

**Report of Metro (Development Team)**

**Report to South Inner Area Committee**

**Date: Wednesday 21<sup>st</sup> March 2012**

**Subject: Leeds Station Southern Entrance**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	City & Hunslet	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. Metro and Network Rail are making an application to the Secretary of State for a draft Order under the Transport and Works Act 1992 to provide powers for the introduction of a new southern entrance to Leeds Station.
2. Consultation with affected parties and statutory consultees is an on-going element of the Transport and Works Act Order process.
3. The application will result in local advertisement of the scheme, local notices and a 42 day period for members of the public and other interested parties to inspect the application and make representations to the Secretary of State.

**Recommendations**

4. That this report be noted.
5. That Area Committee Members advise Metro if further information or briefings are required.

## **1 Purpose of this report**

- 1.1 To provide Area Committee Members with an update on the development of a new pedestrian entrance to the South of Leeds railway station, known as Leeds Station Southern Entrance (LSSE).

## **2 Background information**

- 2.1 Leeds railway station is owned and managed by Network Rail and is one of the busiest stations outside London. Network Rail counts indicate that at present, it hosts over 36 million passengers per annum (or 100,000 per day). The on-going development of the City Centre to the South of the railway station has created demand for a new entrance allowing more direct access to new developments. West Yorkshire PTE (Metro) and Network Rail are acting as co-Promoters (the Promoters) for the LSSE scheme.
- 2.2 The main Station entrance, located to the north of the viaduct, primarily serves City Square and destinations beyond. Passengers wanting to access or exit the Station to or from areas to the south of the railway have no alternative but to pass through the tunnel of Neville Street beneath the Station and use the 'Rotunda' steps to enter/exit the station. The 'step-free' access route is even further, with passengers having to continue from Neville Street, onto Bishopgate Street to the main entrance via New Station Street.
- 2.3 LSSE is designed to address this by providing a new entrance to the south of the station that will provide a more direct access route to and from the expanding development areas in Holbeck, the South Bank and beyond. The main objectives of the scheme are:
  - To improve access to Leeds by sustainable means;
  - Maximise growth of the Leeds economy by enhancing its competitive position and facilitating future employment and population growth;
  - To minimise journey times for pedestrians accessing Leeds Station to/from the south;
  - To meet existing and future passenger flow requirements to the south of Leeds station;
  - To ensure the current passenger flows within the station are maintained or improved by providing extra people movement capacity.
- 2.4 Outline design (known within Network Rail as 'GRIP4' stage) for LSSE was completed in May 2009. Full Planning Permission was granted in May 2010. There were no objections to the scheme raised during the planning process. Following the General Election in May 2010 and the subsequent Comprehensive Spending Review, development of the project was paused. In December 2010, a Best and Final Offer was submitted to the DfT and LSSE gained re-approved funding in February 2011.
- 2.5 The third West Yorkshire Local Transport Plan has allocated £1.5m for LSSE development costs. Since re-approval of the scheme substantial development work has taken place.

2.6 Because of the substantial benefit which the scheme has for the city, Leeds City Council is a funding partner in the scheme, providing £0.5m towards the scheme cost from Section 106 developer contributions.

### **3 Main issues**

3.1 To enable the delivery of LSSE, parts of the river bed will need to be acquired from a number of different land owners. In addition, the constrained nature of the site necessitates the requirement for a number of temporary land access rights during and after the construction phase. Rights of way would also be required over land adjoining the bridging points once the scheme is operational.

3.2 On legal advice, Metro and Network Rail will jointly be seeking Works and Planning powers through an Order under the Transport and Works Act 1992 (TWA). The DfT TWA Processing Unit has also indicated that the scheme is suited as a TWA application.

3.3 The next stage in the project is to submit the TWA to the Secretary of State and this is programmed to take place at the end of March/Early April. The current programme indicates that the Secretary of State would make a decision on the TWA in spring 2013. Construction is proposed to commence in summer 2013 so that the scheme can become operational by late 2014.

3.4 When an application is made for a TWA, the Promoters must:

- Make all the TWA documents available for inspection by the public.
- Place adverts in local newspapers to advertise that the TWA application is being made.
- Send a notice about the application directly to all landowners/occupiers affected by the scheme.
- Display notices about the application within the proposed site of works.

3.5 Once a TWA application has been made, people have the right to make a formal objection to the scheme. The following rules apply:

- An objection must be made within the 'objection period' which is a period of at least 6 weeks following the date of the TWA application.
- The closing date for the objection period will be set out in the notices and adverts described above.
- Objections must be made to the Secretary of State in writing (including fax/email).
- A copy of all objections made will be sent to the scheme promoters.

3.6 If upon the expiry of the 'objection period' no objections have been received (or objections are made but later withdrawn) and the application is therefore unopposed, the Secretary of State may proceed to determine whether the order should be made. The absence of objections does not mean that the Secretary of State will necessarily make the order in the form applied for (or at all). As the determining authority, the Secretary of State must still be satisfied that the provisions in the draft order are

appropriate and justified. If not so satisfied, the Secretary of State may wish to seek further information from the applicant before proceeding to a decision.

