

**THE NORTH SOMERSET COUNCIL (BANWELL BYPASS AND SOUTHERN LINK)
COMPULSORY PURCHASE ORDER 2022**

Sections 239, 240, 246, 249 and 250 of the Highways Act 1980, The Acquisition of Land Act 1981

1. Notice is hereby given that the Secretary of State for Transport, in exercise of his powers under the above Acts, on 29 January 2024 confirmed The North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order 2022 submitted by North Somerset Council.
2. The order as confirmed provides for the purchase of the land and the new rights described in Schedule 1 hereto for the purpose of:
 - a. the construction of a highway between the existing A371 (east of Summer Lane) to the existing A368 (west of Towerhead Farm) (“the Banwell Bypass”)
 - b. the construction of a highway between the existing A368 (East Street) to the existing A371 (Castle Hill) (“the Southern Link”)
 - c. the construction of other highways and improvement of existing highways in the vicinity of the route of the Banwell Bypass and Southern Link in pursuance of the North Somerset Council (Banwell Bypass and Southern Link Classified Road) (Side Roads) Order 2022
 - d. the provision of new means of access to premises in pursuance of the North Somerset Council (Banwell Bypass and Southern Link Classified Road) (Side Roads) Order 2022
 - e. use by the acquiring authority in connection with the construction and improvement of highways and the provision of new means of access to premises as aforesaid
 - f. mitigating the adverse effects which the existence or use of the highways proposed to be constructed or improved will have on the surroundings thereof, including the provision of replacement land to mitigate the impact of the Banwell Bypass on Banwell Football Club.
3. A copy of the order as confirmed by the Secretary of State for Transport and of the map referred to therein have been deposited at the following deposit locations and may be seen at all reasonable hours and may also be seen online at <http://banwellbypasscpo.co.uk>. Locations: Weston-super-Mare Library, North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ (Monday to Friday 9.30am to 6pm and Saturday 9.30am to 4pm), Campus Library, Highlands Lane, Weston-super-Mare BS24 7DX (Monday to Friday 9.30am to 8pm, Saturday 9.30am to 5pm, Sunday 10am to 5pm), Banwell Parish Council Office, Banwell Youth & Community Centre, West Street, Banwell BS29 6BD (Tuesday and Thursday 10am to 12noon).
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, North Somerset 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 at 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 North Somerset Council at c/o Daniel Whittle, Burges Salmon LLP, One Glass Wharf, Bristol, BS2 0ZX about the person's name, address and interest in the land, using a prescribed form. The relevant prescribed form is set out at Schedule 3 below.

SCHEDULE 1 - LAND AND THE NEW RIGHTS COMPRISED IN THE ORDER AS CONFIRMED

LAND TO BE ACQUIRED:

All interests in: parts of the A371 Knightcott Road, Summer Lane, Wolvershill Road and Well Lane to the east of Banwell including bus stop, footways and grassed verge; agricultural land to the north of the A371 Knightcott Road and to the east of Summer Lane Park Homes including nearby public footpath and rhynes; part of Stonebridge Caravan Park, including rhyne; land in the area around Wolvershill Road near Stonebridge Farm, including part of Wolvershill Road immediately to the north of Stonebridge Farm; agricultural land to the east of Wolvershill Road and south of Court Farm; agricultural land to the west of Moor Road and north and east of Cook's Lane, including public footpath, rhyne and drains; part of Moor Road and the Old Yeo Rhyne; land between Moor Road and Riverside, including equestrian paddock, agricultural outbuildings, pond and rhyne; part of Riverside and roadside, including adjacent watercourse; land immediately to the east of Riverside and north of Riverside Crescent, including equestrian paddock and equestrian outbuildings; part of the Traditional Orchard to the east of Riverside; part of the playing fields at Banwell Football Club and agricultural land in the immediate area around Banwell Football Club, including part of the rhyne and drains; part of Eastermead Lane and access to the east of Eastermead Lane at Banwell Solar Farm; part of Catworthy Lane; part of land to the east of Banwell Solar Farm including land near Towerhead Brook and near A368 Towerhead Road (north side) and part of National Grid Haul Road; part of Towerhead Farm and land to the north of A368 Towerhead Road and south of Eastermead Lane; part of Eastermead Farm, north and south of the A368 Towerhead Road, including land within the Mendip Hills AONB (except those interests owned by the acquiring authority); part of the A368 Towerhead Road and verge; part of Dark Lane and A371 Castle Hill including verge; agricultural land, part of footpath and part of rhyne located immediately north of A368 Greenhill Road and to the south of Churchill Green; and part of public footpath and agricultural land located to the north-east of St John's Baptist Church, Churchill and west of Ladymead Lane.

