

The Network Rail (Leeds to Micklefield Enhancements) Order

Schedule of Amendments to draft Order and Land and Works Plans

Reference in draft Order	Proposed Amendment	Reason for Proposed Amendment
Article 2(1), definition of "authorised works"	Inserted " <i>works approved pursuant to section 90(2A) of the 1990 Act</i> "	Clarificatory as the application for deemed planning permission includes both the scheduled works and other works identified in the application for deemed planning permission.
Article 2(1), definition of "planning permission"	Details of the planning application for Newmarket Approach added in	Cross reference to consents already identified in the List of Consents, Permissions or Licences under other enactments (NR18).
Article 5(1) and 5(2), (<i>Disapplication of legislative provisions</i>)	Deleted	Agreed, following consultation, with the Environment Agency there is no requirement to disapply the provisions set out in Articles 5(1) and 5(2).
Article 7(1) (<i>Power to construct and maintain works</i>)	"scheduled works" amended to " <i>authorised works</i> "	Clarificatory, to refer to correct definition.
Article 14(5) (<i>Construction and maintenance of new or altered streets</i>)	Reference to "paragraph (5)" amended to " <i>paragraph (4)</i> "	Correction – cross referencing
Article 21(13)(a) and (b) (<i>Power to survey and investigate land</i>)	Reference to "paragraph 13(a)" and "paragraph 13(b)" amended to "paragraph 12(a) and "paragraph 12(b)"	Correction – cross referencing
Article 23(7) (<i>Application of Part 1 of the 1965 Act</i>)	Reference to "article 34" amended to " <i>article 33</i> "	Correction – cross referencing
Article 34(4) (<i>Power to transfer undertaking</i>)	Amended to included reference to " <i>except where the transferee in relation to Work No. 2 and Work No. 6 is Northern gas Networks Limited (or successor)</i> "	Works No. 2 and 6 are diversions of high pressure gas mains for which Northern Gas Networks is the statutory undertaker. The amendment allows the powers under the Order to be transferred to Northern Gas Networks without the need for Secretary of State Consent.
Article 38(2) (<i>Open Space</i>)	Reference to " <i>7-010 and 7-016B</i> " inserted	Additional Open Space plot identified to be subject to second S19 certificate
Article 41(1)(a) (<i>Traffic regulation</i>)	Amended County of North Yorkshire" to " <i>County of West Yorkshire</i> "	Cosmetic change to correct name relevant County
Article 42(1)	Added " <i>temporarily</i> " at the end of 42(1)	To clarify that the purpose of the power is to grant temporary traffic regulation powers.

Reference in draft Order	Proposed Amendment	Reason for Proposed Amendment
Article 42(4)(b) (<i>Temporary Traffic Regulation</i>)	Deletion of square brackets	Cosmetic change
Article 44(4) (<i>Removal of Human Remains</i>)	"Birmingham City Council " amended to "Leeds City Council"	Correction
Schedule 1, Work No. 5 (<i>Scheduled Works</i>)	Insertion of " <i>Micklefield</i> " after "Church Lane"	Cosmetic change for clarification
Schedule 2, Acquisition of Certain Lands for Ancillary Works	Deletion of plot 11-012c from Column 2	Correction – not referenced on Works and Land Plan
Schedule 3, Streets Subject to Works	Correction of the following: " <i>Wykebeck Avenue</i> ", " <i>A6120 William Parkin Way</i> " Addition of " <i>Micklefield</i> " after "Church Lane and "Ridge Road" Deletion of duplicated Ridge Road, Church Lane and Phoenix Avenue	Corrections
Schedule 4, Streets to be Stopped Up	Addition of " <i>Definitive</i> " for <i>Bridleway Austhorpe 9</i> " and " <i>Micklefield</i> " after Ridge Road	Cosmetic change for clarification
Schedule 5, Streets Subject to Alteration of Layout	Addition of " <i>Micklefield</i> " after Church Lane	Cosmetic change for clarification
Schedule 6, Streets to be Temporarily Stopped Up	Addition of " <i>Definitive footpath Leeds City 100 and</i> " Correction of " <i>Crown Point Road</i> " from "Crown Lane" Correction of " <i>Kirkgate</i> ", " <i>Osmondthorpe Lane</i> " and " <i>Wykebeck Avenue</i> " Deletion of duplicate reference to "Definitive Footpath 124"	Corrections and to reflect corrections requested by Leeds City Council.
Schedule 7, Access to Works	Correction of " <i>Wykebeck Avenue</i> " Deletion of "&"	Corrections
Schedule 8, Replacement and Closure of Level Crossings	Column 4 in relation to Highroyds Wood Level Crossing, clarificatory wording has been added " <i>the diversions between points P5 and P6 is indicative with the final alignment subject to survey.</i> "	Clarificatory amendment to confirm that the final alignment of the new route between points P5 and P6 is subject to surveys.
Schedule 9, Accommodation Crossings, Part 1	Additional wording to column (4) in relation to new right of access sought " <i>which for the avoidance of doubt includes the right to upgrade the existing</i>	Clarificatory amendment to describe extent of right sought more comprehensively.

