

NOTICE OF CONFIRMATION OF A COMPULSORY PURCHASE ORDER

THE KENT COUNTY COUNCIL (A28 STURRY LINK ROAD)(COMPULSORY PURCHASE) ORDER 2023

The Highways Act 1980 and the Acquisition of Land Act 1981

1. Notice is hereby given that the Secretary of State for Transport, in exercise of her powers under the above Acts, on 19 February 2025 confirmed with modification The Kent County Council (A28 Sturry Link Road)(Compulsory Purchase) Order 2023 submitted by The Kent County Council (the “Acquiring Authority”).

2. The Order as confirmed provides for the purchase of the land and new rights described in Schedule 1 for the purposes of:

(a) the construction of a highway from a point on the A28 Sturry Road approximately 100 metres northeast of the access to Water Treatment Works in a northwards direction to a point on the northern boundary of the Ashford to Ramsgate railway line, approximately 395 metres east of Broad Oak railway level crossing, to create a junction and a single carriageway supported on an embankment and a viaduct, with a bus lane, foot/cycleways and surface water drainage;

(b) the improvement of A28 Sturry Road in the vicinity of the junction with the new highway described in 1(a);

(c) the improvement of Shalloak Road from Broad Oak railway level crossing for a distance of approximately 107 metres in a northwards and eastwards direction;

(d) use by the Highway Authority in connection with the construction and improvement of the highways aforesaid;

(f) access by the Highway Authority over land to the east of Broad Oak Road to construct, inspect and maintain the works.

3. A copy of the Order and the Map referred to can be seen from 13 March 2025 between 9:00 and 16:00 weekdays at Kent County Council Main Reception, Sessions House, County Hall, Maidstone, Kent, ME14 1XQ, between 10:00 and 14:00 weekdays at Canterbury City Council, 14 Rose Lane, Whiefriars, Canterbury City Centre, Canterbury, Kent CT1 2ST, and between 10:00 and 15:00 on weekdays, except Mondays, at Sturry Parish Council, 38 High Street, Sturry, Canterbury CT2 0BD.

Electronic copies of the order, map and statement of reasons are available at

www.kent.gov.uk/sturrylink

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, The Kent County 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 Kent County Council at, County Hall, Maidstone, Kent,

ME14 1XQ 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 AND THE NEW RIGHTS COMPRISED IN THE ORDER AS CONFIRMED

- 1 All interests in 619 square metres of drain, trees and shrubbery; north of Sturry Road Community Park and south of Sturry Road, A28, Canterbury, Kent.
- 2 All interests in 2592 square metres of public highway and verge (Sturry Road, A28); except those owned by acquiring authority.
- 3 All interests in 934 square metres of accessway, drain, trees and shrubbery; north of Sturry Road, A28 and south-east of Wastewater Treatment Works, Canterbury, Kent.
- 4 Not Used
- 5 All rights necessary for the acquiring authority to use the land as a temporary compound area for construction of the works over 10693 square metres of grassland, trees, hedges and shrubbery; south of river (Great Stour) and east of Wastewater Treatment Works, Canterbury, Kent.
- 6 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works and a permanent right of access to maintain and inspect the works over 815 square metres of grassland, trees and shrubbery; south of river (Great Stour) and east of Wastewater Treatment Works, Canterbury, Kent.
- 7 All interests in 9202 square metres of grassland, farm building, private track, trees and shrubbery; north of Sturry Road, A28 and south of river (Great Stour), Canterbury, Kent.
- 8 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 377 square metres of grassland, trees and shrubbery; north-east of Wastewater Treatment Works and south of river (Great Stour), Canterbury, Kent.
- 9 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works and a permanent right of access to maintain and inspect the works over 79 square metres of grassland and shrubbery; north-east of Wastewater Treatment Works and south of river (Great Stour), Sturry, Canterbury, Kent.
- 10 All interests in 23 square metres of grassland and shrubbery; north-east of Wastewater Treatment Works and south of river (Great Stour), Sturry, Canterbury, Kent.
- 11 All interests in 737 square metres of grassland, trees and shrubbery (Perryfield Farm); south of river (Great Stour) and west of Maytree Canterbury Garden Centre, Sturry, Canterbury, Kent.
- 11a All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 15 square metres of grassland (Perryfield Farm); south of river (Great Stour) and west of Maytree Canterbury Garden Centre, Sturry, Canterbury, Kent
- 11b All rights of flying freehold airspace above the underside of proposed bridge structure for construction of and operation of the works and all rights necessary for the acquiring authority below the proposed bridge structure to make drainage connections as part of the works and use the land as a temporary working area and protect maintain and inspect the works over in 148 square metres of grassland, trees and shrubbery (Perryfield Farm); south of river (Great Stour) and west of Maytree Canterbury Garden Centre, Sturry, Canterbury, Kent.
- 12 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 317 square metres of grassland, trees and shrubbery (Perryfield Farm); south of river (Great Stour) and north-west of Maytree Canterbury Garden Centre, Sturry, Canterbury, Kent.

