

# **M621 Motorway Junctions 1 to 7 Improvements**

**Statement of Reasons accompanying the Made Orders**

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## 1. Introduction

- 1.1. This Statement of Reasons (this “Statement”) sets out the justification for the use of compulsory purchase powers under Section 239, 240, 250 and 260 of the Highways Act 1980 required to deliver the M621 Motorway Junctions 1 to 7 Improvements (the “Scheme”). The Scheme is promoted by Highways England as part of the government’s Roads Investment Strategy (RIS) announced in December 2015.
- 1.2. Highways England is responsible for operating, maintaining and improving 4,300 miles of England’s motorways and major A roads. Highways England has a high-level objective to connect communities, sustain businesses and keep the economy moving.
- 1.3. Highways England has made and published the following Orders (the “Orders”), which can be found on the Highways England Scheme webpage <https://highwaysengland.co.uk/projects/m621-Junctions-1-to-7/> ;
- The Highways England (M621 Motorway Junctions 1 to 7 Improvements) (Side Roads) Order 2019; and
  - The Highways England (M621 Motorway Junctions 1 to 7 Improvements) Compulsory Purchase Order 2019.
- 1.4. The above Orders have been made by Highways England and submitted to the Secretary of State for Transport (SoS) for confirmation. There will be a six week period in which interested parties can make representation in respect of the Scheme. The SoS will then make a decision on whether a Public Inquiry should be held for the Scheme, based upon the nature and content of any responses received during the period for representations on the made Orders. If the SoS determines that a Public Inquiry is not required, then the Orders would be confirmed at this point by the SoS and works can commence.
- 1.5. All works necessary to deliver the Scheme can be delivered under Highways England’s permitted development rights (PDRs), as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
- 1.6. The relevant PDRs are under GPDO Schedule 2 Part 9 Class A – Development by Highways Authorities and Class B – Development by the SoS or a Strategic Highways Company under the Highways Act 1980, as set out below:

### *Class A*

#### A. The carrying out by a highway authority—

(a) on land within the boundaries of a road, of any works required for the maintenance or improvement of the road, where such works involve development by virtue of section 55(2)(b)(1) of the Town and Country Planning Act 1990; or

(b) on land outside but adjoining the boundary of an existing highway of works required for or incidental to the maintenance or improvement of the highway.

### *Class B*

B. The carrying out by the SoS or a strategic highways company of works in exercise of the functions of the SoS or the company under the Highways Act 1980(a), or works in connection with, or incidental to, the exercise of those functions.

These PDRs are applicable to the entirety of the Scheme for the purposes of the Town and Country Planning Act 1990, as all works are either within the highway boundary of the M621 or immediately adjacent. Further, the works to be delivered comprise functions of Highways England under the Highways Act 1980.

## 2. The Scheme

### Need for the Scheme

- 2.1. In 2013, the then Highways Agency undertook the Leeds Infrastructure Study, which considered the infrastructure required on the surrounding highway network to accommodate the plans for the redevelopment of Leeds City Centre by Leeds City Council (LCC). The M621 was found to experience significant congestion, and therefore improvements are required to address existing demand and accommodate LCC's development plans.
- 2.2. The M621 experiences congestion at both the peak AM and PM periods, resulting in poor journey time reliability. It is forecast that congestion will continue to increase across the M621 corridor over time, further exacerbating the journey time reliability issues experienced. The two-way Annual Average Daily Traffic (AADT) between Junction 3 and Junction 4 is forecast to increase from the current 54,000 to approximately 62,000 vehicles per day in 2036, equivalent to a 13% increase from the base year (2015). Similarly, expected traffic growth between Junction 1 and Junction 3 is expected to increase by 8% across the links over the same time period, further contributing towards current issues experienced on the M621.
- 2.3. Without the Scheme, vehicle delays during peak hours are expected to rise on the M621 due to increased traffic demand from planned and committed developments, including a substantial amount of development planned within the City Centre (see below) and the Aire Valley Leeds Area Action Plan area of coverage (see Section 4 – Policy Context of the Planning Statement, and Section 14 – Assessment of Cumulative Effects of the Environmental Assessment Report (EAR)). The M621 westbound movements between Junction 3 and Junction 4 are likely to experience high delay increases, with delays in 2036 expected to nearly double compared to those in 2015. The majority of the links along the M621 are forecasting increased delays as a result of the traffic growth, further reducing journey time reliability and hindering future economic growth.
- 2.4. The Scheme falls within the context of an aspiration to construct 10,200 new dwellings and create 57,500 new jobs in Leeds City Centre by 2031 (Leeds Core Strategy 2014, policy CC1 – City Centre Development), as well as ambitious plans for economic development within the area of coverage of the Aire Valley Leeds Area Action Plan (AVLAAP) 2017, which is identified as a key strategic location for job growth in the adopted Leeds Core Strategy 2014 (Spatial Policy 1 – Location of Development). Such plans would be constrained without improvement of the existing M621. However, the existing issues experienced on the M621, justifies the need for improvement irrespective of LCC's future proposals.
- 2.5. Further to paragraph 2.4 above, the two-way Annual Average Daily Traffic (AADT) across the M621 is expected to increase from 36,200 per day in 2015 to approximately 41,700 vehicles per day in 2036 with the Scheme in place, equivalent to a 15% increase from the base year (2015). Between 2015 and 2036, the M621 westbound movements between Junction 2 and Junction 4 are likely to experience high delay increases under the 'do nothing' scenario (if the Scheme did not go ahead), with delays expected to increase by up to 79% in the PM peak. Despite the 15% increase in traffic in the westbound direction, journey times in 2036 will stay the same as those recorded in 2015 under the Scheme proposals, demonstrating the benefits of the increased capacity in the westbound direction. Delays in the PM peak in 2036 between the 'do nothing' scenario and the scenario with the Scheme implemented will be improved by 17% (252 seconds vs 216 seconds).
- 2.6. The M621 performs relatively poorly in terms of slight personal injury collisions (PICs) compared with the national average. This is associated with peak hour congestion and sub-standard distances between Junctions in several locations resulting in short weaving lengths. One of the main objectives of the Scheme is to improve safety for road users. The removal of the off-slip road at Junction 2a together with reduced level of congestion, improved driver information and smoother traffic flows is likely to have an improvement on road safety. The Scheme is forecast to achieve a 10% reduction in the rate of the severity and frequency of road accidents.
- 2.7. The Scheme is therefore required to alleviate existing congestion, facilitate the short-term city centre improvements and to support longer term economic growth in the area.

## The Scheme

- 2.8. Demand for the Scheme was recognised in the Government's Road Investment Strategy (RIS) for the 2015/16 – 2019/20 road period (2015). Highways England's Delivery Plan 2015-2020 (2015), which outlines what Highways England will do to deliver against the commitments in its Strategic Business Plan and the Government's RIS, identified the need to construct the Scheme within the current Road Investment Strategy (RIS) period, improving connection to Leeds and road safety along the M621.
- 2.9. The Scheme is set out in the Delivery Plan as 'Improvement of key Junctions on the M621 in central Leeds, providing safer and more reliable journeys for those travelling in the city.' The objectives of the Scheme are as follows:
- Increase capacity and improve journey time reliability;
  - Improve the safety of the M621 corridor for road users;
  - Provide better and real time information to road users;
  - Avoid and mitigate potential environmental impacts of the Scheme and enhance, where possible, the built and natural environment; and
  - Support LCC's development plans including updates to the Leeds transport network, where possible.
- 2.10. The Highways Agency initially developed a preliminary design for the improvement of Junctions 1 to 4 and Junction 7 and undertook a further feasibility study to consider technology options along the M621 corridor in 2014. This work was further developed in July 2015 when Highways England undertook an appraisal of the work undertaken to date with a view to developing an integrated Scheme, combining Junctions 1 to 4, Junction 7 with technology improvements. Several options were identified as part of this work to improve the M621 and achieve the Scheme objectives. These options were presented to the public for consultation in September 2017. Following the consultation events and further design and assessment, Option A was announced as the Preferred Route in March 2018. Further information on the alternatives considered are provided in the Planning Statement. These documents can be found on the Scheme website: <https://highwaysengland.co.uk/projects/m621-junctions-1-to-7/>.

## Scheme Description

- 2.11. The Scheme is located within the administrative area of LCC, in West Yorkshire. A plan showing the location of the Scheme can be found at Appendix B of this Statement.
- 2.12. The Scheme comprises the following:

### *Junction 2*

- Widening the circulatory roundabout from two to three lanes on the north and widening from two to four lanes to the south;
- A new free-flow link will be provided between the M621 eastbound off-slip and A643 northbound with associated widening of the verge at this location to enhance highway visibility and sight lines;
- The A643 southbound approach to the Junction 2 roundabout will be widened from two to three lanes and the M621 eastbound on-slip will be widened from one to two lanes;
- Widening of the Junction 2 westbound off-slip from two to three lanes, and widening of the Junction 2 westbound on-slip from one to two lanes for the first third of the length of the slip road starting from the point where the slip road joins the circulatory carriageway at Junction 2;
- Revised signage;

- The re-alignment of the Brown Lane footpath on the north eastern side of the Junction to make way for the free-flow lane from M621 eastbound to the A643 northbound; and
- Improvements and alterations to the A643 north and south of the M621 to tie in to the roundabout alterations.

