

WEST YORKSHIRE COMBINED AUTHORITY

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

PROOF OF EVIDENCE OF MARK GREGORY

HUDDERSFIELD BUS STATION IMPACTS

1. INTRODUCTION

- 1.1 I am Mark Gregory and I am Head of Assets, Transport and Property Services at the West Yorkshire Combined Authority (the “Combined Authority”). I hold a Master of Science degree in Information Technology in Property and Construction and a postgraduate Diploma in Management Studies. I have held my Royal Charter in Engineering since 2000 and membership of the Institution of Structural Engineers since 1990, (Associate Membership 1990-2000, full member 2000 to date).
- 1.2 I am a Chartered Structural Engineer with 25 years’ experience in the construction industry and a further 15 years’ experience in public service property management at a senior level.
- 1.3 The Combined Authority is the statutory Local Transport Authority (LTA) for the administrative areas of Bradford, Calderdale, Kirklees, Leeds and Wakefield Councils. The Transport Acts confer on the LTA powers and duties including to:
 - 1.3.1 Prepare, consult and publish a Local Transport Plan for the region including plans to develop and enhance rail and bus services;
 - 1.3.2 Respond to Government as a formal consultee on many aspects of the provision of rail services and infrastructure;
 - 1.3.3 Administer funds provided by Government to improve local transport including the planning and delivery of schemes;
 - 1.3.4 Identify the need for and commission socially necessary bus services;
 - 1.3.5 The administration of concessionary fare schemes and statutory ticketing schemes;
 - 1.3.6 The provision, management and operation of public transport facilities and assets including bus stations, interchanges, bus stops and shelters; and
 - 1.3.7 The provision and co-ordination of public transport information.
- 1.4 Acting in pursuit of its powers as a LTA, the Combined Authority owns, manages and operates Huddersfield Bus Station (“Bus Station”) which is used by 33,000 passengers on a regular weekday. In 2023/24 the Combined Authority together with Kirklees Council will be undertaking a major refurbishment scheme to the

Bus Station which is included in the Combined Authority's Transforming Cities Fund programme approved by the Government ("the Combined Authority's Bus Station refurbishment project").

2. **SCOPE OF EVIDENCE**

2.1 This proof covers the key elements of concerns for the Combined Authority including:

2.1.1 the disruption to the public service transport operation both within the Bus Station and the surrounding network and infrastructure, with associated potential major impacts on mobility, economy and business interests in the area; and.

2.1.2 the risks associated with the delivery of the Combined Authority's Bus Station refurbishment project.

3. **IMPACTS ON THE BUS STATION**

3.1 The Bus Station is one of the busiest bus stations in West Yorkshire with approximately 1000 bus movements per day and approximately 33,000 people per day passing through the Bus Station (in the pre-Covid period). The Bus Station operates as a terminal point for most services in the town and plays a key role in the operation of buses throughout the Kirklees District.

3.2 Buses drop off passengers at the arrival building off Henry Street then enter the bus apron to collect passengers from the 25 departure bays before exiting the bus station onto Market Street. Approximately 25 layover bays are provided which allow short and long-term layover spaces for the operators within the Bus Station. The alighting stands lie to the north of the Bus Station where passengers can exit to the railway station via Henry Street and the town centre via Upper Headrow. The north exit is also the primary exit for Greenhead College, a major 6th form college (300m to the west of the Bus Station), a local health clinic (150m) to the west of the Bus Station. Moving to the south of the Bus Station from Henry Street is the main concourse. This comprises public toilets, including disabled and baby change facilities and a travel centre to provide support for passengers. There are also a number of retail facilities for the customers including cafes, newsagents and a bookmaker (details listed under section 5 below).

3.3 The main entrance/exit to the Bus Station lies to the south east with pedestrianised access to the town centre, Kirklees College (500m to the south) and Huddersfield Leisure Centre (100m south west). The south east corner of the Bus Station and the multi-storey car park above are within the ownership of Kirklees Council. Some retail units are accessed from within the bus station and others from outside. The car park is mainly accessed via lifts and stairs from the main south east entrance. Please see **Appendix 1** for a plan showing the Bus Station in relation to the surrounding area and areas of interest. **Appendix 2** is a plan of the existing Bus Station with pedestrian entrances and exits shown by purple arrows on that plan. These entrances and exits must not be affected by Network Rail's works.

