

**THE ENVIRONMENT AGENCY (UNLOCKING THE RIVER SEVERN) (DIGLIS)
COMPULSORY PURCHASE ORDER 2018**

**THE WATER RESOURCES ACT 1991
THE SALMON AND FRESHWATER FISHERIES ACT 1975
AND THE ACQUISITION OF LAND ACT 1981**

The Environment Agency, in this order called "the acquiring authority", hereby makes the following order:

- 1 Subject to the provisions of this order the acquiring authority is, under sections 154 and 156 of the Water Resources Act 1991 in conjunction with sections 10 and 18 of the Salmon and Freshwater Fisheries Act 1975, hereby authorised to purchase compulsorily the land and the rights over land described in paragraph 2 required by the acquiring authority for the purposes of or in connection with the carrying out of its functions, namely:
 - (a) the construction of a fish pass adjacent to a weir in the River Severn; and
 - (b) the maintenance of the fish pass.
- 2 The land authorised to be purchased compulsorily under this order is described in the Schedule hereto and delineated and shown coloured pink on the map hereinafter mentioned and the rights over land authorised to be purchased compulsorily under this order are specified in the said Schedule and the land is delineated and shown coloured blue on the said map.
- 3 The map aforesaid is a map consisting of two sheets numbered "01" and "02" respectively, prepared in duplicate, sealed with the Common Seal of the acquiring authority and marked "Map referred to in The Environment Agency (Unlocking the River Severn) (Diglis) Compulsory Purchase Order 2018". One duplicate of the map is deposited in the offices of the acquiring authority and the other is deposited in the offices of the Secretary of State for Environment, Food and Rural Affairs.
- 4 In this order all measurements of areas stated in any description of the lands shall be construed as if the words "or thereabouts" were inserted after each such measurement of area.
- 5 Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 are hereby incorporated with this order subject to the modification that references in the said Parts of the said Schedule to the undertaking shall be construed as references to any building or work constructed or to be constructed on the land authorised to be purchased under this order.

SCHEDULE

TABLE 1

Number on plan (1)	Extent, description and situation of the land (2)	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
1A	Right over 330 square metres of public footpath (Kingfisher Path, east of Bromwich Road) for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to construct (including any necessary clearance of vegetation) and use an access by foot and with vehicles, including the right to pass and repass, with or without materials, plant or machinery, for all purposes in connection with the works for the construction of the fish pass.	Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP			
2A	Right over 525 square metres of public footpath (Kingfisher Path, east of Bromwich Road) for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to construct (including any necessary clearance of vegetation) and use an access by foot and with vehicles, including the right to pass and repass, with or without materials, plant or machinery, for all purposes in connection with the works for the construction of the fish pass.	Worcester City Council Orchard House Complex, Farrier Street, Worcester, WR1 3BB			

Number on plan (1)	Extent, description and situation of the land (2)	Qualifying persons under section12(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
3A	Right over 3,245 square metres of sports ground and hedgerow for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to construct (including any necessary clearance of vegetation) and use an access by foot and with vehicles, including the right to pass and repass, with or without materials, plant or machinery, for all purposes in connection with the works for the construction of the fish pass.	Severn Trent, Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ	Christopher Whitehead College, Bromwich Road, St Johns, Worcester WR2 4AF		
3B	Right over 140 square metres of scrub land and hedgerow for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to construct (including any necessary clearance of vegetation) and use an access by foot and with vehicles, including the right to pass and repass, with or without materials, plant or machinery, for all purposes in connection with the works for the construction of the fish pass.	Severn Trent, Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ			
3C	Right over 5,865 square metres of scrub land and hedgerow for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to enter and undertake works (including any necessary clearance of vegetation) with or without vehicles, materials, plant or machinery, and to use the land as a temporary compound, in connection with the construction of the fish pass.	Severn Trent, Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ			

Number on plan (1)	Extent, description and situation of the land (2)	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
3D	All interests in 1,615 square metres of conifer woodland, public footpath on river bank and river bed of the River Severn.	Severn Trent, Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ			
3E	Right over 505 square metres of conifer woodland and track for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to construct (including any necessary clearance of vegetation) and use an access by foot and with vehicles, including the right to pass and repass, with or without materials, plant or machinery, for all purposes in connection with the works for the construction of the fish pass.	Severn Trent, Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ			
3F	Right over 1,905 square metres of conifer woodland, public footpath and river bank and bed of the River Severn for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to enter and undertake works (including any necessary clearance of vegetation) with or without vehicles, materials, plant or machinery, and the right to moor vessels, in connection with the construction of the fish pass and in connection with the inspection maintenance and repair of the fish pass.	Severn Trent, Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ			

