

**TRANSPORT AND WORKS ACT 1992**

**Transport and Works (Applications and Objections  
Procedure) (England and Wales) Rules 2006**

**THE NETWORK RAIL (HUDDERSFIELD TO WESTTOWN  
(DEWSBURY) IMPROVEMENTS) ORDER**

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**DOCUMENT NR11: WAIVER DIRECTIONS GIVEN UNDER  
RULE 18**

**Rule 10(2)(h)**

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# The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order



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VIA EMAIL

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Our Ref: TWA 2/2/166  
Your Ref: OCONNOJ292050-000113

21 December 2020

Dear Mr O'Connor,

### **Transport and Works Act 1992**

### **Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 ("the Rules")**

### **PROPOSED NETWORK RAIL (HUDDERSFIELD TO WESTTOWN (DEWSBURY) IMPROVEMENTS) ORDER**

Thank you for your letter dated 8 December 2020, in which you refer to the Secretary of State's letter of 25 November 2020 granting a direction under rule 18 of the Rules. This letter constitutes a new direction under rule 18, and is issued alongside a letter answering the questions you posed.

Your letter clarified that you are seeking a direction to disapply only that provision under rule 10(2) of the Rules which requires four copies of all relevant documents to be submitted with the application that is being made. The Secretary of State notes that this is contained in the first line of rule 10(2) rather than in rule 10(2)(g).

The Secretary of State therefore makes the direction that only the provision in rule 10(2) which requires applicants to provide four copies of each document is not to apply in relation to this application.

The Secretary of State makes this direction on the grounds that it is unnecessary, and that one copy of the relevant documents is submitted electronically with the application. This direction is made on the condition that further copies should be made immediately available to the Secretary of State upon request at any time before a decision on this application is issued, for example should a Public Inquiry be necessary.

Yours sincerely,

**Natasha Kopala**

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Our Ref: TWA 2/2/166  
Your Ref: OCONNOJ\292050-000113

5 February 2021

Dear James,

**Transport and Works Act 1992**  
**Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006**  
**The Proposed Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order**

Thank you for your letter of 3 February 2021, in which you request a direction under rule 18 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 ("the Rules"), regarding the above proposed application.

You are seeking a direction to disapply the following requirements:


- Under rule 14(2) of the Rules, the requirement to include as part of the Form 1 notices details of where the documents can be inspected;
- Under rule 14(5)(e) of the Rules, the requirement for the notice served under rule 14(4) to give details of places where a copy of the application and accompanying documents can be inspected free of charge at all reasonable hours until the expiry date for objections;
- Under rule 14(10) of the Rules, the requirement to display information as to how copies of the documents can be obtained at each place of inspection.

We note in your letter that Network Rail's attempts to secure deposit of the application documents at Huddersfield Library and the Greenwood Centre (Ravensthorpe Library) were unsuccessful as both libraries are closed for the foreseeable future due to the ongoing COVID-19 pandemic. This means that Network Rail has been unable to find a suitable deposit location for the documents to be inspected as per rules 14(2), 14(5)(e) and 14(10).

We further note that Network Rail intend to put in place measures to ensure that the documents will be made available. These measures will include providing a website where application documents can be inspected throughout the objection period, including details of this website on the statutory notices, and providing a telephone number in the statutory notices and on the website so that hard copies of the documents can be requested.

The Secretary of State is therefore content to make the direction that the relevant parts of rules 14(2), 14(5)(e) and 14(10) are not to apply in relation to this application on the grounds that it would be impossible for Network Rail to display the relevant information as to how such copies may be obtained at every place at which copies of the application are made available for inspection.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'N. Kopala'.

**Natasha Kopala**

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