

THE LEICESTER CITY COUNCIL

**(BELGRAVE GATE AND MANSFIELD STREET LINK ROAD
AND IMPROVEMENT SCHEME)**

COMPULSORY PURCHASE ORDER 2018

**STATEMENT OF THE COUNCIL'S
REASONS FOR MAKING THE ORDER**

DATE January 2018

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1. GENERAL INFORMATION

1.1 Introduction

- 1.1.1 Leicester City Council (“the Council”) has made the Belgrave Gate and Mansfield Street Link Road and Improvement Scheme (“the Scheme”) Compulsory Purchase Order 2018 (“the Order”) under 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. This Statement of Reasons is a non-statutory statement provided in compliance with paragraph 21 of the “Guidance on Compulsory Purchase and the Crichel Down Rules” issued by the Department for Communities and Local Government in October 2015 (“the Guidance”) and where relevant Department of Transport Guidance 2/97 insofar as it still applies
- 1.1.2 If confirmed by the Secretary of State for Transport the Order will enable the Council to acquire compulsorily the land and new temporary rights included in the Order (“the Order Land”) in order to facilitate the Scheme described in Section 4 of the Statement of Reasons.

2. BACKGROUND

- 2.1 On 12th October, 2017 the City Mayor made a decision that the Council should make the Order.
- 2.2 The Order Land comprises approximately 2,407 sq m of open land used for car parking and parts of access roads to properties facing Belgrave Gate and Church Gate. The land to be compulsorily acquired is set out in greater detail in Section 3 below and shown on the maps which accompany the Order (“the Order Maps”). The Order and Order Maps have been deposited at the offices of the Council’s Customer Service Centre, York House, Granby Street, Leicester, LE1 6FB and can be viewed there at all reasonable times, during office hours.
- 2.3 The Scheme 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 at Mansfield Street.
- 2.4 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. The current route is longer and passes in close proximity to the Clock Tower, an area of the city that is dominated by pedestrians. Buses also have to pass along Church Gate, which is within a Conservation Area, is narrow and not suitable for use by significant volumes of large vehicles.
- 2.5 This 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 an unauthorised temporary route for pedestrians across the Order Land which is already being well used. Improvements to Mansfield Street itself will also ensure greater pedestrian safety for those accessing this part of the city.
- 2.6 The public were made aware of the proposal to construct the link road at three events on 12th, 13th and 14th September, 2017, at the Haymarket bus station, the Haymarket and High Cross Shopping Centres. The general reaction was favourable particularly with the bus drivers who were very positive regarding the diversion of buses away from the narrow section of Church Gate on the grounds of safety.
- 2.7 Outline planning consent for the development of a dedicated bus link road between Belgrave Gate and Mansfield Street and associated highway and public improvement work was granted on 6th April, 2017.
- 2.8 The Scheme is part of the North City Centre Access Improvement Project, a programme of highway improvement projects on the northern side of the city centre aimed at facilitating modal shift from the private car to walking, cycling and bus use. The North City Centre Project is part of the citywide initiative

“Connecting Leicester”, which aims to facilitate modal shift in and around the city centre.

- 2.9 Construction of the new link road will enable the pedestrianisation of Haymarket, parts of Church Gate and Belgrave Gate and enable public realm works to take place in these streets. This will improve the street scene which in turn will encourage increased footfall to the benefit of existing businesses and assist with attracting new business in this area. Pedestrianisation will also have a positive impact on the Conservation Area overall.
- 2.10 The City of Leicester Core Strategy, adopted in June 2014, sets out the key planning principles for Leicester. Policy CS1, CS12 and CS14 are all relevant to the provision of this bus link road and highway improvement Scheme.
- 2.11 Implementation of the Scheme requires the acquisition of a number of property interests. All owners and occupiers with an interest in land have been approached to invite them to enter into negotiations with the Acquiring Authority for the purchase of their interest. Negotiations are taking place with a number of landowners and occupiers, however as the Acquiring Authority has concluded that acquisition by agreement is unlikely to occur in all cases, or in any event within a reasonable timescale, the Council has made the Order.
- 2.12 The Council considers that there is a compelling case in the public interest for the making of the Order to secure the land and property interests required for the purpose of implementing the Scheme, which is in accordance with core strategic, local planning and transport policies as well as regeneration strategies for the City of Leicester as a whole and the city centre in particular.