NEW RIGHTS TO BE ACQUIRED:

New rights being created over: land adjacent to, adjoining or immediately proximate to the land being acquired described in the preceding paragraph. Rights are being acquired for the purposes of constructing and maintaining the Banwell Bypass and Southern Link and related infrastructure such as the new River Banwell Bridge and new culverts, including the provision of construction working areas and compounds. New rights are also being acquired for: the provision of replacement land for Banwell Football Club; oversailing of the River Banwell Bridge; rhyne diversions; the provision of environmental and ecological mitigation; rights to flood; the provision and upgrade of public rights of way and other existing highways in the area; and the provision of new private means of access.

The above paragraphs are a summary of the land and new rights to be acquired pursuant to the order. Full details are contained within the order and on the order maps, which are available for inspection as outlined above.

SCHEDULE 2 - 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 North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order 2022 has become operative, North Somerset Council (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 a 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', for example, 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 NORTH SOMERSET COUNCIL (BANWELL BYPASS AND SOUTHERN LINK) COMPULSORY PURCHASE ORDER 2022

To: Daniel Whittle, Burges Salmon LLP, One Glass Wharf, Bristol, BS2 0ZX

[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, for example, name of building society and roll number.

North Somerset Council
5 February 2024

**THE NORTH SOMERSET COUNCIL (BANWELL BYPASS AND SOUTHERN LINK)
COMPULSORY PURCHASE ORDER (NO.2) 2023**

Sections 239, 240, 246, 249 and 250 of the Highways Act 1980, The Acquisition of Land Act 1981

1. Notice is hereby given that the Secretary of State for Transport, in exercise of his powers under the above Acts, on 29 January 2024 confirmed The North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order (No.2) 2023 submitted by North Somerset Council.
2. The order as confirmed provides for the purchase of the land and the new rights described in Schedule 1 hereto for the purpose of:
 - a. the construction of a highway between the existing A371 (east of Summer Lane) to the existing A368 (west of Towerhead Farm) (“the Banwell Bypass”)
 - b. the construction of a highway between the existing A368 (East Street) to the existing A371 (Castle Hill) (“the Southern Link”)
 - c. the construction of other highways and improvement of existing highways in the vicinity of the route of the Banwell Bypass and Southern Link in pursuance of the North Somerset Council (Banwell Bypass and Southern Link Classified Road) (Side Roads) Order 2022
 - d. the provision of new means of access to premises in pursuance of the North Somerset Council (Banwell Bypass and Southern Link Classified Road) (Side Roads) Order 2022
 - e. use by the acquiring authority in connection with the construction and improvement of highways and the provision of new means of access to premises as aforesaid
 - f. mitigating the adverse effects which the existence or use of the highways proposed to be constructed or improved will have on the surroundings thereof.
3. A copy of the order as confirmed by the Secretary of State for Transport and of the map referred to therein have been deposited at the following deposit locations and may be seen at all reasonable hours and may also be seen online at <http://banwellbypasscpo.co.uk>. Locations: Weston-super-Mare Library, North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ (Monday to Friday 9.30am to 6pm and Saturday 9.30am to 4pm), Campus Library, Highlands Lane, Weston-super-Mare BS24 7DX (Monday to Friday 9.30am to 8pm, Saturday 9.30am to 5pm, Sunday 10am to 5pm), Banwell Parish Council Office, Banwell Youth & Community Centre, West Street, Banwell BS29 6BD (Tuesday and Thursday 10am to 12noon).
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, North Somerset 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 at 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 North Somerset Council at c/o Daniel Whittle, Burges Salmon LLP, One Glass Wharf, Bristol, BS2 0ZX about the person's name, address and interest in the land, using a prescribed form. The relevant prescribed form is set out at Schedule 3 below.

SCHEDULE 1 - LAND AND THE NEW RIGHTS COMPRISED IN THE ORDER AS CONFIRMED

LAND TO BE ACQUIRED:

All interests in: agricultural land to the south-east of Court Farm and north-west of Whitecross Cottage, north of Banwell village; agricultural land at part of Eastermead Farm to the north of the A368 Towerhead Road (except those interests held by the acquiring authority); part of land near Towerhead Farm and to the north of A368 Towerhead Road; part of land to the north of the A368 Towerhead Road and near to Towerhead Brook.

NEW RIGHTS TO BE ACQUIRED:

New rights being created over: land adjacent to, adjoining or immediately proximate to the land being acquired described in the preceding paragraph and also new rights over the Traditional Orchard near Banwell Football Club. Rights are being acquired for the purposes of constructing and maintaining a new shared use path; and the provision of environmental and ecological mitigation.

The above paragraphs are a summary of the land and new rights to be acquired pursuant to the order. Full details are contained within the order and on the order maps, which are available for inspection as outlined above.

SCHEDULE 2 - 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 North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order (No.2) 2023 has become operative, North Somerset Council (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 a 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 NORTH SOMERSET COUNCIL (BANWELL BYPASS AND SOUTHERN LINK) COMPULSORY PURCHASE ORDER (NO.2) 2023

To: Daniel Whittle, Burges Salmon LLP, One Glass Wharf, Bristol, BS2 0ZX

[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, for example, name of building society and roll number.

**North Somerset Council
5 February 2024**