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STATUTORY INSTRUMENTS

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**2022 No. 1067**

**The Network Rail (Huddersfield to Westtown  
(Dewsbury) Improvements) Order 2022**

**PART 2**

**WORKS PROVISIONS**

*Principal powers*

**Power to construct and maintain works**

**8.**—(1) Network Rail may construct and maintain the scheduled works.

(2) Subject to article 12 (power to deviate), the scheduled works may only be constructed in the lines or situations shown on the deposited plans and in accordance with the levels shown on the deposited sections.

(3) Network Rail may on the land specified in columns (1) and (2) of Schedule 2 (acquisition of certain lands for ancillary works) carry out and maintain any works specified in relation to that land in column (3) of that Schedule together with all works as may be necessary or expedient in connection with those works.

(4) Network Rail may on land specified in columns (1) and (2) of Schedule 10 (acquisition of new rights and imposition of restrictive covenants only) carry out and maintain any works specified in relation to that land in column (3) of that Schedule with all works as may be necessary or expedient in connection with those works.

(5) Network Rail may, on the land specified in columns (1) and (2) of Schedule 13 (power to acquire ground anchor rights) carry out and maintain any works specified in relation to that land in articles 30(4)(a) and 30(4)(b) (power to acquire ground anchor rights) with all works as may be necessary or expedient in connection with those works.

(6) Network Rail may on land specified in columns (1) and (2) of Schedule 14 (acquisition of subsoil) carry out and maintain any works specified in relation to that land in column (3) of that Schedule with all works as may be necessary or expedient in connection with those works.

(7) Network Rail may on land specified in columns (1) and (2) of Schedule 15 (land of which only subsoil may be acquired) carry out and maintain any works specified in relation to that land in article 32(2) (power to acquire subsoil or airspace only) with all works as may be necessary or expedient in connection with those works.

(8) Subject to paragraph (10), Network Rail may carry out and maintain such of the following works as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the scheduled works, namely—

- (a) construction of electrification works, electrical equipment, signalling and permanent way works;
- (b) buildings, yards, machinery, plant, apparatus, track drainage works, fencing, platforms, platform shelters, and other works and conveniences;

- (c) make, provide and maintain all such approaches, ramps, footbridges, subways, lifts, stairs, passages, shafts and stagings, means of access, turning places, footpaths, bridleways, cycle tracks, gates, including temporary means of access from a highway to adjoining land;
- (d) embankments, cuttings, aprons, abutments, retaining walls, wing walls, ground anchors, rock anchors and culverts;
- (e) works for the strengthening or alteration of viaducts and viaduct pile strengthening works;
- (f) works for the strengthening, alteration or demolition of any building;
- (g) works to alter or remove any structure erected upon any highway or adjoining land;
- (h) works to alter the position of apparatus, including mains, sewers, drains, cables and street furniture;
- (i) works to alter the course of, or otherwise interfere with, a watercourse other than a navigable watercourse;
- (j) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the scheduled works; and
- (k) works for the benefit or protection of premises affected by the scheduled works.

(9) Subject to paragraph (10), Network Rail may carry out such other works (of whatever nature) as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the authorised works.

(10) Paragraphs (8) and (9) only authorise the carrying out or maintenance of works outside the limits of deviation if such works are carried out on—

- (a) land specified in columns (1) and (2) of Schedule 2 (acquisition of certain lands for ancillary works) for the purpose specified in relation to that land in column (3) of that Schedule;
- (b) land specified in columns (1) and (2) of Schedule 10 (acquisition of new rights and imposition of restrictive covenants only) for the purposes specified in column (3) of that Schedule;
- (c) land specified in columns (1) and (2) of Schedule 13 (power to acquire ground anchor rights) for the purposes specified in articles 30(4)(a) and 30(4)(b) (power to acquire ground anchor rights);
- (d) land specified in columns (1) and (2) of Schedule 14 (acquisition of subsoil) for the purposes specified in column (3) of that Schedule;
- (e) land specified in columns (1) and (2) of Schedule 15 (land of which only subsoil may be acquired) for the purposes specified in article 32(2) (power to acquire subsoil or airspace only); or
- (f) land specified in columns (1) and (2) of Schedule 16 (land of which temporary possession may be taken) for the purposes specified in relation to that land in column (3) of that Schedule, relating to the scheduled works specified in column (4) of that Schedule.

(11) Network Rail may, within the Order limits—

- (a) carry out and maintain landscaping and other works to mitigate any adverse effects of the construction, maintenance and operation of the authorised works (other than works authorised by this paragraph); and
- (b) carry out and maintain works for the benefit or protection of land affected by the authorised works (other than works authorised by this paragraph).

### **Station works at Huddersfield**

**9.** Network Rail may, in the construction of Work No. 1C, and within the limits of deviation for that work—

- (a) alter and extend Huddersfield station with all necessary works and conveniences connected with that work, including the construction of a new platform, new platform extensions and new canopy over Network Rail’s platforms at the station;
- (b) construct a new passenger footbridge incorporating lifts and staircases at the station; and
- (c) extend the existing passenger subway (MVL3/91) at the station and infill the existing parcel subway (MVL3/91A) at the station.

### **Station works at Deighton**

**10.** Network Rail may, in the construction of Work No. 5, and within the limits of deviation for that work—

- (a) alter and extend Deighton station with all necessary works and conveniences connected with that work, including the demolition of the two existing platforms and the construction of two new platforms; and
- (b) construct a new passenger footbridge incorporating lifts and staircases at the station.

### **Station works at Mirfield**

**11.** Network Rail may, in the construction of Work No. 14, and within the limits of deviation for that work—

- (a) alter and extend Mirfield station with all necessary works and conveniences connected with that work, including the demolition of an existing platform and the construction of new platform extensions; and
- (b) construct a new passenger footbridge incorporating lifts and staircases at the station.

### **Power to deviate**

**12.** In constructing or maintaining any of the scheduled works, Network Rail may—

- (a) deviate laterally from the lines or situations shown on the deposited plans to the extent of the limits of deviation for that work; and
- (b) deviate vertically from the levels shown on the deposited sections—
  - (i) to any extent upwards not exceeding 0.5 metres in relation to Work Nos. 1A and 1B;
  - (ii) to any extent upwards not exceeding 3 metres; or
  - (iii) to any extent downwards as may be found to be necessary or convenient.