3. LOCATION AND DESCRIPTION OF THE ORDER LAND

- 3.1 The Order Map identifies the freehold and leasehold interests to be acquired (coloured pink) and the new temporary rights sought (coloured blue). The individual plot boundaries and numbers correspond with the Schedule to the Order. In addition, the Schedule also lists other parties who may have a qualifying interest in the Order Land where known after reasonable enquiry. This Schedule has been prepared based upon information gathered through inspection of the Land Registry title documents, site inspections and enquiries. Whilst it represents a schedule of known interests, it is acknowledged that other currently unknown interests may emerge as the compulsory purchase process proceeds. Save where expressly excluded, the Council intends to acquire all the interests in the Order Land.
- 3.2 The Order Land shown coloured pink and blue on the Order Maps comprises approximately 2,407 sq m and is located within Leicester City Centre. The extent of the Order Land, where the land is permanently required, is bordered by properties located at 17 Mansfield Street and 52 Belgrave Gate on the northern boundary, a car park known as the GS car park (Plot 1 on Order map) on the southern boundary, public highway to the western boundary and car parking and access routes for service vehicles on the eastern and south eastern boundary. For the purposes of constructing and using the Scheme the Order Land extends beyond the land permanently required to include temporary access rights. This extended boundary lies to the south of the land required across the GS car park and to the east of the land required which faces Mansfield Street.
- 3.3 The Order Land comprises land which is developed for car parking or to provide access for service vehicles and, in some cases, customer use for a number of properties on Belgrave Gate and Church Gate. These properties where land taken is presently used purely for access purposes will suffer no detriment as the land required is not capable of development in isolation and has no beneficial use other than to create a route to the public highway. No structures, other than a 10 sq m brick built housing located on area of the GS car park required for the scheme, and a raised flowerbed adjacent to Mansfield Street (within Plot 5 on Order map), will require demolition as part of this Scheme.
- 3.4 The surrounding properties to the Order area are mixed and of varying age and style. Properties facing the Order Land on the west side of Mansfield Street comprise a large electricity substation housed in a multi-storey Victorian building and associated parking spaces, a surface car park and a 3 storey Victorian property in commercial use. An MOT testing centre housed in a Victorian building, a 3 storey Victorian building with retail businesses on the ground floor and residential flats on the upper floors border the northern boundary of the Order Land as well as a 3 storey Victorian building having a blank façade to the new link road. The Haymarket Bus Station faces the Order Land on the other side of Belgrave Gate. An open area of land currently in use as a surface car park borders the southern boundary of the Order Land.
- 3.5 The Council has been in negotiation with the parties having an interest in the land required for the Scheme since 2014. The parties having legal interests in the Order Land are as follows:

Owner/Occupier	Property	Tenure	Description of Property
Gurmail Singh, Surinder Kaur & Rana Singh of 9 Grove Court, Grove Park, Enderby, Leicester, LE19 1SA and David Booler Trustees Ltd, the Trustees of the GS Fashions Limited Retirement Benefits Scheme	40 Belgrave Gate (Plot 1)	Freehold	Surface level car park and access road
		All other interests in the access road on the south side of the site	
Gurmail Singh, Surinder Kaur, Rana Singh & Vanita Sadhra, the Trustees of the GS Fashions Retirement Benefits Scheme	50 Belgrave Gate (Plot 1(a))	Freehold	Surface level car park
Abbey Commercial Ltd	Access road to 20-34 Belgrave Gate (Plot 2)	Freehold	Unsurfaced access road
		All other interests in the access road	
Verity Trustees Ltd	Land on Mansfield Street at the rear of 16-18 Belgrave Gate (Plot 3)	Freehold	Surface level car park and access road
Argos Ltd		Leasehold	
Zikoma Properties Ltd	Land on Mansfield Street at the rear of Belgrave Gate properties (Plot 4)	Freehold	Surfaced access road
Iceland Foods Ltd		Leasehold	
		All other interests in the access road	

3.5 New temporary rights are required over the areas coloured blue on the Order Map for the following principal purposes:-

- (i) access to undertake the construction of the new highway
- (ii) to enable temporary access to properties serviced from Mansfield Street
- (iii) to enable temporary access during the construction process to the car parks accessed from Mansfield Street

The new temporary rights are described in greater detail in the Schedule to the Order.

4. DESCRIPTION OF THE BELGRAVE GATE & MANSFIELD STREET LINK ROAD & IMPROVEMENT SCHEME

- 4.1 Several scheme options were considered, some included the construction of a new link road between Belgrave Gate and Mansfield Street, others considered what could be done without a new link road being provided. It was determined at an early stage that if a new link road were to be constructed then it should provide a direct link to Sandacre Street to provide an attractive pedestrian route between the two bus stations, this meant that the only site suitable for the construction of a new road was the former cinema site presently in use as a surface level car park.
- 4.2 Six options were considered in a report to the City Mayor in February 2014, these comprised
- Option 1 - do nothing
 - Option 2 - utilise Mansfield Street with no new construction
 - Option 3a - construct the new link road to operate one way northbound
 - 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 - utilise Mansfield Street reconstructed to accommodate two way traffic
- 4.3 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.
- 4.4 The proposal, therefore, is to construct the route through a site which is presently used as a surface level car park, although the use of approximately 2,000 sq m of this site nearest to Belgrave Gate, is unauthorised for this use.
- 4.5 The proposed bus link has been designed to provide a bus priority road that will improve the route for buses to exit the city centre to the west and improve connectivity between Haymarket Bus Station and St Margaret's Bus Station for pedestrians. The preferred option is to construct a new road (for buses, taxis and cyclists only) between Belgrave Gate and Mansfield Street. The proposed link road will improve the route for buses to exit the city centre to the west of the city and beyond.
- 4.6 It is proposed that the new link road will be a one-way road, with a south-east to north-west flow, restricted to buses, taxis and cycles only with a maximum width of 6.8m. The proposed carriageway width is required to allow the installation of new bus stops and shelters to replace those currently in operation on Belgrave Gate and Haymarket The south-west footway is

typically 5.0m wide to allow the installation of the bus shelters whilst providing sufficient width for pedestrians to use the remaining footway with ease. The north-east footway is a minimum of approximately 2.5m.

