

THE ACQUISITION OF LAND ACT 1981 ("the 1981 Act")

THE TRANSPORT AND WORKS ACT 1992 ("the 1992 Act")

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

**NOTICE OF INTENTION TO ISSUE A CERTIFICATE UNDER SECTION 19(1)(a)
AND 19(1)(b) OF THE 1981 ACT IN RELATION TO OPEN SPACE LAND IN THE
BOROUGH OF KIRKLEES WEST YORKSHIRE**

1. Network Rail Infrastructure Limited ("Network Rail") of 1 Eversholt Street, London NW1 2DN has applied to the Secretary of State for Transport under section 6 of the 1992 Act for the above named Order under sections 1 and 5 of that Act. If made, the Order will authorise the compulsory acquisition of land ("the Order land") described in the First Schedule to this notice which forms part of an open space, as defined in the 1981 Act; that is, land laid out as a public garden, or used for the purposes of public recreation, or a disused burial ground.
2. The Order will be subject to Special Parliamentary Procedure unless the Secretary of State for Housing Communities and Local Government ("the Secretary of State") gives a certificate in accordance with the provisions of section 19 of the 1981 Act. The Secretary of State has been asked by Network Rail to certify:

(a) under section 19(1)(a), that the Secretary of State is satisfied that there has been or will be given in exchange for the Order land described in Part 1 of the First Schedule to this notice, other land ("the exchange land") described in the Second Schedule to this notice which is not less in area and is equally advantageous to persons, if any, entitled to rights of common or other rights, and to the public, and that the exchange land has been or will be vested in the persons in whom the Order land was vested, and subject to the like rights, trusts and incidents as attach to the Order land; and

(b) under section 19(1)(b), that the Secretary of State is satisfied that the Order land described in Part 2 of the First Schedule to this notice does not exceed 209 square metres in extent and that the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public.

3. The Order land, as described in Part 1 of the First Schedule to this notice, for which exchange land is to be provided is shown coloured green on the open space plans referred to in paragraph 5 below. The exchange land, as described in the Second Schedule to this notice, is shown coloured blue on the open space plans referred to in paragraph 5 below.
4. The Secretary of State is required to direct Network Rail to give public notice of the Secretary of State's intention to issue a certificate before he reaches a decision, to afford an opportunity for representations and objections to be made. Network Rail hereby gives that notice. Any representations or objections in relation to this proposal should be sent in writing to:-

The Planning Casework Unit
5 St Philips Place
Colmore Row
Birmingham
B3 2PW

Or by Email to pcu@communities.gov.uk
by 16 July 2021 quoting reference **PCU/S19/Z4728/3274141**.

5. Copies of the proposed Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order, the Book of Reference and the Order plans, which includes plans showing the Order land described in Part 1 of the First Schedule to this notice and the exchange land described in the Second Schedule to this notice (referred to as the "open space plans") may be viewed and downloaded from Network Rail's website at <https://www.networkrail.co.uk/TranspennineEngagement>.
6. The Secretary of State may, if the Secretary of State considers it expedient, hold a public inquiry into the matter concurrently with the TWA Order Inquiry announced by the Secretary of State for Transport on 18th May 2021.

FIRST SCHEDULE

Part 1

| Plot Number on the Order plans | Extent and Description of Land (<i>shown coloured green on the open space plans</i>) |
|---------------------------------------|--|
| 7-039 | 62.0 square metres Woodland to the north east of Red Doles Road, Huddersfield |
| 8-003 | 4599.3 square metres Woodland, access track and National Cycle Network Route 69 to the north of Huddersfield Broad Canal, Deighton |
| 8-011 | 87.8 square metres Public footpath (HUD/44/30), National Cycle Network Route 69 and verges to the north of Red Doles Road, Deighton |
| 8-013 | 1092.2 square metres Woodland and National Cycle Network Route 69 to the north of Red Doles Road, Deighton |
| 8-026 | 2380.3 square metres Grassland, woodland, footway and National Cycle Network Route 69 to the west of Whitacre Street, Deighton |
| 8-028 | 766.7 square metres Grassland, woodland, footway and National Cycle Network Route 69 to the west of Whitacre Street, Deighton |
| 8-030 | 540.3 square metres Grassland and woodland to the west of Whitacre Street, Deighton |
| 9-002 | 53.4 square metres Grassland to the west of Whitacre Street, Deighton |
| 9-003 | 2173.6 square metres Grassland and woodland to the west of Whitacre Street, Deighton |
| 9-100 | 839 square metres Grassed area, footway, |

