

THE WARRINGTON BOROUGH COUNCIL

(A57 LIVERPOOL ROAD/LINGLEY GREEN AVENUE – JUNCTION 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 19 and Schedule 3 to the Acquisition of Land Act 1981, hereby authorised to purchase compulsorily the land described in paragraph 2 for the purpose of facilitating the improvement of the existing highway junction at Liverpool Road and Lingley Green Avenue, which is a highway maintainable at the public expense, comprising:

- (a) localised widening of Lingley Green Avenue (Southbound) for a distance of 100m to form separate left and right turn lanes at the stopline;
- (b) localised widening of Liverpool Road (eastbound) for a distance of 80m to form separate left and ahead lanes at the stopline;
- (c) upgrade of the existing pedestrian crossing on Lingley Green Avenue to a toucan crossing (suitable for both pedestrians and cyclists);
- (d) relocation and upgrade of the existing pedestrian crossing to a toucan crossing on Liverpool Road to the west of Lingley Green Avenue;
- (e) retention of the existing advanced stoplines for cyclists;
- (f) provision of additional dropped kerbs to facilitate use of toucan crossings for cyclists;
- (g) the carrying out of drainage works in connection with the ^{IMPROVEMENT} ~~construction~~ of highways; SC
- (h) the improvement or development of frontages to a highway or of the land adjoining or adjacent to that highway;
- (i) use by the Acquiring Authority in connection with the ^{SC} ~~construction and~~ improvement of highways and the ~~provision of new means of access as aforesaid~~; and SC
- (j) the mitigation of any adverse effects which the existence or use of any highway proposed to be ^{IMPROVED} ~~constructed~~ by the Acquiring Authority. SC

- 2 (1) 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 (A57 Liverpool Road/Lingley Green Avenue – Junction Improvements) Compulsory Purchase Order 2019".
- 3 (1) In this paragraph "the Order Land" means the land numbered 4 in the Schedule.
- 3 (2) As from the date on which this Order becomes operative or the date on which the Order Land, or any part of it, is vested in the acquiring authority whichever is the later, that land or that part of it which is vested (as the case may be) shall be discharged from all rights, trusts and incidents to which it was previously subject.

SCHEDULE
LAND TO BE PURCHASED

SC The title of the Order is modified to read THE WARRINGTON BOROUGH COUNCIL (A57 LIVERPOOL ROAD/LINGLEY GREEN AVENUE – JUNCTION IMPROVEMENTS) COMPULSORY PURCHASE ORDER 2019 on pages 3 to 11 by modification by the Secretary of State for Transport upon confirmation of the Order by him.

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 SC AND PART GRASS VERGE	All interests in 1,054 square metres of public adopted highway (Lingley Green Avenue (A5280)) situated to the west of 10-20 Pycroft Close, Warrington except those interests owned by the Acquiring Authority	Wainhomes (Southwest) Limited Owlsfoot Business Centre Sticklepath Okehampton EX20 2PA Warrington Borough Council New Town House Buttermarket Street Warrington WA1 2NH (as highway authority)	-	-	Warrington Borough Council New Town House Buttermarket Street Warrington WA1 2NH (as highway authority)
2	All interests in 63 square metres of public house premises (The Trigger Pond, Lingley Green Avenue), private footway and grassed area situated to the north of Liverpool Road (A57), Warrington	Marston's plc Marston's House Brewery Road Wolverhampton WV1 4JT (trading as <i>The Trigger Pond</i>)	-	-	Marston's plc Marston's House Brewery Road Wolverhampton WV1 4JT (trading as <i>The Trigger Pond</i>)
3	All interests in 63 square metres of private footway and grassed area situated to the north of Liverpool Road (A57), Warrington	Wainhomes (Southwest) Limited (Address as at parcel 1)	-	-	Marston's plc (Address as at parcel 2) (trading as <i>The Trigger Pond</i>)

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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
4	All interests in 194 square metres of grassed public open space situated to the south of Shanklin Close, Warrington except those interests owned by the Acquiring Authority	Warrington Borough Council (Address as at parcel 1) <i>(excluding mines and minerals)</i> Unknown <i>(in respect of mines and minerals)</i>	-	-	Warrington Borough Council (Address as at parcel 1)

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	-	-	Unknown SP Manweb plc 3 Prenton Way Prenton CH43 3ET Wilcon Homes Northern Limited Gate House Turnpike Road High Wycombe HP12 3NR Unknown Unknown	Restrictive covenants relating to construction of buildings, roads and drainage and not to cause nuisance as contained in a Transfer dated 21 February 1983 for the benefit of unknown land Rights relating to underground electricity apparatus as contained in a Transfer dated 11 February 1986 for the benefit of registered title CH255463 Right of access, right of support, rights relating to service media and rights relating to maintenance as contained in a Transfer dated 29 November 1991 Right of access, right of support, rights relating to service media and rights relating to maintenance as contained in a Transfer dated 29 November 1991 Rights of service media and drainage

