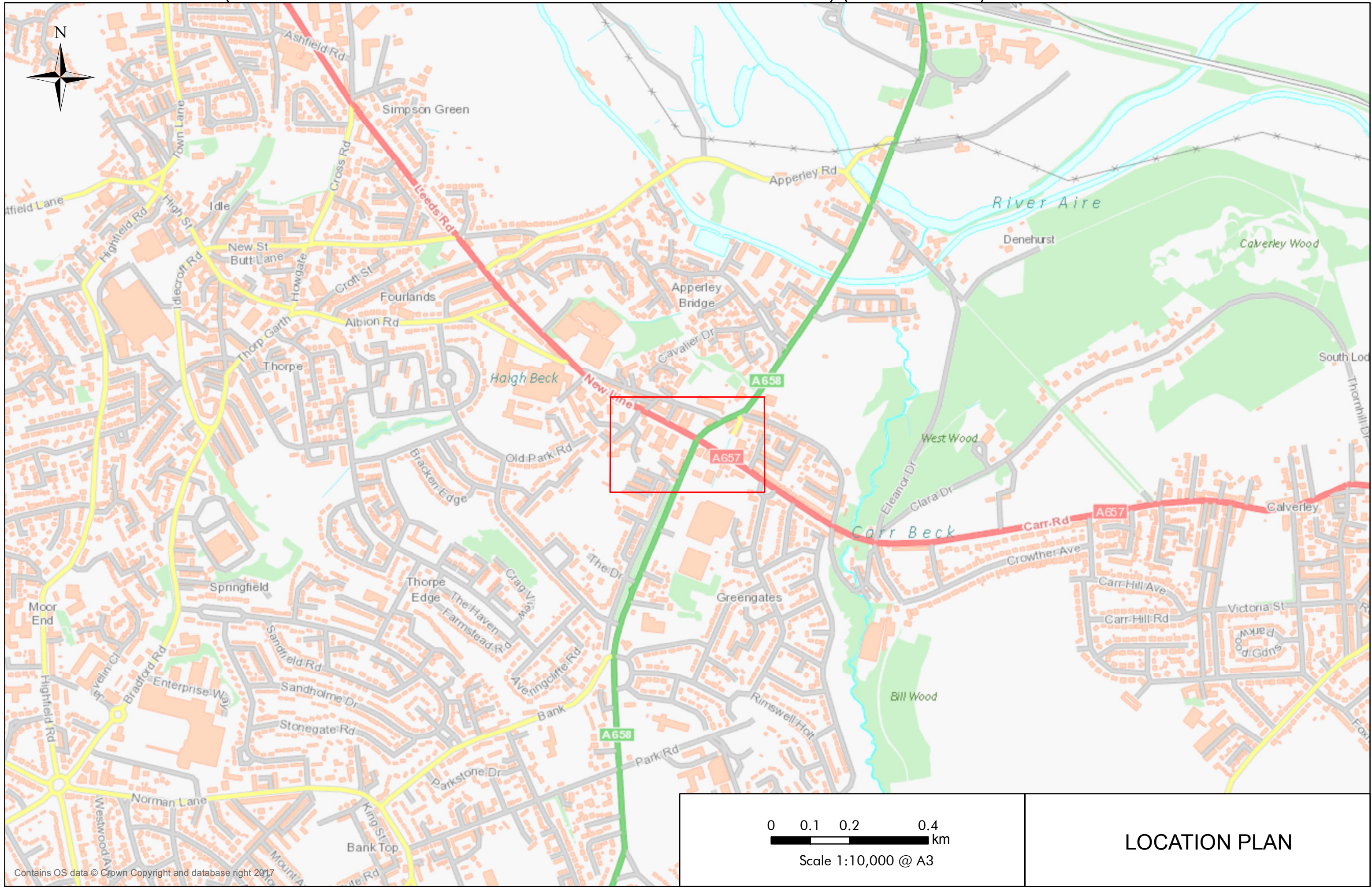


APPENDICES

Appendix 1 – Location Plan



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0 0.1 0.2 0.4 km
Scale 1:10,000 @ A3

LOCATION PLAN

Appendix 2 - CPO Order Map

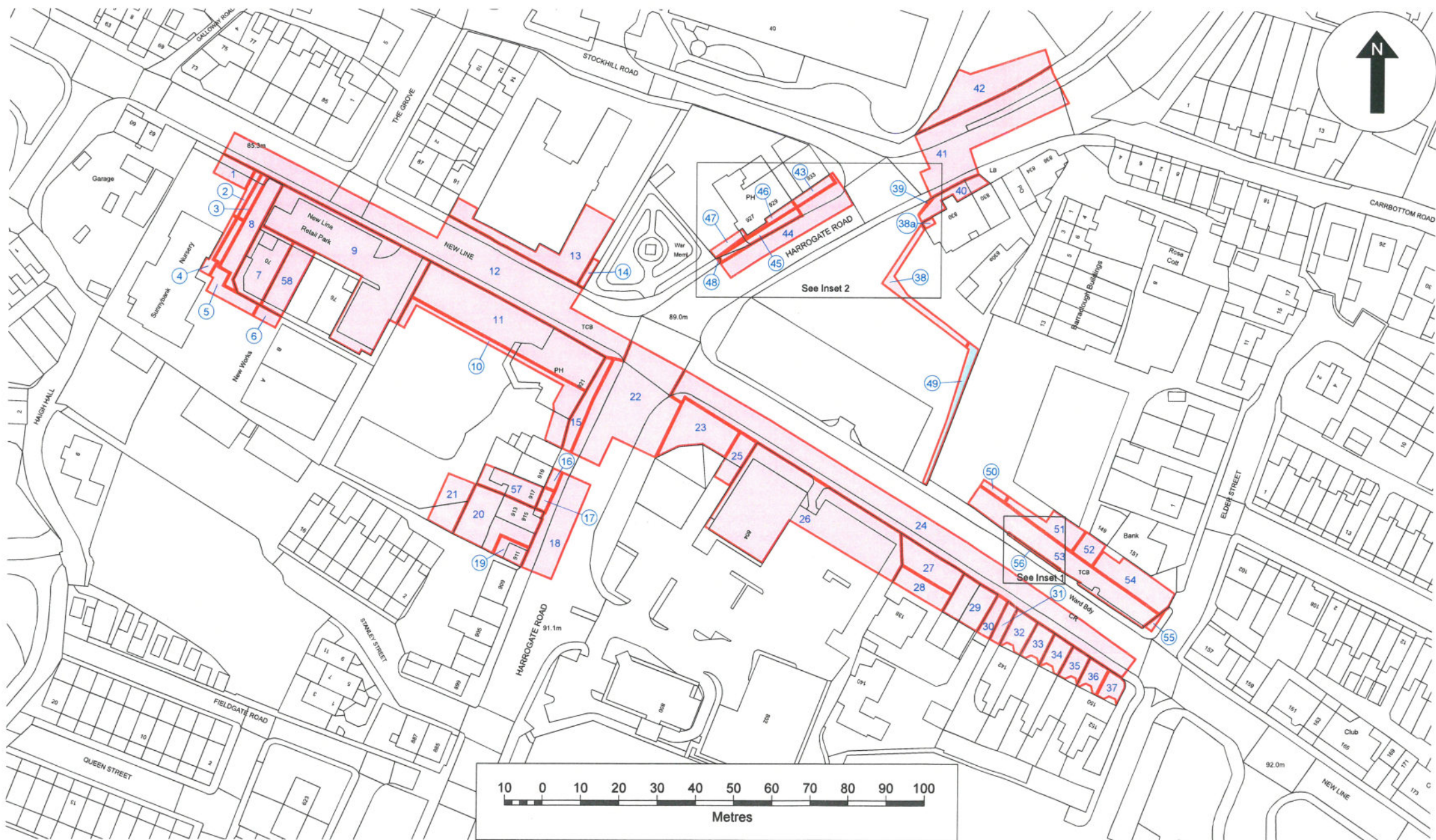
Map referred to in The City of Bradford Metropolitan District Council (Harrogate Road/New Line Junction Improvement Scheme) Compulsory Purchase Order 2017



Executed as a DEED by affixing the
COMMON SEAL of THE CITY OF BRADFORD
METROPOLITAN DISTRICT COUNCIL
in the presence of:-

City Solicitor: *[Signature]*

Dated 21st December 2017



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| Ver | Date | Comments | Drm | Chk | App |
|-----|------------|----------|-----|-----|-----|
| 0.3 | 17/05/2017 | | CED | SAN | TPR |
| 1.0 | 03/08/2017 | | JHO | SAN | AME |
| 2.0 | 13/09/2017 | | JHO | SAN | TPR |
| 3.0 | 01/11/2017 | | JHO | SAN | TPR |

Business Unit: Land Referencing Status: Final

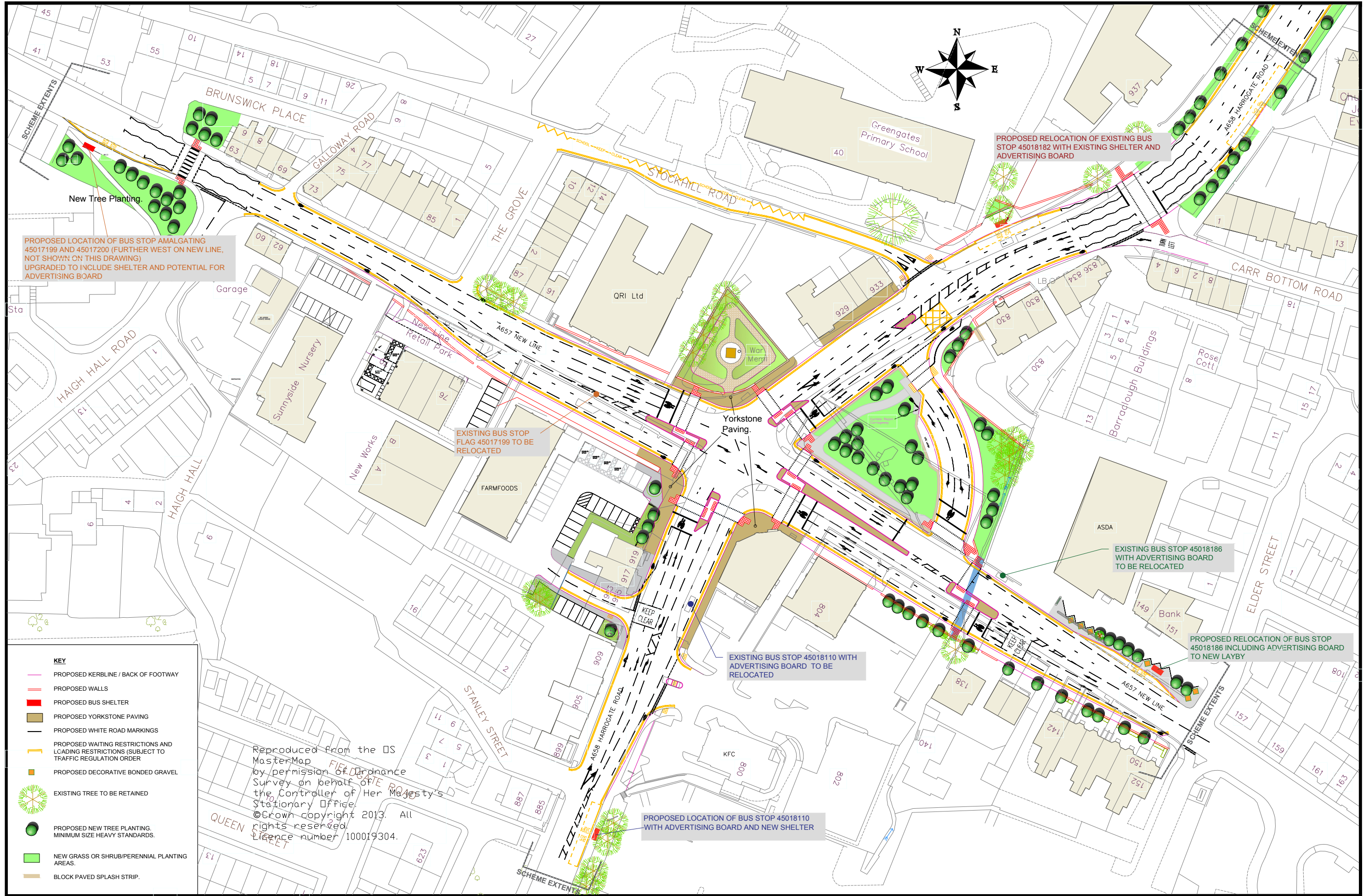
| Approved By | Date Approved | Checked By | Date Checked | Drawn By | Date Drawn |
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| TPR | 14/11/2017 | SAN | 14/11/2017 | JHO | 14/11/2017 |

Title: Map referred to in The City of Bradford
Metropolitan District Council
(Harrogate Road/New Line
Junction Improvement Scheme)
Compulsory Purchase Order 2017

