

**THE WOKINGHAM BOROUGH COUNCIL (PEACH PLACE, PEACH STREET, WOKINGHAM)  
COMPULSORY PURCHASE ORDER 2015**

**Section 226(1)(a) of the Town and Country Planning Act 1990,  
Section 13 of the Local Government (Miscellaneous Provisions) Act 1976  
and the Acquisition of Land Act 1981**

- 1 Notice is hereby given that the Secretary of State for Communities and Local Government, in exercise of his powers under the above Acts, on 5 July 2016 confirmed The Wokingham Borough Council (Peach Place, Peach Street, Wokingham) Compulsory Purchase Order 2015 submitted by Wokingham Borough Council.
- 2 The order as confirmed provides for the purchase for the purposes of development, redevelopment or improvement of land by part demolition of existing properties, part refurbishment of existing properties and erection of a mixed use development to include Class A1-A5 units and new residential units (Class C3 Dwellings), together with the creation of a new public square and enhanced public realm and landscaping works, new public toilets and associated works, of the land and the new rights described in the Schedule hereto.
- 3 A copy of the order as confirmed by the Secretary of State for Communities and Local Government and of the map referred to therein have been deposited at the offices of Wokingham Borough Council at Civic Offices, Shute End, Wokingham, RG40 1BN and may be seen at all reasonable hours.
- 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.

**SCHEDULE**

**LAND COMPRISED IN THE ORDER AS CONFIRMED**

- 1 – 5 Rose Street, Wokingham
- Private car park at Rose Street, Wokingham
- Electricity substation to the rear of 39 Market Place, Wokingham
- Service yard to the rear of 39 - 40 Market Place, Wokingham
- Public car park at Rose Street, Wokingham
- Public conveniences at Rose Street car park, Wokingham
- Storage shed adjacent to Unit 5 Bush Walk, Market Place, Wokingham
- Alleyway to the side of 36b Market Place, Wokingham
- 34 – 35 Market Place, Wokingham
- Service yard to the rear of 36, 36A and 36B Market Place, Wokingham
- 2 – 22 Peach Street, Wokingham
- The Arcade off Peach Street, Wokingham
- Service yard to the rear of 16a – 22 Peach Street, Wokingham
- Electricity substation to the rear of 16 Peach Street, Wokingham
- Part of the Marks and Spencer's car park, Wokingham
- Land to the rear of Wokingham Methodist Church, Rose Street, Wokingham

**THE NEW RIGHTS COMPRISED IN THE ORDER AS CONFIRMED**

The right to enter on the land in Wokingham referred to below in order to carry out works for and in connection with the development described above including in each case the following works and rights:

- Retail premises at 36 Market Place Wokingham occupied by Superdrug Plc - The right to carry out building and demolition works on adjoining land, the right to protect and make good the building on the land in consequence of building and demolition works on adjoining land, the right to modify, disconnect, alter, divert and reconnect service apparatus, and the right to install, retain, maintain and renew photo voltaic panels and mechanical plant on the roof of the building for the purpose of serving the development

- Retail premises at 36 Market Place Wokingham occupied by Costa Coffee – The right to carry out building and demolition works on adjoining land, the right to protect and make good the building on the land in consequence of building and demolition works on adjoining land, and the right to install, retain, maintain and renew photo voltaic panels and mechanical plant on the roof of the building for the purpose of serving the development
- Land to the side of 24 Peach Street Wokingham known as Redan Public House - The right to erect temporary scaffolding on the land for the duration of the building works on the land and adjoining land, the right to install a protective walkway over the existing rear footway for the duration of the building works on the land and adjoining land, the right to carry out building and demolition works on adjoining land, the right to protect and make good the building on the land in consequence of building works, and the right to enter on the land in connection with the maintenance, repair and renewal of building works
- Land comprising part of the Marks and Spencer's Car Park, Peach Street, Wokingham - The right to erect and retain temporary scaffolding on the land for the duration of building works on the land and adjoining land, the right to carry out building and demolition works on adjoining land, and the right to carry out works to the land including resurfacing works and reconfiguration of the car parking spaces
- Land to the rear of Wokingham Methodist Church, Rose Street, Wokingham – The right to carry out resurfacing and replanting works on the land
- Land by the entrance to the Bradbury Centre at Wokingham Methodist Church, Rose Street, Wokingham - The right to remove the existing handrail on the land and install a new reconfigured handrail within the land as a consequence of removal of the existing handrail on adjoining land

Dated: 15 July 2016



Signed

Bernie Pich, Head of Town Centre Regeneration

## PART 1

### FORM OF STATEMENT OF EFFECT OF PARTS II AND III OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

#### Power to make general vesting declaration

- 1 Wokingham Borough Council (hereinafter called “the Authority”) may acquire any of the land described in the Schedule above by making a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. This has the effect, subject to paragraph 4 below, of vesting the land in the Authority at the end of the period mentioned in paragraph 2 below. A declaration may not be made before the end of a period of two months from the first publication of a notice which includes this statement except with the consent in writing of every occupier of the land affected.

#### Notices concerning general vesting declaration

- 2 As soon as may be after the Authority make 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 3) and on every person who gives them information relating to the land in pursuance of the invitation contained in any notice. When the service of notices of the general vesting declaration is completed, a further period begins to run. This period, which must not be less than 28 days, will be specified in the declaration. On the first day after the end of this period (“the vesting date”) the land described in the declaration will, subject to what is said in paragraph 4, vest in the Authority together with the right to enter on the land and take possession of it. Every person on whom the Authority 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 3) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.

**Modifications with respect to certain tenancies**

- 3 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.
  
- 4 The modifications are that the Authority may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 3 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 14 days 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.

Every person who, if a general vesting declaration were made in respect of all of the land comprised in the Schedule, would be entitled to compensation in respect of any such land, is invited to give information to the Authority 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.

**PART 2**

**THE WOKINGHAM BOROUGH COUNCIL (PEACH PLACE, PEACH STREET, WOKINGHAM)  
COMPULSORY PURCHASE ORDER 2015**

To: Damon Emes, Wokingham Borough Council, Civic Offices, Shute End, Wokingham, RG40 1BN

[I] [We] being [a person] [persons] who, if a general vesting declaration were made 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 3 of that Act.

- 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 incumbrance, details should be given, e.g. name of building society and roll number.