

Calderdale MBC		
Wards Affected	ALL	
Cabinet	7 <sup>th</sup> December 2020	
West Yorkshire Plus Transport Fund A629 Corridor – Amendment to previous decision for Land acquisition and deployment of Compulsory Purchase and Side Road Order Powers as necessary for the A629 Phase 2 - Halifax Town Centre scheme		

## **Report of Director, Regeneration and Strategy**

### **1. Purpose of Reports**

- 1.1 Following the listing of Hughes Corporation Building in January 2019, members are asked to consider for approval amended land acquisition requirements to deliver WY+TF A629 Phase 2, Halifax Town Centre scheme.
- 1.2 It is also necessary to request approval to pursue the making of a statutory Compulsory Purchase Order (CPO) under the enabling powers of the Highways Act 1980. These powers will be used in parallel with attempts to acquire by negotiation.
- 1.3 There is an associated need to request amended approval for the making of a Side Roads Order (SRO) required for the implementation of the West Yorkshire Plus Transport Fund (WY+TF) A629 Phase 2, Halifax Town Centre scheme.

### **2. Need for a decision**

- 2.1 Further to approvals agreed by Cabinet in July 2016, October 2017 and March 2018, the scope of the scheme and the highway design have matured. Following Secretary of State's decision to approve the spot listing application for Hughes Corporation Building in January 2019 and no longer part of any demolition plans. The design for the area formally known as "The Piece Gardens" had to be revisited. This resulted in significant consultation and consequential, the area was fully re-design and renamed as The Eastern Gateway. Changes to land acquisition are necessary to enable the amended scheme to happen. This requires approval from Cabinet. See Appendix C
- 2.2 Approval is also required to increase previous approval for the Council to underwrite costs associated with land assembly / highway enabling works from £1.1m -£1.6m. Costs will be reimbursed in full by the West Yorkshire Combined Authority (WYCA). Investment Committee decision is expected for Full Business Case approval on the 5<sup>th</sup> November 2020.

- 2.3 A Side Roads Order is made under section 14 and section 125 of the Highways Act 1980 and alteration of the use of statutory powers as a result of scheme changes requires approval from Cabinet.

### **3. Recommendation**

It is recommended that:

- 3.1 The acquisition of required land and land interests as shown within Appendix A is approved with delegation of detailed agreements to the Director of Economy and Environment and Head of Democratic & Partnership Services in consultation with the relevant Portfolio Holder(s)
- 3.2 The use of Compulsory Purchase Orders under sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and all other enabling powers as appropriate in relation to the purchase of land and all relevant interests for delivery of the scheme and shown within Appendix A. Furthermore, the Statement of Reasons contained within Appendix D is delegated to the Director of Regeneration and Strategy and Head of Finance in consultation with the relevant Portfolio Holder(s) progress all works necessary to deliver the scheme including further detailed design changes as required.
- 3.3 The Council enter into any appropriate agreements with Government Departments, Agencies and other relevant persons to secure necessary access rights and to undertake any associated works for Phase 2, with delegation to the Head of Democratic & Partnership Services in consultation with the relevant Portfolio Holder(s)
- 3.4 That the necessary powers are delegated to the Head of Legal and Democratic Services the power to:
- a. Finalise the Compulsory Purchase Order, Side Roads Order and Statement of Reasons, drafts of which are at Appendix A, B and C including the power to make any minor amendments to those documents so as to give effect to the scheme approved by Cabinet
  - b. Make the Compulsory Purchase Order and Side Roads Order and submit them together with the Statement of Reasons to the Secretary of State for Transport for confirmation and thereafter to take all steps necessary to achieve confirmation of and implement those orders
  - c. Negotiate, agree terms and enter into agreements with interested parties, including for payment of compensation and to settle claims in order to give effect to the scheme approved by Cabinet

#### **4. Background and/or details**

- 4.1 Following a “mindful to permit” decision by the council’s Planning Committee in January 2019. The Secretary of State supported an earlier application for listing status of the Hughes Corporation Building located within the Eastern Gateway of the A629 Phase 2, Halifax Town Centre scheme. Original plans proposed the demolition of the building which was granted Grade II listed status following the committee decision.
- 4.2 Significant progress has been made to date by the Calderdale Council project team working in partnership with stakeholders to ensure a revised proposal matched all expectations as a place making opportunity and a location to be enjoyed by all users.
- 4.3 Planning permission for a revised scheme has since been granted by the Planning Committee on 16<sup>th</sup> June 2020. This revised the proposals to those previously considered by Planning committee and included the retention of the former Hughes Corporation building.

#### **5. Options considered**

- 5.1 Other options are not proposed as this paper is requesting amendment to previous approvals by Cabinet in July 2016, October 2017 and March 2018.

#### **6. Financial implications**

- 6.1 On 2nd October 2017 Cabinet agreed to underwrite the necessary land acquisition cost of £1.1m required to pay for the purchase of various sites. At this point land assembly estimated costs have risen from the original figure of £1.1m to an amount proposed within the Phase 2 FBC cost plan equating to £1.6m. It is not anticipated that the full sum may not be required, and this has been increased to avoid land value increases along with professional and legal fee costs that may not have been previously included. Advice regarding land assembly and estimated budgets has been provided from the council’s appointed officer/land agent.
- 6.2 Although approval is sought to increase the limit of underwriting for the purchases of various sites, it would not add any cost risk to the overall delivery of the scheme. The increased land assembly cost has been identified within the FBC submission and does not impact upon the overall delivery cost of £48.88m.
- 6.3 At this point, two plots of land have been secured with a third due to complete November 2020. Advanced negotiations are continuing with the four remaining landowners.
- 6.4 WYCA has previously released £2.6m plus a further £632,000 in September 2019 to undertake detailed design for Phase 2. A successful Activity 5 ‘construction approval’ submission to WYCA will release the full delivery funding for the project. This amount has also been used to reimburse the Council for all land acquisition monies funded by WYCA.

- 6.5 Total funding of £48.88 has been applied for and subject to the successful approval of the submitted Full Business Case on the 1st July 2020 and as part of WYCA, Assurance Process decision stage 4. Investment Committee has been given delegated authority by the Combined Authority and a decision for funding will be confirmed on the 5th November 2020

## **7. Legal Implications**

- 7.1 In accordance with the Ministry of Housing, Communities and Local Government (MHCLG) document 'Guidance on Compulsory purchase process and The Critchel Down Rules for the disposal of surplus land acquired by, or under threat of, compulsion' updated in July 2019 ('the MHCLG Guidance'), and The Department for Transport's Note on the Preparation, Drafting, Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State is the Confirming Authority, Circular No. 2/97 ('the DfT Guidance') the purpose for which an Authority seeks to acquire land will determine the statutory power(s) under which compulsory purchase is sought. In this case utilisation of the Highways Act 1980, sections 239, 240, 246, 250 and 206 are likely the appropriate choice.
- 7.2 Deployment of the statutory compulsory purchase powers is required because it is uncertain land can be acquired by agreement. All reasonable efforts will continue to be made to acquire the necessary land and rights by private negotiation in order to carry out the remodelling of the highway. Should compulsory acquisition be required, it will enable the redevelopment to take place in a timely fashion and deliver the wider public benefits that the corridor will secure providing certainty of programming and the realisation of the Council's policy objectives.
- 7.3 Compulsory powers can be exercised in order to promote or improve the economic, social and environmental well-being of the Council's area. However, a compelling case in the public interest for the exercise of such powers must be shown if the interference with property rights is to be justified. It is considered these benefits will be derived from the delivery of the A629 Phase 2, Halifax Town Centre scheme and that compulsory acquisition failing negotiated land purchase will be justifiable in the public interest.
- 7.4 The scheme is being undertaken by the Council as Local Highway Authority who is empowered under the Highways Act 1980 to acquire land to undertake the corridor improvements as improvement to the highway.
- 7.5 Prior to use of compulsory purchase powers, a compelling case in the public interest must be made. Members are advised that acquisition by negotiation should be pursued but should not postpone the making of the CPO if timescales for delivery of the scheme become critical. The MHCLG Guidance encourages authorities to undertake negotiations in parallel with preparing and making a compulsory purchase order.
- 7.6 Before a CPO can be made the Council must be satisfied that there are no planning, financial, legal or physical impediments to the delivery of the scheme. Assurances are given by the council's Legal support partner

Geldards LLP, that there are no such impediments and a detailed consideration can be found in the Statement of Reasons which can be made available for inspection at Halifax Town Hall when the CPO is made.

- 7.7 Consideration of the Human Rights Act 1998 and Article 1 of the First Protocol to the European Convention on Human Rights must be given prior to the making of a CPO. Although there are no domestic dwellings within the Order Land, Article 8 (as detailed below) should also be considered.
- 7.8 Article 1 protects the rights of everyone to the peaceful enjoyment of their possessions. No person can be deprived of their possessions except in the public interest and subject to the relevant national and international law.
- 7.9 Article 8 protects private and family life, the home and correspondence. This is a qualified right; no public authority can interfere with the interest except if it is in accordance with the law and is necessary and proportionate in the interests of national security, public safety or the economic wellbeing of the county.
- 7.10 The Council will need to balance the above individual rights against the compelling case in the public interest test. The view of officers is that the balance is in favour of the CPO being made given that the interference with individual rights is both necessary and proportionate in order to deliver the public benefits deriving from the scheme.
- 7.11 The relevant procedure is contained within the Highways Act 1980 and Acquisition of Land Act 1981, supplemented by the MHCLG Guidance and the DfT Guidance. All land owners and persons with a legal interest in the Order Land have the right to object to the making of a CPO and to representation at any local public inquiry scheduled by the Secretary of State to consider objections before the CPO is confirmed.
- 7.12 Those whose land is acquired will receive market value compensation and disturbance allowance based on the CPO compensation code principles. Consideration of the level of appropriate compensation is not a valid objection to the CPO and should this be in dispute will be a matter for the Upper Tribunal (Lands Chamber) to consider separately.
- 7.13 The Council has no legal obligation to relocate affected businesses under CPO legislative processes and may pay compensation for extinguishment instead, however given an obvious desire to endorse local business where able, support from colleagues within CAFM and the Business and Economy Team will be offered towards identifying alternative business premises. There is an inherent risk with this offer, given it is reliant upon the availability of suitable alternative premises at the time.
- 7.14 A Side Roads Order is an order made under section 14 and 125 of the Highways Act 1980. It may authorise a highway authority for a classified road to stop up, divert, improve, raise, lower or otherwise alter a highway that crosses or enters the route of a classified road. The power extends to works being carried out on highways which will be "otherwise affected" by the construction or improvement of the classified road. Section 14 also provides

for the construction of new highways, or parts of, for purposes concerned with any such alternations or related purposes. An order can authorise the construction of a highway for temporary purposes and provision can be made in the order for such a highway to be closed after a specified period. Section 125 of the 1980 Act provides that a side roads order can authorise the stopping up of private means of access to premises and can provide new means of access to premises.

- 7.15 The changes to the existing highway, the creation of new highway rights and the amendments to private accesses are illustrated in the plans appended to this report.
- 7.16 A Side Roads Order would be made immediately before the associated Compulsory Purchase Order and submitted to the Secretary of State for confirmation at the same time. Side roads orders and compulsory purchase orders cannot be implemented until they have been confirmed.
- 7.17 In terms of land sought, the Secretary of State would require to be satisfied that the land to be acquired can reasonably be regarded as required for the purposes of the acquisition, as stated in the Order. The land is required in connection with the improvement of a highway (e.g. as working space). Section 240(2) of the Highways Act 1980 authorises the acquisition of land adjoining or in the vicinity of existing highway in order to enable the carrying out works in connection with the construction or improvement of highways.
- 7.18 Section 246 of the Highways Act 1980 enables the Council to acquire land by order or agreement where it is necessary to mitigate the adverse effect of the existence or use of the highway or its surroundings.

## **8. Human Resources and Organisation Development Implications**

- 8.1 This paper is an amendment to previous approvals by Cabinet in in July 2016, October 2017 and March 2018 and there will be no impact to human resources or organisation development.

## **9. Consultation**

- 9.1 Stakeholder engagement is an essential on-going element of the A629 Phase 2 programme and on-going public engagement and communication is being planned as part of the overall programme delivery both prior and during the construction period.
- 9.2 Significant engagement has already taken place with affected landowners. Landowners have been contacted in the Phase 2 area and presented with scheme proposals highlighting land acquisition implications for their property / holdings. Response has been mostly cordial with an indicative voluntary sale willingness indicated from the majority.
- 9.3 A website [www.calderdalenextchapter.co.uk](http://www.calderdalenextchapter.co.uk) was created in May 2016 and contains the plans and information in relation to the Phase 2 scheme and contains details of the Halifax Town Centre Delivery Plan and all other West

Yorkshire Plus Transport Fund proposals. It also offers a 'contact us' function which the team directly managing the Transport Fund proposals engage with.

## **10. Environment, Health and Economic Implications**

- 10.1 The A629 projects will reduce journey times along this congested principal route for goods and employment destinations in Calderdale and Kirklees. Poor air quality is a result of the traffic conditions on the A629, where there can be 4,000-4,500 vehicles per hour. The topography and vehicle types are also contributory factors to poor air quality. Phase 2 seeks to improve and thereby promote the use of active modes through the creation of safer, more accessible and user friendly routes, and the use of buses via significant journey time improvements and better infrastructure along the route, resulting in modal shift away from the private car. Increased active mode travel also has the added benefit of creating healthy residents.
- 10.2 Collision and casualty analysis between 2013-2018 reveals there have been a total of 185 collisions across the scheme area. Of these, there were 2 fatal, 23 serious and 160 slight collisions. The scheme design aims to reduce the number of casualties by 10% for all users on the corridor five years after scheme delivery.
- 10.3 Non delivery of Phase 2 will severely compromise the successful delivery of the interventions contained within other phases of the scheme and contained within the Station Gateway and reduce the likely impact of the Halifax Town Centre Delivery Plan interventions.
- 10.4 Non-delivery of this primary WYTF strategic project presents a reputational risk to Calderdale with the West Yorkshire Combined Authority and partners, and within the wider public and business community arena.

## **11. Equality and Diversity**

- 11.1 In considering the land acquisitions and Side Road Order careful consideration has been given to the balance between individual rights and the wider public interest. Any interference with European Convention rights is considered to be justified in order to secure the economic, social, physical and environmental regeneration that the redeveloped corridor will bring. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions. It is therefore considered that there is a compelling case in the public interest for the use of a Compulsory Purchase Order and Side Road Order. If approved these will strike an appropriate balance between public and private interests.

## **12. Summary and Recommendations**

- 12.1 Members are asked to consider amendments to previous approvals agreed by Cabinet in July 2016, October 2017 and March 2018. That the current WY+TF strategy validates the land acquisitions and associated Side Roads Order as being in the wider public interest in addition to the increase in land assembly

costs. Whilst emphasis focuses on negotiated land purchase settlements, authority is sought to use compulsory purchase powers in parallel.

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**The documents used in the preparation of this report are:**

1. A629 Phase 2 Compulsory Purchase Order
2. A629 Phase 2 Side Roads Order
3. A629 Phase 2 Statement of Reasons

**Main Legislative Powers:-**

The Acquisition of Land Act 1981  
The Highways Act 1980  
The Human Rights Act 1998

**Other relevant documents**

- a) A629 Phase 2, WYTF Assurance Process stage 4 Full business Case
- b) Halifax Town Centre Delivery Plan

**The documents are available for inspection at:** Halifax Town Hall



## **APPENDIX A – COMPULSORY PURCHASE ORDER, SCHEDULE AND PLANS**

**The Borough Council of Calderdale  
(Halifax Town Centre) (Highway Improvements)  
(West Yorkshire Plus Transport Fund, Phase 2) Compulsory Purchase Order 2020**

**The Highways Act 1980  
and  
The Acquisition of Land Act 1981**

The Borough Council of Calderdale (in this order called “the acquiring authority”) hereby makes the following order:

1. Subject to the provisions of this order, the acquiring authority is under sections 239, 240, 250 and 260 of the Highways Act 1980 hereby authorised to purchase compulsorily the land and the new rights over land described in paragraph 2 for the purpose of:
  - (1) the improvement of the following highways located in Halifax, West Yorkshire:
    - (a) the A629 route from Winding Road through Orange Street, Broad Street, Cow Green, Barum Top, Fountain Street, Commercial Street and Portland Place to Hunger Hill;
    - (b) the C5951 route from New Bank through Charlestown Road, Bank Bottom, Lower Kirkgate and Church Street to Alfred Street East;
    - (c) the C5954 route from Northgate through Winding Road, Smithy Street, Charles Street, Square Road, Church Street and South Parade to Hunger Hill; and
    - (d) the C5955 route from New Bank through Bridge Street, Northgate and Broad Street to Winding Road,

together referred to as “the classified roads”;

- (2) the creation and/or improvement of highways to connect the classified roads to the existing road system and the provision of new means of access to premises in pursuance of The Borough Council of Calderdale (Halifax Town Centre) (Highway Improvements) (West Yorkshire Plus Transport Fund, A629 Phase 2) (Side Roads) Order 2020;
  - (3) the improvement or development of frontages and landscaping to the classified roads and new or improved highways referred to above or of the land adjoining or adjacent thereto;
  - (4) the construction of works for the drainage of the classified roads and the new or improved highways referred to above;
  - (5) mitigating the adverse effects which the existence or use of the highways proposed to be constructed or improved will have on the surroundings thereof; and
  - (6) use by the acquiring authority in connection with the construction and/or improvement of highways and the provision of new means of access to premises and landscaping mentioned above.
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 maps prepared in duplicate, sealed with the common seal of the acquiring authority and marked "Map referred to in The Borough Council of Calderdale (Halifax Town Centre) (Highway Improvements) (West Yorkshire Plus Transport Fund, A629 Phase 2) Compulsory Purchase Order 2020, Sheets 1 to 3".  
  
(2) The new rights to be purchased compulsorily over land under this order are described in the Schedule and the land is shown coloured blue on the said map.
3. Parts 2 and 3 of Schedule 2 of the Acquisition of Land Act 1981 are hereby incorporated with this order subject to the modifications that references in the said parts of the Schedule to the 'undertaking' shall be construed as referenced to the

land and any building or work constructed or to be constructed on the land authorised to be purchased pursuant to the order.

THE CORPORATE COMMON SEAL     )  
of THE BOROUGH COUNCIL OF     )  
CALDERDALE was hereunto affixed     )  
on the     )  
in the presence of:

Authorised Officer

## THE SCHEDULE

Table 1					
Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1/1	All interests other than those of the Borough Council of Calderdale in 119 square metres of land comprising part of the access to the former Transco gasworks site from the unclassified road known as Cripplegate and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax.	The Borough Council of Calderdale Town Hall Halifax HX1 1UJ	Birch Sites Limited (Company No. 2006000) 1-3 Stand London WC2N 5EH		Lessee
1/1a	All interests other than those of the Borough Council of Calderdale in 95 square metres of land comprising part of the former Transco gasworks site and vegetation located north of the intersection of	As Plot 1/1	As Plot 1/1		As Plot 1/1

	Bank Bottom, Cripplegate and Lower Kirkgate, Halifax.				
1/1b	All interests other than those of the Borough Council of Calderdale in 43 square metres of land comprising part of the former Transco gasworks site from the unclassified road known as Cripplegate and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax.	As Plot 1/1	As Plot 1/1		As Plot 1/1
1/2	All interests in 3974 square metres of land comprising part of the former Transco gasworks site including part of an internal roadway, bridge, vegetation and hardstanding and part of the watercourse known as Hebble Brook located west and south-west of Charlestown Road and north and north-west of Bank Bottom, Halifax.	Birch Sites Limited (Company No. 2006000) 1-3 Stand London WC2N 5EH			Owner

1/2a	All interests in 1245 square metres of land comprising part of the former Transco gasworks site including part of a bridge, hardstanding, culverts and vegetation located west and south-west of Charlestown Road and north and north-west of Bank Bottom, Halifax.	As Plot 1/2			As Plot 1/2
1/3	All interests in 849 square metres of land forming part of the north-west section of the Matalan retail store car park located east of Lower Kirkgate and south of Bank Bottom, Halifax.	M R C Pension Trust Limited (Company No. 1218492) Care of Henderson Real Estate Asset Management Limited 201 Bishopsgate London EC2M 3AB	Matalan Retail Limited (Company No. 02103564) Matalan Head Office Perimeter Road Knowsley Industrial Park Liverpool L33 7SZ		Lessee
1/3a	All interests in 367 square metres of land forming part of the north-west section of the Matalan retail store car park located east of Lower Kirkgate and south of Bank Bottom, Halifax.	As Plot 1/3	As Plot 1/3		As Plot 1/3

2/1	All interests in 208 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.	Resource Medical (UK) Limited (Company No. 05105588) 2 Carlton Avenue Batley West Yorkshire WF17 7AQ			Owner
2/1a	All interests in 426 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.	As Plot 2/1			As Plot 2/1
2/1b	All interests in 275 square metres of land located south-east of Alfred Street East and north-west of Discovery Road forming part of the car park east of the premises known as the Hughes Corporation	As Plot 2/1			As Plot 2/1

	Building at 31 Square Road, Halifax, HX1 1QG.				
2/2	All interests in 112 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park and external staircases north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.	Unknown			Resource Medical (UK) Limited (Company No. 05105588) 2 Carlton Avenue Batley West Yorkshire WF17 7AQ
2/3	All interests in 356 square metres of land located south of Alfred Street East, east of Square Road and north-west of Discovery Road forming part of the car park east of the premises known as the Hughes Corporation Building at 31 Square Road Halifax, HX1 1QG.	Unknown			Resource Medical (UK) Limited (Company No. 05105588) 2 Carlton Avenue Batley West Yorkshire WF17 7AQ
3/1	All interests in 63 square metres of land forming part of the forecourts and basements of	Brixton Pavilion Limited (Company No. 05392313)			Owner



	the residential properties at 48 to 58 Heritage Mews and part of the forecourts of the residential properties at 18 to 34 and 36 to 46 Heritage Mews located east of Church Street and north of Bath Street, Halifax.	Magma House Unit 16 Davy Court Castle Mound Way Rugby CV23 0UZ			
3/1a	All interests in 49 square metres of land forming part of the forecourts and basements of the residential properties at 48 to 58 Heritage Mews and part of the forecourt of the residential properties at 36 to 46 Heritage Mews located east of Church Street and north of Bath Street, Halifax.	As Plot 3/1			As Plot 3/1

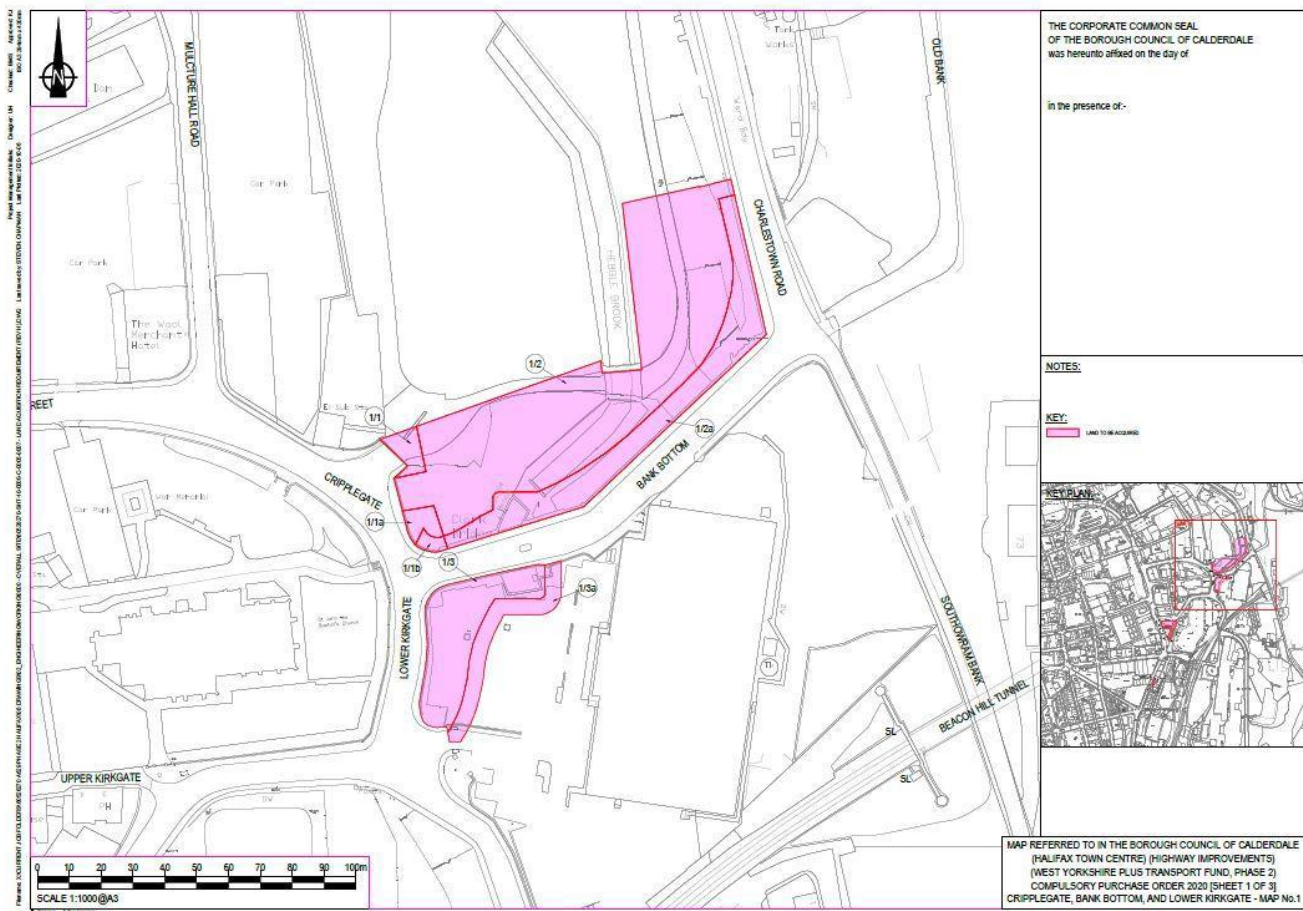
Table 2				
Number on map	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
1/1	Highways Agency Historical Railways Estate (formerly British Railways Board) Hudson House Toft Green York	Covenant to repair and cleanse all drains culverts and watercourses.  Covenants rights of way and easements relating to the southernmost pier of Viaduct Number One.		All interests other than those of the Borough Council of Calderdale in 119 square metres of land comprising part of the access to the former Transco gasworks site from the unclassified road known as Cripplegate and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax
1/1a	As Plot 1/1	As Plot 1/1		All interests other than those of the Borough Council of Calderdale in 95 square metres of land comprising part of the former Transco gasworks site and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax.
1/1b	As Plot 1/1	As Plot 1/1		All interests other than those of the Borough Council of Calderdale in 43 square metres of land comprising part of the former Transco gasworks site from the

