

IN THE MATTER OF THE NETWORK RAIL (HUDDERSFIELD TO
WESTTOWN (DEWSBURY)) IMPROVEMENT ORDER 20[XX]

**LETTER OF OBJECTIONS
ON BEHALF OF HARGREAVES GB LTD**

To the Secretary of State for Transport c/o Transport Infrastructure Planning Unit, Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR (e-mail: transportinfrastructure@dft.gov.uk).

These are the objections of Hargreaves GB Ltd (“the Objector”) to the Network Rail (Huddersfield to Westtown (Dewsbury)) Improvement Order 20[XX] (“the Order”). The Objector is the owner of two Leases, the first dated 13 January 2006 and second dated 3 July 2020, under registered titles No.WYK844056 and WYK862965 parts of which lands are identified as being required to be compulsorily acquired in the Order. The following plot numbers identified in the land acquisition plans and the Schedule are those sought to be acquired from Objector, namely Plot Nos. 19-024, 21-013, 21-018, 21-019, 21-020, 21-020a, 21-020b, 21-022 and 21-023, and also 19-011, 19-029, 21-001, 21-002, 21-003, 21-004, 21-025a and 21-015 (“the Plots”).

The address of the Objector is c/o the name and address of the writer of this letter.

The Objector uses the land to be acquired for the principal purposes of head office activities in relation to the management of companies engaged in the manufacture of concrete blocks, ready-mix concrete and asphalt manufacture.

5 operatives are employed on the site.

By reason of the above interests of the Objector, the Objector makes the following objections to the Order.

1. The use of compulsory purchase powers is unnecessary and no compelling case has been made to acquire all the land specified in the Plots from the Objector as the same is not necessary for the Order as the project underlying the Order can be achieved without the acquisition of all of the Objector's lands.

2. The Order fails to consider that the acquisition of all of the Objector's land will mean that a viable business will cease and 5 operatives will be dismissed or have their contracts terminated. This is contrary to the advice underlying *Compulsory Purchase Process and the Crichel Down Rules: Guidance* (MHCLG July 2019) at paras 12. 13 and in particular 19. The termination of these contracts and employments will have an economic impact on the local community.

3. The acquisition of the Objector's land will effectively extinguish a viable business in the mineral processing sector, as it is very unlikely to be possible to relocate it..

4. Contrary to the advice in Section 9 of the NPPF to promote sustainable transport (paras 102(d) and 108(c)), the effect of the acquisition and any relocation of the Objector's business, if such relocation is possible, will be to

extend journey distances and times to meet the business requirements of existing customers from alternative sources which are some 14 and 27 miles away.

5. Contrary to the advice in the NPPF at section 17 (para 204(e)) to safeguard existing sites for the processing of minerals, the manufacture of concrete and concrete products, and the processing and recycling of secondary aggregate material, the acquisition of the whole of the Objector's land will cause such activities to cease or be severely curtailed.

6. The Order fails to have regard to the Planning Practice Guidance (Minerals) of the Department of Housing, Communities and Local Government, para 006, ref ID:27-006-20140306, that planning authorities should safeguard existing storage, handling and transport sites, and accordingly the Network Rail is failing to ensure that the land used by the Objectors, and not essential for the Order, will remain available for existing purposes.

7. The use of compulsory purchase powers is unnecessary and no compelling case has been made to acquire all the land sought to be acquired from the Objector as Network Rail has failed to minimise the acquisition of land contrary to the advice in *Compulsory Purchase Process and the Crichel Down Rules: Guidance* (MHCLG July 2019). Network Rail has gone beyond what is necessary or essential.

8. Without prejudice to the other objections herein, Network Rail has failed to engage in any substantive way for the acquisition of the interest of the Objector and accordingly Network Rail has failed to show a compelling case.

SIGNED: 

DATED: 13/5/21

IN THE MATTER OF THE NETWORK RAIL (HUDDERSFIELD TO
WESTTOWN (DEWSBURY)) IMPROVEMENT ORDER 20[XX]

WITNESS STATEMENT OF David Michael Beaumont

I, *David Michael Beaumont* of 2, *Hayfield Close, Scholes, Holmfirth, Huddersfield, HD9 1XQ* make this witness statement in support of the Objections made by Hargreaves GB Limited (“HGB”) to the Network Rail (Huddersfield to Westtown (Dewsbury)) Improvement Order 20XX (“the Order).

My Role

1. I am a shareholder and managing director. I have been involved since the business was formed in 2008. I have known the locality and sites used by the company and the land to be compulsorily acquired or used since 1985.

Land proposed to be acquired from the Company

2. Plot Nos. 19-024, 21-013, 21-018, 21-019, 21-020, 21-020a, 21-020b, 21-022 and 21-023, and also 19-011, 19-029, 21-001, 21-002, 21-003, 21-004, 21-025a and 21-015

Description of business of the Company, and use made of the land to be acquired

3. HGB’s business activities is that of the head office function, for all group companies, Dewsbury Sand & Gravel Limited, Wakefield Sand & Gravel Limited & Humberside Blocks Limited.

4. The total number of employees affected is 5.

Effect of the proposed compulsory acquisition

5. The business could not continue to operate.
6. It would not be possible to relocate the business of HGB
7. All 5 employees would lose their jobs.
8. If a suitable site was available, within a 3 mile radius of the existing site, the cost would be included in the £6.5M costs for the re-location of Newlay Concrete Limited.
9. The profits of the business on an EBITDA basis is 200K

Land unnecessarily proposed to be acquired

10. To the best of my understanding of the plans and the plots, the following plots would not appear necessary for the railway line: 21-013, 21-018, 21-022, 21-023, 19-029, 21-001, 21-002, 21-003.

History of any engagement

11. Hargreaves (GB) Limited instructed Lupton Fawcett LLP to act on its behalf in respect of this matter. Lupton Fawcett LLP attended a public consultation on 13 October 2020 regarding the proposals for the Trans-Pennine upgrade and also met David Vernon of Carter Jones on 5 November 2020, who is managing the Network Rail project. There has been an open dialogue of correspondence between Lupton Fawcett LLP and Network Rail since early 2021. A virtual meeting took place on 1 July 2021 with Network Rail, Lupton Fawcett LLP and Hargreaves (GB) Limited.

12. In consequence of the meeting on 1 July 2021, and further research by Richard Asher FRICS, our surveyor, I first became aware of the design options for the proposed scheme near Raventhorpe Station.

I have no record of any engagement with the Company regarding the “fly over” or “dive under” design options for the railway near Raventhorpe Station. If I had been consulted, I would have pointed out the serious consequences to the Company of the acquisition of land for the “fly over” option, as the Company's business would have to cease, as relocation is unlikely or impossible. I understand that all the land to be acquired from the Company at Calder Road, would not have been necessary for the ‘dive under’ option, the only land required would have been a small area at the west end, which would not have affected the business. I am advised that the Company should have been consulted about these options. I am very annoyed that the Company was not consulted, and it is possible that had Network Rail considered the cost and other consequences of the acquisition of land for the ‘fly over’ option, it might have chosen the ‘dive under’ one.

SIGNED:

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a series of loops and a final vertical stroke.

DATED:

6/7/21