is being acquired fits with the adopted planning framework and will enable the Council to begin to realise the wider regenerative aspirations for the City Centre and the Waterside by acting as a catalyst for wider investment and development.
- The extent to which the Scheme would contribute to the achievement of the promotion and/or improvement of the economic, and/or social, and/or improvement of environmental well-being of the Council's area***
- Economic Benefits***
- 8.8 The Council is satisfied that development on this scale represents a significant investment in a key strategic development site, the benefits of which will be considerable to the economic well-being of the Council's area, in terms of:
- 8.8.1 delivery of a variety of housing types to accommodate population growth in the City and in particular provide a living environment and offer that is not currently available in the City;
 - 8.8.2 improving the image and perception of the City, both for residents and people in other parts of the county;
 - 8.8.3 attracting new businesses to Waterside through the provision of new business space of a size that will support small and medium enterprises;
 - 8.8.4 optimising the use of land in an important city fringe location and through the creation of better links between the Waterside Area and the City Centre, making the city a more attractive location for businesses and residents; and

- 8.8.5 in accordance with the Core Strategy, assisting existing businesses in the area to relocate to suitable premises that have long term viability as commercial accommodation.
- 8.9 As reported by the Strategic Housing Land Availability Assessment (updated January 2014) ("**SHLAA**"), housing completions in the Council's area have been below the annual housing requirement for each of the previous seven years with the cumulative deficit standing at 1,590 (15.5%). To meet the Council's housing target, a total of 7,060 new homes need to be delivered in the Council's area over the next five years. Allowing for the 5% and 20% buffers and past underperformance this increases to 7,380 and 8,340 units respectively.
- 8.10 The SHLAA identifies a potential supply of 8,029 units, meaning that it is short of the 20% buffer figure that it needs to demonstrate, reflecting the past level of underperformance. It also comments on the uncertainty as to the timing of the delivery of housing on the larger sites and the impact that this can have on performance against the target.
- 8.11 The delivery of housing in the Waterside will provide a significant contribution towards meeting the Council's housing targets. In addition it will also deliver a range of housing typologies that are not readily available in a high quality central location.
- 8.12 The Council is working to restructure its economy through innovation to provide more service and knowledge based jobs and addressing the issues it faces. The delivery of housing is key to this with the supporting text of the Core Strategy noting that a more diverse range of housing types that appeal to occupiers of all incomes should be delivered in the SRA (para 4.4.5). The Scheme will provide a significant contribution towards helping achieve this.
- 8.13 The Strategic Housing Market Assessment (May 2014) also emphasises the need for a mix of housing types and sizes that need to be delivered across the Council's area. The Scheme will help achieve this by facilitating the delivery of a mix of housing types and sizes whilst balancing the need for creating a high quality environment and maximising the opportunity for providing housing numbers.
- 8.14 The economic importance of development is recognised in the Leicester Economic Action Plan (October 2012) ("**LEAP**") which outlines key areas where the Council will play a central role in driving the economic growth of the Council's area.
- 8.15 The 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. The Council's decision to intervene to ensure the delivery of the Scheme is an example of the Council putting this policy into action. One of the priorities of the LEAP is unlocking development opportunities to meet housing and business needs (priority 11), highlighting the important and proactive role the Council has to play in 'kick starting' opportunities for development.
- 8.16 An updated LEAP for the period 2016-2020 has been published in draft for consultation. Securing the delivery of Phase 1 is highlighted as a key ambition with Action GP8 seeking to complete land assembly, developer procurement and the infrastructure delivery at Waterside (of Phase 1) by 2020 (p.18). Supporting the delivering of high quality housing development (Action GP4) and increasing the availability of workspace for growing businesses (Action EL5) are both priorities directly relevant to the Scheme.
- 8.17 The economic importance of the development of Waterside is recognised in the Leicester & Leicestershire Enterprise Partnership Strategic Economic Plan ("**SEP**"), an investment plan that sets out the Enterprise Partnership's framework for achieving economic improvement in the region which was submitted to Government in March 2014. Of the 34 priority projects identified in the "Growth Area", Waterside is the largest in terms of funding and is identified as a Priority 1 project that will help reposition Leicester as a core city and economic powerhouse in the UK.
- 8.18 The Waterside Regeneration Area programme (the title adopted for the delivery of regeneration to the Waterside and Abbey Meadows parts of Leicester) falls under the banner of Leicester Launchpad which relates to the Strategic Regeneration Area defined in the Core Strategy. The

