

The Borough Council of Calderdale
(A629, Southern Section, Halifax)
(Highway Improvements) (West Yorkshire Plus Transport Fund, Phase 1a)
Compulsory Purchase Order 2016

The Highways Act 1980
and
The Acquisition of Land Act 1981

The Borough Council of Calderdale (in this order called 'the acquiring authority') makes the following order: —

1. Subject to the provisions of this order, the acquiring authority is under sections 239, 240, and 250 of the Highways Act 1980 hereby authorised to purchase compulsorily the land and new rights over land described in paragraph 2 for the purpose of:
 - (i) The improvement of the highways known as Dryclough Lane, Huddersfield Road (the A629), Salterhebble Hill (the A629) and Bankhouse Lane;
 - (ii) Use by the acquiring authority in connection with the improvement of highways as aforesaid; and
 - (iii) The improvement or development of frontages to the above existing highways or land adjoining or adjacent thereto.

2. (1) The land authorised to be purchased compulsorily under this order is the land described in the Schedule and delineated and show coloured pink on the plan with drawing reference 72/710/105 and prepared in duplicate, sealed with the common seal of the acquiring authority and marked 'Map referred to in the Borough Council of Calderdale (A629, Southern Section, Halifax) (Highway Improvements) (West Yorkshire Plus Transport Fund, Phase 1a) Compulsory Purchase Order 2016'.

(2) The new rights to be purchased compulsorily over land under this order are described in the Schedule and the land is shown coloured blue on the said map.

3. Parts 2 and 3 of Schedule 2 to 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 references 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)

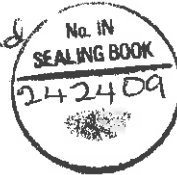
CALDERDALE was hereunto affixed)

on the 26th August 2016)

in the presence of: - *J. L. Houshmand*

J. L. HOUSHMAND

PRINCIPAL SOLICITOR
Authorised Officer



Schedule

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying Persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and address (3)			
		Freehold owners or reputed freehold owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers

1	<p>All interests in 455 square metres of land at Dryclough Lane and Huddersfield Road Halifax being part of The Calderdale Royal Hospital Huddersfield Road Halifax HX3 0PW and any structures and buildings thereon</p>	<p>Calderdale and Huddersfield NHS Foundation Trust Huddersfield Royal Infirmary Acre Street Lindley Huddersfield HD3 3EA and c/o Hempsons Solicitors The Exchange Station Parade Harrogate HG1 1DY</p>	<p>Calderdale Hospital SPC Limited (Company Number 3524906) 3rd Floor The Venus 1 Old Park Lane Trafford Manchester M41 7HG And also of Adamson House Towers Business Park Wilmslow Road Manchester M20 2YY Calderdale & Huddersfield NHS Foundation Trust Huddersfield Royal Infirmary Acre Street Lindley Huddersfield HD3 3EA</p>	-	<p>Calderdale and Huddersfield NHS Foundation Trust Huddersfield Royal Infirmary Acre Street Lindley Huddersfield HD3 3EA and c/o Hempsons Solicitors The Exchange Station Parade Harrogate HG1 1DY</p>
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2	All interests in 24 square metres of land forming part of the railway bridge on Huddersfield Road (A629) Halifax to a depth of 1 metre below the existing road level	Network Rail Infrastructure Limited (Company Number 02904587) 1 Eversholt Street London NW1 2AN	-	-	Network Rail Infrastructure Limited (Company Number 02904587) 1 Eversholt Street London NW1 2AN
3	All interests in 57 square metres of land comprising hard standing on the south side of Huddersfield Road Halifax and any structures thereon	M Hillas (Properties) Limited (Company Number 4108990) Thorn Tree Farm Brighouse and Denholme Road Northowram Halifax West Yorkshire HX3 7TF	-	-	M Hillas (Properties) Limited (Company Number 4108990) Thorn Tree Farm Brighouse and Denholme Road Northowram Halifax West Yorkshire HX3 7TF
4	All interests in 48 square metres of land comprising hard standing to the east of 308 Huddersfield Road, Halifax, HX3 0QX	Daniel Alexander Shackleton 10a Hollins Mill Lane Sowerby Bridge HX6 2QG	-	-	Daniel Alexander Shackleton 10a Hollins Mill Lane Sowerby Bridge HX6 2QG