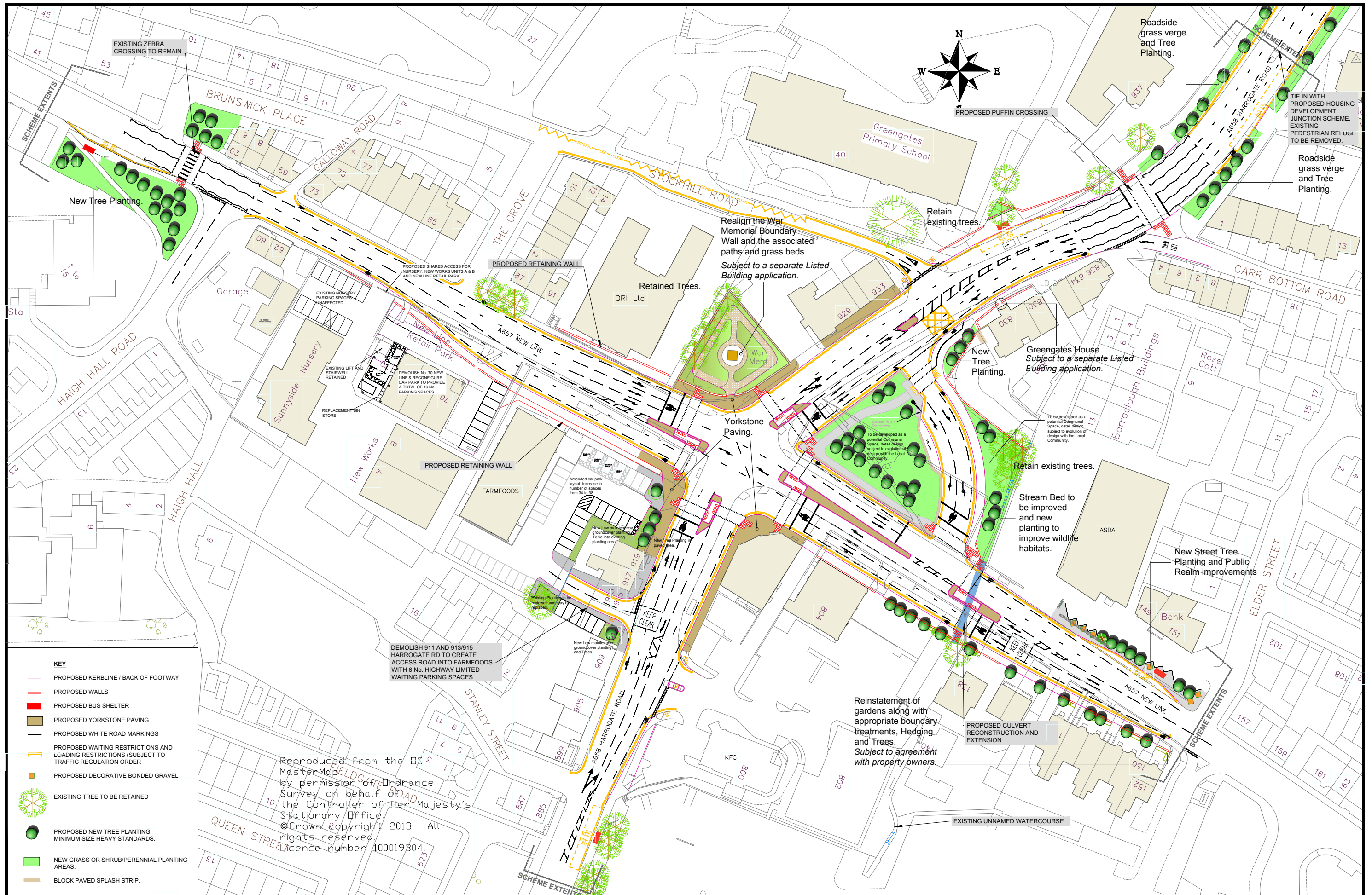
Date of Issue: 14/11/2017 Project Code: 0001-7742 Scale: 1:1,250 @A3

Drawing Reference: 0001-7742/000230 Version: 4.0

Appendix 3 – Replacement Bus Stop/Shelter Location Plan



Appendix 4 – Scheme Engineering Drawing Plan



Appendix 5 – Scheme Negotiations

Appendix 5 – Scheme Negotiations

1. Plots 1, 2, 3, 4, 5, 6 and 8 – Land at Sunnyside Day Nursery and Play Centre, and New Works Industrial Units

- 1.1 These Plots comprise part of a car park occupied by Sunnyside Day Nursery and Play Centre, and a shared driveway which is used to access the Nursery and Play Centre and two industrial units (known as New Works Unit A & Unit B). All three properties are held under one ownership although are let to three separate businesses.
- 1.2 Part of the land is required in order to set back the boundary wall due to the widened highway, together with essential working space. The remaining part (the driveway) is required to provide an essential new entrance to the adjacent property, the New Line Retail Park. The Council is seeking to negotiate a permanent right of access over the driveway area together with a licence to occupy land temporarily for working space.
- 1.3 The owners and occupiers of this Plot have been contacted to open up negotiations and several meetings have taken place. The owner has appointed a surveyor to take forward negotiations and these are on-going.

2. Plot 7 – Units Nos. 70 and 70A New Line Retail Park

- 2.1 This Plot comprises two retail units at ground and first floor. The ground floor unit (No. 70 New Line) is fitted out as a ‘fish and chip’ shop and is let to an occupier who is not currently trading. The property is included in the Order to facilitate essential accommodation works which are required to provide replacement car parking spaces.
- 2.2 Set out at **Appendix 9** are details of the alternative options that have been considered by the Council in endeavouring to provide replacement retail vehicular parking at the New Line Retail Park.
- 2.3 The first floor unit (No. 70A New Line) forms part of a double restaurant unit which is trading as ‘Bhajis ‘n’ Beer’. It is included in the Order to enable access for structural alterations which are required to facilitate the works in the ground floor unit, including works to make-good the property. The Council is seeking to agree a licence to occupy the first floor unit for these purposes.
- 2.4 The owner and occupiers of this Plot have been contacted to open negotiations. The owner of the Retail Park has appointed a surveyor to take forward negotiations in relation to the acquisition of the land and a meeting has taken place. Discussions are on-going.
- 2.6 A structural survey has been undertaken to test the structural fabric and integrity of the impact the demolition of the “fish and chip” shop might have on the remaining parts of the Retail Park building.
- 2.7 The survey proved that the proposed works are feasible in terms of practicality and safety, both in the long term and short term, in relation to the remaining Retail Park building.

3. Plot 9 – Land at New Line, New Line Retail Park

- 3.1 This Plot comprises a boundary wall, part of a retaining wall and part of a car park fronting New Line Retail Park. Part of this Plot is required to facilitate the road widening; the remainder is required for essential accommodation works to replace the boundary wall, undertake modifications to the car park, works to car park drainage, provision of a new means of access and works to the retaining wall and the Council is seeking to negotiate a licence over the land required for essential accommodation works.
- 3.2 The owners and occupiers of this Plot have been contacted to open negotiations. The owner has appointed a surveyor to take forward negotiations in relation to the acquisition of the land and a meeting has taken place. Negotiations are on-going. One of the occupiers, Sriven Services Ltd trading as “Subway” has objected to the Order. Details of the objection and the Council’s summary response are included at Appendix 12. A meeting has taken place to discuss the objection in more detail and the Council will continue discussions to see if it is possible to resolve the objector’s concerns prior to the Public Inquiry.

4. Plots 10 & 21– Land at “Farmfoods Supermarket”, No. 921 Harrogate Road

- 4.1 These Plots comprise part of a car park adjoining supermarket premises. A small ‘triangle’ of land is required for the Scheme to improve sightlines at the junction mouth. The remainder of land is included in the Order for essential working space to facilitate the construction of a retaining wall, parapet wall, construction of a new vehicular entrance and modifications to the car park and the Council is seeking to negotiate a licence for this purpose.
- 4.2 The owners and occupiers of this Plot have been contacted to open up negotiations. An offer has been made and negotiations are on-going.

5. Plot 13 – Land fronting No. 40 Stockhill Road (QRI Ltd)

- 5.1 This Plot comprises landscaping and car parking land which fronts office premises at QRI Ltd. The Council have an Option to acquire some of this land and the acquisition is proceeding. Nevertheless the land is in the CPO Order to ensure rights of access can be obtained to additional land in order to carry out essential accommodation works comprising the removal of an existing retaining wall, construction of a replacement retaining wall, regrading and resurfacing of the car park and works to drainage and the Council is seeking to negotiate a licence for this purpose although the acquisition of the land is proceeding.

6. Plot 14 – Public Footpath

- 6.1 This Plot contains a public footpath which is adjacent to No. 40 Stockhill Road and the listed War Memorial. The footpath runs from New Line to Stockhill Road. The footpath is owned by the Council but is included in the Order in the event that the use of compulsory purchase powers may be needed, should there be any encumbrances which might otherwise fetter and frustrate the implementation and completion of the Scheme.

7. Plot 15 – Land fronting “Farmfoods Supermarket”, No. 921 Harrogate Road

7.1 This Plot comprises unregistered footway fronting Farmfoods Supermarket which is unregistered at HM Land Registry. It is included in the Order to acquire any unknown interests.

8. Plot 16 – Land fronting No. 919 Harrogate Road

8.1 This Plot comprises frontage pavement land which has a reputed owner. This Plot is required in its entirety to facilitate the widened road.

8.2 The reputed owner has been contacted to open negotiations.

9. Plot 17 & 57 – Land fronting No. 917 Harrogate Road

9.1 These Plots comprise a three storey retail shop together with frontage pavement land. The pavement land is required in its entirety to facilitate the widened road. The remainder of the property is included in the CPO Order to facilitate essential accommodation works including building works, weatherproofing the property and making good the existing party wall/roof and the Council is seeking to negotiate a licence over this land for these purposes.

9.2 The owner of this Plot has been contacted to open up negotiations and an offer has been made.

10. Plot 19 – No. 911 Harrogate Road

10.1 This Plot comprises a single storey shop comprising ground floor retail premises. The Plot is required in its entirety to facilitate an essential new access to Farmfoods Supermarket.

10.2 The owner has appointed a surveyor to take forward negotiations and an offer has been made. The owner has objected to the Order. Details of the objection and the Council’s summary response is set out in Appendix 11. The Council has invited the owner (via his agent) to a meeting in order to discuss the objection in more detail however this invitation has been declined. Negotiations with the owner’s agent are nevertheless continuing and the Council will make every effort to see if it is possible to resolve the owner’s objection.

10.3 The occupier has also been contacted to open negotiations and an Agreement has been entered into which has facilitated the early relocation of the business to new premises and the agreement of compensation.

11 Plot 20 – Nos. 913/915 & 915a Harrogate Road

11.1 This Plot comprises a three storey shop comprising ground floor retail premises and an upper storey residential flat adjacent driveway and rear garden area. The Plot is required in its entirety to facilitate an essential new access to Farmfoods Supermarket store.

11.2 The freehold interest in this property has now been acquired by the Council.

11.3 The occupier has objected to the Order. Details of the objection and the Council's summary response is set out in Appendix 13. A meeting has taken place with the Objector and discussions are On-going to see if it is possible to resolve the objection.

12. Plot 23 - Land fronting Nos. 122-124 New Line

12.1 The Plot comprises pavement land fronting retail premises. The Plot is required in its entirety to facilitate the widened road.

12.2 The owner has appointed a surveyor to take forward negotiations and an offer has been made. Negotiations are on-going.

13. Plot 25 – Driveway land adjacent to Nos. 122-124 New Line

13.1 This Plot comprises driveway which leads to the rear car park of the above properties. The Plot is required in its entirety to facilitate the widened road. The acquisition is being dealt with alongside Plot 23 above.

14. Plot 26 – No. 804 Harrogate Road

14.1 This Plot is part of a large vacant retail building and adjacent car park premises. Part of the Plot is required to facilitate the widened road and part is required for essential working space and for this purpose, the Council is seeking to negotiate a licence over the land.

14.2 The owner has appointed a surveyor and terms are being negotiated to facilitate the acquisition of the land together with works to reduce the size of the building. Nevertheless the entire building is included in the CPO Order as a precaution should the Council be required to step-in and complete the proposed building reduction works or acquire the property in its entirety if, for whatever reason, this cannot be undertaken safely without the timescales required.

14.3 The owner has objected to the Order. Details of the objection and the Council's summary response is included in Appendix 10. A meeting has taken place with the owner and terms are being negotiated to facilitate a Compensation Agreement and an Implementation Agreement which will enable the owner to commence building reduction works. These negotiations are on-going and the Council will continue to work towards reaching a mutually agreeable solution which should facilitate the removal of this objection.

15 Plots 27 and 28 – No. 138 New Line

15.1 These Plots comprise part of a driveway which is used to access a residential property. The Plots are required to facilitate the widened road and for essential working space. Plot 27 has been acquired by the Council although is included in the Order to acquire rights of access, which were retained by the previous owner. Plot 28 is included in the Order for essential working space and for this purpose the Council is seeking to negotiate a licence over Plot 28.

