

**THE DERBY CITY COUNCIL
(A52 WYVERN TRANSPORT IMPROVEMENTS)
COMPULSORY PURCHASE ORDER 2016**

**The Highways Act 1980
and the Acquisition of Land Act 1981**

The Derby City Council (in this order called "the acquiring authority") makes the following order:-

1.

Subject to the provisions of this order, the acquiring authority is under sections 239, 240, 246 and 250 of the Highways Act 1980 hereby authorised to purchase compulsorily the land and the new rights over land described in paragraph 2 for the purpose of:-

(i) the construction and improvement of a highway leading from the westbound section of the A52 to Wyvern Way and Derwent Parade, beginning at the point of the current access from the A52 and extending westwards for 400 metres so as to join the new junction referred to in (iii) below;

(ii) the construction and improvement of a highway leading from Wyvern Way and Derwent Parade to the westbound section of the A52, beginning at the new junction referred to in (iii) below and extending eastwards, northwards and westwards for 280 metres so as to join the A52 at the point of the current access onto the A52;

(iii) carrying out improvements to the junction of Wyvern Way, Derwent Parade and Wyvernside, so as to replace the current roundabout with a signalised junction;

(iv) carrying out improvements to Wyvern Way for 650 metres in a south easterly direction from the new junction referred to in (iii) above, including improvements to its junction with Pullman Road and the construction of a spur road for 40 metres opposite the entrance to Pullman Road, improvements to the roundabout at the south eastern end of Wyvern Way, and the construction of a spur road for 50 metres in a south westerly direction from the roundabout;

(v) carrying out improvements to Pullman Road for 190 metres in a northerly direction from its junction with Wyvern Way, including the construction of a highway for 70 metres leading in a westerly direction from the roundabout at the northern end of Pullman Road to the Toys "R" Us site;

(vi) carrying out improvements to Stanier Way for 75 metres in a south easterly direction from the roundabout referred to in (iv) above;

(vii) the construction of a ramp leading to a replacement bridge for pedestrians and cyclists to be constructed over the A52 18 metres to the east of the present pedestrian bridge;

(viii) use by the acquiring authority in connection with such construction and improvement of highways mentioned above, and in connection with improvements to

the A52 so as to create a dual three-lane carriageway from the westbound junction with Raynesway to the westbound junction with Wyvern Way; and

(ix) the mitigation of any adverse effects which the existence or use of the highways proposed to be constructed or improved (including the improvements to the A52 referred to in (viii) above) will have on their surroundings.

2.

(1) The land authorised to be purchased compulsorily under this order is the land described in the Schedule and delineated and shown coloured pink on the maps (numbered HD12092/CPO/01 to HD12092/CPO/03) prepared in duplicate, sealed with the common seal of the acquiring authority and marked "Map referred to in the Derby City Council (A52 Wyvern Transport Improvements) Compulsory Purchase Order 2016".

(2) The new rights to be purchased compulsorily over land under this order are described in the Schedule and the land is shown coloured blue on the said maps.

SCHEDULE

Table 1

No. on map	Extent, description and situation of the land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1	2,894 square metres of open land to the east of the Derby Fireplace Centre, south of Brian Clough Way and north of Wyvern Way, Derby	Clowes Developments (UK) Limited, Brailsford Hall, Hall Lane, Brailsford, Derby DE6 3BU	-	The Derby Fireplace Company Limited, Wyvern Way, Wyvern Retail Park, Derby DE21 6NZ	Tenant
2	884 square metres of land to the south of Wyvern Way, Derby and being part of the northern section of the Toys "R" Us car park	Toys "R" Us Properties (UK) Limited, Cannon Place, 78 Cannon Street, London EC4N 6AF	Toys "R" Us Limited, Cannon Place, 78 Cannon Street, London EC4N 6AF	-	Lessee
3	315 square metres of land to the south west of the Pullman Road roundabout, Derby, to	Toys "R" Us Properties (UK) Limited,	Toys "R" Us Limited, Cannon Place,	-	Lessee

