

Dated

9 December **2020**

**THE BOROUGH COUNCIL OF CALDERDALE (HALIFAX TOWN CENTRE)
(HIGHWAY IMPROVEMENTS)
(WEST YORKSHIRE PLUS TRANSPORT FUND, A629 PHASE 2)
COMPULSORY PURCHASE ORDER 2020**

**Ian Hughes
Head of Legal and Democratic Services
The Borough Council of Calderdale
Town Hall
Halifax
HX1 1UJ**

**THE BOROUGH COUNCIL OF CALDERDALE
(HALIFAX TOWN CENTRE) (HIGHWAY IMPROVEMENTS)
(WEST YORKSHIRE PLUS TRANSPORT FUND, A629 PHASE 2)
COMPULSORY PURCHASE ORDER 2020**

**The Highways Act 1980
and
The Acquisition of Land Act 1981**

The Borough Council of Calderdale (in this order called “the acquiring authority”) hereby makes the following order:

1. Subject to the provisions of this order, the acquiring authority is under sections 239, 240, 250 and 260 of the Highways Act 1980 hereby authorised to purchase compulsorily the land described in paragraph 2 for the purpose of:
 - (1) the improvement of the following highways located in Halifax, West Yorkshire:
 - (a) the A629 route from Orange Street through Broad Street, Cow Green, Barum Top, Fountain Street, Commercial Street and Portland Place to Hunger Hill;
 - (b) the C5951 route from its junction with New Bank through Charlestown Road, Bank Bottom, Lower Kirkgate and Church Street to its junction with Alfred Street East;
 - (c) the C5954 route (as proposed to be improved) from its junction with Northgate through Winding Road, Smithy Street, Charles Street, Square Road, Alfred Street East, Church Street and South Parade to Hunger Hill; and
 - (d) the C5955 route from its junction with New Bank through Bridge Street, Northgate and Broad Street to its junction with Orange Street,together referred to as “the classified roads”;
 - (2) the creation and improvement of highways intended to connect the classified roads to the existing road system or otherwise in the vicinity of the routes of the classified roads and the provision of new means of access to premises in pursuance of The Borough Council of Calderdale (Halifax Town

Centre) (Highway Improvements) (West Yorkshire Plus Transport Fund, A629 Phase 2) (Side Roads) Order 2020;

- (3) the improvement or development of frontages and landscaping to the classified roads and new or improved highways referred to above or of the land adjoining or adjacent thereto;
 - (4) the construction of works for the drainage of the classified roads and the new or improved highways;
 - (5) mitigating the adverse effects which the existence or use of the highways proposed to be constructed or improved will have on the surroundings thereof; and
 - (6) use by the acquiring authority in connection with the construction and/or improvement of highways and the provision of new means of access to premises and landscaping mentioned above.
2. The land authorised to be purchased compulsorily under this order is the land described in the Schedule and delineated and shown coloured pink on the map consisting of a folio of three sheets numbered 1 to 3 respectively, prepared in duplicate, sealed with the common seal of the acquiring authority and marked "Map referred to in The Borough Council of Calderdale (Halifax Town Centre) (Highway Improvements) (West Yorkshire Plus Transport Fund, A629 Phase 2) Compulsory Purchase Order 2020".
3. Parts 2 and 3 of Schedule 2 of the Acquisition of Land Act 1981 are hereby incorporated with this order subject to the modifications that references in the said parts of the Schedule to the 'undertaking' shall be construed as referenced to the land and any building or work constructed or to be constructed on the land authorised to be purchased pursuant to the order.