15.2 An agreement has been reached with the owner to permit the Council to exercise temporary rights of access required for Plot 28 and the extinguishment of rights of access relating to Plot 27.

16 Plot 29 – Nos. 138a & 138b New Line

16.1 This Plot comprises driveway which is used to access two residential properties. The Plot is required to facilitate the widened road and for essential working space. The Plot has been acquired by the Council although is included in the Order to acquire rights of access.

17 Plot 30 – No. 140 New Line

17.1 This Plot comprises part of a driveway which is used to access a residential property. The Plot is required to facilitate the widened road and for essential working space and for this purpose, the Council is seeking to negotiate a licence over the land.

17.2 The owners have appointed a surveyor to take forward negotiations and an offer has been made. The owners have objected to the Order. Details of the objection and the Council's summary response is included at Appendix 15. A meeting has taken place with the owners and terms of an agreement which should hopefully facilitate the removal of this objection are being negotiated. The Council will make every effort to continue negotiations to see if a mutually agreeable outcome can be achieved.

18 Plot 31 – Land between Nos. 140 and 142 New Line

18.1 This Plot comprises part of a driveway which is used to access the rear parking areas of adjacent residential properties. The Plot is required to facilitate the widened road and for essential working space.

18.2 The land is being dealt with alongside Plot 32 below.

19 Plot 32 – Land fronting No. 142 New Line

19.1 This Plot comprises a boundary wall, gated pedestrian private means of access and garden land which fronts a residential property. The Plot is required to facilitate the widened road and for essential working space to construct the boundary wall/gate and accommodation works to the garden and for this purpose, the Council is seeking to negotiate a licence over the land.

19.2 The owner has appointed a surveyor to take forward negotiations and an offer has been made. Negotiations are on-going.

20 Plot No. 33 – Land fronting No. 144 New Line

20.1 This Plot comprises a boundary wall, gated pedestrian private means of access and garden land which fronts a residential property. The Plot is required to facilitate the widened road and for essential working space to construct the boundary wall/gate and accommodation works to the garden and for this purpose, the Council is seeking to negotiate a licence over the land.

20.2 Contact has been made with the owner and an offer has been made. Negotiations are on-going.

21 Plot 34 – Land fronting No. 146 New Line

- 21.1 This Plot comprises a boundary wall, gated pedestrian private means of access and garden land which fronts a residential property. The Plot is required to facilitate the widened road and for essential working space to construct the boundary wall/gate and accommodation works to the garden and for this purpose, the Council is seeking to negotiate a licence over the land.
- 21.2 The owner has appointed a surveyor to take forward negotiations and an offer has been made. Negotiations continue.

22 Plot 35 – Land fronting No. 148 New Line

- 22.1 This Plot comprises a boundary wall, gated pedestrian private means of access and garden land which fronts a residential property. This Plot is required to facilitate the widened road and for essential working space to construct the boundary wall/gate and accommodation works to the garden. The Council is seeking to negotiate a licence over this latter land however it is included in the CPO Order because it is not possible to provide in a compulsory purchase order for the acquisition of temporary rights.
- 22.2 Terms have provisionally been agreed and the Council is trying to arrange a meeting to see if this acquisition can be progressed.

23 Plot 36 – Land fronting No. 150 New Line

- 23.1 This Plot comprises a boundary wall, gated pedestrian private means of access and garden land which fronts a residential property. The Plot is required to facilitate the widened road and for essential working space to construct the boundary wall/gate and accommodation works to the garden and for this purpose, the Council is seeking to negotiate a licence over the land.
- 23.2 Contact has been made with the owner and an offer has been made.

24 Plot 37 – Land fronting No. 150a New Line

- 24.1 This Plot comprises a boundary wall, gated pedestrian private means of access and garden land which fronts a residential property. The Plot is required to facilitate the widened road and for essential working space to construct the boundary wall/gate and accommodation works to the garden and for this purpose the Council is seeking to negotiate a licence over the land.
- 24.2 Terms have been agreed and the matter is proceeding.

25 Plots 38, 38a and 40 – Land fronting and to the rear of No. 830 Harrogate Road (Greengates House)

- 25.1 These Plots comprise a terrace/garden area which fronts office and residential premises, together with a small strip of rear garden land. The Plots are required to facilitate the widened road and for essential working space and for this purpose, the Council is seeking to negotiate a licence over the land.

25.2 The owner of the land has been contacted to open up discussions and a programme of accommodation works has been agreed. An interim agreement has been reached and the matter is proceeding.

26 Plot 42 – Land at Optegra Eye Hospital

26.1 This Plot comprises part of a car park area together with boundary wall. The Plot is required to facilitate the widened road, the realignment of the boundary wall and for essential working space and for this purpose the Council is seeking to negotiate a licence over the land.

26.2 The owner objected to the Order. Details of the objection and the Council's summary response is included in Appendix 14. A meeting has taken place with the owner and discussions will continue to see if it is possible to resolve this objection prior to the public Inquiry.

27 Plot 43 – Land fronting Nos. 931/933 Harrogate Road

27.1 This Plot comprises frontage pavement land. The Plot is required in its entirety to facilitate the widened road.

27.2 Contact has been made with the purported owner and discussions are on-going.

28 Plots 46 and 47 – Land fronting Nos. 927/929 Harrogate Road

28.1 These Plots comprise frontage pavement land and an entrance area to private car park. This Plot is required in to facilitate the widened road and for essential adjustments to the car park entrance.

28.2 Contact has been made with the owner and discussions are on-going.

29 Plot 49 – Watercourse adjacent to No. 147 New Line

29.1 This Plot comprises a watercourse which lies adjacent to No. 147 New Line. The watercourse runs onwards to the north and south including underneath the highway of New Line. The land is required to carry out essential works to repair and improve the culvert. The land is included in the CPO Order due to unknown ownership and occupation.

30 Plots 50, 51, 52, 53, 54, 55 and 56 – Land fronting Nos. 147 – 151 New Line

30.1 These Plots comprise car park land fronting retail premises. Some of this land is not registered at HM Land Registry and included in the CPO Order due to the existence of occupiers whose identity or if known, whose whereabouts cannot traced. The land is included in the CPO Order to facilitate essential accommodation works which are required due to the relocation of a bus stop and shelter with new bus lay-by onto adjacent highway land and for this purpose the Council is seeking to negotiate a licence over the land.

30.2 Where possible, the owners and occupiers of the land have been contacted to open negotiations.

31. Plot 57 – 917 Harrogate Road

31.1 This plot is included in the Order for the construction of a new gable end in front of the party wall and making good/reinstatement of roof and boundary details for purposes connected to the demolition of adjacent property and creating of new highway.

31.2 Contact has been made with the Owner and an offer has been made.

32. Plot 58 - 72 and 72A New Line Retail Park

32.1 This plot is included in the CPO Order to facilitate essential accommodation works required to make good the boundary details, including construction of stonework facing on the existing internal wall, for purposes connected with the demolition of No. 70 New Line.

32.2 Discussions are on-going with the owner alongside those relating to plots 7 and 9. Contact has also been made with the occupiers of this plot.

**Appendix 6 – Land and Rights Acquired by the Council and/or
Terms Agreed in Advance of the Scheme**

Appendix 6 - Land and Rights Acquired by the Council and/or Terms Agreed in Advance of the Scheme

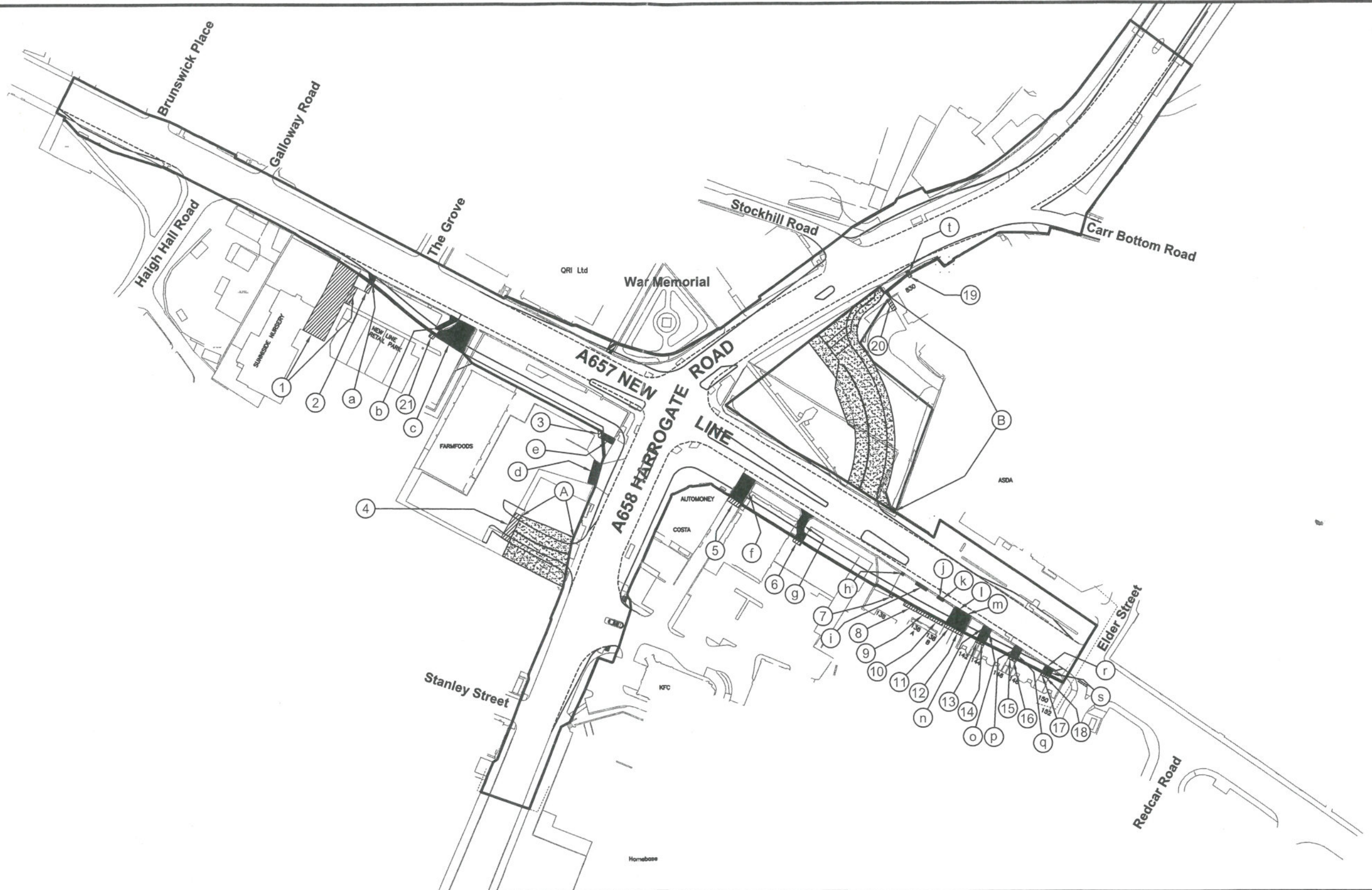
The following Plots have either been acquired by the Council and/or terms have been agreed for acquisition:-

- Plot 11 – Land adjacent to Farmfoods Supermarket (Freehold interest)
- Plot 13 – Land at No. 40 Stockhill Rd (Freehold interest)
- Plot 19 – No. 911 Harrogate Road (Leasehold interest)
- Plot 20 – Nos. 913/915 Harrogate Road (Freehold interest)
- Plots 27, 28, and 29 – Land fronting Nos. 138, 138a and 138b New Line (Freehold interest)
- Plot 35 - Land fronting No. 148 New Line (Freehold interest)
- Plot 37 – Land fronting No. 150A New Line (Freehold interest)
- Plots 38, 38a and 40 – Land fronting and to the rear of Greengates House, 800 Harrogate Road (Freehold interest)

Appendix 7 – Side Roads Order Plan

THE CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL
 (HARROGATE ROAD/NEW LINE JUNCTION IMPROVEMENTS) (SIDE ROADS) ORDER 2017

PLAN 7 - APPENDIX 7



SITE PLAN



(metres)
 Scale 1:1,250 (at A3)

Executed as a DEED by affixing the
 COMMON SEAL of the CITY OF BRADFORD
 METROPOLITAN DISTRICT COUNCIL
 this day of 2017 in the presence of:-

CITY SOLICITOR
 Authorised Signatory



PA-3002-HRNL-SRO-SP-R5

93553B

Appendix 8 – Summary Side Roads Order Highway Alterations

Appendix 8 – Summary Side Roads Order Highway Alterations

1. The Side Roads Order provisions relate to the Classified Roads of the A658 Harrogate Road and the A657 New Line, which the Council propose to improve at their crossroads junction.
2. The A658 Harrogate Road improvement will extend from a point 70 metres north east of its junction with Carr Bottom Road, south westwards to a point 25 metres south west of its junction with Stanley Street. The A657 New Line improvement will extend for a point 45 metres north west of its junction with Haigh Hall Road, south eastwards to its junction with Elder Street.

