



South Lanarkshire Council

**The Roads (Scotland) Act 1984
and
The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947**

**THE SOUTH LANARKSHIRE COUNCIL (REPLACEMENT OF CLYDE BRIDGE BY PETTINAIN)
COMPULSORY PURCHASE ORDER 2020**

SOUTH LANARKSHIRE COUNCIL, a local authority established in terms of the Local Government etc (Scotland) Act 1994 and having their Main Office at Council Offices, Almada Street, Hamilton ML3 0AA (hereinafter referred to as "the Acquiring Authority") in exercise of the powers conferred on them by Section 104 of the Roads (Scotland) Act 1984 hereby make the following Compulsory Purchase Order:-

1. This Order may be cited as The South Lanarkshire Council (Replacement of Clyde Bridge by Pettinain) Compulsory Purchase Order 2020.
2. Subject to the provisions of this Order, the Acquiring Authority are hereby authorised to purchase compulsorily for the purpose of carrying out works in terms of a road improvement scheme to replace the existing Clyde Bridge road bridge and improve and re-align the C29 road on approach to the Bridge, the land which is described in the First Schedule hereto and is delineated red and coloured pink on the map signed with reference to this Order and marked "Map referred to in The South Lanarkshire Council (Replacement of Clyde Bridge by Pettinain) Compulsory Purchase Order 2020", which Map is incorporated in this Order.
3. In relation to the foregoing purchase, in respect of Plots 1, 2, 3 and 4, Section 70 of the Railway Clauses Consolidation (Scotland) Act 1845 and Sections 71 to 78 of that Act as originally enacted and not as amended for certain purposes by Section 15 of the Mines (Working Facilities and Support) Act 1923 is hereby incorporated with the enactment under which the said purchase is authorised subject to the modifications that references in the said sections to the Company shall be construed as references to the Acquiring Authority and references to the Railway or Works shall be construed as references to the land authorised to be purchased and any buildings or works constructed or to be constructed thereon.
4. The registration of a conveyance, as defined in section 106(5) of the Title Conditions (Scotland) Act 2003, in implement of this Order shall not extinguish the real burdens or

servitudes in the deeds referred to in the Second Schedule hereto.

Given under the Common Seal
of the said South Lanarkshire Council
and subscribed for and on their behalf
by Margaret Mary Cairns
Proper Officer and Legal Services Manager
at Hamilton on 25 November 2020

Signed by Margaret Mary Cairns

FIRST SCHEDULE

This is the First Schedule referred to in the foregoing The South Lanarkshire Council (Replacement of Clyde Bridge by Pettinain) Compulsory Purchase Order 2020

Number on Map	Description of the Land	Owners	Lessees and Occupiers
1	Area of ground lying generally to the east of Pettinain Road, Pettinain extending to 1,586 square metres or thereby being part and portion of the subjects registered in the Land Register of Scotland under Title Number LAN100227.	Allan Campbell	None
2	Area of ground to the west of Pettinain Road, Pettinain extending to 1,291 square metres or thereby being part and portion of those two plots of ground extending in all to 103.11 acres (41.727 hectares) or thereby more particularly described in, disposed by and shown coloured pink and delineated within the lines coloured red on the plan annexed and executed as relative to Disposition by The Secretary of State for Scotland in favour of Mrs. Margaret Campbell, Brian Leonard Campbell and George Gordon Brown Campbell as Partners of and Trustees for the Firm of G. E. Campbell & Sons dated 23 February and recorded in the Division of the	Brian Leonard Campbell and Colin Easton Campbell	None

Number on Map	Description of the Land	Owners	Lessees and Occupiers
	General Register of Sasines for the County of Lanark on 12 March, both 1982.		
3	Area of ground extending to 818 square metres or thereby including part of the alveus/solum of the River Clyde and including the structure of the existing bridge and road constructed thereon and the solum of Pettinain Road on approach to the existing bridge and being part and portion of the Lands and Barony of Carstairs being the lands and others described in Disposition by Hector John Gurdon Rebow of Wyvanhoe Park, Colchester and Robert Lewin Hunter as Trustees therein mentioned with consent therein mentioned in favour of Sir James King, Baronet of Campsie dated 9 and 10 November 1899 and recorded in the Division of the General Register of Sasines for the County of Lanark on 16 May 1900.	Christopher Busch Reisinger	None
4	Area of ground extending to 2,027 square metres or thereby being part of the area of land forming part of the lands and farm of	Allan Campbell	None

Number on Map	Description of the Land	Owners	Lessees and Occupiers
	<p>Strawfrank Farm, Carstairs Junction disposed by and shown tinted pink on the plan annexed and executed as relative to Disposition by Brian Leonard Campbell and Colin Easton Campbell in favour of Allan Campbell dated 29 September 2018 and presently undergoing registration in the Land Register of Scotland under Title Number LAN100227.</p>		
5	<p>Area of ground extending to 9,656 square metres or thereby including part of the alveus/solum of the River Clyde, the structure of the existing bridge and that part of the solum of the road within said area and including the salmon and fishing rights to the part of the alveus/solum of the River Clyde and including the whole mines, quarries, metals, fossils, limestone, gravel and other minerals (with the exception of coal) therein and being part of the Farm and Lands of Bagmoors, Pettinain extending to 264.686 acres or thereby consisting of the enclosures or parcels as specified in the Schedule to the after mentioned Disposition and as</p>	Robert Clark Warnock	None