- 4.7 Improvements are proposed along Mansfield Street which includes increasing the width of this street between Church Gate and Sandacre Street to allow a wider carriageway for buses and wider footways to be constructed (minimum of 2.0m). To facilitate the increased carriageway width, alterations will be necessary to the existing private accesses on the south side of Mansfield Street.
- 4.8 The increased width will enable the introduction of two-way traffic flow on Mansfield Street between Short Street and Sandacre Street. It is considered that the introduction of this measure will reduce the traffic flow on Church Gate (between Mansfield Street and Gravel Street) and on Gravel Street itself as vehicles leaving the various car parks off Mansfield Street will be able to exit the area directly to Abbey Street via Mansfield Street. The reduced traffic flow on Church Gate and Gravel Street will be beneficial to bus operations.
- 4.9 The Haymarket Bus Station provides bus services that serve both the city and some areas of the county of Leicestershire. Local city and county services are also operated from St Margaret's Bus Station but with the addition of national services to destinations across the UK. Consequently, pedestrian movement takes place between the two bus stations, across privately owned land, the use of which could be stopped at any time. The new road will provide a more direct link and the signed pedestrian route will be via the south-western footway of the new link road and across onto an improved footway on the north-eastern side of Sandacre Street. It is intended that controlled pedestrian crossings will be provided across Belgrave Gate, the new road, Mansfield Street and Gravel Street. The provision of the new, more direct pedestrian route between the two bus stations is seen as important as an encouragement to make use of public transport to and from the city centre particularly for users needing to take different bus services to complete their journey.
- 4.10 The proposed link road will improve the route for buses to exit the city centre to the west of the city and beyond.
- 4.11 The preferred option has been shown in Appendix 1.
- 4.12 The Scheme will enable the pedestrianisation of Haymarket and parts of Church Gate and Belgrave Gate, subject to the introduction of the appropriate Traffic Regulation Order.
- 4.13 The future pedestrianisation of Haymarket and part of Belgrave Gate and Church Gate will help regenerate this area of the city centre where development opportunities have been limited in the past. A scheme to pedestrianise this area would greatly improve the street scene and bring investment to the area.

4.14 A number of changes to the existing highway operation are proposed as part of the Scheme. These include:

- Proposed **Link Road** – this road will be one way from Belgrave Gate to Mansfield Street, in that direction
- **Mansfield Street** – the section of road from Sandacre Street to Abbey Street will be one way towards Abbey Street
- **Mansfield Street** – the section of road from Sandacre Street to the road serving properties on Belgrave Gate and Church Gate will be two way
- **Mansfield Street** – the section of road from the service road serving properties on Belgrave Gate and Church Gate will be one way towards Church Gate, which is a reversal of the current direction of traffic flow
- **Church Gate** - the section of road from Mansfield Street to Gravel Street will be one way, in the direction of Gravel Street, which is a reversal of the current direction of traffic flow. The proposed Scheme also allows for the possibility of making the section of road between Gravel Street and the Matalan car park two-way to ease the use of the car park.
- **Sandacre Street** – this road will be one way from Gravel Street to Mansfield Street which is reversing the current direction of traffic flow.
- **Church Gate** – the section of road from Vaughan Way/Burleys Way to Gravel Street will be unchanged
- **Church Gate/Haymarket/Belgrave Gate** - the intention is that the section of these roads from Mansfield Street to 10-14 Belgrave Gate will be pedestrianised. Access to the pedestrian zone will be restricted to authorised permit holders at any time and for loading between 5.00am to 11.00 am Sunday to Friday and 5.00am to 9.00am Saturday. The direction of traffic flow on Church Gate between Haymarket and Mansfield Street will be unchanged. The direction of traffic flow on Haymarket up to 10-14 Belgrave Gate will be reversed. Both of these routes will provide an exit for delivery vehicles from the pedestrianised area of the city centre
- **Belgrave Gate** – The intention is that the section of Belgrave Gate from 10-12 Belgrave Gate to the Haymarket car park exit will be two-way but restricted to taxis only. Delivery vehicles will be permitted to exit the pedestrian zone through this area
- **Gravel Street** – this road will be unchanged

5. THE CASE FOR COMPULSORY PURCHASE

- 5.1 Section 239(1), 240 and 250 of the Highways Act 1980 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 will be employed to acquire the necessary land and rights to construct and maintain the Scheme.
- 5.2 The Council recognises that a Compulsory Purchase Order can only be made if there is a compelling case in the public interest which justifies the overriding of private rights in the land sought to be acquired. It is considered that a compelling case exists here.
- 5.3 The Council has given very careful consideration to the reasons as to why it is necessary to include the land and new rights shown on the Order Map. All freehold owners, lessees and occupiers affected by the Order have been invited to enter into discussions with the Council with a view to agreeing appropriate terms for acquisition of the land and new temporary rights required and in most cases negotiations are in progress. It is envisaged that the decision to make a compulsory purchase order will encourage affected parties to become more engaged and actively seek to agree terms for compensation. Terms have now been agreed with the freeholder of plot no.s 7 and 8 on the Order Map.
- 5.4 The Council has consequently made the Order to secure the outstanding interests and rights required to enable implementation of the Scheme necessary to achieve the Council's objectives for the area. Discussions will, however, continue with owners of relevant interests and new rights required in an endeavour to secure them by agreement wherever possible, with a view to limiting the number of interests which need to be acquired compulsorily. The approach adopted by the Council is in accordance with the policy advice and recognised legal practice.
- 5.5 On confirmation of the Order, the Council intends to serve a General Vesting Declaration in order to secure unencumbered title to the Order Land.
- 5.6 The proposed link road will improve the route, in terms of journey time reliability and time saving, for buses, to exit the city centre to the west of the city and beyond.
- 5.7 It will also provide a shorter route for pedestrians, cyclists and taxis between Belgrave Gate and Mansfield Street.
- 5.8 The Scheme is important to the economic development and regeneration of the city centre. The Scheme will open up this rundown part of the city to redevelopment and will contribute towards creating a joined-up public transport network which will benefit the city centre, thus acting as a stimulus to investment in this area.
- 5.9 The implementation of this Scheme will enable the additional benefit of enabling the pedestrianisation of parts of Church Gate/Haymarket and

Belgrave Gate which will create a safer pedestrian environment by removing traffic from this pedestrian dominated, accident cluster location.