THE CORPORATE COMMON SEAL)
of THE BOROUGH COUNCIL OF)
CALDERDALE was hereunto affixed)
on the 9th day of December 2020)
in the presence of:



M. Mansell
Authorised Officer

The Schedule

Table 1

Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 — name and address					
Number on map (1)	Extent, description and situation of the land (2)	Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1/1	All interests other than those of the Borough Council of Calderdale in 119 square metres of land comprising part of the access to the former Transco gasworks site from the unclassified road known as Cripplegate and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax	The Borough Council of Calderdale Town Hall Halifax HX1 1UJ	Birch Sites Limited (Company No. 2006000) 1-3 Stand London WC2N 5EH		Lessee
1/1a	All interests other than those of the Borough Council of Calderdale in 95 square metres of land comprising part of the former Transco gasworks site and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate,	As Plot 1/1	As Plot 1/1		As Plot 1/1

	Halifax.				
1/1b	All interests other than those of the Borough Council of Calderdale in 43 square metres of land comprising part of the former Transco gasworks site from the unclassified road known as Cripplegate and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax.	As Plot 1/1	As Plot 1/1	As Plot 1/1	As Plot 1/1
1/2	All interests in 3974 square metres of land comprising part of the former Transco gasworks site including part of an internal roadway, bridge, vegetation and hardstanding and part of the watercourse known as Hebble Brook located west and south-west of Charlestown Road and north and north-west of Bank Bottom, Halifax.	Birch Sites Limited (Company No. 2006000) 1-3 Stand London WC2N 5EH			Owner
1/2a	All interests in 1245 square metres of land comprising part of the former Transco gasworks site including part of a bridge, hardstanding, culverts and	As Plot 1/2			As Plot 1/2

	vegetation located west and south-west of Charlestown Road and north and north-west of Bank Bottom, Halifax.						
1/3	All interests in 849 square metres of land forming part of the north-west section of the Matalan retail store car park located east of Lower Kirkgate and south of Bank Bottom, Halifax.	M R C Pension Trust Limited (Company No. 1218492) Care of Henderson Real Estate Asset Management Limited 201 Bishopsgate London EC2M 3AB	Matalan Retail Limited (Company No. 021035664) Matalan Head Office Perimeter Road Knowsley Industrial Park Liverpool L33 7SZ			Lessee	
1/3a	All interests in 367 square metres of land forming part of the north-west section of the Matalan retail store car park located east of Lower Kirkgate and south of Bank Bottom, Halifax.	As Plot 1/3	As Plot 1/3			As Plot 1/3	
2/1	All interests in 208 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park north of the premises known as the Hughes	Resource Medical (UK) Limited (Company No. 05105588) 2 Carlton Avenue				Owner	

	Corporation Building at 31 Square Road, Halifax, HX1 1QG.	Batley West Yorkshire WF17 7AQ			
2/1a	All interests in 426 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.	As Plot 2/1			As Plot 2/1
2/1b	All interests in 275 square metres of land located south-east of Alfred Street East and north-west of Discovery Road forming part of the car park east of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.	As Plot 2/1			As Plot 2/1
2/2	All interests in 112 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park and external staircases north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.	Resource Medical (UK) Limited (Company No. 05105588) 2 Carlton Avenue Batley West Yorkshire WF17 7AQ			Reputed Owner

		(Reputed Owner)			
2/3	All interests in 356 square metres of land located south of Alfred Street East, east of Square Road and north-west of Discovery Road forming part of the car park east of the premises known as the Hughes Corporation Building at 31 Square Road Halifax, HX1 1QG.	As Plot 2/2			As Plot 2/2
3/1	All interests in 63 square metres of land forming part of the forecourts and basements of the residential properties at 48 to 58 Heritage Mews and part of the forecourts of the residential properties at 18 to 34 and 36 to 46 Heritage Mews located east of Church Street and north of Bath Street, Halifax	Brixton Pavilion Limited (Company No. 05392313) Magma House Unit 16 Davy Court Castle Mound Way Rugby CV23 0UZ			Owner
3/1a	All interests in 49 square metres of land forming part of the forecourts and basements of the residential properties at 48 to 58 Heritage Mews and part of the forecourt of the residential properties at 36 to 46 Heritage Mews located east of	As Plot 3/1			As Plot 3/1