Leicester Launchpad is so called as *“the SRA provides the potential ‘Launchpad’ to deliver substantial housing, commercial and leisure/cultural developments on a cluster of development sites to create 6,000 jobs”* (pg. 7). The area is identified as:

“having the potential to deliver significant housing and employment development on former industrial land in close proximity to the City Centre, This will provide highly attractive development opportunities, particularly along the River Soar Waterside. Development had been prevented from coming forward at the rate expected in recent years owing to the need to assemble land and the cost of requiring infrastructure for access and servicing.” (para 1.7)

- 8.19 The SEP goes on to state that Leicester Waterside Regeneration Programme will see funds committed to unlocking development sites through investment in essential infrastructure and land assembly in the Waterside and Abbey Meadows parts of the Launchpad area (para 3.18). Further investment is to be made in flood risk management in respect of the River Soar/Grand Union Canal to reduce flood risk and create improved walking and cycling routes on the River Soar and Grand Union Canal to link the Launchpad area to outer residential and commercial areas of Leicester.

Environmental and Social Benefits

- 8.20 There will also be significant social and environmental benefits for the Council’s area, consisting of:
- 8.20.1 The provision of much needed new homes, including affordable housing;
 - 8.20.2 improved access to the waterfront for residents and visitors to the City Centre and creating a permeable, attractive, high quality environment which encourages people to enjoy the waterfront and utilise the footpaths and green spaces along the route for leisure; and
 - 8.20.3 the provision of residential and commercial accommodation in close proximity to the City Centre reducing the reliance on cars.
- 8.21 The River Soar and Grand Union Canal corridor is of strategic importance: it is valuable for wildlife and recreation activities in itself but also gives access to a number of key green spaces along its route. Securing improvements to the River Soar and Grand Union Canal corridor is important and recognised in Core Strategy Policy CS 13.
- 8.22 At present the City Centre is disconnected from the waterfront; the ring road provides a barrier to the Waterside area and the quality and layout of the urban fabric surrounding the waterside provides an unattractive environment. The Waterside SPD identifies the opportunity to *“revive the historic approaches [to the city]...and reconnect the City Centre with the River Soar through new waterfront routes and bridges. Creating an improved access network by filling missing links and public realm upgrades will allow people to travel through the area easily particularly on foot and bike and will support Leicester’s aim of encouraging sustainable transport choices.”* (pg.12)
- 8.23 Both the Core Strategy and SPD recognise the role redevelopment of Waterside has in improving the image and perception of the City Centre. The area is adjacent to the Highcross Centre and is on three key routes into the City Centre: the A50, A6 and A47 and so presents a key image of the City to both residents and visitors. The SPD describes the Waterside area as *“characterised by high levels of vacancy and dereliction...It presents a poor approach to the City Centre, and a physical and economic barrier between the centre and the adjacent neighbourhoods of Newfoundpool”* (pg14).
- 8.24 The SPD states that the long term aim for regeneration is to *“re-connect the Waterside back into the wider city, transforming it into a thriving residential and mixed use community which offers all the benefits of vibrant city life and supports the economic success of the wider City Centre as a cultural and economic hub”* (pg.14).
- 8.25 The Scheme will deliver an improved area of open, informal green space on the northern part of Soar Island, improving the biodiversity of the area, and a wide predominantly pedestrian route along the waterfront that extends from Friars Mill in the south to the Grand Union Canal’s junction with the A50. This esplanade, which will be adjoined by public open spaces at a number of points along its

route, along with the hierarchy of roads that intersect the development site, will enhance pedestrian and cycle access to the waterways.