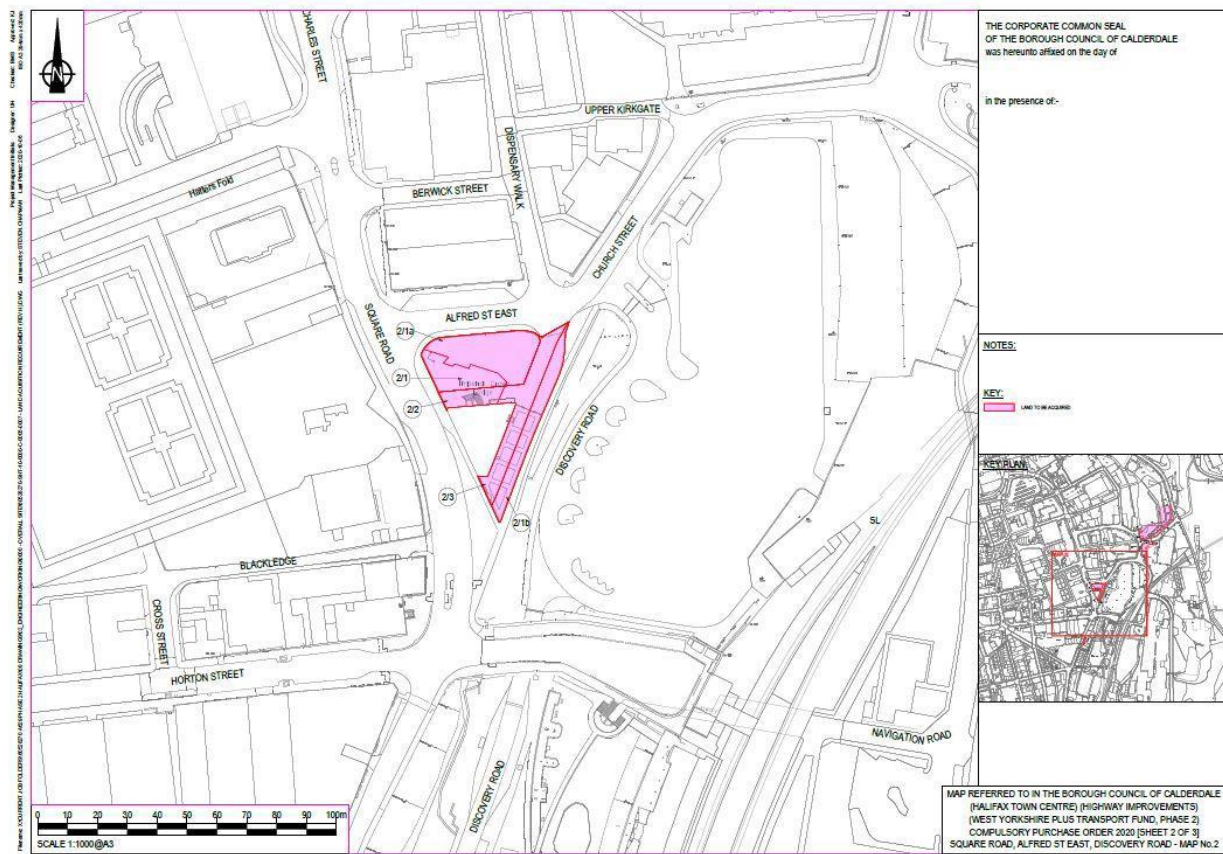
				unclassified road known as Cripplegate and vegetation located north of the intersection of Bank Bottom, Cripplegate and Lower Kirkgate, Halifax.
1/2	<p>National Grid Gas PLC (Company Registration Number 2006000) 1-3 Strand London WC2N 5EH</p> <p>National Grid Property Holdings Limited (Company Registration Number 3797578) 1-3 Strand London WC2N 5EH</p>	<p>Rights and covenants contained in a conveyance dated 22 May 2001 for the benefit of adjoining land regarding rights of access, entry support, works, conduits, gas pipelines and ancillary apparatus.</p> <p>Covenant to indemnify regarding obligations affecting the land.</p> <p>Covenant to carry out remedial action in respect of contaminated land and indemnify against any losses relating to environmental factors.</p>		<p>All interests in 3974 square metres of land comprising part of the former Transco gasworks site including part of an internal roadway, bridge, vegetation and hardstanding and part of the watercourse known as Hebble Brook located west and south-west of Charlestown Road and north and north-west of Bank Bottom, Halifax.</p>
1/2a	As Plot 1/2	As Plot 1/2		<p>All interests in 1245 square metres of land comprising part of the former Transco gasworks site including part of a bridge, hardstanding, culverts and vegetation located west and south-west of Charlestown Road and north and north-west of Bank Bottom, Halifax.</p>
1/3	Nathan Paul Kempin	Covenants relating to a lease dated 20 <sup>th</sup> December 2002 made		All interests in 849 square metres of land forming part of the

	<p>79 Tavistock Crescent London W11 1AD</p> <p>Unknown</p> <p>Highways Agency Historical Railways Estate (formerly British Railways Board) Hudson House Toft Green York YO1 6HP</p> <p>Nestle UK Ltd (Company Registration Number 00051491) 1 City Place Gatwick RH6 0PA</p>	<p>between Broomco (2662) Limited and Matalan Retail Limited</p> <p>Rights and covenants for the benefit of adjoining land.</p> <p>Covenants and access regarding the railway viaduct, piers and footings.</p> <p>Covenants with regards use of the land that could be incompatible or detrimental to the use of the retained land for food manufacture preparation processing or distribution.</p>		<p>north-west section of the Matalan retail store car park located east of Lower Kirkgate and south of Bank Bottom, Halifax.</p>
1/3a	As Plot 1/3	As Plot 1/3		<p>All interests in 367 square metres of land forming part of the north-west section of the Matalan retail store car park located east of Lower Kirkgate and south of Bank Bottom, Halifax.</p>
2/1	<p>Mysing Capital Limited (Company No. 09111670) 9 Fryers Way Ossett WF5 9TJ</p> <p>Fiduciam Nominees Limited</p>	<p>Registered charge dated 1 February 2018.</p> <p>Registered charge dated 5 December 2018.</p>		<p>All interests in 208 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.</p>

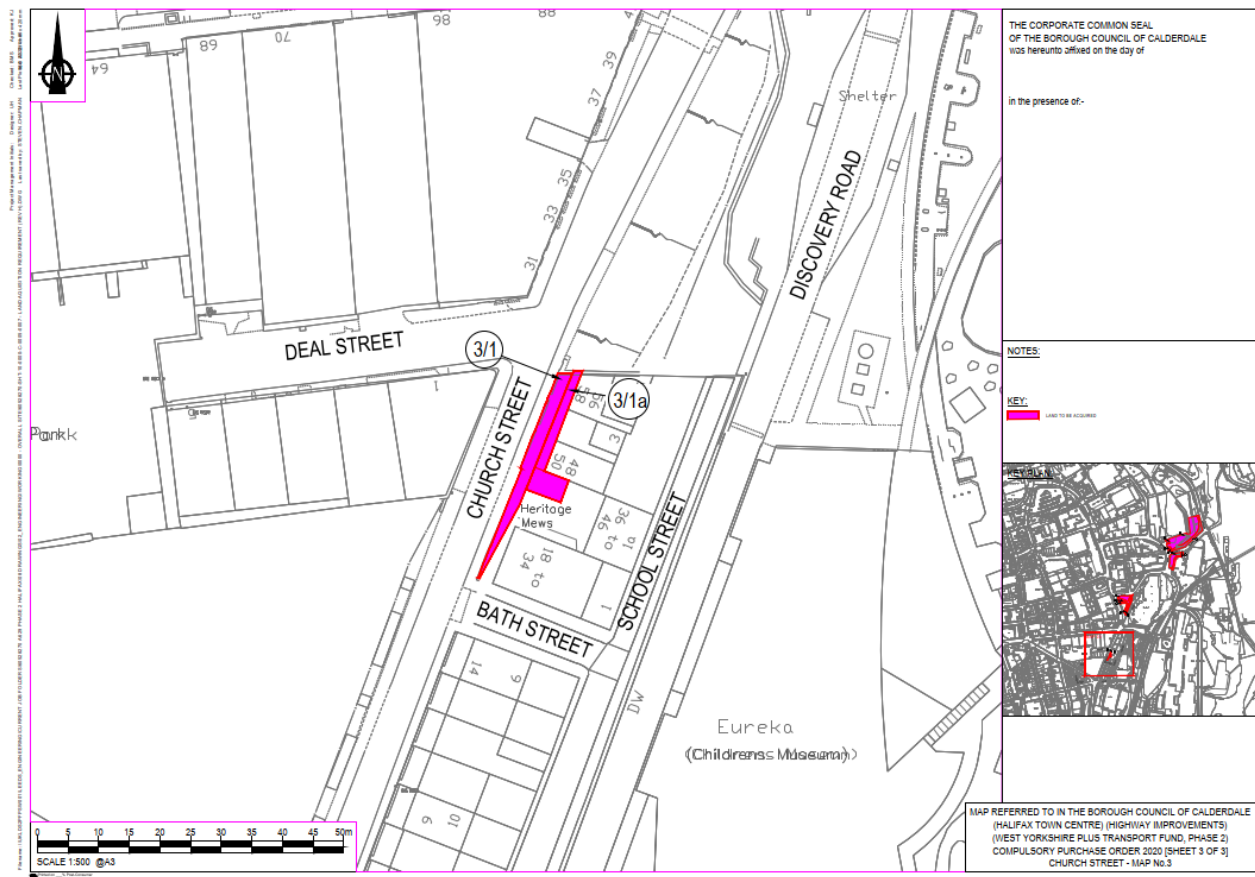
	(Company No. 09111670) 9 Fryers Way Ossett WF5 9TJ  Reward Capital Limited Central House 47 St Pauls Street Leeds West Yorkshire LS1 2TE	Registered charge		
2/1a	As Plot 2/1	As Plot 2/1		All interests in 426 square metres of land located south of Alfred Street East and east of Square Road forming part of the car park north of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.
2/1b	As Plot 2/1	As Plot 2/1		All interests in 275 square metres of land located south-east of Alfred Street East and north-west of Discovery Road forming part of the car park east of the premises known as the Hughes Corporation Building at 31 Square Road, Halifax, HX1 1QG.
3/1	Shawbrook Bank Limited (Company No. 388466) Lutea House Warley Hill Business Park The Drive	Registered charge dated 28 September 2018		All interests in 63 square metres of land forming part of the forecourts and basements of the residential properties at 48 to 58 Heritage Mews and part of the

	Great Warley Brentwood Essex CM13 3BE			forecourts of the residential properties at 18 to 34 and 36 to 46 Heritage Mews located east of Church Street and north of Bath Street, Halifax
3/1a	As Plot 3/1	As Plot 3/1		All interests in 49 square metres of land forming part of the forecourts and basements of the residential properties at 48 to 58 Heritage Mews and part of the forecourt of the residential properties at 36 to 46 Heritage Mews located east of Church Street and north of Bath Street, Halifax.









**APPENDIX B – SIDE ROAD ORDER, SCHEDULE AND PLANS**

**Dated**

**2020**

**HIGHWAYS ACT 1980**

**THE BOROUGH COUNCIL OF CALDERDALE  
(HALIFAX TOWN CENTRE) (HIGHWAY IMPROVEMENTS)  
(WEST YORKSHIRE PLUS TRANSPORT FUND, A629 PHASE 2)  
(SIDE ROADS) ORDER 2020**

# HIGHWAYS ACT 1980

## THE BOROUGH COUNCIL OF CALDERDALE (HALIFAX TOWN CENTRE) (HIGHWAY IMPROVEMENTS) (WEST YORKSHIRE PLUS TRANSPORT FUND, A629 PHASE 2) (SIDE ROADS) ORDER 2020

The Borough Council of Calderdale (“the Council”) make this Order in exercise of their powers under sections 14 and 125 of the Highways Act 1980 and all other powers enabling them in that behalf:-

1. (1) The Council are authorised in relation to the classified roads in Halifax in the Borough of Calderdale in the County of West Yorkshire to:
  - (a) improve the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching (Section 14);
  - (b) stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching (Section 14);
  - (c) construct a new highway along each route whose centre line is shown on a Site Plan by an unbroken black line surrounded by stipple (Section 14);
  - (d) stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band (Section 125); and
  - (e) provide new means of access to premises at each location shown on a Site Plan by thin diagonal hatching (Section 125).
- (2) Where a new highway is to be constructed wholly or partly along the same route as a new access or part of one, that new highway shall be created subject to the private rights over that new access.
- (3) Each new highway is given a reference letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word “footpath”, “bridleway” or “cycle track” appears beneath its reference letter in that Schedule, in which case it will

be a footpath, bridleway or cycle track as the case may be. Each new access is given a number on a Site Plan, which is also placed in the respective Schedule.

- (4) Where new highway is to be constructed or a new access is to be provided in connection with the stopping up of a length of highway or private means of access described in a Schedule, its reference letter or number (as the case may be) is placed in that Schedule opposite the description of that length.
- (5) Each Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule, and the route of the classified roads in relation to those works.

2. Where immediately before the length of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any telecommunications code system operator, then, subject to section 21 of the Highways Act 1980, those undertakers, or that operator as the case may be, shall have the same rights as respect that apparatus as they had immediately before the stopping up took place.

3. In this Order:

- (a) distances are measured along the route of the relevant highway or private means of access to premises, as the case may be;
- (b) a reference to the Schedule or Site Plan number is a reference to the Schedule, or to the Site Plan, so numbered;
- (c) “the classified roads” - means the following highways in  
Halifax, West Yorkshire which the  
Council proposes to improve:

- (1) the A629 route from Winding Road through  
Orange Street, Broad Street, Cow Green,

Barum Top, Fountain Street, Commercial Street and Portland Place to Hunger Hill;

- (2) the C5951 route from New Bank through Charlestown Road, Bank Bottom and Lower Kirkgate to Church Street;
- (3) the C5954 route from Northgate through Winding Road, Smithy Street, Charles Street, Square Road, Alfred Street East, Church Street and South Parade to Hunger Hill; and
- (4) the C5955 route from New Bank through Bridge Street, Northgate and Broad Street to Winding Road;

all of which, as improved, are classified roads in accordance with section 12 of the Highways Act 1980;

- |               |   |                                                                                                                                        |
|---------------|---|----------------------------------------------------------------------------------------------------------------------------------------|
| “the Council” | - | means the Borough Council of Calderdale;                                                                                               |
| “improvement” | - | in relation to a highway includes raising, lowering or otherwise altering that highway, and “improved” shall be construed accordingly; |
| “new access”  | - | means a means of access to premises authorised by this Order to be provided;                                                           |
| “new highway” | - | means a highway authorised by this Order to be constructed and “new highways” shall be construed accordingly;                          |

- “Schedule” - means a Schedule to this Order, and “Schedules” shall be construed accordingly;
- “Site Plan” - means one of the plans numbered 1 to 3 contained in the Plan Folio numbered marked “The Borough Council of Calderdale (Halifax Town Centre) (Highway Improvements) (West Yorkshire Plus Transport Fund, A629 Phase 2) (Side Roads) Order 2020”, sealed with the Common Seal of the Council and deposited at Halifax Town Hall at Crossley Street, Halifax, HX1 1UJ; a duplicate has been deposited in the Offices of the Secretary of State for Transport, and may be viewed online at [www.calderdale.gov.uk/insert](http://www.calderdale.gov.uk/insert)

Given under the Common Seal of the Council on the       day of       2020

THE CORPORATE COMMON SEAL of )  
THE BOROUGH COUNCIL OF )  
CALDERDALE )

Was hereunto affixed in the presence of:-

.....

## SCHEDULE 1

**Locality:**      **Halifax**

**Plan Title:** Improvements, New Highway and New Private Means of Access adjacent to Cow Green / Barum Top / Prescott Street / Commercial Street / Portland Place (A629) – Site Plan No. 1

**Highways to be improved**

Bull Green  
Rawson Street  
Powell Street  
Commercial Street  
King Edward Street  
Alexandra Street  
Wards End  
Horton Street  
Trinity Road  
Prescott Street  
New Road  
Deal Street

**New highway**

A length of new highway from a point 20 metres south of the existing junction between Bull Green and Barum Top (A629) at the Bull Green Roundabout, westwards for a distance of 30 metres then south-eastwards for a distance of 25 metres to a point 6 metres north of the junction between Bull Green and Ferguson Street.

**Reference letter of  
new highway**

A

**New private means of access**

Access to a car park from Church Street (C5954) over a width of 17 metres starting at a point 59 metres north of the existing junction between Prescott Street and Church Street (C5954).

**Reference number  
of new access**

1

**SCHEDULE 2**

**Locality:** Halifax

**Plan Title:** Improvements, New Highway and New Private Means of Access adjacent to Winding Road / Smithy Street / Charles Street / Square Road / Alfred Street East / Church Street (C5954) and Charlestown Road / Bank Bottom / Lower Kirkgate / Church Street (C5951)  
– Site Plan No. 2

**Highways to be improved**

Wade Street  
Gaol Lane  
Well Lane  
King Street  
Mulcture Hall Road  
Cripplegate  
Causeway  
Berwick Street  
Dispensary Walk  
Square Road  
Discovery Road  
Charlestown Road  
Berry Lane  
Southowram Bank

**Highway to be stopped up**

A length of Berry Lane from a point 25 metres south-east of its junction with Church Street (C5951), south-westwards and southwards for a distance of 72 metres.

**Reference letters  
of new highway**

B

**New highway**

A length of new highway from a point 29 metres south of the existing junction between Alfred Street East and Church Street, westwards for a distance of 30 metres to a point 12 metres south-east of the existing junction between Alfred Street East and Square Road.

C

**Private means of access to be stopped up**

**Reference number  
of new access**

- a Access to the Matalan retail store from the existing roundabout junction between Lower Kirkgate, Church Street and Berry Lane over a width of 6 metres starting at a point 50 metres south of the junction between Lower Kirkgate and Bank Bottom (C5951).

2



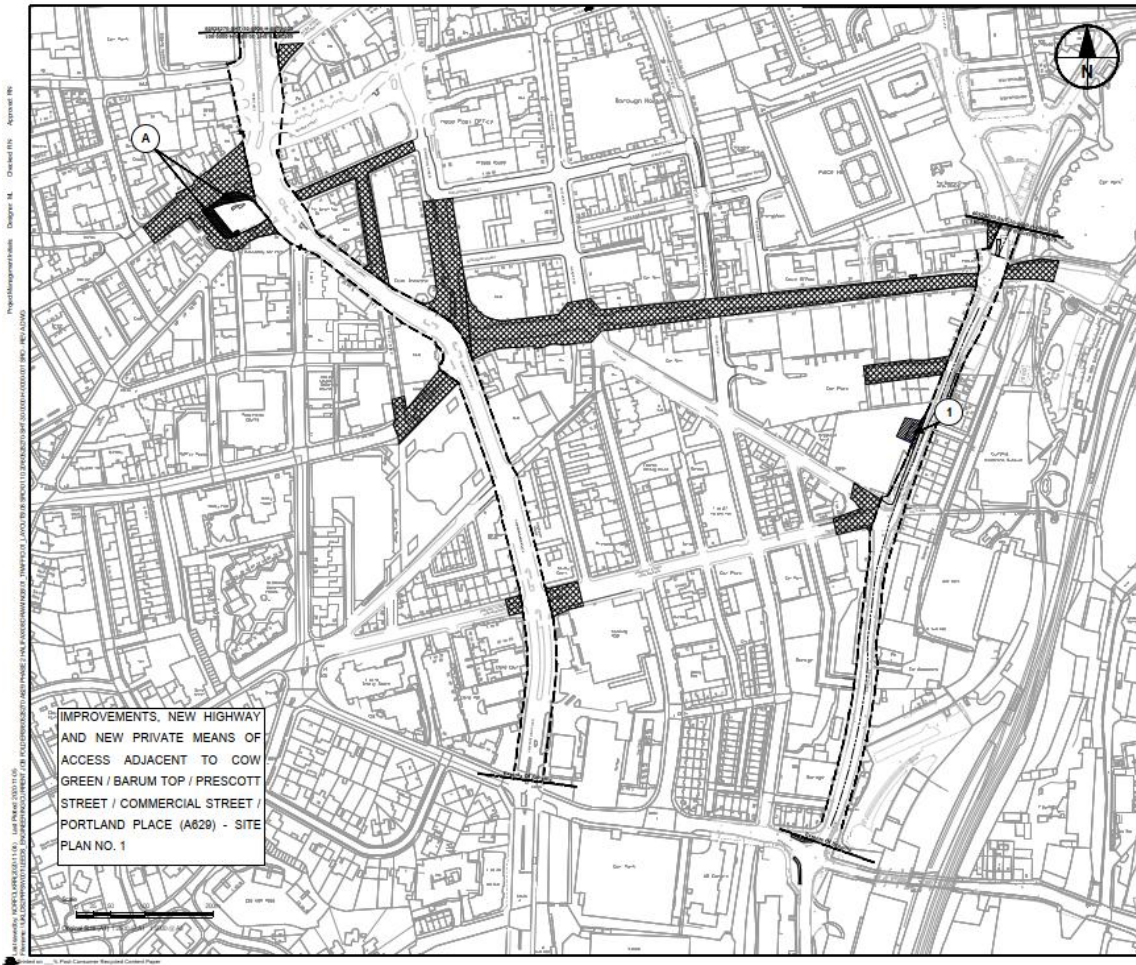
### **SCHEDULE 3**

**Locality:**     **Halifax**

**Plan Title:**   **Improvements adjacent to Bridge Street / Northgate / Broad Street (C5955) and  
Orange Street / Broad Street / Cow Green (A629) – Site Plan No. 3**

#### **Highways to be improved**

Central Street  
Crown Street  
Town Hall Street East  
Northgate  
North Bridge Street  
Cross Hills  
Pellon Lane

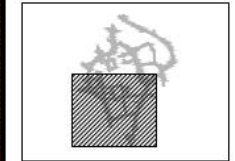


THE BOROUGH COUNCIL  
OF CALDERDALE  
(HALIFAX TOWN CENTRE)  
(HIGHWAYS IMPROVEMENTS)  
(WEST YORKSHIRE PLUS  
TRANSPORT FUND, A629  
PHASE 2)  
(SIDE ROADS) ORDER 2020

THE CORPORATE SEAL OF THE  
BOROUGH COUNCIL OF  
CALDERDALE WAS HEREUNTO  
AFFIXED ON THE DAY OF:

IN THE PRESENCE OF:

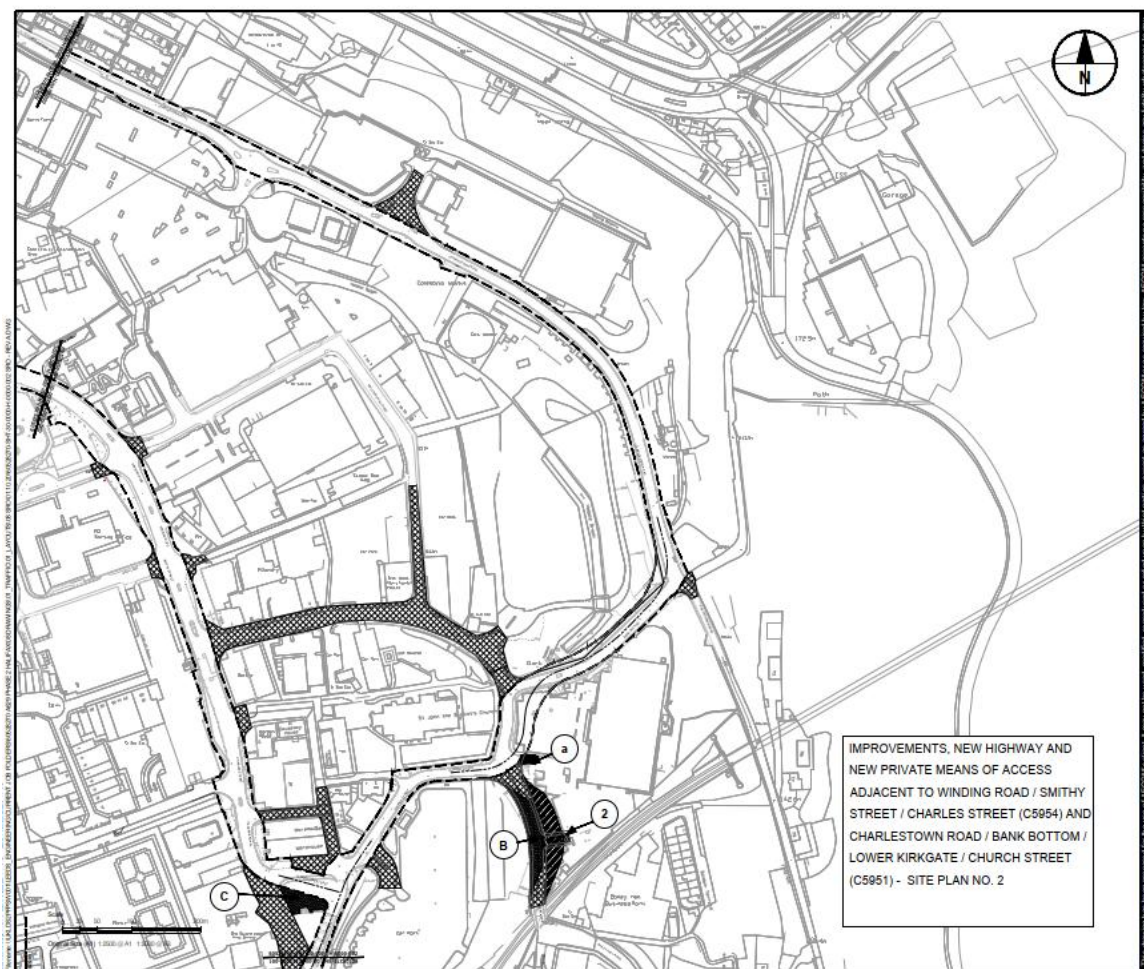
KEY PLAN



- KEY
- NEW HIGHWAY
  - HIGHWAY TO BE IMPROVED
  - NEW PRIVATE MEANS OF ACCESS
  - PRIVATE MEANS OF ACCESS TO BE STOPPED UP
  - ROUTE OF CLASSIFIED ROAD
  - HIGHWAY TO BE STOPPED UP
  - EXISTING HIGHWAY PROPOSED TO BE ALTERED

SHEET TITLE  
KEY PLAN AND SHEET PLAN  
01 of 03

SHEET NUMBER  
60528270-SHT-30-0000-H-0000-001 A

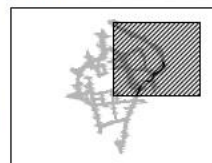


THE BOROUGH COUNCIL OF CALDERDALE  
(HALIFAX TOWN CENTRE)  
(HIGHWAYS IMPROVEMENTS)  
(WEST YORKSHIRE PLUS TRANSPORT FUND, A629 PHASE 2)  
(SIDE ROADS) ORDER 2020

THE CORPORATE SEAL OF THE BOROUGH COUNCIL OF CALDERDALE WAS HEREUNTO AFFIXED ON THE DAY OF:

IN THE PRESENCE OF:

KEY PLAN



KEY

- NEW HIGHWAY
- HIGHWAY TO BE IMPROVED
- NEW PRIVATE MEANS OF ACCESS
- PRIVATE MEANS OF ACCESS TO BE STOPPED UP
- ROUTE OF CLASSIFIED ROAD TO BE STOPPED UP
- EXISTING HIGHWAY PROPOSED TO BE ALTERED

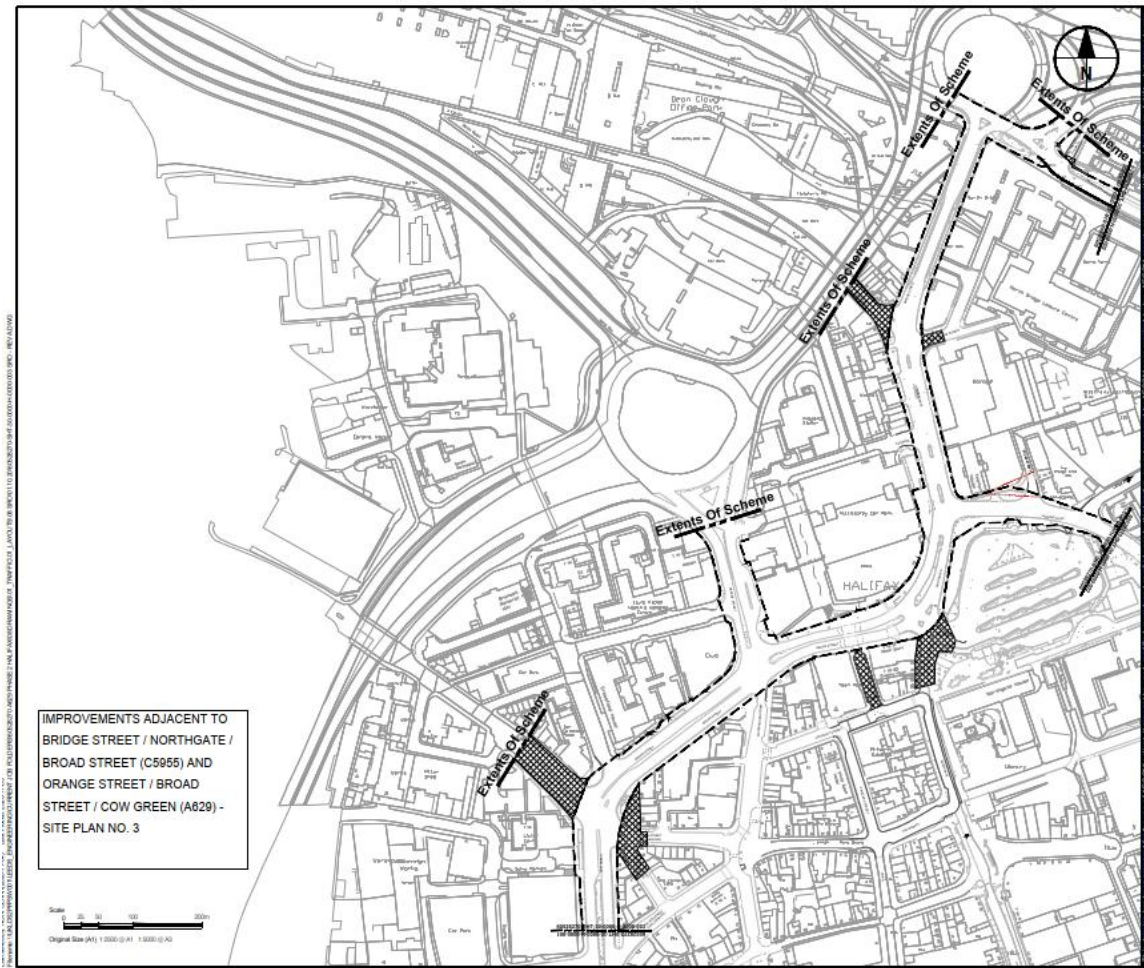
SHEET TITLE

KEY PLAN AND SHEET PLAN 02 OF 03

SHEET NUMBER

60528270-SHT-30-0000-H-0000-002 A



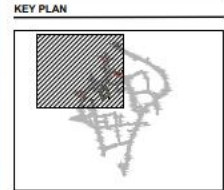


IMPROVEMENTS ADJACENT TO  
BRIDGE STREET / NORTHGATE /  
BROAD STREET (C5955) AND  
ORANGE STREET / BROAD  
STREET / COW GREEN (A629) -  
SITE PLAN NO. 3

Scale 0 50 100 200m  
Original Scale (m) 1:2000 (1:1000) 1:2000 (1:1000)

THE BOROUGH COUNCIL OF CALDERDALE  
(HALIFAX TOWN CENTRE)  
(HIGHWAYS IMPROVEMENT)  
(WEST YORKSHIRE PLUS TRANSPORT FUND, A629 PHASE 2)  
(SIDE ROADS) ORDER 2020

THE CORPORATE SEAL OF THE BOROUGH COUNCIL OF CALDERDALE WAS HEREUNTO AFFIXED ON THE DAY OF:  
  
IN THE PRESENCE OF:



- KEY
- NEW HIGHWAY
  - HIGHWAY TO BE IMPROVED
  - NEW PRIVATE MEANS OF ACCESS
  - PRIVATE MEANS OF ACCESS TO BE STOPPED UP
  - ROUTE OF CLASSIFIED ROAD
  - HIGHWAY TO BE STOPPED UP
  - EXISTING HIGHWAY PROPOSED TO BE ALTERED

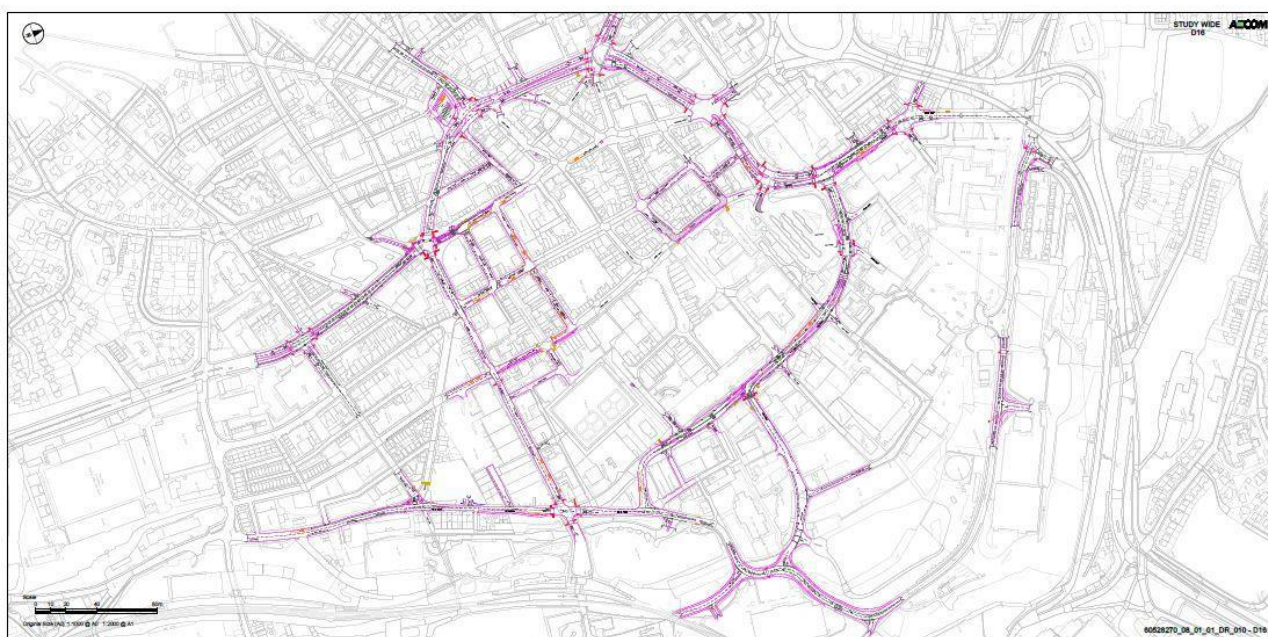
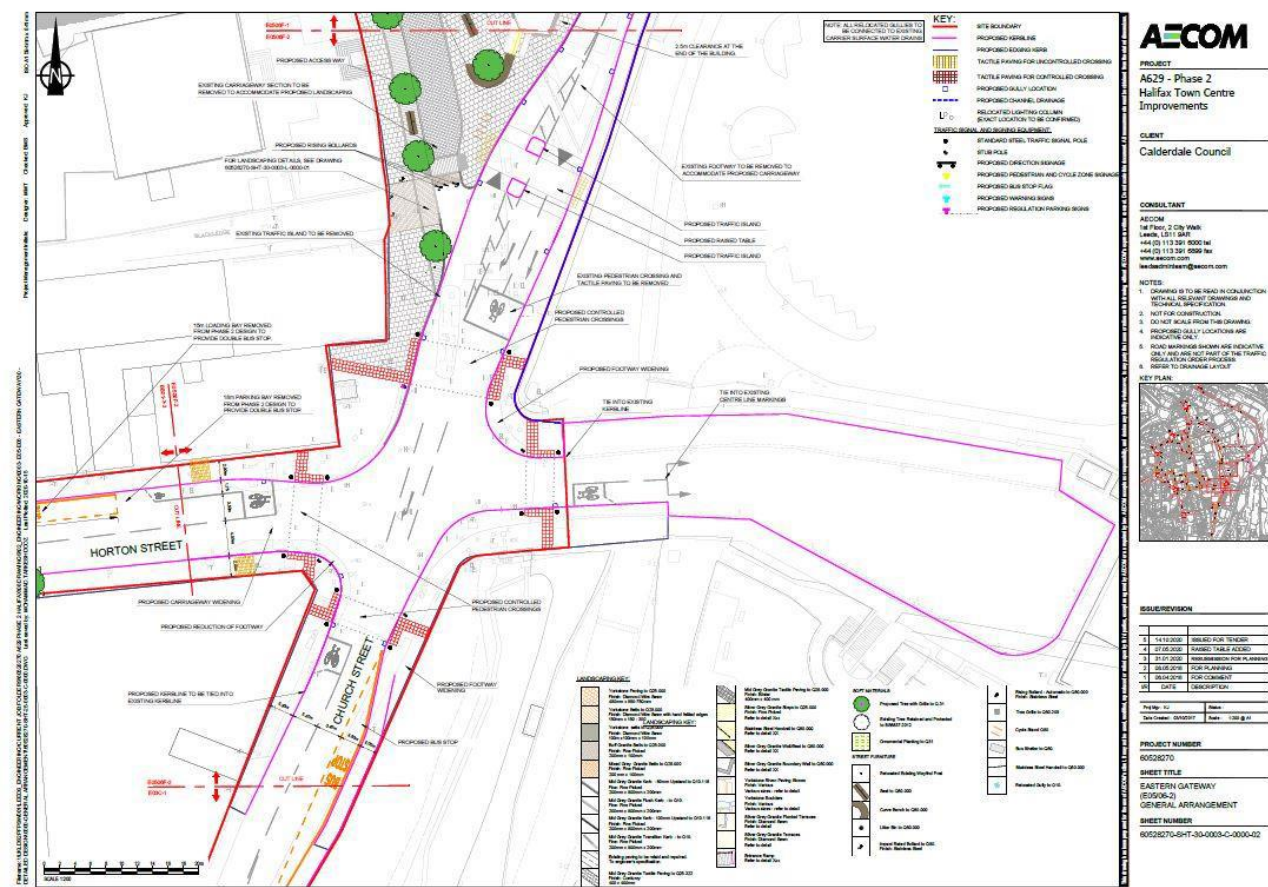
SHEET TITLE  
KEY PLAN AND SHEET PLAN  
03 of 03

SHEET NUMBER  
60528270-SHT-30-0000-H-0000-003 A

## APPENDIX C – EASTERN GATEWAY & TOWN CENTRE PLAN







# Compulsory Order 2020

## Statement of Reasons



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1. INTRODUCTION
2. DESCRIPTIONS OF THE ORDER LAND
3. THE ORDER MAP
4. ENABLING POWERS OF THE CPO
5. THE WEST YORKSHIRE TRANSPORT FUND
6. CONTEXT
7. POLICY ALIGNMENT
8. EXITING PROBLEMS & ISSUES
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10. THE SCHEME – APPENDIX A
11. SIDE ROADS ORDER
12. FINANCIAL IMPLICATIONS
13. OPTIONS
14. BENEFITS OF SCHEME AND JUSTIFICATION
15. HUMAN RIGHTS ACT
16. SPECIAL CONSIDERATIONS
17. VIEWS OF GOVERNMENT DEPARTMENTS
18. VIEWS OF STATUTORY BODIES
19. OTHER IMPEDIMENTS
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21. LISTS OF DOCUMENTS REFERRED TO



# 1 INTRODUCTION

- 1.1 On 4<sup>th</sup> July 2016, 2<sup>nd</sup> October 2017, 19<sup>th</sup> March 2018 and 2 December 2020, The Borough Council of Calderdale's Cabinet agreed to the use of compulsory purchase powers and authorised its Director of Regeneration and Strategy and Head of Democratic and Partnership Services in conjunction with the relevant Portfolio Holder to prepare The Borough Council of Calderdale (A629, Halifax Town Centre, Halifax) (Highway Improvements) (West Yorkshire Plus Transport Fund, Phase 2) Compulsory Order 2020 ("the Compulsory Purchase Order"). The Council's Cabinet also authorised the making of The Borough Council of Calderdale (A629 Phase 2, Halifax Town Centre, Halifax) (Highway Improvements) (West Yorkshire Plus Transport Fund, Phase 2) (Side Roads) Order 2020 ("the Side Roads Order"). In this Statement, the Compulsory Purchase Order and the Side Roads Order are referred to together as "the Orders".
- 1.2 It is intended that the Compulsory Purchase Order will be made under Sections 239, 240, 250 and 260 of the Highways Act 1980 and the Side Roads Order will be made under the provisions of section 14 (powers of highway authorities as respects roads that cross or join classified roads) and 125 (further powers to stop private means of access to premises) of the Highways Act 1980 and in accordance with Schedule 1 of that Act. The Council is satisfied that there is a compelling case in the public interest and that the proposed acquisitions will facilitate the carrying out of improvement on the A629 highway corridor more fully described below. The improvements will comprise of the reconfiguration of all major traffic junctions to the east and west of the town, realignment of highway boundaries to facilitate improved pedestrian and cyclist connectivity and the creation of new areas of public realm as part of a comprehensive scheme to provide multi-modal transport corridor improvements. These works combined will improve the economic, social and environmental well-being of the Borough of Calderdale.
- 1.3 This Statement of Reasons is a non-statutory statement provided in respect of both the Order and the Side Roads Order, in compliance with the guidance set out in the following:
- Ministry of Housing Communities and Local Government Guidance on Compulsory purchase process and The Critchel Down Rules for the disposal of surplus land acquired by, or under threat of, compulsion ('the MHCLG Guidance');
  - The Department for Transport's Note on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State is the Confirming Authority, Circular No. 2/97 ('the DfT Guidance'); and
  - Department of Transport Circular 1/97 "Highways Act 1980: Orders under Section 14 of the Highways Act 1980 and Opposed Orders under Section 124 of that Act" (June 1997).

- 1.4 If confirmed by the Secretary of State, the Orders will enable the Council to acquire compulsorily the land and rights over the order land described below in order to facilitate the development described below.

## **2 DESCRIPTIONS OF THE ORDER LAND, LOCATION, PRESENT USE AND CONDITION**

- 2.1 The land proposed to be compulsorily acquired for use pursuant to the Orders is shown on the maps which accompanies the Compulsory Purchase Order ('the Order Map') and is located within Halifax town centre. The majority of the land is located adjacent to the publicly adopted highway.
- 2.2. Full details of the ownership of each interest in the Compulsory Purchase Order land are contained in the Schedule to the Order and shown on the Order Map, but in summary the land included in the Compulsory Purchase Order is as follows:
- Several small portions of land to the west of a cleared development site
  - Residential curtilage
  - A car park (used by nearby hotel)
  - Unregistered land adjacent to the adopted highway
  - The southern boundary of a cleared development site
  - Car park forecourt (in use by retail business)
  - Corner of a communal residential garden.
- 2.3 The land is in a number of different ownerships as noted in the Schedule to the Compulsory Purchase Order and details have been gathered through inspection of Land Registry title documents and a Requisition of Information request.
- 2.4 The Council is seeking the power to acquire all interests in the Compulsory Purchase Order land unless expressly stated in the Schedule to the Compulsory Purchase Order in order to facilitate the comprehensive redevelopment of the land (including the Compulsory Purchase Order land) to deliver integrated transport corridor improvements.

## **3 THE ORDER MAP**

- 3.1 The Order Map identifies the land subject to compulsory purchase powers, shown shaded in pink and shaded in blue. The pink land represents land where all interests in that land are being acquired. The blue land represents land over which will be created new rights. Individual plot boundaries and numbers on the Order Map correspond with the Schedule to the Compulsory Purchase Order (the Schedule). In addition, the Schedule lists other parties who may have a qualifying interest in the Compulsory Purchase Order land where known after diligent enquiry.
- 3.2 The Schedule has been based on information gathered through site inspections and enquiries, response to notices issued under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and section 5A of the Acquisition of Land Act 1981 and

inspection of Land Registry documents. Whilst it represents an extensive schedule of known interests it is acknowledged that currently unknown interests may emerge in the course of proceeding with the compulsory purchase order.

- 3.3 The Order Map will be deposited at the Halifax Town Hall at Crossley Street, Halifax, HX1 1JJ and can be viewed between the hours of 9.00am – 5pm, Mon - Fri. The Order and Order Map can also be viewed on the Council's website at [www.calderdalenextchapter.co.uk](http://www.calderdalenextchapter.co.uk)

## **4 THE ENABLING POWERS FOR THE CPO**

- 4.1 The Council intends to make the Compulsory Purchase Order pursuant to its powers under sections 239, 240, 250 and 260 of the Highways Act 1980 ("the 1980 Act") and the Side Roads Order pursuant to sections 14 and 125 of the 1980 Act.
- 4.2 Section 239 (1) of the 1980 Act enables the compulsory acquisition of land where land is required for the construction of a trunk road, and any highway authority may acquire land required for the construction of a highway which is to be a highway maintainable at the public expense, other than a trunk road.
- 4.3 Under Section 239 (3) of the 1980 Act a highway authority may acquire land required for the improvement of a highway, being an improvement which they are authorised by this Act to carry out in relation to the highway.
- 4.4 Under Section 240 of the 1980 Act a highway authority may acquire land which is required for use by them in connection with the construction or improvement of a highway.
- 4.5 Section 250 of the 1980 Act enables new rights to be created over land for highway purposes. This may be for the construction and maintenance of bridges over highways and tunnels under highways, the construction and maintenance of drains, the placing of apparatus in land and the construction of private accesses.
- 4.6 Section 260 of the 1980 Act enables the clearance of the title to land at the relevant time has already been acquired by agreement.
1. 4.7 Section 14 of the 1980 Act enables, in relation to a classified road, the Highway Authority to:
- 2.
3. (i) to stop up, divert, improve, raise, lower or otherwise alter a highway that crosses or enters the route of the road or is or will be otherwise affected by the construction or improvement of the road; and
- 4.
5. (ii) to construct a new highway for purposes concerned with any such alteration or for any other purpose connected with the road or its construction, and to close after such period as may be specified in the order any new highway so constructed for temporary purposes.

- 4.8 Section 125 of the 1980 Act provides that an order under section 14 may authorise the appropriate authority:
- (a) to stop up any private means of access to premises adjoining or adjacent to land comprised in the route of the relevant road, or forming the site of any works authorised by the order or by any previous order made under the same enactment;
  - (b) to provide a new means of access to any such premises.
- 4.9 The Council is satisfied that for the reasons set out below, the purpose of the Orders falls within the powers set out above and that the Orders may lawfully be made.
- 4.10 The Council is exercising its compulsory purchase powers because it has not been possible to acquire by agreement all interests that are required for the Scheme and it is not certain it will be able to acquire the remaining land by agreement.
- 4.11 The MHCLG Guidance and the DfT Guidance provide guidance to acquiring authorities on the use of compulsory purchase powers and sets out the overarching consideration that there must be a compelling case in the public interest for making a compulsory purchase order. The Council has taken full account of this overarching consideration in making this Order. Section 12 details why the Council considers that there is a compelling case in the public interest to make the compulsory purchase order and proceed with the scheme of highway improvements.
- 4.12 The MHCLG Guidance states that undertaking negotiations in parallel with preparing and making a compulsory purchase order can help to build a good working relationship with those whose interests are affected by showing that the authority is willing to be open and to treat their concerns with respect. Whilst the acquiring authority must make all reasonable efforts to acquire the land by negotiation, it is no longer the case that the making of a compulsory purchase order has to be a last resort. Acquiring authorities are expected to provide evidence that meaningful attempts at negotiation have been pursued or at least genuinely attempted.
- 4.13 Landowners have been made aware of the desire to acquire the land and the potential for the use of compulsory purchase powers. Negotiations have been ongoing with respect to the purchase of the land required and compensation. Where relevant, dialogue has also taken place and will continue to take place in relation to mitigation and remedial works or relocation. The District Valuers Office have been appointed to progress negotiations with all landowners. The Council will continue to make meaningful attempts to reach agreement on a voluntary basis. Where mitigation measures or remedial works is appropriate, the Council are taking a proactive and sensitive approach to work with businesses to minimise adverse impact.
- 4.13 In summary, in exercising its powers to make the Orders the Council is satisfied that it may lawfully do so under the powers set out above and that there is a compelling case in the public interest for such exercise and that the public interest is sufficiently important to justify the interference with private rights in making improvements to the highway.

