

**THE WARRINGTON BOROUGH COUNCIL**

**THE WARRINGTON BOROUGH COUNCIL (OMEGA TO BURTONWOOD ACCESSIBILITY IMPROVEMENTS) COMPULSORY PURCHASE ORDER 2019**

**The Highways Act 1980**

**The Acquisition of Land Act 1981**

- 1 The Warrington Borough Council (in this Order called the “**Acquiring Authority**”) makes the following Order:  
  
Subject to the provisions of this Order, the Acquiring Authority is, under Sections 239, 240, 246 and 260 of the Highways Act 1980 (as amended) and Section 3 of and Schedules 2 and 3 to the Acquisition of Land Act 1981, hereby authorised to purchase compulsorily the land described in paragraph 2 for the purpose of extending and improving the highway at Burtonwood Road and Clay Lane in order to incorporate an integral cycle track with a right of way on foot, which is a highway maintainable at the public expense, comprising:
  - (a) a 3.5m wide tarmac integral cycle track with a right of way on foot for shared use by pedestrians, cyclists and people with disabilities;
  - (b) a 2m grass verge for shared use by pedestrians, cyclists and people with disabilities;
  - (c) the use of land in connection with the extended and improved Burtonwood Road/Clay Lane;
  - (d) the carrying out of drainage works in connection with the extension and improvement of the highway; and
  - (e) the mitigation of any adverse effects as a result of the existence or use of the highway proposed to be extended and improved by the Acquiring Authority.
- 2 The land authorised to be purchased compulsorily under this Order is the land described in the Schedule and delineated and shown coloured pink on the map, prepared in duplicate, sealed with the common seal of the Acquiring Authority and marked “Map referred to in The Warrington Borough Council (Omega to Burtonwood Accessibility Improvements) Compulsory Purchase Order 2019”.
- 3 Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 are hereby incorporated with this Order.

THE WARRINGTON BOROUGH COUNCIL (OMEGA TO BURTONWOOD ACCESSIBILITY IMPROVEMENTS) COMPULSORY PURCHASE ORDER 2019

SCHEDULE

LAND TO BE PURCHASED

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1	860 square metres of agricultural land, private access, hedgerow and pond to the west of Clay Lane, forming part of Clay Lane Farm, Warrington	Liu Jiao Ye Clay Lane Farm Clay Lane Burtonwood Warrington WA5 4DH <i>(excluding mines and minerals)</i>  Shun Kai Ye Clay Lane Farm Clay Lane Burtonwood Warrington WA5 4DH <i>(excluding mines and minerals)</i>	-	-	Liu Jiao Ye Clay Lane Farm Clay Lane Burtonwood Warrington WA5 4DH  Shun Kai Ye Clay Lane Farm Clay Lane Burtonwood Warrington WA5 4DH

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
2	207 square metres of agricultural land and hedgerow situated to the west of Clay Lane and to the west of Old Lodge Farm, Warrington	<p>Wing Hong Ye 262 Watery Lane St. Helens WA9 3HF <i>(as disputed freeholder)</i> <i>(excluding mines and minerals)</i></p> <p>Wing Sing Ye 262 Watery Lane St. Helens WA9 3HF <i>(as disputed freeholder)</i> <i>(excluding mines and minerals)</i></p> <p>Steve Arthur Holding Old Fire Station Durham Road Birtley Chester Le Street DH3 1LU <i>(as disputed freeholder)</i> <i>(excluding mines and minerals)</i></p> <p>Sharon Julie Wilson Lower Bendrigg Barn Old Hutton Kendal LA8 0NP <i>(as disputed freeholder)</i> <i>(excluding mines and minerals)</i></p>	-	<p>Carol Margaret Addison Ivy Cottage Joy Lane Burtonwood Warrington WA5 4DF</p>	<p>Carol Margaret Addison Ivy Cottage Joy Lane Burtonwood Warrington WA5 4DF</p>