8.26 The new development will also frame the historic buildings of merit that sit both within and on the fringe of the Order Land. 9 Soar Lane is an attractive Victorian building that sits within a central areas of the Order Land and Friars Mill, a Grade II listed building is located immediately south of the Order Land on Bath Lane.

8.27 Accordingly the Council is satisfied that it has met the test in section 226(1) (A) of the Act. The Scheme will promote and enhance the economic, social and environmental wellbeing of the area.

Whether the purposes for which the proposed Order Land is to be acquired could reasonably be achieved by any other means within a reasonable timeframe.

8.28 The Order Land has been identified as being the appropriate site for the delivery of a mixed-use development since the Local Plan was adopted in 2006. The purpose of the Scheme is to regenerate the Waterside East (also referred to as Phase 1) an area of land long identified as being the focus of regeneration which, for reasons of fragmented land ownership, infrastructure improvement requirements and poor neighbouring uses, has not been brought forward by the private sector. A comprehensive approach to development is required to realise the aspirations of the relevant planning policies and the public benefits that would result. The Council has been unable to acquire all of the relevant interests by agreement and whilst discussions with landowners will continue throughout the CPO process, there is no realistic prospect of the site being fully assembled without the confirmation of the Order.

8.29 Without complete control over the Order Land the Council will not be in a position to deliver the infrastructure required to facilitate the development. The scale of the infrastructure and remediation works, particularly in respect of flood mitigation, means that development cannot be brought forward unless there is the certainty that it will facilitate redevelopment of the whole.

8.30 The Order will allow the Council to assemble the Order Land into one ownership following which, all structures (save as to 9 Soar Lane which does not form part of the Order Land) will be demolished, the land remediated and strategic infrastructure put in place. Once these works have been completed the Council's development partner can then progress with delivery of the Scheme.

8.31 The Council's role is primarily one of enabling development. It is recognised that the failure to bring forward Phase 1 of Waterside for re-development in spite of a positive planning framework is largely down to: the fragmented nature of the land ownerships across the site; poor neighbouring land uses within the site; and the need for costly site remediation and provision of infrastructure. These issues cannot be realistically addressed without the intervention of the Council.

8.32 The Council has committed funding (both through Local Growth Funding secured through the Local Enterprise Partnership and its own resources) to purchase the Order Land, clear the site, undertake site remediation and install the necessary infrastructure.

8.33 The risk of flooding to the Order Land requires significant areas of the site to be raised, in some instances by up to 1m. In addition a surface water drainage system needs to be installed across the site and works to the Grand Union Canal wall undertaken in order for residential development to be brought forward on the Order Land. These enabling works need to be undertaken in a comprehensive manner in order for the Scheme to be brought forward.

9 DELIVERY AND FUNDING

9.1 The outline planning permission (see Section 5) establishes the capacity of the site in terms of a proposed mix and quantum of accommodation, providing a framework to developers as to the appropriate type of development on the site for the Scheme. Whilst the planning framework promotes the delivery of a mixed-use, residential-led environment, the planning permission provides an additional level of detail allowing developers to refine their proposals in line with the requirement for comprehensive development whilst maintaining all important flexibility to meet market demand.