## **5. THE WEST YORKSHIRE PLUS TRANSPORT FUND (WY+TF)**

As part of the 'City Deal' between West Yorkshire, York and Central Government, a new Transport Fund of around £1 billion was created, targeted specifically at increasing employment and economic growth. The WY+TF identified a 10-year package of measures that would enable change and deliver economic growth in the short to medium term across the region. The package was formed around five broad programmes, which are:

- Rail and Rapid Transit;
- More efficient highway and bus networks;
- Multi-modal corridor improvements;
- Other targeted improvements to support employment;
- Improving the highway network to support growth.

### **5.1 The A629 within the West Yorkshire Plus Transport Fund**

The A629 Halifax to Huddersfield Corridor Improvement package comprises a series of multi-modal corridor improvements prioritised for delivery within the first five years of the WY+TF, which has been allocated £120.6 million to drive economic growth by addressing transport and accessibility issues. Calderdale Council ("CMBC") and Kirklees Council are jointly developing the range of interventions proposed along the corridor, which initially envisaged:

- Road space re-allocation (bus priority) and capacity and operational improvements (particularly to allow commercial vehicles to get to their destinations quickly and efficiently);
- Major junction improvement at the A629/A6026 Calder & Hebble junction and other key pinch points along the corridor;
- Improvements to Junction 24 of the M62 (Ainley Top);
- Improvements to the strategic accessibility and public realm within Halifax town centre to deliver regeneration and growth aspirations;
- Introduction of express bus services between Halifax and Huddersfield;
- Development of a Park and Ride facility at Junction 24; and
- Gating at strategic points along the corridor to manage access and flows.

The West Yorkshire Combined Authority's Urban Dynamic Model (UDM) forecast the package's ability to unlock development potential in both Calderdale and Kirklees, and create

1,740 jobs by 2026. Such benefits were predicted as achievable on the back of a range of the package outcomes, including congestion relief, reduced journey times for general traffic, improved pedestrian/cycle accessibility and a 50% reduction in end-to-end journey times for buses.

Delivery of the full A629 corridor strategy will take a number of years to realise due to the complexity and extent of the numerous proposals. The package has therefore been split into a number of phases for the purposes of development, as shown below, with Phases 1 and 2 prioritised for early delivery due to their greater contribution to overall scheme impacts that these components are expected to generate:

Phase 1: Southern Section (Elland Bypass to Free School Lane);

Phase 2: Halifax Town Centre;

Phase 3: Absorbed into Phase 2

Phase 4: Ainley Top (M62 Junction 24) and Wider Strategic Interventions;

Phase 5: Ainley Top to Huddersfield.

## **5.2 A629 Phase 2**

Within Calderdale, £47.88 million has been mandated for the development and delivery of Phase 2 by March 2021, with a further £27.83 million mandated for the development and delivery of the Phase 1b section. The success of the two phases currently being progressed for early delivery within Calderdale is dependent on their ability to contribute to the wider economic impacts targeted by the A629 improvements package as a whole in both Calderdale and Kirklees.

Phases 1 and 2 have been developed separately for the Gateway approval process due to their size, complexity, resourcing issues and the desire for early deliverables. They also focus on significantly different elements of the full A629 package (corridor versus town centre).

The Scheme has been accepted as a qualifying scheme and prioritised by WYCA in consideration of the schemes economic impact within the WY+TF programme. Initially, a long list of 120 projects were reduced into a medium list of 60. The prioritised package included 33 projects and the A629 Corridor Project (which this Scheme forms a deliverable phase of) was ranked at 17 based on the schemes ability to deliver GVA uplift per £1 of whole life costs across West Yorkshire. The Scheme has been developed and received Development Approval (Outline Business Case) of the WYCA assurance framework governance process in May 2014. In doing so, it has demonstrated that the Scheme will provide an acceptable level of value for money, has a clear set of objectives and a realistic chance of successful implementation.

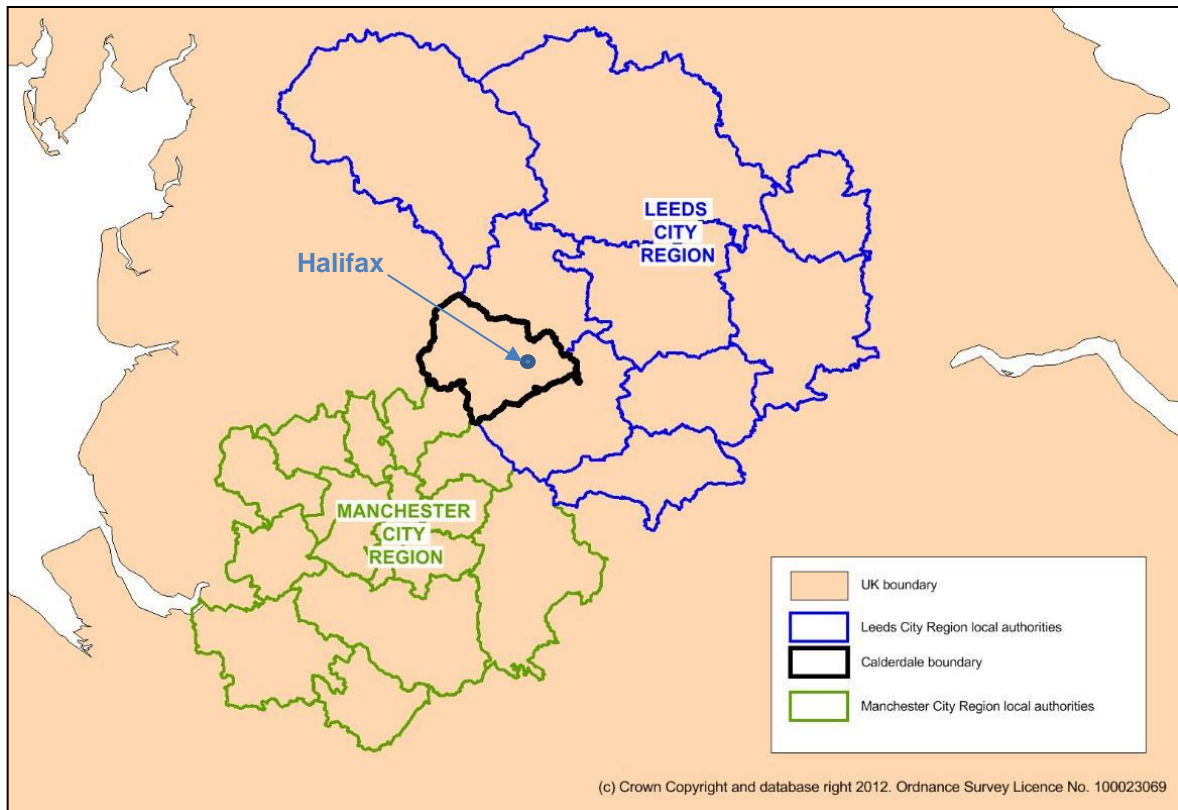
Going forward, continuing under WYCA assurance framework process, the Scheme will need to achieve Full Business Case approval at Decision Point 4 and Full Business Case with detailed Costs at Decision Point 5. These additional approval stages will allow for further

evaluation of the scheme to ensure it is still programmed to deliver economic growth benefits, address identified congestion issues and continues to offer value for money.

## 6. CONTEXT

- 6.1 Halifax is located in Calderdale in Pennine West Yorkshire. It lies within the Leeds City Region, as shown in Figure 1.1, but also borders districts in the Manchester and Lancashire City Regions including Rochdale, Burnley and Rossendale.

**Figure 1.1 – Calderdale within the Leeds City Region**



- 6.2 Halifax is situated within the M62 corridor, on a main Trans Pennine rail route, and is more locally centred between Huddersfield and Bradford, as shown in Figure 1.2. This allows quick and easy access to a population in excess of 5.5 million providing significant economic opportunities.
- 6.3 Calderdale's strategic position within the City Region, with strong physical and geographical connections to Greater Manchester, provides it with significant opportunities to outperform its peers as a lynchpin within the Government's ambitions to establish the Northern Powerhouse. Capitalising upon its position and economic strengths, Calderdale has the ability to serve as a bridge for flows of investment and labour capital, to the benefit of both regional economies.
- 6.4 Yet for this east-west axis of renaissance to be realised, improvements to both inter and intra-City Regional connectivity need to be made, enabling localities such as Calderdale the opportunity to specialise in their unique areas of economic strength, whilst gaining access to the pan-Northern economy and its markets.





- 6.8 Just over half of the jobs within Calderdale are contained within the Halifax area. Financial and business services are a major employer in the town exemplified by Lloyds Banking Group (formerly HBOS) which employs over 6,000 people in the head office located within the town centre and data processing site. The agglomeration benefits that result from the clustering together of financial and professional services has recently led to similar businesses consolidating their national operations in Halifax, including Covea Insurance.
- 6.9 Manufacturing also continues to be a significant sector with nearly 20% of the Calderdale workforce employed in this field. Halifax was once known as “the town of hundred trades” and there is still a rich vein of activity in the District with leading firms including Weir Valves, Halco Rock Tools and Hargreaves Foundry. Furthermore, creative and digital businesses are becoming increasingly important in the Calderdale economy, representing 18% of all businesses in the District and 5% of employment.
- 6.10 Whilst it is evident that agglomeration of similar industries is taking place within the local area, there are concerns this agglomeration is being constrained and that businesses are struggling to capitalise on the opportunities on offer (including the local skills base) due to connectivity issues. These connectivity issues (including congestion and perceived remoteness) are contributing to the lowering of business productivity and, as such, are deterring future investment and threatening the retention of businesses in the longer term. Recent stakeholder interviews have indicated that the lack of connections across the town centre already pose issues for existing businesses. For example:

Despite being located on the periphery/edge of the town centre, the linkages into Dean Clough are very poor which consequently isolate the development meaning it effectively takes on the characteristics of an out of town business park, with very few of the 4,000 or so employees venturing into the town centre. This constrains the way in which Dean Clough and the town centre can work together to attract investment to Halifax. It also means that potential economic activity is lost from the town centre as employees of Dean Clough are deterred from using the town centre facilities, eroding their viability.

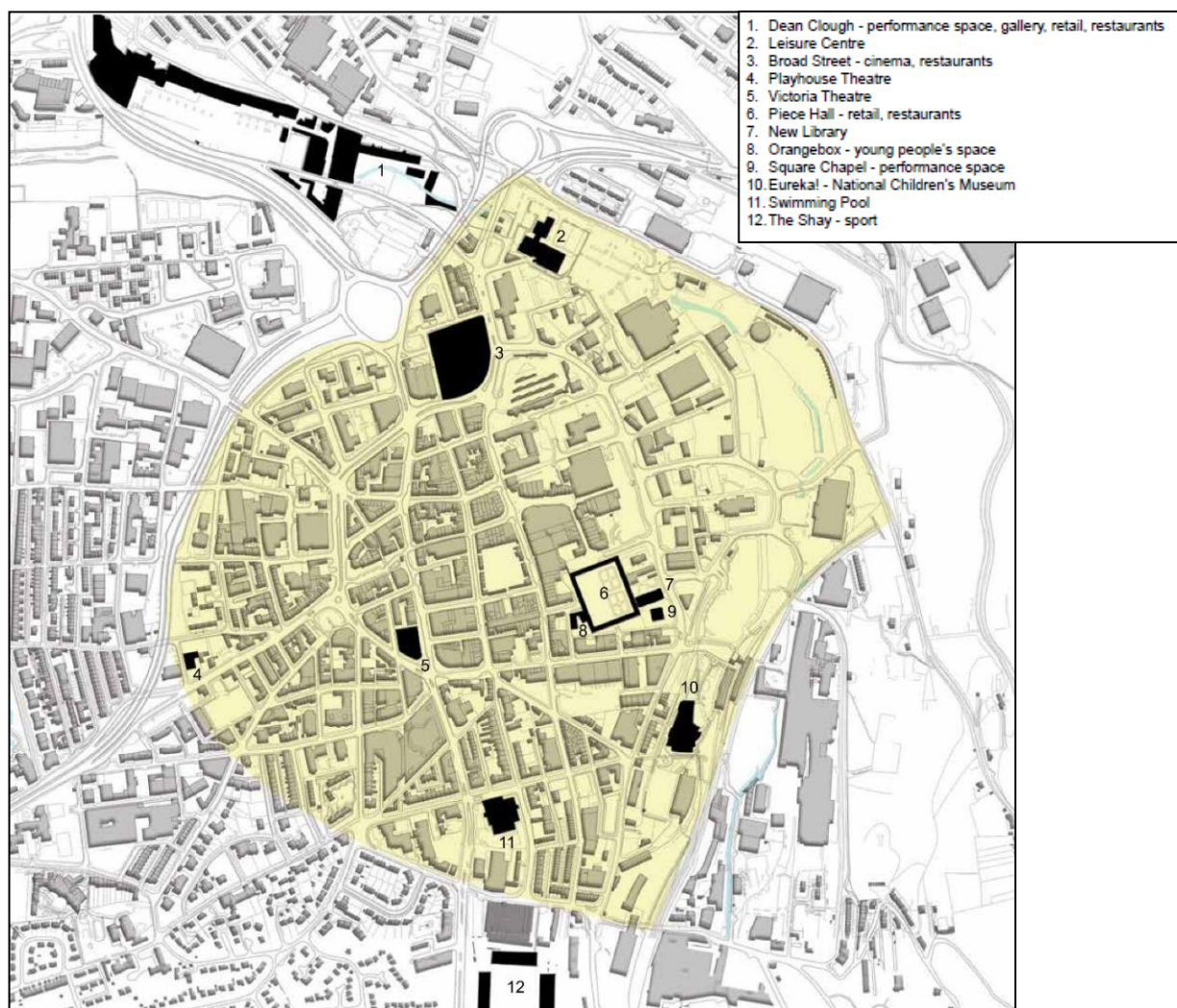
Eureka! has identified that there is a disconnect perceptually and physically between Eureka! and the town centre limiting the use of the town centre by visitors to the museum. Eureka! also feel that there is no sense of arrival in Halifax. There is a desire to build on the aspirations for Piece Hall and Eureka! so that these nationally significant assets complement one another, draw people into the centre and increase length of stay in the town to increase visitor spend and enhance job creation.

Nestle identified that the current transport network provides them with certain logistical problems with certain routes around Halifax needing to be avoided due to the topography and constraints around the road network. Nestle also stated that the current transport constraints are a major influence on their future plans for their site and might adversely impact on new development that would enable the site to be future proofed for modern food production operations. This raises concerns about the long term competitiveness of Halifax as a food manufacturing centre.

- 6.11 Economic analysis has also indicated that the viability for development of many types, both private and public, is marginal. The topography of Halifax currently limits the number of large scale development sites that are available and many of those that do offer development potential currently suffer from poor accessibility that undermines their commercial viability. Therefore, one area in which intervention can be made to influence this is the improvement of the quality of access into and within the town centre.
- 6.12 The emerging Local Plan will guide the spatial distribution of employment and housing growth throughout the District in the future and will confirm that Halifax will continue to be the main economic driver within Calderdale. The current Local Plan Initial Draft provides the strategic justification for where investment in the transport network is needed in order for increased economic activity to be accommodated. The principles of the emerging Local Plan seek to locate employment in established business centres including Halifax town centre due to the existing focus of the transport network and the potential agglomeration benefits that stand to be gained. The improvements specified in the emerging Plan include new offices, new retail opportunities, and potential regeneration for residential or mixed use schemes.
- 6.13 The Council's Local Plan is currently at the Stage 2 examination hearings with adoption unlikely before Spring 2021. Following the Stage 1 hearings (June/July 2019) and the subsequent Inspector's letter the Council revised its housing requirement figure to 14,950 dwellings to be delivered in the Plan period (2018/19 to 2032/33). This figure is based on demographic factors with an economic uplift added in order to realise the Council's economic ambition. Provision is made within the Local Plan and the accompanying Infrastructure Delivery Plan to ensure the necessary infrastructure is delivered at the appropriate points and locations during the Plan period.
- 6.15 The town centre itself already has a strong identity as a sustainable and vibrant centre for the Calderdale District and has a distinctive urban core built upon its historic origins. Being the administrative centre for Calderdale, Halifax performs a range of civic functions, containing the CMBC offices and the central public library. It also provides the focus of retail activity for the Borough supported by other local centres, with the main focus of retailing located within the areas of the Woolshops Shopping Centre, Cornmarket and Southgate, with the Borough Market and Russell Street connecting these areas.
- 6.16 Tourism and the unique built environment are also of particular importance to the town and there is a diverse and extensive range of social and cultural venues for sport, theatre, art, music, cinema and dance within the centre of Halifax. They are accommodated within buildings of architectural and historical significance and in new purpose built developments as illustrated in Figure 1.3.



**Figure 1.3 – Social and Cultural Assets in Halifax**



6.17 The town centre has retained much of its historic character and townscape quality, however many of its assets are under exploited. For the town to develop and build upon its hidden strengths it needs to improve its town centre offer, which requires a sensitive, unique, high quality approach rooted in a strong understanding of place. A longstanding framework for regeneration for the town centre is set out in the following series of documents:

The Yorkshire Forward Renaissance Towns Programme: 'Halifax: Streets Ahead!' produced in 2004 by CMBC, Yorkshire Forward and partners;

The Halifax Town Centre Supplementary Planning Document (SPD), produced by CMBC in 2009;

The Town Centre Masterplan, produced by consultancy BDP on behalf of CMBC in 2010;

Halifax Town Centre Delivery Plan, produced by Turner & Townsend and partners on behalf of CMBC in 2014.

6.18 As part of this programme of regeneration, Halifax town centre is undergoing a period of transformation with a number of significant projects coming forward including:

Construction has been completed on a new Central Library, alongside the comprehensive regeneration and restoration of the Piece Hall which had 260,000 visitors in the first month of re-opening;

The £50 million Broad Street Plaza Phase 1 has also been completed and open for business;

The Council has also completed a £12 million programme of investment and rationalisation of its office estate, which includes transformation of a prominent Grade II listed office building in the heart of the town;

Following the rationalisation of the Council's office estate detailed above, exciting proposals have been implemented for the redevelopment of the Northgate Site. A new Sixth form college has been opened following an extensive regeneration of the old library and opened in September 2020. In addition, work is ongoing to incorporate this into a whole site solution which incorporates retail and offices which is expected to be completed by May 2021. Local Growth Fund monies are being targeted to address market failure for this strategically important site, identified in the LCR SEP, which will provide the stimulus needed to create an attractive environment for redevelopment, whilst providing space to support skills and education.

However, despite these projects coming forward as part of the longstanding regeneration framework, the overall vision and goals have not been fully delivered. This is in part because a holistic view of transport and regeneration has not been given enough consideration. In recognition of this, CMBC commissioned consultants in 2014 to produce a Town Centre Delivery Plan that would act as an update to the 2010 Town Centre Masterplan and that would also consider practical and realistic opportunities that aim to stimulate economic growth and performance underpinned by CMBC's Strategic Vision (with specific reference to tackling connectivity issues).

6.19 The Halifax Town Centre Delivery Plan sets out six new objectives as follows:

Unlocking sites to attract investment;

Attracting people to spend more time in Halifax town centre, creating vibrancy and buzz;

Providing commercial accommodation to support existing business and support growth;

Giving greater recognition to Halifax's heritage status;

Broadening Halifax's social and cultural offer;

Providing space to support skills and education.

- 6.20 The Delivery Plan includes a spatial framework for the town, the identification of a focused group of strategically important projects to form the first stage of delivery and consideration and advice on how these projects can be made commercially and financially viable.
- 6.21 The identified projects, interventions and initiatives, illustrated in Figure 1.4, all make a positive contribution to at least one of the objectives towards improving the town centre as a place to live, work and play.

**Figure 1.4 – Halifax Town Centre Delivery Plan Projects**



- |                                                   |                                                      |
|---------------------------------------------------|------------------------------------------------------|
| 1. Piece Hall Transformation                      | 17. Northgate House & Surroundings: Site Preparation |
| 2. New Central Library                            | 18. Bus Station                                      |
| 3. Leisure Centre/Swimming Pool Feasibility Study | 19. Cow Green Car Park                               |
| 4. Council Owned                                  | 20. Horton Street                                    |
| 6. Northgate House & Surroundings: Marketing      | 21. Implementation of Eureka! Site wide Master plan  |
| 7. Cripplegate: resolve legal & technical issues  | 22. Beech Hill                                       |

6.22 The projects have been prioritised based on timescales for delivery which are focused around availability of funding and a logical sequence of interventions that splits the plan into phases related to the dependencies that exist.

6.23 All of the projects within the Delivery Plan stand to benefit the local economy by bringing new visitors into the town and instilling confidence in the private sector that Halifax is an appealing location in which to invest. The Delivery Plan endorsed many of the principles of the connectivity improvements set out in the Masterplan including:

An enlarged town centre with seamless links between areas such as Dean Clough, the Piece Hall, Halifax Minster, the rail station and Eureka!;

Improved linkages between the town centre and residential areas to the west;

Enhanced gateways into the town at strategic points;

Creation of a better environment for pedestrians and cyclists.

- 6.24 However, the Delivery Plan looked in more detail at how these connectivity improvements could complement and assist the development of key sites within the town centre by removing access issues (and associated costs) via a town centre wide approach. This approach considered all modes of transport, with the understanding that the topography of Calderdale means that there will still be through traffic movements that need to be accommodated to ensure the economic success of the wider District, without penalising or undermining the town centre's economic potential. Most importantly, the Delivery Plan clearly identifies that, without significant intervention within Halifax town centre in terms of transport infrastructure, there will be a constraint on future growth, both in economic terms, but also in the ability to accommodate the forecast levels of new housing within Calderdale.
- 6.25 During the preparation of the Delivery Plan, key businesses identified transport, congestion and connectivity between key locations as being barriers to growth. Lloyds Banking Group highlighted the relatively poor gateway into the town provided by the rail station, given the number of employees and visitors that arrive by train. The owners of Dean Clough, where almost 5,000 people work, stated that they felt disconnected from the town centre and that current walking routes and road layouts meant that their employees often bypassed the town centre itself on their routes to and from work.
- 6.26 Nestle highlighted that their transport operations are constrained by access issues in relation to Water Lane (low bridges) and Bank Bottom (steep gradients on corner). It is also known that there is reluctance on the part of developers to realise some of the emerging aspirations due to connectivity and access concerns.
- 6.27 Whilst the Delivery Plan represents the ambition for Halifax town centre at a point in time, it is a key document that CMBC is now using to inform their decision making and stakeholders on strategic priorities. As such the document is to be regularly reviewed as transformational change in Halifax town centre gathers pace.
- 6.28 Directing the Transport Fund investment into Halifax town centre is expected to address many of these residual accessibility constraints that serve to restrict growth in Halifax and the wider Calderdale/Kirklees area, supporting and expanding the growth aspirations included within the Delivery Plan. Figure 1.5 illustrates the catalytic effect of such investment in a CMBC and LCR context.



**Figure 1.5 – CMBC / LCR Catalytic Effect of Investment**



- 6.29 Since the development of the Delivery Plan, CMBC has commissioned further work including a Car Parking Strategy (completed November 2015) and Bus Accessibility Study (completed July 2015) to provide a robust evidence base from which the precise scope of future interventions within the town centre can be defined.
- 6.30 Work is also ongoing on a series of wider initiatives that will support and complement the work the Delivery Plan has sought to take forward. These initiatives are as follows:

District Heat Network – these are systems that provide cheaper, cleaner heat (hot water and space heating) to multiple buildings. CMBC is currently exploring deploying District Heating in Halifax town centre with support from the Heat Network Development Unit within the Department of Business, Energy and Industrial Strategy. The project seeks to align with the highway changes proposed by this scheme as well as the construction of new buildings in Halifax to reduce disruption, avoid impacting upon newly installed infrastructure and to seek financial savings through programme alignment. District Heat deployment would deliver significant environmental improvements for Halifax by reducing the town’s CO2 emissions.

“Superfast West Yorkshire” high speed fibre broadband (Phases 1 and 2) – these two phases of the project are delivering superfast fibre broadband to tens of thousands of households and businesses across West Yorkshire and York. The project extends coverage to areas that are not commercially viable and will look for opportunities to align this project with highway changes and new developments as they come forward

to reduce disruption, avoid impacting upon newly installed infrastructure and to seek financial savings through programme alignment.