- 5.10 The personal injury accident (pia) record during the period between January 2012 to September 2016 for the proposed area of pedestrianisation shows a total of eighteen recorded collisions as shown in Table 1:

**Table 1 – Personal Injury Accident Record
Proposed Area of Pedestrianisation**

Location	Severity			Total
	Fatal	Serious	Slight	
Haymarket/Belgrave Gate	0	0	5	5
Clock Tower	0	3	6	9
Church Gate	0	0	4	4
				18

- 5.11 Further analysis of the accident data indicates that pedestrians were involved in 13 of the recorded pia's within the proposed area of pedestrianisation. Seven of these collisions involved a car, three involved a bus, two involved a taxi and one involved a heavy goods vehicle. Two of the serious pia's involved a pedestrian being in collision with different vehicles (one bus and one taxi). The third recorded pia involved an elderly passenger falling within a bus at the junction of Haymarket and Church Gate.
- 5.12 It is the considered opinion of the Council, that the CPO is necessary to facilitate the construction of the link road and highway improvement works and satisfies the statutory requirements for use of CPO powers pursuant to the Highways Acquisition of Land powers.
- 5.13 Compulsory purchase of the land needed for the Scheme, with the necessary rights, will enable the Scheme to be implemented in a timely fashion. It will ensure the Council's Transportation Policy objectives can be met and also secure and provide certainty for programming and construction..
- 5.14 Description of plots required and reasons for acquisitions

Plot 1 – This area of land comprising approximately 1368 sq m and is presently used as a surface car park, is required in order to allow for the construction of the new link road and pavements between Mansfield Street and Belgrave Gate. A small area of this plot is used to access no.s. 36-38 Belgrave Gate.

Plot 1(a) – This area comprises approximately 59 sq.m. and presently forms part of the surface level car park referred to in Plot 1.

Plot 2 – This area comprising approximately 23 sq m of an access road which allows for properties located at no.s 20-34 Belgrave Gate to be serviced. This area of land is required as part of the Mansfield Street improvements to allow

for road and pavement widening to enable the safe flow of two way traffic along this road, which is presently one way.

Plot 3 – this area comprises approximately 293 sq m of land which is presently used for car parking and to enable service access to no.s. 10-18 Belgrave Gate. This area is required to enable the widening of the highway and pedestrian foot way of Mansfield Street to enable the safe flow of two way traffic along this road which is presently one way.

Plot 4 – this area comprises approximately 26 sq m of a bellmouth shaped access road leading to the rear of properties on Belgrave Gate and Church Gate. The area is required in order to allow for the removal of the existing bellmouth junction and its replacement by a continuous footway along Mansfield Street. A dropped vehicle crossing will be provided to maintain access to the land to the rear of no.s 10-18 Belgrave Gate and several properties on Church Gate.

Plots 5,6,7 and 8, which measure 257 sq m, 53 sq m, 236 sq m and 152 sq m respectively, are required temporarily to allow road construction works to take place and for adjacent properties to be able to access their service yards or car parks during this period.

- 5.15 It is therefore considered that compulsory purchase is necessary and justifiable in the public interest.
- 5.16 If all the land required for the Scheme can be acquired by agreement the works can be programmed to commence in April, 2018. If the CPO process is required, assuming success at inquiry, the anticipated start date on site is November 2018.

Funding

- 5.17 The costs of the overall highway improvements project to take place in this area are £8.5 million, including contingency, of which £4.7 million is attributable to the Belgrave Gate and Mansfield Street Link Road and Improvement Scheme
- 5.18 The City Council has previously committed to capital expenditure of £6m for overall highway improvement project as part of the larger North City Centre Access Improvement Project (NCCAIP), of which £12.98m has previously been authorised.
- 5.19 The funding for the NCCAIP was approved as follows:
- Council 22/01/15 - £0.9m as part of the 15/16 capital programme
 - Executive decision report 27/03/15 - £1.96m of LGF added to the capital programme
 - Council 24/02/16 - £10.12m added to the capital programme
- 5.20 Funding for this Scheme from the NCCAIP has already been secured with the exception of £2m Local Growth Fund financing for 2018/19 which is expected to be formally allocated by Central Government in March/April 2018.

- 5.21 The Council expects to receive a further £2.5m S106 funding from the Castle Acres development to be used towards the overall improvement project making a total of £8.5m.
- 5.22 A separate resolution will be made to increase the capital programme to £8.5m.
- 5.23 Although the risk of not receiving the £2m LGF and the £2.5m S106 funding is considered small, to demonstrate the Council's commitment to the Mansfield Street and Belgrave Gate improvement works a resolution to underwrite the £4.5m of funding by prudential borrowing will be made, if required.

6. POLICY

6.1 Planning Policy

- 6.1.1 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.
- 6.1.2 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.
- 6.1.3 Paragraph 41 of the National Planning Policy Framework states that Local Planning Authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice.
- 6.1.4 The City of Leicester Core Strategy was adopted in June 2014 which sets out the key planning principles for Leicester.
- 6.1.5 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.

- 6.1.6 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.
- 6.1.7 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.
- 6.1.8 The City of Leicester Local Plan was adopted in 2004; 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: -

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.