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
3	348 square metres of agricultural land and scrubland situated to the west of Clay Lane and to the west of the yard area of Old Lodge Farm, Warrington	Steve Arthur Holding (Address as at parcel 2) <i>(excluding mines and minerals)</i>  Sharon Julie Wilson (Address as at parcel 2) <i>(excluding mines and minerals)</i>	-	Carol Margaret Addison (Address as at parcel 2)	Carol Margaret Addison (Address as at parcel 2)
4	1001 square metres of agricultural land, trees, scrub, and public footpath (25) situated to the west of Clay Lane and to the south west of Old Lodge Farm, Warrington	Elizabeth Holding 99 Thelwall New Road Warrington WA4 2HX <i>(as trustees of The Diamond Transport (Warrington) Directors Pension Scheme)</i> <i>(excluding mines and minerals)</i>  Steve Arthur Holding (Address as at parcel 2) <i>(as trustees of The Diamond Transport (Warrington) Directors Pension Scheme)</i> <i>(excluding mines and minerals)</i>  Sharon Julie Wilson (Address as at parcel 2) <i>(as trustees of The Diamond Transport (Warrington) Directors Pension Scheme)</i> <i>(excluding mines and minerals)</i>	-	Carol Margaret Addison (Address as at parcel 2)	Carol Margaret Addison (Address as at parcel 2)  Warrington Borough Council Quattro Tower New Town House Buttermarket Street Warrington WA1 2NH <i>(in respect of public footpath (25))</i>

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
5	1430 square metres of agricultural land, grass verge and public footpath (25) situated to the south of Clay Lane and to the south and south east of Old Lodge Farm, Warrington	Gillian Ditchfield Penketh Hall Farm Hall Nook Penketh Warrington WA5 2HR <i>(as executrix to Keith James Ditchfield)</i> <i>(excluding mines and minerals)</i>  James Ditchfield Penketh Hall Farm Hall Nook Penketh Warrington WA5 2HR <i>(as executor to Keith James Ditchfield)</i> <i>(excluding mines and minerals)</i>	-	-	Gillian Ditchfield Penketh Hall Farm Hall Nook Penketh Warrington WA5 2HR  James Ditchfield Penketh Hall Farm Hall Nook Penketh Warrington WA5 2HR  Warrington Borough Council (Address as at parcel 4) <i>(in respect of public footpath (25))</i>
6	4305 square metres of agricultural land, grass verge and scrubland situated to the west of Clay Lane and to the north east and east of Ivy Cottage, Warrington, running to the junction with Joy Lane, Warrington	Gillian Ditchfield (Address as at parcel 5) <i>(as executrix to Keith James Ditchfield)</i> <i>(excluding mines and minerals)</i>  James Ditchfield (Address as at parcel 5) <i>(as executor to Keith James Ditchfield)</i> <i>(excluding mines and minerals)</i>	-	-	Gillian Ditchfield (Address as at parcel 5)  James Ditchfield (Address as at parcel 5)

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
7	155 square metres of agricultural land situated to the south of the junction of Clay Lane, Burtonwood Road and Joy Lane, Warrington, and to the north west of Finger Post Farm, Warrington	Sean Adam Artess 16 Rushton Close Warrington WA5 4HB <i>(excluding mines and minerals)</i>	-	-	Unoccupied
8	50 square metres of garden and garden wall (Finger Post Farm) situated to the south of Burtonwood Road, Warrington	Sean Adam Artess (Address as at parcel 7) <i>(excluding mines and minerals)</i>	-	-	Unoccupied
9	164 square metres of garden (Finger Post Farm) situated to the south of Burtonwood Road, Warrington	Arterior Developments Limited Unit 17 Burtonwood Industrial Centre Phipps Lane Burtonwood Warrington WA5 4HX <i>(excluding mines and minerals)</i>	-	-	Unoccupied