3.4 A key cause of concern for the Combined Authority is that the Bus Station operates close to capacity and little spare land is available. There is no land which could be lost at the surface of the Bus Station in relation to Network Rail's

Order proposals. The whole area of the Bus Station is needed in order for the Bus Station to operate efficiently. It is therefore very important to the Combined Authority that no land at the surface is permanently acquired by Network Rail.

- 3.5 The Bus Station is a very busy and tight operational area which sees a lot of bus and people movements. The A62 inner ring road borders the site to the west at a high level, and there is no scope to make alternative temporary vehicle access points to the Bus Station.
- 3.6 For buses and vehicular access, there is only one way in to the Bus Station via Henry St and one-way out via Market St which must be maintained at all times. Safe access and egress must also be maintained to the Bus Station, tenants' units, Kirklees Council's premises and the multi-story car park at all times.

4. **IMPACTS ON THE COMBINED AUTHORITY'S BUS STATION REFURBISHMENT PROJECT**

- 4.1 When the Combined Authority's Bus Station refurbishment project is on site, it will be vital to maintain the access and egress points to the construction site and its site compound. Should Network Rail need to temporarily possess an area it would need to agree a plan that would maintain the safe operation of all these areas. **Appendix 3** is the public consultation information for the Bus Station refurbishment project (including current concept plans) which provides an indication of the proposed Bus Station layout and canopy.
- 4.2 It must be noted that for the Combined Authority's Bus Station refurbishment project the location for the Combined Authority's contractor site compound and site access and egress and any temporary arrangements are yet to be planned and will therefore need to be shared later in the process. It is anticipated a contractor compound would be located either within the Bus Station apron or off Upper Headrow on the square to the front of the bus station between Market St & Upper Headrow.
- 4.3 Kirklees Council will be undertaking interfacing projects in the area (the entrance canopy project, public realm project beneath the car park ramps, car park refurbishment including possible recladding works and a possible road crossing at Trinity Street). The canopy and public realm project will likely be completed at the same time as the Combined Authority's Bus Station refurbishment project with the car park works and proposed pedestrian crossing on Trinity Street following.
- 4.4 The Combined Authority's Bus Station refurbishment project is part of the Leeds City Region Transforming Cities Fund (TCF) - a major new programme of transport infrastructure investment secured as part of the West Yorkshire devolution deal. The project includes a full transformation of the interior and external areas of the existing Huddersfield bus station. These are significant and comprehensive works. Please refer to the public consultation information for details of the project (**Appendix 3**). As part of the works, the alighting lane off Henry Street is proposed to be resurfaced along with the full bus apron and layover area (please see **Appendix 3 and 4** for concept plans showing these proposed works).
- 4.5 Currently, concept designs are being finalised so further development work will be required with plans needing to be finalised. The delivery of the Bus Station refurbishment project will be subject to the Combined Authority assurance and

approval processes. These are the indicative timescales of the Bus Station refurbishment project:

- Submission of the Outline business case: 1st December 2021.
- Completion of the Full business case: late 2022 / early 2023.
- Commencement of construction: early 2023.
- Completion of construction: mid-2024.

4.1 The Combined Authority has identified the following key potential conflicts and concerns regarding the Network Rail Order proposals impacts on the Bus Station.

4.1.1 The two project programmes could overlap which could result in delays to the Combined Authority's Bus Station refurbishment project resulting in increased costs to the Combined Authority.

4.1.2 Access and/or possession (use) of land at the Bus Station by Network Rail under the Order proposals could be required to the same areas and at the same time as in relation to the Bus Station refurbishment project which could increase costs and cause delays to the Combined Authority's Bus Station refurbishment project.

4.1.3 Any Network Rail protective works at the surface of the Bus Station could disrupt or elongate the Combined Authority's Bus Station refurbishment project leading to additional costs. This could also disrupt the operation of the Bus Station as the Bus Station is a busy operational site.