3. The Side Roads Order provisions

Stopping Up of Highways

4. A length of urban footpath, which extends north eastwards off the A657 New Line, running along the western side of the War Memorial Site, will be encroached upon by the A657 New Line improvement, its widening at this location, and be stopped up.
5. The footpath will continue to connect with the A657 New Line, set back on its improvement highway boundary.

New Highways

6. A new length of highway, a road, reference A in the Order, will be provided off the A568 Harrogate Road, leading into the south east corner of the site of the Farmfoods Store. The highway will have on highway parking bays provided along its south western side of its main carriageway. A new vehicular and pedestrian private means of access to the Farmfoods Store will be provided off its north west termination point.
7. A new length of highway, a road, reference B in the Order, will be provided from the junction of the improved A658 Harrogate Road to the junction of the improved A657 New Line, in the north east quadrant of the Junction. This road will provide a P-Loop arrangement, one-way southwards, catering for left and right turning movements from the Harrogate Road into New Line.

Stopping Up of Private Means of Access to Premises/New Private Means of Access to Premises

8. A number of pedestrian only, vehicular, or vehicular and pedestrian, Private Means of Access to Premises are to be stopped up off the existing A658 Harrogate Road or A657 New Line, where they are to be improved.
9. In each and every case, a new Private Means of Access to Premises is to be provided, either set back onto the improved highway boundary of Harrogate Road or New Line as the case may be, or in close proximity to where the existing Private Means of Access is located.

10. They are: -

| <i>Private Means of Access to be Stopped Up</i> | <i>New Means of Access</i> |
|--|--|
| Westerly pedestrian access from the A657 New Line to the New Line Retail Park (reference a). | A new pedestrian access to the New Line Retail Park, set back on the improved New Line boundary, at the location of the existing access. (reference 2) |
| Easterly pedestrian access from the A657 New Line to the New Line Retail Park (reference b). | A new pedestrian access to the New Line Retail Park, set back on the improved New Line boundary, at the location of the existing access. (reference 21) |
| Vehicular access from the A657 New Line to the New Line Retail Park (reference c). | A new vehicular and pedestrian access to the New Line Retail Park, shared with the existing access to the Sunnyside Nursery and New Works Units A and B (reference 1) |
| Vehicular access from the A658 Harrogate Road to Farmfoods (reference d). | A new vehicular and pedestrian access off new highway A, entering and exiting the Farmfoods site in its south eastern corner. (reference 4) |
| Pedestrian access from the A658 Harrogate Road to Farmfoods (reference e). | A new pedestrian access to Farmfoods, set back on the improved Harrogate Road boundary, at the location of the existing access. (reference 3) |
| Vehicular/pedestrian access from the A657 New Line, running on the eastern side of Auto-Money, to the premises of Auto-Money, Costa Coffee and the former Blockbuster Store, KFC and Core Gym at No. 800 Harrogate Road (reference f). | A new vehicular and pedestrian access to the premises mentioned, set back on the improved New Line boundary, at the location of the existing access. (reference 5) |

| | |
|--|--|
| <p>Pedestrian access from the A657 New Line to car park of vacant shop (formerly the Blockbuster Video Store) at No. 804 New Line (reference g).</p> | <p>A new pedestrian access to car park, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 6)</p> |
| <p>Pedestrian access from the A657 New Line to No. 138 New Line (reference h).</p> | <p>A new pedestrian access to No. 138 New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 7)</p> |
| <p>Vehicular access from the A657 New Line to No. 138 New Line (reference i).</p> | <p>A new vehicular access (driveway) to No. 138 New Line, set back on the improved New Line boundary.</p> <p>(reference 8)</p> |
| <p>Pedestrian access from the A657 New Line to No. 138A New Line (reference j).</p> | <p>A new vehicular and pedestrian access (driveway) to No. 138A New Line, set back on the improved New Line boundary.</p> <p>(reference 9)</p> |
| <p>Pedestrian access from the A657 New Line to No. 138B New Line (reference k).</p> | <p>A new vehicular and pedestrian access (driveway) to No. 138B New Line, set back on the improved New Line boundary.</p> <p>(reference 10)</p> |
| <p>Vehicular access from the A657 New Line to No. 140 New Line (reference l).</p> | <p>A new vehicular and pedestrian access (driveway) to No. 140 New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 11)</p> |
| <p>Vehicular access from the A657 New Line to Nos. 142, 144, 146, 148, 150, 150A, and 152 New Line (reference m).</p> | <p>A new vehicular and pedestrian access to Nos. 142, 144, 146, 148, 150, 150A and 152 New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 12)</p> |
| <p>Pedestrian access from the A657 New Line to No. 142 New Line (reference n).</p> | <p>A new pedestrian access to No. 142 New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 13)</p> |

| | |
|---|---|
| <p>Pedestrian access from the A657 New Line to No. 144 New Line (reference o).</p> | <p>A new pedestrian access to No. 144 New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 14)</p> |
| <p>Pedestrian access from the A657 New Line to No. 146 New Line (reference p).</p> | <p>A new pedestrian access to No. 146 New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 15)</p> |
| <p>Pedestrian access from the A657 New Line to No. 148 New Line (reference q).</p> | <p>A new pedestrian access to No. 148 New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 16)</p> |
| <p>Pedestrian access from the A657 New Line to No. 150 New Line (reference r).</p> | <p>A new pedestrian access to No. 150 New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 17)</p> |
| <p>Pedestrian access from the A657 New Line to No. 150A New Line (reference s).</p> | <p>A new pedestrian access to No. 150A New Line, set back on the improved New Line boundary, at the location of the existing access.</p> <p>(reference 18)</p> |
| <p>Pedestrian access from the A658 Harrogate Road to Flats 1 and 2 at No. 830 Harrogate Road (reference t).</p> | <p>A new pedestrian access to Flats 1 and 2, No. 830 Harrogate Road, set back on the improved Harrogate road boundary, at the location of the existing access.</p> <p>(reference 19)</p> |
| <p>-</p> | <p>A new pedestrian access off the improved Harrogate Road to the car park of No. 830 Harrogate Road, meeting the request for such an access by the land owner.</p> <p>(reference 20)</p> |

Appendix 9- New Line Retail Park, Greengates, Bradford
Options Appraisal Summary

Appendix 9 – New Line Retail Park - Options Appraisal Summary

1.0 Instructions

- 1.1 In January 2017, Axis LLP were instructed to undertake an Options Appraisal in connection with the proposed acquisition of land at New Line Retail Park (“NLRP”), Bradford for the purposes of a proposed junction improvement scheme.
- 1.2 Specifically, we were asked to consider eight options (the ‘Options’) for acquiring land and rights on land within the vicinity of NLRP (the ‘Retail Park’), for the purposes of providing replacement car parking spaces, and provide an estimate of the following:-
 - I. The cost of purchasing land/rights in third party ownership
 - II. The cost of compensating existing occupiers at NLRP
 - III. The cost of compensating the owner of NLRP
- 1.3 The costs were to be assessed in accordance with the statutory Compensation Code and our estimates were based upon the sources of information and assumptions outlined in the Standard Caveats which accompany our standard Land Cost Estimates.
- 1.4 As part of our Appraisal, we were also asked to comment upon the practicalities of implementing the Options taking into account the number of parties involved with each transaction, the potential number of businesses and jobs affected, and the likelihood of implementing them on a ‘by agreement’ basis.
- 1.5 To prepare our estimates we relied upon the following information:-
 - New Line Retail Park Replacement Parking Proposals, Ref R/PTH/MH/103196/LA-27A.
 - NLRP, Nursery & Garage Plan, No Reference
 - Harrogate Road/New Line Junction Improvement Plan Ref PTH/HD/103196/AA-2A
 - NLRP Options Draft Plan, No Reference
- 1.6 We are now instructed to provide an overview of the January 2017 Options Appraisal and in doing so, include a brief background to NLRP, the issues it may face as a result of the proposed CPO and the recommendations made as part of our earlier instruction. For reasons of commercial sensitivity, we have not included a full reproduction of our detailed advice and calculations but have included headline figures where this is considered necessary.

2.0 New Line Retail Park

- 2.1 New Line Retail Park comprises a two storey steel framed retail parade located at New Line, Greengates, Bradford. The property provides four units at ground floor level and four at first floor level, although two first floor units have been combined to form one larger double unit. The property has a pitched roof with stone walls and glazed frontages. The property is arranged over ground and first floor levels with the upper floor being accessed via two external staircases or a passenger lift, which are located at each side of the parade.
- 2.2 Externally the property is surrounded by a block paved car park with eighteen parking spaces of which two are for disabled customers. The site is accessed via New Line and is secured via a low level wall to the front and fencing/retaining walls to the side and rear.
- 2.3 The property is occupied by seven tenants, who use the premises for the following uses:
- Ground Floor - Towerwood Veterinary Practice, Subway (food take away), Boots the Chemist, Fish and Chip Shop (not currently trading);
 - First Floor - 'Bhajis 'n' Beer' (restaurant), Deams (Tanning Salon) and Kip McGrath Education Centre.
- 2.4 We understand the total floor area of the retail park is 8,104 sq ft (sourced from planning application No. 03/03948/FUL) although we have not undertaken a measured survey.

3 Background Information: The Scheme

- 3.1 The 'Scheme proposes road widening on all four arms of the junction and includes the introduction of controlled pedestrian facilities together with dedicated cycle facilities. The Scheme is designed to cater for all vehicle turning manoeuvres and increased capacity based on traffic growth forecasts. To facilitate the road widening, parcels of land will need to be acquired from each quadrant of the existing Junction.
- 3.2 The design of the Scheme is constrained by a number of physical impediments that limit what can be achieved e.g. the existing listed War Memorial which is located in the north-western corner of the existing junction. To minimise the impact on the War Memorial (and the nearby listed Greengates House), road widening is proposed mainly on the south side of New Line. To this end, the Council has already acquired a large plot of land fronting the Farmfoods premises on the south-western corner of the existing Junction.
- 3.3 The Scheme proposals utilise all of the land that has so far been acquired by the Council. However, in order to achieve an acceptable highway alignment for traffic travelling westbound along New Line, land from NLRP (which is adjacent to Farmfoods) is required. To guarantee the Council is able to acquire this land, it is included in the CPO Order.

- 3.4 The consequence of acquiring land from NLRP is that the Retail Park will lose its current vehicular access together with eleven existing car-parking spaces (which could be reduced to eight with some reconfiguration) that are for the exclusive use of the NLRP businesses. Whilst a new access could be provided as part of the scheme works, the 'lost' parking spaces cannot be easily replaced either on site or within the immediate vicinity and this is a significant concern for the owner and occupiers.
- 3.5 The businesses at NLRP consider the parking spaces as being essential for their continued viability. Feedback gained from initial discussions has been that any loss could potentially lead to businesses being unable to continue in this location and potentially shutting down. In turn this could result in job losses, a loss in community facilities and significant compensation claims from affected retailers.
- 3.6 It should be noted that irrespective of the strategy or option chosen (for car-parking), the existing vehicular access to NLRP will, for traffic safety reasons, need to be closed. All options will therefore require the relocation of the NLRP highway vehicular access. Accordingly the Scheme proposals include a new vehicular access that will be shared by users of NLRP, the adjacent Sunnyside Nursery premises and the rear properties known as New Works Units 'A' and 'B'. The location for this access is in the same position (albeit slightly remodelled) as the existing access to Sunnyside Nursery and New Works 'A' and 'B'. To facilitate a common access point to all parking spaces this land will also be included in the CPO Order.

4 Options Appraisal

- 4.1 To reduce the risks associated with the loss of parking spaces at NLRP, the Council instructed Axis LLP to consider various options for facilitating replacement parking spaces. These were as follows:-
- a. Do Nothing
 - b. Acquire the leasehold interest in Unit 70, the (currently vacant) 'Fish and Chip' shop. Demolish the shop unit and provide replacement parking on its footprint.
 - c. Acquire some or all of the car park at Sunnyside Day Nursery and use it for customer parking at NLRP.
 - d. Acquire rights to share the car park at Sunnyside Day Nursery.
 - e. Acquire either or both Unit A and Unit B New Works (to the rear of NLRP), compensate the occupier(s) for relocation and demolish the building(s). Use footprint for car park.
 - f. Acquire Farmfoods Supermarket, compensate occupier and use site for parking and possible other uses.
 - g. Acquire all of NLRP
 - h. Acquire land to the rear of garage premises (located on the corner of New

Line/Haig Hall Rd) and dedicate it to Sunnyside Day Nursery, so that their car park could be used by NLRP.

4.2 Our Options Appraisal considered the following costs:-

- i) Estimated Cost to Implement Option (e.g. cost to buy in additional land/property & compensate occupiers);
- ii) Estimate of Landlord's Compensation for NLRP i.e. Cost of frontage car parking & associated Heads of Claim having regard to the option implemented;
- iii) Estimate of Tenant's Compensation at NLRP, having regard to the option implemented.

4.3 In addition, it considered matters such as whether any extra land for landscaping/additional public parking would be created by the Option, and other factors such as potential job losses.