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
10	229 square metres of agricultural land and hedgerow situated to the south of Burtonwood Road and to the north east of Finger Post Farm, Warrington	Gillian Ditchfield (Address as at parcel 5) <i>(as executrix to Keith James Ditchfield)</i> <i>(excluding mines and minerals)</i>  James Ditchfield (Address as at parcel 5) <i>(as executor to Keith James Ditchfield)</i> <i>(excluding mines and minerals)</i>	-	-	Gillian Ditchfield (Address as at parcel 5)  James Ditchfield (Address as at parcel 5)
11	282 square metres of agricultural land, grass verge and scrubland situated to the south east of the junction of Burtonwood Road and Tan House Lane, Warrington	Gillian Ditchfield (Address as at parcel 5) <i>(as executrix to Keith James Ditchfield)</i> <i>(excluding mines and minerals)</i>  James Ditchfield (Address as at parcel 5) <i>(as executor to Keith James Ditchfield)</i> <i>(excluding mines and minerals)</i>	-	-	Gillian Ditchfield (Address as at parcel 5)  James Ditchfield (Address as at parcel 5)
12	207 square metres of agricultural land and scrubland situated to the north of the junction of Burtonwood Road and Wright's Lane, Warrington	Homes England 50 Victoria Street London SW1H 0TL <i>(excluding mines and minerals)</i>	-	-	Unoccupied

**SCHEDULE**

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THE WARRINGTON BOROUGH COUNCIL (OMEGA TO BURTONWOOD ACCESSIBILITY IMPROVEMENTS) COMPULSORY PURCHASE ORDER 2019

SCHEDULE

Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
1	Lloyds Bank plc 25 Gresham Street London EC2V 7HN	As mortgagee to Lui Jiao Ye and Shun Kai Ye in respect of a legal charge dated 24 March 2017 registered under title CH542957	<p>Paul Brian Clarke 24 Penny Lane Collins Green Warrington WA5 4DS</p> <p>Tina Kimberley Clarke 24 Penny Lane Collins Green Warrington WA5 4DS</p> <p>The Coal Authority 200 Lichfield Road Mansfield NG18 4RG</p> <p>Unknown</p> <p>Wing Hong Ye 262 Watery Lane St. Helens WA9 3HF</p>	<p>Restrictive covenant not to block access or cause a nuisance as contained in a Transfer dated 29 June 2005 for the benefit of registered title CH410610</p> <p>Restrictive covenant not to block access or cause a nuisance as contained in a Transfer dated 29 June 2005 for the benefit of registered title CH410610</p> <p>Restrictive covenants relating to boundary fences and relating to the termination of tenancy agreements as contained in a Transfer dated 14 April 1997 for the benefit of unknown land</p> <p>Restrictive covenants relating to boundary fences and relating to the termination of tenancy agreements as contained in a Transfer dated 14 April 1997 for the benefit of unknown land</p> <p>Covenant to maintain a boundary fence as contained in a Transfer dated 29 June 2005 for the benefit of registered title CH657425</p>

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	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
1 (cont'd)			<p>Wing Sing Ye 262 Watery Lane St. Helens WA9 3HF</p> <p>Paul Brian Clarke 24 Penny Lane Collins Green Warrington WA5 4DS</p> <p>Tina Kimberley Clarke 24 Penny Lane Collins Green Warrington WA5 4DS</p> <p>The Coal Authority 200 Lichfield Road Mansfield NG18 4RG</p> <p>Unknown</p>	<p>Covenant to maintain a boundary fence as contained in a Transfer dated 29 June 2005 for the benefit of registered title CH657425</p> <p>Right of access and rights relating to construction, service media and support as contained in a Transfer dated 29 June 2005 for the benefit of registered title CH410610</p> <p>Right of access and rights relating to construction, service media and support as contained in a Transfer dated 29 June 2005 for the benefit of registered title CH410610</p> <p>Right of access and rights relating to maintenance of shafts as contained in a Transfer dated 14 April 1997 for the benefit of unknown land</p> <p>Right of access and rights relating to maintenance of shafts as contained in a Transfer dated 14 April 1997 for the benefit of unknown land</p>