Following a successful ballot in October 2016, Halifax town centre has had an operational Business Improvement District (BID) since April 2017. This will have a 5 year term to deliver additional services to the town centre in line with the BID business plan. It is funded by businesses paying an additional 1.75% levy based on their rateable value. The BID gives business in the town centre a voice and allows them to work with the local authority to improve trading conditions in Halifax town centre. The board of Halifax Business Improvement District have been consulted and are supportive of the scheme to improve access to the town.

Cultural Destinations II is a consortium-led project, funded by Arts Council England. Through this project, major arts, culture and heritage organisations in Calderdale, and particularly Halifax, work in partnership with the Council's Tourism Team and relevant businesses to support growth of the local visitor economy through cultural tourism. The partnership welcomes the developments to the transport network in Halifax, which offer an improved visitor welcome and better accessibility to and around cultural venues.

- 6.31 This context illustrates that Halifax town centre will continue to be the focus of growth within Calderdale in the future. However, realisation of this growth is dependent on targeted investment in transport interventions using a holistic approach that considers strategic accessibility of the town centre as a whole. The resulting regeneration that such investment seeks to catalyse will ensure that Halifax remains competitive and will allow future growth arising from changes in housing across the Borough to be facilitated. It will also support and strengthen the Council's wider economic ambitions for the wider Borough (with respect to Elland, Brighouse, M62 Zone, Upper Valley and North Halifax).

## **7 POLICY ALIGNMENT**

- 7.1 The preceding section sets out the context for the scheme in terms of the current economic and development situation in Halifax, as well as the future needs set out in the emerging Local Plan and the Town Centre Delivery Plan. The Delivery Plan itself identifies a durable plan for the town which includes spatial, economic, social and cultural analysis of the current baseline position and proposals for what the town should aim to achieve over the short, medium and long term. It makes clear how transport investment is fundamental to realising and accelerating future growth.
- 7.2 Table 1.1 provides a summary of the relevant national, regional and city regional policies considered applicable to the scheme, with further detail of each policy lever provided later within this section.

**Table 1.1 – Summary of National, Regional and City Regional Policy Fit**

Document		Summary of Fit
1.	Local Growth White Paper	The scheme seeks to deliver the economic growth aspirations by supporting business investment and promoting economic development.
2.	National Planning Policy Framework	The scheme seeks to address barriers to development, promote the town centre environment and encourage sustainable transport through high quality design and conservation of Halifax's historic assets.
3.	Northern Powerhouse: One Agenda, One Economy, One North	The strategy is about using transport to aid change in future patterns of land use and economic growth, with the goal of creating a single economy in the North. The scheme will contribute to this ambition in a local sense by providing Halifax with greater accessibility of the wider Northern economy whilst fostering specialisms within the local economy including financial services, advanced manufacturing, tourism and creative/digital industries.
4.	No Stone Unturned / Investing in Britain's Future	Together these documents introduced the requirement for LEPs to produce SEPs to drive economic growth at local level. The scheme is consistent with the approach being delivered through the WY+TF created as part of the LCR SEP, and will contribute to achieving sustainable economic growth through prioritised investment to upgrade CMBC/LCR transport infrastructure
5.	Leeds City Region City Deal	The City Deal sets out the funding parameters and processes (including assurance framework, performance metrics) which the scheme seeks to adhere to and contribute to.
6.	Leeds City Region Strategic Economic Plan	Halifax is identified within the SEP as a strategic growth centre. The scheme is aligned with SEP Priority 1 of "Unlocking Growth Potential of Businesses" and Priority 4 of "Creating the Environment for Growth".

Document		Summary of Fit
7.	West Yorkshire Local Transport Plan 3 (LTP3)	The scheme would contribute to achieving all three of the LTP3 objectives by reducing congestion, removing constraints on development, reducing emissions and delivering a positive impact on quality of life for those visiting and travelling through Halifax town centre.
8.	LCR Single Transport Plan (STP)	In developing the scheme, the core principles of the STP have been kept in mind with particular focus on place-making and developing convenient transport connections to the LCR's HS2 hubs.

### 7.3 Local Growth White Paper: Realising Every Place's Potential

7.3.1 The White Paper, published in 2010, sets out the Government's role in supporting locally driven growth, encouraging business investment and promoting economic development. As such, it sets out the Government's commitment to:

Shift power to local communities and business, enabling places to tailor their approach to local circumstances;

Promote efficient and dynamic markets, in particular in the supply of land, and provide real and significant incentives for places that go for growth;

Support investment in places and people to tackle the barriers to growth.

7.3.2 The White Paper provides the context for Local Growth Deals which are partnerships between the Government and Local Enterprise Partnerships (LEPs), where the Government responds to the offers made by each LEP in pursuit of the shared objective of growth in order to allocate Local Growth Fund (LGF) resources. The Government and each of the LEPs have now negotiated Growth Deals on the basis of individual SEPs.

7.3.3 The scheme seeks to deliver the economic growth aspirations by supporting business investment and promoting economic development through the WY+TF, a specific multi-year flexible fund identified in the LCR SEP that allows the WYCA to oversee significant investments in inter-city and intra-city connectivity schemes.

### 7.4 National Planning Policy Framework

7.4.1 The National Planning Policy Framework (NPPF) was published by the Department for Communities and Local Government (DCLG) in 2012. It sets out national planning policy for

England, superseding the Planning Policy Guidance (PPG) and Planning Policy Statement (PPS) notes.

7.4.2 NPPF states that the purpose of the planning system is to contribute to achieving sustainable development. In effect, this means planning is required to perform the following three specific roles:

An economic role, contributing to building a strong, responsive and competitive economy;

A social role, supporting strong, vibrant and healthy communities;

An environmental role, protecting and enhancing the natural, built and historic environment.

7.4.3 The NPPF sets out a presumption in favour of sustainable development. This effectively means that development proposals that accord with the development plan should be approved without delay. The NPPF sets out twelve core land-use planning principles that should be taken into account when making planning decisions, including:

*“planning should... actively manage patterns of growth to make fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”.*

7.4.4 The NPPF makes particular reference to the following which are of relevance to the scheme proposals:

Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing;

Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period;

Local planning authorities should ... support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport;

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes;

Local planning authorities should set out .... a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

## **7.4 Northern Powerhouse: One Agenda, One Economy, One North**

- 7.4.1 The Northern Powerhouse vision sets out a transport strategy that will maximise the economic potential of the North, securing inward investment and capitalising upon the unique strengths each of the northern cities is able to offer. Bringing together central and local government, national transport agencies and LEPs, the vision identifies the need for connectivity within and between the Northern City Regions to be transformed, improving journey times, capacity and resilience; enabling the North to achieve the critical mass needed for it to compete globally.
- 7.4.2 By improving access to labour and markets, the Northern Powerhouse concept fosters specialisms within the local economy. This will benefit areas such as Calderdale, where strengths in financial services, advanced manufacturing, tourism and creative/digital industries offer significant potential for economic growth.
- 7.4.3 Improved access to the strategic road and rail networks are essential to securing this vision, given the onward connectivity such networks provide to other parts of the Leeds City Region and neighbouring economic centres. Given the role the A629 (southern section) and Halifax town centre provides in connecting Halifax with the M62 and the Calder Valley rail line (subject of a further WY+TF scheme) via improved multi-modal accessibility, the prioritisation of WY+TF investment in the full corridor package may be considered an essential component for achieving this vision.

## **7.5 No Stone Unturned and Investing in Britain's Future**

- 7.5.1 It is important to recognise the source of funding and associated objectives. The growth deals evolved from Lord Heseltine's blueprint for the UK's future economic prosperity and subsequent Government response, "Investing in Britain's Future – a strategic, long term infrastructural investment plan".
- 7.5.2 This latter document introduced the regional Strategic Economic Plans and highlighted that the LEPs with the strongest Strategic Economic Plans that demonstrate their ability to deliver growth will gain the greatest share of the (Growth Deal) funding available. As such, it is imperative that each investment decision delivers the optimum return by targeting local, regional and nationally aligned objectives.
- 7.5.3 The Government presents Growth Deals as a revolutionary way in which to run the economy as housing, infrastructure and other funding requirements are brought together in a single pot and allocated via differing levels of devolved powers. Within West Yorkshire, whilst the WY+TF is administered separately to other Growth Deal funding on skills and infrastructure delivery, the Fund remains a cornerstone of the LCR's Growth Deal objectives, which collectively seek to ensure common economic ambitions are met.

## **7.6 LCR City Deal**

- 7.6.1 In response to the LCR securing a City Deal (2012) and subsequent combined authority status (2014), a commitment to developing a Single Appraisal Framework (SAF) was approved by HM Treasury and DfT, enabling devolved investment decisions to be made. Since becoming fully operational in April 2015, the SAF enables the LEP and WYCA effective governance of funding being made available by Central Government. The SAF is based on

Green Book and WebTAG principles, proportionally applied according to the nature and complexity of the scheme being assessed.

- 7.6.2 Alongside other schemes prioritised for delivery through the WY+TF, the A629 corridor package (including the town centre scheme) is required to contribute to the following funding objectives:

Primary objective: to maximise the increase in employment and productivity growth across West Yorkshire (irrespective of boundaries) through the delivery of transport schemes;

Secondary objectives: to improve the ability of people in every West Yorkshire district and York to access jobs, with a particular focus on those living in the most deprived communities, and to achieve a carbon neutral impact at the package level.

- 7.6.3 The initial prioritisation of schemes was undertaken using a methodology set out in the SAF that calibrates the UDM with employment forecasts predicted by the REM. This enables the WYCA to assess effectively each scheme against the primary objective of increasing GVA and also the secondary accessibility criteria.

- 7.6.4 Since this initial prioritisation process provides the justification for funding the A629 corridor package under the WY+TF, interrogation of scheme benefits through the UDM is necessary to demonstrate the scheme's continued ability to positively impact upon:

Travel patterns, volumes and mode shares;

Changes in land-use (housing units and employment premises);

Changes in households, population and the workforce;

Changes in employment (jobs filled) and the unemployment rates;

Changes in CO<sub>2</sub> emissions from transport activity;

Time saving benefits and wider economic impacts on productivity and agglomeration.

## **7.7 LCR SEP**

- 7.7.1 The SEP is the LCR Local Enterprise Partnership's long term vision for the City Region economy. It is designed to provide the foundations for growth, aligning plans with those of public and private sector partners and with government for maximum impact. It demonstrates the opportunities for investment in the City Region and highlights the significant gains that can be made by all who co-invest in the LCR.

- 7.7.2 The vision of the SEP is to unlock the potential of the City Region, developing an economic powerhouse that will create jobs and prosperity. As such, the SEP is founded on four strategic pillars, which respond to the key economic challenges and opportunities that have been identified:

Supporting growing businesses;

Developing a skilled and flexible workforce;

Building a resource smart City Region;

Delivering the infrastructure for growth.

7.7.3 Delivering better connectivity is a lynchpin of the SEP as it is recognised that although the LCR transport network supports a high volume of passenger and freight movement, it is not keeping up with the pace of growth in our economy and our workforce. Therefore, the transport network is constraining growth opportunities, reducing economic output and holding back the latent potential of a northern economic powerhouse.

7.7.4 Halifax is identified within the SEP as a strategic growth centre and its role is underlined by the inclusion of a number of schemes within the WY+TF (which is a core element of the SEP). Furthermore, the demolition and site clearance of the Northgate House site as a specific early win scheme within the SEP, in order to render its development commercially viable, emphasises the importance attributed to Halifax as a key economic centre.

7.7.5 The Town Centre Delivery Plan projects, which include this scheme, fit with SEP Priority 1 of “Unlocking Growth Potential of Businesses” and Priority 4 of “Creating the Environment for Growth”, through:

Releasing a number of strategic employment sites;

Providing an environment to support retention and expansion of financial and professional services;

Linking to the WY+TF mandate to unlock congestion and generate growth, improving public transport provision (both bus and rail), links to the motorway network and onward connectivity to the wider District accessible via the town centre;

Accelerating housing growth;

Addressing consumer spend leakage from the town;

Creating a vibrant location where companies and people want to live, work, visit and spend.

7.7.6 The scheme will also seek to complement and integrate with other West Yorkshire wide WY+TF schemes that are currently being developed including the Highways Efficiency Bus Package and Urban Traffic Management and Control projects as these come forward.

## **7.8 West Yorkshire LTP3**

7.8.1 The West Yorkshire LTP3 is the statutory transport policy plan for the West Yorkshire area and sets out the overall vision and objectives for the period 2011-2026. Entitled “MyJourney”, LTP3 sets out a strategy for improving local bus, road, rail, walking and cycling networks for



the 15 years up to 2026. The vision is to deliver a people-focused, low-carbon transport system that supports economic activity and growth and enhances people's quality of life, and has been designed to put the needs of all transport users at its heart. Moreover this vision is underpinned by the following three guiding principles:

Economy – To improve connectivity to support economic activity and growth in West Yorkshire and the LCR;

Low Carbon – To make substantial progress towards a low carbon, sustainable transport system for West Yorkshire, while recognising transport's contribution to national carbon reduction plans;

Quality of Life – To enhance the quality of life for people living in, working in and visiting West Yorkshire.

7.8.2 LTP3 sets out to tackle congestion and a lack of transport investment, which are considered key contributory factors to lower than average economic performance in West Yorkshire. It also aims to prepare for the predicted, post-recession growth in employment, population and housing and their impact on the reliability of the transport network.

7.8.3 The scheme would contribute to achieving all three of the above objectives. Firstly, congestion levels will be improved and constraints on development will be removed by the measures proposed. Improving congestion levels will assist in reducing carbon emissions and enhanced waiting and interchange facilities will improve passenger experiences for bus and rail passengers which may encourage further modal shift from car to bus. Overall the scheme should have a positive impact on quality of life for those visiting and travelling through Halifax town centre.

7.8.4 LTP3 also outlines several key issues which the scheme would address. These are:

*West Yorkshire's economic performance is 10% below the national average, ranging from 24% below in Bradford to 12% above in Leeds, with Calderdale 12% below.* Transport is seen as providing a vital role in supporting economic growth. By improving connections to Halifax from the wider LCR and the North, the economic performance of West Yorkshire will be improved;

*Lack of interchange between bus services and different transport modes.* The proposed scheme will improve the efficiency of how both on and off-street bus facilities are used and will provide greater integration of bus and rail services within the centre of Halifax;

*Few cycling and walking trips.* The scheme improves walking and cycling facilities to and within Halifax town centre, helping to overcome existing severance issues;

*Road casualty rates are too high.* Improvements to the junctions surrounding the town centre will improve pedestrian desire lines and create safer pedestrian crossing facilities helping to reduce casualty rates.

## 7.9 LCR Single Transport Plan

7.9.1 The Single Transport Plan is intended to cover the 20 year period from 2016 to 2036. Work to develop the Plan has been progressed through workshops held with the Transport Committee and Portfolio Holders, and has been informed by complementary work to develop the HS2 Connectivity Strategy and the Transport for the North (TfN) proposition. Intended as a replacement to LTP3 and supporting implementation of the SEP, five emerging core principles and a cross-cutting low carbon theme have been developed to provide shape and direction for the Plan:

1. *One system, HS2/HS3 ready* – a core ambition being a ‘metro-style’ public transport network that integrates all modes, into one system that is easily understood, easy to access by a range of options and offers quick, convenient connections within the City Region. Notably, this includes expectations for journey times, frequency, capacity and quality of the network on key corridors, with improved public transport network reducing pressure on roads and facilitating the efficient movement of freight.
2. *Place making* – involving ambitions to realise more attractive places in which to live, work and invest, through an emphasis on encouraging more walking and cycling, improving road safety and air quality, and aligning investment in transport, public realm and regeneration.
3. *Smart futures* – involving ambitions to exploit technology to improve the customer experience and to assist effective management of the transport system.
4. *Inclusion* – involving ambitions to offer a high level of access by public transport, enabling people to access education, employment and training.
5. *Effective asset management* – involving ambitions to manage the transport system in a way that offers maximum value for money and meets the needs of users.

7.9.2 In developing the proposals these core principles have been kept in mind with particular focus on place-making and developing convenient transport connections to ensure that the LCR is HS2/HS3 ready. Halifax has been identified as a District Hub in the high speed rail connectivity work for the LCR with a desired journey time of 30 minutes between Halifax and the HS2 hub station in Leeds.

7.9.3 Designation of Halifax as a District Hub status reinforces the needs for local accessibility improvements to ensure reliable and fast journeys can be made to Leeds and onwards via HS2 from homes across the District. As such, this implies the need for improvements in Halifax (particularly for sustainable modes) to ensure quick, convenient and attractive access to the rail station as part of this wider vision.

7.9.4 A District Hub as envisaged within the outline STP will also be one which is intended to act as a true gateway to the town that it serves, and a separate allocation has been made within the WY+TF for a series of gateway improvements to key rail stations across West Yorkshire. Halifax rail station is identified within this separate package of works, and early stage

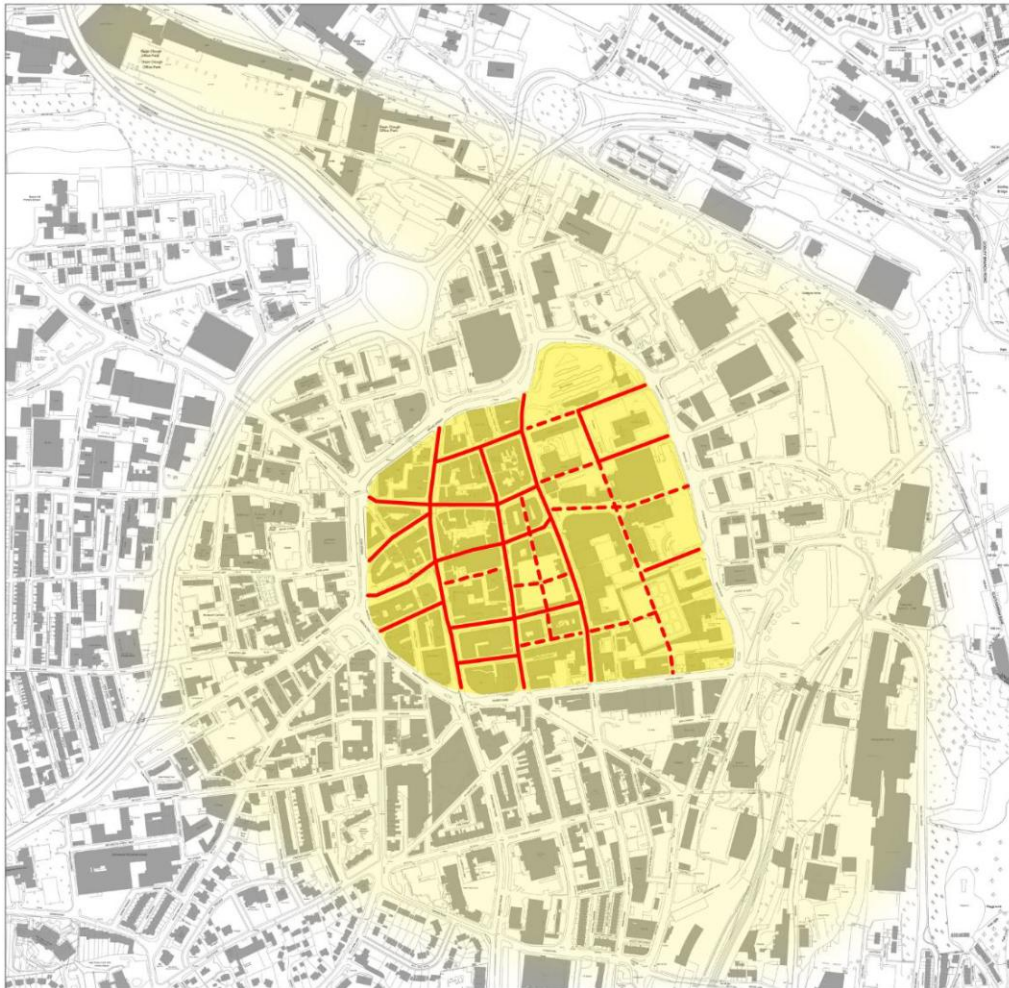
feasibility work is ongoing to ascertain what particular improvements would be needed to support growth at the rail station as well as the role of the rail station in bringing forward development in its immediate environs. Further detail on the Halifax Station Gateway scheme and its interrelationship with this scheme is outlined in Sections 8.3.

## **8 EXISTING PROBLEMS & ISSUES**

### **8.1 Spatial Analysis**

- 8.1.1 The Town Centre Delivery Plan included an analysis of the current spatial characteristics of Halifax, concluding that the historic urban structure of the town centre remains broadly intact, retaining many Victorian buildings and some significant earlier buildings including the Piece Hall and Square Chapel.
- 8.1.2 The legible pattern of largely pedestrian friendly streets which form the town centre core around Halifax Borough Market is bounded by a series of roads. These roads are designed predominantly for vehicle movement and create barriers to pedestrian movement from the centre to the surrounding areas with a fragmented arc of development to the north and east to the town centre core.
- 8.1.3 This is illustrated in Figure 1.6, with the red lines showing key thoroughfares and the darker shading illustrating the current extent of the town centre, severed from more peripheral developments in the lighter shading by highway routes to the west and the east.

**Figure 1.6 – Existing Spatial Analysis**



## **8.2 Economic Analysis**

- 8.2.1 The Department for Transport's Engine for Growth (2013) states that *"transport is an engine for growth and essential for everything we do"*. Evidence shows that investing in infrastructure is important for growth and building better transport links has a stronger positive effect on GDP per capita than other forms of investment. As identified previously, to ensure that Calderdale can reap the economic benefits from increased future growth, fast, convenient and reliable transport links are crucial.
- 8.2.2 Halifax town centre is a key location for future employment growth in Calderdale and the plans for housing growth across the District mean that there is likely to be increasing travel demand to the centre. The current spatial form of the town centre is, however, having a detrimental impact on businesses and will also constrain its future expansion and growth.
- 8.2.3 The Delivery Plan identified that an improved transport and public realm network can improve visibility, accessibility and identity throughout the town and can frame a series of development opportunities, serving as a catalyst to their development by coordinating their impacts and delivery timeframes.

- 8.2.4 Furthermore, clear evidence exists to suggest investment in public realm (better streets and places) has a positive impact on retail footfall, turnover, property values and rental yields, particularly for well-designed projects. For example, improvements to public spaces can improve retail sales by as much as 30% and retail footfall by 10 – 25%. Local experience of public realm improvements in Hebden Bridge from CMBC has seen a much larger increase in footfall of 100% on the upgraded streets and 25% for the town as a whole.
- 8.2.5 The impact on rental values can also be significant with rises in commercial and retail rents of as much as 24% and 22% respectively. Improving rental values within Halifax town centre is a key priority as commercial and retail developments are currently unviable/marginal based on current values, making developers reluctant to bring forward schemes.
- 8.2.6 The provision of suitable access to key sites identified in the Delivery Plan has been a key consideration in the design of future interventions so that as these sites come forward they fit seamlessly within the context of the overall Delivery Plan, even if the details of development proposals are still unknown. The scheme will reinforce the sustainability of planned investment at Dean Clough by better connecting it with the town centre core whilst encouraging employees to capitalise on the wider town centre offer. The scheme will also assist with securing the long term future of existing businesses such as Lloyds Banking Group and Nestle, whilst allowing prospective investors to have greater confidence in bringing forward new sites.
- 8.2.7 Table 1.2 includes a summary of the more specific status of, and the issues relating to, the key sites for development that have been identified in the Delivery Plan. The numbers in the table refer to the site locations shown on Figure 1.4.

**Table 1.2 – Delivery Plan Sites**

Reference/Site		Summary of Status and Issues
1.	Piece Hall	The Piece Hall is a unique Grade I Listed building in the centre of Halifax, dating from 1779. Piece Hall re-opened on Yorkshire Day 1 <sup>st</sup> August 2017 and has been transformed into a major visitor attractor/destination, having a large transformational impact on the visitor economy and providing a number of new business units supporting job growth within the town centre. In the first month alone the Piece Hall has attracted some 260,000 visitors, driving footfall in the wider Halifax town centre.
3.	Swimming Pool and Leisure Centre	There are clear advantages and cost savings to the rationalising of current leisure facilities, through the development of a combined swimming pool and leisure centre to replace the currently separate facilities which are no longer considered suitable for modern leisure

Reference/Site		Summary of Status and Issues
		requirements. The redundant swimming pool site would then either offer a capital receipt or has the potential to contribute to the Council's car parking strategy.
6.	Northgate House and Surroundings	Northgate House has become surplus to requirements through the rationalisation of Council assets. The majority of the building is now vacant and plans are now in motion to provide a new Sixth form college at the heart of Halifax town centre. The site comprises one of a select group of strategically important sites identified in the LCR SEP where LGF expenditure is being directed to address market failure. There is also potential scope to incorporate adjacent land (most notably the bus station) to create a further development opportunity of 4,645sqm, which is likely to be most suited for retail to address the deficiencies in the range and quality of the comparison goods sector in Halifax town centre.
7.	Cripplegate	This site is on the periphery of the town centre and is ideally located for a residential and commercial offer. The site equates to 2,410 sqm and is in close proximity of Halifax Train station and main traffic routes. The two land owners of the site (CMBC and Birch Sites) are working together to assemble the site so that it can be put to the market as a comprehensive development opportunity. Solutions are required to address accessibility and remediation challenges.
19.	Cow Green	The cleared site of a former multi-storey car park which was demolished following structural concerns. The site is currently being utilised as a temporary surface car park until development is brought forward. The site will create a new apartment based residential offer as part of the aspirations for 'Halifax Living' which aims to bring increased vibrancy into the town centre core.
20.	Royal London Site, Horton Street	The site currently benefits from Outline planning permission for the redevelopment of the site for 11,441sqm retail based scheme, but the development has not been taken forward. The landowner has indicated that the current proposition is not commercially viable and alternative uses are actively being considered.
21.	Eureka!	Eureka! is updating its estate masterplan to take forward development opportunities in this area of



Reference/Site		Summary of Status and Issues
		Halifax. This includes proposals for mixed residential and office quarter to the north of the station, refurbished Great Northern Shed and provision of a multi storey car park. Overall the museum is seeking to increase visitor numbers, increase the duration visitors stay within the estate and Halifax itself (capitalising on the combined visitor offer that will come about with the opening of the Piece Hall), develop their visitor offer for a wider age group up to 14 year olds and identify revenue streams from complementary uses.
29.	Bailey Hall (Nestle)	A potential development site which owners Nestle are keen to bring to market as it is unsuitable for food production. Nestle intend to relocate their existing security gates and offices further towards the south of the site, which would release Bailey Hall from the Nestle footprint. Overcoming the Water Lane access issues due to height restricted bridges would further assist with this by relocating servicing away from Bailey Hall.

