

MRC Pension Trust Limited (MRC PTL)
Matalan Store, Berry Lane, Halifax
The Borough Council of Calderdale (Halifax Town Centre) (Highway Improvements) (West
Yorkshire Plus Transport Fund, A629 Phase 2) (Side Roads) Order 2020; Compulsory
Purchase Order 2020; and Supplementary Compulsory Purchase Order 2021
Plots 1/3 and 1/3a Order Map No. 1

Procedure

The above Orders were made by Calderdale Council . If these Orders are confirmed work is expected to start on site in April 2026. Lambert Smith Hampton, acting for MRC PTL , lodged a statutory objection to the draft Orders on the 29th January 2021. Axis Property Consultancy LLP are now instructed to represent MRC PTL in this matter.

On the 15th March 2021 the Department for Transport confirmed that the Secretary of State has decided to hold Public Local Inquiries (PLIs) into the above Orders. The Public Inquiry dates have been set commencing from 4th March 2025.

Land affected by the draft Orders

The land proposed to be taken (Plot 1/3) and land over which only temporary rights are required (Plot 1/3a) are shown on the attached plans. These are perimeter areas of land along the Lower Kirkgate and Berry Lane frontages that include the main entrance into the site together with some customer parking and landscaping

The areas of these different parcels of land are as follows:

1. Land to be acquired circa 898 sq m
2. Land over which temporary rights are required circa 330 sq m.

Net loss of land on a permanent basis – 898 sq m.

The land to be acquired extends along the Lower Kirkgate side of the Matalan site and is the primarily frontage land and principal aspect to the store; it is used for customer parking, Matalan signage and includes the main site entrance.

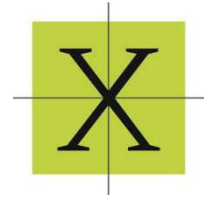
There will be a net loss of 28 car parking spaces to the front of the store following completion of the proposed works.

Access

Customer access/egress is currently from a mini roundabout at the bottom of Church Street at the junction with Lower Kirkgate and Berry Lane. The highway is to be improve the flow of traffic along the Church Street, Lower Kirkgate and Bank Bottom route.

The new access/egress to the Matalan store was originally proposed to be moved closer to the site's southern boundary, from Berry Lane. There is also to be a signalised pedestrian crossing on Lower Kirkgate that will help facilitate the crossing movement to and from Matalan.

Matalan's goods entrance will be retained in its existing location off Bank Bottom but accessed from a wider carriageway.



At a more strategic level the Council through its Phase 2 scheme is looking to equalise traffic movements along the town's eastern and western corridors. Calderdale advise this will generate higher traffic flows past the Matalan store.

Objections

MRC PTL's objections to the draft Orders relate to the original movement of the Matalan site access away from its existing position, the impact on their Tenant's (Matalan's) business during the works/construction period; and the lack of attempt to acquire MRC PTL's interest by agreement in advance of making the CPO.

The Council have been engaged with MRC PTL's management and technical advisers relating to alignment of the proposed road works and the physical works proposed; this has included attending site meetings and providing relevant design and supporting documentation to satisfy queries that MRC PTL and Matalan have had with the scheme and its design; this included alignment of highway, revised car park layouts etc. The most recent versions of the proposed works have restated the site access to it's current position.

In terms of managing the impact on Matalan's business during the works/construction period in particular MRC PTL are looking for assurances from the Council that:

1. 24 hour access to the store will be maintained for customers, staff and deliveries.
2. Construction methods and types of construction plant to be used will minimise nuisance and disturbance.
3. Off-site traffic will be managed efficiently during the construction phase.
4. Sufficient and easily accessible on site car parking will be maintained and on site traffic movements will be properly managed again during the construction phase.

We are unaware whether the appropriate assurance has been provided for the above points.

MRC PTL's objections relating to the lack of attempt to acquire MRC PTL's interest are on the basis there has been no engagement or negotiation to acquire the land required for the proposed scheme prior to making the CPO. There has been no engagement or negotiation relating to the acquisition of MRC PTL's interest in land prior to the 17th January 2025; leaving insufficient time for matters to be agreed and completed prior to the submission of this Statement; and more than likely insufficient time before the dates for the Public Inquiry. The Government's guidance on compulsory purchase, requires that the Council must "*attempt the acquisition of all of the land and rights included in the compulsory purchase order by agreement*".

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For and on behalf of
AXIS PROPERTY CONSULTANCY LLP
10th February 2025