	Church Street and north of Bath Street, Halifax.					
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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)	Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)
	Name and address	Name and address
	Description of interest to be acquired	Description of the land for which the person in adjoining column is likely to make a claim
1/1	<p>Highways Agency Historical Railways Estate (formerly British Railways Board) Hudson House Toft Green York YO1 6HP</p>	<p>BT Limited 81 Newgate Street London EC1A 7AJ</p>
1/1a	<p>As Plot 1/1</p>	<p>All interests other than those of the Borough Council of Calderdale in 119 square metres of land comprising part of the access to the former Transco gasworks site from the unclassified road known as Cripplegate and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax</p>
	<p>As Plot 1/1</p>	<p>All interests other than those of the Borough Council of Calderdale in 95 square metres of land comprising part of the former Transco gasworks site and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax.</p>
	<p>As Plot 1/1</p>	<p>Yorkshire Water Limited Western House Halifax Road Bradford West Yorkshire BD6 2SZ</p> <p>Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon</p>

1/1b	As Plot 1/1	As Plot 1/1	Tyne NE1 6AF As Plot 1/1a	All interests other than those of the Borough Council of Calderdale in 43 square metres of land comprising part of the former Transco gasworks site from the unclassified road known as Cripplegate and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax.
1/2	National Grid Gas PLC (Company Registration Number 2006000) 1-3 Strand London WC2N 5EH National Grid Property Holdings Limited (Company Registration Number 3797578) 1-3 Strand London WC2N 5EH	Rights and covenants contained in a conveyance dated 22 May 2001 for the benefit of adjoining land regarding rights of access, entry support, works, conduits, gas pipelines and ancillary apparatus. Covenant to indemnify regarding obligations affecting the land. Covenant to carry out remedial action in respect of contaminated land and indemnify against any losses relating to environmental factors.	Yorkshire Water Limited Western House Halifax Road Bradford West Yorkshire BD6 2SZ Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon Tyne NE1 6AF Northern Gas Networks Limited 1100 Century Way Thorpe Park	All interests in 3974 square metres of land comprising part of the former Transco gasworks site including part of an internal roadway, bridge, vegetation and hardstanding and part of the watercourse known as Hebble Brook located west and south-west of Charlestown Road and north and north-west of Bank Bottom, Halifax.

			<p>Business Park Colton Leeds LS15 8TU</p> <p>BT Limited 81 Newgate Street London EC1A 7AJ</p>	
1/2a	As Plot 1/2	As Plot 1/2	<p>Yorkshire Water Limited Western House Halifax Road Bradford West Yorkshire BD6 2SZ</p> <p>BT Limited 81 Newgate Street London EC1A 7AJ</p> <p>Virgin Media Limited 500 Brook Drive Reading RG2 6UU</p>	<p>All interests in 1245 square metres of land comprising part of the former Transco gasworks site including part of a bridge, hardstanding, culverts and vegetation located west and south-west of Charlestown Road and north and north-west of Bank Bottom, Halifax.</p>
1/3	<p>Nathan Paul Kempin 79 Tavistock Crescent London W11 1AD</p>	<p>Covenants relating to a lease dated 20 December 2002 made between Broomco (2662) Limited and Matalan Retail Limited</p>	<p>Yorkshire Water Limited Western House Halifax Road Bradford West Yorkshire</p>	<p>All interests in 849 square metres of land forming part of the north-west section of the Matalan retail store car park located east of Lower Kirkgate and south of Bank Bottom, Halifax.</p>

