

2. Why might a Compulsory Purchase Order be required?

While Aldi own the majority of the site there are some properties in third party ownership which Aldi need to acquire to enable regeneration of the Ravenscourt Shopping Centre and surrounds.

Aldi has therefore asked Walsall Council ("the Council) to use its statutory compulsory purchase powers, if required, to ensure that Aldi's new store can be delivered and the Ravenscourt Shopping Centre and surrounds be redeveloped. The Council is supportive of redevelopment of this site and therefore Aldi and the Council are working together to ensure the regeneration of the site. The Council will use its compulsory purchase powers if required to ensure that the new Aldi store is delivered and the derelict shopping centre is brought back into use providing social, economic and environmental benefits.

3. What is a Compulsory Purchase Order (CPO)?

A Compulsory Purchase Order (CPO) allows public bodies to acquire land and rights without the consent of the owner or occupier.

Compulsory purchase powers are an important tool to use as a means of acquiring the land needed to deliver positive social, environmental, and economic change including bringing back vacant and derelict sites into active use. Compulsory purchase powers are available to public bodies including local authorities to compulsorily acquire third party land/property interests and rights to deliver these changes and should only be used where there is a compelling case in the public interest.

Walsall Council as a local authority has compulsory purchase powers and further information about the CPO process is set out below.

4. What does the CPO process involve?

CPO powers can only be authorised by the relevant Secretary of State, with a decision on any CPO made either by an appointed planning inspector or the Secretary of State.

If the Council decides to make a CPO, the Council and Aldi are required to carry out due diligence to ensure they identify all affected property interests and rights to

include in the CPO, alongside carrying out negotiations to seek to acquire third party property interests by agreement.

If the Council formally makes and publishes a CPO, it will include:

- an Order, which sets out the purpose of the CPO
- an Order Schedule, which sets out the details of the land and rights the Council/Aldi wish to acquire
- an Order Map, which shows the land and rights the Council/Aldi wish to acquire
- and the Statement of Reasons which would set out the Council/Aldi's reasoning for making the CPO.

From the date the Council publishes a CPO, any affected or interested party has a minimum of 21 days to make an objection to the CPO. Objections made by affected parties may result in a public inquiry. If there are no objections to the CPO, the Council is able to confirm the CPO itself.

At a public inquiry, an independent planning inspector would then consider the case for making the CPO, hearing from both the Council and Aldi, and from any objectors to the CPO. Either a planning inspector or Secretary of State would then make a decision whether to confirm (approve) the CPO, confirm the CPO with modifications or refuse the CPO.

If the CPO is confirmed the Council would then need to publish notice of its confirmation and there would be a six-week judicial review period. After confirmation of the CPO, the Council would be able to serve notice to compulsorily acquire the land or rights, giving at least three months' notice to any affected party.

Throughout the CPO process the Council/Aldi is required to continue negotiations to acquire third party property interests. Compensation would be paid for acquisition of any property and rights, in accordance with the statutory Compensation Code, to parties from whom land, property and interests are being acquired. Any potential claimants also have a duty to mitigate their losses and to take reasonable steps to eliminate or reduce their losses if a compensation claim arises.

5. What stage of the CPO process are we now in and what happens next?

Aldi has been seeking to acquire third party interests on High Street, Brownhills, since 2020 and these negotiations are ongoing. If you hold a property interest in the site and have not yet begun negotiations with Aldi, please contact Aldi's agent on the contact details at question 7 of these FAQs.

In February 2021 the Council took a report to its Cabinet to obtain initial Cabinet approval to use its statutory compulsory purchase powers to support the redevelopment of the Ravenscourt Shopping Centre. The report was considered under a private session and the public decision notice of the meeting can be viewed at the link below, under item 21.

<https://cmispublic.walsall.gov.uk/cmis/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=1WFc7XiJa2%2f%2fh4FV14Lka3bos7Ny9j%2bX6rBekjEJyM3yDWDVCAJgPg%3d%3d&rUzwRPf%2bZ3zd4E7lkn8Lyw%3d%3d=pwRE6AGJFLDNlh225F5QMaQWCtPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9IXnlg%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJff55vVA%3d&FgPIIEJYlotS%2bYGoBi5oIA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJff55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJff55vVA%3d&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJff55vVA%3d>

Aldi has continued to seek to acquire the third party interests since the 2021 Cabinet decision but to date agreement has not been reached with any of the owners. Therefore the Council and Aldi are preparing to carry out of the required due diligence for a CPO, alongside Aldi continuing with negotiations. The Council will only exercise its CPO powers as a last resort.

Subsequently, the Council took a report to its Cabinet on 11 December 2024 to update on the progress made on Aldi's scheme and to obtain the required approvals to progress towards making a CPO, if required. The Cabinet report can be reviewed at the link below. Cabinet approved the recommendations in the report.

<https://cmispublic.walsall.gov.uk/cmis/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/3935/Committee/514/Default.aspx>

If required, a further report will be taken to Cabinet before a CPO is made.

An indicative timetable of events is set out below.