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	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
2	-	-	The Coal Authority (Address as at parcel 1)  Unknown  The Coal Authority (Address as at parcel 1)  Unknown	Restrictive covenants relating to boundary fences and relating to the termination of tenancy agreements as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Restrictive covenants relating to boundary fences and relating to the termination of tenancy agreements as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Right of access and rights relating to maintenance of shafts as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Right of access and rights relating to maintenance of shafts as contained in a Transfer dated 14 April 1997 for the benefit of unknown land

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3	-	-	The Coal Authority (Address as at parcel 1)  Unknown  The Coal Authority (Address as at parcel 1)  Unknown	Restrictive covenants relating to boundary fences and relating to the termination of tenancy agreements as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Restrictive covenants relating to boundary fences and relating to the termination of tenancy agreements as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Right of access and rights relating to maintenance of shafts as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Right of access and rights relating to maintenance of shafts as contained in a Transfer dated 14 April 1997 for the benefit of unknown land

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4	-	-	The Coal Authority (Address as at parcel 1)  Unknown  The Coal Authority (Address as at parcel 1)  Unknown	Restrictive covenants relating to boundary fences and relating to the termination of tenancy agreements as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Restrictive covenants relating to boundary fences and relating to the termination of tenancy agreements as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Right of access and rights relating to maintenance of shafts as contained in a Transfer dated 14 April 1997 for the benefit of unknown land  Right of access and rights relating to maintenance of shafts as contained in a Transfer dated 14 April 1997 for the benefit of unknown land

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	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
5	-	-	<p>Openreach Limited Kelvin House 123 Judd Street London WC1H 9NP</p> <p>British Telecommunications plc 81 Newgate Street London EC1A 7AJ</p> <p>Homes England 50 Victoria Street London SW1H 0TL</p> <p>Omega North Management Company Limited Condor House St Paul's Churchyard London EC4M 8AL</p>	<p>Rights relating to telecommunications apparatus as contained in an Agreement</p> <p>Rights relating to telecommunications apparatus as contained in an Agreement</p> <p>Rights relating to service media and construction as contained in a Transfer dated 9 July 2003 for the benefit of registered title CH509156</p> <p>Rights relating to service media and construction as contained in a Transfer dated 9 July 2003 for the benefit of adjoining land</p>

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	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
6	-	-	Openreach Limited (Address as at parcel 5)  British Telecommunications plc (Address as at parcel 5)  Homes England (Address as at parcel 5)  Omega North Management Company Limited (Address as at parcel 5)	Rights relating to telecommunications apparatus as contained in an Agreement  Rights relating to telecommunications apparatus as contained in an Agreement  Rights relating to service media and construction as contained in a Transfer dated 9 July 2003 for the benefit of registered title CH509156  Rights relating to service media and construction as contained in a Transfer dated 9 July 2003 for the benefit of adjoining land
7	Accord Mortgages Limited Yorkshire House Yorkshire Drive Bradford BD5 8LJ	As mortgagee to Sean Adam Artess in respect of a legal charge dated 15 November 2017 registered under title CH136982	-	-
8	Accord Mortgages Limited (Address as at parcel 7)	As mortgagee to Sean Adam Artess in respect of a legal charge dated 15 November 2017 registered under title CH136982	-	-

