

**THE METROPOLITAN BOROUGH OF SOLIHULL (KINGSHURST VILLAGE)
COMPULSORY PURCHASE ORDER 2021**

The Town and Country Planning Act 1990
and the Acquisition of Land Act 1981

1. Notice is hereby given that The Metropolitan Borough of Solihull in exercise of the powers of the confirming authority under the above Acts, on 17th April 2023 confirmed The Metropolitan Borough of Solihull (Kingshurst Village) Compulsory Purchase Order 2021 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 Levelling Up, Housing & Communities 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.
2. The order as confirmed provides for the purchase of the land described below in Schedule 1 for the purpose of facilitating the development, redevelopment or improvement of Kingshurst Village Centre and the wider area by implementing a scheme comprising a new mixed use local centre including: residential dwellings; retail; healthcare and community uses with enhanced public realm, open space, landscaping, parking and associated infrastructure thereby contributing towards the promotion and/or improvement of the economic, social and environmental well-being of the area.
3. A copy of the order as confirmed by The Metropolitan Borough of Solihull and of the map referred to therein have been deposited at Solihull Connect (Solihull Central Library) and Kingshurst Library and may be seen at all reasonable hours by appointment with Legal Services (legal@solihull.gov.uk) and is also available to be viewed on line at www.solihull.gov.uk/notices.
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 becomes operative, the Metropolitan Borough of Solihull 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 Metropolitan Borough of Solihull, Council House, Manor Square, Solihull B91 3QB (jackie.hill@solihull.gov.uk) 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 (except those owned by the Acquiring Authority) in approximately 20,736 square metres of land; adopted highways known as Church Close and Colling Walk, bus shelter, car parking area situated to the south of Church Close, garages situated to the south of School Close, east of Over Green Drive and west of 9 Church Close, loading bay area situated to the north of 17 The Parade, residential properties known as 8 and 13 Church Close, maisonette known as 79 The Parade, stairway to maisonettes and accessway known as The Parade; land and unadopted highway known as School Close; land and premises known as Solihull Youth Hub; house and garden known as 9 Church Close; land, commercial and residential premises being

ground floor shops known as 63, 65, 67 and 69 The Parade and maisonettes above known as 71, 73, 75 and 77 The Parade; land, commercial and residential premises being ground floor shop known as 49 The Parade and maisonette above known as 61 The Parade; land, part of stairway, commercial and residential premises being ground floor shop known as 47 The Parade and maisonette above known as 59 The Parade; land, commercial and residential premises being ground floor shop known as 45 The Parade and maisonette above known as 57 The Parade; land, commercial and residential premises being ground floor shops known as 37 to 43 (odd) The Parade and maisonettes above known as 51 to 55 (odd) The Parade; land, loading bay area situated to the north of 17 The Parade and commercial premises being ground floor shop known as 17 The Parade; land, commercial and residential premises being ground floor shop storeroom known as 17 The Parade and maisonette above known as 35 The Parade; land, commercial and residential premises being ground floor shops known as 15 and 17 The Parade and maisonettes above known as 31 and 33 The Parade; land, commercial and residential premises being ground floor shops known as 1 to 11 (odd) The Parade and maisonettes above 19 to 29 (odd) The Parade; land being driveway, car park and access way situated to the south of St Barnabas Church, Over Green Drive; land being driveway and residential premises known as St Barnabas Vicarage, 51 Over Green Drive; land, grass and scrub situated to the northwest of Over Green Drive; land, pathway, grass verge and trees situated to the north and west of Over Green Drive; land and car parking spaces situated to the west of 10 The Parade; land, car parking spaces, outdoor seating, accessway and grass verge situated to the west of 10 The Parade; land and commercial premises being ground floor shop known as 10 The Parade; land, ground floor entrance and commercial premises being ground floor shop known as 12 to 14 (even) The Parade, first floor office being 16 and 18 The Parade, 20 The Parade; land, buildings and car parking spaces known as Kingshurst Clinic, Marston Drive; land, parking spaces, commercial and residential premises being ground floor shops known as 81 to 91 (odd) and 95 The Parade and maisonettes above known as 97 to 107 (odd) and 111 The Parade; land, commercial and residential premises being ground floor shop known as 93 The Parade and maisonette above known as 109 The Parade; house and garden known as 14 Church Close; house and garden known as 1 Colling Walk; house and garden known as 2 Colling Walk; land, being car park, grassed area and premises known as Kingshurst Medical Practice, 40 Gilson Way and for the avoidance of doubt it is noted that since the order was made redevelopment and demolition works have been carried out at some of the above listed premises.

SCHEDULE 2

FORM OF 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 The Metropolitan Borough of Solihull (Kingshurst Village) Compulsory Purchase Order 2021 has become operative The Metropolitan Borough of Solihull (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 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 Metropolitan Borough of Solihull (Kingshurst Village) Compulsory Purchase Order 2021

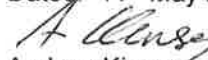
To: The Metropolitan Borough of Solihull

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

Dated: 11th May 2023


Andrew Kinsey
Solicitor to the Council