

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

**SHROPSHIRE COUNCIL (SHREWSBURY FLAXMILL MALTINGS – REDEVELOPMENT) (NO. 2)
COMPULSORY PURCHASE ORDER 2022**

**Section 226(1)(a) of the Town and Country Planning Act 1990 and the Acquisition of Land Act
1981**

1. Notice is hereby given that The Secretary of State for the Department for Levelling Up, Housing and Communities, in exercise of his powers under the above Acts, on 3 March 2023 confirmed the Shropshire Council (Shrewsbury Flaxmill Maltings – Redevelopment) (No. 2) Compulsory Purchase Order 2022 submitted on behalf of Shropshire Council.
2. The Order as confirmed provides for the purchase of the land described in Schedule 1 hereto for the purpose of facilitating the carrying out of development, redevelopment or improvement of that land including by the delivery of a mixed-use development comprising residential accommodation, together with commercial, business and service uses being a key element of the wider regeneration of Shrewsbury Flaxmill Maltings, which Shropshire Council considers will contribute to the promotion or improvement of the economic, social and environmental wellbeing of the area.
3. A copy of the Order as confirmed by The Secretary of State for the Department for Levelling Up, Housing and Communities and of the map referred to therein are available online, accessible from Shropshire Council's planning register, at:

<https://shropshire.gov.uk/flaxmill-redevelopment2-cpo2022>

and have been deposited at Shrewsbury Library at Castle Gates, Shrewsbury, Shropshire SY1 2AS and may be seen between the hours of 9:30am and 5pm on Monday, Wednesday, Thursday and Friday; 9:30am and 7pm on Tuesday; and 9:30am and 4pm on Saturday.

Hard copies of the Order as confirmed (and of the accompanying map) will be made available upon request. Any such request should be made via email to: planning.northern@shropshire.gov.uk.

4. The Order as confirmed becomes operative on the date on which this Notice is first published. A person aggrieved by the Order may, by application to the High Court within 6 weeks from that date, challenge its validity under section 23 of the Acquisition of Land Act 1981. The grounds for challenge can be that the authorisation granted by the Order is not empowered to be granted or that there has been a failure to comply with any relevant statutory requirement relating to the Order.
5. Once the Order has become operative, Shropshire Council may acquire any of the land described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement on the effect of Parts II and III of that Act is set out in Schedule 2 below.
6. Every person who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of the land comprised in the Order (other than land in respect of which notice to treat has been given), would be entitled to claim compensation in respect of any such land, is invited to give information to Shropshire Council at The Shirehall, Abbey Foregate, Shrewsbury SY2 6ND about the person's name, address and interest in land, using a prescribed form. The relevant prescribed form is set out in Schedule 3 below.

SCHEDULE 1

LAND COMPRISED IN THE ORDER AS CONFIRMED

Plot	
1	Approximately 16,806 square metres of land, outbuildings and construction site, including underground electricity cables, underground gas main, underground water main, and underground telecommunication cables, part of Shrewsbury Flaxmill Maltings, site of former premises known as: Rexel Senate building; Midlands Social Club; and former Arriva bus depot, situated between Spring Gardens, Marshalls Court and the Shrewsbury to Crewe railway line.
2	Approximately 58 square metres of land, including underground electricity cables, underground water main, and underground gas main, situated to the north of the junction with Marshalls Court and Spring Gardens, adjoining adopted highway known as Spring Gardens (A5191).
3	Approximately 25 square metres of land, including underground electricity cables, underground water main, and underground gas main, forming part of adopted highway known as Spring Gardens (A5191), situated to the north of the junction with Marshalls Court and Spring Gardens, except those owned by the acquiring authority, the highway authority, and The Historic Buildings and Monuments Commission for England.
4	Approximately 28 square metres of land, including underground electricity cables, underground water main, and underground gas main, situated to the south west of 15 Haughmond Square, Shrewsbury, SY1 2TA, and adopted highway known as Spring Gardens (A5191), except those owned by the acquiring authority, the highway authority, and The Historic Buildings and Monuments Commission for England.
5	Approximately 58 square metres of land, ground floor commercial premises, and residential flat above, including underground electricity cables, and underground gas main, known as 15 Haughmond Square, Spring Gardens, Shrewsbury, SY1 2TA.
6	Approximately 76 square metres of land, including underground electricity cables, and underground gas main, situated to the rear and to the side of 15 Haughmond Square, Spring Gardens, Shrewsbury, SY1 2TA.
7	Approximately 181 square metres of land, commercial premises, and residential flat above, including underground electricity cables, underground gas main, and underground water main, known as 1 Haughmond Square, Spring Gardens, Shrewsbury, SY1 2TA.
8	Approximately 56 square metres of land, including underground electricity cables, and underground gas main, situated to the rear of 1 Haughmond Square, Spring Gardens, Shrewsbury, SY1 2TA.
9	Approximately 1 square metre of land, including underground electricity cables, situated on the north west side of Spring Gardens (A5191), fronting 52 Spring Gardens, Shrewsbury, SY1 2ST and to the east of 1 Spring Gardens, Shrewsbury, SY1 2TA except those owned by the acquiring authority, the highway authority, and The Historic Buildings and Monuments Commission for England.
10	Approximately 11 square metres of land, including underground electricity cables, situated on the north west side of Spring Gardens (A5191), fronting 52 Spring Gardens, Shrewsbury, SY1 2ST and to the east of 1 Spring Gardens, Shrewsbury, SY1 2TA, including adopted highway known as Spring Gardens (A5191), except those owned by the acquiring authority, the highway authority, and The Historic Buildings and Monuments Commission for England.