Summary of Findings

4.4 In terms of cost, the Options ranged from circa £800,000.00 to £4.1m.

4.5 The cost of each option was also considered in terms of i) feasibility, ii) ease of implementation and iii) impact on neighbouring businesses/land owners.

4.6 A high cost/risk strategy was a 'do-nothing' approach, i.e. acquire the necessary land for the Scheme and provide no alternative car parking to compensate for the loss of eight car parking spaces. We considered that could give rise to large compensation claims, in the worst case estimated as being over £2m with further risks to jobs and community facilities.

4.7 Options that required land acquisitions from one and/or more adjacent land owners did not offer best value due to the number of affected third parties affected by the proposals. Notwithstanding this they were eventually ruled out on feasibility grounds, due to the problems of implementing the strategies. Discussions had already taken place with landowners to explore the Options but after a reasonable length of time, it became evident that no landowner was willing to agree to the strategy voluntarily, in some cases due to a history of poor neighbourly relations between the parties.

4.8 Options that involved the Nursery and rear Industrial Units were further ruled out on the basis that feedback obtained from the owner and some tenants was that this land was too 'remote' to the Retail Park and therefore it would not satisfy retailer requirements.

4.9 The option to acquire the Retail Park in full was considered at length. Ultimately the Council could not justify it on the basis that it was not required (in its entirety) for the road improvement scheme, and it would not resolve the fact that the tenants would still have no clear strategy with regards to car parking provision. Furthermore the Council had no certainty that it could implement the preferred strategy (outlined below) using its rights as Landlord and therefore it may still have had to use a CPO.

4.10 The recommended strategy (**‘Preferred Option’**) was to provide all replacement parking for the NLRP so that it is provided within the NLRP site and satisfies retailer requirements for proximity. This also reduced the number of affected parties. The Preferred Option was for the demolition of one NLRP unit - the fish and chip shop (ground floor unit only, which although is tenanted, is understood not to be trading) and to carry out structural works to support the remaining building/upper floors. The remaining NLRP land footprint can then be remodelled to accommodate 16 parking spaces.

4.11 The benefits of the Preferred Option are that it:-

- has the least impact on the adjacent businesses;
- is the most cost effective;
- the NLRP retailers continue to have the same number of parking spaces (proportionally - see paragraph 4.13 below for explanation), and;
- is better justified, because acquiring one (vacant) unit affects the least number of people (notwithstanding some short term disruption to the Retail Park generally during construction works).

4.12 The Preferred Option was subsequently assessed by the Council's structural engineers and is considered to be feasible. As indicated in paragraph 2 of Appendix 5 to this Statement, the Preferred Option would require structural works to support the existing building and the upper stories. The associated demolition and building costs are not cost prohibitive.

Parking spaces assessment for Preferred Option

4.13 The NLRP planning permission (reference number 03/03948/FUL) which was granted in 2003 was originally for eight units within the premises. One unit has since been enlarged by combining two of the units and hence currently there are seven retailers within the NLRP. That planning permission included the provision of 18 parking spaces (including two for disabled drivers) which equates to 2.25 parking spaces per unit. Applying the same principle (i.e. 7×2.25) to the remodelled NLRP with effectively seven units (including one double) the preferred option should provide 15.75 parking spaces (including two for disabled drivers). A total of 16 parking spaces are proposed.

4.14 Alternatively the floor space area of the existing premises that was granted planning permission in 2003 is 753 square metres which equates to 41.8 square metres per parking space (with 18 parking spaces). With the removal of one shop unit the reduced floor space area is 659 square metres which equates to 41.2 square metres per parking space (with 16 parking spaces). Therefore the same ratio of floor area to parking space area is maintained.

4.15 The reasoning behind both arguments result in the provision of a proportional amount of parking spaces for the remodelled NLRP.

5.0 Conclusion

- 5.1 For the reasons outline above, the Preferred Option is still considered to be the best solution for the provision of replacement car parking spaces at NLRP. The Preferred Option is considered to be financially viable, structurally feasible and the cost of construction is not prohibitive. The Council has also obtained full planning consent for the Preferred Option. Accordingly, other than certainty on land acquisition, there is no known impediment to implementation of the Option.

- 5.2 As part of on-going negotiations, the Council is seeking to implement the Preferred Option on a 'by agreement' basis. Discussions have taken place with the tenant of the unit and an offer has been made in relation to compensation. Feedback from the tenant is that he would like to 'end' the lease and therefore he is not adverse to reaching an agreement. Discussions with the Landlord are on-going. All efforts to reach an agreement voluntarily will continue.

**Appendix 10 – Objection by and on behalf of Wilkinson
Greengates Properties Limited, situate at “Core Gym”, No. 80
Harrogate Road, Bradford;**



WALTON & CO

phil.maude@walton-co.co.uk

Our ref: PM.ET

Your ref:

Date: 20 February 2018

Secretary of State for Transport
National Transport Casework Team
Department of Transport
Tyneside House
Skinnerburn Road
Newcastle Business park
Newcastle Upon Tyne
NE4 7AR

Dear Sir

The City of Bradford Metropolitan District Council (Harrogate Road/new Line Junction Improvement Scheme) Compulsory Purchase Order 2017

We act for Wilkinson Greengates Properties Limited (No.08661362) whose registered office is situate at Core Gym 800 Harrogate Road Greengates Bradford BD10 0QS. Our client owns the land and property situated within Plot 26 of the Order. Our client also owns land adjacent to the Order Land namely the car park of the New Line Retail Park and 2 other units within it.

The Order, if confirmed would authorise the Council to compulsorily purchase the whole of the existing premises located on plot 26. Our client accepts that some of the land is required for the road widening. It does not accept that other land is required for a works compound.

Our client considers the extent of land over which powers are being sought exceeds that necessary to enable the Council to complete the works. If all Plot 26 were acquired it could result in the loss of a valuable retail unit for which there is demand, and would detract from the vitality of the retail park.

The land within the red line of Plot 26 includes part of the car park of the New Line Retail park and its acquisition will result in the loss of parking spaces to the serious detriment of the operation of the remainder of the business park and will adversely affect other tenants of our client.

It is alleged by the Council it requires the land for a works compound. However there are suitable sites nearby which could accommodate a works compound without creating the adverse impacts it would cause here.

- Town & Country Planning • Local Government • Compulsory Purchase • Highways •

Registered Office: 2 Queen Street, Leeds LS1 2TW T: 0113 2458100 F: 0113 2458133 www.walton-co.co.uk

Walton & Co is the trading name of Walton & Co (Planning Lawyers) Ltd

This firm is authorised and regulated by the Solicitors Regulation Authority

Limited Company No: 07173302

Kind regards

Yours faithfully

Walton & Co

Walton & Co

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvements)
(Side Roads) Order 2017**

-and-

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvement Scheme)
Compulsory Purchase Order 2017**

Objection by Wilkinson Greengates Properties Ltd, Harrogate Rd, Greengates Bradford

| Objector | Grounds of Objection | Statement of Case Response |
|---|---|---|
| <p>Wilkinson Greengates Properties Ltd (In respect of Plot 26)</p> | <p>1. The order, if confirmed would authorise the council to compulsory purchase the whole of the existing premises located on plot 26 our client accepts that some of the land is required for the road widening, it does not accept that other land is required for a works compound.</p> | <p>1. The reason for including all of Plot 26 in the CPO Order was explained in the Council's covering letter which accompanied the making of the CPO Order dated 5th February 2018 and was further and subsequently explained during a meeting with the objector on the 12th March 2018. In essence, the Council is only seeking to permanently acquire part of the land in Plot 26 and to seek to enter into a voluntary and agreed Licence over the remaining land which is required temporarily for 'working space' purposes.</p> <p>The Council have also confirmed that there is no intention to use Plot 26 for a "site works compound".</p> |

| | | |
|--|---|---|
| | <p>2. Our client considers the extent over which the powers are being sought exceeds that necessary to enable the council to complete the works. If all Plot 26 were acquired it would result in the loss of a valuable retail unit for which there is demand and would detract from the vitality of the retail park.</p> <p>3. The land within the red line of plot 26 includes part of the car park of the New Line Retail park and its acquisition will result in the loss of parking spaces to the serious detriment of the operation of the remainder of the business park and will adversely affect other tenant of our client.</p> | <p>2. As stated above, there is no intention to permanently acquire all of Plot 26. The Council intends to return land which is not directly required for the highway road widening Scheme to the objector after completion of the works, thus enabling its retail Unit to be retained, albeit reduced in size.</p> <p>3. The Council does not believe the objector has a land interest in New Line Retail Park and assumes the reference to this property is a typographical error. The Council is aware that Plot 26 includes part of the car park which is adjacent to a vacant retail store owned by the objector. The Council has offered to undertake accommodation works to this car park which, once completed, will provide 67 parking spaces constructed to modern standards with new hard and soft landscaping. The Council considers the works will constitute an improvement on the existing car park which is tired and in need of maintenance.</p> <p>Given the large number of parking spaces that will still be available upon completion of the works, the Council considers that there will be no serious detriment to the operation of the remainder of the businesses on this site. Furthermore, the Council understands that the existing two businesses require a minimum of 60 spaces in the Retail Park (as set out in their respective Leases) and the Council is ensuring that the objector is able to fulfil this commitment.</p> |
|--|---|---|

**Appendix 11 – Objection by and on behalf of St Paul`s Street
Investments Limited of No. 911 Harrogate Road, Bradford and
Council rebuttal;**



Chartered Surveyors and Town Planners

21 Garlick Hill,
London, EC4V 2AU
T: 020 7489 0213
F: 020 7248 4743
E: info@dwdllp.com
W: dwdllp.com

Linked

Date: 02/02/17

Your Ref: 12607

Our Ref:

Parveen Akhtar
City Solicitor
Property, Commercial and Development Law Team
Room 315, 3rd Floor
City Hall, Centenary Avenue
Bradford
BD1 1HY

Dear Ms Akhtar,

THE CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL (HARROGATE ROAD/ NEW LINE JUNCTION IMPROVEMENT SCHEME) COMPULSORY PURCHASE ORDER 2017

We act on behalf of St Paul's Street Investments Ltd. Our clients are freehold owners of the premises known as 911 Harrogate Road, Bradford which is affected by the above order.

Please treat this letter as a formal objection on behalf of our clients to the making of The City of Bradford Metropolitan District Council (Harrogate Road/ New line Junction Improvement Scheme) Compulsory Purchase Order 2017.

This order contains compulsory purchase powers for the acquisition of our clients property which will deprive them of their investment.

Grounds of Objection

The subject property is situated in an area which is to be redeveloped to facilitate a new access arrangement to the neighbouring retail park. This will deprive our client of their investment. It is proposed that these access arrangements should be redesigned to co-exist with and preserve our client's property.

Our client wishes to reserve its right to amend and expand its grounds of objections stated above at any public inquiry held to consider this objection.

Yours faithfully,

Nick Carter
Senior Associate
Dalton Warner Davis LLP
ncc@dwdllp.com

Partners

A M Davis FRICS IRRV
N P Draper FRICS IRRV
N M Fennell BSc MRICS

R J Greaves BSc (Hons) MRICS
A R Holden BSc (Hons) FRICS
G Bullock BA (Hons) BPI, MRTPI

A Vickery BSc MRICS IRRV
G Denning B.Eng (Hons) MSc MRICS
B Murphy BA (Hons) MRUP MRTPI

S Miles BSc (Hons) MRICS
A Meech BSc MRICS



**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvements)
(Side Roads) Order 2017**

-and-

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvement Scheme)
Compulsory Purchase Order 2017**

Objection by St Paul’s Street Investments Ltd, No 911 Harrogate Rd, Bradford

| Objector | Grounds of Objection | Statement of Case Response |
|---|-------------------------------|--|
| St Paul’s Street Investments Ltd (In respect of Plot 19) | 1. Deprivation of investment. | 1. Whilst the Council sympathises about the loss of an investment it has made an offer of compensation in accordance with the Compensation Code. The compensation settlement can be used to replace the investment so that there is no overall loss to the objector. Notwithstanding this, the issue of compensation is not considered to be a relevant ground for objecting to the CPO. |

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| | <p>2. The subject property is situated in an area which is to be redeveloped to facilitate and new access arrangement for the neighbouring retail park. It is proposed that these access arrangements should be redesigned to co-exist with and preserve our clients property.</p> | <p>2. The Scheme proposals were discussed with the objector in 2015 and at various points since then. No fundamental reservations to the Scheme were raised at this time. Had the objector provided feedback at an earlier stage it would have enabled the Council to consider these concerns during the design stages when alterations to the Scheme were being considered.</p> <p>Notwithstanding the above, the Council considered a number of options for access into the adjacent Farmfoods Supermarket development. These included the possibility of locating a new entrance off New Line, acquiring other properties along Harrogate Road and a 'do nothing' scenario. These options were assessed having regard to matters such as engineering feasibility, construction and compensation costs, impact on employment and highway safety etc.</p> <p>Overall the Council concluded that the Scheme offered the best solution which would -</p> <ul style="list-style-type: none">a) Reduce the potential for congestion and collision;b) Reduce the risk to the Farmfoods Supermarket business and potential for job losses; andc) Reduce overall Scheme costs. <p>The Council is acutely aware that it must act in the public interest when spending funds from the 'public purse'. It must also act prudently to ensure that Scheme costs do not rise to unacceptable</p> |
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| | | <p>levels as this could jeopardise its viability. In practice, this means that wherever possible the Council is under a duty to take reasonable steps to minimise costs.</p> <p>Ultimately the preferred solution is considered on balance to offer the optimum solution at best value to the public purse whilst still achieving the objectives of the Scheme. It also has the additional benefit of providing some replacement on-street car parking, thereby taking into account concerns raised from other local stakeholders, e.g. businesses and residents.</p> <p>In conclusion, the Council strongly believes there is a compelling case in the public interest to include Plot 19 in the CPO Order. Nevertheless, the Council is committed to reaching a voluntary agreement with the objector and discussions in this regard are ongoing.</p> |
|--|--|---|