	the north of the eastern section of the Toys "R" Us car park, and running alongside the western boundary of Pullman Road	Cannon Place, 78 Cannon Street, London EC4N 6AF	78 Cannon Street, London EC4N 6AF		
4	The right to enter on 8,197 square metres of land comprising parts of the western, northern and eastern sections of the Toys "R" Us car park, The Wyvern, Derby for all purposes in connection with carrying out: (a) necessary accommodation works; and (b) works for the widening of the Pullman Road footway, the construction of the replacement bridge for cyclists and pedestrians, and the construction of the new highway access to the Toys "R" Us car park	Toys "R" Us Properties (UK) Limited, Cannon Place, 78 Cannon Street, London EC4N 6AF	Toys "R" Us Limited, Cannon Place, 78 Cannon Street, London EC4N 6AF	-	Lessee
5	17,576 square metres of open land to the south west of Wyvern Way, Derby and being part of the Derby Triangle site	Network Rail Infrastructure Limited, 1 Eversholt Street, London NW1 2DN	-	-	-
6	The right to enter on 37,592 square metres of open land to the south and south west of plot 5 (and being part of the Derby Triangle site) for the purposes of: (a) (in respect of the whole of plot 6) storage, working space and a site compound in connection with carrying out the highway works described in this order; (b) (in respect of the south eastern part of plot 6), (i) laying, constructing, inspecting, maintaining, replacing and using a pipe and headwall to take water from the pond to be constructed on the south eastern part of plot 5 to the existing watercourse in the south eastern part of plot 6 and (ii) draining water through, and maintaining, the existing watercourse;	Network Rail Infrastructure Limited, 1 Eversholt Street, London NW1 2DN	-	-	-

	<p>(c) (in respect of the north western part of plot 6), (i) laying, constructing, inspecting, maintaining, replacing and using pipes to take water from the pond to be constructed on the north western part of plot 5 to the existing headwalls within plot 6, and (ii) inspecting, maintaining, replacing and using the existing headwalls; and</p> <p>(d) (between the points marked A and B on the order map numbered HD12092/CPO/02) gaining access to and from plot 7</p>				
7	<p>The right to enter on 115 square metres of land to the south west of the roundabout junction of Derwent Parade and Wyvern Way, Derby (and being the approach to the underpass referred to in plot 16) for the purposes of:</p> <p>(a) working space in connection with carrying out the highway works described in this order;</p> <p>(b) gaining access to and from the underpass;</p> <p>(c) laying, constructing, inspecting, maintaining, replacing and using pipes to take water from the pond to be constructed on the north western part of plot 5 to the existing headwalls within plot 6; and</p> <p>(d) inspecting and maintaining the adjoining retaining walls and the bridge over the underpass</p>	<p>Network Rail Infrastructure Limited, 1 Eversholt Street, London NW1 2DN</p>	-	-	-
8	<p>354 square metres of open land on the south western side of Wyvern Way, Derby in the vicinity of its junction with The Sidings</p>	<p>Littlewing Securities No. 1 Limited and Littlewing Securities No. 2 Limited 3rd Floor, 37 Esplanade, St Helier, Jersey JE2 3QA</p>	<p>Hobart Leasing Limited, 47 Esplanade, St Helier, Jersey JE1 OBD</p> <p>Sainsburys Supermarkets Limited, 33 Holborn, London EC1N 2HT</p>	-	-

9	15,751 square metres of open land to the north, north west and south east of the current eastern merge and diverge slip roads leading to and from Brian Clough Way, Derby (in the vicinity of The Wyvern)	Littlewing Securities No. 1 Limited and Littlewing Securities No. 2 Limited 3 rd Floor, 37 Esplanade, St Helier, Jersey JE2 3QA	Hobart Leasing Limited, 47 Esplanade, St Helier, Jersey JE1 OBD Sainsburys Supermarkets Limited, 33 Holborn, Loondon EC1N 2HT	-	-
10	802 square metres of land (comprising a section of Stanier Way, Derby and adjoining land) at the entrance to Wyvern Business Park	William Davis Limited, Forest Field, Forest Road, Loughborough LE11 3NS	-	-	-
11	The right to enter on 213 square metres of land at Stanier Way, Derby at the entrance to Wyvern Business Park and to the east and north east of plot 10 for all purposes in connection with carrying out the highway works on plot 10	William Davis Limited, Forest Field, Forest Road, Loughborough LE11 3NS	-	-	-
12	2 square metres of open land to the north west of Derwent Parade, Derby, and to the south east of the northern part of plot 14	Network Rail Infrastructure Limited, 1 Eversholt Street, London NW1 2DN	-	-	-
13	1 square metre of open land to the north west of Derwent Parade, Derby, and to the south east of the southern part of plot 14	Network Rail Infrastructure Limited, 1 Eversholt Street, London NW1 2DN	-	-	-
14	The right to enter on 202 square metres of open land to the north west of Derwent Parade, Derby (and to the west of plots 12 and 13) for the purposes of: (a) constructing the new signalised junction at Wyvern Way and Derwent Parade; (b) constructing and afterwards inspecting, maintaining and replacing a retaining wall alongside Derwent Parade; (c) gaining access to and from the underpass referred to in	Network Rail Infrastructure Limited, 1 Eversholt Street, London NW1 2DN	-	-	-

