

**NATIONAL HIGHWAYS LIMITED (A5036 TRUNK ROAD PARK LANE FOOTBRIDGE)
COMPULSORY PURCHASE ORDER 2022**

**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 24 May 2022 confirmed [with modifications] 'National Highways Limited (A5036 Trunk Road Park Lane Footbridge) Compulsory Purchase Order 2022' ("the Order"), submitted by National Highways Limited.

2. The Order as confirmed provides for the purchase for the purposes of: -

- (a) the improvement of the A5036 Trunk Road;
- (b) use by the acquiring authority in connection with the demolition of the existing A5036 Park Lane Footbridge and its replacement with a new structure; and
- (c) mitigating the adverse effects which the existence or use of the highways proposed to be constructed or improved will have on the surroundings thereof.

of the land, in the Borough of Sefton, in the County of Merseyside, described in the Schedule hereto.

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 The offices of National Highways Limited, Piccadilly Gate, Store Street, Manchester, M1 2WD, at Sefton Metropolitan Borough Council, Magdalen House, 30 Trinity Road, Bootle, L40 3NJ, and at Netherton Library, Glovers Lane, Netherton, Liverpool, L30 3TL and may be seen at all reasonable hours.

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, National Highways Limited may acquire any of the land and new rights 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 National Highways, Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ 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

DESCRIPTION OF LAND

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 against that item in the Schedule.

IN THE BOROUGH OF SEFTON, IN THE COUNTY OF MERSEYSIDE

Plot 1 - 600 square metres of grassed area adjacent to school playing field land on the north-west side of Dunnings Bridge Road, Bootle;

Plot 1a - 553 square metres of grassed area adjacent to school playing field land on the north-west side of Dunnings Bridge Road, Bootle;

Plot 2 - 374 square metres of grassed / landscaped area with historic felled tree stumps, to the north-west of Dunnings Bridge Road, Bootle, adjacent to Our Lady of Walsingham Church, Parish Centre, Presbytery and Primary School, Stand Park Avenue, Bootle, L30 3SA;

Plot 2a - 160 square metres of grassed / landscaped area with historic felled tree stumps, to the north-west of Dunnings Bridge Road, Bootle, adjacent to Our Lady of Walsingham Church, Parish Centre, Presbytery and Primary School, Stand Park Avenue, Bootle, L30 3SA;

Plot 3 - 126 square metres of landscaped area, on the south-west side of Dunnings Bridge Road, with mature trees which are covered by a tree preservation order;

Plot 4 - 1125 square metres of landscaped area, on the south-west side of Dunnings Bridge Road, with mature trees and small grassed area;

Plot 4a - 435 square metres of landscaped area, on the south-west side of Dunnings Bridge Road, with mature trees and small grassed area.

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 National Highways Limited (A5036 Trunk Road Park Lane Footbridge) Compulsory Purchase Order 2022 ("the Order") submitted by National Highways Limited has become operative, National Highways Limited (hereinafter called "National Highways") may acquire any of the land and/or rights 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 and/or rights in National Highways at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

2. As soon as may be after National Highways execute a general vesting declaration, they must serve notice of it in on every occupier of any of the land specified in the declaration (except land where this 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 and/or rights described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in National Highways together with the right to enter on the land and take possession of it. Every person on whom National Highways 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 with 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 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 National Highways 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 FOR GIVING INFORMATION

National Highways Limited (A5036 Trunk Road Park Lane Footbridge) Compulsory Purchase Order 2022' ("the Order")

To National Highways Limited

[Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ]

[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 provision of section 15 of, or paragraph 6 of Schedule 1, to the Acquisition of Land Act 1981.

1. Name and address



Mangat Bansal
Structures Programme Delivery Manager
National Highways Limited
Date: 29 June 2022