

The Commons Team
The Planning Inspectorate
3F Temple Quay House
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Temple Quay
Bristol
BS1 6PN

Dear the Commons Team

Re: An application pursuant to s. 19 Acquisition of Land Act 1981 (the “ALA”) for the purchase of open space adjacent to Ellesmere Road and Harlescott Lane in Shrewsbury

We are instructed to represent Shropshire Council (the “Applicant”) in relation to the compulsory purchase of land requisite for the construction and adoption of a scheme to increase accessibility and decrease traffic in and around Shrewsbury. This scheme is known as the North West Relief Road (the “Scheme”). The application to the Secretary of State for the Compulsory Purchase Order is made with this agreement.

The open space falling within the proposed Compulsory Purchase Order is a subsection of Waincott Park, adjacent to Harlescott Lane and Ellesmere Road, in Shrewsbury. The recreational part of Waincott Park is registered with title number SL208965. A small piece of registered land that runs alongside it also has title number P216529.

The subsection of the open space that is subject to the Compulsory Purchase Order (the “**CPO Land**”) is an area of 77 square metres (or 92.0912 square yards), and is necessary for the widening of the highway and for greater vehicular visibility on these roads of the other. The land to be purchased is shown coloured pink in the attached plan, whereas the extent of the open space is shown coloured green in the same plan (with a total surface area of 4.64 acres).

The CPO Land does not include ecclesiastical land, Crown land, and no listed buildings. The CPO Land does not form part of any village green or burial ground and none of it is owned by the National Trust, but the CPO Land is designated as public open space.

Usually, the compulsory purchase of common, open space or fuel or field garden allotment will trigger a special parliamentary procedure (s.19(1) ALA), unless the Secretary of State is satisfied of one of three conditions, which would exempt the compulsory purchase from the special parliamentary procedure. These three conditions are given at s. 19(1)(a), 19(1)(b) and 19(1)(aa).

This application is made for an exemption relying on s. 19(1)(b), which states that the special parliamentary procedure can be bypassed if *“the Secretary of State is satisfied... that the land does not exceed 250 square yards in extent or is required for the widening or drainage of an existing highway or partly for the widening and partly for the drainage of such a highway and that the giving in exchange of other land is unnecessary, whether in the*

interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public”.

The purposes of the compulsory purchase of this open space is for the minor widening of an existing highway, such that no rights of common or other rights are substantially curtailed. The open space to be purchased compulsorily has a surface area of 77 square metres, which is significantly below the 250-yard benchmark set by the legislature under s. 19(1)(b).

As such, it is unnecessary to offer to give land in exchange for the compulsory purchase given the minimal effect the compulsory purchase (with respect to the open space) has to the public rights over the land to be compulsorily purchased. The purposes of the Scheme are outlined in the Statement of Reasons to be submitted with the CPO.

We look forward to receiving a provisional decision from you in due course. We are aware that at this stage we can await further direction from the Planning Inspectorate before posting site or newspaper notices.

Yours sincerely

A handwritten signature in cursive script that reads "Anthony Collins Solicitors LLP".

Anthony Collins Solicitors LLP

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