

NOTICE OF MODIFICATION ORDER

SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981

THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY FOR THE COUNTY OF LANCASHIRE

THE LANCASHIRE COUNTY COUNCIL (FOOTPATH FROM CLITHEROE STREET TO GUY STREET, PADIHAM, BURNLEY) DEFINITIVE MAP MODIFICATION ORDER 2017

The above Order, made on the 27th September 2017, if confirmed as made, will modify the Definitive Map and Statement of Public Rights of Way for the area, by adding the footpath starting at the junction with Clitheroe Street at SD 7947 3408 (point A) ascending a flight of 5 stone steps and running in an approximately northerly direction along a stone flagged path across a car park to ascend a further flight of 5 stone steps at SD 7947 3409 (point B) and then continuing along a flagged pathway to terminate at a junction with the tarmac footway of Guy Street at SD 7947 3409 (point C) as shown on the attached plan.

A copy of the Order and the Order Map may be seen free of charge at the offices of the Burnley Borough Council, and at my offices from 9am to 5pm on weekdays. Copies of the order and map may be bought there at the price of £1.00.

Any representation or objection relating to the order must be sent in writing to The Director of Governance, Finance and Public Services, Lancashire County Council, PO Box 78, County Hall, Preston, PR1 8XJ (REF: LSG4/PROW/CB/888.340) not later than 20th November 2017, and applicants are requested to state the grounds on which it is made.

If no representations or objections are duly made to the Order, or if any so made are withdrawn, Lancashire County Council, instead of submitting the Order to the Secretary of State for the Environment, may itself confirm the Order. If the Order is submitted to the Secretary of State for the Environment, any representations or objections which have been duly made and not withdrawn will be sent with it.

Dated this 6th day of October 2017.

IAN YOUNG
Director of Governance, Finance and Public Services
Christ Church Precinct
County Hall
PRESTON
PR1 8XJ

This does not form part of the above Notice

Please note that information supplied will be used in accordance with the processes under Statute and will not be confidential and may be disclosed to third parties.

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PUBLIC NOTICES

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PUBLIC NOTICE - LICENSING ACT 2003

Take notice that Carandina Ltd has applied to Burnley Borough Council under the Licensing Act 2003 for the grant of a Premises Licence in respect of the premises known as 9 Burnley Road, Padiham, Burnley BB12 8NA.

The proposed licensable activities are as follows:-
Sale of alcohol by retail and provision of regulated entertainment: Supply of Alcohol 12.00pm to 12.00am Monday to Sunday, Playing of Recorded Music 12.00pm to 12.00am Monday to Sunday and Playing Of Live Music 12.00pm to 11pm Friday to Saturday.

The place where the record of the application may be inspected and where the register of the Licensing Authority is kept is at Burnley Borough Council, Democratic & Legal Manager, Town Hall, Parker Lane, Burnley BB11 2DT. The record of the application may be inspected between 9.30am and 4pm Monday to Friday.

An interested party or responsible authority may make representation in writing to the Legal Manager, Burnley Borough Council, Town Hall, Parker Lane, Burnley BB11 2DT by 1st November 2017.

It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is Level 5 on the Standard Scale, currently £5,000.

CHARLES McLAUGHLIN (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above named, late of 29 Berkeley Drive, Read, Simonstone, Burnley BB12 7QG, who died on 06/08/2017, are required to send written particulars thereof, to the undersigned on or before 14/12/2017, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

Farleys Solicitors LLP, Unit C1, Hurstwood Court, Duttons Way, Shadsworth Business Park, Blackburn BB1 2QR.

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PUBLIC NOTICES

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Notice of Confirmation by an Acquiring Authority of a Compulsory Purchase Order

The Burnley (41 Branch Road Burnley) Compulsory Purchase Order 2017

The Housing Act 1985 and The Acquisition of Land Act 1981

The Compulsory Purchase (Vesting Declarations) Act 1981

- Notice is hereby given that the Burnley Borough Council, in exercise of his powers under the above Acts, on 27 September 2017 confirmed The Burnley (41 Branch Road Burnley) Compulsory Purchase Order 2017 made by it. No objections to the order were received within the permitted period and consequently notification was given by the Secretary of State for Communities and Local Government that the power to confirm the order may be exercised by the acquiring authority in accordance with section 14A of the Acquisition of Land Act 1981.
- The Order as confirmed provides for the purchase for the purposes of bringing the property erected on the land back into residential use described in schedule 1.
- A copy of the Order as confirmed by the Burnley Borough Council and of the map referred to therein have been deposited at the Offices of Burnley Borough Council, Contact Centre, Parker Lane, Burnley and may be seen at all reasonable hours.
- 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.
- Once the order has become operative, Burnley Borough 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 the Act is set out in schedule 2 below.
- Every person who, if a general vesting declaration were executed under section 4 of the 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 Burnley Borough Council at Town Hall, Manchester Road, Burnley, BB11 9SA 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 COMPRISED IN THE ORDER AS CONFIRMED

The dwelling house situate at Burnley Lancashire together with the appurtenances thereto known as 41 Branch Road Burnley

SCHEDULE 2

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**
Once The Burnley (41 Branch Road Burnley) Compulsory Purchase Order 2017 has become operative, Burnley Borough Council (hereinafter called the Council) may acquire any of the land described in the 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**
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 3 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 the counter – notice will be determined in accordance with Schedule A1.
- MODIFICATIONS WITH RESPECT TO CERTAIN TENANCIES**
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 PART 2(a)

THE BURNLEY (41 BRANCH ROAD BURNLEY) COMPULSORY PURCHASE ORDER

To: Burnley Borough Council, Property Department, Town Hall, Manchester Road, Burnley, BB11 9SA

(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 a 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.

- 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.....

- In the case of a joint interest insert the names and addresses of all the informants
- The land should be described concisely
- 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. the name of building society and roll number

DATED this 6 October 2017



Lukman Patel, Head of Governance, Law & Regulation, TOWN HALL, MANCHESTER ROAD, BURNLEY, BB11 9SA

(Ref: PR/CPO/17/046)

BURNLEY EXPRESS – 6 October 2017 and 13 October 2017

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