## 8.6 Connectivity

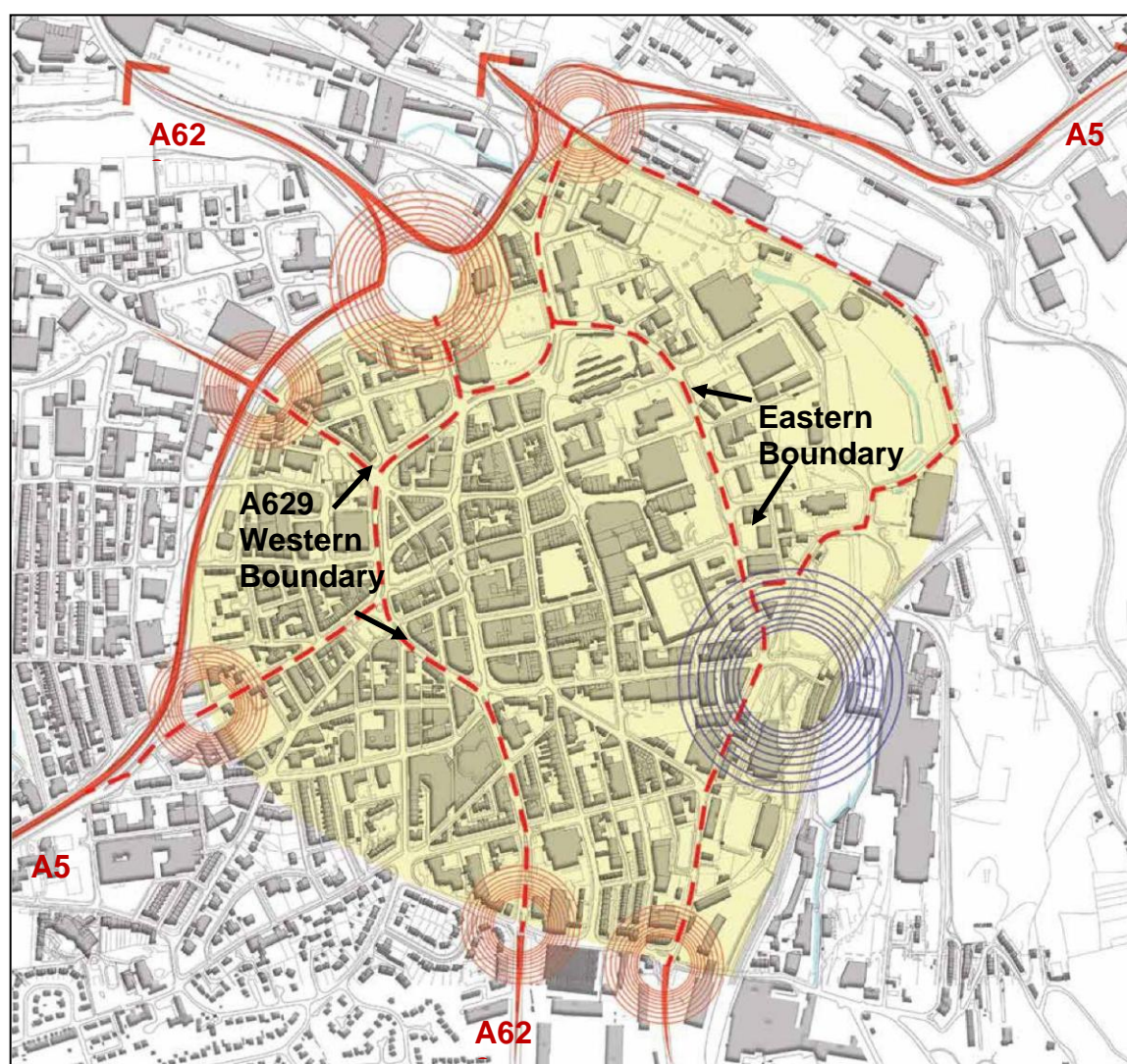
8.6.1 Halifax town centre is bounded by two principal highway routes – the A58 to the north, linking Leeds and Rochdale, and the A629 to the west, linking Keighley and Huddersfield. The section of the A58 immediately adjacent to the town centre is elevated above North Bridge and then passes to the west of the A629. Both of the principal highway routes link to the M62 motorway – the A58 at Junction 26, and the A629 at Junction 24.

8.6.2 The A629 forms a nominal western boundary to the town centre, and is principally a dual carriageway route with pedestrian crossings provided at a series of traffic signal junctions and signalised crossings. The eastern boundary of the town centre is currently formed by the route along Shaw Hill/Shay Syke/South Parade/Church Street/Square Road/Charles Street/Winding Road, which is a single carriageway link. These routes are illustrated in Figure 1.7.

8.6.3 Automatic traffic count data from April 2014 suggests that around 56% of traffic uses the western route in the morning peak hour and 54% in the evening peak hour. The data also suggests that 42% of vehicles entering the town centre from the north west have no destination within the town centre while 58% of vehicles entering the town centre from the north east have no destination within the town centre. This means that high volumes of through traffic use the town centre and need to be accommodated within any future plans alongside those accessing the town centre itself. These high volumes of traffic also cause increased levels of severance for pedestrians wishing to access the town centre, particularly from the west.

8.6.4 The multi-junction orbital road network also constrains through traffic movements around the town centre and creates traffic congestion particularly in the peak periods, which is stifling the economic growth potential of the town centre and the wider District. The level of congestion results in delay to road users (particularly an issue for commercial vehicles travelling to/from the M62) which has an impact on local economy and causes pollution. Ease of access for through traffic is a particular concern for Halifax as the topography of the District means the network is focused on Halifax with a lack of alternative route choices. This is likely to be exacerbated in the future if growth ambitions (as specified in the emerging Local Plan) are realised in the Upper Calder Valley. This further emphasises a need for a balance between through movements and terminating traffic.

**Figure 1.7 – Key Town Centre Routes and Gateways**



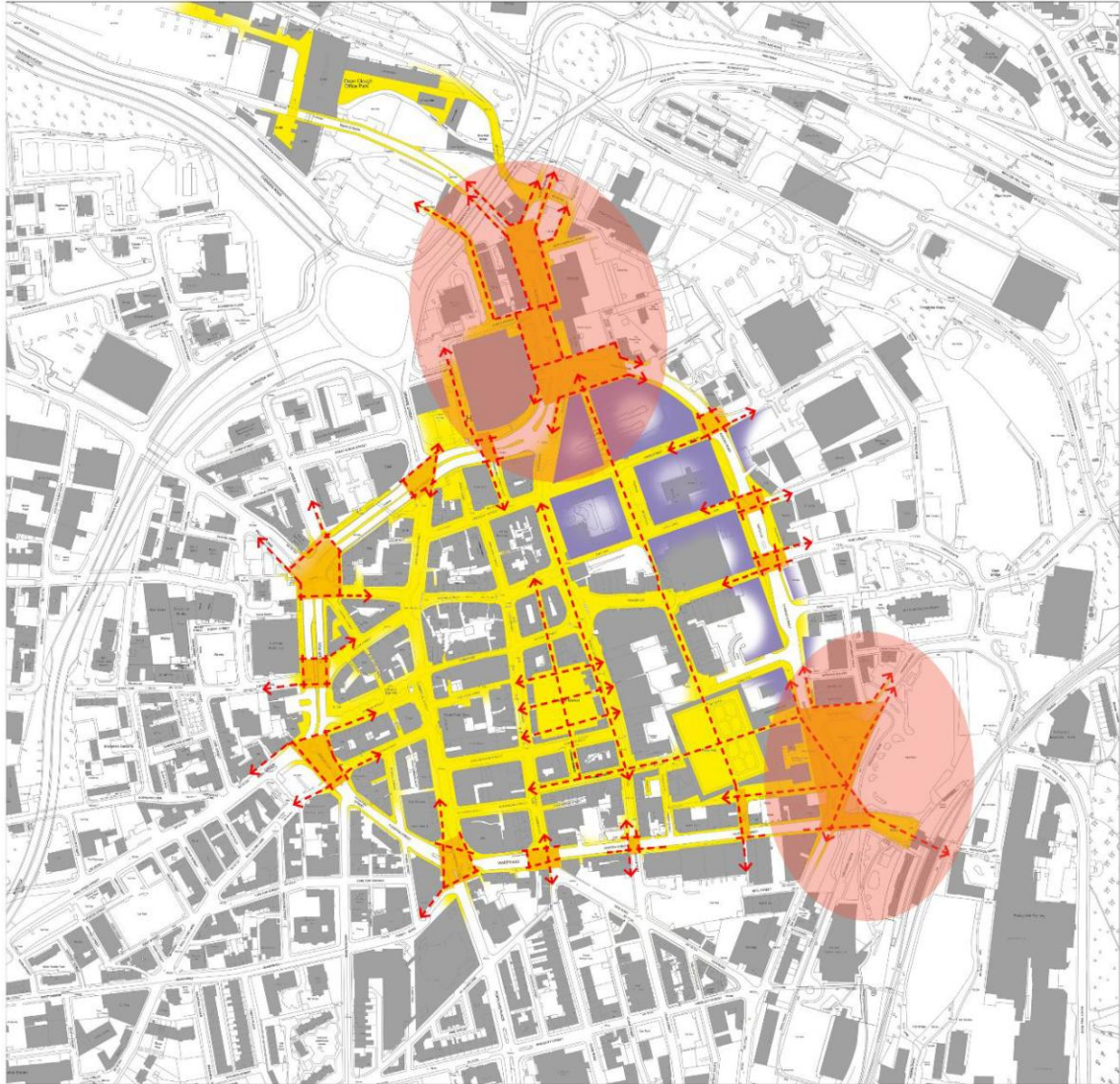
8.6.5 Together the A629, Horton Street, Square Road, Charles Street, Smithy Street, Winding Road, Northgate and Broad Street act as an entry point for routes into the town centre. The junctions of radial roads and the western and eastern routes are vital for orientation and, at some of these points, gateways, landmarks and other features make them memorable



places. For example, the junction of Commercial Street and Fountain Street is enhanced by attractive corner buildings, such as the Civic Theatre, which define and enclose the space.

- 8.6.6 However, other junctions are dominated by traffic, lack a sense of enclosure and/or a human scale and, therefore, represent poor quality gateways. For example, the junctions of Bull Green and Barum Top (Photograph 1.1), Cow Green and Broad Street, Broad Street and Northgate, and Northgate and Dean Clough (Photograph 1.2) are dominated by vehicular traffic at the expense of pedestrians and cyclists. These junctions lack a sense of place and pedestrian connections between key attractors that lie beyond this boundary (including Dean Clough, Square Chapel, Piece Hall and the rail station) are poor.
- 8.6.7 Figure 1.8 illustrates the main pedestrian desire lines and routes across the town centre, as well as the key links and nodes within the existing network. The orange blocks show where pedestrian movements cross the peripheral highway links, with crossing routes often taking a less than direct route. Pedestrian crossing opportunities at junctions are often only at traffic signal junctions, and are characterised by the use of guardrail (Photograph 1.3), adding to the feeling of severance. The pink areas represent locations where recent and planned development will only serve to increase conflicts unless action is taken. Whilst not as immediate an issue, the use of guardrail and the highway layout of the A629 to the west of the town centre severs the current residential areas to the west, detracts from the townscape in this area (Photograph 1.4) and will act as a restraint on bringing forward development sites in the future.

**Figure 1.8 – Town Centre Pedestrian Desire Lines, Links and Nodes**



***Photograph 1.1 – Bull Green Roundabout***



***Photograph 1.2 – Northgate/Dean Clough***





***Photograph 1.3 – Pedestrian Guardrail at Town Centre Junctions***



**Photograph 1.4 – Severance on A629 to West of Town Centre**



- 8.6.8 Within the two routes bounding the town centre, much of the town centre highway network consists of routes with frontage activity, bus stops and on street parking. There are pedestrianised areas running between the Piece Hall and Northgate House, encompassing the Woolshops Shopping Centre and along Corn Market adjacent to the Borough Market. There is a marked contrast in the quality of the public realm along Market Street, which is dominated by bus traffic, compared to Corn Market.
- 8.6.9 The pedestrian environment is impacted upon by a lack of green space in the town centre, limited civic and other public open spaces and also limited public art or cultural references within the streetscape. This will be addressed in part through the opening of the redeveloped Piece Hall. The surrounding pedestrian network and the connectivity this provides, must be strengthened, in order to mark this as the principal civic space/node in the town, as identified in Figure 1.8.
- 8.6.10 Whilst the topography of Calderdale contributes to a lower percentage of journeys to work made by cycle than both the national and regional average, a lack of suitable cycle infrastructure is equally significant in deterring cycle-based trips.
- 8.6.11 There are no defined or advisory town centre cycle routes other than the Hebble Trail which runs parallel to the A629 and provides a traffic-free, hard paved route along the Calder and Hebble Canal from Jubilee Road to the southern edge of Halifax town centre, where it stops.

8.6.12 Additional cycle facilities on the A629 and within the town centre are therefore required to cater for movements not met by the Hebble Trail, including journeys at night and those to key attractors within the town centre.

8.6.13 Market Street is the principal north-south link for bus services within the town, serving Halifax bus station, which is located at Northgate at its northern end (Photograph 1.5). The bus station has four islands with around 20 stands in total (although not all are currently in use) and buses from a range of destinations within Calderdale, as well as Bradford, Burnley, Dewsbury, Huddersfield, Keighley, Leeds and Rochdale, use the bus station.

8.6.14 There are currently around 70 bus departures per hour from Halifax bus station, with around 144 departures per hour from on-street facilities (approximately 70% of which do not serve the bus station at all). Of the 30 on-street bus stops provided in the town centre, 16 are available for boarding, the remainder being used for alighting only or layover.

***Photograph 1.5 – Halifax Bus Station***



8.6.15 A strategic review of Calderdale's bus network undertaken in 2013 highlighted the continuing decline in bus patronage as a result of slow end to end journey times and bus infrastructure deficiencies resulting in poor penetration of the town centre and reduced appeal of use. In



order for this decline to be arrested, a step change in provision was highlighted as being necessary to reduce traffic levels and to accommodate the significant growth in trips envisaged on the back of the emerging Local Plan much of which is in areas of limited bus accessibility. If such changes do not take place development will not occur or will be constrained due to concerns over worsening congestion and lack of transport connectivity.

8.6.16 The Bus Accessibility Study 2015 subsequently undertaken by CMBC to inform the scope of required interventions in Halifax town centre identified the following issues that may discourage bus usage and penalise pedestrians:

High number of bus routes operating on selected streets – a congested central area from a high number of buses and other traffic reduces journey time reliability and has discouraged commercial activity whilst causing severance to pedestrians. Union Street, and Market Street accommodate up to 100 buses per hour during the morning peak with a further 75 per hour using Commercial Street.

Ill-suited distribution and concentration of bus stops in the town centre – several bus routes currently terminate on-street. These routes use on-street facilities to park buses during the layover, causing air quality issues and using town centre space, which otherwise could be available for retail, improved pedestrian facilities or commercial activities. Bus stop facilities are also not located where new demand is likely to be generated as a result of the Delivery Plan projects, which is to the eastern side of the town centre core.

Low usage of the bus station stands – as a result of the high number of buses stopping on street the bus station is currently underutilised. Several stands are either not used or are served by a negligible number of services each day. This is intended to reduce safety concerns for passengers having to cross multiple crossings. Stands D1 to E3 (five in total) are only used infrequently so the station has a lower number of vehicles per stand compared with other facilities in West Yorkshire. It has been acknowledged by the WYCA that the facilities the bus station offers are also not fit for purpose in the long term. For example, the travel office is small for the functions it needs to perform, the security office is small and not located in an optimum location, the disabled persons provisions could be improved and the operational design of the bus stands is no longer in accordance with WYCA best practice.

Poor rail station accessibility – the emerging Local Plan includes significant development aspirations for North Halifax, increasing the need for better connectivity between North Halifax and Halifax rail station, providing access to employment and training opportunities across West Yorkshire and Greater Manchester. Halifax rail station has very limited direct bus access due to there being a weight restriction, limited turning space and lack of layover facilities on the station access bridge. In addition, many operators perceive rail as a competitor to the bus so are not incentivised to integrate



the bus-rail offer. The vast majority of bus-rail users access the rail station on foot from other town centre stops.

8.6.17 Halifax rail station is located 600 metres from the bus station to the south east of the town centre, just beyond Church Street/Square Road at the bottom of Horton Street and adjacent to the Eureka! Museum for Children.

8.6.18 The station consists of a small modern station building located on the railway end of the station access bridge. The station comprises a travel centre, waiting area and a single retail outlet, leading to an island platform via a listed footbridge. The station is located on the Calder Valley Line, with services from Halifax to Bradford Interchange, Leeds, York, Selby, Huddersfield, Burnley, Manchester Victoria and Blackpool North operated by Northern, and four services a day to London operated by Grand Central.

8.6.19 Next to the existing station building is the 1855 building, which was once used as the station building and now houses a children's nursery, and office accommodation. Exiting the 1855 building trackside is the disused third platform of the railway station. There is also a disused subway linking the rail station with the Nestle complex to the east of the rail line. The railway station is also adjacent to the Hebble Trail Cycleway (National Cycle Network 69) which follows the line of the valley bottom to the east of the town centre and the railway.

8.6.20 The rail station is an important gateway into Halifax and is used by 1.9 million people each year (ORR, 2015/16 figures). Years of under investment in appropriate major works means that the current rail station and surrounding public realm infrastructure has been unable to keep pace with population and economic growth. This has resulted in the rail station failing to provide the sort of positive gateway to Halifax that is typically expected for a town of its size, as noted by Lloyds Banking Group.

8.6.21 The inability of the current environment and facilities to meet rail passenger needs is being further exacerbated by the rail station's geographic severance from the rest of the town centre, poor pedestrian links and a lack of bus-rail interchange opportunities.

8.6.22 The platforms and station buildings lack a sense of quality and also fail to create a positive first impression of the town (Photograph 1.6) and the first impressions on exiting the station are those of a car-dominated space (Photograph 1.7).

8.6.23 The gradient between the station and the town centre via Horton Street is relatively steep, and pedestrian routes from the station are uninviting due to traffic conflicts, a lack of wayfinding information and the steep incline.

***Photograph 1.6 – Halifax Rail Station Buildings***



8.6.24 CMBC is pursuing a further scheme through the WY+TF in addition to the A629 Halifax to Huddersfield Corridor Improvements – Halifax Station Gateway – to tackle some of these issues. Masterplanning work for this separate project was completed in 2016. CMBC has obtained further development funds and has commissioned a feasibility study and business case for Halifax station including the engineering feasibility and costs of:

- Construction of a new station building
- Construction of a new pedestrian access bridge
- Creation of a new access route for cyclists
- Removing the station access bridge
- Reopening Navigation Road tunnel

**Photograph 1.7 – Halifax Rail Station Exit**



8.6.25 Due consideration in the development of Halifax Station Gateway has been taken to ensure compatibility and tie-in between the various WY+TF proposals. To this end, the stationmasterplan has informed the scope of works to be delivered at and around the station by this scheme. Furthermore, any early deliverables have been carefully designed to ensure they are not abortive in relation to what may come forward through the subsequent Station Gateway proposals.

## **8.7 Public Health Issues**

8.7.1 Over the last full five years (April 2010 to April 2015) there have been a total of 178 road accidents within the town centre. Of these there were no fatal accidents, 22 serious accidents and 156 slight accidents. Many of the accidents were the result of conflicts between cars/buses and cyclists and pedestrians in locations where the scheme seeks to improve conditions for these active modes. Others resulted from a lack of controls at the junctions. For example:

Hunger Hill/Shay Syke – at this junction there have been five accidents in the last five years, all of which were classed as slight. Four of these accidents involved vehicles colliding in or on entry to the mini roundabout as a result of one or more vehicles failing to give way.

Cow Green – along Cow Green there have been five accidents in the last five years. Two of the slight accidents involved pedestrians walking out into the path of oncoming vehicles partly due to poor visibility.

Cow Green/Bull Green – four slight accidents occurred at or close to Bull Green Roundabout in the last five years. Two accidents involved collisions with pedestrians in the late evening period.

8.7.2 Further public health issues relate to air quality. South of Halifax town centre there is a designated Air Quality Management Area (AQMA) that covers the A629.

8.7.3 The levels of emissions have been attributed to:

High volumes of traffic along the A629;

A high degree of 'stop-start' vehicular movements;

Particulates from large and slow moving vehicles accelerating up the steep gradients.

8.7.4 In addition, detailed assessments of air quality have been undertaken for the area around Bull Green roundabout due to standing traffic at peak times, the location of several public houses (at least one has an outside seating area) and residential properties close to the junction. The results of the detailed assessment showed exceedances of the annual mean objective but as there are no residential properties at ground or first floor level there is no relevant exposure requiring the declaration of an AQMA. However, air quality in this area is similarly poor to the area covered by the AQMA to the south of the town centre.

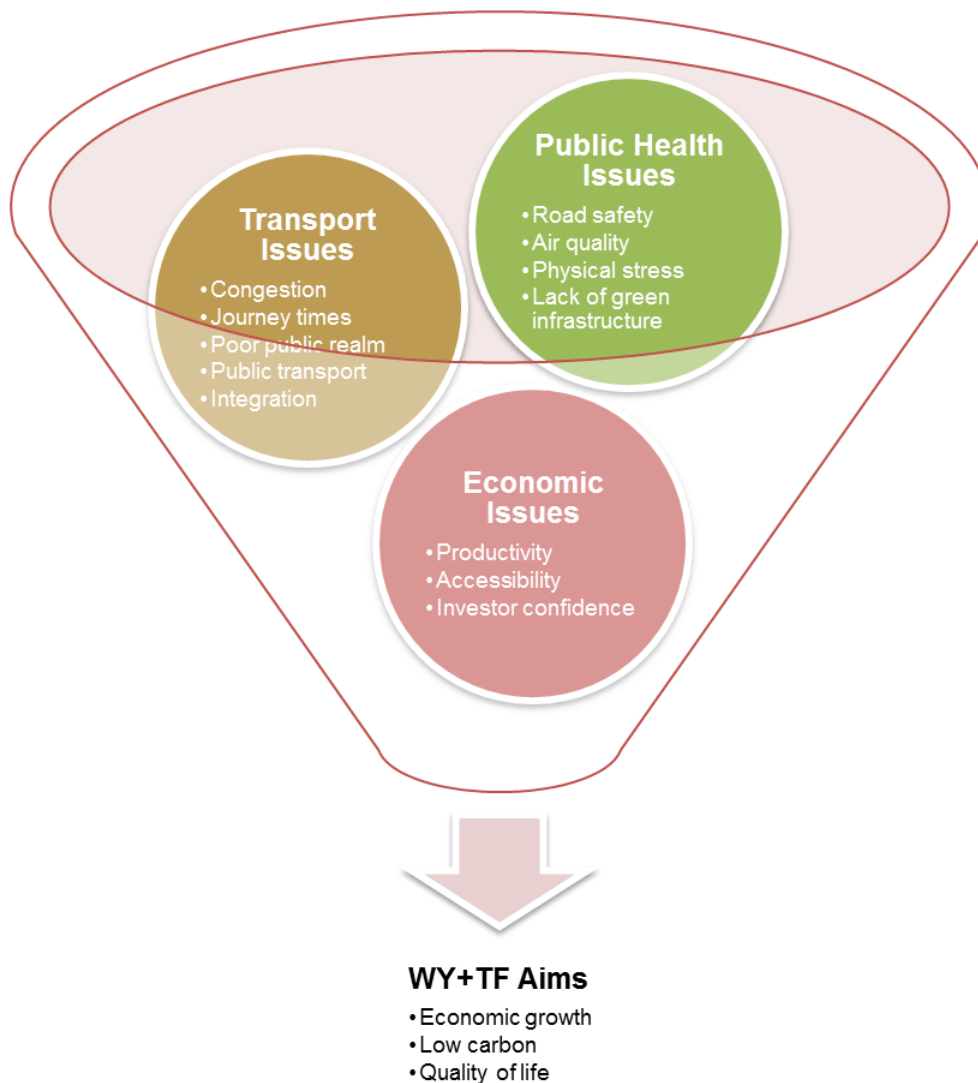
8.7.5 Air quality across the District is likely to deteriorate if sustainable travel modes are not made more appealing as the housing and employment growth forecasted to take place in accordance with the emerging Local Plan will generate additional person trips. This highlights a need to plan for active modes as well as the more efficient and managed movement of vehicles through the network to reduce air pollution and improve public health through greater physical activity.