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Number on plan (1)	Extent, description and situation of the land (2)	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
4A	Right over 1,805 square metres of river bank and river bed of the River Severn for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to enter and undertake works (including any necessary clearance of vegetation) with or without vehicles, materials, plant or machinery, and the right to moor vessels, in connection with the construction of the fish pass and in connection with the inspection maintenance and repair of the fish pass.	Canal & River Trust, Station House, 500 Elder Gate, Milton Keynes MK9 1BB			
4B	All interests in 150 square metres of river bed of the River Severn.	Canal & River Trust, Station House, 500 Elder Gate, Milton Keynes MK9 1BB			
5A	Right over 125 square metres of woodland and river bank adjacent to the River Severn for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to enter and undertake works (including any necessary clearance of vegetation) with or without vehicles, materials, plant or machinery in connection with the construction, maintenance, inspection and repair of the fish pass.	Dean and Chapter of Worcester, Worcester Cathedral, 8 Collage Yard, Worcester, WR1 2LA			
5B	Right over 40 square metres of tarmac track (public footpath adjacent to the River Severn) for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these to enter and undertake works (including any necessary clearance of	Dean and Chapter of Worcester, Worcester Cathedral,			

Number on plan (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - name and address			
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	vegetation) with or without vehicles, materials, plant or machinery in connection with the construction, maintenance, inspection and repair of the fish pass.	8 Collage Yard, Worcester, WR1 2LA			
5C	Right over 3,680 square metres of tarmac track (public footpath adjacent to the River Severn) for the acquiring authority and its lessees, licensees, successors in title, assigns, and those authorised by any of these for access by foot and vehicle including the right to pass and repass, with or without materials, plant or machinery for all purposes in connection with the inspection, maintenance and repair of the fish pass.	Dean and Chapter of Worcester, Worcester Cathedral, 8 Collage Yard, Worcester, WR1 2LA	The University Of Birmingham c/o Registrar & Secretary, Registrar & Secretary's Office, The University Of Birmingham, Edgbaston, Birmingham B15 2TT and c/o Director of Estates, Estates Office, The University Of Birmingham, Edgbaston, Birmingham B15 2TT		

TABLE 2

Number on plan (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981- not otherwise shown in Tables 1 & 2 (6)	
	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
1A	---	---	Western Power Distribution Blackpole Road Worcester, WR4 9TB	Rights of access granted by a wayleave in favour of Western Power Distribution
2A	---	---	Western Power Distribution Blackpole Road, Worcester, WR4 9TB	Rights of access granted by a wayleave in favour of Western Power Distribution
3A	---	---	---	---
3B	---	---	---	---
3C	---	---	---	---
3D	---	---	---	---
3E	---	---	---	---
3F	---	---	---	---
4A	Canal & River Trust, First Floor North, Station House,	Benefit of restriction on title preventing transfer or lease of the	Diglis Anglers Salmon Society 20 Mallards Close, Alveley	Fishing rights

Number on plan (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981- not otherwise shown in Tables 1 & 2 (6)	
	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
	500 Elder Gate, Milton Keynes MK9 1BB	registered estate without a certificate signed by Canal & River Trust.	<p>WV15 6JL</p> <p>Taylor Woodrow Developments Limited, Gate House, Turnpike Road, High Wycombe, Buckinghamshire, HP12 3NR</p> <p>Worcestershire County Council County Hall, Spetchley Road, Worcester, WR5 2NP</p> <p>Christopher Gait and Stephanie Gait, Owl Hill, Dunhampton, Stourport, Worcester DY13 9SS</p> <p>Bankway Properties Limited, Ground Floor, 30 City Road, London, EC1Y 2AB</p>	<p>Rights of support, access, passage of services, right of way and entry, right to oversail the air space, moor boats contained in a transfer dated 31 March 2006</p> <p>Right of way, rights for passage of services, right of entry, right to maintain conducting media contained in a transfer dated 6 November 2009</p> <p>Right of access and passage or services contained in a transfer of 1 Lock Cottage, Diglis Dock Road dated 15 December 2010</p> <p>Rights of access and passage or services contained in a transfer of 2 Lock Cottage, Diglis Dock Road dated 11 March 2011</p>