4.1.4 Network Rail's proposed surface works outside of the Combined Authority's Bus Station ownership could prevent or delay access into the works area in relation to the Combined Authority's Bus Station refurbishment project and could disrupt the continued operation of the Bus Station.

4.1.5 The Combined Authority is also concerned that utility supplies to the Bus Station, its tenants and the Combined Authority's Bus Station refurbishment project could be disrupted by Network Rail's works.

4.1.6 Network Rail has not provided the Combined Authority with details of the extent of utility diversion works on Henry Street and these works could impact the Combined Authority's Bus Station refurbishment project, in particular the proposed extension of the Henry St building or the proposed re-surfacing works of the alighting lane at the Bus Station. Service diversion works would also likely delay bus services therefore prolonging journey time and attracting additional operational costs such as fuel and staff costs. **Appendices 3 and 4** show the works proposed around Henry Street.

4.1.7 The Combined Authority is also concerned Network Rail's protective works which are potentially proposed within the Bus Station could disturb newly completed Combined Authority works in relation to the Combined Authority's Bus Station refurbishment project.

- 4.1.8 The Combined Authority is also concerned that the Highway Authority (Kirklees Council) may be unwilling to accept multiple temporary traffic management arrangements in relation to both the Order proposals and the Bus Station refurbishment project in the same vicinity leading to a programme delay for the Bus Station refurbishment project resulting in increased costs to the Combined Authority.
- 4.1.9 Traffic management in relation to the Order proposals could delay access to and services into the Bus Station or the construction site for the Combined Authority's Bus Station refurbishment project resulting in delays to bus services and potentially increased costs to the refurbishment project.
- 4.1.10 A requirement for both parties (the Combined Authority and Network Rail) to survey and monitor the condition of the tunnels is anticipated. It is, however, unclear how responsibility would be established if damage occurs to the tunnels if both projects overlap. If surveys cannot be shared it would increase the number of possessions required for surveys increasing costs.
- 4.1.11 The Combined Authority's Bus Station refurbishment project relies upon using the small amount of spare capacity within the Bus Station to close a few stands at a time to undertake works in phases and therefore there is no further capacity for any land to be given up to Network Rail during the Combined Authority's Bus Station refurbishment project works.
- 4.1.12 Vibration, noise and dust from the Network Rail proposals could cause disruption to the Combined Authority's Bus Station refurbishment project and the operation of the Bus Station and affect the provision of services to travelling public and Bus Station tenants.
- 4.1.13 Network Rail's temporary possession of the Bus Station could lead to the requirement of temporary bus facilities or bus services which will be costly and is something that is not covered in the existing budget of the Combined Authority for the Combined Authority's Bus Station refurbishment project.
- 4.2 The Combined Authority is also concerned about the effects of any sub-surface works proposed by Network Rail on the Combined Authority's Bus Station refurbishment project. In particular Network Rail have not provided the Combined Authority with any detail regarding the proposed imposition of any restrictive covenants by Network Rail.
- 4.3 In terms of the Combined Authority's Bus Station refurbishment project, it is acknowledged that the project is still at an early stage of development and ground investigation reports are yet to be completed. The Combined Authority could not advise how far below ground the works will go until the survey works are undertaken and detailed design completed. New foundations will be required to the enlarged Henry Street building which sits above the tunnels which are to be used by Network Rail and the extended traffic island in the centre of Henry Street which also sits above the tunnels (see **Appendix 3 and 4** which show these proposed works).

5. IMPACTS ON BUS SERVICES

5.1 The potential impact of the Network Rail works on the provision of Bus Services in the Combined Authority's area is significant. **Appendix 5** sets out the principal destinations served from the Huddersfield bus station and the roads used to access the Bus Station and its bus stops can be seen on **Appendix 1**.