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9	-	-	<p>Sean Adam Artess 16 Rushton Close Warrington WA5 4HB</p> <p>Sean Adam Artess 16 Rushton Close Warrington WA5 4HB</p> <p>Gillian Ditchfield Penketh Hall Farm Hall Nook Penketh Warrington WA5 2HR</p> <p>James Ditchfield Penketh Hall Farm Hall Nook Penketh Warrington WA5 2HR</p>	<p>Restrictive covenant not to use the property for anything other than a dwelling house and not to allow refuse to enter the drain as contained in a Conveyance dated 22 August 1973 for the benefit of adjoining land</p> <p>Rights relating to service media and right of light as contained in a Conveyance dated 22 August 1973 for the benefit of adjoining land</p> <p>Rights relating to service media and right of light as contained in a Conveyance dated 22 August 1973 for the benefit of adjoining land</p> <p>Rights relating to service media and right of light as contained in a Conveyance dated 22 August 1973 for the benefit of adjoining land</p>
10	-	-	<p>Homes England (Address as at parcel 5)</p> <p>Omega North Management Company Limited (Address as at parcel 5)</p>	<p>Rights relating to service media and construction as contained in a Transfer dated 9 July 2003 for the benefit of registered title CH509156</p> <p>Rights relating to service media and construction as contained in a Transfer dated 9 July 2003 for the benefit of adjoining land</p>

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	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
11	-	-	Homes England (Address as at parcel 5)  Omega North Management Company Limited (Address as at parcel 5)	Rights relating to service media and construction as contained in a Transfer dated 9 July 2003 for the benefit of registered title CH509156  Rights relating to service media and construction as contained in a Transfer dated 9 July 2003 for the benefit of adjoining land

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	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
12	Omega North Management Company Limited Condor House St Paul's Churchyard London EC4M 8AL	Option to purchase	<p>Omega North Management Company Limited (Address as at parcel 5)</p> <p>Amec Staff Pensions Trustee Limited Booths Park Chelford Road Knutsford WA16 8QZ</p> <p>Gillian Ditchfield (Address as at parcel 9)</p> <p>James Ditchfield (Address as at parcel 9)</p> <p>Northern Ireland Local Government Officers' Superannuation Committee Templeton House 411 Hollywood Road Belfast BT4 2LP</p> <p>Omega North Management (Address as at parcel 5)</p>	<p>Restrictive covenant not to construct buildings, plant trees or hedges or erect masts, fences or chimneys as contained in a Conveyance dated 26 April 1940 for the benefit of adjoining land</p> <p>Rights of access, support, signage and rights relating to service media as contained in a Transfer dated 25 November 2013 for the benefit of neighbouring land</p> <p>Rights relating to service media as contained in a Transfer dated 9 July 2003 for the benefit of adjoining land</p> <p>Rights relating to service media as contained in a Transfer dated 9 July 2003 for the benefit of adjoining land</p> <p>Rights of access, support, signage and rights relating to service media as contained in a Transfer dated 25 November 2013 for the benefit of neighbouring land</p> <p>Rights relating to service media as contained in a Transfer dated 9 July 2003 for the benefit of adjoining land</p>

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General Entries:

Name and Address	Capacity	Description
British Telecommunications plc 81 Newgate Street London EC1A 7AJ	As licensed telecommunications operator	in respect of telecommunications facilities
Cadent Gas Limited Ashbrook Court Prologis Park Central Boulevard Coventry United Kingdom CV7 8PE	As statutory gas transmission undertaker	in respect of gas mains, pipes and other apparatus
National Grid Gas plc Grand Buildings 1-3 Strand London WC2N 5EH	As statutory gas transmission undertaker	in respect of gas mains, pipes and other apparatus
SP Manweb plc 3 Prenton Way North Cheshire Trading Estate Prenton CH43 3ET	As statutory gas distribution undertaker	in respect of gas mains, pipes and other apparatus

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General Entries:

Name and Address	Capacity	Description
United Utilities plc Haweswater House Lingley Green Avenue Lingley Mere Business Park Great Sankey Warrington WA5 3LP	As statutory water mains undertaker	in respect water mains, foul sewer, surface water sewer and other apparatus

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**SCHEDULE**

The Common Seal of Warrington Borough Council

was hereunto affixed in the presence of:

Authorised Signatory

Dated

March 2019