2.13. *Junctions 3 and 2a*

- Junction 3 westbound on-slip and merge layout will be changed, to provide two lanes through the junction on the M621 westbound carriageway with a reduction to a single offside lane gain from the westbound on-slip road (which is currently two lanes). The Junction 3 improvements require the full closure of the Junction 2a westbound off-slip to Cemetery Road.

2.14. *Main Carriageway*

- A third lane will be added between Junctions 2 and 3 westbound by converting the existing hard shoulder to provide an additional running lane.

2.15. The above highway improvements will also be accompanied by increased technology provision, based on adherence to the latest standards from the Design Manual for Roads and Bridges (DMRB) and associated Interim Advice Notes. Where adherence cannot be attained, due to the existing sub-standard layout of the M621 and existing constraints, departures from DMRB will be progressed. The proposals include increased technology provision to improve driver information and actively manage the flow of traffic, including at the section of hard shoulder conversion westbound between Junctions 2 and 3. Some of the existing motorway gantries will be repaired, where possible, or replaced, and additional gantries will be installed to support the new technology. Details of the technology improvements are provided in the EAR Chapter 2: The Project.

2.16. Proposals for the use of Junction 2a post-closure, to be progressed at the detailed design stage, include:

- Retaining the existing carriageway for maintenance access to the new technology enhancements (signs and CCTV); and
- Additional landscape infill planting and habitat creation along the old carriageway once closed.

2.17. The Engineering and General Arrangement Plans of the Scheme are included within the EAR Chapter 17.

2.18. The Junction 2a westbound off-slip road will be physically closed off from the M621, with new works constructed adjacent to the M621 main line including a safety barrier to match those existing along the M621 and motorway communication equipment. The remaining slip road carriageway will be reduced to a single width maintenance track as a private access for the purposes of maintaining lighting, motorway communications and drainage infrastructure. The retained area will be fenced off, on the western side at Cemetery Road, from the local highway network to prevent unauthorised access. Additional landscaping will be completed in this area and further details of the landscaping scheme and general arrangement drawings are located within EAR Chapter 6.7, and EAR Appendix E. Alterations to the existing T-Junction between Junction 2a westbound off-slip and Cemetery Road are also required to create a new private means of access to enable future maintenance of the M621.

2.19. A traffic assessment known as a microsimulation traffic model has been prepared to assess the changes on the Local Road Network (LRN). The model indicates, as a result of the closure of Junction 2a, that there is likely to be congestion at the junction of Cemetery Road / Elland Road, which lies approximately 30 metres to the south of the point at which Junction 2a meets Cemetery Road.

2.20. As a result of closing Junction 2a off-slip, traffic modelling indicates delays may occur on Elland Road approaching the junction with Cemetery Road due to traffic re-routing to Junction 2 and back eastbound along Elland Road. It is proposed to mitigate the predicted delays through signalisation

of the junction which will also provide a controlled pedestrian crossing. Without mitigation in place at the junction of Elland Road / Cemetery Road to signal control the junction, delays are predicted to average 114 seconds on Elland Road in the morning peak. Delays are predicted to reduce by 60% to an average of 44 seconds in the morning peak with signalisation in place at Elland Road / Cemetery Road. In the evening peak, delays are predicted to reduce from 63 seconds to 29 seconds. It should be noted that with signalisation in place at the junction of Elland Road / Cemetery Road delays may be experienced elsewhere at the junction but traffic modelling shows they will operate within the standards required.

- 2.21. Local diversion routes will be planned to re-direct traffic during the construction of the Scheme to minimise congestion and delays. Diversion routes will also be in place following the stopping up of Junction 2a to support the re-direction of traffic that would have used the junction to access the LRN. Construction of the Scheme is expected to be approximately 18 months commencing in (March 2020). The provision of technology will extend beyond this period with a reduced site set-up for an additional six months. The total Scheme programme will therefore be approximately two years.
- 2.22. The outline temporary traffic management measures are proposed as follows (further details are provided in the Traffic Management Plan (TMP) at Appendix G of the Planning Statement):
- Reducing the use of the M621, by providing signing on the M62 and M1 advising of other potential routes to access Leeds City Centre and the LRN;
  - Narrow lanes within the three lane sections of the M621;
  - Weekend lane closures; and
  - Limited night time closures.
- 2.23. To support the construction of the Scheme, a temporary construction compound is proposed to be located adjacent to Junction 7 (see CPO plan for further details). The existing access to this plot of land, from the A61 at the northern corner of the plot of land via a narrow track, is currently in an unsafe location and is to be stopped up permanently. A new access will be created onto the A61 to serve the compound and provide a safe access to this plot of land for future uses. The establishment of the compound can be carried out under Highways England's PDRs, however the new access cannot and thus consent for the access is sought via the SRO for the Scheme.
- 2.24. The enabling works to the land for the temporary construction compound will involve stripping of the topsoil and erection of the compound, as well as the creation of a new access from the A61 to serve the site. The land required for the temporary construction compound will accommodate a storage area, site office and car park and is included within the Orders (CPO Sheet 3).
- 2.25. Highways England will enter into an agreement with LCC for works to enable works to be undertaken by Highways England on the local highway network as a result of the Scheme. The works (described in detail above) which will be covered by this agreement consist of:
- Improvements and alterations to the Junction between Cemetery Road and Elland Road;
  - Improvements and alterations to the M621 Junction 2 roundabout; and
  - Improvements and alterations to the A643 north and south of the M621 to tie in to the above roundabout alterations.

## Public Benefits

- 2.26. The Scheme has been designed and developed to reduce congestion and increase capacity in the local and wider area. This will help to unlock development land allocated for housing, retail and industrial development in Leeds. It also supports LCC's plans for redevelopment of Leeds City Centre to provide further homes, jobs and services, along with placemaking enhancements, through providing additional highway capacity and enhancing the integration of the M621 with the Inner Ring Road at Junction 2. In addition, the Scheme will work alongside strategic plans to



provide a new Park and Ride facility at Junction 7, which will improve the accessibility of the City Centre via public transport.

2.27. Further benefits of the Scheme have been monetised and are described within Chapter 3 of the Planning Statement. In summary they include:

- Increasing journey reliability along the M621, estimated to be the value of £3.5 million;
- Supporting wider economic growth (£35 million);
- Improving safety (accident benefits valued at £10.4 million); and
- Travel time benefits (greater than £23 million).

2.28. Additional non monetised benefits are considered to include reductions in fuel costs, reduced driver stress connected to journey times, limiting severance in residential areas around M621 Junction 2a as a result of the closure of the off-slip (which will reduce the overall amount of through traffic within nearby local routes, as shown by the traffic modelling assessment for the Scheme) and security benefits from the installation of CCTV along sections the M621.

2.29. The relevant planning, transport and economic policy goals, and analysis of how the Scheme will support these goals are set out in Chapter 5 of the Planning Statement.

2.30. In summary Table 2-1 aims to demonstrate how the Scheme meets the objectives for which it was designed.

**Table 2-1: How the Scheme Will Achieve its Objectives**

Objective	Achieved by the Scheme
Increase capacity and improve journey time reliability	The Scheme can demonstrate journey time benefits which equate to £3.4 million as a result of opening the hard shoulder as a running lane between Junction 2a and Junction 2 westbound, improvements to Junction 2 to provide additional lanes including a free-flow link, and improving the Junction 3 westbound on-slip and merge layout, which will enhance highway capacity and the flow of traffic. Variable message signs will also be added, which will provide advanced notice of traffic conditions.
Improve the safety of the M621 corridor for road users	The Scheme can demonstrate accident related benefits to the value of £10.4 million and a forecast 10% reduction in the rate of the severity and frequency of road accidents. This will be as a result of the improvements to Junction 2, which will feature wider on and off-slips as well as a free flow link and improving the westbound off-slip and merge layout at Junction 3. In addition, the proposed enhancements to road signage will include early warnings when required on variable message boards, and additional electronic signage providing advisory speed limits during periods of congestion or when incidents occur.
Provide better and real time information to road users	New variable message boards will provide early warnings to motorists of incidents and congestion when required.



