

**THE LONDON BOROUGH OF WALTHAM FOREST (MARLOWE ROAD ESTATE)
COMPULSORY PURCHASE ORDER 2019**

**THE TOWN AND COUNTRY PLANNING ACT 1990
AND
THE ACQUISITION OF LAND ACT 1981**

1. Notice is hereby given that an Inspector appointed by the Secretary of State for Housing, Communities and Local Government in exercise of his power under the above Acts, on 10th December 2019, confirmed The London Borough of Waltham Forest (Marlowe Road Estate) Compulsory Purchase Order 2019 submitted by The London Borough of Waltham Forest.
2. The Order as confirmed provides for the purchase for the purposes of providing new housing, parking, a new public area, retail and amenity space and landscaping of the land described in the Schedule 1 hereto.
3. A copy of the Order as confirmed by the Inspector appointed by the Secretary of State and of the map referred to therein have been deposited at the reception desk, The Magistrates Building, Waltham Forest Town Hall Complex, 1 Farnan Avenue, Walthamstow London E17 4NX 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 requirements relating to the Order.
5. Once the Order has become operative The London Borough of Waltham Forest 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.
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 The London Borough of Waltham Forest at Estates and Valuations, The Magistrates Building, Waltham Forest Town Hall Complex, 1 Farnan Avenue, Walthamstow London E17 4NX (Ref: Corrine Miller) about the person's name, address, and interest in the land using a prescribed form. The relevant prescribed form is set out in Schedule 3 below.

SCHEDULE 1

The land particularised in the Order and the accompanying maps being land not owned by the Acquiring Authority at:

- (i) 31/31a – 41/41a Shernhall Street (odd only)
- (ii) 43a – 43f Shernhall Street
- (iii) 45a – 45f Shernhall Street
- (iv) 12 – 18 Marlowe Road (even only)
- (v) 20 – 54 Marlowe Road (even only)
- (vi) 56 – 150 Marlowe Road (evens only)
- (vii) 152 – 166 Marlowe Road (even only)
- (viii) 168 Marlowe Road
- (ix) 178 – 222 Marlowe Road (even only)
- (x) 224 – 226 Marlowe Road (even only)
- (xi) 228 – 322 Marlowe Road (even only)
- (xii) 324 – 346 Marlowe Road (even only)
- (xiii) 348 – 370 Marlowe Road (even only)
- (xiv) 103 – 119 Marlowe Road (odd only)
- (xv) 121 – 131 Marlowe Road (odd only)
- (xvi) 150 – 168 Wood Street (even only)
- (xvii) Storage sheds associated with the above properties;
- (xviii) Storage sheds relating to Flats 7-42 Walnut Court, Vallentin Road
- (xix) Lock-up Garages within the Marlowe Road Estate
- (xx) Subsoil interests in the public highways known as Dukes Passage and Marlowe Road

SCHEDULE 2

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

Power to execute a general vesting declaration

- 1 Once The London Borough of Waltham Forest (Marlowe Road Estate) Compulsory Purchase Order 2019 has become operative, the London Borough of Waltham Forest ("**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 their 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 their 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 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 LONDON BOROUGH OF WALTHAM FOREST (MARLOWE ROAD ESTATE)
COMPULSORY PURCHASE ORDER 2019**

To: The London Borough of Waltham Forest, Estates and Valuations, The Magistrates Building,
Waltham Forest Town Hall Complex, 1 Farnan Avenue, Walthamstow London E17 4NX
(Ref: Corrine Miller)

[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:

Date:

[on behalf of]

- (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 land 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, eg name of building society and roll number.

Dated the 23rd day of January 2020

Sharpe Pritchard LLP
Sharpe Pritchard LLP
Elm Yard
10-16 Elm Street
London WC1X 0BJ

Solicitors to the London Borough of Waltham Forest