- 9.2 In December 2015 the Council carried out a procurement process for a development partner. Following a formal bid evaluation process, in August 2016 the Council selected Keepmoat as its preferred bidder.
- 9.3 Keepmoat will be responsible for two aspects of the work under the terms of a contractual agreement (“**the Development Agreement**”). Keepmoat’s first role will be as a contractor to undertake the necessary site-wide infrastructure works to prepare the land for the Scheme. Upon completion Keepmoat will then draw down specified development parcels in order to deliver the various components of the Scheme. This approach will ensure that the necessary infrastructure works across the whole of the site are delivered at the outset.
- 9.4 The principal terms of the Development Agreement require Keepmoat to deliver:
- 9.4.1 approximately 335 dwellings;
 - 9.4.2 not less than 5,500 square metres (Gross External Area) of commercial accommodation;
 - 9.4.3 the areas of public realm including recreation and play areas, footways and cycleways not included in the infrastructure works; and
 - 9.4.4 Infrastructure works including demolition of all buildings and structures identified for clearance, the remediation of the land, site levelling, works to the canal walls, archaeology, offsite and onsite highways, the installation of water drainage systems, the provision of services across the site and the open space and public realm works.
- 9.5 To ensure that the Scheme is delivered in a timely manner, the Development Agreement requires Keepmoat to undertake the following initial works within two years of the Development Agreement going unconditional:
- 9.5.1 the infrastructure works (which extend across the full extent of the Order Land);
 - 9.5.2 the construction of not less than 100 dwellings;
 - 9.5.3 the construction of not less than 1,858 square metres of office accommodation.
- 9.6 In 2015 the Council secured £20m of funding from central government through the Local Growth Funding for the Leicester Waterside Phase 1 project. £9.2 million has been released and the remaining £10.8million is being provided over the next three years (2017/18 – 2019/20). This funding is not dependant on EU funding.
- 9.7 In addition, the Council has committed £5m over the same period and will apply the expected land receipts from the sale of the Phase 1 land and the adjoining Friars Mill development. This brings the total public sector contribution to the Scheme to £35m.
- 9.8 To secure the delivery of the Scheme the Council has made available from its corporate resources a further sum of £21m to underwrite the Scheme.
- 9.9 The Council is confident that the grant funding and land receipts, together with the Council’s equity and debt funding resources are ample to fund the purchase of land (both by agreement and pursuant to the Order) and the infrastructure requirements to bring forward the Scheme. The Council is expected to re-coup a sizeable portion of its capital outlay on the sale of the land but it is not a requirement that the total level of expenditure is recovered. The Council recognise that this is an investment in a key strategic site which will bring long term economic, social and environmental benefits to the area and act as a catalyst for further development.
- 9.10 In light of the Council’s commitment to fund the Scheme through Local Growth Funding received from central government and through its own resources it is satisfied that sufficient funding is available to enable it to:
- 9.10.1 complete the compulsory acquisition of the Order Land and meet statutory compensation claims together with all resource costs associated with making the Order; and
 - 9.10.2 deliver the infrastructure required to facilitate the Scheme.

10 HUMAN RIGHTS

- 10.1 Determining whether or not to confirm the Order, the Secretary of State must have regard to any interference with human rights, the provisions of the Human Rights Act 1998 and the European Convention on Human Rights (“**the Convention**”). The Secretary of State must consider whether, on balance, the case for compulsory purchase justifies interfering with the human rights of the owners and occupiers of the Order Land. The Secretary of State also has to be satisfied that the land included in the Order is necessary in order to secure the delivery of the Scheme and does not include land which is not required for that purpose.
- 10.2 Article 1 of the First Protocol to the Convention states that “...*Every natural or legal person is entitled to peaceful enjoyment of his possessions*” and “*no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law...*”. Whilst occupiers and owners in the Order Land will be deprived of their property if the Order is confirmed and the powers are exercised, this will be carried out in accordance with the law, in this case the Act. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the Scheme are set out earlier in this Statement of Reasons. The Council considers that the Order will strike a fair balance between the public interest in the implementation of the proposals and those private rights which will be affected by the Order.
- 10.3 *Article 6 of the Convention provides that: “In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”.* The regeneration proposals, including those associated with the Order Land, have been extensively publicised and consultation has taken place with the communities and parties that may be affected by the Order. All those affected by the Order will be notified, will have the right to make representations and/or objections to the Secretary of State, and objecting parties will have the right to be heard at a public inquiry. It has been held that the statutory processes are compliant with Article 6 of the Convention.
- 10.4 Article 8 of the Convention states that: “*Everyone has the right to respect for his private and family life, his home and his correspondence...interference is justified however, if it is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for its prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.*” The Council considers that the interference with this right that will result from the exercise of the powers conferred by the Order will be in accordance with the law (namely the Act), give effect to a legitimate aim (namely securing the much-needed regeneration of the area), and will be proportionate having regard to the public benefits that the regeneration will bring.
- 10.5 Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the compulsory purchase compensation code, assessed on the basis of the market value of the property interest acquired, disturbance (i.e. reasonable moving costs and costs/losses directly related to the compulsory acquisition) and statutory loss payments. The reasonable surveying and legal fees incurred by those affected in transferring interests to the Council will also be paid by the Council. The compensation code has been held to be compliant with Article 8 and Article 1 of the First Protocol to the Convention.
- 10.6 The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that “*regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole*”. Both public and private interests are to be taken into account in the exercise of the Council’s powers and duties. Similarly, any interference with Article 8 rights must be “*necessary in a democratic society*” i.e. proportionate.
- 10.7 In promoting this Order, the Council has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the redevelopment of the Order Land. Interference with Convention rights is considered by the Council to be justified here in order to secure the economic regeneration, environmental and public benefits which the proposals will bring.