Objective	Achieved by the Scheme
<p>Avoid and mitigate potential environmental impacts of the Scheme and enhance, where possible, the built and natural environment</p>	<p>The EAR has concluded that the key potential impacts created by the proposed Scheme are temporary or localised (<i>'any potential significant adverse effects arising from the proposed Scheme are temporary and/or localised'</i>).</p> <p>Environmental mitigation proposals have been prepared which demonstrate a biodiversity net gain (Chapter 7 of the EAR). The proposals are shown on the Environmental Mitigation Plans at Appendix E of the EAR (although the plan is named the Environmental Mitigation Plan, this does not meet the legal definition of mitigation for the purposes of the CPO at Junctions 2 and 2A, and instead falls within the definition of replacement planting).</p> <p>Although an increased quantity of traffic may lead to higher noise levels, the closure of Junction 2a will reduce noise pollution to the area around the Junction as a result of reduced through traffic. Low noise road surfacing will be incorporated in the hard shoulder between Junctions 2 and 2A and as part of the improvements to Junctions 2 and 3. Therefore it is concluded that the Scheme will have a neutral impact upon noise pollution (see Chapter 8 of the EAR). Nevertheless existing noise barriers along the highway across the Scheme area have been surveyed and found to be in good conditions.</p> <p>Air quality modelling has found that the Scheme will have a neutral impact upon vulnerable groups in terms of air quality (see Chapter 5 of the EAR).</p> <p>In terms of landscape impact, the impacts of the Scheme will be associated with temporary loss of trees in tree belts along the route of the Scheme. However, proposals to replant trees will lead to a neutral impact upon landscape character (see EAR Chapter 6.7).</p> <p>Intensification of the M621 route from Junctions 1 to 7 may have some initial minor impacts upon the townscape, however the improvements will be made within an existing context of an urban motorway, and tree re-planting proposals are included to address a reduction in the amount of screening from the construction of the Scheme as a result of tree removal and the re-profiling of the landscape bund on the southbound approach from the A643 to Junction 2 (see EAR Chapter 6).</p> <p>A Construction Environmental Management Plan (CEMP) will be incorporated to manage impacts during the construction phase of the Scheme.</p>
<p>Support LCC's development plans including updates to the Leeds transport network, where possible.</p>	<p>The Scheme has been designed and developed to reduce congestion and increase capacity in the local and wider area, to help to accommodate planned and committed developments, including LCC's plans for a substantial quantity of development in the City Centre, which the Scheme will help to enable (see paragraph 2.3 above, and EAR chapter 14 – Assessment of Cumulative Effects).</p>

## **The Land**

- 2.31. Highways England is seeking compulsory acquisition powers in respect of the certain land interests. The total amount of land required comprises 3.87 hectares, of which 3.32 hectares is required on a temporary basis. Highways England intends to offer this land back to the owners following construction of the Scheme. The case for compulsory purchase of each of the relevant land interests is set out below.

### **Junction 2 Improvements**

- 2.32. At Junction 2 of the M621, the works affect land outside of the current highway boundary. The land is subject to the CPO identified to the north east and north west of the Junction. An engineering plan showing the proposed works is included at Appendix C of this Statement.
- 2.33. On the north western side of Junction 2 a free flow lane would be created between the north-west slip road of Junction 2 and the A643 northbound. The existing narrow slip road and roundabout at the Junction will be widened by five metres at the widest point to provide the free flow lane. These works will involve land acquisition which currently forms part of a verge containing trees currently providing screening, between Junction 2 and Maple Park. This acquisition also provides for an appropriate visual splay in this area.
- 2.34. The land to be permanently acquired at this location would enable construction of the free flow lane and replacement of the trees lost to ensure the continued provision of screening between the Junction and the adjacent business park.
- 2.35. On the north eastern side of Junction 2, the A643 southbound approach to Junction 2 would be widened from two lanes to three, and the M621 Junction 2 eastbound on-slip would be widened. The width of the A643 will be widened by five metres at the widest point to enable three lanes to be provided on the A643 southbound approach to Junction 2.
- 2.36. The widening of the A643, will involve encroachment into the adjacent verge, removal of existing trees and slightly reducing the height of the existing landscape bund from its existing height of 3.4m to 2.2m. Following the removal of existing trees, and to retain a landscape buffer between Junction 2 and the area adjacent which is designated as Green Space and a Protected Playing Pitch on the north eastern side of the Junction, the bund will be replanted with native trees and a two metre high close boarded fence along the top of the bund.

### **Junction 2a Closure**

- 2.37. Permanent acquisition of land is included in the CPO, which currently forms the current Junction 2a. This is because without the CPO and following the stopping up of this Junction the land would automatically revert back to its historical ownership prior to the creation of the highway.
- 2.38. However, following completion of the Scheme, Highways England will need to retain ownership of this area for future safe access to maintain the modified highway and new infrastructure. This alternative maintenance access is due to the requirement to convert the current hard shoulder into a running lane between Junctions 2 and 3. Parts of the old slip road and embankment of Junction 2a will be used for compensatory planting and to improve wildlife habits.

### **Junction 7 Temporary Construction Compound**

- 2.39. Land south east of Junction 7 is required to accommodate a temporary construction compound to support the construction of the Scheme. Following a site search of land available in the area the Junction 7 site was identified as the only suitable area available within the required construction timeframe of the Scheme, due to the size of site required (3 ha) and close proximity to the M621 and local highway network. Improvements will be made to the compound area to ensure that there is a safe access point from the A61 on the eastern side of the compound site. As this land is only needed on a temporary basis Highways England intends to reinstate the land and offer it back to the owner following completion of the Scheme.

## Current Land Uses

- 2.40. The full extent of the land required which is subject to powers of compulsory acquisition to enable Highways England to construct, operate and maintain the Scheme is shown on the CPO Plans. This comprises 47 plots, each of which is described in Table 1 of the CPO Schedule.
- 2.41. At Junction 2 of the M621, commercial development lies on the north western and southern sides of the Junction. Leeds United Football Club's (LUFC) football stadium, Elland Road, is approximately 230m to the south east of the Junction. Adjacent to the north-eastern side of the Junction lies an area designated within adopted planning policy as Green Space, previously used as a playing pitch. The area is known as the Former Matthew Murray School Site. LUFC has emerging plans to occupy the former school site for use as a training facility (the site has been identified for housing in the Holbeck Neighbourhood Plan, however this allocation does not preclude other uses coming forward where it can be demonstrated that they are more suitable and deliverable, and the other uses would not conflict with wider policy goals on housing. Furthermore, it is understood that residential development is no longer the preferred use for the site, but the allocation reflects the disused nature of this area of open space at present). Residential estates lie to the north east of Junction 2, beyond the Former Matthew Murray School Site at Tilbury Road, and on the southern side of Elland Road, at Wesley Street to the south of the Junction and Heath Grove to the south west of the Junction, beyond the area of commercial development and LUFC's football stadium.
- 2.42. The land to the north east of the roundabout at Junction 2, currently supports Maple Park which is a commercial development consisting of offices and modern warehousing, for light industrial uses.
- 2.43. The following footpaths lie within close proximity to the north east of Junction 2, although neither of which are included in the definitive map of Public Rights of Way (PROWs) included on LCC's website:
- Brown Lane; and
  - Lowfields Road underpass.
- 2.44. The Lowfields Road underpass will be unaffected by the Scheme, including during the period of construction. The footpath at Brown Lane on the north eastern side of Junction 2 will be closed on a temporary basis during the period of construction. It will be diverted approximately five metres to the north west to allow for widening of the carriageway at this location, before reverting back to the existing route, to accommodate a free-flow link from the M621 eastbound, and the A643 northbound.
- 2.45. The residential areas of Holbeck and Beeston lie on either side of Junction 2a. Improvement to the Junction between Cemetery Road and Elland Road is proposed as part of the Scheme. The works will be progressed through an agreement with LCC pursuant to Section 4 of the Highways Act 1980, in order to provide legal permission for Highways England to undertake work on the local authority highway. The Section 4 agreement with LCC will be in place following completion of the detailed design in 2020.
- 2.46. A design for mitigation works to the local highway has been agreed by both Highways England and LCC, demonstrating support for the completion of the Section 4 works proposed and commitment to their delivery. The works are intended to mitigate impacts on the capacity of the local highway network following the closure of Junction 2a, which will require local traffic travelling to the area to travel to Junction 2, before travelling east along Elland Road to the junction with Cemetery Road.
- 2.47. To the north of Junction 7, where the temporary construction compound is proposed, commercial uses, including office (use class B1a), logistics (including a rail-freight interchange) (use class B8), industrial (use class B2), and light industrial (use class B1c) uses are located. Further commercial uses are located 500 metres to the south east and 100 metres to the east of Junction 7. Residential estates lie on the western side of Junction 7, at Parnaby Road and Clayton Road and an area of green space lies to the south west of the junction with Hunslet Cemetery and the Belle Isle residential estate. The nearby residential estates consist of a mixture of terraced, semi-detached and detached housing.

### Justification for Each Land Plot

- 2.48. The justification for each land plot is set out in Table 2-2 below. Note that where the 'temporary acquisition of land' is referenced, this means that Highways England currently anticipates that it will require the use of the land for a temporary period. If the land cannot be accessed and used by agreement, the land would then need to be acquired on a permanent basis through the CPO, albeit Highways England may offer the land back to the existing landowners at the end of the required period.

