

**NOTICE OF CONFIRMATION BY AN  
ACQUIRING AUTHORITY OF A COMPULSORY PURCHASE ORDER**

**THE HIGHWAYS ENGLAND COMPANY LIMITED  
(A590 TRUNK ROAD CROSS-A-MOOR IMPROVEMENT SCHEME)  
COMPULSORY PURCHASE ORDER 2021**

The Highways Act 1980  
and the Acquisition of Land Act 1981

1. Notice is hereby given that the Secretary of State for Transport, in exercise of his powers under the above Acts, on 14 July 2021 confirmed with modifications The Highways England Company Limited (A590 Trunk Road Cross-A-Moor Improvement Scheme) Compulsory Purchase Order 2021 submitted by Highways England Company Limited.
2. The Order as confirmed provides for the purchase of the land described in Schedule 1 hereto for the purposes of:
  - a) the improvement of the A590 Trunk Road;
  - b) the construction and improvement of highways to connect the above-mentioned Trunk Road with the existing road system at A590 Ulverston Road at the junctions with Cross-a-Moor and Main Road;
  - c) the construction and improvement of highways and the provision of new means of access to premises in pursuance of The Highways England Company Limited (A590 Trunk Road Cross-a-Moor Improvement Scheme) (Side Roads) Order 2021;
  - d) use by the acquiring authority in connection with the construction and improvement of highways and the provision of private means of access to premises as aforesaid; and
  - e) mitigating the adverse effect which the existence or use of the highways proposed to be constructed or improved will have on the surroundings thereof.
3. A copy of the Order as confirmed by the Secretary of State for Transport and of the map referred to therein has been deposited at Ulverston Library, King's Road, Ulverston, LA12 0BT. The availability of hard copy deposit documents is subject to Ulverston Library remaining open and no further COVID-19 restrictions being put in place. Copies of the same have also been deposited on the Highways England website and can be viewed at <https://highwaysengland.co.uk/our-work/north-west/a590-cross-a-moor/>. Should Ulverston Library close then hard copy documents can be requested by calling David Logan on 07934130575 until 9 September 2021.
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, Highways England Company Limited may require 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 Highways England Company Limited 9th Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD 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.

## **SCHEDULE 1**

### **LAND AND THE NEW RIGHTS COMPRISED IN THE ORDER AS CONFIRMED**

NOTE: The land comprised in the items in this Schedule is identified on the Map referred to in the Order by means of the numbers shown in brackets against that item in the Schedule.

### **IN THE PARISH OF PENNINGTON IN THE LOCAL AUTHORITY AREA OF SOUTH LAKELAND IN THE COUNTY OF CUMBRIA**

#### **Acquisition of title**

agricultural land north of A590 Ulverston Road and west of Cross-a-Moor (3-1), agricultural land north of A590 Ulverston Road and west of Cross-a-Moor (3-2), agricultural land north of A590 Ulverston Road and west of Cross-a-Moor (3-3), agricultural land north of A590 Ulverston Road and east of Seg Lane (4-1), agricultural land north of A590 Ulverston Road and east of Seg Lane (4-2), agricultural land south of A590 Ulverston Road and east of Carley Lane (8-1), agricultural land south of A590 Ulverston Road and east of Carley Lane (8-2), agricultural land south of A590 Ulverston Road and west of Main Road (8-3), land south of A590 Ulverston Road and west of Main Road (9-1), access track south of A590 Ulverston Road (10-1), agricultural land south of A590 Ulverston Road (13-1), agricultural land south of Main Road (13-2), agricultural land south east of A590 Ulverston Road and south west of Main Road (13-3), agricultural land east of A590 Ulverston Road and south of Main Road (13-4), agricultural land south of Main Road (13-5), agricultural land south of Main Road (13-6), agricultural land east of A590 Ulverston Road and south of Main Road (13-7), agricultural land south east of A590 Ulverston Road and south west of Main Road (15-1), agricultural land south east of A590 Ulverston Road and south west of Main Road (15-2), agricultural land south east of A590 Ulverston Road and south west of Main Road (15-3), land south of Main Road (16-1), agricultural land north of A590 Ulverston Road and west of Cross-a-Moor (20-1), verge east of A590 Ulverston Road (20-2), verge east of A590 Ulverston Road (20-3), verge south of Main Road (20-4), verge south of Main Road (20-5), verge south of Main Road (20-6), verge south of Main Road (20-7)

#### **Acquisition of new rights**

land south of Main Road (17-1), land south of Main Road (17-2), land south of Main Road (17-3), land east of Park Road (18-1), land east of Park Road (19-1)

## SCHEDULE 2

### 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 Highways England Company Limited (A590 Trunk Road Cross-A-Moor Improvement Scheme) Compulsory Purchase Order 2021 has become operative, Highways England Company Limited (hereinafter called "Highways England") 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 Highways England at the end of the period mentioned in paragraph 2 below.

#### Notices concerning general vesting declaration

2. As soon as may be after Highways England 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 Highways England together with the right to enter on the land and take possession of it. Every person on whom Highways England 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 Highways England 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 happens first.

SCHEDULE 3  
FORM OF GIVING INFORMATION

**The Highways England Company Limited (A590 Trunk Road Cross-A-Moor Improvement Scheme) Compulsory Purchase Order 2021.**

To: Highways England Company Limited

Piccadilly Gate, Store Street, Manchester M1 2WD

[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.

The contact for further information relating to this notice is David Logan (079341 130575)



**Gary Knowles**  
**An Officer of Highways England Company Limited**  
**29 July 2021**