

**CITY OF WESTMINSTER  
TOWN AND COUNTRY PLANNING ACT 1990  
ACQUISITION OF LAND ACT 1981  
COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981  
CITY OF WESTMINSTER  
(TOLLGATE GARDENS ESTATE, NW6)  
COMPULSORY PURCHASE ORDER 2014**

**STATEMENT CONCERNING GENERAL VESTING DECLARATIONS**

**Part 1**

A statement of the effect of Parts I II and III of the Compulsory Purchase (Vesting Declarations) Act 1981

*Power to make general vesting declaration*

1. The Lord Mayor and Citizens of the City of Westminster (hereinafter called "the Corporation") may acquire any of the land described in the schedule hereto by making a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. This has the effect, subject to paragraph 4 below, of vesting the land in the Corporation at the end of the period mentioned in paragraph 2 below. A declaration may not be made before the end of a period of two months from the first publication of a notice which includes this statement except with the consent in writing of every occupier of the land affected.

*Notices concerning general vesting declaration*

2. As soon as may be after the Corporation make 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 3) and on every person who gives them information relating to the land in pursuance of the invitation contained in any notice. When the service of notices of the general vesting declaration is completed, a further period begins to run. This period, which must not be less than 28 days, will be specified in the declaration. On the first day after the end of this period ("the vesting date") the land described in the declaration will, subject to what is said in paragraph 4, vest in the Corporation together with the right to enter on the land and take possession of it. Every person on whom the Corporation 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 3) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.

*Modifications with respect to certain tenancies*

3. 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.

4. The modifications are that the Corporation may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 3 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 14 days 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**

All interests except those owned by the acquiring authority in Tollgate Gardens Estate comprising 1 to 57 Godwin House, 1 to 53 Tollgate House and 1 to 32 Wingfield House, Tollgate Gardens, Kilburn NW6 including the half widths of the adjoining roads.

**Every person who, if a general vesting declaration were made in respect of all 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 authority making the declaration in the prescribed form with respect to his name and address and the land in question.**

Dated 12th day of November 2015

Tasnim Shawkat  
Tri-Borough Director of Law  
Kensington Town Hall  
Hornton Street  
London W8 7NX

The relevant prescribed form is set out below

Part 2

**Form for giving information**

The City of Westminster (Tollgate Gardens Estate, NW6) Compulsory Purchase Order 2014

To: The Lord Mayor and Citizens of the City of Westminster

[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 comprising 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 3 of that Act.

1. Name and address of informant(s)<sup>(1)</sup> .....

2. Land in which an interest is held by informant(s)<sup>(2)</sup> .....

3. Nature of interest<sup>(3)</sup> .....

Signed.....

[on behalf of.....

Date.....

(1) In the case of a joint interest insert the names and addresses of all the informants.  
(2) The land should be described concisely.  
(3) 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.