5	<p>All interests in 54 square metres of land and buildings at 308 Huddersfield Road, Halifax, HX3 0QX</p>	<p>Daniel Alexander Shackleton 10a Hollins Mill Lane Sowerby Bridge HX6 2QG</p>	-	<p>White Rose Dental Equipment Services Limited (Company Number 07614317) 15 Romsey Close Huddersfield HG3 3GU</p>	<p>White Rose Dental Equipment Services Limited (Company Number 07614317) 15 Romsey Close Huddersfield HG3 3GU</p> <p>J Broadhead 14 Ryan Grove Keighley BD22 6QA</p> <p>Jordan Smith 15 Romsey Close Huddersfield HD3 3GU</p>
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6	All interests in 50 square metres of land and buildings at 308A Huddersfield Road, Halifax, HX3 0QX	Daniel Alexander Shackleton 10a Hollins Mill Lane Sowerby Bridge HX6 2QG	Jia Qing Shi (also known as Jia Qing) (New Tin Tin Chinese Takeaway) 26 Stokoe Avenue Altrincham Cheshire WA14 4LF Also of 308a Huddersfield Road Halifax West Yorkshire HX3 0QX	-	Jia Qing Shi (also known as Jia Qing) (New Tin Tin Chinese Takeaway) 26 Stokoe Avenue Altrincham Cheshire WA14 4LF Also of 308a Huddersfield Road Halifax West Yorkshire HX3 0QX
7	All interests in 52 square metres of land and buildings at 308B and 308C Huddersfield Road, Halifax, HX3 0QX	Daniel Shackleton 10a Hollins Mill Lane Sowerby Bridge HX6 2QG	-	Claire Rodgers 31 Ing Head Terrace Shelf Halifax HX3 7LB	Claire Rodgers 31 Ing Head Terrace Shelf Halifax HX3 7LB

8	All interests in 65 square metres of land forming part of the forecourt of The Funeral Parlour (the former Falcon Inn) 310 Salterhebble Hill Halifax HX3 0QT and any structures thereon	Amanda Dalby Property Services Limited (Company Number 07258047) The Falcon Inn 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT	Amanda Jane Dalby 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT	-	<p>Amanda Dalby Property Services Limited (Company Number 07258047) The Falcon Inn 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT</p> <p>Amanda Jane Dalby 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT</p> <p>Amanda Dalby Funeral Services Limited (Company Number 08911192) 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT</p>
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9	<p>All interests in 19 square metres of land forming part of the forecourt of land adjoining The Funeral Parlour (the former Falcon Inn) 310 Salterhebble Hill Halifax HX3 0QT and any structures thereon</p>	<p>Amanda Dalby Property Services Limited (Company Number 07258047) The Falcon Inn 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT</p>	<p>Amanda Jane Dalby 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT</p>	<p>-</p>	<p>Amanda Dalby Property Services Limited (Company Number 07258047) The Falcon Inn 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT</p> <p>Amanda Jane Dalby 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT</p> <p>Amanda Dalby Funeral Services Limited (Company Number 08911192) 310 Salterhebble Hill Halifax West Yorkshire HX3 0QT</p>
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10	All interests in 670 square metres of land on the west side of Salterhebble Hill Halifax and any structures and buildings thereon excluding any mines and minerals	Richard Morton Pearson, Sally Amanda Westin and AJ Bell Trustees Limited (Company Number 3213118) Trafford House Chester Road Manchester M32 0RS as Trustees of the Pearson Bros. (Engravers) Limited Self Administered Retirement and Death Benefit Scheme	-	-	Richard Morton Pearson, Sally Amanda Westin and AJ Bell Trustees Limited (Company Number 3213118) Trafford House Chester Road Manchester M32 0RS as Trustees of the Pearson Bros. (Engravers) Limited Self Administered Retirement and Death Benefit Scheme Pearson Brothers (Engravers) Ltd Chapel Lane Halifax West Yorkshire HX3 0QN
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11	<p>New rights for the Acquiring Authority and its successors in title and those authorised by it to enter on and use 690 square metres of land on the west side of Salterhebble Hill Halifax and any structures and buildings thereon to install maintain repair replace and use ground anchors for a green retaining wall structure</p>	<p>Richard Morton Pearson, Sally Amanda Westin and AJ Bell Trustees Limited (Company Number 3213118) Trafford House Chester Road Manchester M32 0RS as Trustees of the Pearson Bros. (Engravers) Limited Self Administered Retirement and Death Benefit Scheme</p>	-	<p>Richard Morton Pearson, Sally Amanda Westin and AJ Bell Trustees Limited (Company Number 3213118) Trafford House Chester Road Manchester M32 0RS as Trustees of the Pearson Bros. (Engravers) Limited Self Administered Retirement and Death Benefit Scheme</p> <p>Pearson Brothers (Engravers) Ltd Chapel Lane Halifax West Yorkshire HX3 0QN</p>
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12	All interests in 55 square metres of land at 336 Salterhebble Hill Halifax, HX3 0QT and any structures and buildings thereon	Richard Morton Pearson, Sally Amanda Westin and AJ Bell Trustees Limited (Company Number 3213118) Trafford House Chester Road Manchester M32 0RS as Trustees of the Pearson Bros. (Engravers) Limited Self Administered Retirement and Death Benefit Scheme	Three Way Solutions Limited (Company Number 03484467) 336 – 338 Salterhebble Hill Halifax West Yorkshire HX3 0QT		Three Way Solutions Limited (Company Number 03484467) 336 – 338 Salterhebble Hill Halifax West Yorkshire HX3 0QT
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Table 2