**Table 2-2: Justification for the acquisition of each land plot**

CPO Plot	Reason for Compulsory Purchase Acquisition
1/1a, 1/1b, 1/1c, 1/1d, 1/1h, 1/1i, 1/2a, 1/2b, 1/3 & 1/3a	Permanent acquisition of land to re-align the existing footway and create a free flow link and associated visibility splay between the M621 Junction 2 eastbound off slip and the A643 northbound dual carriageway.
1/1, 1/1e, 1/1f, 1/1g & 1/2	Temporary acquisition of land to enable construction of the re-aligned footway and create a free flow link and associated visibility splay between the M621 Junction 2 eastbound off slip and the A643 northbound dual carriageway.
1/4	Permanent acquisition of land to widen the A643 southbound dual carriageway approach to the M621 Junction 2 roundabout.
1/4a	Permanent acquisition of rights to enable maintenance of a highway fence adjacent to the A43 southbound dual carriageway.
1/4b	Temporary acquisition of land to enable construction of the widened A643 southbound dual carriageway approach to the M621 Junction 2 roundabout.
2/5, 2/5a, 2/5b, 2/5c, 2/5d, 2/5e, 2/5f, 2/5g, 2/5h, 2/6, 2/6a, 2/6b, 2/7, 2/7a, 2/7b, 2/7c, 2/8, 2/9, 2/9a, 2/9b, 2/10, 2/10a, 2/10b, 2/10c, 2/11, 2/11a and 2/12	Permanent acquisition of land to retain access for highway maintenance following stopping up of the M621 Junction 2a westbound off-slip road.
3/13 & 3/13a	Temporary acquisition of land to enable construction and provide a temporary site compound on land south east of M621 Junction 7 to support the construction of the Scheme.

### 3. Funding

- 3.1. Highways England has been commissioned by the Department for Transport to deliver the Government's first Road Investment strategy (RIS 1). Established by the Government in December 2014, RIS 1 commits to investment in England's motorways and major roads (the Strategic Roads Network) during the 2015 to 2020 road period. It was the initial step in a long-term programme to improve England's motorways and major roads and outlined a multi-year investment plan including over 100 major schemes funded by £15.2 billion of public money.
- 3.2. The Scheme is included in RIS 1 and will be 100% funded by Highways England. The budget allocation within RIS 1 for the Scheme is approximately £42.6 million (based on the current estimated total). This figure includes all costs for the payment of compensation for the compulsory acquisition of land, interests in land and rights over land, potential claims under Part 1 of the Land Compensation Act 1973, Section 10 of the Compulsory Purchase Act 1965. It also includes costs for any successful blight notices.
- 3.3. Further details of RIS 1 can be found on the government's website, at:  
<https://www.gov.uk/government/publications/road-investment-strategy-for-the-2015-to-2020-road-period>

## 4. Compulsory Purchase Powers

- 4.1. Guidance published in February 2018 by the Ministry of Housing, Communities and Local Government (MHCLG) titled 'Compulsory purchase process and the Crichel Down Rules' ("the CPO Guidance"), states that authorities should look to use the most specific power available for the purpose in mind and only use a general power where unavoidable. Accordingly, the CPO is made using the powers contained as set out below.
- 4.2. The CPO is made under Section 239, 240, 250 and 260 of the Highways Act 1980, which enables Highways England to acquire land compulsorily as follows:
- "a highway authority may acquire land which is required for use by them in connection with the construction or improvement of a highway, or with the carrying out of works authorised by an order relating to a trunk road under section 14 above or an order under section 18 or section 108(1) above".*
- 4.3. The CPO Guidance provides guidance to acquiring authorities on the use of compulsory purchase powers Highways England has taken the guidance into account in the making of the CPO.
- 4.4. In using the powers of compulsory purchase contained in the Highways Act 1980 and the Acquisition of Land Act 1981 Highways England is satisfied that the acquisition of the land is required to facilitate the construction, operation and maintenance of the Scheme. Highways England recognises that a CPO can only be made if there is a compelling case in the public interest, as set out in the Guidance at paragraph two:
- "Acquiring authorities should use compulsory purchase powers where it is expedient to do so. However, a compulsory purchase order should only be made where there is a compelling case in the public interest"*
- and paragraph 12:
- "A compulsory purchase order should only be made where there is a compelling case in the public interest".*
- 4.5. It is considered that a compelling case exists here, as set out in Chapter Two, and the requirement for the CPO of each of the plots is provided in Table 2-2.
- 4.6. Highways England has sought to minimise the extent of compulsory acquisition, including the acquisition or creation of rights instead of outright acquisition wherever possible, whilst enabling the objectives of the Scheme to be met within the context of the constrained nature of the area in which the Scheme sits. Further to this approach, an easement is pursued for the regrading of an existing landscape bund on LCC land at the Former Matthew Murray School Site, on the eastern side of the A643 southbound approach to Junction 2. Four options have been considered for the Scheme all of which would have required land acquisition in order to implement the improvements. Further details can be found in Chapter 2 of the Planning Statement and Chapter 3 of the EAR. All options focussed on the intensification of the existing motorway, with a focus on providing the required improvements with minimal land take.
- 4.7. Highways England is aware of the requirement in paragraph two of the Guidance to take reasonable steps to acquire all of the land and rights included in the CPO by agreement.
- 4.8. Highways England has sought to engage with all affected landowners and occupiers with a view to acquiring their interests by agreement. This has included the following methods:
- Meetings and correspondence with LCC and LUFC on an ongoing basis, including face to face meetings on 4<sup>th</sup> October 2018, and 14<sup>th</sup> February 2019, 12<sup>th</sup> March 2019, and 12<sup>th</sup> May 2019; and
  - Meetings with The Prudential Assurance Company Ltd (c/o M7 Real Estate Ltd.) affected by the Scheme as property, which they lease to others, will be required to accommodate the Scheme due to highway widening within their land, north west of the Junction 2 roundabout.



Face to face meetings were undertaken with the Company on 14<sup>th</sup> February and 14<sup>th</sup> May 2019, and ongoing written/electronic correspondence.

- 4.9. The status of such negotiations at the time of publication of the CPO is set out in Landowner Negotiations, Appendix A of this Statement.
- 4.10. At the same time, Highways England notes that the Guidance recognises that although compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Accordingly, the Guidance recognises at paragraph two that it may often be sensible for the acquiring authority to plan a compulsory purchase timetable as a contingency measure and initiate formal procedures (i.e. progress the making of an order). The Guidance notes that this will help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.
- 4.11. There are also a number of unknown ownership plots which Highways England is unable to acquire by agreement. These are set out in Table 4-1 as follows:

**Table 4-1: Land plots with unknown ownership.**

CPO Plot	Extent, Description and Situation of the Land	Location
2/7	All interests in 256 square metres of part of highway, verge, trees and embankment of the M621 Junction 2A westbound off-slip road on the east of Cemetery Road and north of Normanton Grove. (B) OS Enclosure No. X012	Junction 2a
2/7a	All interests in 50 square metres of part of highway of the M621 Junction 2A westbound off-slip road on the east of Cemetery Road and north of Normanton Grove. (B) OS Enclosure No. X012	Junction 2a
2/7b	All interests in 585 square metres of part of highway verge, trees and embankment of the M621 Junction 2A westbound off-slip road on the east of Cemetery Road and north of Normanton Grove. (B) OS Enclosure No. X012	Junction 2a
2/7c	All interests in 278 square metres of part of highway of the M621 Junction 2A westbound off-slip road on the east of Cemetery Road and north of Normanton Grove. (B) OS Enclosure No. X012	Junction 2a
2/10	All interests in 46 square metres of part of highway of the M621 Junction 2A westbound off-slip road on the east of Cemetery Road, northeast of Normanton Grove and northwest of Cambrian Street. (B) OS Enclosure No. X012	Junction 2a
2/10a	All interests in 208 square metres of part of highway of the M621 Junction 2A westbound off-slip road on the east of Cemetery Road, northeast of Normanton Grove and northwest of Cambrian Street. (B) OS Enclosure No. X012	Junction 2a
2/10b	All interests in 100 square metres of part of highway verge, trees and embankment of the M621 Junction 2A westbound off-slip road on the east of Cemetery Road, northeast of Normanton Grove and northwest of Cambrian Street. (B) OS Enclosure No. X012	Junction 2a



CPO Plot	Extent, Description and Situation of the Land	Location
2/10c	All interests in 408 square metres of part of highway, verge, trees and embankment of the M621 Junction 2A westbound off-slip road on the east of Cemetery Road, northeast of Normanton Grove and northwest of Cambrian Street. (B) OS Enclosure No. X012 & X013.	Junction 2a

- 4.12. To determine the ownership of the above plots several activities were undertaken, they include:
- Checking land registry records;
  - Requesting LCC to check it's records;
  - Posting site notices on 25th April 2019, where landowners could not be identified. The notices were in place for a period of 28 days, providing the opportunity for any unknown landowners to comment on the development proposals and associated CPO.
- 4.13. Following the above activities above no parties came forward to claim ownership. Further site notices, including plans, will be posted following publication of the Orders, to support landowners to support them to make representations, if appropriate.
- 4.14. Whilst negotiations are ongoing, Highways England is mindful that it is under a duty to acquire land at best value and that it is required to deliver the Scheme within a specified timescale. It has concluded that it may not be possible to acquire all land interests necessary to deliver the Scheme within this timescale. In addition, some plots are in unknown ownership and cannot be acquired by agreement (as set out in Table 4-1). Highways England has therefore concluded that the Scheme is unlikely to be capable of being delivered without the need for a CPO.

