

is 22 December 2007. Except for the circumstance described in paragraph 4 to this notice, a claim cannot be made before the first claim day.

4. A claim can be made during the period between the relevant date and the first claim day only where the claimant has made a contract to sell his/her interest in the property or, in the case of properties that are not dwellings, to grant a tenancy. The claim must be made between the making of the contract and before the sale is completed or the tenancy granted. The Secretary of State cannot accept a claim after the sale or grant of a tenancy has been completed. No compensation in respect of such a claim will be paid before the first claim day.

5. By virtue of section 19(2A) of the Act and under the Limitations Act 1980, a claim will become time-barred if within six years from and including the first claim day the claimant has not:

- a. Agreed in writing an offer of compensation (including any reasonable valuation and legal expenses) made by the Secretary of State in writing; or
- b. If agreement is not so reached, made a reference to the Lands Tribunal to have it determine the compensation.

Where a claim has become time-barred under the Limitations Act 1980, the Secretary of State can no longer be required to pay compensation.

6. No compensation can be claimed under Part I of the Act where part of the property was acquired for the carrying out of the alterations to the highway. Instead, compensation for land acquired is paid under different rules.

7. To claim compensation under Part I of the Act, a qualifying interest in the land must have been acquired before the alterations were completed and first open to public traffic. The qualifying interest must also be held by the claimant at the date of making a claim. The claimant must be able to produce evidence of his/her interest in the property when required to do so by the Secretary of State. Compensation will not be paid where a claimant's qualifying interest in the property cannot be verified.

8. Interests in land qualifying for compensation are specified in section 2 of the Act. They are:

- a. For dwellings, the interest must be that of an owner by virtue of owning the freehold or a tenancy with at least three years left to run at the time of making the claim. Where the interest carries the right to occupy the property, the claimant must do so as his residence.
- b. For agricultural units, the interest must be that of an owner-occupier, that is, a person who occupies the whole of the unit and owns the freehold or a tenancy with at least three years left to run at the time of making the claim in the whole or any part of the unit.
- c. For other property that is not a dwelling or an agricultural unit, the interest must be that of an owner-occupier, that is, a person who occupies the whole or substantial part of the property by virtue of owning the freehold or a tenancy with at least three years left to run at the time of making the claim. The property must have an annual value that does not exceed £24,600 (this figure may be updated by Order from time to time).

9. Special provisions under the Act apply to claims where the land is subject to a mortgage, where there are persons entitled under trusts or settlements or by inheritance and where there are tenants entitled to enfranchisement or extension under the Leasehold Reform Act 1967.

10. Compensation is assessed by reference to property prices that are current on the first claim day. Account will be taken of the use of the altered highway, as it exists on the first claim day. Account will also be taken of any intensification that may then reasonably be expected of the use of the altered highway in the state it is on the first claim day.

11. Anyone having a qualifying interest who considers they have a claim under the Act can obtain further information and a claim form from Part I Compensation Team, C2, 5 Broadway, Broad Street, Birmingham B15 1BL or by telephoning 0121 687 4141.

12. This notice contains a summary of the law. It is not intended to be a complete and full statement of the law. Anyone intending to make a claim should consider obtaining independent professional advice.

#### THE SCHEDULE

A new split level junction has been built on A30 at Whiddon Down, to remove vehicle conflict between trunk road and local traffic, improving safety and reducing congestion. The new junction replaced a ground level roundabout.

#### J Cresswell

National Part I Claims Team Manager  
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(212841)

## Highways Agency

### ROAD TRAFFIC REGULATION ACT 1984

#### THE A12 TRUNK ROAD (LOWESTOFT, SUFFOLK) (BOX JUNCTION) (EXPERIMENTAL) ORDER 2007

1. The Secretary of State for Transport hereby gives notice that he has made an Order under Sections 9(1)(a) and (3), 10(1) and (2) and 11 of the Road Traffic Regulation Act 1984, the effect of which will be to prohibit vehicles from remaining stationary and blocking the box junction on the A12 at Lowestoft in Suffolk at the Station Square/Commercial Road junction.

2. The Order, which will come into force on 25th March 2007 and will not remain in force for a period longer than 18 months, is an Experimental Order and has been made in conjunction with the amendments to the A12 gyratory system in Lowestoft, to reduce congestion.

3. Whilst this Order is in force the provisions of any other Order on the above section of A12 are hereby suspended.

4. Traffic movements will be monitored throughout the whole of the experimental period or until such times as enough evidence is gathered to show the success or otherwise of the Experimental Order. Provisions in the Act allow for a specified officer to modify, or suspend the operation of the Order, or any provision of it, if it appears to him essential in the interests of the expeditious, convenient and safe movement of traffic.

5. A copy of the proposed Order, a plan illustrating the proposal and a statement explaining the Secretary of State's reasons for proposing to make the Order may be inspected during office hours at Lowestoft Central Library, Clapham Road South, Lowestoft NR32 1DR; Suffolk County Council, Newcombe House, Newcombe Road, Lowestoft NR32 1XA; or obtained by application to the Orders Section, Traffic Operations, The Highways Agency, Woodlands, Manton Lane Industrial Estate, Manton Lane, Bedford MK41 7LW, quoting reference HA41/69/7.

6. The Secretary of State will be considering in due course whether the provisions of this Order should be continued in force indefinitely. Any person wishing to object to the making of this Order for the purpose of continuing the restrictions in force indefinitely should send a written statement of their objection to the Director, at the address given above between 25 March and 25 September 2007.

7. Any enquiries relating to this notice can be made in writing to Mr Ranjit Mistry of the Highways Agency at the above address or by telephoning him on 01234 796268.

Mrs A V Middleton

An official of the Highways Agency.

(212617)

## Highways Agency

### ROAD TRAFFIC REGULATION ACT 1984

#### THE A12 TRUNK ROAD (LOWESTOFT, SUFFOLK) (PROHIBITION AND RESTRICTION OF WAITING) (EXPERIMENTAL) ORDER 2007

1. The Secretary of State for Transport hereby gives notice that he has made an Order under Sections 9(1)(a) and (3), 10(1) and (2) and 11 of the Road Traffic Regulation Act 1984, the effect of which will be to—

(a) prohibit any vehicle at any time, other than for the purpose of loading or unloading goods, from waiting at any time on the length of A12 at Lowestoft, known as Katwijk Way, from its junction with Denmark Road to its roundabout junction with St. Peter's Street, or

(b) prohibit any vehicle at any time from waiting on the length of A12 at Lowestoft known as—

(i) Waveney Road, between its junctions with Battery Green Road and Station Square,

(ii) Battery Green Road between its junctions with Waveney Road and Old Nelson Street Roundabout,

(iii) Station Square, between its junctions with Denmark Road and Marine Parade, or

(iv) Denmark Road between its junctions with Station Square and Katwijk Way.

2. The Order, which will come into force on 25 March 2007 and will not remain in force for a period longer than 18 months, is an Experimental Order and has been made in conjunction with the amendments to the A12 gyratory system in Lowestoft, to reduce congestion.

3. Whilst this Order is in force the provisions of any other Order on the above lengths of A12 are hereby suspended.

4. Traffic movements will be monitored throughout the whole of the experimental period or until such times as enough evidence is gathered to show the success or otherwise of the Experimental Order. Provisions