

**THE CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL
(TOLLER LANE AND WHEATLEY HILL, BRADFORD) (HIGHWAY JUNCTION IMPROVEMENT SCHEME)
COMPULSORY PURCHASE ORDER 2021**

**THE HIGHWAYS ACT 1980
-and-
THE ACQUISITION OF LAND ACT 1981**

To persons occupying or having an interest in the land

1. Notice is hereby given that the Secretary of State for Transport, in exercise of his powers under the above Acts, on 16th July 2021 confirmed without modification The City of Bradford Metropolitan District Council (Toller Lane and Whetley Hill, Bradford) (Highway Junction Improvement Scheme) Compulsory Purchase Order 2021 submitted by The City of Bradford Metropolitan District Council.

2. The order as confirmed provides for the purchase for the purposes of –

the improvement of the highway efficiency of the junction of Toller Lane and Whetley Hill (B6144), Bradford and Whetley Hill and Carlisle Road (B6177), Bradford for the benefit of all road users, being part of the A6177 Outer Ring Road, Bradford;

the improvement or development of frontages to the above mentioned highways or of the land adjoining or adjacent thereto;

use by the acquiring authority in connection with the improvement of highways and construction of highways; and

mitigating the adverse effect which the existence or use of the highways proposed to be improved or constructed as mentioned above will have on the surroundings thereof.

of the land described in Schedule 1 hereto.

Owing to Covid-19 constraints and with due regard to Government public health and hygiene guidance, a copy of the order and of the accompanying map is not available to be inspected at the offices of the Council, City Hall, Centenary Square, Bradford or at any other public and community buildings but may be viewed on the Council's scheme web site at -

<https://www.bradford.gov.uk/transport-and-travel/major-highways-schemes/west-bradford-junctions-improvement-scheme/>

In addition, persons are invited to contact the following Council officers who will upon request, arrange for persons to be sent a copy of the order and map and any other documents shown on the Council's scheme web site -

Mr Chris Bedford B.Eng (Hons) C.Eng MICE, Principal Engineer (Highways, Design and Construction), Planning, Transportation and Highways Service, 4th Floor, Britannia House, Hall Ings, Bradford, West Yorkshire BD1 1HX by Tel No: 01274 437645 or by email to chris.bedford@bradford.gov.uk

or if unavailable -

Mr. Kamal Ubhi, Project Manager, Highways, Design and Construction), Planning, Transportation and Highways Service, 4th Floor, Britannia House, Hall Ings, Bradford, West Yorkshire BD1 1HX by Tel No : 01274 434645 or by email to kamal.ubhi@bradford.gov.uk

3. The order as confirmed without modification 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.

4. Once the order becomes operative, The City of Bradford Metropolitan District 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.

5. 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 The City Solicitor, The City of Bradford Metropolitan District Council at City Hall, Centenary Square, Bradford, BD1 1HY (quoting Reference "JBH/CORP/PCD/404369") 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 COMPRISED IN THE ORDER AS CONFIRMED

All interests in 955 square metres of car parking, landscaping and footpath on the south west side of Whetley Hill, Bradford except those owned by the acquiring authority.

139 square metres of grass verge to highway known as Whetley Lane, Bradford.

74 square metres of landscaping to premises known as "The City Medical Practice", Whetley Medical Centre, No 2 Saplin Street and half width of highway known as Saplin Street, Bradford BD8 9DW.

1 square metre of landscaping abutting premises known as "The City Medical Practice", Whetley Medical Centre, No 2 Saplin Street, Bradford BD8 9DW.

35 square metres of landscaping abutting premises known as "The Family Practice", Whetley Medical Centre, No 2 Saplin Street, Bradford, BD8 9DW.

65 square metres of footpath leading to "Ashwell Medical Centre, Rowlands Pharmacy", "The City Medical Centre" and "The Family Practice" and landscaping abutting premises known as "The Family Practice", Whetley Medical Centre, No 2 Saplin Street, Bradford, BD8 9DW.

All interests in 56 square metres of grass verge south east of premises known as "The Family Practice", Whetley Medical Centre, No 2 Saplin Street Bradford, BD8 9DW except those owned by the acquiring authority.

All interests in 38 square metres of grass verge south east of premises known as "The Family Practice", Whetley Medical Centre, No 2 Saplin Street, Bradford, BD8 9DW (formerly known as No 135 Whetley Lane, Bradford) except those owned by the acquiring authority.

All interests in 55 square metres of grass verge south east of premises known as "The Family Practice", Whetley Medical Centre, No 2 Saplin Street, Bradford, BD8 9DW (formerly known as No 137 Whetley Lane, Bradford) except those owned by the acquiring authority.

All interests in 805 square metres of footpath leading to "Ashwell Medical Centre", "Rowlands Pharmacy", "The City Medical Centre" and "The Family Practice" and grass verge and landscaping to the east of premises known as The Family Practice, Whetley Medical Centre, No 2 Saplin Street, Bradford, BD8 9DW except those owned by the acquiring authority.