3.7 One of the TWAO documents is an Environmental Statement which describes the environmental impacts resulting from the construction and operation of the scheme and, where appropriate, the measures intended to mitigate these impacts. If local residents and local businesses do not believe that the mitigation measures proposed are sufficient, they will be able to object to the Transport and Works Act order, which would lead to the scheme requiring a Public Inquiry. If any objections are received (excluding any which are subsequently withdrawn or which appear to the Secretary of State to be frivolous or trivial or to relate to assessment of compensation) and the proposals in the draft order are not, in the Secretary of State's opinion, of national significance, the Secretary of State will consider the objections in one of three possible ways:

- By causing a public local inquiry to be held;
- By affording the opportunity of a hearing; or
- By exchanging written representations between the parties.

3.8 Metro and Network Rail are keen to avoid, if possible, a Public Inquiry or Hearing, due to the high costs involved in holding this process. Although substantial consultation has been undertaken by Metro and Network Rail on the scheme, it is difficult to specify at this time the exact scale of work which is required post TWAO submission, until the scale of potential objections becomes clear.

3.9 LCC is working closely with the Promoters to ensure that the scheme progresses in a way which minimises the risk of LCC objecting on planning or highway grounds.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 As part of the Transport and Works Act Order submission, substantial consultation with all relevant parties has been undertaken, including statutory bodies, representative groups, local businesses and residents. Stakeholder groups were contacted at an early stage and every effort has been made to continue to build and maintain dialogue throughout the development of the scheme. The principal objectives of consultation with stakeholders were to:

- Make information readily available and share it with those who might be affected by or interested in proposals
- Give Stakeholders the opportunity to comment
- Give members of the general public the opportunity to comment
- Gather feedback from comments received for consideration in final design proposals where improvements may be incorporated
- Create an environment for continuing engagement

4.1.2 During December 2011, three general public exhibitions were held:

- Monday 5th December 2011 (am) – Leeds Rail Station
- Tuesday 6th December 2011 (pm) – Leeds Rail Station

- Wednesday 14th December 2011 (pm) – The Mint Hotel, Leeds

- 4.1.3 The exhibitions were advertised on Metro's website ([www.wymetro.com](http://www.wymetro.com)) and through Metro's existing electronic networks including Facebook, Twitter and Metro Messenger (a free e-mail service that provides subscribers with important travel news). The events were attended by representatives of Metro and Network Rail. A visual display was used to provide an overview of the scheme. A consultation leaflet and frequently asked questions document were available to attendees and passengers using the rail station. Over 7,000 information leaflets were distributed.
- 4.1.4 Some 375 people have responded to the consultation process through various available media. Of the responses received, 89% of respondents support LSSE. A full and detailed report on LSSE consultation will be published as part of the TWAO submission. The majority of people against the scheme wanted investment in wider rolling stock and in-station enhancements.
- 4.1.5 Metro and Network Rail, with support from Leeds City Council, will continue to engage with affected parties and statutory consultees after submission of the TWAO and will respond to all objections and representations made to the Secretary of State.
- 4.1.6 Whilst there is substantial support for LSSE, the scheme does impact on the local residents. A number of consultation meetings have taken place with local residents and local businesses and this consultation continues. Metro and Network Rail are working with local residents and businesses to identify their issues with the construction and operation of the scheme and to identify measures to mitigate their concerns.
- 4.1.7 The Promoters are also carrying out a 'Land Referencing' exercise, which is a process of identifying and recording everyone with a legal ownership interest in land affected by the scheme. To ensure that the Promoters have the details of everyone who is potentially affected by the LSSE scheme, Ardent Management (Chartered Surveyors), have made contact with freehold and leasehold owners of properties, as well as tenants and other occupiers and users. These details will be included in a 'Book of Reference' so that relevant parties can be contacted as the scheme progresses and when a formal application is made under the TWAO.
- 4.1.8 A 'Request for Information' (RFI) form as well as an information pack (containing details of who to contact if there are concerns and queries, frequently asked questions, etc) has been sent to all affected parties. Where no response has been received to the initial RFI, then a statutory RFI has been sent which gave a specified time in which to respond.

## **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 Discussions with LCC identified that an Equality Impact Assessment was not required for this scheme. This will be covered in the Sustainability Appraisal and Socio-Economic chapters of the Environmental Statement, one of the TWA application documents.

### **4.3 Council Policies and City Priorities**

4.3.1 The work outlined in this report contributes to the following City Priorities:

- Vision for Leeds;
- City Priority Plan; and
- Regeneration Priority Plan

### **4.4 Resources and Value for Money**

4.4.1 None as a result of this report.

### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 None as a result of this report.

### **4.6 Risk Management**

4.6.1 A detailed QRA management framework has been developed and is being followed.

## **5 Conclusions**

5.1 Metro and Network Rail intend to submit a TWAO to the Secretary of State at the end of March/early April for LSSE.

5.2 Upon submission of the application there will be a formal 42 day (6 week) objection period.

5.3 Metro and Network Rail are currently consulting with local residents and businesses to identify their issues with the construction and operation of the scheme and to identify measures to mitigate their concerns.

### **5.4 Recommendations**

5.5 That this report be noted.

5.6 That Area Committee Members advise Metro if further information or briefings are required.

### **Background documents<sup>1</sup>**

The Planning Application Number of LSSE is 09/04625/FU.

LSSE Major Scheme Business Case (November 2009).

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<sup>1</sup> The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.