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	<i>access track and maintain it and right to park vehicles (limited to plot 10-003 only)."</i>	
Schedule 9, Accommodation Crossings, Part 2	Deletion of plot 11-012c	Correction to reflect Land and Works plan
Schedule 10, Acquisition of New Rights Only	Additional wording to column (3) in relation to new right of access sought "which for the avoidance of doubt includes the right to upgrade the existing access track and maintain it and right to park vehicles (limited to plot 10-003 only)."	Clarificatory amendment to describe extent of right sought more comprehensively.
Schedule 10, Acquisition of New Rights Only	New right sought over plot 12-014A " <i>right of access on foot and for vehicles including with machinery to access and maintain the authorised works</i> "	New right sought – this is subject to formal consultation
Schedule 10, Acquisition of New Rights Only	Details of rights sought over open space plots has been included in order to facilitate the carrying out of the diversion of the gas main as part of Works No. 2	Clarification and to limit the extent of the compulsory acquisition powers which can be acquired over the identified open space plots given and to be consistent with the S19 application in terms of the certificate sought in relation to these plots of land.
Schedule 12, Land of which Temporary Possession May be Taken, Part 1 and Part 2	Column 2 Correction of plot references	Corrections to reflect Land and Works plans
Schedule 15, Part 3, Protective Provisions for Environment Agency	Deletion of Part 3 Protective Provisions for the Environment Agency	Deleted to reflected agreed position reached with the Environment Agency, protective provisions not required.
Schedule 15, Part 4, Protective Provisions for Lead Local Flood Authority	Cross referencing to paragraphs updated following deletion of Part 3	Cross referencing paragraph updates
Schedule 15, Part 5, Protective Provisions for Northern Powergrid	Cross referencing to paragraphs updated following deletion of Part 3	Cross referencing paragraph updates
Contents Page, Schedules	Reference to "Part 5 – For the Protection of Northern Powergrid" corrected to "Part 4"	Cross referencing updated
Article 2(1) definition of "planning permission"	Details of the New Market Approach and Garforth Moor Access road applications planning references inserted and wording updated to reflect any substituted application.	To complete the defined term

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Article 7(1) Power to construct and maintain works	Wording reverted back to "scheduled works"	Article 7 is the operative provision for constructing and operating the works permitted by the Order, it does not need to include works authorised by permitted development or a separate planning permission (as is covered by the definition of "authorised works").
Article 38(2) Open Space	Correction of plot reference from "7-16B" to "7-016B"	typo
Article 44 Removal of Human Remains	Amendment of references to "Authority" changed to "Network Rail" and further correction of reference of Birmingham City Council to Leeds City Council	Language correction
Schedule 6, Streets to be Temporarily Stopped Up	Reference to "definitive footpath Leeds City Council 100 and" deleted	Corrected in response to Leeds City Council additional comments on the draft Order dated 6 February 2024
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Schedule 6, Streets to be Temporarily Stopped Up	Reference to New Market Approach deleted and replaced with a revise description of the affected street	Amended to reflect the description provided in Leeds City Council additional comments on the draft Order dated 6 February 2024
Schedule 10, Acquisition of New Rights Only	Correction of reference to plot "17-017A" to "7-017A"	Typo corrected
Amendments to Land and Works Plans		
Relevant Works and Land Plans	Proposed Amendment	Reason for Proposed Amendment
Sheet No. 2	Plot 4-004 boundary amendment	Correction to reflect land ownership position
Sheet No. 11	Plot 12-014A split into plots 12-14A and 12-014B	Plot split into 2 plots in order to accommodate proposed amendment to the draft Order which seeks a new right of access over plot 12-14A
Sheet No. 12	Removal of plot 12-14A from table identified as "Temporary possession" and inclusion of Plot 12-14A as new permanent right.	New right sought over Plot 12-014A, plan amended to reflect the split of the plot from Sheet 11.

Reference in draft Order	Proposed Amendment	Reason for Proposed Amendment
Sheet No. 13	Alignment of diversion of Definitive Footpath Micklefield 7 amended between points P5 and P6 Extend of Plot 13-008 increased to accommodate the re-alignment of the proposed diversion	Proposed diversion route re-aligned to reflect discussions with the Peak and Northern Footpaths Society. The extent of plot 13-008 has been increased to allow the final alignment of the diversion route to be settled subject to survey work.