- 13 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 205 square metres of river (Great Stour) and bed thereof, Sturry, Canterbury, Kent.
- 14 All rights of flying freehold airspace above the underside of proposed bridge structure for construction of and operation of the works and all rights necessary for the acquiring authority below the proposed bridge structure to use the land as a temporary working area and protect maintain and inspect the works over in 179 square metres of river (Great Stour), Sturry, Canterbury, Kent.
- 15 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 124 square metres of river (Great Stour) and bed thereof, Sturry, Canterbury, Kent.
- 16 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 79 square metres of shrubbery; north-east of Wastewater Treatment Works and west of Junior King's School Playing Field, Sturry, Canterbury, Kent.
- 17 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 54 square metres of river (Great Stour) and bed thereof, river bank and shrubbery, Sturry, Canterbury, Kent.
- 18 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 55 square metres of river (Great Stour) and bed thereof, river bank and shrubbery, Sturry, Canterbury, Kent.
- 19 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 108 square metres of agricultural land and shrubbery; north-east of Wastewater Treatment Works and south of operational railway (Ashford to Ramsgate Line), Sturry, Canterbury, Kent.
- 20 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 520 square metres of operational railway (Ashford to Ramsgate Line), trees and shrubbery; north of river (Great Stour) and east of Broad Oak Road Crossing, Canterbury, Kent.
- 21 All rights of flying freehold airspace above the underside of proposed bridge structure for construction of and operation of the works and all rights necessary for the acquiring authority below the proposed bridge structure to construct, protect, maintain and inspect the works over 389 square metres of operational railway (Ashford to Ramsgate Line), trees and shrubbery; north of river (Great Stour) and east of Broad Oak Road Crossing, Canterbury, Kent.
- 22 All rights necessary for the acquiring authority to use the land as a temporary access for construction of the works over 550 square metres of operational railway (Ashford to Ramsgate Line), trees and shrubbery; north of river (Great Stour) and east of Broad Oak Road Crossing, Canterbury, Kent.
- 23 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works and a permanent right of access to maintain and inspect the works over 1760 square metres of agricultural land, private track and overhead electricity cables; south of operational railway (Ashford to Ramsgate Line) and east of Broad Oak Crossing, Sturry, Canterbury, Kent.
- 24 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 28 square metres of grassland, trees and shrubbery; north of Broad Oak Crossing and north-east of Broad Oak Road, Broad Oak, Canterbury, Kent.
- 25 All interests in 161 square metres of grassland and shrubbery; north of Broad Oak Crossing and north-east of Broad Oak Road, Broad Oak, Canterbury, Kent.

- 26 All interests in 815 square metres of public highway and verges (Shalloak Road and Broad Oak Road), trees and shrubbery, Broad Oak, Canterbury, Kent; except those owned by acquiring authority.
- 27 All interests in 39 square metres of public highway and verge (Shalloak Road), shrubbery, Shalloak Road, Broad Oak, Canterbury, Kent; except those owned by acquiring authority.
- 28 All interests in 2 square metres of public highway and verge (Shalloak Road), shrubbery, Shalloak Road, Broad Oak, Canterbury, Kent; except those owned by acquiring authority.
- 29 All interests in 18 square metres of public highway (Shalloak Road), Broad Oak, Canterbury, Kent; except those owned by acquiring authority.
- 30 All interests in 29 square metres of private road (unnamed) and verge and shrubbery; north of Broad Oak Crossing and south of Depot, Canterbury, Kent.
- 31 All interests in 12 square metres of private road (unnamed), verge and shrubbery; north of Broad Oak Crossing and south-east of Depot, Broad Oak, Canterbury, Kent.
- 32 All interests in 268 square metres of abandoned residential property, public footpath (Footpath No. CB51), trees and shrubbery; north of Broad Oak Crossing and south-east of Depot, Canterbury, Kent.
- 33 All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 297 square metres of private road (unnamed) and verge, abandoned residential property, public footpath (Footpath No. CB51), trees and shrubbery; north of Broad Oak Crossing and south-east of Depot, Canterbury, Kent; except those owned by acquiring authority.
- 34 All interests in 7 square metres of private road (unnamed) and verge; north of Broad Oak Crossing and south of Depot, Canterbury, Kent.
- 35 All interests in 2 square metres of public highway and verge (Sturry Road, A28); except those owned by acquiring authority.

SCHEDULE 2
FORM OF STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY
PURCHASE
(VESTING DECLARATION) ACT 1981

Power to execute a general vesting declaration

1. Once The Kent County Council (A28 Sturry Link Road)(Compulsory Purchase) Order 2023 has become operative, The Kent County Council (hereinafter called 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 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 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 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.

NOTE: If a general vesting declaration were made in respect of the land comprised in the Order other than land in respect of which notice to treat has been given) every person would be entitled to claim compensation in respect of any such land and they are invited to give information to the Council in the prescribed form with respect to their name and address and the land in question. The relevant prescribed form is set out below.

SCHEDULE 3

FORM FOR GIVING INFORMATION

The Kent County Council (A28 Sturry Link Road)(Compulsory Purchase) Order 2022

To: John Farmer, Project Manager, Kent County Council, Highways & Transportation, Invicta House, County Hall, Maidstone, Kent ME14 1XX

[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 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, to the Acquisition of Land Act 1981.

Name and Address of informant(s) (i)

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

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 this 6th day of March 2025

General Counsel

Kent County Council

Sessions House

County Hall

Maidstone

Kent ME14 1XQ