11	Approximately 149 square metres of land and adopted highway (footway) known as Spring Gardens (A5191), including underground electricity cables and underground gas main, situated on the northwest side of Spring Gardens (A5191) fronting 60 Spring Gardens, SY1 2TE, including adopted highway known as Spring Gardens (A5191), except those owned by the acquiring authority and the highway authority.
12	Approximately 4 square metres of land, including underground electricity cables and underground water main, situated to the north west of Spring Gardens (A5191), including adopted highway known as Spring Gardens (A5191), except those owned by the acquiring authority, the highway authority, and The Historic Buildings and Monuments Commission for England.
13	Approximately 1 square metre of land, including underground electricity cables, situated to the north west of Spring Gardens (A5191) opposite Frank Partner & Son Funeral Directors, Shrewsbury, SY1 2TF, and adopted highway known as Spring Gardens (A5191), except those owned by the acquiring authority, the highway authority, and The Historic Buildings and Monuments Commission for England.

SCHEDULE 2

FORM OF STATEMENT OF EFFECT OF PARTS II AND III OF

THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

Power to make a general vesting declaration

- 1 Once the Shropshire Council (Shrewsbury Flaxmill Maltings – Redevelopment) (No. 2) Compulsory Purchase Order 2022 has become operative, Shropshire Council (hereinafter called “the Council”) may acquire any of the land described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 (“the Act”). This has the effect, subject to paragraphs 3 and 5 below, of vesting the land in the Council at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

- 2 As soon as may be after the Council execute a general vesting declaration, they must serve notice of it on every occupier of any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 4) and on every person who gives them information relating to the land in pursuance of the invitation contained in the confirmation notice of the Order. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in the Council together with the right to enter on the land and take possession of it. Every person on whom the Council could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 4) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.
- 3 The “vesting date” for any land specified in the declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter-notice is served under Schedule A1 to the Act within that period. In such circumstances, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with Schedule A1.

Modifications with respect to certain tenancies

- 4 In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a “minor tenancy”, i.e., a tenancy for a year or a yearly tenancy or a lesser interest, or “a long tenancy which is about to expire”. The latter

expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.

- 5 The modifications are that the Council may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 unless they first serve notice to treat in respect of the tenancy and then serve every occupier of the land with a notice of their intention to enter and take possession after the period (not less than three months from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

SCHEDULE 3

INVITATION TO GIVE INFORMATION

Every person who, if a general vesting declaration were executed in respect of all the land comprised in the Order (other than land in respect of which notice to treat has been given) would be entitled to claim compensation in respect of any such land, is invited to give information to the Council making the declaration in the prescribed form with respect to his name and address and the land in question.

The relevant prescribed form is set out below:

FORM FOR GIVING INFORMATION

SHROPSHIRE COUNCIL (SHREWSBURY FLAXMILL MALTINGS – REDEVELOPMENT) (NO. 2) COMPULSORY PURCHASE ORDER 2022

To: Shropshire Council (FAO Dr Andy Wigley)
The Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

[I] [We] being [a person] [persons] who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the compulsory purchase order cited above in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of [all] [part of] that land, give you the following information, pursuant to the provisions of section 15 of, or paragraph 6 of Schedule 1 to, the Acquisition of Land Act 1981.

- 1 Name and address of informant(s) (i)
- 2 Land in which an interest is held by informant(s) (ii)
- 3 Nature of interest (iii)

Signed:

[on behalf of]:

Date:

- (i) In the case of a joint interest insert the names and addresses of all the informants.
(ii) The land should be described concisely.

- (iii) If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other encumbrance, details should be given, e.g., name of building society and roll number.

Dated: 24 May 2023

T. Collard.

**Signed: TIM COLLARD, Assistant Director – Legal and Governance, Resources Directorate,
Shropshire Council**