

## The Burnley (Cog Lane, Burnley No's 1 & 2 Clearance Areas) Compulsory Purchase Order 2010

The Housing Act 1985 and The Acquisition of Land Act 1981  
The Compulsory Purchase (Vesting Declarations) Act 1981

Notice is hereby given that the Burnley Borough Council, in exercise of the powers of the confirming authority under the above Acts, on 12 May 2010 confirmed The Burnley (Cog Lane, Burnley No's 1 & 2 Clearance Areas) Compulsory Purchase Order 2010 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 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.

The order as confirmed provides for the purchase for the purposes of undertaking or otherwise securing the demolition of buildings in a clearance area of the land described in the Schedule hereto.

A copy of the order as confirmed by the Burnley Borough Council and of the map referred to therein have been deposited at the Offices of Burnley Borough Council, Contact Centre, Parker Lane, Burnley and may be seen at all reasonable hours and are available for view on the Council's website at [www.burnley.gov.uk](http://www.burnley.gov.uk).

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 statutory requirement relating to the order.

### SCHEDULE

#### LAND COMPRISED IN THE ORDER AS CONFIRMED

The dwelling houses situate at Burnley Lancashire together with the appurtenances thereto which are listed as follows:

#### LANDS WITHIN THE CLEARANCE AREA

##### Clearance Area No. 1

Cog Lane, Burnley – dwellinghouse numbered 334

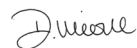
##### Clearance Area No. 2

Cog Lane, Burnley – dwellinghouses numbered 338 and 340

#### LANDS OUTSIDE THE CLEARANCE AREA

Cog Lane, Burnley – dwellinghouse numbered 336

DATED this 21 May 2010



David Wilcock, Head of People & Law, Town Hall, Manchester Road, BURNLEY BB11 1JA  
(Ref: PR/CNV/09/254/AJP)

### FORM OF STATEMENT OF EFFECT OF PARTS II AND III OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

#### PART I

##### 1. POWER TO MAKE GENERAL VESTING DECLARATION

The Burnley Borough Council (hereinafter called "the Council") may acquire the land described in the Schedule hereto by making a General Vesting Declaration under the provisions of Section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 which has the effect subject to paragraph 4 below of vesting the land in the Council at the end of the period mentioned in paragraph 2 below. A declaration may not be made before the end of a period of two months from the first publication of a notice including this statement except with the consent of every occupier of the land affected.

##### 2. NOTICES CONCERNING GENERAL VESTING DECLARATION

As soon as may be after the Council makes a General Vesting Declaration it 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 3) and on every person who gives them information relating to the land in pursuance of the invitation contained in any notice including this statement. When the service of notices of the General Vesting Declaration is completed an intermediate period before vesting begins to run. This period which must not be less than 28 days will be specified in the Declaration. At the end of this period the land described in the Declaration will subject to what is said in paragraph 4 vest in the Council together with the right to enter on the land and take possession of it. In addition 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 3) will be entitled to compensation for the acquisition of his interest in the land and to interest on the compensation from the date of vesting.

##### 3. MODIFICATIONS WITH RESPECT TO CERTAIN TENANCIES

In the case of certain tenancies the position stated above is subject to modifications. For the modifications to apply the tenancy must be either a "minor tenancy", ie, a tenancy for a year or a yearly tenancy or a tenancy for 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 at the date of The General Vesting Declaration 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 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.

##### 4. NOTICE OF ENTRY

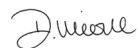
The Council may not exercise the right of entry referred to in paragraph 2 in respect of land subject to one of the tenancies described in paragraph 3 unless they first serve notice to treat in respect of the tenancy and then serve every occupier of the land with a notice of their intention to enter and take possession after the period (not less than 14 days) 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.

#### PART 2

##### CLAIM FOR COMPENSATION

If you have an interest in the land and do not receive personal notice of the confirmation of the Order and a statement concerning the General Vesting Declaration, you can obtain a form on which to claim compensation from Property Consultancy, Burnley Borough Council, Nicholas Street Offices, Burnley, BB11 2AP during normal office hours.

DATED this 21 May 2010



David Wilcock, Head of People & Law, Town Hall, Manchester Road, BURNLEY BB11 1JA  
(Ref: PR/CNV/09/254/AJP)