- John William Street – 13 buses per hour
- Northumberland Street – 3 buses per hour
- Westgate and Kirkgate – 18 buses per hour
- High Street and Ramsden Street – 7 buses per hour
- Peel Street – 19 buses per hour
- Market Street – 7 buses per hour
- Railway Street – 24 buses per hour
- A641 Northgate – 6 buses per hour
- A62 Leeds Road – 8 buses per hour

5.2 Seventy bus routes are registered to the Bus Station and this works out at peak periods as a bus every 30 seconds or less accessing the Bus Station entrance from Westgate. With such a high frequency of use any disruption could have a significant effect on the provision of bus services.

5.3 As an example, when John William Street closes as part of the Network Rail works, those 13 journeys per hour would be required to operate via Northumberland Street outbound. The inbound route is still to be determined due to the short green right turn traffic phasing from the ring road.

5.4 Displacing some or all of the bus services from the Bus Station would have a significant impact on pedestrian and traffic flows throughout the town centre. In particular, accommodating 33,000 bus passengers per day onto street bus stops may create footpath congestion, road safety hazards and problems for people with disabilities.

5.5 Buses approach the bus station via Westgate or Trinity Street. Buses either operate to Westgate via Kirkgate or John William Street or come in from Trinity Street (section from ring road to Westgate) via the ring road or crossing the junction from the A629 or A640.

5.6 Buses all enter the bus station at the junction of Westgate and Henry Street, access to these areas is therefore crucial to the operation of bus services.

5.7 Departing buses exit via Market Street and either operate down Market Street to Westgate or onto High Street/Peel Street. Those that turn right on Market Street operate to the ring road.

5.8 There are no emergency or other suitable entry/exit points to the Bus Station if Henry Street or Market Street are closed.

5.9 Roads that would severely impact the bus network if required to close or be restricted are:

- Westgate;
- Trinity Street;
- Henry Street;

- Market Street; and
- the ring road.

- 5.10 Services are also expected to be impacted on John William Street, the A641 and the A62.
- 5.11 Railway Street is a major bus/rail interchange and any plans to close the road or restrict it to rail replacement buses would impact on the boarding location for many residents who interchange from rail to bus at this location. The lack of access to this road may also result in buses bunching on other remaining open sections of highway which could result in gridlock at certain junctions due to the volume of diverted buses.
- 5.12 It is crucial that Network Rail consult and agree with the Combined Authority street closures that may impact the provision of bus services and where such impacts are necessary, agrees mitigating measures with the Combined Authority.

6. IMPACTS ON BUS STATION TENANTS

- 6.1 The following is a list of tenants at the Bus Station together with a high-level summary of leases in place. The units can be identified on the plan at **Appendix 2**:

- Unit 1 - Chicken Express – Hot food takeaway
- Unit 2 – empty unit
- Unit 3 - Supernews newsagents, James Retail Ltd
- Unit 4 - Cafe Express and Kitchen, W H Brown Ltd
- Unit 5 - Ladbrokes – bookmakers
- Unit 6 - Greggs PLC - Retail Bakery Unit
- Unit 7 – Transdev Blazefield Ltd.- Team Pennine – Bus operator. This lease is currently in the process of being negotiated.

- 6.2 The following are points to note with regard to the leases of the units listed above:

- 6.2.1 If damage is caused by Network Rail's proposed works to any part or parts of any of the units for which the relevant tenant(s) are not/are not responsible under the terms of their lease(s) (for example, damage caused to the structural parts of a Unit), the tenant(s) would look to the Combined Authority with regard to responsibility for the damage caused.
- 6.2.2 The relevant tenant(s)' goods or fit out owned by the tenant(s) could in turn be damaged by the said structural damage or directly by Network Rail's proposed works. This could then result in claims being made, on the part of the relevant tenant(s), for the cost of replacing the goods, repairing/replacing the fit out and for loss of business (as applicable).