Number on map	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981	Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2
(4)	(5)	(6)
Name and Address	Description of interest to be acquired	Name and Address Description of the land for which the person in adjoining column is likely to make a claim
1	-	<p>Virgin Media Limited (Company Number 02591237) Media House Bartley Wood Business Park Hook Hampshire RG27 9UP</p> <p>British Telecommunications plc (Company Number 01800000) of 81 Newgate Street London EC1A 7AJ</p> <p>Wayleave agreement for cabling</p> <p>Rights in respect of telecommunications lines, cables, conduits, apparatus and facilities</p>

2	-	-	-	Unknown	Any prescriptive rights of adjoining owners to maintain and use the land
3	Paragon Mortgages Limited (Company Number 2337854) St Catherine's Court Herbert Road Solihull West Midlands B91 3QE And also of 51 Homer Road Solihull West Midlands B91 3QJ Paragon Mortgages Limited (Company Number 2337854) St Catherine's Court Herbert Road Solihull West Midlands B91 3QE And also of 51 Homer Road Solihull	Registered Charge dated 11 May 2007	Restriction: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 11 May 2007 in favour of Paragon Mortgages Limited referred to in the Charges Register	Unknown Daniel Alexander Shackleton of 10a Hollins Mill Lane Sowerby Bridge HX6 2QG as owner of the shops numbered 308a, 308b and 308c Huddersfield Road	Restrictive covenant relating to the use of land and buildings on the south side of Huddersfield Road Halifax not at any time to erect or permit to be erected any building or obstruction on such proportion of the property conveyed as at the time of the Conveyance consisted of an open yard. (Conveyance 7 December 1963) Restrictive covenant relating to the use of land and buildings on the south side of Huddersfield Road Halifax not at any time to erect or permit to be erected any building or obstruction on such proportion of the property conveyed as at the time of the Conveyance consisted of an open yard. (Conveyance 7 December 1963)

West Midlands
B91 3QJ

Unknown

Rights for the owners and occupiers of three cottages known as numbers 1, 2 and 5 Falcon Square at all times and for all purposes to pass and repass on foot over such proportion of the easterly and north-easterly side of the property conveyed as consisted of open yards and steps. (Conveyance dated 7 December 1963)

Unknown

Right for owners and occupiers of garage or store room adjoining or below number 308 Salterhebble Hill with or without vehicles at all times and for all purposes to pass and repass over such part of the open yard to the west of the garage or store room benefiting from the right as was conveyed. (Conveyance dated 7 December 1963)

