

Our Ref: MSB/HUD89/35
Your Ref:
Date: 17/05/21

Secretary of State for Transport
c/o Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London SW1P 4DR

Dear Sir

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

We act for Huddersfield Town Association Football Club and have been provided with a copy of the attached notice dated 31 March 2021 .

Our client is in occupation of those areas identified as 7-032 , 7-043 , 7-044 , 7-048 and 7-049 on Sheet No 7 and 8-008 shown on Sheet No 8 (" the Areas") and adjoining land .

Our client wishes to object to the draft Order for the following reasons :

The use of compulsory powers should be a last resort and following negotiation and discussion with interested parties and where all reasonable alternative solutions have been considered and explored. Network Rail Infrastructure Limited (" Network Rail ") has not undertaken any negotiation or discussion with our client about Network Rail's proposed use of the Areas. Instead our client has been presented with a formal notice for the temporary use of the Areas by Network Rail and as such this is premature.

Whilst the draft Order refers to the temporary use of the Areas as a working site for construction/working site and access for construction there is insufficient detail about the nature of any temporary works and access to be constructed on the Areas and the extent of any vegetation to be removed from the Areas .

Area 7-032 covers the access path to the playing field . This access needs to be kept available at all times .

Our client is concerned about the impact that any noise generating activity carried out on the Areas will have on its use of the adjoining playing fields .

The woodland in the Areas currently provides screening , privacy and security for our client's use of the adjoining playing fields . Our client is concerned that these will be compromised by the proposed use of the Areas.

The proposed use of the Areas described in the draft Order is contrary to our client's entitlement to enjoy its property peacefully in accordance with Protocol 1 Article 1 of the Human Rights Act 1998 .

Yours sincerely

Mark Blackburn
Solicitor

D 0113 227 0370
F 0113 301 4693
mark.blackburn@gordonsllp.com

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

To: The Secretary
The Huddersfield Town Association Football Club Limited
The John Smith's Stadium
Stadium Way
Leeds Road
Huddersfield
HD1 6PX

**NOTICE OF APPLICATION TO TEMPORARILY USE LAND, ACQUIRE RIGHTS ONLY IN LAND
COMPULSORILY AND FOR POWERS TO CARRY OUT PROTECTIVE WORKS TO BUILDINGS
ROADS AND APPARATUS OF A STATUTORY UNDERTAKER**

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 Transport and Works Act 1992 for the above-mentioned Order under sections 1 and 5 of that Act.

The draft Order seeks to authorise Network Rail to construct a new railway, including the upgrade and reconstruction of the existing railway, railway electrification works and associated works between Huddersfield and Westtown (Dewsbury). The draft Order also seeks to authorise Network Rail to construct station improvement works at Huddersfield and works for the construction or reconstruction of stations at Deighton, Mirfield and Ravensthorpe.

The draft Order also includes provision for the temporary use of land, the compulsory acquisition of rights only in land and rights to carry protective works to buildings, roads and apparatus of a statutory undertaker on land within the limits of the draft Order.

The land described in the Schedule to this notice in which it is believed you have an interest is subject to the exercise of the compulsory powers provided for in the draft Order as described above.

The application is to be made subject to an environmental impact assessment.

The application contains a statement that a direction for deemed planning permission is being applied for.

A copy of the application, and of all plans and other documents submitted with it, may be viewed and downloaded from Network Rail's website at <https://www.networkrail.co.uk/TranspennineEngagement> from 31 March 2021. Copies of the documents may also be obtained from Penny Carter, Network Rail Infrastructure Limited, 3rd Floor, Square One, 4 Travis Street, Manchester M1 2NY (email: Penny.Carter@networkrail.co.uk). A reasonable copying charge may apply up to a maximum of £500 for the full suite of documents. Copies of individual documents are also available on request.

Further information about the proposals can also be obtained by telephoning Network Rail's national helpline on 03457 11 41 41.

Any objections to, or other representations about, the proposals in the application should be sent 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).

An objection or other representation MUST (i) be received by the Secretary of State on or before 17 May 2021, (ii) be made in writing (whether sent by post or e-mail), (iii) state the grounds of the objection or other representation, (iv) indicate who is making the objection or other representation, and (v) give an address to which correspondence relating to the objection or other representation may be sent. (If you are sending your objection or other representation by e-mail, please provide a postal address.)

Where an objection is made (and not withdrawn) by a person who is an owner, lessee, tenant or occupier of any land which is subject to compulsory purchase in the draft Order, and that person so requests in writing, the Secretary of State must hold a public local inquiry or otherwise give that person an opportunity to be heard. However, this rule will not apply where an objection appears to the Secretary of State to be frivolous or trivial, or to relate to matters which fall to be determined by a tribunal concerned with the assessment of compensation.

The Secretary of State may make complete copies of the objections and other representations public, including any personal information contained in them, and will copy them to the applicant for the Order.