**Appendix 12 – Objection by Sriven Services Limited, trading as
“Subway”, situate at No. 74 New Line, Unit 2, New Line Retail
Park, Bradford and Council rebuttal;**

22 FEB 2018

APPENDIX 12

| | |
|--|--|
| From: Sriven Services Ltd T/A SUBWAY 74 Newline, Unit 2 Newline Retail Park Bradford BD10 9AP | To: Secretary of State for Transport National Transport Casework Team Department of Transport, Tyneside House Skinnerburn Road, Newcastle Business Park Newcastle Upon Tyne, NE4 7AR |
|--|--|

Dated February 20, 2018

Sub: Improvement to highways in the vicinity of the classified route A657 New Line

Ref: Harrogate Road/New Line Junction Improvement Scheme – CPO 2017 & SRO 2017

Dear Sir

In terms of the orders referred above, the City of Bradford Metropolitan District Council proposes to purchase compulsorily, *inter alia*, the land and new rights over-

173 sq.m of restaurants, integral and eternal staircase up to first floor of New Line Retail Park units and of integral lift at No. 70 and No.70A New Line, Bradford; and

742 sq.m of car park of the New Line Retail Park lying to the north and to the east of its retail units, Bradford

for the purpose of improving the highways and thereby facilitating greater access and connectivity to important places. While the proposal is in greater public interest, the Council cannot at the same time ignore the interests of the people living or operating in the said vicinity.

I am running Subway retail outlet, second shop in Ground Floor, at New Line Park premises. Customers to my shop and also to other establishments in the premises, enter through the gate on North East side and park their cars both in front of the respective shops as well as the space on East side.

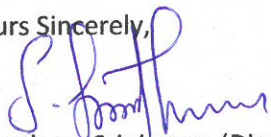
As per the CPO, the frontage and the east side car park are proposed to be purchased and entrance to the premises will be shifted to *far North West* and the cars will have to be parked in a remote place. The Council's proposal, apart from drastically spoiling the frontal elegance for the shops, is certain to

- Create congestion for customers in the considerably reduced front area;
- Entail a longer drive to reach parking area and longer walk to my shop;
- Adversely affect my business operations, already made unsustainable due to Brexit and the pound depreciating by about 20%
- Affect the livelihood of employees working in various shops(including mine) in the premises

Shoring up business through incentives and other pro-active measures by the Government is the need of the hour and the Council's above proposal is going to do the quite opposite.

I, therefore, request you to shelve the proposal.

Yours Sincerely,



Srivathsan Srinivasan (Director)

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvements)
(Side Roads) Order 2017**

-and-

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvement Scheme)
Compulsory Purchase Order 2017**

Objection by Sriven Services Ltd T/A Subway

| Objector | Grounds of Objection | Statement of Case Response |
|---|---|---|
| <p>Sriven Services Ltd T/A Subway</p> <p>(In respect of Plot 9)</p> | <p>The Council's Scheme will:</p> <ol style="list-style-type: none"> 1. Drastically spoil the frontal elegance for the shops | <ol style="list-style-type: none"> 1. Although the Scheme may have a minor impact on the frontal elegance of the "New Line Retail Park Parade", it is considered that overall the Parade will benefit from:- <ol style="list-style-type: none"> a) improved visibility; and b) a refurbished, modern car parking area. <p>In terms of a) above, currently motorists approaching from the east have poor visibility of the Retail Parade because the building is</p> |

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| | <p>2. Create congestion for customers in the considerably reduced front area</p> <p>3. Entail a longer drive to reach parking area and longer walk to my shop.</p> | <p>obscured by the adjacent Farmfoods Supermarket store. This means that motorists do not see the Parade until they are on or past the existing vehicular entrance and this consequentially hinders passing trade. Similarly, vehicles approaching from the west have reduced visibility due to the existing car parking spaces being located directly in front of the retail units. The Scheme will reduce the number of parking bays directly obscuring the shops by creating two main clusters of parking ‘zones’ at the east and western ends of the New Line Retail Park.</p> <p>In terms of b) above, the current car park has not been improved for some time and suffers from faded markings. The Scheme will relay the existing block paving as required and replace the car park markings based on current parking standards at no cost to the Landlord or the Tenants.</p> <p>2. The proposed new access and internal roadways have been designed using current design guidance and are considered acceptable for the proposed use. Tracking plans can be provided to show how vehicles can navigate the car park without causing obstructions. The Council has successfully attained planning permission for the revised entrance arrangement (ref 17/03441/REG)</p> <p>3. The Scheme proposals include a new vehicular access point which will be shared by New Line Retail Park, Sunnyside Day Nursery and New Works Units A and B. Whilst the Harrogate Road/New Line junction does move 40 metres to the west, entailing a marginally longer drive for customers travelling from the east, this is negated by a reduced drive for customers travelling from the west.</p> |
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| | <p>4. Adversely affect my business operations. Already made unsustainable due to Brexit and the pound depreciating by about 20%</p> <p>5. Affect the livelihood of employees working in various shops (including mine) in the premises.</p> | <p>It should be noted that the current access to New Line Retail Park does not meet current safety standards and visibility is seriously compromised when performing any manoeuvre to exit the car park. Furthermore, if left in its current position, vehicles would be required to make an unsafe manoeuvre to cross a maximum of 3 lanes to exit the car park. The new proposed shared access point will meet visibility standards and is set back from the junction in such a way that vehicles will only need to cross 1 lane of traffic to access/egress the car park.</p> <p>4. Whilst the Council is sympathetic to the difficulties encountered by the objector, it has no influence on the implications of Brexit or the economy in general. Market fluctuations, political decisions and the implications of the global economy are inherent business risks that all businesses must bear.</p> <p>5. During the works all reasonable steps will be taken to minimise the impact of construction on businesses and residents. This will involve contractual clauses obligating the contractor to working methods best suited to achieve this. The Council will closely monitor the impact of the construction works to ensure these measures are applied</p> |
|--|---|--|

**Appendix 13 – Objection by Ladbrokes Coral Group Plc situate
at No. 913 Harrogate Road, Bradford and Council rebuttal**

23 FEB 2018

22 February 2018

Secretary of State for Transport
National Transport Casework Team
Department of Transport
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR

e-mail: andrew.legge@ladbrokescoral.com

Mobile 07855 275674

Recorded Delivery

Dear Sirs,

C2415 Plot 20 913 Harrogate Road Bradford (Grd floor and Basement)

I refer to the above shop and note the proposed CPO detailed as The City of Bradford Metropolitan District Council (Harrogate Road/New Line Junction Improvement Scheme) Compulsory Purchase Order 2017.

The Company holds a leasehold interest in the above property and the CPO seeks to acquire our interest therein.

I write on behalf of the company to object to the proposed CPO on the following grounds

1. The acquisition and demolition of the above premises is solely to facilitate a new access into the Farmfoods store to the rear. There is already an existing access from Harrogate Road into the Farmfoods property and we fail to see how it is in the public interest to adopt CPO powers to acquire and demolish the Coral shop premises (thereby extinguishing our business) to the benefit of another existing commercial occupier.
2. It appears that an arbitrary decision has been made to acquire/demolish the above property along with No 911 rather than adopt other options to facilitate the scheme.

I look forward to hearing from you.

Yours faithfully


J Andrew Legge MRICS
Senior Regional Estate Manager

Ladbrokes Coral Group plc

Postal address: One Stratford Place, Montfichet Road, London E20 1EJ
Phone: 020 3288 7000, Fax: 020 3288 7050

Registered office: 5th Floor, The Zig Zag Building, 70 Victoria Street, London SW1E 6SQ
Registered in England Number 566221

LadbrokesCoral classification: Public

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvements)
(Side Roads) Order 2017**

-and-

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvement Scheme)
Compulsory Purchase Order 2017**

Objection by Ladbrokes Coral Group PLC

| Objector | Grounds of Objection | Statement of Case Response |
|--|---|--|
| Ladbrokes Coral Group PLC (In respect of Plot 20) | 1. The acquisition and demolition of the above premises is solely to facilitate a new access into the Farmfoods property and we fail to see how it is in the public interest to adopt CPO powers to acquire and demolish the CORAL premises (thereby extinguishing our business) to the benefit of another existing commercial occupier and | 1. The Scheme proposals were discussed with the objector in 2016 and 2017 and no fundamental reservations were raised at this time. Had the objector provided feedback at an earlier stage, it would have enabled the Council to consider these concerns during the design stages when alterations to the Scheme were being considered. Notwithstanding the above, the Council strongly refutes the suggestion that Plot 20 is in the CPO Order solely to the benefit of another existing commercial occupier (Farmfoods Supermarket). In arriving at the decision to include Plot 20 in the CPO Order, the Council is required to consider whether it is in the public interest to do so. In assessing this matter, the Council considered a number of |

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| | <p>2. It appears that an arbitrary decision has been made to acquire / demolish the above property along with no 911 rather than adopt other options to facilitate the scheme.</p> | <p>issues as follows:-</p> <p>Firstly, a significant objective of the Scheme is to reduce traffic congestion. The proposed road widening is designed to achieve this. However once the road is improved, the Harrogate Road/New Line junction mouth will be significantly closer to the existing Farmfoods Supermarket store entrance. This will mean that vehicles using the entrance/exit (particularly large HGV's servicing or delivering to the business) could create blockages, thereby hindering the free flowing movement of vehicles and creating a higher risk of collisions. This is in direct contravention of a key objective of the Scheme.</p> <p>The Council is aiming to produce a high quality Scheme and wherever possible is seeking to achieve compliance with the standards set out within "The Design Manual for Roads and Bridges" (DMRB) and established design practice. To achieve these standards, the entrance to Farmfoods Supermarket should be set back from the junction mouth. A number of options were considered in seeking to achieve this objective, including the possibility of locating a new entrance off New Line, acquiring other properties along Harrogate Road and a 'do nothing' scenario. These options were assessed having regard to matters such as engineering feasibility, construction and compensation costs, impact on employment and highway safety etc.</p> <p>Ultimately the preferred solution was considered on balance to offer the optimum solution at best value to the public purse whilst still achieving the objectives of the Scheme. It also had the additional benefit of providing some replacement on-street car parking, thereby</p> |
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| | | <p>taking into account concerns raised from other local stakeholders, e.g. businesses and residents.</p> <p>Secondly, in assessing the Scheme, the Council has considered the impact on the sustainability of all businesses in the area. If the Farmfoods Supermarket entrance is not moved, it is likely to have a detrimental impact on the operation of the store which may affect its ongoing viability. There are wider issues to consider such as the potential for loss of employment and the difficulties of relocating a retailer of this size.</p> <p>It is accepted that the proposed solution directly affects two businesses trading at Harrogate Road. However one business has already relocated to nearby premises and the building is now vacant. The remaining business (this being the objector's business) occupies a relatively small retail Unit and whilst a relocation is by no means straightforward, it is not insurmountable. The Council is aware of existing vacant properties in the immediate locality which may potentially be suitable for this use.</p> <p>Thirdly, the Council is acutely aware that it must act in the public interest when spending funds from the 'public purse'. It must also act prudently to ensure that Scheme costs do not rise to unacceptable levels as this could jeopardise its viability. In practice, this means that wherever possible the Council is under a duty to take reasonable steps to minimise costs. In light of this, the Council went through a value engineering process during the design phase and the proposed Scheme is concluded to provide best value to the 'public purse'.</p> |
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| | | <p>In summary, the decision to include Plot 20 was not taken lightly or 'arbitrarily' and was arrived at after a thorough consideration. It is considered to offer the best value for money to the 'public purse' whilst ensuring the Scheme meet its objectives.</p> <p>In conclusion, the Council strongly believes there is a compelling case in the public interest to include Plot 20 in the CPO Order. The Council is nevertheless, committed to assisting the objector as much as possible with its relocation and discussions in this regard and in relation to compensation are on-going.</p> |
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**Appendix 14 – Objection by and on behalf of Optegra Eye Health
Care Hospital situate at No. 937 Harrogate Road, Bradford and
Council rebuttal**

CBRE Limited
Henrietta House
Henrietta Place
London W1G 0NB

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stephen.walker@cbre.com

Secretary of State for Transport,
National Transport Casework Team,
Tyneside House,
Skinnerburn Road,
Newcastle Business Park,
Newcastle upon Tyne,
NE4 7AR

23 February 2018

nationalcasework@dft.gsi.gov.uk

By Post and Email

Dear Sir

THE CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL (HARROGATE ROAD/NEW LINE JUNCTION IMPROVEMENT SCHEME) COMPULSORY PURCHASE ORDER 2017

OPTEGRA EYE HEALTH CARE HOSPITAL – 937 HARROGATE ROAD BRADFORD

CBRE has instructions from Optegra UK Limited to make representations in connection with the above Order which Bradford Metropolitan District Council (the "**council**") made on 24 January 2018.