4	<p>Lloyds Bank PLC (Company Number 2065) Dept. No. 9376 Pendeford Securities Centre Pendeford Business Park Wobaston Road Wolverhampton WV9 5HZ</p>	<p>Registered Charge dated 19 December 2014</p>	-	-
	<p>And also of 25 Gresham Street London EC2V 7HN</p>			
	<p>Lloyds Bank PLC (Company Number 2065) Dept. No. 9376 Pendeford Securities Centre Pendeford Business Park Wobaston Road Wolverhampton WV9 5HZ</p>	<p>Restriction: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 19 December 2014 in favour of Lloyds Bank PLC referred to in the Charges Register</p>		
	<p>And also of 25 Gresham Street London EC2V 7HN</p>			

5	<p>Lloyds Bank PLC (Company Number 2065) Dept. No. 9376 Pendeford Securities Centre Pendeford Business Park Wobaston Road Wolverhampton WV9 5HZ</p> <p>And also of</p> <p>25 Gresham Street London EC2V 7HN</p>	<p>Registered Charge dated 19 December 2014</p>		
	<p>Lloyds Bank PLC (Company Number 2065) Dept. No. 9376 Pendeford Securities Centre Pendeford Business Park Wobaston Road Wolverhampton WV9 5HZ</p> <p>And also of</p> <p>25 Gresham Street London EC2V 7HN</p>	<p>Restriction: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 19 December 2014 in favour of Lloyds Bank PLC referred to in the Charges Register</p>		

6	<p>Lloyds Bank PLC (Company Number 2065) Dept. No. 9376 Pendeford Securities Centre Pendeford Business Park Wobaston Road Wolverhampton WV9 5HZ</p> <p>And also of</p> <p>25 Gresham Street London EC2V 7HN</p>	<p>Registered Charge dated 19 December 2014</p>	<p>Daniel Alexander Shackleton of 10a Hollins Mill Lane Sowerby Bridge HX6 2QG as landlord</p>	<p>Rights reserved in lease of lock up shop and basement situate and known as number 308A Huddersfield Road Halifax West Yorkshire for benefit of other parts of the landlord's property and neighbouring or adjacent land or buildings to run services and access to repair and maintain the service media. (Lease dated 2 June 2011)</p>
<p>Lloyds Bank PLC (Company Number 2065) Dept. No. 9376 Pendeford Securities Centre Pendeford Business Park Wobaston Road Wolverhampton WV9 5HZ</p> <p>And also of</p> <p>25 Gresham Street London EC2V 7HN</p>	<p>Restriction: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 19 December 2014 in favour of Lloyds Bank PLC referred to in the Charges Register</p>	<p>Unknown</p>	<p>Rights reserved in lease of lock up shop and basement situate and known as number 308A Huddersfield Road Halifax West Yorkshire for benefit of other parts of the landlord's property and neighbouring or adjacent land or buildings to run services and access to repair and maintain the service media. (Lease dated 2 June 2011)</p>	

7	<p>Lloyds Bank PLC (Company Number 2065) Dept. No. 9376 Pendeford Securities Centre Pendeford Business Park Wobaston Road Wolverhampton WV9 5HZ</p>	Legal Charge dated 4 June 2013	-	-
	<p>And also of</p>			
	<p>25 Gresham Street London EC2V 7HN</p>			
	<p>Lloyds Bank PLC (Company Number 2065) Dept. No. 9376 Pendeford Securities Centre</p>	<p>Restriction: no disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, needs to be registered without a written consent signed by the proprietor for the time being of the Charge dated 4 June 2013 in favour of Lloyds Bank Plc referred to in the Charges Register.</p>		
	<p>Pendeford Business Park Wobaston Road Wolverhampton WV9 5HZ</p>			
	<p>And also of</p>			
	<p>25 Gresham Street London EC2V 7HN</p>			