Number on Map	Description of the Land	Owners	Lessees and Occupiers
	<p>set forth in the 1941 edition of the 25 inch Ordnance Survey map for the County of Lanark sheet xxvi 10 and in the 1940 edition of the said Map Sheet xxvi 14 more particularly described (FIRST) in, disposed by and shown delineated within the red line and coloured pink on the principal of Plan A annexed and signed as relative to Disposition by Ashdale Land and Property Company Limited with consent of Robert Clark Warnock in favour of Pearl Assurance Company Limited dated 8 and 10 November and recorded in the Division of the General Register of Sasines for the County of Lanark on 7 December, all 1966 and which said subjects are undergoing registration in the Land Register of Scotland under Title Number LAN243529.</p>		
6	<p>Area of ground extending to 2,408 square metres or thereby and including the whole mines, quarries, metals, fossils, limestone, gravel and other minerals (with the exception of coal) therein part of the Farm and Lands of</p>	Robert Clark Warnock	None

Number on Map	Description of the Land	Owners	Lessees and Occupiers
	<p>Bagmoors, Pettinain extending to 264.686 acres or thereby consisting of the enclosures or parcels and as specified in the Schedule to the after mentioned Disposition as set forth in the 1941 edition of the 25 inch Ordnance Survey map for the County of Lanark sheet xxvi 10 and in the 1940 edition of the said Map Sheet xxvi 14 more particularly described (FIRST) in, disposed by and shown delineated within the red line and coloured pink on the principal of Plan A annexed and signed as relative to Disposition by Ashdale Land and Property Company Limited with consent of Robert Clark Warnock in favour of Pearl Assurance Company Limited dated 8 and 10 November and recorded in the Division of the General Register of Sasines for the County of Lanark on 7 December, all 1966 and which said subjects are undergoing registration in the Land Register of Scotland under Title Number LAN243529.</p>		

SECOND SCHEDULE

This is the Second Schedule referred to in the foregoing The South Lanarkshire Council
(Replacement of Clyde Bridge by Pettinain) Compulsory Purchase Order 2020

Preservation of real burdens and servitudes

Number on map	Deed containing title condition to be preserved	Real burdens/servitude to be preserved
1, 2 and 4	Disposition by Sir John Westall King to the Department of Agriculture for Scotland dated 8 and recorded in the Division of the General Register of Sasines for the County of Lanark on 26, both April 1929.	All real burdens and servitudes
1	Disposition by Secretary of State for Scotland to Trustees for firm of H & S Franks dated 27 August and recorded in the Division of the General Register of Sasines for the County of Lanark on 19 October, both 1981.	Reservation of minerals. All other real burdens and servitudes
1	Disposition by Trustees for the firm of Brown Partners to Trustees for firm of G.E. Campbell & Sons dated 14, 16 and 19 February and 3 March and registered in the Land Register of Scotland under Title Number LAN100227 on 13 April 1994.	All real burdens and servitudes
2 and 4	Disposition by Secretary of State for Scotland to Mrs Margaret Campbell, Brian Leonard Campbell and George Gordon Brown Campbell as partners of and trustees for the Firm of G. E. Campbell & Sons dated 23 February and recorded in the Division of the General Register of Sasines for the County of Lanark on 12 March, both 1982.	Reservation of the minerals. All other real burdens and servitudes
3	Disposition by Hector John Gurdon Rebow of Wyvanhoe Park, Colchester and Robert Lewin Hunter as Trustees therein mentioned with consent and concurrence therein	All real burdens and servitudes

Number on map	Deed containing title condition to be preserved	Real burdens/servitude to be preserved
	mentioned in favour of Sir James King, Baronet of Campsie dated 9 and 10 November 1899 and recorded in the Division of the General Register of Sasines for the County of Lanark on 16 May 1900.	
5 and 6	Disposition by Ashdale Land and Property Company Limited with consent of Robert Clark Warnock in favour of Pearl Assurance Company Limited dated 8 and 10 November and recorded in the Division of the General Register of Sasines for the County of Lanark on 7 December, all 1966.	All real burdens and servitudes
5 and 6	Disposition by Robert Clark Warnock in favour of Mrs Isabella Elizabeth Warnock and Robert Clark Warnock, Junior dated 1 November and recorded in the Division of the General Register of Sasines for the County of Lanark on 11 December, both 1989.	All real burdens and servitudes
5 and 6	Deed of Servitude containing Disposition by Robert Clark Warnock, Mrs Isabella Warnock and Robert Clark Warnock Junior in favour of Shell Chemicals UK Limited dated 10 April 1992 and recorded in the Division of the General Register of Sasines for the County of Lanark on 1 April 1993.	All real burdens and servitudes
5 and 6	Disposition by Robert Clark Warnock and Mrs Isabella Elizabeth Warnock in favour of Robert Clark Warnock, Junior dated 6 and recorded in the Division of the General Register of Sasines for the County of Lanark on 11 September, both 1998.	All real burdens and servitudes
5 and 6	Deed of Servitude by Robert Clark Warnock in favour of Network Rail Infrastructure Limited dated 18 July and 31	All real burdens and servitudes

Number on map	Deed containing title condition to be preserved	Real burdens/servitude to be preserved
	August and recorded in the Division of the General Register of Sasines for the County of Lanark on 15 September, all 2011.	
5 and 6	Disposition by Robert Clark Warnock in favour of Alastair Warnock dated 9 April 2019 and registered in the Land Register of Scotland on 10 May 2019 under Title Number LAN239797.	All real burdens and servitudes

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2020

Head of Administration and Legal
Services
Finance and Corporate Resources
South Lanarkshire Council
Council Offices
Almada Street
HAMILTON
ML3 0AA

Ref: MB/ENRT/19467

FAS: 2089

If you need this information in another language or format, phone 0303 123 1015 or
email equalities@southlanarkshire.gov.uk