Event/action	Indicative timescale
Negotiations	Continuing throughout the CPO process.
Cabinet meeting to consider next steps for the CPO process	11 December 2024. Recommendations of the report were approved.
Further due diligence and land referencing carried out by Aldi and the Council	December 2024 to spring 2025
Cabinet meeting to obtain approval to make a CPO (if required)	Spring 2025
CPO made (if required) and minimum of 21 days objection period	Spring 2025
If objections are received, a public inquiry is likely to be held	Winter 2025/2026

Decision on a CPO inquiry	Winter/spring 2026
Take possession of land (if a CPO inquiry is required)	Summer 2026

6. Will I be able to object to the CPO?

Yes. Once the Council has made a CPO you will have at least 21 days to submit an objection. If your property interest is included within the Order Schedule, you are known as a qualifying objector. This gives you the right to object to a CPO, but your objection must be received by the deadline set for objections. If the Council makes a CPO it will write to you to let you know that the CPO has been made and how to submit an objection.

If you do not appear on the Order Schedule, you are unlikely to be a qualifying objector and while you can still object this will carry less weight in the decision making process of the CPO.

7. Who do I contact to discuss selling my property and to find out more about the project and CPO?

Please contact Aldi's agent on the contact detail below.

Chris Mulcock
 Director
 Belfre Real Estate Advisory

Email: chris@belfre.co.uk

Mobile: 07768 029 696

8. If I am subject to a CPO, can I appoint my own surveyor to provide me with advice?

Affected parties may find it useful to seek professional advice and/or representation from a surveyor who specialises in compulsory purchase to ensure that they fully understand the CPO process and for the surveyor to either lead or assist them with negotiations with Aldi and its consultants. The advisor may also provide advice to assist a landowner in understanding the impact of any CPO on their property interest and to under the compensation which may be payable to them. There may be other

professional advice you feel you may need and this can be discussed with Aldi's agent.

Aldi will reimburse your reasonably incurred professional fees. Please discuss this with Chris Mulcock (details set out at question 7 of these FAQs) if you would like further information.

You can also search the Royal Institution of Chartered Surveyor's (RICS) website for firms at: <https://www.ricsfirms.com/helplines/compulsory-purchase/>

9. How much will Aldi buy my interest for and will I be entitled to wider compensation?

You may be entitled to financial compensation if your property interest is included within the CPO. The extent of compensation depends on the type of property interest you hold and the impact of the scheme on your property interest.

Compensation will be paid based on the principle that the owner/occupier should be paid neither less nor more than their loss, in accordance with the statute and case law which govern compulsory purchase compensation. Compensation would usually include financial compensation to cover the following:

- Value of the interest in the land taken which is usually market value.
- Disturbance or reinvestment payments for losses caused by reason of losing possession of the land and other losses not directly based on the value of land.
- Statutory loss payments for the distress and inconvenience of being required to sell and/or relocate from your property at a time not of your choosing.
- Reimbursement of reasonable professional fees.

10. When will I need to vacate my property?

If a CPO is required and there is a CPO inquiry, under the current indicative timetable, Aldi would seek to take possession of land currently in third party ownership in summer 2026.

However, if a CPO is either not required or if there are no objections and an inquiry is not required, Aldi's 'not before' date, the earliest at which Aldi would take possession is June 2025.

11. Will the Council and Aldi support my business and help me find a property to relocate to?

There are a number of occupiers on the site. Aldi and the Council will provide support to occupiers if they wish to relocate. If this applies to you please discuss your requirements with Aldi's agent whose details are provided below.

Aldi and the Council has also prepared a schedule of currently available potential relocation properties which have been shared with all known occupiers and are also available of the Council's website.

Aldi will also reimburse reasonable fees for appointed surveyors to assist affected businesses in finding suitable alternative premises.

To discuss further, please contact Aldi's agent on the details below:

Chris Mulcock
Director
Belfre Real Estate Advisory

Email: chris@belfre.co.uk

Mobile: 07768 029696

12. Where can I get more information about the CPO process?

National Government provides guidance on CPO in a number of documents. These include:

The Department for Levelling Up, Housing & Communities' (DLUHC) *Guidance on Compulsory Purchase Process, October 2024*. This provides a full explanation of the CPO process and the Council would follow the process set out in this document in making any CPO:

https://assets.publishing.service.gov.uk/media/66fd242fa31f45a9c765efbe/Compulsory_purchase_process_guidance_2024.pdf

The government's 2021 guidance on *Compulsory purchase and compensation: guide 1 – procedure*. This explains why compulsory purchase orders are made and what people's rights are to challenge them: <https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-1-procedure>

The government's 2021 guidance on *Compulsory purchase and compensation: guide 2 – compensation to business owners and occupiers*. This provides guidance about compensation to owners and occupiers of business premises:

<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-2-compensation-to-business-owners-and-occupiers>

The government's 2021 guidance on *Compulsory purchase and compensation: guide 4 – compensation to residential owners and occupiers*. This provides guidance about compensation to owners and occupiers of residential properties:

<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-4-compensation-to-residential-owners-and-occupiers>

The Royal Institution of Chartered Surveyors' (RICS) professional statement on *Surveyors advising in respect of compulsory purchase and statutory compensation*, 2nd edition, September 2024. This sets out the guidelines in which RICS members must act in accordance with when advising on CPO. The professional statement has recently been updated and the 2nd edition of the statement will be effective from 23 December 2024. It can be viewed at the link below.

https://www.rics.org/content/dam/ricsglobal/documents/standards/Surveyors-advising-in-respect-of-compulsory-purchase_sept2024.pdf