THE WARRINGTON BOROUGH COUNCIL (A57 LIVERPOOL ROAD/LINGLEY GREEN AVENUE) COMPULSORY PURCHASE ORDER 2019

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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	HSBC Trustee (C.I.) Limited HSBC House Esplanade St. Helier Jersey JE1 1HS	As mortgagee to Marston's plc in respect of a legal charge dated 9 August 2005 registered under title CH286464	Unknown Unknown Wainhomes (Southwest) Limited Owlsfoot Business Centre Sticklepath Okehampton EX20 2PA	Restrictive covenants relating to construction of buildings, roads and drainage and not to cause nuisance as contained in a Transfer dated 21 February 1983 for the benefit of unknown land Rights relating to service media as contained in a Transfer dated 11 November 1987 for the benefit of neighbouring land Rights relating to service media as contained in a Transfer dated 11 November 1987 for the benefit of neighbouring 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
3	-	-	Unknown SP Manweb plc (Address as at parcel 1) Wilcon Homes Northern Limited (Address as at parcel 1) Unknown Unknown Unknown	Restrictive covenants relating to construction of buildings, roads and drainage and not to cause nuisance as contained in a Transfer dated 21 February 1983 for the benefit of unknown land Rights relating to underground electricity apparatus as contained in a Transfer dated 11 February 1986 for the benefit of registered title CH255463 Right of access, right of support, rights relating to service media and rights relating to maintenance as contained in a Transfer dated 29 November 1991 Right of access, right of support, rights relating to service media and rights relating to maintenance as contained in a Transfer dated 29 November 1991 Rights of service media and drainage Right of Way

THE WARRINGTON BOROUGH COUNCIL (A57 LIVERPOOL ROAD/LINGLEY GREEN AVENUE) COMPULSORY PURCHASE ORDER 2019

SCHEDULE

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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
4	-	-	<p>SP Manweb plc (Address as at parcel 1)</p> <p>SP Manweb plc (Address as at parcel 1)</p> <p>Unknown</p> <p>Wilcon Homes Northern Limited (Address as at parcel 1)</p> <p>SP Manweb plc (Address as at parcel 1)</p> <p>Wainhomes (Southwest) Limited (Address as at parcel 2)</p> <p>Unknown</p>	<p>Restrictive covenant not to interfere with or damage underground electricity lines as contained in a Transfer dated 17 March 1994 for the benefit of unknown land</p> <p>Restrictive covenant not to interfere with or damage underground electricity apparatus as contained in a Transfer dated 11 February 1986 for the benefit of unknown land</p> <p>Restrictive covenants relating to construction of roads or accessways and not to cause a nuisance as contained in a Transfer dated 29 November 1991</p> <p>Restrictive covenant not to use the land other than as public open space as contained in a Transfer dated 8 April 2002 for the benefit of adjoining land, together with rights of support and maintenance for the benefit of adjoining land</p> <p>Rights relating to underground electricity apparatus as contained in a Transfer dated 11 February 1986 for the benefit of adjoining land</p> <p>Right of access, right of support, rights relating to service media and rights relating to maintenance as contained in a Transfer dated 29 November 1991</p> <p>Right of access, right of support, rights relating to service media and rights relating to maintenance as contained in a Transfer dated 29 November 1991</p>

SCHEDULE

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
Energetics Gas Limited Fenick House 1 Lister Way Hamilton International Technology Park Blantyre Glasgow G72 0FT	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

THE WARRINGTON BOROUGH COUNCIL (A57 LIVERPOOL ROAD/LINGLEY GREEN AVENUE) COMPULSORY PURCHASE ORDER 2019

SCHEDULE

General Entries:

Name and Address	Capacity	Description
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
Virgin Media Limited Media House 10-14 Bartley Wood Business Park Bartley Way Hook RG27 9UP	As licensed telecommunications operator	in respect of telecommunications facilities
Vodafone Group plc Vodafone House The Connection Newbury RG14 2FN	As licensed telecommunications operator	in respect of telecommunications facilities
United Utilities plc Grasmere 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

SCHEDULE

This Order includes land falling within special categories to which Sections 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely:

Number of Map	Special Category
4	An area of public open space, grassed with some decorative planting delineating the adjacent public footpath (not included within parcel 4), in accordance with Section 19 of the Acquisition of Land Act 1981.

The Common Seal of Warrington Borough Council

was hereunto affixed in the presence of:



MATTHEW CUMBERBATCH
HEAD OF LEGAL AND DEMOCRATIC SERVICES AND
MONITORING OFFICER

Authorised Signatory

Dated

7th

January 2019



50728A

**THE WARRINGTON BOROUGH COUNCIL
(A57 LIVERPOOL ROAD/LINGLEY GREEN AVENUE - JUNCTION
IMPROVEMENTS) COMPULSORY PURCHASE ORDER 2019**

The Secretary of State for Transport hereby confirms the foregoing Order with modifications shown by red ink alterations and which bear the initials of the person whose signature appears below.

18TH JUNE 2019

Signed by Authority
of the Secretary of State



SIMON CONNICK
A senior civil servant in the
Department for Transport