| Plot Number on the Order plans | Extent and Description of Land (<i>shown coloured green on the open space plans</i>) |
|---------------------------------------|---|
| | copse and public footpath (HUD/51/10) to the east of Glenfield Avenue, Deighton |
| 19-013 | 564.2 square metres Woodland (Lady Wood, Mirfield) and public bridleways (DEW/1/10 and DEW/1a/10) |
| 19-017 | 66.6 square metres Woodland (Lady Wood, Ravensthorpe) and public bridleway (DEW/1/10, DEW/1a/10 and DEW/3/10) |
| 19-018 | 95.6 square metres Access track and public bridleway (DEW/3/10) to the south west of Ravensthorpe Road, Dewsbury |
| 19-020 | 10376.5 square metres Woodland, grassland, access track and public bridleway (DEW/3/10) to the south west of Ravensthorpe Road, Dewsbury |
| 19-027 | 1677.9 square metres Woodland, grassland and overhead cables to the south west of Ravensthorpe Road, Ravensthorpe |
| 21-006 | 255.1 square metres Access road, verges, public bridleway (DEW/3/10) and overhead cables to the west of Calder Road, Ravensthorpe |
| 21-026 | 481.6 square metres Access road, verges and public bridleway (DEW/3/10) to the west of Calder Road, Ravensthorpe |
| 25-012 | 124.5 square metres Grassland to the north of B6117 Fall Lane, Dewsbury |
| 25-017 | 271.2 square metres Grassland and hardstanding to the north east of Fearnley Street, Dewsbury |
| 25-021 | 202.5 square metres |

| Plot Number on the Order plans | Extent and Description of Land (shown coloured green on the open space plans) |
|---------------------------------------|--|
| | Grassland and private road (Brooks Yard, Dewsbury) |

Part 2

| Plot Number on the Order plans | Extent and Description of Land |
|---------------------------------------|--|
| 2-044 | 43.0 square metres Woodland and public footpath (HUD/327/10, HUD/328/10 and HUD/328/30) to the west of Bow Street, Huddersfield |
| 7-042 | 72.0 square metres Woodland to the north west of Old Fieldhouse Lane, Huddersfield |
| 8-005 | 26.0 square metres Woodland to the north of Huddersfield Broad Canal, Deighton |

SECOND SCHEDULE

| Plot Number on the Order plans | Extent and Description of Land (shown coloured blue on the open space plans) |
|---------------------------------------|--|
| 19-025 | 8754.3 square metres Agricultural land, hedgerow, electricity pylon and overhead cables to the south of Ravensthorpe Road, Dewsbury |
| 19-026 | 479.4 square metres Agricultural field to the south of Ravensthorpe Road, Dewsbury |
| 19-030 | 2038.9 square metres Agricultural field, hedgerow and overhead cables to the south west of Ravensthorpe Road, Ravensthorpe |
| 23-035a | 11868.2 square metres Scrubland, grassland and |

| Plot Number on the Order plans | Extent and Description of Land (shown coloured blue on the open space plans) |
|--------------------------------|--|
| | public footpath (DEW/117/20) to the north of operational railway (Huddersfield to Dewsbury Line), Ravensthorpe |
| 23-065 | 304.1 square metres Grassland, scrubland, access track and disused canal mooring to the south of canal (Calder and Hebble Navigation), Ravensthorpe |
| 24-004 | 3090.8 square metres Grassland, scrubland, copse and public footpath (DEW/117/20) to the north west of Forge Lane, Ravensthorpe |
| 24-005 | 174.6 square metres Footbridge, access track, grassland and public footpath (DEW/117/20) to the north west of Forge Lane, Ravensthorpe |

SIGNED by the authority of the Secretary of State for Housing Communities and Local Government

Rachael Beard

**Rachael Beard
Senior Planning Manager
Planning Casework Unit**

24 June 2021