

**TO: THE PERSON OCCUPYING OR HAVING AN INTEREST IN THE LAND DESCRIBED IN SCHEDULE 1 BELOW**

**THE CORNWALL COUNCIL (LANGARTH GARDEN VILLAGE, THREEMILESTONE) COMPULSORY PURCHASE ORDER 2022**

**THE TOWN AND COUNTRY PLANNING ACT 1990**

**THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

**AND THE ACQUISITION OF LAND ACT 1981**

1. Notice is hereby given that Ms Z Hill, an Inspector appointed on behalf of the Secretary of State for Housing, Communities and Local Government (the “**Secretary of State**”), in exercise of their powers under the above Acts, on 6<sup>th</sup> December 2024 confirmed the Cornwall Council (Langarth Garden Village, Threemilestone) Compulsory Purchase Order 2022 submitted by The Cornwall Council (the “**Council**” or the “**Acquiring Authority**”).
2. The order as confirmed provides for the purchase for the purposes of supporting the delivery of a residential led development on land at Threemilestone, Cornwall comprising a mix of uses including new dwellings, local centres, educational facilities, commercial floorspace, open space, health centre, public realm and community farm/allotments together with the delivery of a new central access road with cycle lanes, utility supplies, access junction arrangements onto the A390, new junctions to quiet lanes, energy centre and park and ride extension on the said land and other land.
3. A copy of the order as confirmed by the Inspector and the map referred to therein have been deposited at the Council's offices at County Hall, Truro, Cornwall TR1 3AY and may be seen between 9am and 5pm Monday to Friday and are available for inspection on the Council's website at [www.cornwall.gov.uk](http://www.cornwall.gov.uk).
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 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.

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 Council at County Hall, Truro, Cornwall TR1 3AY or by email to [chris.daly@cornwall.gov.uk](mailto:chris.daly@cornwall.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 AND THE NEW RIGHTS COMPRISED IN THE ORDER AS CONFIRMED**

**Land to be Acquired**

Land situated in the Parish of Kenwyn at Threemilestone and totalling 1.73km<sup>2</sup> in area and stretching for a total of 3.5km and bounded to the west by West Langarth Farm and to the north by the valley bottom of the upper reaches of the River Kenwyn and to the east by the Royal Cornwall Hospital and to the south by, and including parts of, the A390 including the sub soil of parts of the highways forming part of the site together with the mines and minerals beneath the land, except those interests owned by the Acquiring Authority.

**New Rights to be Acquired**

New rights are being sought over the watercourse that runs to the north of West Langarth Farm, north west of West Langarth Farmhouse, north of Langarth Park and Ride Truro, southwest of Bosvisack Farm and south east of Little Regarded Farm, Truro. The rights being sought include the right for the Acquiring Authority, its lessees, licensees, successors in title, assigns and those authorised by any of these to construct and keep temporary structures on the land in order to carry out surface water drainage works on

the Acquiring Authority's land and the right to enter and remain on such land with plant, machinery, equipment and materials for those purposes and the right to drain surface water onto and through such land through the drainage structures at the Acquiring Authority's land.

## **SCHEDULE 2**

### **PART 1**

#### **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 Cornwall Council (Langarth Garden Village, Threemilestone) Compulsory Purchase Order 2022 has become operative, The Cornwall Council (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 them to terminate the tenancy while the tenant will use every opportunity to retain or renew their 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.
- 6.

**PART 2**

**FORM FOR GIVING INFORMATION**

**THE CORNWALL COUNCIL (LANGARTH GARDEN VILLAGE, THREEMILESTONE) COMPULSORY PURCHASE ORDER 2022**

To: The Cornwall Council

[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, eg name of building society and roll number.

Dated 8<sup>th</sup> January 2025



**Phil Mason**

For and on behalf of Cornwall Council