- 6.2.3 If any tenant(s) are unable to access that which is let to them under their lease due to, for example, damage that has been caused or due to access to their unit(s) not being possible due to Network Rail works that are being undertaken, this could also result in claims being made on the part of affected tenant(s). This would be on grounds such as breach of the landlord's quiet enjoyment covenant and for loss of business through the tenant(s) being unable to run their business(es) from their Unit(s). In such circumstances the landlord would also be in breach of the rule against derogation from grant.
- 6.2.4 The carrying out of the proposed Network Rail works, or the proposed Network Rail works themselves, could also render the Combined Authority in breach of its service charge covenants under its leases if the said works resulted in the Combined Authority being unable to provide the services that it has covenanted to provide or only being able to provide these services on an interrupted basis.
- 6.2.5 If the carrying out of the proposed Network Rail works result in the landlord's insurance for Huddersfield Bus Station being made less effective or ineffective, the result may be that the Combined Authority, as landlord, could be in breach of its covenants to insure under its leases of the Units.
- 6.2.6 In addition, it should also be noted that the Combined Authority could be in breach of rights granted to its tenants under their leases due to the proposed Network Rail works. For example:
- If the proposed Network Rail works impacted on the support and protection that Huddersfield Bus Station's structure gives to the tenant units; and/or
 - If the proposed Network Rail works impacted on a tenant's right to have access to certain parts of Huddersfield Bus Station (for example, the refuse compound or a canopy roof (the latter right granted so that the tenant is able to service and maintain an external condenser)).
- 6.3 The customer access and access and frequency of deliveries is as set out below:
- Greggs deliveries are via Stand 1 early in the morning. One delivery per day;
 - Other tenants –other than a parking space used by the tenant of the newsagents unit, the other tenants do not use the carriageway or any of the Bus Station stands, deliveries are likely via the pedestrianised area on Upperhead Row and not within the Bus Station area; and
 - Customer access to these premises is mainly via Bus Station concourse.
- 6.4 The impact of the Network Rail works for the tenants would include: -
- Network Rail possession of the site/ proposed works will affect deliveries to the tenants;

- Network Rail possession of the site/ proposed works will affect the viabilities of the tenants' businesses; and
 - There is the potential for disturbance to all tenants from potential noise/vibration, with increased risk to those displaying and selling foodstuffs and drinks.
- 6.5 The services vital to the continued operation of the Bus Station are in the ownership of the Combined Authority within the Bus Station premises including Bus Station Managers office, security and CCTV office, Travel Centre, cleaning stores, public welfare facilities such as toilets and baby change facilities.
- 6.6 The majority of the tenancies are not vital to the operation of the Bus Station, but the loss would reduce the attractiveness and facilities and significantly impact the customer service and experience of using the Bus Station. The loss of the Team Pennine letting could impact on the ability of the operator to deliver bus services from the station and hence potentially impact bus service delivery on a number of routes.

CONCLUSION

- 6.7 The Bus Station is a major transport hub for Kirklees and the West Yorkshire region, it is the busiest in the district and operates 363 days per year (except Christmas day and New Year's Day) between 0500 and 0000 daily. There is extremely limited space and facilities to provide bus stops outside the Bus Station due to the nature of the town centre of Huddersfield. The Combined Authority reiterates its support for the Transpennine Rail Upgrade project but is concerned that the powers requested could significantly impact on both the proposed major refurbishment of the Bus Station and the general operation of this public transport facility if due consideration is not given to the impacts. Any loss would result in major implications for the travelling public and communities including those accessing vital services such as health and educational facilities. The Combined Authority is confident that all these impacts can be successfully managed provided that there is adequate involvement and oversight by the Combined Authority through agreement with Network Rail.

7. WITNESS DECLARATION

I hereby declare as follows:

(i) This proof of evidence includes all facts which I regard as being relevant to the opinions that I have expressed and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.

(ii) I believe the facts that I have stated in this proof of evidence are true and that the opinions expressed are correct.

(iii) I understand my duty to the Inquiry to help it with matters within my expertise and I have complied with that duty.

APPENDIX 1

BUS STATION LOCATION MAP AND BUS SERVICE FREQUENCIES

APPENDIX 2

EXISTING BUS STATION PLAN

APPENDIX 3

PUBLIC CONSULTATION MATERIAL INCLUDING PROPOSED BUS STATION PLANS

APPENDIX 4

PLAN SHOWING PROPOSED HENRY STREET WORKS

APPENDIX 5

PRINCIPAL DESTINATIONS SERVED BY THE BUS STATION