## 5. Land Interests

- 5.1. In preparing the CPO Highways England has carried out diligent inquiry to identify all persons with an interest in the Land.
- 5.2. Diligent inquiry to identify affected landowners, those with interests in land, and those with a potential claim was undertaken by the District Valuer. The District Valuer has been involved with gaining land registry data, land negotiations and undertaking meetings with persons with interests in land. The categories of persons with an interest in land are described below. The persons were identified through Land Registry searches and discussions with landowners and agents.
- 5.3. Only landowners (including unknown) and statutory undertakers directly affected by the Scheme have been included in the scope of diligent enquiry and land referencing. This is because the Scheme focuses on improvements to the existing highway and is relatively enclosed by landscape screening.
- 5.4. Land registry checks have been completed and site notices have been published at all areas of unknown land ownership included in the CPO (see CPO Schedule 1), for a period of 28 days. Further details are provided at paragraph 4.12 and paragraph 4.13 of this Statement.
- 5.5. Land referencing will continue to be undertaken throughout the confirmation of the Orders to ensure that any changes in ownership or other interests are identified and to ensure that any new persons will be subject to appropriate engagement.

### **Owners, lessees and other persons with an interest in the Land**

- 5.6. There are currently only two known owners of land included within the CPO, these have been identified as LCC (at Junctions 2, 2a and 7) and The Prudential Assurance Company Ltd. (c/o M7 Real Estate Ltd.) (Junction 2).
- 5.7. There are currently four known tenants/lease holders of land included within the CPO (all at Junction 2), they have been identified as
- WHP Telecoms Ltd;
  - Hoerbiger UK Ltd;
  - GA Signs Ltd; and
  - NSM Music Ltd.

### **Persons likely to be entitled to make a relevant claim**

- 5.8. Details of the land for which the listed persons have an interest is set out in Table 2 of the CPO. The Table describes the land for which the person with an interest in land is likely to be entitled to make a claim and the reason for such a claim. Interests directly affected by land acquisition are listed above however utility providers may also be directly affected by the works and may seek compensation, specifically those listed below:
- Northern Powergrid (Yorkshire) plc;
  - Yorkshire Water Services Ltd;
  - Northern Gas Networks Ltd;
  - Vodafone Ltd;
  - Telent - National Roads Telecommunications Services; and

- BT Telecommunications plc (Open Reach).

5.9. Potential Land Compensation Act 1973, Part 1 claimants (depreciation in land value due to public works) have been identified via land registry searches, discussions with landowners and their agents, and using site notices where the ownership of plots of land was unknown. Site notices were posted at areas of unknown ownership for a period of 28 days consecutively. Potential claimants whose property interests may be affected by the execution of the works (Compulsory Purchase Act 1965 Part 2, Section 10 claimants) have been identified through land registry searches, as well as discussions with landowners and their agents.

## Human Rights

5.10. The Human Rights Act 1998 incorporated into domestic law the provision of the European Convention on Human Rights ("ECHR"). The ECHR includes provisions in the form of Articles, which aim to protect the rights of the individual. The relevant Articles can be summarised as follows:

- a) Article 1 of The First Protocol protects the rights to peaceful enjoyment of possessions. No one can be deprived of their possessions except in the public interest;
- b) Article 6 entitles those affected by compulsory powers to a fair and public hearing; and
- c) Article 8 protects the right of the individual to respect for private and family life, home and correspondence. Interference with this right can be justified if it is in accordance with law and is necessary in the interests of, among other things, national security, public safety or the economic wellbeing of the country.

5.11. Section 6 of the Act prohibits public authorities from acting in a way which is incompatible with the rights protected by the ECHR.

5.12. Paragraph 12 of the Guidance sets out the approach to the issue of human rights:

*"An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention."*

5.13. Highway England recognises that the Scheme may have an impact on individuals but considers that the significant public benefits that will arise from the Scheme, as set out in this Statement, outweigh any harm to those individuals. The CPO strikes a fair balance between the public interest in seeing the Scheme proceed, which is unlikely to happen in the absence of the CPO, and the private rights, which will be affected by the compulsory acquisition.

5.14. In relation to both Article 1 and Article 8, the compelling case in the public interest for the compulsory acquisition powers included within the CPO has been demonstrated in section two of this Statement. The land over which compulsory acquisition powers are sought, as set out in the CPO, is the minimum necessary to ensure the delivery of the Scheme. The Scheme has been designed to minimise harm whilst achieving its publicly stated objectives. In this respect the interference with human rights is both proportionate and justified.

5.15. In relation to Article 6, Highways England is content that the proper procedures have been followed for both the consultation on the Scheme and in determining the compulsory acquisition powers included within the CPO. Throughout the development of the Scheme, Highways England has given persons with an interest in the land an opportunity to comment on the proposals through public consultation events, face to face meetings and email correspondence.

5.16. Highways England has taken into consideration LCC's requests to ensure proposed works on the north east corner of Junction 2 are outside the previous playing pitch boundary at the Former Matthew Murray School site. Highways England has sought to minimise the extent of land required in this area to support the future use of the site as a football training facility proposed by LUFC. Consultation has been undertaken with Sport England who are a statutory consultee given that the Scheme will require minor land take within the Protected Playing Pitch designation. Sport

England have raised no objection to the Scheme (see correspondence in Appendix D). A Land Exchange Exemption Certificate application has also been submitted to the Secretary of State for Housing, Communities and Local Government, to seek confirmation that the small area of land within the Playing Pitch designation does not need to be replaced elsewhere after it is acquired for the Scheme.

- 5.17. Replacement planting is to be incorporated into the design of the north western corner of Junction 2 to in order to retain screening between the widened carriageways and Maple Park. Highways England will continue to work with LCC and representatives of Maple Park through the confirmation of the CPO to pursue acquisition through land negotiations rather than compulsory purchase.
- 5.18. Furthermore, any individuals affected by the CPO may submit representations to the SoS for Transport during the period specified in the notice advertising the making of the CPO (a copy of which will be served on all persons affected by the CPO). If subsequently a Public Inquiry is held then any party objecting to the CPO may make representations to the SoS as part of that process. Additionally, if the CPO is confirmed, a person aggrieved may challenge that decision by way of judicial review in the High Court if they consider that the grounds for doing so are made out.
- 5.19. Accordingly, it is considered that those affected by the CPO are entitled to a fair and public hearing.

## **Public Sector Equality Duty**

- 5.20. The Equality Act came into force on 1st October 2010 and provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. Section 149 of the Act intends for the public sector to drive improvements in equality. Section 149 sets out the following:
- (1) *A public authority must, in the exercise of its functions, have due regard to the need to—*
    - (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
    - (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
    - (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
  - (2) *A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).*
  - (3) *Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—*
    - (a) *remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
    - (b) *take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*
    - (c) *encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.*
  - (4) *The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*
  - (5) *Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—*

*(a) tackle prejudice, and*

*(b) promote understanding.*

*(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.*

*(7) The relevant protected characteristics are—*

*age;*

*disability;*

*gender reassignment;*

*pregnancy and maternity;*

*race;*

*religion or belief;*

*sex;*

*sexual orientation.*

*(8) A reference to conduct that is prohibited by or under this Act includes a reference to—*

*(a) a breach of an equality clause or rule;*

*(b) a breach of a non-discrimination rule.*

*(9) Schedule 18 (exceptions) has effect.*

5.21. Highways England has also published their own corporate objectives within 'The Highways England Public Sector Equality Duty Objectives 2016 – 2020 and Annual Progress Report 2015 – 2016'. The overarching objective of this document is that:

*"Highways England will embed the principles of equality, diversity and inclusion into all areas of their business, driving real change in how we work with their customers and communities, their supply chain and their employees".*

5.22. Highways England has complied with this duty by preparing an Equality Impact Assessment (EqIA) for the Scheme to ensure it has due regard to these obligations when planning the works. The data gathered as part of the screening exercise for the EqIA demonstrates that there are a range of considerations that may potentially impact on protected characteristic groups. The groups cover sex, age, disability, ethnicity and race, religion or belief and pregnancy/maternity. The Scheme incorporates upgrades to the junction between Elland Road and Cemetery Road. These works include the provision of a new controlled pedestrian crossing at this location, to mitigate any severance impacts as a result of further traffic using this junction. The works will also reduce severance in the wider area through reducing the amount of traffic using the area as a through route, as a result of the closure of the Junction 2a westbound off-slip. A Traffic Management Plan has been produced to ensure that access routes for different groups is managed during the construction phase. Public engagement has been carried out to raise awareness of the Scheme both online and at drop-in events, to assist with journey planning and with a view to ensuring that disruption is minimised to all groups during the construction and operational phases of the Scheme.