8	<p>Barclays Bank PLC (Company Number 1026167) UK Banking Service Centre PO Box 299 Birmingham B1 3PF</p> <p>And also of</p> <p>1 Churchill Place London E14 5HP</p>	Registered Charge dated 16 August 2010	-	-
9	<p>Barclays Bank PLC (Company Number 1026167) UK Banking Service Centre PO Box 299 Birmingham B1 3PF</p> <p>And also of</p> <p>1 Churchill Place London E14 5HP</p>	Registered Charge dated 16 August 2010	<p>Unknown persons being the owner or owners lessees or tenants of the adjoining or neighbouring property at the date of the transfer or formerly of The Borough Council of Calderdale as transferor and any public utility company but excluding those interests already owned by the Acquiring Authority. (Transfer dated 13 February 2002)</p>	<p>Rights of passage and running of services and rights of entry to inspect repair and maintain service and conducting media; all rights of water light drainage and air and other easements or quasi-easements of any kind in under or over the property as used or enjoyed as at the date of the Transfer and rights to enter to construct install inspect repair renew maintain and remove service and conducting media. (Transfer dated 13 February 2002)</p>

10	-	-	Unknown	Restriction: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court
11	-	-	Unknown	Restriction: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court
12	Unknown	All reservations rights and easements existing at the date of the conveyance and subject to which the property was conveyed. (Conveyance dated 31 May 1968)	Unknown	Restriction: Except under an order of the registrar no disposition by the proprietor of the land is to be registered unless a certificate signed by the secretary, solicitor or a director thereof has been furnished that such disposition has been made in accordance with the provisions of a Trust Deed dated 27 April 1989 of Pearson Bros. (Engravers) Limited Pension Fund and all existing and future deeds amending or extending the same
			Unknown	Restriction: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court

			<p>Richard Morton Pearson, Sally Amanda Westin and AJ Bell Trustees Limited (Company Number 3213118) Trafford House Chester Road Manchester M32 0RS as Trustees of the Pearson Bros. (Engravers) Limited Self Administered Retirement and Death Benefit Scheme (as landlord)</p> <p>Unknown</p> <p>Pearson Bros. Properties Limited (Company Number 3045274)</p>	<p>court</p> <p>Rights reserved by lease of 336 – 338 Huddersfield Road Salterhebble Halifax being all of the rights excepted reserved and granted by the lease including rights to enter to repair, maintain or replace any service media or structure relating to any of the reservations and for any other purpose connected with the lease, the reservations and the landlord's interest in the property. (Lease dated 14 April 2011)</p> <p>Third Party rights (being all rights covenants and restrictions affecting the property) subject to which leasehold land at 336 – 338 Huddersfield Road Salterhebble Halifax was demised. (Lease dated 14 April 2011)</p> <p>Unrestricted right of way and passage over and along and drainage under the passaging yard at the side and rear of the property at 336-338 Huddersfield</p>
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		<p>The Engraving Works Chapel Lane Salterhebble Halifax HX3 0QN (as owners of leasehold interest in 340 Salterhebble Hill Halifax)</p> <p>Three Way Solutions Limited (Company Number 03484467) 336 - 338 Salterhebble Hill Halifax West Yorkshire HX3 0QT (as tenants of 340 Salterhebble Hill Halifax)</p> <p>Richard Pearson and Sally Amanda Westin care of The Engraving Works Chapel Lane Halifax HX3 0QN and A J Bell Trustees Limited (Company Number</p>	<p>Road Salterhebble Halifax and right of vehicular access for 340 Salterhebble Hill Halifax</p> <p>Unrestricted right of way and passage over and along and drainage under the passaging yard at the side and rear of the property at 336-338 Huddersfield Road Salterhebble Halifax and right of vehicular access for 340 Salterhebble Hill Halifax</p> <p>Unrestricted right of way and passage over and along and drainage under the passaging yard at the side and rear of the property at 336-338 Huddersfield Road Salterhebble Halifax and right of vehicular access for 340 Salterhebble Hill Halifax</p> <p>Unrestricted right of way and passage over and along and drainage under the passaging yard at the side and rear of the property at 336-338 Huddersfield Road Salterhebble Halifax and right of vehicular access for 340 Salterhebble Hill Halifax</p>
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			<p>03091664) of Trafford House Chester Road Stretford Manchester M32 0RS as Trustees of the Pearson Bros (Engravers) Limited Self Administered Retirement and Death Benefit Scheme (as mortgagees of 340 Salterhebble Hill Halifax pursuant to a registered charge dated 7 March 2013) Charles Hudson and Thomas Lister (as freeholders of 340 Salterhebble Hill Halifax)</p>		
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