Number on plan (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981- not otherwise shown in Tables 1 & 2 (6)	
	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
			<p>Area Estates Limited, Ground Floor, 30 City Road, London, EC1Y 2AB</p> <p>Misters Bros. Limited, 2 Eden Court, Bath Road, Worcester, Worcestershire, WR5 3DL and unknown third party successors</p> <p>The Dean and Chapter of the Cathedral Church of Christ and the Blessed Mary The Virgin of Worcester The Old Palace, Deansway, Worcester WR1 2JE</p>	<p>Rights of access and passage or services contained in a transfer of 3 Lock Cottage, Diglis Dock Road dated 15 March 2011</p> <p>Rights of access and passage or services contained in a transfer of Lock House, Basin Road dated 13 March 2012</p> <p>Rights to construct a sewer and access rights to thereafter maintain the sewer granted by a deed dated 7 December 1938</p>
4B	Canal & River Trust First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB	Benefit of restriction on title preventing transfer or lease of the registered estate without a certificate signed by Canal & River Trust.	<p>Diglis Anglers Salmon Society 20 Mallards Close, Alveley WV15 6JL</p> <p>Taylor Woodrow Developments Limited, Gate House, Turnpike Road, High Wycombe,</p>	<p>Fishing rights</p> <p>Rights of support, access, passage of services, right of way and entry, right to</p>

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	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
			<p>Buckinghamshire, HP12 3NR</p> <p>Worcestershire County Council County Hall, Spetchley Road, Worcester, WR5 2NP</p> <p>Christopher Gait and Stephanie Gait, Owl Hill, Dunhampton, Stourport, Worcester DY13 9SS</p> <p>Bankway Properties Limited, Ground Floor, 30 City Road, London, EC1Y 2AB</p> <p>Area Estates Limited, Ground Floor, 30 City Road, London, EC1Y 2AB</p>	<p>oversail the air space, moor boats contained in a transfer dated 31 March 2006</p> <p>Right of way, rights for passage of services, right of entry, right to maintain conducting media contained in a transfer dated 6 November 2009</p> <p>Right of access and passage or services contained in a transfer of 1 Lock Cottage, Diglis Dock Road dated 15 December 2010</p> <p>Rights of access and passage or services contained in a transfer of 2 Lock Cottage, Diglis Dock Road dated 11 March 2011</p> <p>Rights of access and passage or services contained in a transfer of 3 Lock Cottage, Diglis Dock Road dated 15 March 2011</p>

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	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
			<p>Misters Bros. Limited, 2 Eden Court, Bath Road, Worcester, Worcestershire, WR5 3DL and unknown third party successors</p> <p>The Dean and Chapter of the Cathedral Church of Christ and the Blessed Mary The Virgin of Worcester The Old Palace, Deansway, Worcester WR1 2JE</p>	<p>Rights of access and passage or services contained in a transfer of Lock House, Basin Road dated 13 March 2012</p> <p>Rights to construct a sewer and access rights to thereafter maintain the sewer granted by a deed dated 7 December 1938</p>
5A	---	---	---	---
5B	---	---	---	---
5C	---	---	---	---

General Entries

Name and address	Capacity	Qualification
BT Openreach 81 Newgate Street, London EC1A 7AJ	as licensed telecommunications operator	in respect of telecommunications facilities
British Telecommunications plc 81 Newgate Street, London, EC1A 7AJ	as licensed telecommunications operator	in respect of telecommunications facilities
Severn Trent Water Limited Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ	as statutory water undertaker	in respect of water mains, foul sewer, surface water sewer and other apparatus
Western Power Distribution Blackpole Road, Worcester, WR4 9TB	as statutory electricity supplier undertaker	in respect of electricity high and low voltage pressure and other apparatus
National Grid plc 1 – 3 Strand, London WC2N 5EH	As statutory electricity supplier undertaker	in respect of electricity high and low voltage pressure and other apparatus
Cadent Gas Limited Ashbrook Court Prologis Park, Central Boulevard, Coventry, United Kingdom, CV7 8PE	as statutory gas undertaker	in respect of gas mains, pipes and other apparatus
Worcestershire County Council County Hall, Spetchley Road, Worcester WR5 2NP	as highway authority	in respect of highway

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Date: 19th January 2018

THE COMMON SEAL of)

THE ENVIRONMENT AGENCY)

was affixed here in the presence of)



Authorised Signatory:

Seal Number: 751

A handwritten signature in black ink, which appears to read "Peter Kellett".

DIRECTOR OF LEGAL SERVICES

PETER KELLETT