- 10.8 The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully taken into account. There is a compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of the compulsory powers conferred by the Order would be lawful, justified and proportionate.
- 10.9 There has been extensive public consultation on the proposals to regenerate the Waterside, and the opportunity has been given through the consideration of the planning applications to make representations on the proposals. If objections are received, a public inquiry will be held into the Order, and those, whose interests are acquired under the Order, if it is confirmed, will be entitled to compensation as provided for by law.

11 CONSULTATION AND EQUALITIES

- 11.1 The Council has undertaken extensive consultation in respect of both the wider Waterside area and the proposals for Phase 1 which includes the Order Land.
- 11.2 The Adopted Core Strategy went through a full consultation process including the following:
- 11.3 Policy Options : October – November 2007
- 11.4 Core Strategy Discussion Document : August-October 2008
- 11.5 Proposed submission consultation : 18th September 2009 - 30th October 2009
- 11.6 Submission : 2nd December 2009
- 11.7 Examination : 20th April 2009 - 29th April 2010
- 11.8 Minor changes consultation: 12th April-10th May 2010
- 11.9 Adoption : 25th November 2010
- 11.10 Following adoption of the Core Strategy, the Council sought to undertake a limited review of policies concerning the provision of new offices and skills training. This review did not directly affect policies related to Waterside. The relevant dates for the partial review and subsequent adoption of the revised Core Strategy are below:
- 11.11 Initial wording consultation : 11th July 2013 to 27 August 2013
- 11.12 Submission consultation : 7th October 2013 to 18th November 2013
- 11.13 Submission: End of November 2013
- 11.14 Examination : Written representations (Inspector's report received 26th March 2014)
- 11.15 Adoption: 19th June 2014
- 11.16 The SPD was subject to a consultation process which commenced on the 16th January 2015 and ran to the 13th March 2015. The following stakeholder consultation events were held:
- 11.16.1 20 January 2015
- 11.16.2 27 January 2015
- 11.16.3 30 January 2015
- 11.16.4 3 February 2015
- 11.16.5 5 February 2015
- 11.17 Following the submission of the Outline Planning Application for the redevelopment of the Order Land notices were served on all properties within the boundary of the planning application together with site and newspaper notices. A public consultation event was held on the 21 July 2015.

