

## **ACQUISITION OF LAND ACT 1981**

### **PUBLIC NOTICE OF INTENTION TO ISSUE A CERTIFICATE UNDER SECTION 19(1)(b) AND SCHEDULE 3, PARAGRAPH 6(1)(a)**

#### **PROPOSED NETWORK RAIL (LEEDS TO MICKLEFIELD ENHANCEMENTS) ORDER**

1. Network Rail has submitted an application for the above-mentioned order to the Secretary of State for Transport under the Transport and Works Act 1992. If made, the Order will authorise the compulsory acquisition of interests in land ("the Order Land") and rights over land ("the Order Rights") which forms part of open space, as defined in the Acquisition of Land Act 1981; 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 if made will be subject to special Parliamentary procedure unless the Secretary of State for Levelling Up, Housing and Communities gives a certificate in accordance with the provisions of section 19 and Schedule 3 of the Acquisition of Land Act 1981. The Secretary of State has been asked by Network Rail to certify under section 19(1)(b) of the Acquisition of Land Act 1981, that he is satisfied that the Order Land comprising Plots 7-010 and 7-016B does not exceed 250 square yards 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. Furthermore, the Secretary of State has been asked by Network Rail to certify under paragraph 6(1)(a) of schedule 3 to the Acquisition of Land Act 1981, that he is satisfied that the land comprising Plots 7-017A and 7-016 when burdened with the Order Rights, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public than it was before.
4. The Order Land and the Order Rights are described in the Schedule to this notice and shown on the plans referred to in paragraph 7 below.
5. The Secretary of State Levelling Up, Housing and Communities is required to direct Network Rail to give public notice of his intention to give 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 addressed in writing to:

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

Email: [pcu@levellingup.gov.uk](mailto:pcu@levellingup.gov.uk)

By quoting reference: PCU/S19/N4720/3336026

6. The representation and objection period will run for 21 days from the date on which this notice is first published, that is 17 January 2024, and as such any representation or objection must be received by 7 February 2024.
7. Copies of the draft order, the order map(s) and of a plan showing the order land, are on deposit at <https://www.networkrail.co.uk/running-the-railway/railway-upgrade-plan/key-projects/transpennine-route-upgrade/leeds-to-micklefield-upgrades/#twao>.
8. Physical copies of the draft order, the order map(s) and of a plan showing the order land can be inspected free of charge at the following venues:

Venue	Opening times
The Leeds Central Library Municipal Buildings, Calverley Street, Leeds, LS1 3AB	Mon: 09:00 – 20:00, Tues: 09:00 – 20:00, Weds: 09:00 – 20:00, Thurs: 09:00 – 20:00, Fri 09:00 – 17:00, Sat: 10:00 – 16:00, Sun: Closed
Garforth Library and One Stop Centre, Lidgett Lane, Garforth, Leeds, LS25 1 EH	Mon: 09:00 – 17:00, Tues: 10:00 – 17:00, Weds: 09:00 – 19:00, Thurs: 09:00 – 17:00, Fri 09:00 – 17:00, Sat: 10:00 – 16:00, Sun: Closed

9. The Secretary of State for Levelling Up, Housing and Communities may, if he considers it expedient, hold a public inquiry into the matter.

## SCHEDULE

### *Order land and Rights*

Plot number on plan	Description of land subject to power of acquisition
7-010 – Order Land	95.28 square metres of woodland situated to the northeast of public adopted highway (Kennerleigh Avenue) and to the southwest of public adopted highway (Ada Glassby Court), in the ward of Cross Gates and Whinmoor, Leeds City Council.
7-016 – Order Rights	241.81 square metres of wooded area situated to the northeast of public adopted highway (Kingswear Close) and to the southwest of public adopted highway (Ada Glassby Court), in the ward of Cross Gates and Whinmoor, Leeds City Council.
7-016B – Order Land	35.78 square metres of wooded area situated to the northeast of public adopted highway (Kingswear Close) and to the southwest of public adopted highway (Ada Glassby Court), in the ward of Cross Gates and Whinmoor, Leeds City Council.
7-017A – Order Rights	21717.54 square metres of woodland situated to the north east of public adopted highway (Kennerleigh Avenue) and to the southwest of public adopted highway (Ada Glassby Court), in the ward of Cross Gates and Whinmoor, Leeds City Council.

Rachael Beard

Date: 9 January 2024

Senior Planning manager