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

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

6.1.9 Underpinning the Local Plan are the principles of sustainable development.

6.2 National Transport Policy

6.2.1 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 alternatives encourages people to leave the car at home. This reduces their carbon footprint and helps the UK reach its climate change goals".

6.2.2 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 are 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.

6.2.3 The proposed Belgrave Gate and Mansfield Street Link Road and Improvement Scheme is in accordance with the above current national transport policies in that it will:

- i) improve walking and cycling routes and facilitate further improvements through future planned schemes
- ii) improve pedestrian connectivity between the Haymarket and St Margaret Bus Stations and in turn between local bus services and local and national bus services

- iii) facilitate re-routing of bus services to improve bus journey time and bus journey time reliability making bus services a more attractive choice
- iv) help to tackle congestion, improve accessibility, improve air quality and increased footfall in this part of the city centre leading to increased opportunities for employment, retail and leisure.

6.3 Local Transport Policy

6.3.1 The strategic transport planning and improving air quality context for the Scheme is provided in Leicester's Local Transport Plan 2011 to 2026 (LTP3)(adopted by Leicester City's Full Council in March 2011) and Healthier Air for Leicester, Leicester's Air Quality Action Plan (2015-2026) (adopted by Leicester City's Full Council on 26th November 2015. The following extracts from the Local Transport Plan set the scene for the Scheme:

"Growth in Population and Housing

2.8 Both Leicester and Leicestershire, under current planning scenarios and core strategies are due to experience significant population and housing growth, as mentioned in chapter 2. The current figures are 45,000 new homes by 2026 in the Leicester urban area (Central Leicestershire) and 90,000 in Leicester and Leicestershire combined. This would give rise to a significant increase in travel to 2026 that could be of the order of a 20% increase. A similar rate of build is expected to 2031. With the change in national government these growth figures could be fluid at the time of LTP preparation. As a hypothetical example, if the build rate were say half, the numbers would still be big and would still give rise to a significant increase in travel and trips."

(Extract from Leicester's Local Transport Plan 2011 – 2026 Chapter 4: The Congestion Strategy)

"6.3 The strategy focuses on the development of an improved public transport network and significant new bus related infrastructure to accommodate the significant increase in the number of bus trips to Leicester city centre, in tandem with a series of demand management measures. This is backed up by a package of improvements to pedestrian and cycle routes, signing and the public realm. Demand management measures will include the intensive implementation of travel plans at businesses and schools, city centre parking regimes to reduce long stay spaces, expanding the on street charging zone, working with the hospitals to control on-site parking, introducing decriminalised parking and bus lane enforcement, expanding the areas covered by residents' parking controls, introducing more park and ride services, marketing and promotion of car alternatives including health and environmental benefits, all underpinned by easier access to buses. We recognise that there will be many non-bus trips and freight movements as well. We will continue to increase network efficiency to benefit all vehicles. The Local Transport Plan Programme to deliver all these interventions is detailed in our implementation plan.

6.4 The high level outcomes for the first stage 2011 – 2015 will be to continue to reduce the rate of growth of congestion and reduce carbon emissions from transport whilst accommodating the increasing demand to travel, to improve accessibility to jobs, services and leisure – particularly for deprived groups and to encourage walking and cycling to improve health, whilst improving road safety. This will be achieved by introducing:

- A step change in quality and quantity of bus facilities in the city centre
- Inner city centre road alterations to allow for increased bus stopping and improved circulation
- Small junction alterations to improve bus journey times and improve safety
- A comprehensive and coordinated behavioural change and travel promotion package
- A comprehensive and coordinated walking and cycling programme
- A comprehensive and coordinated road safety programme”

(Extract from Leicester’s Local Transport Plan 2011 – 2026 Chapter 3: the Transport Strategy)

6.3.2 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. This increase on existing stock will give rise to a corresponding increase in travel. This growth needs to be accommodated whilst also:

- i) Keeping congestion under control and improving accessibility for all, but particularly for deprived groups to support prosperity;
- ii) Encouraging more people to walk, cycle and use public transport, thus reducing carbon emissions,
- iii) 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.

6.3.3. Leicester currently exceeds the EU threshold level of 40ug/m³ for nitrogen dioxide in a number of areas. These are predominantly areas where there are large volumes of traffic particularly along major routes into and out of the city centre and in the city centre. **Leicester’s Air Quality Action Plan** Chapter 1 details Leicester’s seven ambitions by 2026 to improve air quality to reach the EU threshold. The Scheme will directly support two of these ambitions namely;

- “To substantially improve people’s health and reduce premature deaths by improving air quality.
- To deliver Phase II of our “Connecting Leicester” initiative by 2019 in the city centre to extend pedestrianisation and remove vehicles from where they are not required.”

- 6.3.4 Chapter 1 of **Leicester's Air Quality Action Plan** also sets out the Actions to deliver Leicester's ambitions. The Scheme will directly support the following actions;
- “7. To deliver a Phase II “**Connecting Leicester**” initiative by 2019, encouraging walking and cycling. (page 29).
 - To increase the uptake of more sustainable transport options (page 31).
 - 9. To increase the number of Public Transport trips (page 32).
 - 10. To optimise our highway network (page34)”.
- 6.3.5 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).
- 6.3.6 The proposed Link Road Scheme is part of the North City Centre Access Improvement Project (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.
- 6.3.7 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**.

6.4 The Economic Action Plan

- 6.4.1 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.
- 6.4.2 The successful delivery of the Belgrave Gate & Mansfield Street Link Road & Improvement Scheme will help achieve the objective of creating a “thriving city centre”.
- 6.4.3 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.

6.4.4 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) meets our priorities as a low carbon city.