- 11.18 In line with the Equality Act 2010 the Council has undertaken an Equalities Impact Assessment as part of its decision-making exercise, considering the impacts of the proposals on those affected, identifying whether there is impact on a protected group of individuals, establishing whether there are negative impacts and how these could be mitigated.
- 11.19 The Equalities Impact Assessment identified that the main protected characteristics of business owners and their workforce are sex and race (virtually all are male and come from Asian, White British and East European ethnic backgrounds). To ensure that the effects are mitigated the Council is assisting businesses in the search for premises in which to relocate and maintain their businesses. The compulsory purchase process for business owners is highly regulated and prescriptive to ensure a fair outcome for them in terms of compensation for their loss arising from the compulsory purchase order.
- 11.20 The Equalities Impact Assessment also identified the positive benefits the development of the Order Land would have on the Council's area as a whole in the form of much needed housing, commercial accommodation and enhanced access to the natural waterside environment. These development opportunities will address the following Public Sector Equality Duty aims:
- 11.20.1 elimination of discrimination – it is anticipated that the demographic profile of those benefiting from the proposed housing and commercial/retail space (homes and jobs) will reflect the diverse population of the Council's area covering all protected characteristics;
 - 11.20.2 promotion of equality of opportunity – the housing and employment opportunities which will expand opportunities and outcomes available locally;
 - 11.20.3 fostering good relations between different groups of people – by expanding commercial accommodation, as well as enhancing the local waterside environment, people from across the Council's area will be encouraged to use these shared spaces, providing more opportunities for different people to mix and participate together in community life.
- 11.21 The Council is satisfied that the Scheme will strengthen the vitality and viability of the City Centre and would not have any negative impacts on equality and diversity.

12 STOPPING UP ORDER

- 12.1 A highway stopping up order will be applied for to facilitate the delivery of the Scheme. The Council will make an application to the Secretary of State pursuant to section 247 of the Act to stop up the following highways:
- 12.1.1 New Pingle Street
 - 12.1.2 New Henry Street
 - 12.1.3 Swan Street
 - 12.1.4 Pingle Street

13 CONSERVATION AREA AND LISTED BUILDINGS

- 13.1 The Order Land is not within a Conservation Area. In terms of heritage and townscape the Order Land contains:
- 13.1.1 Grade II Listed Soar Lane canal bridge
 - 13.1.2 Locally listed – Ship Inn on Soar Lane
- 13.2 An archaeological and heritage report was prepared in support of the outline planning application.
- 13.3 There is one locally listed building on the site, a 1930s public house called the Ship Inn, on Soar Lane. The premises are vacant and the outline application allows for this to be demolished.

- 13.4 Locally listed buildings do not enjoy the levels of statutory protection afforded to nationally-listed buildings. However, the local listing has meant that the interest of the building and its setting has been considered during the planning process.
- 13.5 The Ship Inn is a two storey red brick building with defined window and door surrounds. Whilst locally listed, it does not make effective use of the land on which it is positioned. It is set back from the road side with surface car parking in front and as such it is generally not in keeping with existing build lines. In its configuration it would significantly constrain redevelopment options and the integrity of new building lines.
- 13.6 In archaeological terms the site contains Roman and medieval remains and includes the indicative site line of the roman/medieval walls. Appropriate planning conditions are attached to the outline planning permission (see Section 5) to require archaeological investigations prior to development of the land.

14 SPECIAL CATEGORY LAND

- 14.1 The Order Land includes the following plots that may fall within the definition of special category land:

14.1.1 Plot 51 – this small parcel of land (36 sq. m.) is in unknown ownership. The land comprised part of the footway of an unadopted road and a small grassed area. The Council has no evidence of it having been used for recreational purposes, but its open nature suggests that it may have been. The outline planning permission (see Section 5) requires, by way of a planning condition, that the Scheme includes a new public park comprising 2,500 sq. m. This will be located in a central position within the Scheme. In addition there will be several new squares which together will provide a further 1,376 sq. m. of recreational open space available for public use. An application for a certificate pursuant to section 19(1)(b) Acquisition of Land Act 1981 will accompany the submission of the Order for confirmation;

14.1.2 Plot 14 – (26 sq. m.) comprises an electricity substation and the Council understands that this is operational land held under the terms of a lease by Western Power Distribution (East Midlands) PLC a statutory undertaker. The Council anticipates and intends to seek agreement with Western Power for the relocation of the substation within the Scheme; and

14.1.3 Plots 56, 58, 59, 62, 63, 64, 65 and 66 (comprising a total area of 7,191 sq. m). The said land comprises of the Grand Union Canal and River Soar (Grand Union Canal) and is in the ownership of the Canals and Rivers Trust and is understood to be operational land for the purposes of their undertaking. The Council seeks new rights over this land for the purposes of carrying out the Scheme and other steps to maintain structures, including a bridge in the Council's ownership, spanning the Canal. The Council is in discussions with the Canals and Rivers Trust to secure, by agreement, the rights necessary to bring the Scheme forward.