## 6. Special Considerations

- 6.1. The land subject to the CPO on the north eastern side of Junction 2 (the Former Matthew Murray School site) forms part of an area designated as an urban green corridor and protected playing pitch in adopted planning policy, as shown on the Leeds Policies Map 2018. The development of open space normally requires the provision of exchange land, so as not to create a deficiency in local public open space. However, Highways England is able to apply to the Secretary of State for Housing, Communities and Local Government for an exemption if the land taken for highway development is below a certain threshold or used for highways widening. An application has been made for an exemption certificate from the Secretary of State for Housing, Communities and Local Government pursuant to Section 19 (1)(b) of the Acquisition Land Act 1981.
- 6.2. Section 19 (1)b of the Act indicates that schemes may be exempt from providing exchange land if they are able to demonstrate that the public open space land take is below the threshold of 209 square metres or is for the purposes of highway widening/drainage and, in either case, the giving of exchange land is unnecessary whether in the interests of the persons entitled to rights of common or other rights or in the interests of the public.
- 6.3. The open space to be acquired for highway widening, owned by LCC, will require permanent and temporary acquisition. The total area of land required is identified within the CPO, and totals 1,955 square metres consisting of slip verges, trees and embankments. The Scheme requires approximately 684 square metres of this land permanently, 111 square metres of land required for new rights for future access to maintain fencing and 1,160 square metres of land temporarily to construct the works. These areas are shown in the CPO as Plots 1/4, 1/4a and 1/4b respectively.
- 6.4. The playing pitch has not been in formal use since the demolition of the School in 2007. The playing pitch does not currently accommodate competitive play and is in a state of disrepair. The Site also has a perimeter fence which discourages public use. Recent consultation with Sport England confirms that they have no objection to the land being used for the Scheme, as the pitch has not been used for more than five years (see correspondence in Appendix D). Sport England's response states that:

*'The proposed development affects only land incapable of forming part of a playing pitch and does not:*

- *Reduce the size of any playing pitch;*
- *Result in the inability to use any playing pitch (including the maintenance of adequate safety Margins and run-off areas);*
- *Reduce the sporting capacity of the playing field to accommodate playing pitches or the Capability to rotate or reposition playing pitches to maintain their quality;*
- *Result in the loss of other sporting provision or ancillary facilities on the site; or*
- *Prejudice the use of any remaining areas of playing field on the site.'*

*In light of the above, Sport England would have **no objection** to the proposal'.*

- 6.5. The land to be acquired is unlikely to affect the size, functionality or sporting capacity of any pitches, or the provision of any sporting or ancillary uses, as the works proposed will be completed on land that would not form part of a playing pitch, or the previously used pitch.
- 6.6. The School has been designated for residential development within the Holbeck Neighbourhood Plan 2018 with a requirement that 40% of the site area is set aside as publicly accessible greenspace.
- 6.7. The design development for the improvements to Junction 2 has taken into account the need to minimise land take within this area, limiting it to the existing landscape buffer area, as opposed to encroaching onto areas which could be used in future as playing pitches. LUFC intends to restore this playing pitch area and use it as a training facility, subject to a successful planning application. As stated previously in Chapter 4 of this Statement, discussions have been held with LUFC and LCC to ensure that Scheme proposals for M621 Junction 2 are compatible with those for the LUFC training facility, and residential use, as highlighted in the Holbeck Neighbourhood Plan.



- 6.8. It is considered that the limited land take at this location, and proposed landscaping, would not affect the development of this site for any future uses, such as residential or recreation. The Scheme may even be considered beneficial as the landscaping, on the highway verge, will replace the existing trees and provide additional planting, which will provide a biodiversity net gain (based on DEFRA toolkit calculations). Further details are set out in Chapters 6.7 and 7.7 of the EAR.
- 6.9. It is therefore considered that the land acquisition proposals for the Scheme are not contrary to the purposes of the green space designation at the Former Matthew Murray School site. The land is required for the purposes of highway widening and the giving of exchange land is considered unnecessary in the interests of the persons entitled to rights of common or other rights or in the interests of the public. It is expected that the application for an exemption certificate will be successful and therefore exchange land will not be required.
- 6.10. There are no further relevant special considerations for the land, which is subject to this CPO.



## 7. Summary and Conclusions

- 7.1. This Statement sets out why compulsory purchase powers have been sought in the CPO and justified to enable the Scheme to be implemented. It explains why Highways England considers such powers to be necessary and proportionate.
- 7.2. Highways England is satisfied that paragraphs two and 12 of the Guidance are met and that there is a compelling case in the public interest for compulsory acquisition.
- 7.3. The need for and benefits of the Scheme are set out in Chapter 2 of this Statement and in other documents which have been produced for the Scheme, including the Planning Statement and Chapter 2 of the EAR. The Scheme will:
- a) Support economic and housing growth in Leeds, by enabling LCC's wider plans to reconfigure the road network and enhance connectivity to key employment sites as identified through the AVLAAP;
  - b) Increase capacity at key junctions, whilst enabling the free flow of traffic and enhancing the interface between the local and strategic road networks;
  - c) Improve journey times and reliability;
  - d) Improve road safety;
  - e) Minimise the impact on the environment; and
  - f) Provide value for money.
- 7.4. The Scheme is recognised in Highway England's RIS 2015 and subsequent Highways England Deliver Plans. The Scheme is also referenced in regional and local planning policy for the benefits it will bring to the local and wider area in Leeds. Further details of the Scheme's wider alignment with planning policy is provided in Chapter 4 of the Planning Statement.
- 7.5. In determining the extent of the compulsory acquisition powers proposed in the CPO, Highways England has had regard to the requirements of the relevant legislation and to the advice in the Guidance. Highways England is content that the scope of the powers sought and the extent of the interests in the land to be acquired by compulsory acquisition are required for the Scheme and are the minimum necessary that will allow Highways England to construct, operate and maintain the Scheme. The purpose for which each part of the land is required is set out in Table 2-2.
- 7.6. Highways England has consulted all persons whose land is directly impacted by the Scheme, and those whose property interests are directly impacted by the execution of the works. Highways England has sought to acquire interests in the land by agreement, wherever practicable. The status of negotiations with affected landowners and occupiers for the acquisition of their land interests is set out in Appendix A to this Statement. Where the land ownership details for plots of land is unknown, site notices have been posted around the immediate vicinity of the relevant plots of land for a period of 28 days, to give any landowners an opportunity to declare their interest in the land (see Table 4-1 for details of the relevant land plots).
- 7.7. Highways England has considered the human rights of the individuals affected by the compulsory acquisition powers. It is satisfied that there is a compelling public interest case for compulsory acquisition and that the significant public benefits arising from the Scheme will outweigh the harm to those individuals.
- 7.8. Without the grant of compulsory acquisition powers, Highways England considers that it will not be possible to construct, operate or maintain the Scheme, or realise the public benefits arising from it.
- 7.9. There is a compelling case in the public interest for the compulsory acquisition powers, sought by Highways England, in the CPO. The exercise of the compulsory acquisition powers, that are sought, is shown throughout this Statement, to be necessary and proportionate to the extent that interference with private land and rights is required.

# Appendices

<b>Appendix A.</b>	<b>Current Status of Negotiations with Landowners</b>
<b>Appendix B.</b>	<b>Scheme Location Plan</b>
<b>Appendix C.</b>	<b>General Arrangement Plan for Junction 2 &amp; Key</b>
<b>Appendix D.</b>	<b>Responses from Consultees</b>

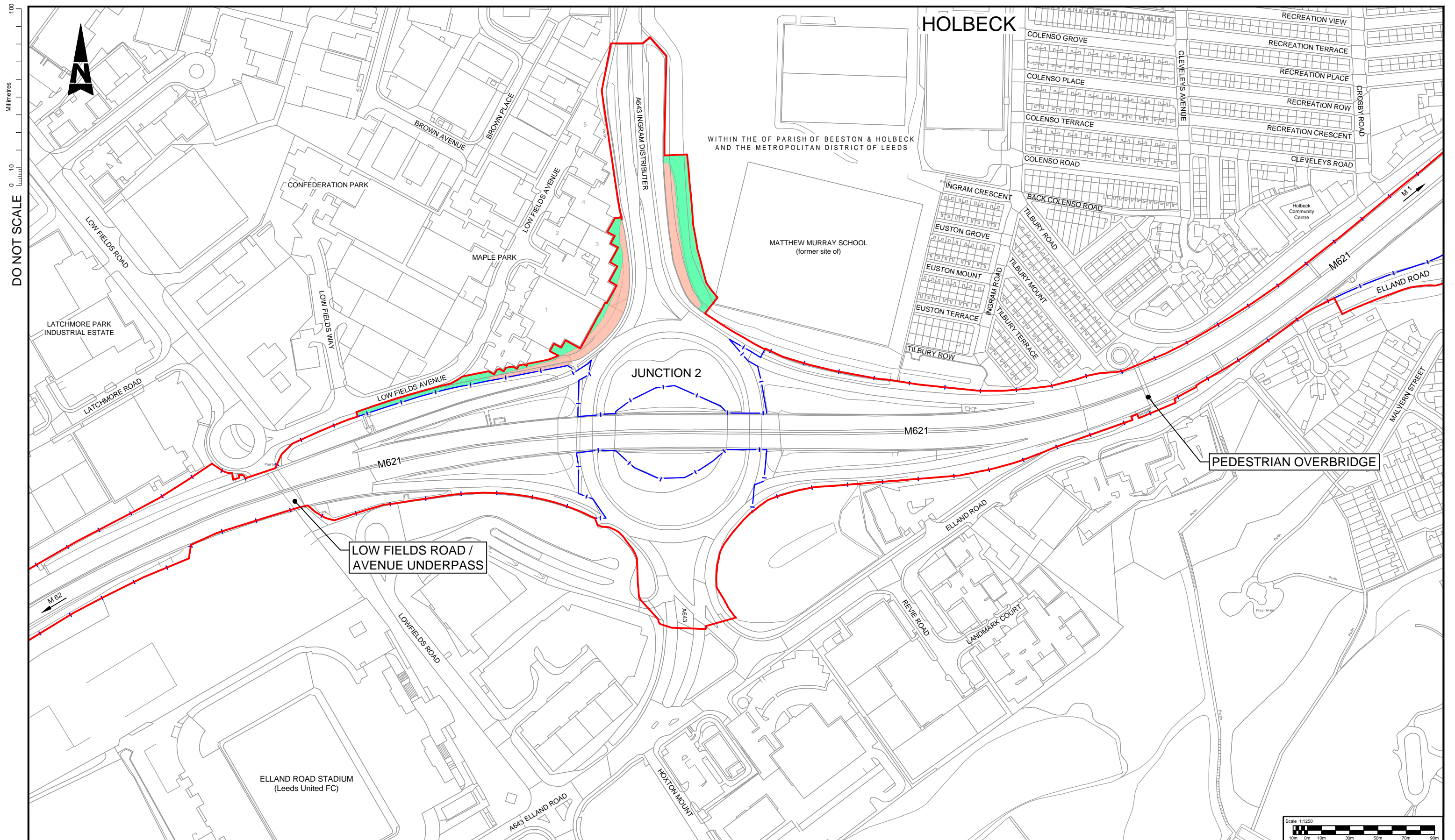
## Appendix A. Current Status of Negotiations with Landowners