## 8.8 **Summary of Problems and Issues**

A summary of the existing problems and issues that are relevant to this scheme is illustrated in Figure 1.9.



**Figure 1.9 – Summary of Problems and Issues**



## 9 SCHEME OBJECTIVES

9.1 This scheme is not a transport intervention for the sake of it – what the preceding context and analysis of problems and issues has shown the need for a scheme that addresses specific barriers to growth and supports the economic and housing regeneration of Halifax whilst contributing to the quality of life for those who live in, work in, and visit the town.

9.2 Therefore, the objectives for the scheme itself have been taken directly from the Town Centre Delivery Plan, given that it is the projects within that document that the scheme aims to support and enhance. A brief overview of how the scheme can contribute to each of the Delivery Plan objectives is given below. However, it should be mentioned that these objectives are aligned with the A629 corridor objectives although they have a wider focus as they were developed for the Delivery Plan as a whole and not just for the transport /connectivity aspects.

## **A      Unlocking Sites to Attract Investment**

Halifax's ongoing economic health and sense of community must address the needs of those living in Halifax and working further afield and of those visiting the town from the wider area for work or leisure. Economic analysis has indicated that the viability for development of many building types, both private and public, is marginal at best. An improved transport and public realm network can improve visibility, accessibility and identity throughout the town. An enhanced transport network can improve access to specific development sites enhancing their viability and boosting investor confidence.

## **B      Attracting People to Spend More Time in Halifax**

A thriving town centre will include a rich mix of uses, including commercial, retail, cultural, leisure, education and residential. The most successful and sustainable way for such a mix to evolve will be via a balance of entrepreneurial vision and risk taking and of provision of shared amenities. The improvement of the public realm will encourage footfall into the town centre from its periphery (including Dean Clough, the Rail Station, and western edges) and within the town centre creating a virtuous circle whereby increased footfall encourages increased investment in town centre businesses and in turn increased footfall. The linking of key attractors (such as Eureka!, Piece Hall, Borough Market, retail core and Dean Clough) is also of importance via a legible walking environment.

## **C      Providing Commercial Accommodation**

Halifax town centre has a limited stock of quality commercial premises (offices and retail) and if it is to compete with other regional towns and cities and attract inward investment it will need to address the quality of its existing accommodation in the town centre. In turn, developments will require frontage and access to the highway network to increase their commercial viability.

## **D      Greater Recognition to Halifax's Heritage Status**

Halifax's historic urban structure has remained largely intact and has resulted in a town centre that is compact and legible, with varied active frontage and a range of property, including highly distinctive and valuable community and architectural assets such as Borough Market and the Piece Hall. These assets need to be exploited through a combination of promotion and physical measures. The linking of the key attractors (such as Eureka!, Piece Hall, Borough Market, retail core and Dean Clough) via a legible walking environment is of particular importance.

## **E      Broadening Halifax's Social and Cultural Offer**

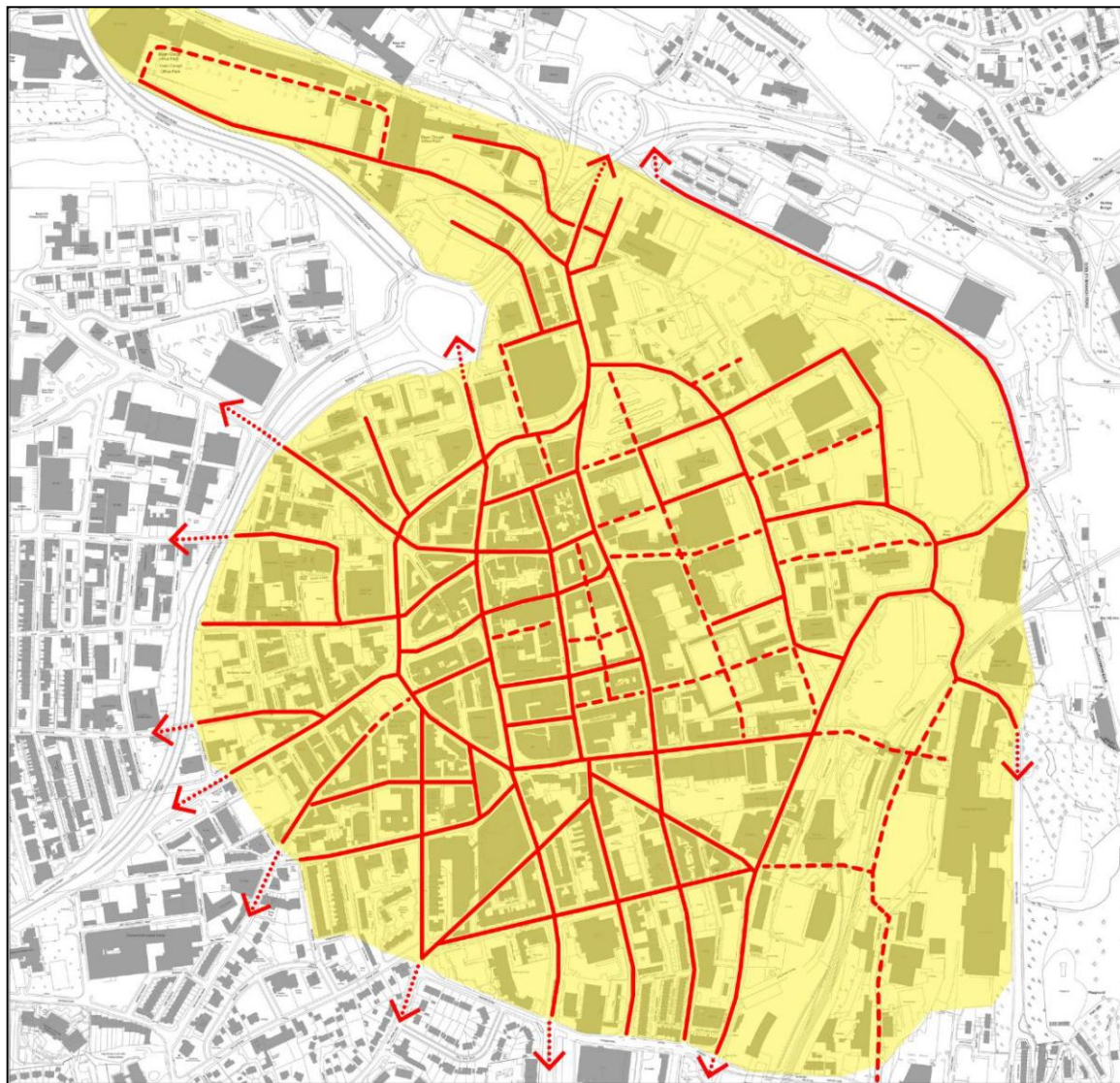
The town has a distinct cultural offer (Square Chapel, Orange Box, Piece Hall, Theatre Royal/Victoria Theatre, Dean Clough) and enhancement of this provision must take into account the need to offer a wide range of attractions and good connectivity from areas of demand at a time and with a quality that match the social and cultural offer.

## **F      Providing Space to Support Skills and Education**

The provision of high quality education can support and enhance the economic activity across the District. The provision of education establishments within the town centre can add to and complement the mix of uses in Halifax, supporting the vibrancy of urban life, but they need effective connectivity to their intended catchment areas.

- 9.3 However, the scheme should also look to support the spatial strategy that frames the Delivery Plan. Essentially, this strategy is to build upon the existing urban structure and connectivity in the existing town centre core and to expand this throughout the town centre seeking to improve connections to existing and future assets, as shown in Figure 1.11. With reference to Figure 1.6, Figure 1.11 shows the aim of replicating what works well in the current town centre area and recreating this over an expanded area, one which embeds Dean Clough, Eureka!, the rail station, the Cripplegate development site and areas to the west, firmly within the new town centre offer.

**Figure 1.11 – Proposed Spatial Strategy**



## 9.4 Measures for Success

9.4.1 The scheme will complement the identified Delivery Plan sites around the town centre, contributing to the Urban Dynamic Model forecast for the creation of over 1,740 jobs along the A629 corridor by 2026. The scheme will do this by supporting the general growth of the economy and traffic levels in the town centre and also by overcoming specific access and connectivity issues to unlock development sites. It will also reduce the severance impact of the existing road network within the town centre, provide journey time savings and a more controllable distribution of traffic flows between the different routes, re-enforced via a complementary signing strategy.

9.4.2 The scheme will also enhance pedestrian and cycle connectivity between the town centre and key attractors such as the rail station, Eureka!, the town centre and Dean Clough. Fundamentally it will allow a revised bus network to be implemented that covers more of the town centre's key attractors in terms of penetration and create gateways into the town at certain points.

9.4.3 The scheme objectives have been used to develop the "desired outputs, outcomes and impacts" for the scheme that include:

Key development sites unlocked for development in the vicinity of the town centre, including the bus station, Cripplegate, and the industrial sites off Water Lane (including land at Nestle, Sedburgh Road, Water Lane and Siddal Road);

An increase in footfall and time spent within the town centre core;

An increase in the use of sustainable modes;

Job creation from improved accessibility, reduced severance and unlocking of development sites;

Increase in GVA;

Increase in labour market catchment areas; and

Increase in town centre visitor numbers and spend.

9.4.4 For each of these an indicator has been identified that allows the evaluation and success of the scheme to be assessed. Targets will be set as the scheme is developed further.

9.4.5 The scheme will be subject to a programme of before and after monitoring and evaluation which will demonstrate the extent to which scheme objectives were met, monitor performance of the scheme and ensure that any potential issues post implementation are identified and addressed. More details on each of these are included in the Management Case.

## 9.5 Scope

9.5.1 Figure 1.12 illustrates the outline of the scheme, which is intended to:



Both frame and enable development opportunities within the town;

Reduce through traffic levels on Square Road/Winding Road, hence enabling the enlargement of the core town centre area;

Enhance the quality of arrival within Halifax;

Create a better pedestrian environment within the town centre;

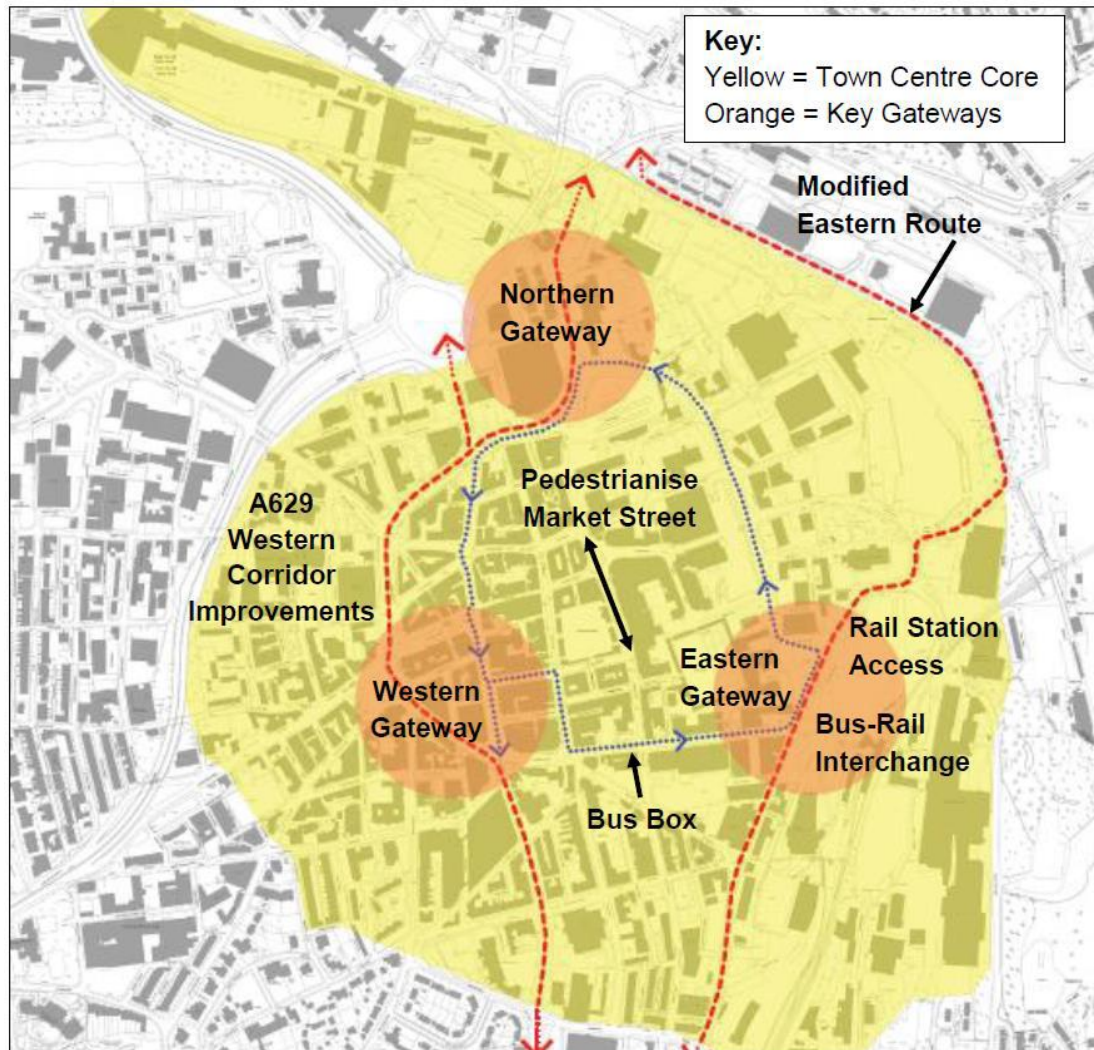
Provide better bus-rail interchange and improve pedestrian and cycle access to the rail station and between key employment and leisure sites;

Improve setting of the rail station as the primary gateway and thus first impression of the town, as well as connections to it from all directions;

Allow better penetration of the town centre by public transport;

Facilitate easier wayfinding around the key town centre attractors.

**Figure 1.12 – Scheme Outline**



9.5.2 Essentially, it includes the following components that will need to be delivered sequentially due to the interconnections between the measures and the need for the elements to operate effectively in the context of the overall package:

**Eastern Gateway and Station Access:**

- A modified eastern route for vehicular traffic that allows the expansion of the town centre to the east, improves access to key development sites including Cripplegate and Bailey Hall, and allows for public realm improvements (including a new public square) at this important eastern gateway to the town.
- This stage of works will also include accessibility/arrival improvements at the rail station to ensure strong linkages with the new public square.

### **Northern Gateway and Bus Interchange/Hubs:**

- Creation of a bus box around the town centre core facilitated by diversion of vehicular traffic onto the modified eastern route and the improvement of bus access to the eastern side of the town centre to serve development opportunities.
- Improvements to the bus station to enhance accessibility and public transport connectivity Enhancement to bus facilities around the town centre in conjunction with major improvements to public realm at the northern gateway and pedestrianisation of Market Street (as well as a small number of other links) facilitated by the highway and bus related improvements.

### **Southern/Western Gateways:**

- Changes to the A629 to the west of the town centre to reduce existing severance facilitated by diversion of vehicular traffic onto the modified eastern route.
- Enhancements to public realm at the west and southern gateways to the town centre to ensure consistency in relation the treatment of the gateways to the town centre.

9.5.3 The scheme tries to minimise third party land take, with the most substantial land requirement being the car park of the Hughes Corporation building on Church Street.. Purchasing this land allows the scheme to dovetail with the Piece Hall, Square Chapel and new Central Library works, with all the improvements brought together in the detailed design process in terms of materials (taking into consideration the Piece Hall Environs SPD May 2011) and access requirements (including disabled parking, Access Bus and servicing access) to provide an enhanced overall improvement that facilitates a new public square.

9.5.4 As the scheme involves significant changes to the town centre transport network in Halifax, implementation needs to be phased to allow the remainder of the network to operate satisfactorily during the construction period. Objectives of reducing traffic flows and/or severance on some routes need to be balanced by providing sufficient capacity elsewhere on the network before this work is complete.

9.5.5 Phasing of scheme delivery also needs to be mindful of the development programme across the town centre so that those elements of the scheme that open up development sites are implemented in line with proposed development coming forward, or at a time most likely to increase a particular site's market potential and value.

## **10. THE SCHEME**

10.1 Details of the scheme can be found in the General Arrangement drawing provided at Appendix A.

## **11. SIDE ROADS ORDER**

11.1 The Side Roads Order is required to enable the Council to stop up existing side roads and private means of access affected by the proposed scheme; to improve, raise, lower, divert or otherwise alter existing side roads; and to create new side roads and private means of access required as a consequence of the scheme. These are summarised below.

11.2 In the following paragraphs, the highways to be improved as part of the scheme, which are defined in the Side Roads Order, are referred to as “the classified roads”.

### **11.3 Improvements, New Highway and New Private Means of Access adjacent to Cow Green / Barum Top / Prescott Street / Commercial Street / Portland Place (A629) – Site Plan No. 1**

- (a) As a result of the proposed removal of the existing Bull Green roundabout and introduction of signalised junction within that locality, an area of new highway is to be created along the northern and western boundaries of Bull Green car park located south of the existing junction between Bull Green and Barum Top (A629) at the Bull Green Roundabout.
- (b) Improvement works are to be carried out at the south-eastern end of New Road, and the Council intends to obtain a Traffic Regulation Order to restrict access to this highway from Church Street. As a result, it is considered that the existing private means of access to the land located north of the junction between New Road and Church Street will be less commodious. Therefore, the Council intends to create a new private means of access to this area of land on the western side of Church Street.
- (c) As a consequence of the works comprising the scheme, the Council intends to carry out works to improve or otherwise alter parts of the existing side roads at Bull Green, Rawson Street, Powell Street, Commercial Street, King Edward Street, Alexandra Street, Wards End, Horton Street, Trinity Road, Prescott Street, New Road and Deal Street. These proposed improvement works will comprise improved pedestrian and cycle provision at signalised junctions to promote permeability into the Town Centre from the surrounding residential areas, and the relocation of kerbside facilities such as bus stops, taxi ranks, parking and loading areas to facilitate the proposed bus box and pedestrianisation of Market Street.

### **11.4 Improvements, New Highway and New Private Means of Access adjacent to Winding Road / Smithy Street / Charles Street / Square Road / Alfred Street East / Church Street (C5954) and Charlestown Road / Bank Bottom / Lower Kirkgate / Church Street (C5951) – Site Plan No. 2**

- (a) The alignment of Berry Lane is to be altered as a result of the scheme, meaning that a section of the existing Berry Lane is to be stopped up, a new section of highway is to be provided in its place, and the areas of the existing Berry Lane to the north and south of the area of new highway are to be subject to improvement works.
- (b) An existing access to the Matalan retail store from the existing roundabout junction between Lower Kirkgate, Church Street and Berry Lane is to be stopped as a result of the scheme. A replacement private means of access to the Matalan premises is to be provided south of the existing access off the altered Berry Lane.
- (c) As a result of the realignment of the classified road at Alfred Street East (C5951) and the provision of improved pedestrian access, an area of new highway will be created on an area of existing car park north of the former Hughes Corporation Building and a length of Square Road south of its existing junction with Alfred Street East will be subject to improvement works to provide an improved pedestrian route along this section of highway.
- (d) As a consequence of the works comprising the scheme, the Council intends to carry out works to improve or otherwise alter parts of other existing side roads at Wade Street, Gaol Lane, Well Lane, King Street, Mulcture Hall Road, Cripplegate, Causeway, Berwick Street, Dispensary Walk, Discovery Road, Charlestown Road, Berry Lane and Southowram Bank. These proposed improvement works will provide improved pedestrian and cycle facilities at key locations around the network, implementation of new bus routing along Winding Road, changes to parking provision and a change in priority at the junction between Cripplegate and Bank Bottom.

#### **11.5 Improvements adjacent to Bridge Street / Northgate / Broad Street (C5955) and Orange Street / Broad Street / Cow Green (A629) – Site Plan No. 3**

- (a) As a consequence of the works comprising the scheme, the Council intends to carry out works to improve or otherwise alter parts of the existing side roads at Central Street, Crown Street, Town Hall Street East, Northgate, North Bridge Street, Cross Hills and Pellon Lane. These proposed improvement works will provide improved pedestrian and cycle provision at signalised junctions to promote permeability into the Town Centre from the surrounding residential areas.

## **12. FUNDING STATEMENT**

- 12.1 The West Yorkshire plus Transport Fund (WY+TF) Programme was allocated significant levels of government funding through the Government's Growth Fund in July 2014. Growth Deals were established to provide funds to local enterprise partnerships or **LEPs** (partnerships between local authorities and businesses) for projects that benefit the local area and economy. In March 2014 the Leeds City Region LEP submitted a Strategic Economic Plan (**SEP**) which included how the proposed WY+TF programme would support economic growth across WY and York. In July 2015 £800m million was allocated to deliver the priorities included in the WY+TF. This was allocated over a 20 year period 2015 to 2034. The Growth Fund settlement was the largest in the Country and the bid was supported by the strategic

analysis demonstrating need, and then determining strategically the best value for money projects.

- 12.2 The LEP funding is held and spent by WYCA on behalf of the LEP. In short, WYCA is the vehicle through which the SEP is implemented, as well as being the statutory, publicly accountable, decision-making body. WYCA endorsed a funding strategy which added locally generated funds to establish a £1 billion Fund, as well as a mechanism to use the 20 year growth fund allocation to deliver the programme in 10 years. The WY+TF programme and funding strategy was endorsed by WYCA in December 2014 and by all District Councils (including Calderdale) during early 2015. The A629 Scheme was included as a priority within the Transport Fund programme.
- 12.3 The objectives of the WY+TF were to maximise gross value added (**GVA**) benefits and ensure that at a package level carbon impacts were neutral (despite an increase in commuting from additional employment) and benefits (in terms of an increase in the number of accessible employment opportunities) were distributed across all District partners and that accessibility benefits to residents from deprived areas were higher than the average.
- 12.4 GVA is a measure of the local economic (monetary) value of employment, based around the types of jobs, business productivity, efficiency and ease of doing business. It is affected by transport conditions, particularly those affecting connectivity, levels of congestion and the ability to recruit workers, supply goods or services to market and the choices commuters have about where they work.
- 12.5 The WY+TF programme was developed using an objective led needs based approach. A strategic land use and transport interaction (**LUTI**) model, combined with a Regional econometric model of employment forecasts, was used to predict the scale and distribution of where future transport 'costs' (including the impact of road congestion, rail over crowding and rising fares and fuel costs) would constrain the potential for employment growth. That strategic spatial analysis enabled a long list of potential transport projects to be identified, as having good potential to deliver the Fund's objectives. A long list of over 120 projects was sifted into a medium list of 60. All the potential projects on that list were then tested discretely using the strategic LUTI model and a package of prioritised projects was identified based on affordability (up to the £1 billion funding level) of each individual project.
- 12.6 This approach was based on an early sifting and appraisal process. In order to maximise the impact on investment from within the available funding, projects were ranked based on their GVA/£ ratio. For each project, much local economic uplift could be expected per £ invested. Those projects with a higher GVA per £ invested ratio would offer better value in delivering and maximising the impact of that investment in the local economy. The calculations in the GVA/£ invested ratio came from the LUTI model, which calculated the wider economic impacts of improved connectivity and quantified that its overall increase the £ value of GVA.

The cost of the investment was based on an estimate of the whole life costs of the project including land assembly, design, construction and maintenance.