7. VIEWS EXPRESSED BY GOVERNMENT BODIES

7.1 No comments have been made by Government Departments.

8. CONSENTS REQUIRED

- 8.1 Guidance on Compulsory Purchase Orders issued in October 2015 advises that before a CPO is confirmed, the Secretary of State will wish to be satisfied that there are no impediments which need to be overcome following confirmation of the CPO.
- 8.2 Outline planning permission has been granted on 6th April 2017, in respect of this Scheme. This is subject to conditions relating to timescale, finishes, landscaping, drainage and archaeology. These will be discharged pre-commencement where necessary. A reserved matters application will not be required. No impediments to the Scheme are anticipated. A waste management licence and discharge consents for drainage of the highway will be obtained from the Environment Agency.
- 8.3 The Scheme does not require the permanent closure or stopping up of any areas of existing highway.
- 8.4 The new link road including the footways will be adopted as public highway on completion of the works and immediately prior to the route opening for use.
- 8.5 Any necessary Traffic Regulation Orders (“TRO’s”) and Road Closure Orders (“RCO’s”) will also be made. It is intended that any unresolved objections to these proposals will be dealt with at the same time as any inquiry to be held in respect of the Order.
- 8.6 To control the use of the new link road and the improved section of Mansfield Street it will be necessary to introduce a number of Traffic Regulation Orders (TROs). These will include:
- The restriction of the new link road to buses, taxis and cycles only
 - The introduction of one-way flow on the new link road
 - The amendment of waiting and loading restrictions on Mansfield Street and Sandacre Street
 - The amendment of the direction of flow on Mansfield Street and Sandacre Street
- 8.7 New or revised TROs will be introduced using the powers contained in Section 1 of the Road Traffic Regulation Act 1984. The procedure for the introduction of TROs is set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 8.8 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. It should be noted that access for pedestrians and any premises along these streets will be maintained at all times during the periods of closure.

9. HUMAN RIGHTS CONSIDERATIONS

9.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights (“the Convention”). The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.

9.2 In resolving to make the Order the Council has duly considered the rights of property owners under the Convention, notably under the following Articles:

Article 1 of the First Protocol of the Convention

9.3 This protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the relevant national and international laws.

Article 8

9.4 This protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in the interest of national security, public safety or the economic wellbeing of the country.

9.5 In the case of each of these Articles (and indeed other provisions in the Convention) the Council has been conscious of the need to strike a balance between the rights of the individual and the interests of the public. In the light of the significant public benefit which would arise from the implementation of the Scheme, the Council has concluded that it would be appropriate to make the Order. The Council considers that the proposed CPO will constitute a proportionate interference with third party rights under the Convention.

9.6 In addition to the publicity and consultation on the planning application for the Scheme, all the known owners and occupiers of land within the Order Land have been contacted regarding the Scheme. Further representations can be made by way of objections to the Order and in the context of any public inquiry that the Secretary of State decides to hold in connection with the Order. Those parties, whose interests are acquired under the Order, will be entitled to compensation.

10. SPECIAL CONSIDERATIONS

- 10.1 There are no listed buildings or special category land affected by the Scheme, although Church Gate Conservation Area abuts the Order Land in the vicinity of plot no. 8 on the Order Map and runs along the middle of Mansfield Street between Church Gate and Sandacre Street.

11. SUMMARY

- 11.1 Leicester city centre requires improvement for the general benefit of all who shop, visit, live or work in Leicester. In order to achieve this, action is required necessitating the assembly of the Order Land to facilitate the Scheme. This can only be achieved within a reasonable timescale by compulsory acquisition.
- 11.2 As described in paragraph 6 above, this Scheme fully accords with both current and emerging European, national, regional and local planning policies.
- 11.3 The Council supports the Scheme and believes it represents a positive step for the improvement of access in the city by way of public transport. The Council considers there is a compelling case in the public interest for compulsory powers to be sought in order to secure the development and improvement of the Order Land by the delivery of the Scheme. The Council has, therefore, made the Order and would ask the Secretary of State to confirm the Order.

12. ADDITIONAL INFORMATION

- 12.1 Persons requiring further information regarding the Compulsory Purchase Order should contact Jeannette Franklin, Estates and Building Services, City Development and Neighbourhoods, Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ (tel: 0116 454 2142).
- 12.2 Owners and tenants of properties and any other parties with interests affected by the proposed Compulsory Purchase Order who wish to negotiate a sale, or discuss matters of compensation, should also contact Jeannette Franklin, as above.
- 12.3 The Statement of Reasons for making the Compulsory Purchase Order is not intended to discharge the Council's statutory obligations under the Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990.
- 12.4 A draft list of documents that the Council currently intends to refer to should there be a public inquiry into the Order can be found in Appendix 4. This list is not exhaustive and should it be necessary to hold a public inquiry into the Order, the Council may refer to or put in evidence further documents.
- 12.5 Any letter of objection, comments or support should be addressed to:

Department for Transport
National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR

Objections or any other representations should be made in writing and be sent to the Secretary of State for Transport at this address or to nationalcasework@dft.gsi.gov.uk by the date referred to in the accompanying Notice of Making the Order.

In submitting an objection it should be noted that your personal data and correspondence will be passed to the Council to enable your objection to be considered. If you do not wish your personal data to be forwarded, please state your reasons when submitting your objection and the Secretary of State will copy your representations, with your name and address removed, to the Council and if there is to be a Public Local Inquiry they will be seen by the Inspector who may give them less weight as a result.