	plot 16; and (d) inspecting and maintaining the adjoining retaining walls and the bridge over the underpass				
15	The right to enter on 1,594 square metres of open land to the north west of Derwent Parade, Derby (and to the west of plot 14) for the purposes of: (a) constructing the new signalled junction at Wyvern Way and Derwent Parade; (b) gaining access to and from plot 14 and the underpass referred to in plot 16; and (c) inspecting and maintaining the bridge over the underpass and the adjoining retaining walls on the approach to the underpass	Network Rail Infrastructure Limited, 1 Eversholt Street, London NW1 2DN	-	-	-
16	The right to pass and repass over 83 square metres of underpass under Derwent Parade, Derby and to the north east of the River Derwent for the purposes of: (a) gaining access to and from plots 6, 7, 14 and 15; and (b) inspecting and maintaining the bridge over the underpass	Network Rail Infrastructure Limited, 1 Eversholt Street, London NW1 2DN	-	-	-

Table 2

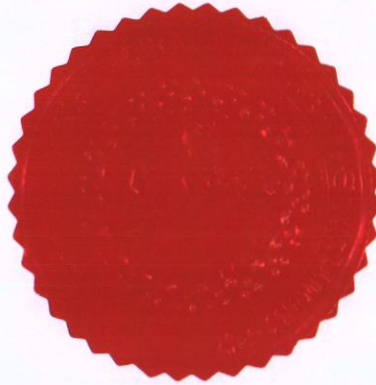
No. on map	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
1	London Metric (Derby) Limited, 1 Curzon Street, London W1J 5HB London Metric Property PLC, 1 Curzon Street, London W1J 5HB	Agreement for sale Guarantor under agreement for sale	-	-
2	Situs Asset Management Limited, 27/28 Eastcastle Street, London W1W 8DH Deutsche Bank AG, Winchester	Charge Charge	COIF Nominees Limited, 8 Canada Square, London E14 5HQ	Rights over plot 2

	House, 1 Great Winchester Street, London EC2N 2DB U.S. Bank Trustees Limited, 125 Old Broad Street, Fifth Floor, London EC2N 1AR	Charge	Boots UK Limited, Nottingham, NG2 3AA	Rights over plot 2
3	Situs Asset Management Limited, 27/28 Eastcastle Street, London W1W 8DH Deutsche Bank AG, Winchester House, 1 Great Winchester Street, London EC2N 2DB U.S. Bank Trustees Limited, 125 Old Broad Street, Fifth Floor, London EC2N 1AR	Charge Charge Charge	COIF Nominees Limited, 8 Canada Square, London E14 5HQ Boots UK Limited, Nottingham, NG2 3AA	Rights over plot 3 Rights over plot 3
4	Situs Asset Management Limited, 27/28 Eastcastle Street, London W1W 8DH Deutsche Bank AG, New York Branch, 60 Wall Street, New York 10005 and Winchester House, 1 Great Winchester Street, London EC2N 2DB U.S. Bank Trustees Limited, 125 Old Broad Street, Fifth Floor, London EC2N 1AR	Charge Charge Charge	COIF Nominees Limited, 8 Canada Square, London E14 5HQ Boots UK Limited, Nottingham, NG2 3AA	Rights over plot 4 Rights over plot 4
5	St Modwen Developments Limited and St Modwen Properties PLC, Park Point, 17 High Street, Longbridge, Birmingham B31 2UG	Development agreement	TRANSCO PLC, 1-3 Strand, London WC2N 5EH	Possible rights over plot 5
6	St Modwen Developments Limited and St Modwen Properties PLC, Park Point, 17 High Street, Longbridge, Birmingham B31 2UG	Development agreement	Western Power Distribution PLC, Avonbank, Feeder Road, Bristol BS2 0TB TRANSCO PLC, 1-3 Strand, London WC2N 5EH	Rights over plot 6 Rights over plot 6
7	St Modwen Developments Limited and St Modwen Properties PLC, Park Point, 17 High Street, Longbridge, Birmingham B31 2UG	Development agreement		
8	Law Debenture Trustees Limited, Fifth Floor, 100 Wood Street, London EC2V 7EX	Charge	-	-

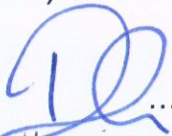
9	Law Debenture Trustees Limited, Fifth Floor, 100 Wood Street, London EC2V	Charge	-	-
10	-	-	-	-
11	-	-	-	-
12	-	-	-	-
13	-	-	-	-
14	-	-	-	-
15	-	-	-	-
16	-	-	-	-

Dated this 9th day of June 2016

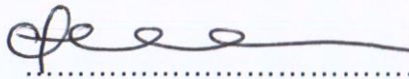
The Common Seal of DERBY
 CITY COUNCIL was
 affixed in the presence of:



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 Authorised Officer Authorised Signatory



 Authorised Officer Authorised Signatory