Our client owns and occupies the Eye Hospital at 937 Harrogate Road which comprises the plot number 42 as shown on the Order Map.

We are writing to formally object to the proposed Order on behalf of our client who wishes to reserve its position and as necessary submit evidence and appear at a Public Inquiry in the event that an agreement which addresses its concerns and protects its interests is not forthcoming.

THE AFFECTED LAND

The property is a specialist eye hospital treating both NHS and private health care patients.

Plot 42 comprises 140 square metres of land for permanent acquisition and a further 141 square metres of land identified for use temporarily during construction of the road improvement scheme. The Order describes the area as curtilage wall, grassed area and car park. The parking is provided for patients of the hospital.

GROUNDS FOR OBJECTION

The grounds for our client's objection are as follows:

1. There is no compelling case in the Public Interest to acquire land and/or rights over Plot 42 in the manner proposed in the Order. The Order creates an unacceptable impact on the hospital and its vulnerable patients.

The main points to draw your attention to are:

- (a) Optegra acquired the property as a going concern in 2009, the hospital employs over 50 people and treats annually nearly 8,000 patients. The number of patients visiting the hospital each year is growing. Most are elderly, visually impaired and rely on private means of transport to and from the hospital. Car parking provision at the hospital is already limited and options need to be considered as to how any loss can be replaced.
 - (b) The temporary use of part of plot 42 for construction will further reduce the number of parking spaces available at the hospital for an unspecified period of time and make access to the hospital even more difficult for patients, staff and suppliers. Further consideration needs to be given to reducing the area set aside for construction in this location so that impact can be mitigated.
 - (c) The hospital houses calibrated and highly sensitive equipment which may be impacted by vibration and dust pollution from the proposed construction works due to take place in the areas immediately adjacent to the hospital. Technical information on this equipment needs to be reviewed by the council so that assurances can be given that the potential impact can be mitigated through on site monitoring and incident reporting.
2. The council has not made reasonable efforts to engage with our client either to understand the implications or to acquire the property and rights required by agreement, and has not fully explored alternative solutions not requiring compulsory purchase.

Under DCLG's Guidance Note (29/10/2015), the acquiring authority is required to make reasonable efforts to acquire the property by agreement. Our client is not satisfied that the council has made reasonable efforts to engage in meaningful negotiations.

POSITION

Our client is minded to enter into dialogue with the council to work through the points of objection to determine whether common ground can be found which both protects the patients using the hospital and facilitates completion of the road improvements scheme. However, unless and until such engagement has taken place and been settled to our clients satisfaction the grounds of objection to the Order will be maintained. Our client further requests that at this stage the Order not be confirmed because the council as Acquiring Authority has not satisfactorily addressed the above issues.

We would be grateful if you could acknowledge receipt of this letter. Furthermore, we ask for the objection to be considered at any Public Inquiry held to assess the merits of the proposed Order.

We reserve the right to add to or amend these grounds of objection.

Should you require any further information or clarification of the issues raised then we would be grateful for all contact and correspondence to be addressed to Stephen Walker in the first instance.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. Walker', with a large initial 'S' and a trailing flourish.

For and on behalf of:
CBRE LIMITED

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvements)
(Side Roads) Order 2017**

-and-

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvement Scheme)
Compulsory Purchase Order 2017**

Objection by Optegra UK LTD, No 937 Harrogate Rd, Bradford

| Objector | Grounds of Objection | Statement of Case Response |
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| <p>Optegra Uk LTD</p> <p>(In respect of Plot 42)</p> | <p>1. No compelling case in the Public Interest to acquire land or rights over plot 42</p> | <p>The Council wrote to the claimant on 2nd May 2018. A summary of the response is as follows -</p> <p>1. Plot 42 is located in a critical ‘pinch point’ in the Scheme. Here, land is required to facilitate construction of additional lanes on the northern Harrogate Road approach and exit of the Harrogate Road/New Line junction and to construct a bus-shelter. Widening options to the eastern side of Harrogate Road are limited due to the presence of several properties including a listed building, known as “Greengates House”. If Plot 42 is not included in the CPO Order, the restricted existing available highway would not allow the construction of additional entry and exit lanes and therefore adversely affect the operation of the junction.</p> |

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| | <p>2. Car parking provision at the Hospital is already limited and options need to be considered to how any loss can be replaced</p> <p>3. Construction will further reduce the number of parking spaces available at the hospital for an unspecified period of time and make access to the hospital even more difficult for patients, staff and suppliers. Further consideration needs to be given to reducing the area set aside for construction in the location so that impact can be mitigated.</p> | <p>Any alternative option would have an unacceptable impact on the listed building (“Greengates House”). Planning permission/listed building consent is unlikely to have been obtained which would render this option unfeasible. In light of this, the Council strongly believes that acquisition of Plot 42 is in the public interest.</p> <p>2. There are currently twenty car parking spaces in the southern car park at Optegra. However one space is rendered un-usable due to the existing car parking layout/design.</p> <p>The Council has offered to undertake accommodation works to the car park which upon completion of the Scheme in order to provide 20 fully accessible parking spaces designed to modern standards. Accordingly, the Council believes the existing number of parking spaces will be retained and the proposed car parking layout will be an improvement.</p> <p>3. The Council is currently investigating possible temporary car parking arrangements for the objector and will continue to work towards a solution.</p> <p>The Council is also committed to ensuring that all reasonable steps will be taken to minimise the impact of construction on businesses and residents. This will involve contractual clauses obligating the contractor to working methods best suited to achieve this. The Council will closely monitor the impact of the construction works to ensure these measures are applied.</p> |
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| | <p>4. The Hospital houses calibrated and highly sensitive equipment which may be impacted by vibration and dust pollution from the proposed construction works due to take place in the areas immediately adjacent to the hospital. Technical information on this equipment needs to be reviewed by the council so that assurances can be given that the potential impact can be mitigated through on site monitoring and incident reporting.</p> <p>5. The council has not made reasonable efforts to engage with our client, or to acquire the property and rights by agreement.</p> | <p>4. During the contract preparation stage, permissible levels of noise and vibration will be ascertained with the assistance of the Council's environmental health department. These levels will be inserted into clauses within the Scheme works specification as part of the contract with the Council's appointed contractor. If the objector's requirement is for a tolerance in excess of the Council's already stringent permissible levels, then this will also be stipulated in the works contract and additional vibration monitoring and control measures will be put into place during the construction works.</p> <p>5. Discussions in relation to the subject property have been progressed by the Council and its representatives, Axis Property Consultancy ('Axis') since as early as 2015. Axis first wrote to the objector in October 2015 and a meeting took place thereafter. The Council subsequently wrote to the objector in March 2016 and January 2017. In each letter, details of Axis were provided however this did not prompt any dialogue.</p> <p>A public consultation event was also held during August/September 2016 to which the objector was invited. More recently, Axis wrote to the objector in January 2018 but did not receive a response. Having regard to the above, the Council is therefore of the opinion that reasonable attempts to engage with the objector took place prior to the making of the CPO Order.</p> |
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| | | <p>However a meeting took place with the objector on 12th April 2018, where the grounds of objection were discussed. It is hoped that this dialogue will continue, as the Council is committed to continuing discussions with the objector to see if it is possible to resolve the concerns expressed by the objector and to purchase the land needed in advance of any necessary reliance on the use of compulsory purchase powers.</p> |
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**Appendix 15 – Objection by and on behalf of Mr and Mrs a Lock
of No. 140 New Line, Bradford and Council rebuttal**



Chartered Surveyors
Property Managers

Email: property@roger-hannah.co.uk
Web: www.roger-hannah.co.uk

The Secretary of State for Transport
National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle Upon Tyne
NE4 7AR

Our ref:

AJ.CP0152

Your ref:

Sent by post and email to nationalcasework@dft.gsi.gov.uk

08 March 2018

Dear Sirs

The City of Bradford Metropolitan District Council (Harrogate Road/New Line Junction Improvement Scheme) Compulsory Purchase Order 2017

Owner: Mr and Mrs A Lock

Property: 140 New Line, Greengates, Bradford BD10 0BX

Plot No: 30

We act on behalf of Mr and Mrs Lock in respect to the aforementioned Compulsory Purchase Order being promoted by The City of Bradford Metropolitan District Council under Section 239, 240, 246, 250 and 260 of the Highways Act 1980.

We can confirm that our clients wish to **oppose** The City of Bradford Metropolitan District Council (Harrogate Road/New Line Junction Improvement Scheme) Compulsory Purchase Order 2017 (The Order). We would be grateful if you would accept this letter as an objection on their behalf.

In preparing our Objection we have been mindful of the Statement of Reasons set out by The City of Bradford Metropolitan District Council as their justification for the making of the proposed Order. In summary, the grounds of objection are as follows:

1. Impact of Proposed Works on Subject Property

The land affected by the scheme includes part of our clients' private driveway. Part of this land is required permanently in order to deliver the road widening whilst part is required temporarily whilst works are being undertaken. This private driveway provides the only pedestrian and vehicular access to the subject property.

Our clients are seriously concerned about the access and egress to/from the property whilst works are being undertaken. My clients both work and require their cars in order to undertake their jobs. The type of work they do means they cannot use public transport as they are constantly on the road. Their work patterns are not consistent meaning they enter and leave the property at different times each day. They are very concerned that the intended works will result in them being unable to exit their driveway by vehicle which will have a negative impact on their ability to undertake their jobs. Whilst these concerns have been communicated to the Council at various times over the last few years including at site meetings and during public consultation events, no assurance has been provided that access will be maintained whilst works are being undertaken.

Paragraph 13.5 of the Statement of Reasons states "access to properties will be maintained at all times during business hours... unavoidable disruption to access will aim to take place outside of business hours of the affected property". The focus appears to be on reducing the impact on the commercial properties affected by the proposed scheme with little regard being given to the impact on residential properties. Client access is not necessarily during business hours as commented above, but may be at different times of the day.

Our clients accept that some disruption will be inevitable however they have not been provided with any comfort that disruption will be kept to a minimum or that their concerns are being taken seriously. Our client has requested firm assurance that this will be provided including details as to how this will be achieved but to date there has been nothing forthcoming.

In addition to the concerns about the impact during the works, once completed the scheme will have the following impact on the subject property:

- Traffic travelling on New Line will be approximately 6 metres closer to the subject property.
- The road will be widened to provide a formal four lane highway effectively providing two lanes of traffic plus cycle lane in each direction. The road currently provides only one formal lane in either direction.
- The introduction of a “P-Loop Junction” will contribute to an increased journey time in order to make a right hand turn when exiting the driveway to travel in a south easterly direction along New Line. The Council also recognise that this will “have some detriment for vehicles turning right from Harrogate Road (south) as they would have to use the “P-Loop Junction” route” (paragraph 7.19).
- Traffic flow along New Line is likely to increase as a result of the junction improvements as vehicles choose to use this route rather than alternatives.
- The closer proximity of the road and likely increased traffic flow will result in the subject property suffering from increased road noise, vibration and dust.

2. Objective of Scheme

The intention of the Scheme is to widen the existing highway on all four arms of the New Line (A657)/Harrogate Road (A658) junction to increase the number of traffic lanes, introduce controlled pedestrian crossing facilities, new cycle lanes and provide a new one-way road link which will form a “P-Loop Junction” (paragraph 2.2). The Scheme is intended to “alleviate congestion and improve journey times” (paragraph 12.1). In economic terms, it is intended that the Scheme will unlock potential employment sites and help generate more jobs (paragraph 16.12). The Statement of Reasons also suggests that the Scheme will improve air quality and the use of sustainable modes for local journeys will be encouraged (paragraph 6.7).

Our client is concerned that the proposed Scheme cannot meet these objectives, the reasoning of which is systematically set out below:

Reduce congestion

It is stated at various points throughout the Statement of Reasons that the New Line/Harrogate Road junction has insufficient capacity to accommodate the substantial volumes of traffic at peak hours: this is a “major pinch point....resulting in considerable queueing at peak times on all four approaches” (paragraph 11.2).

We are concerned that the proposed road widening scheme as it currently stands will fail to tackle these problems in the long term and is simply a short term measure. Widening the existing road will merely encourage more road users with any increased capacity quickly absorbed by increased vehicle movements. The Council recognise that vehicles currently avoid the junction and use other routes to bypass this and avoid queueing. We therefore anticipate that the scheme will result in more vehicles using the junction and capacity quickly being exceeded. No information is provided as to any traffic modelling which presumably has been undertaken to estimate the impact of the junction improvement.