- 11.6 Documents in connection with the Order can be inspected during normal working hours at the Customer Service Centre, York House, 91 Granby Street, Leicester, LE1 9SE. The documents will also be available for inspection on the Council's website at: [www.leicestercitycouncil/Belgrave Gate and Mansfield Street Link Road and Improvement Scheme](http://www.leicestercitycouncil/BelgraveGateandMansfieldStreetLinkRoadandImprovementScheme)

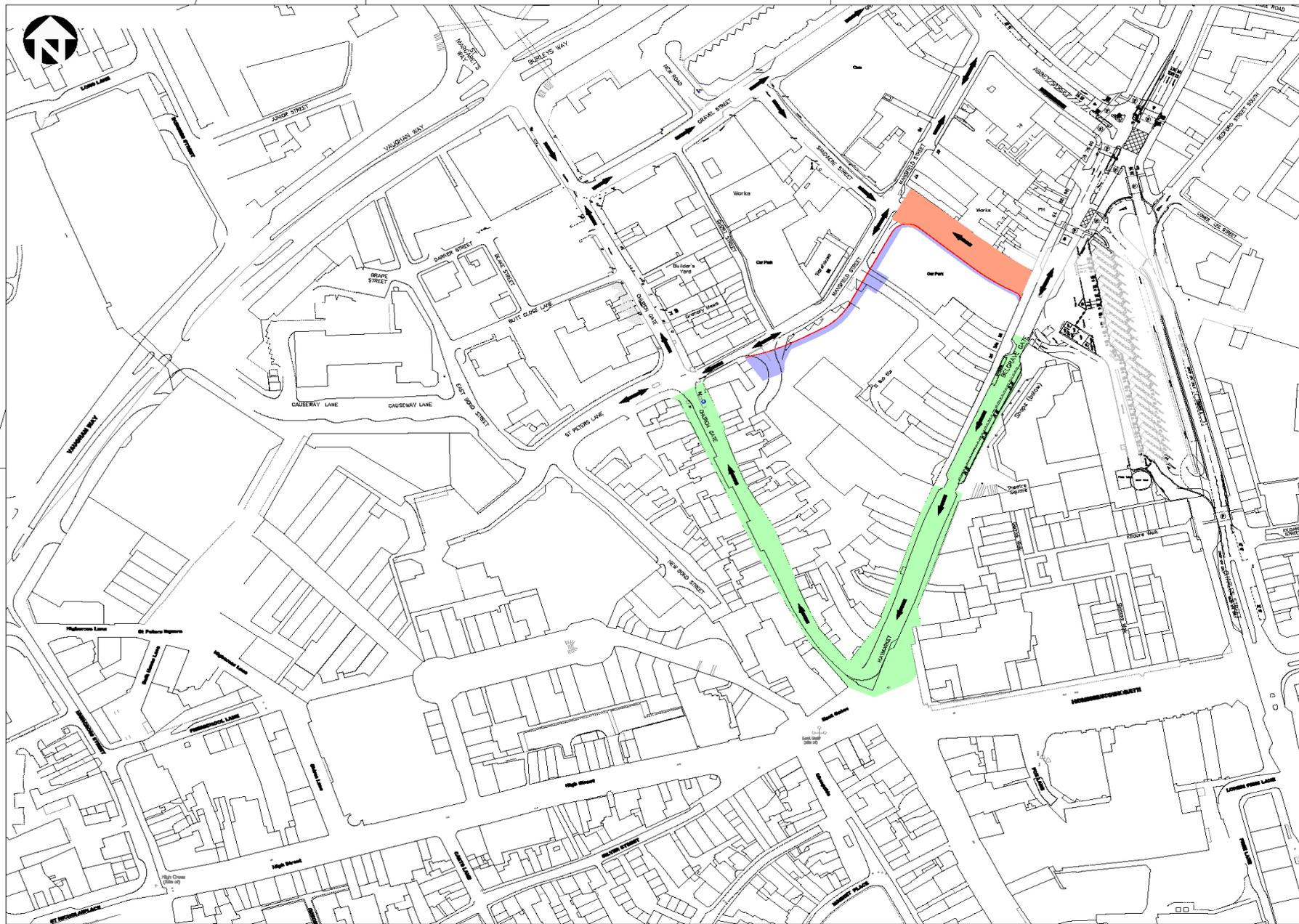
11.7 Any queries regarding engineering matters should be directed to Steve Richards, Project Manager, Planning Development and Transportation, City Hall, 115 Charles Street, Leicester, LE1 1FZ (tel: 0116 454 2859)

Draft list of Inquiry Documents

Appendix of documents for Belgrave Gate and Mansfield Street Link Road and Improvement Scheme so far:

1. Relevant sections of Highways Act 1980
2. Relevant sections of Local Government (Miscellaneous Provisions) Act 1976
3. Relevant sections of Acquisition of Land Act 1981
4. The National Planning Policy Framework
5. Relevant extracts of the City of Leicester Core Strategy
6. Relevant extracts of the City of Leicester Local Plan
7. Intermediate Accident Report (14.11.16)
8. Department for Transport Policy Document (3.10.2012) – Improving Local Transport
9. European Union Brochure: Road Transport – a change of gear
10. Relevant extracts of Local Transport Plan (LTP3)
11. Relevant extracts of Leicester Economic Action Plan
12. Planning Consent (Application No. 20170125 (6.4.2017))
13. Report to Executive Board / City Mayor on 12th October 2017 to resolve to make CPO
14. City Mayor decision on 12th October 2017
15. Relevant extracts of Road Traffic Regulation Act 1984
16. Table of Capital Programme Funding Approvals (North West Leicester Transport Corridor & North City Centre)
17. Scheme options report (dated 12.2.14)
18. Department of Transport Circular 2/97