- 12.7 The prioritised package included 33 projects and the A629 Scheme was ranked at 17 best across West Yorkshire.
- 12.8 The cost of the A629 phase 2 Scheme as well as the payment of compensation to persons whose interests may be expropriated by the Council exercising compulsory purchase powers is to be met by funding through the total estimated cost of the Scheme is £ 40.9 m, including compensation.
- 12.9 Funding is secured within the WY+TF. Growth Deal funding is allocated to projects subject to stage gate approval mechanisms being satisfactorily achieved. Funding is available to cover all reasonable project development and delivery costs associated with this key Scheme.
- 12.10 The WY+TF Growth Deal will help to accelerate economic growth across the entire Leeds City Region by improving local transport links, accelerating housing growth and town centre regeneration, developing a skilled and flexible workforce, supporting growing businesses and building a resource-efficient City Region.
- 12.11 A funding allowance of £2.615m has been approved by WYCA to cover development and design phases of the A629 Phase 2 project. This funding is available to draw down via a Funding Agreement between Calderdale Council and WYCA. The next decision stage for the project is for Calderdale Council to submit to a Full Business Case with detailed costs. This business case will be evaluated and funding approval sought will be considered by WYCA Investment Committee and WYCA Board.
- 12.12 If the project costs, benefits and outputs are within set tolerances, the Funding Agreement will be updated and schedules amended to reflect the full delivery costs required and the funds will be available to draw down on an incurred costs basis via quarterly claims. If at the point of the submission of the Full Business Case, costs exceed the WY+TF programme budget allocation for the project, Calderdale Council will need to seek an approval revision for the project to demonstrate the project delivers the required benefits and can still be considered as Value for Money in terms of the Benefits Cost Ratio calculated.
- 12.13 If approved, this revised figure would then form the basis of the Funding Agreement. If delivery costs exceed the level of approved funding set out in the Funding Agreement, Calderdale Council will need to meet any shortfall plus any additional costs.

## **13. OPTIONS**

- 13.1 Connectivity and interaction between the different parts of the town centre and key development sites is critical to the development of Halifax as a coherent, connected and successfully functioning town centre
- 13.2 In addition to the preferred scheme set out above, two alternative schemes were also developed and the extent to which each met the overarching scheme objectives tested. The alternative options examined are described in the following sections along with the reasons for their acceptance or rejection. The options relate predominately to different highway solutions that are required to facilitate the wider elements of the scheme which in turn enable the unlocking of development land and improvements to bus and pedestrian accessibility to increase commercial viability and investment in the town centre.

### **13.3 Alternative Option 1: Eastern Bypass**

13.3.1 This alternative was developed as a way to reduce through traffic movements within Halifax town centre through the provision of a new high capacity, Eastern Bypass link from Church Street to New Bank Interchange offering an alternative route to Square Road/Winding Road. This option would also unlock brownfield sites along the route, opening up the possibility for businesses to expand or move into the area.

13.3.2 The elements of Alternative Option 1 are as follows:

- Remodelling of Church Street to form new eastern bypass approach (including property demolition);
- Square Road remodelled to restrict vehicular access and upgrade of public realm to form a new square adjacent to the new library and the Piece Hall whilst maintaining disabled car parking/service access;
- New town centre eastern bypass comprising a dual carriageway orbital link through to New Bank interchange;
- New orbital link road signal junction at midpoint of eastern bypass to access development sites east of town centre;
- Upgraded junction on Charlestown Road to access Sainsbury's store;
- Improved geometry, increased lanes at New Bank interchange;
- Limited town centre bus accessibility and routeing improvements;
- Some bus-rail interchange at the station;
- Pedestrian crossing improvements at junctions on the A629 to the west of the town centre;
- Traffic signal upgrades and detection/management systems to help manage traffic on the A58 and A629 approaches.



13.3.4 After undertaking some high level analysis and testing, this alternative was rejected for the following reasons:

- The bypass element of the scheme will involve significant land take from a key development sites (Cripplegate), severing any remaining parcels for smaller scale development;
- The increase in traffic resulting from the bypass could increase the severance of the rail station and the Nestle site from the town centre and impact upon historic assets (Minister and Coal Drops);
- The provision of a new highway link is costly in comparison to the level of transport benefits it produces;
- An alternative eastern route already exists and could be better utilised through the introduction of lower cost interventions.

#### **13.4 Alternative Option 2: Western Bypass**

13.4.1 This alternative was developed as a means of moving traffic out of the town centre on the western side by downgrading the dual carriageway sections of the A629 between Bull Green Roundabout and the Broad Street/ Orange Street junction. Traffic would then be pushed towards the A58 with the creation of an all moves junction at King Cross Road/A58 junction. This would assist with reducing pedestrian severance and town centre accessibility from the north and west of Halifax.

13.4.2 The elements of Alternative Option 2 are as follows:

- Provision of an all moves junction at the King Cross Road/A58 junction;
- Downgrade of the dual carriageway sections of the A629 between Bull Green Roundabout and the Broad Street/Orange Street junction to one lane in each direction;
- Limited town centre bus accessibility and routeing improvements;
- Limited bus-rail interchange at the station;
- Pedestrian crossing improvements at junctions on the A629 to the west of the town centre; and
- Traffic signal upgrades and detection/management systems to help manage traffic on the A58 and A629 approaches.

13.4.3 This alternative was dismissed for the following reasons:

- It does not reduce through traffic along Square Road and Winding Road which constrains the town centre's growth to the east, and, as such it prevents the creation of a new public square and upgrade of public realm adjacent to Piece Hall, Square Chapel and the Central Library;
- As this alternative does not address the traffic conditions around the east side of the town centre it will limit the extension of the town centre to the east and hence the severance and site access issues that currently exist will remain;
- Whilst this alternative would result in substantial reductions in traffic volumes along the length of A629 around the western edge of the town centre, there is still a significant amount of through traffic within the town centre core.

13.4.4 Overall the alternative was identified as producing lower transport and economic benefits for a higher investment cost, in part due to the requirement for the provision of a complex all moves junction at the A58/King Cross Road. However, this alternative did highlight that any restrictions on the A629 would need to be carefully managed to ensure that the desired outcome of removing non-essential traffic could be achieved without adversely affecting accessibility to the town centre.

## **13.5 Appraisal of Alternatives**

13.5.1 To confirm the preferred scheme, all three options were tested using Calderdale's strategic highway model (SATURN) to analyse the key network statistics and the options were examined against the scheme objectives set out previously. Table 1.3 includes a summary of the appraisal of alternatives.

13.5.2 Alternative Option 2 (Western Bypass) involves very little in the way of improvements to the eastern side of the town centre network, and so the existing issues with severance and constraints to growth in this area would remain even with this alternative scheme in place. Although the SATURN model shows similar level of highway benefits, the wider economic benefits for this alternative will be less than the preferred scheme.

13.5.3 Given the nature of the highway improvement within Alternative Option 1 (Eastern Bypass), the cost for this alternative is likely to be significantly higher than the preferred scheme, but, as the SATURN model shows, with little extra benefit. Therefore, its value for money will be less than the preferred scheme, and there may be less wider economic benefits as the alignment severs a key development site (Cripplegate).

13.5.4 The appraisal of alternatives clearly indicates that the preferred scheme as described previously is the best at achieving the scheme objectives and above all, will support the delivery of economic and housing growth across Halifax and the wider District.

**Table 1.3 – Appraisal of Alternative Schemes**

Option	Network Performance	Unlocking Sites to Attract Investment	Attracting People to Spend More Time	Providing Commercial Accommodation	Greater Recognition of Heritage Status	Broadening Social and Cultural Offer
Alternative Option 1 (Eastern Bypass)	This option performs less well in terms of travel time than the preferred scheme except for the PM peak hour in both 2021 and 2031. It performs broadly the same in terms of network delay in the 2021 AM peak and inter-peak periods and the 2031 inter-peak period, but outperforms the preferred scheme in the 2031 peak periods.	This option will assist the expansion of the town centre to the east. However, a new highway would most likely take up much of the Cripplegate site area, with any remaining land severed. It also does not address existing severance to the west of the town centre, nor improve links through the town centre towards Dean Clough.	This option provides a new public square in front of the Piece Hall/Square Chapel and public realm improvements in the town centre core, but these are less extensive, as there is less reduction in vehicular trips in this area.	This option provides limited improvements for access to commercial development sites to enhance their viability going forwards.	This option enhances heritage status through the creation of the public square outside of Piece Hall/Square Chapel. However, the scheme has limited impact on other historic buildings and, given the scale of the construction, it would have an adverse impact on listed assets such as the Minster and Coal Drops.	This option will provide some improvements (such as the new public square) to enhance the setting and accessibility of the existing social and cultural offer of Halifax, but the increased volume of traffic on the eastern side and the more extensive highway scheme will further segregate Eureka! from the wider town centre cultural offer.

Option	Network Performance	Unlocking Sites to Attract Investment	Attracting People to Spend More Time	Providing Commercial Accommodation	Greater Recognition of Heritage Status	Broadening Social and Cultural Offer
Alternative Option 2 (Western Bypass)	This option performs less well in terms of travel time than the preferred scheme except for the PM peak hour in both 2021 and 2031. It performs broadly the same in terms of network delay in the 2021 AM peak and inter-peak periods and the 2031 inter-peak period, but outperforms the preferred scheme in the 2031 peak periods.	This option does not address the traffic conditions around the east side of the town centre, hence it will limit the extension of the town centre to the east and existing severance and site access issues in this area will remain.	This option does not allow for extensive public realm improvements within the town centre core (e.g. pedestrianisation of Market Street) due to the inability to deliver a formal bus box along Square Road/Winding Road reducing scope to relocate bus movements.	This option provides limited improvements for access to commercial development sites to enhance their viability going forwards.	This option would provide only limited improvements to the setting of historic buildings, given the fact that there are still relatively high numbers of vehicle trips in the town centre core and to the east of the town centre.	This option provides few improvements to enhance the setting of the existing social and cultural offer, other than some reduction in severance to the west of the town centre near to the theatre.

Option	Network Performance	Unlocking Sites to Attract Investment	Attracting People to Spend More Time	Providing Commercial Accommodation	Greater Recognition of Heritage Status	Broadening Social and Cultural Offer
Preferred Scheme	The scheme performs better in terms of travel time than the alternative options across all scenarios except for the PM peak hour in both 2021 and 2031. It performs broadly the same in terms of network delay in the 2021 AM peak and inter-peak periods and the 2031 inter-peak period, and outperforms the alternative options in the 2021 PM peak. However, in the 2031 AM and PM peak periods the alternative options perform	The scheme seeks to address connectivity issues across the town centre in a holistic manner, supporting the unlocking of several development sites. The scheme intends to re-establish the links with Dean Clough, helping the continued growth of this site.	The scheme provides extensive public realm improvements within the town centre core and at major gateways. This will enhance people's experience of the town centre environment and increase the time they spend in Halifax. The improvement of the public realm will also create a virtuous circle whereby increased footfall encourages increased investment in town centre businesses and in turn increased footfall.	The scheme will facilitate a new retail quarter, the development of the Cripplegate site, employment opportunities on Water Lane (including amendments to the Nestle site) and potentially bringing forward the Royal London site on Horton Street. It will also complement the Eureka! masterplan.	The scheme includes extensive public realm improvements and the pedestrianisation of Market Street. It will also provide improved visibility and connectivity between town assets and improved setting for historic buildings, such as the Piece Hall, Borough Market, Square Chapel and the Minster. It reinforces pedestrian desire lines that place the Piece Hall at the heart of the town centre, which will facilitate the	The scheme will significantly enhance access to the town centre by a variety of modes and the public realm enhancements will improve the setting of the existing social and cultural assets and facilitate easier wayfinding around the key town centre attractors. The scheme also improves linkages to existing cultural assets such as Dean Clough and Eureka! that have development aspirations of their own.

Option	Network Performance	Unlocking Sites to Attract Investment	Attracting People to Spend More Time	Providing Commercial Accommodation	Greater Recognition of Heritage Status	Broadening Social and Cultural Offer
	better in terms of network delay as both alternatives introduce significant additional highway capacity that can be utilised by the future year trip demand.		The scheme also enhances connectivity between key attractors such as Eureka!, Dean Clough and the rail station.		economic growth that the Piece Hall seeks to deliver by enhancing its accessibility. However, there are some increased traffic flows to the east of the town centre near to the Minster.	



## **14. BENEFITS OF SCHEME AND JUSTIFICATION**

### **14.1 Journey Time**

- 14.1.1 The most significant benefits of this scheme are as a result of savings in journey times following completion. The transport modelling undertaken at 2018 and 2032 demonstrate that the highway network will be operating beyond capacity in future years due to the predicted growth in vehicle numbers, leading to significant delays.
- 14.1.2 This scheme will significantly reduce the delays, particularly in the busier PM peak period. The reduction in delays will have an economic benefit to those using the road network.
- 14.1.3 In addition to reducing delay, the scheme will also enable unlock a number of key development sites which will assist towards the creation of 528 jobs across West Yorkshire.
- 14.1.4 Further economic benefits will be realised through the improvements to the public realm, and improvements to public transport within and the consequent benefits to pedestrians and public transport users.

### **14.2 Property Prices**

- 14.2.1 As well as job creation, there will also be an economic benefit from the scheme resulting from the impact on property values, principally arising from the public realm elements. There is clear evidence to suggest that investment in public realm (better streets and places) has a positive impact on retail footfall, turnover, property values and rental yields, particularly for well-designed projects. Improving rental values within Halifax town centre is a key priority as commercial and retail developments are unviable/marginal based on current values meaning developers are reluctant to bring forward schemes within Halifax town centre.
- 14.2.2 The scheme intends to re-establish the links with Dean Clough, through a series of improvements along Northgate. In turn it is anticipated this investment will increase footfall/patronage within the town centre and lead to increased investment, in existing and new town centre businesses, as property prices (rents and yields) respond to the increased expenditure associated with higher levels of footfall. When co-ordinated with wider improvements in the overall town centre environment, it is intended that the interventions proposed will persuade future occupiers to base themselves within the town centre which in turn will provide the stimulus for developers to invest in new commercial offices and retail facilities.
- 14.2.3 Finally, the visitor economy is important to Halifax, and improving the access for visitors into the town centre is fundamental as their spending power will help underpin the economic vitality of the town centre which in turn will lead to growing investor confidence and more jobs being created. The town centre has some significant tourist draws, with the more recognised attractions being Eureka! and the Piece Hall.

14.2.4 Eureka! attracts over 300,000 visitors each year with ambitions to increase this number. During the stakeholder engagement with Eureka! the museum advised that most of their visitors spend around 3.5 hours at the venue and then “get in their car and go home”. As a consequence, the economic benefits (visitor spend) of this regional attraction are not captured within the local economy of the town centre. Anecdotally, there is a perception among their visitors that the museum is divorced from the town and physical connections between the museum/rail station and the town centre are compromised, meaning there is a high degree of severance between the two. The topography and townscape also mean that it is difficult to see where exactly the town centre is when arriving at the museum or rail station and this is exacerbated by the traffic conditions and generally poor pedestrian environment on Church Street.

14.2.5 The creation of a more attractive gateway between the rail station and the town centre, together with resulting reductions in highway congestion, urban realm improvements and pedestrian/cyclist connectivity enhancements that will be delivered through this scheme will complement Eureka!’s proposals to open up the museum site to improve the physical connections with the town centre, thereby enabling their visitors to enjoy the numerous other attractions Halifax has to offer.

14.2.6 Both this scheme and the Station Gateway proposals will also complement the work recently completed on the Piece Hall reconnecting two of the town’s main attractions. The scheme reinforces pedestrian desire lines that place the Piece Hall at the heart of the town centre. This will facilitate the economic growth that the Piece Hall seeks to deliver by enhancing its accessibility. It will also enable any economic impacts to be radiated out into the wider town centre as investment looks to cluster around the Piece Hall’s perceived “success” and footfall drives other commercial opportunities.

### **14.3 Public Transport Users**

14.3.1 Public transport user benefits of the scheme are derived from improved bus access to the rail station and the future year attractors, principally the development sites to the east of the town centre. Benefits to rail users result from the improved bus-rail interchange provided at the rail station, providing an opportunity for those arriving in Halifax by rail to continue their onward journey by bus.

### **14.4 Non Motorised Users**

14.4.1 The scheme will have pedestrian and cyclist benefits related to increased physical activity, primarily related to the health benefits which can be attained from increased use of active travel modes such as walking and cycling. As well as new public spaces and the pedestrianisation of Market Street, the scheme will deliver part of a new segregated cycleway into the town centre. Each of these measures should reduce reliance on the private car for short distance journeys and encourage uptake of these modes with the knock-on benefits in terms of regular physical activity.

14.4.2 The scheme includes a number of improvements to the public realm, pedestrian and cycle facilities which will improve the journey quality for people travelling on foot or by bicycle. Journey quality factors may be an important influence on the travel choices

made by individuals. Poor journey quality may dissuade individuals from using certain modes and interventions that improve this quality may induce a different mode choice. The scheme also provides bus stop/interchange improvements for public transport users.

14.4.3 The scheme should also reduce “traveller stress” by providing a clearer access strategy for drivers approaching Halifax town centre. Improvements to the town centre signing, which are part of the scheme, will help to ensure that people are able to make route choices easily, reducing route uncertainty and driver frustration.

## **14.5 Road Safety**

14.5.1 The scheme will result in a small reduction in the number of accidents due to the reduced levels of congestion as a result of the scheme (congested networks tend to have higher numbers of accidents with slight severity), allied to the significant improvements in pedestrian crossing facilities and public space across the town centre which will reduce conflicts between motorised and non-motorised users.

## **14.6 Air Quality**

14.6.1 The scheme will reduce congestion which in turn will change in carbon dioxide equivalent (CO<sub>2</sub>e) emissions.

## **14.7 Environmental Impacts**

14.7.1 There are a number of other environmental benefits of the scheme. These include:

Air quality;

Noise;

Historic environment;

Townscape.

14.7.2 Overall the scheme will have positive impacts on both, because the public realm design responds to existing and emerging pedestrian and cyclist desire lines to provide improved visibility and connectivity between town assets. It also provides an improved setting for key buildings, many of which are of national and local historical significance with listed building status (including the Piece Hall, Square Chapel, Halifax Minster, Lloyd’s Banking Group headquarters and the Coal Drops), as well as the wider conservation area within the town centre.

## **14.8 Social Impacts**

14.8.1 There are a number of other social benefits of the scheme. These include

Security;

Severance;

Accessibility;

Personal affordability.

14.8.2 The security impacts of the scheme are primarily derived from the improved environment for pedestrians and cyclists. The scheme includes new or upgraded crossing facilities at multiple locations across the town centre. There are also improvements to lighting and footway surfacing in some key pedestrian areas which should improve the perceptions of personal safety and security. Improved wayfinding information for pedestrians will also increase the sense of security as people will be more aware and comfortable as to their location in the town centre. The provision of new public transport hubs will also increase security for bus passengers.

14.8.3 There will be a reduction in traffic volumes within the town centre core including the pedestrianisation of Market Street, a central thoroughfare. Fewer vehicles will leave an improved pedestrian and cyclist environment where the perceptions and impacts of severance are notably diminished. The scheme will also reduce severance impacts at key gateways to the town centre, with the provision of enhanced at-grade pedestrian crossings and narrowed highway links. The development of a strong palette of materials as described in the Strategic Case will also help overcome existing severance, particularly where there will still be interaction between motorised and non-motorised users.

#### **14.9 Value for Money**

14.9.1 Overall the scheme will create 528 jobs across West Yorkshire, increase GVA of £40.7million per annum. To summarise the scheme is forecast to provide £4 of benefits to the economy for each £1 invested. This represents a very high benefit for a transport scheme.

### **15. HUMAN RIGHTS ACT**

15.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights ("Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

15.2 Section 6 of the Human Rights Act prohibits public authorities from acting in a way which is incompatible with the Convention. Various Convention rights may be engaged in the process of making and considering a compulsory purchase order, notably Article 1 protects the right of everyone to the peaceful enjoyment of possessions. No-one can be deprived of possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. In addition Article 8 protects the right to respect for your private and family life.

15.3 The European Court of Human Rights has recognised in the context of Article 1 that regard must be had to the fair balance which has to be struck between the competing interests of the individual and of the community as a whole. Similarly any interference with Article 8 rights must be necessary for the reasons set out. Both public and private interests are to be taken into account in the exercise of the Council's powers and

duties as a local highway authority. Any interference with Convention Rights must be necessary and proportionate.

- 15.4 In considering this Order, the Council has carefully considered the balance to be struck between individual rights and the wider public interest. Any interference with Convention rights is considered to be justified in order to secure the economic, social, physical and environmental regeneration that the redevelopment will bring. Appropriate compensation will be available to those entitled to claim it under the relevant provisions of the relevant statutory provisions.
- 15.5 The Council considers that there is a compelling case in the public interest for contemplation of the Orders and that the Orders, if confirmed, would strike an appropriate balance between public and private interests. In addition, having regard to the legislative provisions and the guidance set out in Crichel Down Rules, the Council considers that the Order Land is both suitable for and necessary for the improvement to Halifax town centre in order to deliver the public benefits described above. Furthermore the Council considers that interference with individual rights is necessary and proportionate in the context of the delivery of the scheme.
- 15.6 Consultation has and will continue to be undertaken during the acquisition process, with the opportunity being given for interested parties to make representations regarding the proposal. If qualifying objections to the Orders are received, further representations can be made when the Secretary of State decides to hold a public inquiry in connection with the Orders. Those directly affected by the Orders who have legally compensatable interests will be entitled to statutory compensation. Compensation claims can be referred to the Upper Tribunal (Lands Chamber) for determination if the appropriate level of compensation is in dispute.
- 15.7 In assessing human rights considerations, the Council has had particular regard to the fact that the proposed acquisition will affect land currently owned and occupied by the owners, lessees, occupiers and other legal interests in the Order Land.

## **16 SPECIAL CONSIDERATIONS**

- 16.1 There are no ancient monuments or listed buildings within the Order Land, although the car park of the former Hughes Corporation building that is to be acquired is within its curtilage and it is a listed building. The Order Land is however within a conservation area. The Hughes Corporation building has been defined as a Building of Historical Merit by Historic England and is a grade II listed building. Aside from the issues discussed in this section, there are no issues concerning special category land, consecrated land or other protected land arising from the Order. The Order Land does not include any Crown land.

## **17 VIEWS OF GOVERNMENT DEPARTMENTS**

- 17.1 The Highways Agency offers no objection to this proposal and is working in partnership with the Council and the West Yorkshire Combined Authority on complementary Transport Fund projects in close proximity.

## **18 VIEWS OF STATUTORY BODIES**

- 18.1 Utility companies have highlighted vulnerable plant in the affected areas and indicated localised diversion or protection works will be necessary. Network Rail has no objection in principle to this proposal. The Environment Agency has no objections to this proposal. Natural England has raised no objections to this proposal.

## **19 OTHER IMPEDIMENTS**

- 19.1 The Council is not aware of any financial, planning, physical, legal or any other impediments to the implementation of the Scheme.

## **20 ENQUIRIES**

- 20.1 Those parties affected by the Order who wish to discuss matters with a representative of the Council should contact:

The Borough Council of Calderdale, Corporate Projects Team, Town Hall, Halifax, HX11UJ Email: [Thenextchapter@calderdale.gov.uk](mailto:Thenextchapter@calderdale.gov.uk)

## **21 LISTS OF DOCUMENTS REFERRED TO**

- 21.1 Should it be necessary to hold a public inquiry into the Order, the Council may refer to or put in evidence the following documents (not exclusive), in addition to the Order itself and the Order Map.

### **Legislation and National and Local Planning Policies**

- (1) Local Growth White Paper
- (2) Northern Powerhouse: One Agenda, One Economy, One North
- (3) No Stone Unturned / Investing in Britain's Future
- (4) Leeds City Region City Deal
- (5) Leeds City Region Strategic Economic Plan
- (6) National Planning Policy Framework (NPPF)
- (7) The Council's Local Plan
- (8) The Council's Local Plan Proposals Map Inset 1
- (9) Secretary of State's Direction under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 dated 7 September 2007
- (10) Piece Hall Environs SPD May 2011
- (11) Highways Act 1980
- (12) Acquisition of Land Act 1981

### **Highway Policies and Documents**

- (13) WY+TF A629 Mandate
- (14) WY+TF A629 Phase 2 Gateway 1 submission
- (15) The Council's Strategic Bus Review 2013
- (16) West Yorkshire Local Transport Plan 3 (LTP3)



(17) LCR Single Transport Plan (STP)

**Relevant National Circulars**

- (18) The Ministry of Housing for Communities and Local Government's Guidance on Compulsory purchase process and The Critchel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion
- (19) The Department for Transport's Note on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State is the Confirming Authority, Circular No. 2/97
- (20) Department of Transport Circular 1/97 "Highways Act 1980: Orders under Section 14 of the Highways Act 1980 and Opposed Orders under Section 124 of that Act" (June 1997)

**Other relevant documents**

- (21) Cabinet Reports and Minutes authorising the use of compulsory purchase powers and the making of the side roads order at meetings held on:
  - (a) 4<sup>th</sup> July 2016,
  - (b) 2<sup>nd</sup> October 2017,
  - (c) 19<sup>th</sup> March 2018, and
  - (d) 7<sup>th</sup> December 2020
- (22) Gateway 1 Outline Business Case Document
- (23) Halifax Town Centre Delivery Plan
- (24) Calderdale Transport Strategy
- (25) Bus Accessibility Study
- (26) A629 Halifax Town Centre – Environmental Statement Vol I
- (27) A629 Halifax Town Centre – Environmental Statement Vol II
- (28) A629 Halifax Town Centre – Environmental Statement Vol III
- (29) A629 Halifax Town Centre – Environmental Impact Assessment
- (30) Report to Planning Committee and Minutes of meeting held on 16 June 2020
- (31) Planning permission dated 18 June 2020
- (32) General Arrangement drawings