

THE ST HELENS BOROUGH COUNCIL (303 GARSWOOD ROAD, ASHTON-IN-MAKERFIELD, WN4 0TU)
COMPULSORY PURCHASE ORDER 2024

The Housing Act 1985
and the Acquisition of Land Act 1981

1. Notice is hereby given that the St Helens Borough Council, in exercise of the powers of the confirming authority under the above Acts, on 25 April 2025 confirmed the St Helens Borough Council (303 Garswood Road, Ashton-in-Makerfield, WN4 0TU) Compulsory Purchase Order 2024 made by it. No objections to the order were received within the permitted period and consequently notification was given by the Secretary of State for Housing, Communities and Local Government that the power to confirm the order may be exercised by the acquiring authority in accordance with section 14A of the Acquisition of Land Act 1981.
2. The order as confirmed provides for the purchase for the purposes of the provision of housing accommodation on the land described in Schedule 1.
3. A copy of the order as confirmed by the St Helens Borough Council and of the map referred to therein have been deposited at St Helens Town Hall, Victoria Square, St Helens WA10 1HP and may be seen at all reasonable hours. A copy of the order and of the map may be viewed online at <https://sthelens.gov.uk/garswoodroadcpo2024>
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.
5. Once the order has become operative St Helens Borough Council may acquire any of the land described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement on the effect of Parts 2 and 3 of that Act is set out in Schedule 2 below.
6. Every person who, if a general vesting declaration were executed under section 4 of that Act in respect of the land comprised in the order (other than land in respect of which notice to treat has been given), would be entitled to claim compensation in respect of any such land, is invited to give information to St Helens Borough Council for the attention of the Assistant Director (Legal and Democratic Services) at Corporate Services, St Helens Borough Council, PO Box 512, St Helens WA10 9JX about the person's name, address and interest in land, using a prescribed form, the relevant prescribed form is set out in Schedule 3 below.
7. St Helens Borough Council has a period of three years beginning with the date the order becomes operative to serve a notice to treat or execute a general vesting declaration. The order will become operative on the date on which this notice is first published.

SCHEDULE 1

LAND COMPRISED IN THE ORDER AS CONFIRMED

All that land comprising 551 square metres forming a dwellinghouse and garden at 303 Garswood Road, Ashton-in-Makerfield, WN4 0TU

SCHEDULE 2

FORM OF STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

Power to execute a general vesting declaration

1. Once the St Helens Borough Council (303 Garswood Road, Ashton-in-Makerfield, WN4 0TU) Compulsory Purchase Order 2024 has become operative, the St Helens Borough Council (hereinafter called "the Acquiring Authority") may acquire any of the land described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 ("the Act"). This has the effect, subject to paragraphs 3 and 5 below, of vesting the land in the Acquiring Authority at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

2. As soon as may be after the Acquiring Authority execute 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 4) and on every person who gives them information relating to the land in pursuance of the invitation contained in the confirmation notice of the order. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in the Acquiring Authority together with the right to enter on the land and take possession of it. Every person on whom the Acquiring 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 4) will be entitled to claim compensation for the acquisition of his interest in the land with interest on the compensation from the vesting date.
3. The "vesting date" for any land specified in a declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter notice is served under Schedule A1 to the Act within that period. In such circumstances, the vesting date for the land which is the subject of the counter notice will be determined in accordance with Schedule A1.

Modifications with respect to certain tenancies

4. 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.

5. The modifications are that the Acquiring Authority may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 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 three months 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 happen first.

SCHEDULE 3

FORM FOR GIVING INFORMATION

The St Helens Borough Council (303 Garswood Road, Ashton-in-Makerfield, WN4 0TU) Compulsory Purchase Order 2024

To: The St Helens Borough Council

[I][We] being [a person] [persons] who, if a general vesting declaration were executed 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 15 of, or paragraph 6 of Schedule 1 to, the Acquisition of Land Act 1981.

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

22 May 2025

M. E. Jones

Assistant Director (Legal and Democratic Services)