

Network Rail Leeds to Micklefield Enhancements Order

Summary of Highways Agreement between Network Rail Infrastructure Limited and Leeds City Council

1 Introduction

- 1.1 The purpose of this note is to summarise the key provisions which are secured by a side agreement relating to highways matters entered into between Network Rail Infrastructure Limited (Network Rail) and Leeds City Council (Council) on the 23 February 2024 ("the Highways Agreement."). This summary is an agreed document between Network Rail and Leeds City Council and is submitted jointly to assist the inquiry.
- 1.2 The purpose of the Highways Agreement is to secure pre-consultation and engagement between Network Rail and the Council on relevant highway details and related highway management matters in advance of Network Rail formally invoking and/or submitting highway details to the Council pursuant to the requirements of the Order.
- 1.3 The Highways Agreement will not constrain or restrict the operation of the Order (if made).

2 Key elements of the Agreement

- 2.1 This section summaries the main components of the Highways Agreement.
- 2.2 It secures the establishment of a Highway Working Group to meet on a monthly basis until the completion of works. The agreement contains governance provisions relating to the setting up, management and attendance of the Highway Working Group. It also identifies the relevant objectives of the Highway Working Group which include, but are not limited to:
- (a) overseeing the construction of works in relation to bridges and alterations/works to highways;
 - (b) support the development and co-ordination of works associated with the order, in particular temporary works, movement of STGO vehicle; stopping-up and diversions etc;
 - (c) a forum for facilitating discussions in relation to potential impacts on existing highway structures, departures from standards required to facilitate the carrying out of highway works;
 - (d) agree arrangements for communication, strategies in relation to the public and other relevant stakeholders;

- (e) the process for agreeing the scope and content of condition surveys for the relevant sections of highway prior to undertaking works and or adopting construction routes;
- (f) process for reviewing and commenting on Network Rail's road safety audit briefs to be submitted at relevant stages of design; and
- (g) keeping the Council updated on programme and through a consents and works tracker.

2.3 The Highways Agreement also secures a series of protocols which both parties are required to comply with comprising:

- (a) Protocol detailing the pre-engagement process with the Council relating to submission of details for the highway bridge structures and footpath bridge structures, prior to formal submission under Article 15;
- (b) pre-notification protocol, where Network Rail proposes to temporarily stop up and/or divert streets pursuant to Article 12 and Schedule 6 of the Order. The protocol also provides for pre-notification and details to be submitted where any other temporary stopping-up or streets within the Order limits is proposed to be utilised;
- (c) pre-notification protocol where Network Rail proposes to permanently stop-up existing streets pursuant to Article 10 and Schedule 4 of the Order. Network Rail is also obliged to provide any associated works and measures including Traffic Management Plan associated with any such permanent stopping-up to;
- (d) alterations of streets protocol – this applies in advance of where Network Rail proposes to exercise any powers conferred by Article 9, 11 or 14 (and in relation to any street identified in Schedule 3 and/Schedule 5 of the Order). The Highways Agreement identifies the level of details to be provided to the Council where works are proposed to be carried out to a street together with any required traffic management measures prior to formally submitting details pursuant to the Order;
- (e) traffic regulation protocol – this applies where Network Rail proposes to invoke the powers under Article 41 or 42 of the Order in relation to permanent and/or temporary traffic regulation orders. The Highways Agreement requires advance notice of those proposals to be submitted to the Council; and
- (f) an obligation on Network Rail to submit a Traffic Management Plan prior to commencement of the relevant stage of the construction of authorised works. Network Rail also commits to utilise the Council's Leeds permit scheme as the administrative process for co-ordinating works on the highway.

- 2.4 In relation to all protocols, there are a series of timings to be complied with in relation to the submission of details prior to formally submitting under the Order together with timescales for the Council to respond.
- 2.5 Additional obligations under the Highways Agreement include:
- (a) a proforma "departures form" to be completed by Network Rail in the event any of the highway works proposed are to depart from standards, providing details and an explanation of why such departure will be needed;
 - (b) obligations around maintenance of the altered/new bridge structures;
 - (c) obligations to carry out condition surveys, with a series of plans which identify the extent of the roads to be subject to such condition surveys prior to using such roads. Obligations to reinstate and repair any damage subsequently caused to such roads with a commitment to a defects guarantee period of 12 months in relation to such repair works; and
 - (d) submission of requisite Health and Safety compliance information following completion of relevant highway works.

5 March 2024

**Dentons UK & Middle East
on behalf of Network Rail**

And

**Womble Bond Dickinson
on behalf of Leeds City
Council**