Landowner	Current status	Issues still to be resolved
Leeds City Council (LCC)	<p>Meetings held on 4<sup>th</sup> October 2018, 14<sup>th</sup> February 2019, 12<sup>th</sup> March 2019, 10<sup>th</sup> May 2019 and 24<sup>th</sup> July 2019. The Council have stated that it has no objections in principle.</p> <p>Offer made for land at Junction 2.</p> <p>Further session to be held with Leeds City Council to discuss Junction 2 and 7, as well as a further session with Leeds City Council and Leeds United regarding the Former Matthew Murray School site.</p> <p>Agreement in principle gained from LCC, subject to a further meeting with LUFC to seek their agreement.</p>	<p>Further meeting to be held to ensure that the final development proposals at land parcels 1/4, 1/4a and 1/4b do not impact upon emerging proposals for the use of the Former Matthew Murray School site.</p> <p>Meeting to be set up with LCC and LUFC to ascertain what accommodation works may be required to their retained land and future uses. These works would form part of the agreement with LCC on the compensation.</p> <p>The meeting will provide the opportunity to agree how the work is to be delivered and if entry needed from LCC/LUFC land to facilitate the works.</p>
The Prudential Assurance Company Ltd.	<p>Meetings held on 15<sup>th</sup> February 14<sup>th</sup> May 2019 and 14<sup>th</sup> August 2019.</p> <p>The landowner has no objections to the proposed development in principle, subject to details of mitigation on the north western side of Junction 2 to safeguard the amenity of occupiers within Maple Park business park.</p> <p>The landowner has appointed a property agent to carry forward negotiation over compensation.</p> <p>Agreement in the principle gained from the landowner, subject to further discussion on compensation requirements, including establishing the mitigation costs for tenants at Maple Park.</p>	<p>Meeting to be arranged to discuss mitigation measures to safeguard the amenity of tenants at Maple Park</p> <p>Costings awaited from tenants at Maple Park for measures to mitigate against impacts from dust, noise, vibration and lighting. The costings for mitigation measures will help to inform further negotiations on compensation.</p>

# Appendix B. Scheme Location Plan

Location Plan of M621 Junction 2	Drawing: HE551464-ATK-HAC-J2-DR-CH-000005
Location Plan of M621 Junction 2a	Drawing: HE551464-ATK-HAC-J2A-DR-CH-000006
Location Plan of M621 Junction 7	Drawing: HE551464-ATK-HAC-J7-DR-CH-000007





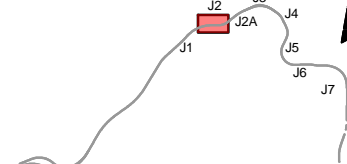
NOTES:

- DRAWING NOT TO BE SCALED
- FOR JUNCTION 2 REFER TO HE551464-ATK-HAC-J2-DR-CH-000005,  
FOR JUNCTION 2A REFER TO HE551464-ATK-HAC-J2A-DR-CH-000006, &  
FOR JUNCTION 7 REFER TO HE551464-ATK-HAC-J7-DR-CH-000007

KEY:

- PERMANENT LAND TAKE
- TEMPORARY LAND TAKE
- PROPOSED RED LINE BOUNDARY  
(AREA OF DEVELOPMENT)
- HIGHWAY BOUNDARY  
(HIGHWAYS ENGLAND)

LOCATION PLAN  
N.T.S



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SAFETY, HEALTH AND ENVIRONMENTAL  
INFORMATION

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following significant residual risks (Reference shall also be made to the design hazard log).

Construction	None
Maintenance / Cleaning	None
Use	None
Decommissioning / Demolition	None

Description						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
FIRST ISSUE						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C01	AD	WS	KD	AP	07/08/19
Description						
UPDATED FOR ORDERS PUBLICATION						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C02	MT	AP	KD	AP	17/10/19

Drawing Suitability	APPROVED - PUBLISHED	Status	A1	Project Title	M621 J1-7
				The Exchange 2nd Floor 3 New Market Street Manchester M1 4HN Tel: +44 (0)1612 453400 Fax: +44 (0)1612 453500 www.atkinsglobal.com	
Copyright © Atkins Limited (2019)		Client		Drawing Number Project HE551464 - ATK - HAC - J2 - DR - CH - 000005	
		Location		Original Scale: 1:1250 Project Ref. No: 5155828 Sheet: 1 of 1 Rev: C02	







DO NOT SCALE

Millimetres  
0 10 100



JUNCTION 7

16

KLOECKNER METALS UK

KLOECKNER METALS UK

VALLEY FARM ROAD

FREIGHTLINK 43  
DISTRIBUTION CENTRE

LEMAN

Container Base

SITE COMPOUND

PROPOSED NEW INGRESS  
AND EGRESS (8.5m WIDE)

STORAGE FUEL  
/CONTAINERS  
& SKIPS  
(40m x 100m)

SITE OFFICE  
(20m x 40m)

CAR PARK  
(40m x 60m)

EASTBOUND ON-SLIP

WAKEFIELD ROAD

LEODIS WAY

M1 J44

LEEDS VALLEY PARK

BOREAL

ELLINGTON  
HOUSE





M1 J43



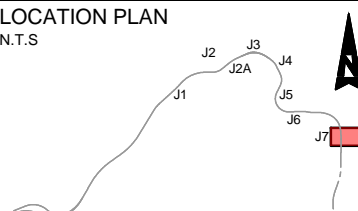
### NOTES:

- DRAWING NOT TO BE SCALED
- FOR JUNCTION 2 REFER TO HE551464-ATK-HAC-J2-DR-CH-000005,  
FOR JUNCTION 2A REFER TO HE551464-ATK-HAC-J2A-DR-CH-000006, &  
FOR JUNCTION 7 REFER TO HE551464-ATK-HAC-J7-DR-CH-000007

### KEY:

-  AREA OF SITE COMPOUND
-  BOUNDARY OF SITE COMPOUND
-  SITE ACCESS POINT
-  LAND OWNERSHIP BOUNDARY  
OF HIGHWAYS ENGLAND

### LOCATION PLAN N.T.S



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Construction	None
Maintenance / Cleaning	None
Use	None
Decommissioning / Demolition	None

Description						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
For Comment						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C01	AD	DNJ	KD	AP	07/08/1
Description						
UPDATED FOR ORDERS PUBLICATION						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date