Signed: 

On behalf of: Network Rail Infrastructure Limited

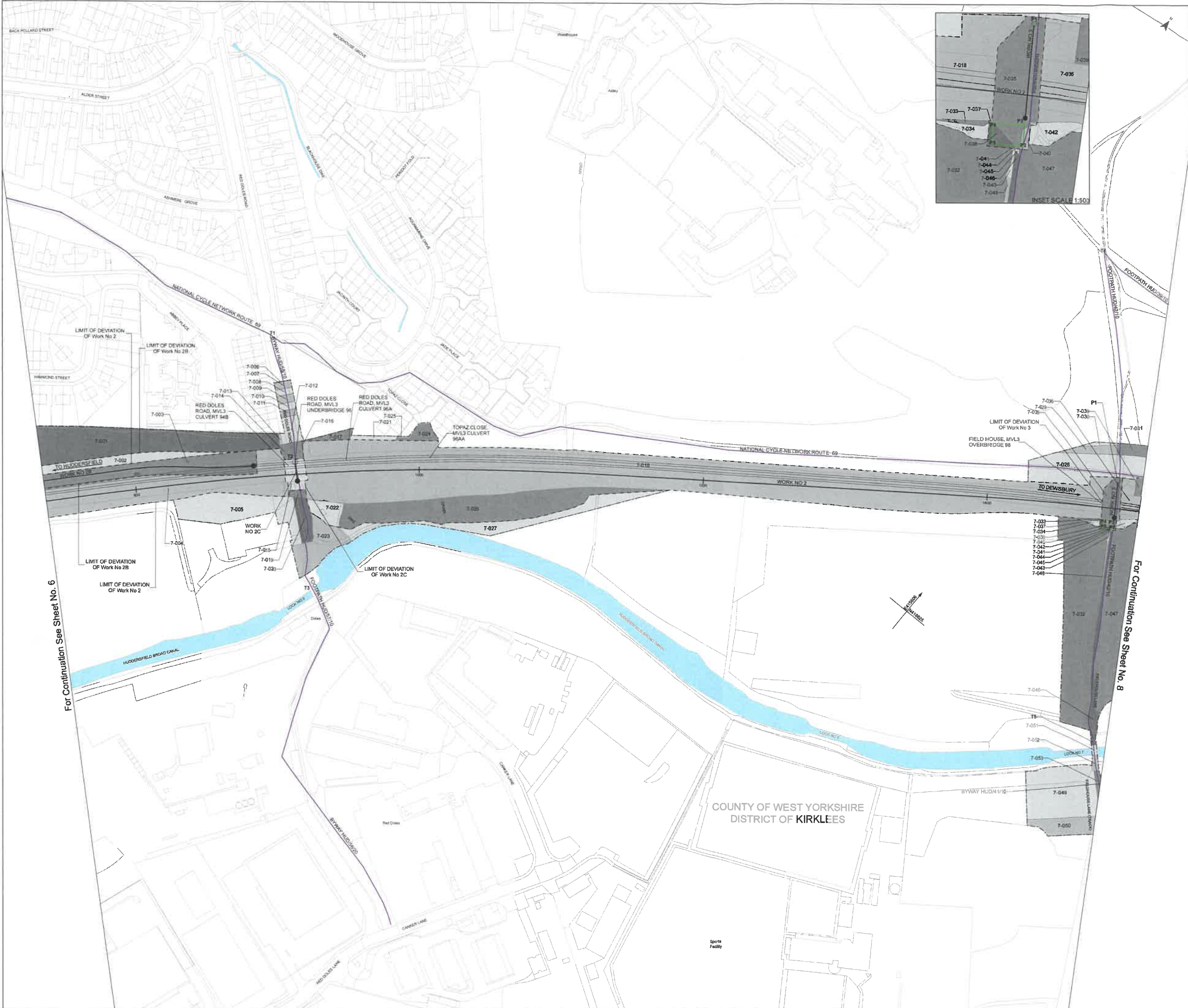
Date: 31 March 2021

Name and Status of Signatory: Alex Davies, Head of Consents & Environment

SCHEDULE

Description of land and/or buildings affected by the proposed compulsory powers

No. on attached plan	Extent and description of land
7-032	Woodland and access track to the north west of Old Fieldhouse Lane, Huddersfield
7-043	Woodland to the north west of Old Fieldhouse Lane, Huddersfield
7-044	Woodland to the north west of Old Fieldhouse Lane, Huddersfield
7-048	Woodland to the south of Fieldhouse Bridge, Huddersfield
7-049	Woodland and grassland to the north west of Old Fieldhouse Lane, Huddersfield
8-008	Woodland to the north west of Old Fieldhouse Lane, Deighton



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

Sheet No. 7

WORK NO. 2 (For section of Work No. 2 see Sheet Nos. 29 and 30)
WORK NO. 2B (For section of Work No. 2B see Sheet No. 31)
WORK NO. 2C (For section of Work No. 2C see Sheet Nos. 32 and 33)
WORK NO. 3 (For section of Work No. 3 see Sheet Nos. 32 and 33)

- KEY
- CENTRE LINE OF WORK
 - - - - - CENTRE LINE OF SUBSURFACE WORK
 - - - - - LIMIT OF DEVIATION
 - - - - - LIMIT OF LAND TO BE ACQUIRED OR USED
 - - - - - PROTECTIVE WORKS LIMIT
 - + + + + + DISTRICT BOUNDARY
 - COMMENCEMENT OF WORK
 - TERMINATION OF WORK
 - ⦿ COMMENCEMENT OF WORK AND TERMINATION OF WORK
 - A NEW / IMPROVED ACCESS
 - EXISTING OR ALLEGED PUBLIC RIGHT OF WAY
 - NEW RIGHT OF WAY TO BE PROVIDED (EXCEPT WHERE PROVIDED OVER A SCHEDULED WORK)

Note: The area enclosed by any limit of deviation or by any limit of land to be acquired or used is the area extending to the outer edges of the line marking those limits.

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