

Notice of Intention to Issue a Certificate under section 19(1)(a) and paragraph 6(1)(a) of Schedule 3 to the Acquisition of Land Act 1981.

## SCHEDULE 1

## ACQUISITION OF LAND ACT 1981

*The Birmingham Northern Relief Road (Saredon to Churchbridge section) (Supplementary No. 1) Compulsory Purchase Order (No. WMT) 199*

*Land at Hatherton Reservoir*

1. The Secretary of State for Transport has prepared this draft compulsory purchase Order which he proposes to make. If made, it will authorise the purchase of land ("the order land") and a new right over land ("the rights land") which forms part of an open space, as defined in the Act; that is, land laid out as a public garden, or used for the purposes of public recreation, or a disused burial ground.

2. The Order will be subject to special Parliamentary procedure unless the Secretary of State for the Environment gives a certificate in accordance with the provisions of section 19 and paragraph 6 of Schedule 3 to, the Act. The Secretary of State for Transport has asked the Secretary of State to certify:

(a) under section 19(1)(a), that he is satisfied that there has been or will be given in exchange for the order land other land ("the exchange land") which is not less in area and is equally advantageous to persons, if any, entitled to rights of common or other rights, and to the public, and that the exchange land has been or will be vested in the persons in whom the order land was vested, and subject to the like rights, trusts and incidents as attach to the order land; and

(b) under paragraph 6(1)(a) of Schedule 3 that the rights land, when burdened with the new right, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before.

3. The order land is described in the First Schedule to this notice; the rights land and the right which is to be acquired over it is described in the Second Schedule; and the exchange land is described in the Third Schedule. On the plan referred to in Schedules 1 and 3, the order land is shown coloured pink and the exchange land coloured green. The rights land is shown on a separate plan coloured blue.

4. The Secretary of State is required to give public notice of his intention to give a certificate before he reaches a decision, to afford an opportunity for representations and objections to be made. He hereby gives that notice. Any representations or objections in relation to this proposal should be addressed to the Department of the Environment at the Government Office of the West Midlands, Five Ways Tower, Frederick Road, Edgbaston, Birmingham B15 1SJ, before 30th August 1995, quoting reference WMR/P/5372/75/1.

5. Copies of the draft compulsory purchase orders, the order maps and of plans showing the order land, the rights land and the proposed exchange land may be seen, with out payment, during office hours at:

- (a) Highways Agency, Room 1205, St. Christopher's House, Southwark Street, London SE1 0TE;
- (b) The Highways Agency, Motorway Operations Division, No. 5 Broadway, Broad Street, Birmingham B15 1BL;
- (c) Birmingham City Council, Council House, Victoria Square, Birmingham B1 1BB;
- (d) Cannock Chase District Council, The Council House, Beecroft Road, Cannock;
- (e) Lichfield District Council, Council Offices, Frog Lane, Lichfield;
- (f) Walsall Metropolitan Borough Council, Civic Centre, Darwall Street, Walsall;
- (g) North Warwickshire Borough Council, Council House, South Street, Atherstone;
- (h) South Staffordshire District Council, Council Offices, Wolverhampton Road, Codsall;
- (i) Norton Canes Library, Burntwood Road, Norton Canes, Cannock;
- (j) Burntwood and Chase Terrace Library, Sankeys Corner, Chase Terrace, Walsall;
- (k) Cheslyn Hay Library, High Street, Cheslyn Hay;
- (l) Water Orton Library, Mickle Meadow, Coleshill Road, Water Orton;
- (m) Brownhills Library, Brickiln Street, Brownhills;
- (n) Coleshill Library, 141 High Street, Coleshill, Birmingham;
- (o) Sutton Coldfield Library, Lower Parade, Sutton Coldfield;
- (p) Shenstone Library, Main Street, Shenstone.

6. The Secretary of State may, if he considers it expedient, hold a public local inquiry into the matter.

## Plan K41—CHE—03D

1. 5,680 square metres of Public Open Space comprising woodland, grassland, and part of access track, all west of Mill Lane (D415) south of Bridgtown (shown as plot 3A on the plan) and within the District of South Staffordshire;
2. 3,580 square metres of Public Open Space comprising woodland, grassland, parts of access track and half bed of Wyrley Brook, all west of Mill Lane (D415) south of Bridgtown (shown as plot 3B on the plan) and within the District of South Staffordshire;
3. 1,910 square metres of Public Open Space comprising woodland, grassland and part of access track, all north of Lodge Lane (D414) south of Bridgtown (shown as plot 3C on the plan) and within the District of South Staffordshire;
4. 190 square metres of Public Open Space comprising woodland and grassland, all north of Lodge Lane (D414) south of Bridgtown (shown on the plan as plot 3D) and within the District of South Staffordshire;
5. 425 square metres of Public Open Space comprising woodland and grassland, all west of Mill Lane (D415) south of Bridgtown (and shown on the plan as plot 3E) and within the District of South Staffordshire;
6. 6,145 square metres of Public Open Space comprising wasteland, grassland, field drain, part of Public Footpath FP 11 (Cheslyn Hay) and parts of unnamed footpaths, all east of Mill Lane (D415) and north of Coppice Lane (D414) south of Bridgtown (and shown on the plan as plot 3F) and within the District of South Staffordshire;
7. 250 square metres of Public Open Space comprising wasteland and half bed of Wyrley Brook, all east of Mill Lane (D415) south of Bridgtown (shown as plot 3G on the plan) and within the District of South Staffordshire;
8. 19,700 square metres of Public Open Space comprising wasteland, grassland, field drain, part of Hatherton Reservoir and parts of supporting embankments, half bed of Wyrley Brook, part of access track, parts of unnamed footpaths, part of Public Footpath FP8 (Cheslyn Hay) and part of Public Footpath FP11 (Cheslyn Hay) all north-west of Cheslyn Hay (shown on the plan as plot 3H) and within the District of South Staffordshire;
9. 7,900 square metres of Public Open Space comprising wasteland, grassland, woodland, part of Hatherton Reservoir and parts of supporting embankments, part of access track, part of unnamed footpath and part of Public Footpath FP8 (Cheslyn Hay), all north-west of Cheslyn Hay (shown as plot 3L on the plan) and within the District of South Staffordshire;
10. 2,450 square metres of Public Open Space comprising woodland and grassland, all north-west of Mill Lane (D415) south of Bridgtown (shown as plot 3M on the plan) and within the District of South Staffordshire.

## SCHEDULE 2

The right to excavate new ponds, divert an existing stream and to carry out landscape mounding and planting, all in 47,650 square metres of Public Open Space comprising wasteland, woodland, parts of unnamed footpaths, part of watercourse and part of Hatherton Reservoir and supporting embankments, all east of Mill Lane (D415) north-west of Cheslyn Hay (shown coloured blue on plan K41—CEH—05A) and within the District of South Staffordshire.

## SCHEDULE 3

## Plan K41—CEH—03D

1. 36,200 square metres comprising wasteland, part of pool and part of pond forming disused clay pit and arable land, all south of Bridgtown (shown as plot 3J on the plan) and within the District of South Staffordshire.

(Replacement Public Open Space for Plots 3F, 3G, 3H and 3L.)

2. 15,100 square metres comprising wasteland, part of pond and part of pool forming disused clay pit, arable land and half bed of Wyrley Brook, all south of Bridgtown (shown as plot 3K on the plan) and within the District of South Staffordshire.

(Replacement Public Open Space for Plots 3A, 3B, 3C, 3D, 3E and 3M.)

*P. E. Langley*, Director of Transport and Planning Government Office for the West Midlands. (744)