- 14.2 There are no other known special categories of land within the Order Land.

15 VIEWS OF GOVERNMENT DEPARTMENTS

- 15.1 None expressed

16 CONCLUSIONS

- 16.1 The Scheme is a direct response to local policy objectives to meet the housing, employment and leisure needs of the Council's area. The Scheme's housing and office provision will enhance the vitality and viability of the City Centre, maximising its economic, social and environmental potential. To facilitate this regeneration the assembly of the Order Land is required. Given the number of third party interests in the Order Land, the only way that this can be achieved within a reasonable timeframe is through the exercise of compulsory purchase powers.
- 16.2 The uses proposed by the Scheme accord with national policy guidelines and local policy objectives. The Council is satisfied that there is a compelling case in the public interest for Order to be confirmed to secure the delivery of the Scheme. The Council has made the Order and asks the Secretary of State to confirm the Order.

17 LEGAL STATUS OF THIS STATEMENT OF REASONS

- 17.1 This Statement of Reasons is not a statement under Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007.

18 CONTACTS FOR FURTHER INFORMATION

- 18.1 Owners and occupiers of property affected by the Scheme who wish to discuss matters in relation to this CPO should contact:
- Mr Brendan McGarry
Senior Project Manager (Waterside Regeneration)
Development Team, 3rd Floor, Granby Wing, Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ
T: 0116 454 2139
E: brendan.mcgarry@leicester.gov.uk
- 18.2 A copy of this Statement of Reasons, the Order and the accompanying maps and background documents are available for inspection at all reasonable times at the locations identified below:
- (i) Customer Service Centre, 91 Granby Street, Leicester, LE1 6FB, Opening times: Monday-Thursday: 8.30am-5pm, Friday: 8.30am-4.30pm
- (ii) Fosse Neighbourhood Centre, Mantle Rd, Leicester LE3 5HG. Opening times: Monday-Thursday: 9am-9pm, Friday: 9am-5pm, Saturday: 10am-4pm
- 18.3 It is also available to view at www.leicester.gov.uk/waterside

19 LIST OF DOCUMENTS

19.1 In the event of a public inquiry the Council intends to refer or to put in evidence the following documents:

	Document	Date
1	Compulsory Purchase Order and Supporting Policy	
	Leicester City Council (Leicester Waterside) Compulsory Purchase Order 2016 and Map	November 2016
	Guidance on compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion	October 2015
2	Planning Policy	
	National Planning Policy Framework	27 March 2012
	Local Development Plan documents: The adopted City of Leicester Local Plan (2006) (saved policies); the adopted Core Strategy (2014); the Leicester Waterside Supplementary Planning Document (2105)	various
3	Other Leicester City Council Background Documents	
	Strategic Housing Land Availability Assessment (update) ("SHLAA")	2014
	Leicester Economic Action Plan ("LEAP")	October 2012
	Leicester Local Enterprise Partnership ("LLEP") Strategic Economic Plan	March 2014
4	Planning Permission	
	Outline Planning Permission (ref: 20151587) for demolition of existing buildings; development comprising up to 500 residential dwellings (class c2/c3); up to 5,500sq.m of business floorspace (use classes B1a,b,c); up to 1,000 sq.m of retail (use classes A1 to A5) and associated highway improvements, car parking, new and improved footways and green infrastructure	10 December 2015

	Document	Date
5	Legislation (relevant extracts)	
	Town and Country Planning Act 1990	
	Local Government (Miscellaneous Provisions) Act 1976	
	The Acquisition of Land Act 1981	
	Compulsory Purchase (Inquiries Procedure) Rules 2007	

19.2 The Council may also refer to other documents in order to address any objections made to the Order.