APPENDIX 1(a)



Drawing Number: APPENDIX 1 (A)

Notes:

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**

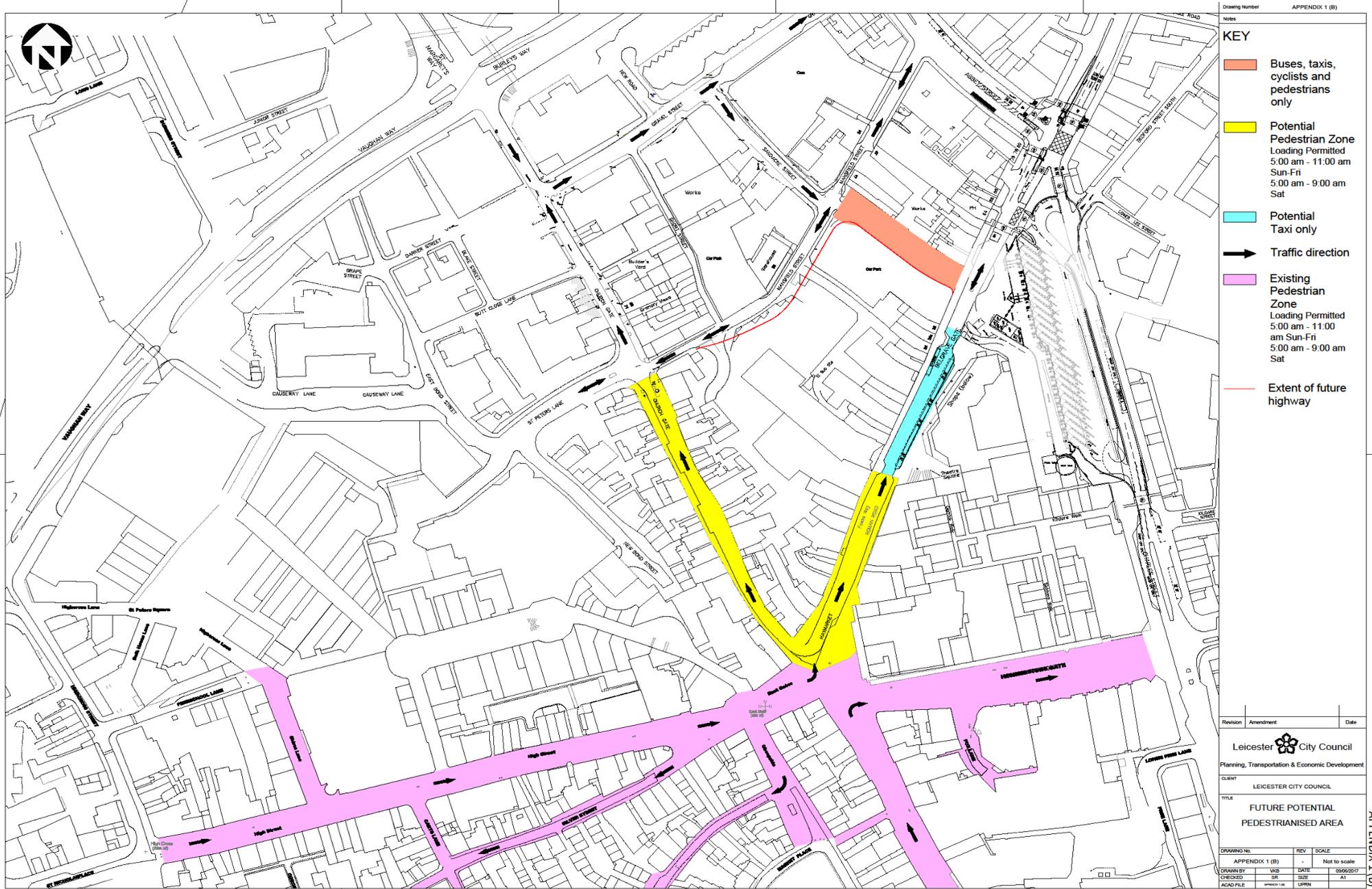
DRAWING NO.	REV	SCALE
APPENDIX 1 (A)	-	Not to scale

DRAWN BY	CHKD BY	DATE
SR	SR	05/05/2017

CHECKED	SR	SIZE	AI
ACAD FILE	APPENDIX 1 (A)	UPRN	

APPENDIX 1 (A)

APPENDIX 1(b)



Drawing Number: APPENDIX 1 (B)
 Notes:

KEY

- Buses, taxis, cyclists and pedestrians only
- Potential Pedestrian Zone
Loading Permitted
5:00 am - 11:00 am
Sun-Fri
5:00 am - 9:00 am
Sat
- Potential Taxi only
- Traffic direction
- Existing Pedestrian Zone
Loading Permitted
5:00 am - 11:00 am Sun-Fri
5:00 am - 9:00 am Sat
- Extent of future highway

Revision	Amendment	Date

Leicester City Council
 Planning, Transportation & Economic Development

CLIENT: LEICESTER CITY COUNCIL

TITLE: **FUTURE POTENTIAL PEDESTRIANISED AREA**

DRAWING NO.	REV	SCALE
APPENDIX 1 (B)	-	Not to scale
DRAWN BY: VWS	DATE: 09/05/2017	
CHECKED: SR	SIZ: A1	
ACAD FILE: APPENDIX 1 (B)	UPRN:	

APPENDIX 1(B)