

NOTICE OF CONFIRMATION OF COMPULSORY PURCHASE ORDER

THE DARLINGTON BOROUGH COUNCIL (DARLINGTON STATION GATEWAY) COMPULSORY PURCHASE ORDER 2021

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

1. Notice is hereby given that Mr Patrick Hanna, a Planning Inspector delegated to determine the matter on behalf of the Secretary of State for Levelling Up, Housing and Communities, has in exercise of the Secretary of State's powers under the above Acts, on 28th February 2022, confirmed with modifications The Darlington Borough Council (Darlington Station Gateway) Compulsory Purchase Order 2021 submitted by the Darlington Borough Council.
2. The order as confirmed provides for the purchase of the Land described in Schedule 1 below for the purpose of facilitating the carrying out of development, redevelopment or improvement on or in relation to the Land comprising the demolition of existing buildings and the construction of new station 'gateways' consisting of multi-modal transport interchanges, new public realm and multi-storey car park with station shell and related infrastructure which development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the Acquiring Authority's area.
3. A copy of the order as confirmed by the Inspector and of the map referred to therein have been deposited at the Council Offices at the Dolphin Centre, Horsemarket, Darlington, DL1 5RP where they may be seen between the hours of 9.30 and 4.30 Monday to Friday, and online at the Council's website:
<https://www.darlington.gov.uk/environment-and-planning/estates-and-property/darlington-station-gateway-compulsory-purchase-order-2021/>

In the event that the Town Hall and the Council's website cannot be accessed for any reason, copy documents can be sent by post. To request documents, contact the Council at: PA Support Assistants@darlington.gov.uk or telephone 01325 405823.

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, Darlington 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 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 Darlington Borough Council at **Assistant Director (Law and Governance), Darlington Borough Council, Town Hall, Darlington, DL1 5QT**, 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.

Dated: 18th March 2022



Assistant Director (Law and Governance)
Darlington Borough Council, Town Hall,
Darlington, DL1 5QT

**SCHEDULE 1
LAND COMPRISED IN THE ORDER AS CONFIRMED**

Land to be Acquired

Number on the Map	Description of Land
1	All interests in 1 square metre of railway works and land situated to the west of St John's Church, Darlington
2	All interests in 3,803 square metres of public adopted highway (Adelaide Street, St. John's Place, Neasham Road, Garbutt Square, Victoria Street, Princes Street and Albert Street), situated to the west of St. John's Church, Darlington
3	All interests in 17 square metres of public adopted highway (Adelaide Street), situated to the west of St John's Church, Darlington
4	All interests in 203 square metres of building and premises adjoining Grey Horse Inn, St. John's Place, Darlington
5	All interests in 348 square metres of part of public house and premises (Grey Horse Inn, St. John's Place), Darlington
6	All interests in 86 square metres of premises (7 St. John's Place), Darlington
7	All interests in 1 square metres of steps to 7 St. John's Place, Darlington
8	All interests in 1,494 square metres of buildings and premises (East End Club and Institute), 6 Neasham Road, Darlington
9	All interests in 166 square metres of house and premises (10 Neasham Road), Darlington

10	All interests in 606 square metres of workshop and premises situated to the south of East End Club and Institute, Darlington
11	All interests in 17 square metres of public adopted highway (St. John's Place), Darlington
12	All interests in 178 square metres of house and premises (12 Neasham Road), Darlington
13	All interests in 110 square metres of house and premises (14 Neasham Road), Darlington
14	All interests in 113 square metres of house and premises (16 Neasham Road), Darlington
15	All interests in 5,601 square metres of car park (Garbutt Square Car Park) situated to the south west of Pembroke Court, Darlington
16	All interests in 1,096 square metres of car park situated to the south of East End Club and Institute, Darlington
17	All interests in 48 square metres of car park situated to the south of East End Club and Institute, Darlington
18	All interests in 52 square metres of public adopted highway (Neasham Road), situated to the south of East End Club and Institute, Darlington
19	All interests in 30 square metres of car park situated to the south of East End Club and Institute, Darlington
20	All interests in 197 square metres of car park (Bank Top House), situated to the west of Pembroke Court, Darlington
21	All interests in 9 square metres of public adopted highway (Victoria Street), Darlington
22	All interests in 518 square metres of building and premises (Bank Top House), Darlington
23	All interests in 949 square metres of factory and premises situated to the south of East End Club and Institute, Darlington
24	All interests in 853 square metres of garage and premises (Bank Top Garage, Neasham Road), Darlington
25	All interests in 7 square metres of public adopted highway (Garbutt Square) situated to the east of Bank Top House, Darlington
26	All interests in 1,153 square metres of car park (Bank Top House) and accessway situated to the south west of Pembroke Court, Darlington
27	All interests in 3,239 square metres of car park situated to the west of 26 Appleby Close, Darlington
28	All interests in 271 square metres of public adopted highway (Garbutt Square) situated to the north of 76 Garbutt Square, Darlington
29	All interests in 147 square metres of wooded area and railway works situated to the west of 27 Appleby Close, Darlington

30	All interests in 2,607 square metres of public adopted highway (Victoria Road, Pensbury Street, Back Lane, Waverley Terrace, Park Lane), situated to the south of The Coachman Hotel, Darlington
31	All interests in 406 square metres of land fronting train station (Darlington Bank Top Station), Darlington
32	All interests in 388 square metres of houses and premises (97A and 97B Pensbury Street and 137 and 139 Victoria Road), Darlington
34	All interests in 7 square metres of accessway to the rear of 139 Victoria Road, Darlington
36	All interests in 22 square metres of land fronting train station (Darlington Bank Top Station), Darlington
37	All interests in 21 square metres of land fronting train station (Darlington Bank Top Station), Darlington
38	All interests in 5 square metres of public adopted highway (Victoria Road), situated to the south of The Coachman Hotel, Darlington
39	All interests in 591 square metres of public house and premises (Hogans, 180 Victoria Road), Darlington
40	All interests in 5 square metres of public adopted highway (Victoria Road), situated to the south of The Coachman Hotel, Darlington
41	All interests in 1 square metres of public adopted highway (Victoria Road), situated to the south of The Coachman Hotel, Darlington
42	All interests in 77 square metres of car park (Darlington Bank Top Station), Darlington
43	All interests in 489 square metres of building and premises (1-4 Park Lane and 1 Waverley Terrace), Darlington
44	All interests in 21 square metres of public adopted highway (Waverley Terrace), situated to the north of The Cattle Market, Darlington
45	All interests in 206 square metres of building, premises and car park (Darlington Farmers Auction Market), and electricity substation situated to the south of The Old Coachman Hotel, Darlington

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 Darlington Borough Council (Darlington Station Gateway) Compulsory Purchase Order 2021 has become operative, Darlington Borough Council (the "Acquiring Authority") 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 Acquiring Authority at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

2. As soon as may be after the Acquiring Authority 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 Acquiring Authority together with the right to enter on the Land and take possession of it. Every person on whom the Acquiring Authority 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 Acquiring Authority 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 3 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 DARLINGTON BOROUGH COUNCIL (DARLINGTON STATION GATEWAY) COMPULSORY
PURCHASE ORDER 2021**

**To: Assistant Director (Law and Governance)
Darlington Borough Council,
Town Hall,
Darlington,
DL1 5QT**

[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 of 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, of the Acquisition of Land Act 1981.

1. Name and Address of informant(s) (i)

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2. Land in which an interest is held by informant(s) (ii)

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3. Nature of interest (iii)

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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.