



WOKING BOROUGH COUNCIL (SHEERWATER REGENERATION) COMPULSORY PURCHASE ORDER 2020

Section 226(1)(a) of the Town and Country Planning Act 1990 Section 13(1) of the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981

1. Notice is hereby given that The Secretary of State for Levelling Up, Housing and Communities, in exercise of his powers under the above Acts, on 16 December 2021 confirmed the Woking Borough Council (Sheerwater Regeneration) Compulsory Purchase Order 2020 submitted on behalf of Woking Borough Council.
2. The Order as confirmed provides for the purchase of the land described in Schedule 1 hereto for the purpose of facilitating the carrying out of development, redevelopment or improvement of that land by the comprehensive phased delivery of approximately 1,142 new high quality residential dwellings, new community, education, retail and commercial facilities, and associated drainage, open space, public realm and highways improvements, which Woking Borough Council considers will contribute to the promotion or improvement of the economic, social and environmental wellbeing of the area.
3. A copy of the Order as confirmed by The Secretary of State for Levelling Up, Housing and Communities and of the map referred to therein are [available online](#), and have been deposited for inspection at the Civic Offices, Gloucester Square, Woking Surrey GU21 6YL, between the hours of 9am and 4.45pm, Monday to Friday, by contacting sheerwater.tenants@woking.gov.uk; or at Parkview Centre for the Community, Blackmore Crescent, Sheerwater, Woking GU21 5NZ between the hours of 9am and 3pm, Monday to Friday, or by calling 01483 743974.
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, Woking 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 II and III 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 the Compulsory Purchase (Vesting Declarations) Act 1981 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 Woking Borough Council at Civic Offices Gloucester Square, Woking Surrey GU21 6YL 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

Approximately 30.5 hectares of land in the Borough of Woking known as Sheerwater and bounded by the Basingstoke Canal to the north, Albert Drive, St Michael's Road and Devonshire Avenue to the south, Bishop David Brown School to the east and Wakehurst Path to the west, described in the Schedule to the Order and delineated on the Order map in red and shown coloured pink on the Order map.

All necessary rights to swing the right to swing the jib of a crane through the airspace over the land shown coloured blue on the Order map.

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

Power to make a general vesting declaration

1. Once the Woking Borough Council (Sheerwater Regeneration) Compulsory Purchase Order 2020 has become operative, Woking Borough 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 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 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 the 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 INVITATION TO GIVE INFORMATION

Every person who, if a general vesting declaration were executed in respect of all 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 council making the declaration in the prescribed form with respect to his name and address and the land in question.

The relevant prescribed form is set out below:

**FORM FOR GIVING INFORMATION WOKING BOROUGH COUNCIL
(SHEERWATER REGENERATION) COMPULSORY PURCHASE ORDER 2020**

To: Woking Borough Council (FAO Joanne McIntosh) Civic Offices, Gloucester Square, Woking, Surrey GU21 6YL

[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 encumbrance, details should be given, e.g. name of building society and roll number.

Dated: 3 February 2022

Signed: Joanne McIntosh

Job title: Director of Democratic and Legal Services, Woking Borough Council