

Existing LRIE Occupiers

1. How will businesses and jobs on the LRIE be protected if the Council has to exercise its powers of compulsory purchase in order to deliver regeneration?

Ans: Exercising powers of compulsory purchase is the option of last resort and where the Council and any development partner would wish to secure plot change by negotiation. The process is long and expensive and where desired outcomes are uncertain. Arguments over values are referred to arbitration and where the Council cannot dictate what compensation might be required to be paid to those effected by CPO. For an inspector to grant an order for compulsory purchase, the case for it would have to demonstrate a major public benefit that outweighs the disruption or possible extinguishment of an existing LRIE business. Major public benefit would almost certainly have to include the provision of jobs and employment opportunities.

2. Will the Council rehome businesses affected by the LRIE regeneration?

Ans: Some LRIE business are leasehold owner occupiers and others where leaseholders have their own tenants. The Council's preferred position will always be to work with existing leasehold occupier businesses who wish to remain on the estate and where these businesses might be rehoused elsewhere on the estate or moved temporarily, if practical, while their existing site is regenerated for them, making it fit for purposes and thereby protect jobs and offer potential expansion. The Council has less control and opportunity to work with LRIE businesses who are tenants of leaseholders; existing leaseholds granted by the Council as freeholder affords the Council little or no control over what those leaseholders do with their tenants. If as part of negotiations with the Council leaseholders, with their own tenants, wish to sell up and in the process terminate their own tenancy agreements, the Council will use best endeavours to help those tenants who wish to remain on the estate by building into negotiations, where practical, the occupational future of those tenants. If redevelopment proposals cause existing leaseholders with tenants to sell out to parties other than the Council, there is little or nothing the Council can do to help those tenants served notice by their leasehold landlord.

3. Will the regeneration involve businesses outside of the LRIE?

Ans: The Council must remain flexible and where rehousing businesses to other light industrial sites owned by others should be considered. The Council does not own land assets within the Newbury area which could be used to rehouse businesses who wish to remain trading but cannot reasonably stay on the LRIE. In terms of CPO there is very little prospect of using CPO to amass

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land holdings to deliver regeneration and including land assets owned freehold by others and where this land is adjacent to the Council's freehold interest on the LRIE. As said previously CPO is the option of last resort and where an order would only be considered if the wider public benefit demonstrably outweighed any business loss either on the estate or immediately adjacent. This position would be even harder to deliver in the context of land assets outside the Council's freehold interest.