All interests in 101 square metres of grass verge east of premises known as The Family Practice, Whetley Medical Centre, No 2 Saplin Street, Bradford, BD8 9DW (formerly known as No's 143 to 147 (odds) Whetley Lane, Bradford) except those owned by the acquiring authority.

All interests in 23 square metres of grass verge east of premises known as "The Family Practice", Whetley Medical Centre, No 2 Saplin Street, Bradford, BD8 9DW (formerly known as No 1 Toller Lane, Bradford) except those owned by the acquiring authority.

All interests in 471 square metres of grass verge, landscaping and access to garage premises known as "Fairfield Garage", Toller Lane, Bradford BD8 8LX except those owned by the acquiring authority.

45 square metres of access to garage premises known as Fairfield Garage, Toller Lane, Bradford BD8 8LX.

395 square metres of landscaping east of highway known as Toller Lane, Bradford and half width of highway known as Toller Lane, Bradford.

All interests in 2 square metres of grass verge and landscaping east of highway known as Toller Lane, Bradford except those owned by the acquiring authority.

All interests in 119 square metres of grass verge and landscaping east of highway known as Toller Lane, Bradford (formerly known as No's 4 and 6 Toller Lane) except those owned by the acquiring authority.

All interests in 57 square metres of grass verge and landscaping east of highway known as Toller Lane, Bradford (formerly known as No 2 Toller Lane, Bradford) except those owned by the acquiring authority.

13 square metres of footway access to commercial premises known as No's 166 to 168 (evens) Carlisle Road and half width of highway known as Carlisle Road, Bradford, BD8 8DG.

126 square metres of premises known as No 185 Carlisle Road and half width of highways known as Barden Street and Carlisle Road, Bradford, BD8 8DB.

93 square metres of premises known as No 187 Carlisle Road, Bradford, BD8 8DB.

62 square metres of premises known as No 189 Carlisle Road, Bradford, BD8 8DB.

145 square metres of premises known as No's 132 to 136 (evens) Whetley Hill and No's 191 and 193 Carlisle Road, Bradford, BD8 8DB.

19 square metres of land lying to the rear of residential premises known as No's 132 to 136 (evens) Whetley Hill and No's 191 and 193 Carlisle Road, Bradford, BD8 8DB.

91 square metres of retail and premises known as No 130 Whetley Hill, Bradford, BD8 8NA.

3 square metres of outbuildings to the rear of No's 130 and 128 Whetley Hill, Bradford, BD8 8NA.

132 square metres of premises known as No 128 Whetley Hill and half width of highway known as Whetley Hill, Bradford, BD8 8NA.

70 square metres of premises known as No 124 Whetley Hill, Bradford, BD8 8NA.

68 square metres of premises known as No 126 Whetley Hill and half width of highway known as Whetley Hill, Bradford, BD8 8NA.

15 square metres of passageway situate between premises known as No 122 and No 126 Whetley Hill and half width of highway known as Whetley Hill, Bradford, BD8 8NA.

131 square metres of derelict premises and yard known as No 120 and No 122 Whetley Hill, Bradford BD8 8NA.

22 square metres of passageway in between premises known as No 122 and No 118 Whetley Hill, Bradford, BD8 8NA.

All interests in 37 square metres of frontage to premises known as No 118 Whetley Hill, Bradford, BD8 8NA except those owned by the acquiring authority.

All interests in 29 square metres of frontage to premises known as No 116 Whetley Hill, Bradford, BD8 8NA except those owned by the acquiring authority.

All interests in 27 square metres of frontage to premises known as No 114 Whetley Hill, Bradford, BD8 8NA except those owned by the acquiring authority.

All interests in 27 square metres of frontage to premises known as No 112 Whetley Hill, Bradford, BD8 8NA except those owned by the acquiring authority.

All interests in 30 square metres of frontage to premises known as No 110 Whetley Hill, Bradford, BD8 8NA except those owned by the acquiring authority.

All interests in 37 square metres of frontage to premises known as No 108 Whetley Hill, Bradford, BD8 8NA except those owned by the acquiring authority.

All interests in 4 square metres of frontage to premises known as No 108 Whetley Hill, Bradford, BD8 8NA except those owned by the acquiring authority.

SCHEDULE 2

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

Power to make general vesting declaration

1. Once The City of Bradford Metropolitan District Council (Toller Lane and Whetley Hill, Bradford) (Highway Junction Improvement Scheme) Compulsory Purchase Order 2021 has become operative, the City of Bradford Metropolitan District Council (hereinafter called the "Council") 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 Council at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

2. As soon as may be after the Council make 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 Council together with the right to enter on the land and take possession of it. Every person on whom the Council 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 Council 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**

THE CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL (TOLLER LANE AND WHETLEY HILL,
BRADFORD) (HIGHWAY JUNCTION IMPROVEMENT SCHEME) COMPULSORY PURCHASE ORDER 2021

To: The City of Bradford Metropolitan District Council

[I] [We] being [a person] [persons] who, if a general vesting declaration were made 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 in the names and addresses of all 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.

Dated 18th August 2021

Parveen Akhtar
City Solicitor
The City of Bradford
Metropolitan District Council
City Hall, Centenary Square,
Bradford. BD1 1HY