A further justification for delivering the proposed Scheme appears to be for supporting proposed housing developments in the area. Indeed, the Statement of Reasons state “with many new housing development proposed in the vicinity, the Scheme is even more vital” (paragraph 11.8). In total, 1,342 new dwellings are planned to be delivered in the surrounding area. This will generate a significant pressure on existing infrastructure. Many existing and future vehicle movements are likely to comprise private cars used for daily commuting, occupied by one person. We would suggest that a more productive use of resources would be to re-focus attention on improving public transport provision, making this more appealing and the use of a private car less appealing.

Focusing on traffic reduction will be much more beneficial in tackling congestion and road safety as well as supporting and enabling improved journey times.

Unlocking employment sites and creating jobs

The Statement of Reasons states that the proposed Scheme will “positively impact upon businesses across the area through unlocking potential employment sites, creating more jobs and ‘relieving barriers to investment’ (paragraph 16.12). This is a sweeping statement which fails to take into account the multiple factors at play including wider economic issues. Indeed, the statement suggests that the current junction is singlehandedly preventing development sites coming forward however this is not the case.

Whilst highway improvements may be able to contribute towards stimulating investment, a much more comprehensive package of measures will be required in order to deliver this. The Statement of Reasons fails to identify what these are and how they will be delivered.

A broader set of measures would also assist in successfully reducing congestion. A key focus should be on reducing private vehicle use and the provision/promotion of alternatives including, but not limited to, better public transport provision. Successfully reducing private vehicle reliance could support the future delivery of key development sites.

Improving local air quality

The Statement of Reasons suggests the Scheme will improve local air quality and contribute “towards the challenges of climate change by means of the resulting reduction in the greenhouse gas emission” (paragraph 16.14). The proposed Scheme will result in the widening of the existing highways thus providing increased capacity and therefore more traffic. Accordingly, we are of the opinion that the Scheme will contribute towards poor air quality, noise and visual effects rather than reducing this.

Details of how a reduction in carbon emissions will be achieved are not specified and the Acquiring Authority appears to solely rely upon this being achieved by decreasing congestion. In our opinion, the additional capacity created by the road widening scheme will be quickly absorbed, particularly taking into account the level of development proposed in the surrounding area. This will therefore lead to increased congestion together with increased air and noise pollution. We remain of the view that an initiative to reduce private vehicle use would be more beneficial in meeting this objective.

Promoting sustainable transport

The Statement of Reasons suggests “the Scheme will act as a catalyst to promoting sustainable transport” (paragraph 16.12) and indicates that “better public transport will be provided” (paragraph 16.14). No further information or evidence is provided to suggest how this will be delivered. Whilst the road widening will also include extended cycle lanes, this alone will not ensure sustainable transport options are utilised. Furthermore, if attention was focused on reducing private vehicle use by improving public transport provision and making it more attractive, this would also assist in improving the area for pedestrians.

3. CPO The Last Resort

It is an established principle that compulsory purchase should be regarded as a method of last resort.

Paragraph 18.21 of the Statement of Reasons suggests that the Council will continue to ensure that all reasonable attempts are made to acquire the required CPO Order Land by agreement in parallel with the compulsory purchase process. Whilst our client has continually reiterated their concerns regarding access and egress to/from their property, no firm assurance has been provided to indicate that they are being taken seriously.

Accordingly, the compulsory purchase order is premature and is not a method of last resort. Further time is required to engage with affected owners and occupiers prior to the use of compulsory purchase powers.

4. Human Rights

It is our considered opinion that the proposed Order is also an infringement of our client's human rights under the Human Rights Act 1998. The Secretary of State must consider whether, on balance, the case for compulsory purchase justifies interfering with the human rights of the owners and occupiers of the Order land.

Under Article 1 of the First Protocol, no one shall be deprived of his possessions except in the public interest. For the reasons set out above, we do not consider that the Scheme as proposed is fully in the public interest and many of the objectives given as justification for the confirmation of the Order can be met without resorting to a CPO. As such, there is inadequate justification for interfering with the human rights of the owners and occupiers affected by this proposed Scheme. The balance has not been struck between the individual rights and the wider public interest.

In conclusion, there is "no compelling case in the public's interest" as required by national policy to acquire the Objector's land.

The above represents our client's objection to the aforementioned Compulsory Purchase Order. We reserve the right to add to or expand our client's case upon site of further evidence and information being made available by the Acquiring Authority.

Yours faithfully



Angela Juszczuk BA (Hons) MSc MRICS
Associate Director
For and on behalf of
ROGER HANNAH & CO LTD

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**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvements)
(Side Roads) Order 2017**

-and-

**The City of Bradford Metropolitan District Council
(Harrogate Road/New Line Junction Improvement Scheme)
Compulsory Purchase Order 2017**

Objection by Mr and Mrs Lock, No 140 Newline, Greengates, Bradford

| Mr and Mrs Lock, 140 Newline. | Grounds of Objection | Statement of Case Response |
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| Mr and Mrs Lock, No 140 Newline, Greengates, Bradford (In respect of Plot 30) | 1) Impact of proposed works on the subject property. a) Access / Egress during construction works | 1a) As detailed within section 13 of the Joint Statement of Case the Council will agree an appropriate "Construction Traffic Management Plan", with the selected contactor, prior to the commencement of the Scheme. This plan will include information pertinent to maintaining access for affected residents and businesses. The selected contractor, in conjunction with the Council, will implement measures as far as is reasonably practicable to help minimise disruptions to affected properties. |

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| | <p>1b) Increase in traffic noise.</p> | <p>1b) On the 13th October 2017, Environmental Noise Solutions Limited undertook a noise Impact assessment on behalf of the Council. Noise sensitive receptors were placed at No`s 138, 138A, 1338B, 142-150, 150A and 152 New Line due to their proximity to the proposed carriageway. The noise assessment concluded that the above mentioned properties and properties adjacent to P-Loop Junction sections of the Scheme, are predicted to experience a 1.5 – 1.6 dB increase in road traffic noise level in the short term, due to increased traffic volumes and proximity to the highway. Changes of this magnitude are categorised as ‘minor/low’ in accordance with the Government’s Design Manual for Roads and Bridges.</p> <p>The property at No 140 New Line currently lies 32.5 metres from the carriageway and the proposals will see the carriageway move approximately 6 metres closer, resulting in the distance between No 140 New Line and the proposed carriageway reducing to approximately 26.5 metres. The noise assessment has been undertaken at properties which will see the distance to the proposed carriageway reduced to approximately 7 metres. The noise impact assessment also concluded that the change in traffic noise at these properties would be classified as ‘minor/low’. The Council believes that the reduced distance between 140 Newline and the proposed carriageway, combined with its sheltered location and lack of windows fronting the highway, will lead to a minimal impact on noise levels at the property. Nevertheless if desired by the objector, the Council is happy to assess the property for noise insulation in accordance with</p> |
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| | <p>1c) Increase in dust.</p> | <p>the Noise Insulation Regulations 1975 (as amended in 1988) and the Land Compensation Act (1973), upon completion of the Scheme. If the property is eligible, the objector will subsequently receive a formal offer of insulation works which they will have the option to accept or refuse, wholly or in part.</p> <p>1c) Paragraph 14 of the Joint Statement of Case confirms that the air quality assessment carried out by Air Quality Consultants in October 2017 concluded that the Scheme can be reasonably expected to provide an overall improvement in the air quality of the surrounding area. This is because the increased throughput of traffic at the Harrogate Road/New Line junction will in turn, reduce congestion in the area and a reduction in the emissions associated with standing traffic.</p> <p>The Air Quality Report produced by the Consultants also indicated that the construction works will give rise to a “medium risk” of dust impact and that it will only be necessary to apply a package of mitigation measures to minimise dust emissions. With these mitigation measures in place, the overall impacts during construction will “not be significant”.</p> <p>In co-ordination with the Council’s environmental health department, the works contract will contain clauses designed to reduce the production of dust during the construction works. These practices will be monitored to ensure compliance.</p> |
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| | <p>c. Improving local air quality</p> <p>d. Promoting sustainable transport</p> | <p>(2c) Air quality improvements are discussed in “increase in dust” in 1c above.</p> <p>(2d) The Scheme will provide most carriageways with cycle lanes in each direction throughout the Harrogate Road/New Line junction, creating a combined total of over 600 metres of new cycle lanes. Where carriageway space is limited (such as on the Harrogate Road downhill northbound arms) the inside (nearest to kerb line) lane would be a minimum of 4.0 metres wide, allowing for comfortable overtaking of cyclists within that lane width. Furthermore, each of the new traffic signal lane approaches would have advanced cycle stop lines. These measures will help to promote the use of cycling which is a sustainable transport mode.</p> <p>In addition to the above, the Scheme will include significant improvements to assist pedestrians to cross the roads safely. On each arm of the junction there will be controlled pedestrian crossing facilities with red coloured tactile paving and dropped kerbing. The four crossing routes would be staggered giving refuge in the centre of each carriageway. There will also be two new controlled crossings - one on New Line and the other on Harrogate Road. The one on New Line will replace the existing pelican crossing outside of the Asda Store and this will also be a staggered design. The one on Harrogate Road will be a brand new facility located just to the north of Carr Bottom Road.</p> |
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| | <p>3. CPO, The last resort</p> | <p>Furthermore, the Scheme provides for the enhancement of five existing bus stops/shelters, with facilities brought up to Metro bus stop infrastructure (2008) standards. This will include the provision of real time journey information, again improving and therefore promoting the use of sustainable transport.</p> <p>The Combined Authority as both the promoter of the Scheme and Passenger Transport Executive is in support of the proposals.</p> <p>The council believes that these improvements within the scheme will promote the use of sustainable modes of transport.</p> <p>3The Council and its agent, Axis Property Consultancy has had an ongoing dialogue with Mr and Mrs Lock (and their Agent) since January 2016. A formal offer to acquire the property was made in July 2016 and subsequently reviewed during negotiations with the Agent. Several meetings have taken place but no agreement has so far been reached. The Council therefore strongly refutes that the CPO Order has not been made as a 'last resort'. It has spent several years trying to advance the Scheme on a 'by agreement' basis to no avail and which has led the Council to conclude that in the absence of a voluntary negotiated agreement, there is no other option other than to seek to rely on the use of compulsory purchase powers to achieve the desired outcome.</p> |
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| | <p>4. Human Rights</p> | <p>4 Section 26 of the Joint Statement of Case deals with the issue of Human Rights.</p> <p>The Orders have the potential to infringe the human rights of persons who own property in the CPO Order Land. However, such an infringement is authorised by law provided –</p> <ul style="list-style-type: none"> • the statutory procedures for obtaining the Orders are followed and there is a compelling case in the public interest for the Orders to be confirmed and brought into operation; and • <p>any intervention with the Convention right is proportionate to the legitimate aim served.</p> <p>In coming to the conclusion that there is a compelling case in the public interest to make the Orders, the Council has had due regard to Article 1 of the First Protocol (the right to peaceful enjoyment of possessions including property, and prevents persons from being deprived of their possessions except in the public interest and subject to relevant national and international laws), Article 8 (protection of private and family life), Article 6 (entitlement to a fair and public hearing by an independent and impartial tribunal) and Article 14 (the right to enjoy rights and freedoms free from discrimination).</p> <p>The following Articles of the Convention are relevant to the determination as to whether the Order should be confirmed –</p> <p>Article 1 of the First Protocol - protects the right to peaceful enjoyment of possessions, including property. This protection does not diminish</p> |
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| | | <p>the right of the Council to enforce such laws as it deems necessary to control the use of property in accordance with the general interest. The European Court of Human Rights has recognised, in the context of Article 1 that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole.” The Council recognises that powers of compulsory purchase must be exercised proportionately. Both public and private interests must be taken into account in the exercise of the Council's powers and duties as a local authority and no one can be deprived of their possessions except in the public interest and subject to the relevant national and international laws. As with Article 8 below, any interference with possessions must be proportionate and in determining whether a particular measure is proportionate a fair balance must be struck between the public benefit sought and the interference with the rights in question.</p> <p>In processing the Orders, the Council has complied with all relevant legislation and regulations which provide an opportunity for those affected to object to the Orders and have their representations considered at a public inquiry. The land and rights needed to be acquired to facilitate the Scheme including interference with private property rights has been kept to the minimum necessary to carry out the much needed highway improvements and associated mitigation measures. The public interest can only be safeguarded by the acquisition of the land and rights needed and other ancillary measures but will not place a disproportionate burden on affected landowners.</p> <p>The Council believes that the Scheme is in the public interest and that this outweighs the harm caused by the use of compulsory purchase powers to acquire and interfere with third party land and rights needed</p> |
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| | | <p>for the Scheme and that any interference with rights protected by the Convention is considered to be justifiable in order to secure the public benefits that the Scheme will bring to the community.</p> <p>The Council therefore affirms that in the preparation and submission of the Orders to the Secretary of State for Transport for confirmation, the Council has had regard to the rights of the individual and property of the individual as contained in Human Rights legislation and contests that any interference with private rights of the individual is outweighed by the public benefits which the scheme would generate.</p> |
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