	Unknown	Rights and covenants for the benefit of adjoining land.	BD6 2SZ	
	Highways Agency Historical Railways Estate (formerly British Railways Board) Hudson House Toft Green York YO1 6HP	Covenants and access regarding the railway viaduct, piers and footings.	Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon Tyne NE1 6AF	
	Nestle UK Ltd (Company Registration Number 00051491) 1 City Place Gatwick RH6 0PA	Covenants with regards use of the land that could be incompatible or detrimental to the use of the retained land for food manufacture or preparation processing or distribution.		All interests in 367 square metres of land forming part of the north-west section of the Matalan retail store car park located east of Lower Kirkgate and south of Bank Bottom, Halifax.
1/3a	As Plot 1/3	As Plot 1/3		
2/1	Mysing Capital Limited (Company No. 09111670) 9 Fryers Way Ossett	Registered charge dated 1 February 2018.	Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon Tyne	All interests in 208 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park north of the premises known as the Hughes Corporation Building at 31

	<p>WF5 9TJ</p> <p>Fiduciam Nominees Limited (Company No. 09111670) 9 Fryers Way Ossett WF5 9TJ</p> <p>Reward Capital Limited Central House 47 St Pauls Street Leeds West Yorkshire LS1 2TE</p>	<p>Registered charge dated 5 December 2018.</p> <p>Registered charge</p>	<p>NE1 6AF</p>	<p>Square Road, Halifax, HX1 1QG.</p>
2/1a	As Plot 2/1	As Plot 2/1	As Plot 2/1	<p>All interests in 426 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.</p>
2/1b	As Plot 2/1	As Plot 2/1	<p>Yorkshire Water Limited Western House Halifax Road Bradford West Yorkshire BD6 2SZ</p>	<p>All interests in 275 square metres of land located south-east of Alfred Street East and north-west of Discovery Road forming part of the car park east of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.</p>

	<p>Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon Tyne NE1 6AF</p> <p>Northern Gas Networks Limited 1100 Century Way Thorpe Park Business Park Colton Leeds LS15 8TU</p>		<p>All interests in 112 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park and external staircases north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.</p>
2/2			<p>Yorkshire Water Limited Western House Halifax Road Bradford West Yorkshire BD6 2SZ</p> <p>Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon Tyne NE1 6AF</p>

2/3			<p>Yorkshire Water Limited Western House Halifax Road Bradford West Yorkshire BD6 2SZ</p> <p>Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon Tyne NE1 6AF</p> <p>Northern Gas Networks Limited 1100 Century Way Thorpe Park Business Park Colton Leeds LS15 8TU</p> <p>BT Limited 81 Newgate Street London EC1A 7AJ</p>	<p>All interests in 356 square metres of land located south of Alfred Street East, east of Square Road and north-west of Discovery Road forming part of the car park east of the premises known as the Hughes Corporation Building at 31 Square Road Halifax, HX1 1QG.</p>
3/1	Shawbrook Bank Limited (Company No. 388466)	Registered charge dated 28 September 2018	Yorkshire Water Limited Western House Halifax Road	All interests in 63 square metres of land forming part of the forecourts and basements of the residential properties at 48 to 58 Heritage

	<p>Lutea House Wartley Hill Business Park The Drive Great Wartley Brentwood Essex CM13 3BE</p>		<p>Bradford West Yorkshire BD6 2SZ</p> <p>Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon Tyne NE1 6AF</p> <p>BT Limited 81 Newgate Street London EC1A 7AJ</p>	<p>Mews and part of the forecourts of the residential properties at 18 to 34 and 36 to 46 Heritage Mews located east of Church Street and north of Bath Street, Halifax</p>
<p>3/1a</p>	<p>As Plot 3/1</p>	<p>As Plot 3/1</p>	<p>Yorkshire Water Limited Western House Halifax Road Bradford West Yorkshire BD6 2SZ</p> <p>Northern Powergrid Limited Lloyds Court 78 Grey Street Newcastle Upon Tyne NE1 6AF</p>	<p>All interests in 49 square metres of land forming part of the forecourts and basements of the residential properties at 48 to 58 Heritage Mews and part of the forecourt of the residential properties at 36 to 46 Heritage Mews located east of Church Street and north of Bath Street, Halifax.</p>