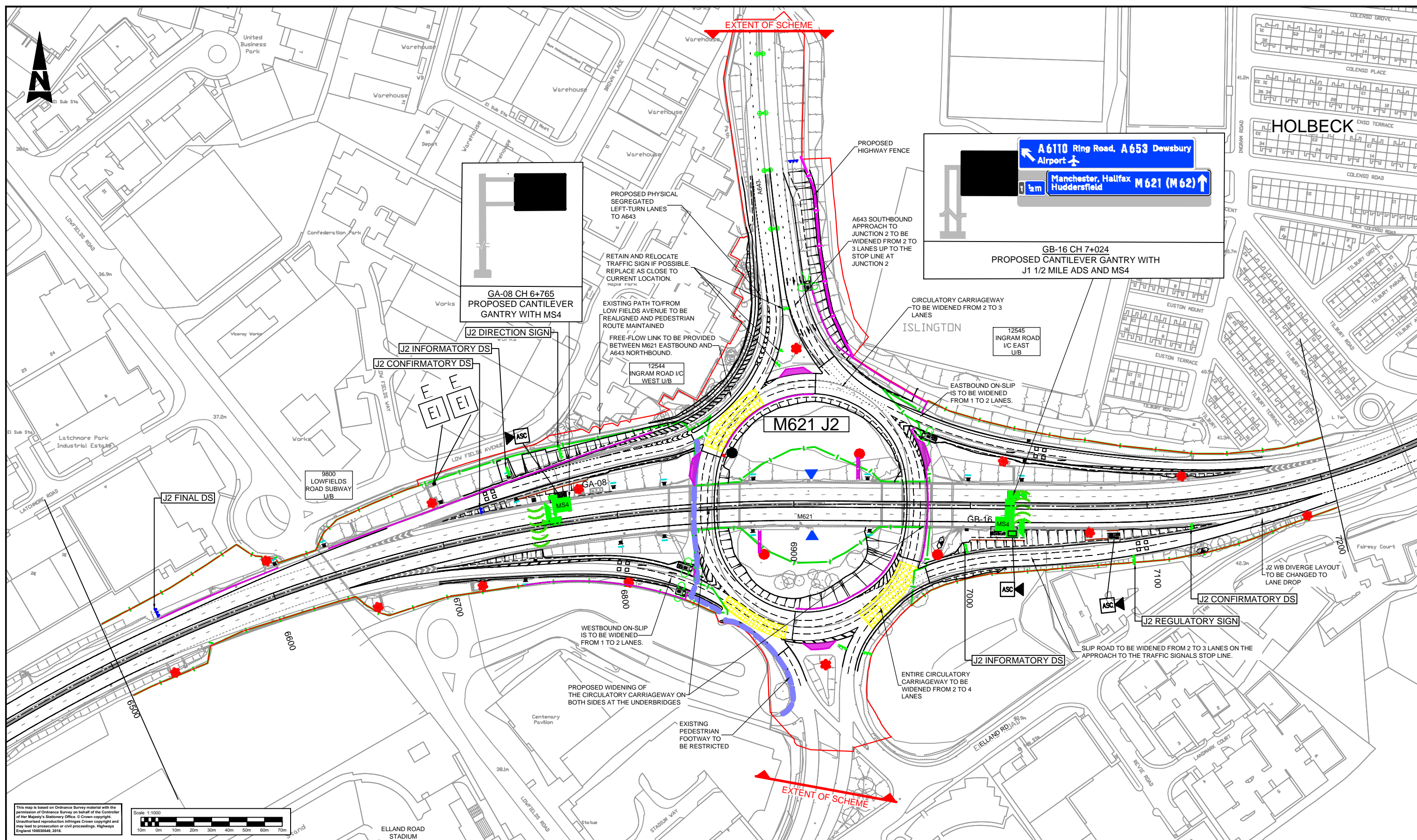
## Appendix C. General Arrangement Plan for Junction 2 & Key

General Arrangement of M621 Junction 2

Drawing: HE551464-ATK-HAC-J2-DR-CH-000008

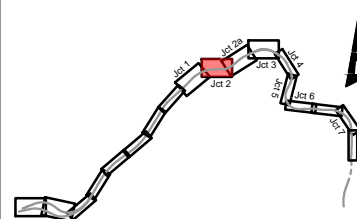
General Arrangement Key

Drawing: HE551464-ATK-HGN-XX-DR-CH-000100






NOTES

1. ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.
2. FOR KEY REFER TO DRAWING HE551464-ATK-HGN-XX-DR-CH-000100.



Description							
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date	
Description							
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First Issue							
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date	
A1	C01	AD	WS	KD	AP	04/09/2010	

Drawing Suitability		Status		Project Title													
APPROVED - PUBLISHED		A1		M621 J1-7													
  <p>The Exchange 2nd Floor 3 New Market Street Manchester M1 4HN Tel: +44 (0)1612 453400 Fax: +44 (0)1612 453500 www.atkinsglobal.com</p>		Drawing Title  GENERAL ARRANGEMENT PLAN JUNCTION 2 Ch. 6900															
Copyright © Atkins Limited (2019)																	
Client 		Drawing Number Project HE551464 - ATK - HAC - J2 - DR - CH - 000008 Location <table><tr><th>Type</th><th>Number</th></tr><tr><td>Original Size:</td><td>A1</td></tr><tr><td>Scale:</td><td>1:1000</td></tr><tr><td>Project Ref. No:</td><td>5155828</td></tr><tr><td>Sheet:</td><td>1 of 1</td></tr><tr><td>Rev:</td><td>C01</td></tr></table>				Type	Number	Original Size:	A1	Scale:	1:1000	Project Ref. No:	5155828	Sheet:	1 of 1	Rev:	C01
Type	Number																
Original Size:	A1																
Scale:	1:1000																
Project Ref. No:	5155828																
Sheet:	1 of 1																
Rev:	C01																

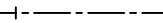
DO NOT SCALE

100  
0 10  
Millimetres

KEY:

GENERAL DETAILS

2500



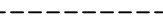
SCHEME CHAINAGE



PROPOSED RED LINE BOUNDARY



EXISTING HIGHWAY BOUNDARY



PROPOSED VERGE BLISTER



PROPOSED EARTHWORK SLOPE



PROPOSED HIGHWAY CARRIAGEWAY EDGE



PROPOSED RETAINING WALL



NON STRUCTURAL RETAINING WALL AT  
TECHNOLOGY CHAMBER LOCATIONS



EXISTING PEDESTRIAN FOOTWAY REMOVED



EXISTING RETAINING WALL



PROPOSED CENTRAL RESERVE BARRIER



EXISTING CANTILEVER GANTRY TO REMAIN



PROPOSED CANTILEVER GANTRY



EXISTING MS4 / MS3 / EMS MESSAGE SIGN TO REMAIN



PROPOSED MS4 MESSAGE SIGN



EXISTING GANTRY - MOUNTED ADS / DS TO REMAIN



PROPOSED GANTRY - MOUNTED ADS / DS



EXISTING PORTAL GANTRY TO REMAIN



PROPOSED PORTAL GANTRY



EXISTING GANTRY MOUNTED ADVANCED  
MOTORWAY INDICATORS (AMI) / LANE SIGNALS



PROPOSED GANTRY MOUNTED  
ADVANCED MOTORWAY INDICATORS (AMI)



EXISTING ENTRY SLIP MS1 SIGNAL



PROPOSED ENTRY SLIP AMI SIGNAL



EXISTING CCTV



PROPOSED 15m HIGH STAND ALONE CCTV OR  
GANTRY MOUNTED CCTV



PROPOSED AVERAGE SPEED CAMERA SITES



PROPOSED MIDAS RADAR SENSOR AND  
LANE COVERAGE



EXISTING VERGE MOUNTED ADS 1 POST



PROPOSED VERGE MOUNTED ADS 1 POST



EXISTING VERGE MOUNTED ADS 2 POST (SEE NOTE 2)



PROPOSED VERGE MOUNTED ADS 2 POST (SEE NOTE 2)



EXISTING VERGE MOUNTED ADS 3 POST (SEE NOTE 2)



PROPOSED VERGE MOUNTED ADS 3 POST (SEE NOTE 2)



EXISTING VERGE MOUNTED ADS 4 POST (SEE NOTE 2)



PROPOSED VERGE MOUNTED ADS 4 POST (SEE NOTE 2)



EXISTING VERGE MOUNTED ADS 5 POST (SEE NOTE 2)



PROPOSED VERGE MOUNTED ADS 5 POST (SEE NOTE 2)



EXISTING VERGE MOUNTED ADS 6 POST (SEE NOTE 2)



PROPOSED VERGE MOUNTED ADS 6 POST (SEE NOTE 2)



EXISTING VERGE MOUNTED ADS 7 POST (SEE NOTE 2)



PROPOSED VERGE MOUNTED ADS 7 POST (SEE NOTE 2)



PROPOSED MIDAS LOOP SITE



RETAINED EMERGENCY ROAD SIDE TELEPHONE (ERT)



EXISTING TYPE 609 ELECTRIC INTERFACE CABINET



PROPOSED TYPE 609 ELECTRIC INTERFACE CABINET



EXISTING TYPE 609 COMMS INTERFACE CABINET



PROPOSED TYPE 609 COMMS INTERFACE CABINET



PROPOSED DUCTED COMMUNICATION CABLE ROUTE



PROPOSED COMMUNICATION CABLE ROUTE THROUGH EXISTING CROSS  
CARRIAGEWAY DUCTS (SUBJECT TO ASSESSMENT VIA SITE SURVEY)



PROPOSED COMMUNICATION CABLE ROUTE THROUGH EXISTING DUCTS THROUGH STRUCTURES (SUBJECT TO ASSESSMENT VIA SITE SURVEY)



EXISTING DIRECT BURIED CABLE ROUTE



EXISTING CENTRAL RESERVE MS1 SIGNAL



OVER BRIDGE



UNDER BRIDGE



EXISTING LEEDS CITY COUNCIL HIGH MAST STEEL LIGHTING  
COLUMN OF 25m NOMINAL HEIGHT TO REMAIN



EXISTING LEEDS CITY COUNCIL HIGH MAST STEEL  
LIGHTING COLUMN OF 30m NOMINAL HEIGHT TO REMAIN



EXISTING HIGHWAYS ENGLAND HIGH MAST STEEL LIGHTING  
COLUMN OF 25m NOMINAL HEIGHT TO REMAIN



EXISTING HIGHWAYS ENGLAND HIGH MAST STEEL LIGHTING  
COLUMN OF 30m NOMINAL HEIGHT TO REMAIN



EXISTING LEEDS CITY COUNCIL HIGH MAST STEEL LIGHTING  
COLUMN OF 30m NOMINAL HEIGHT TO BE RELOCATED AND  
EXISTING FOUNDATION TO BE REMOVED TO TIP.



EXISTING LEEDS CITY COUNCIL HIGH MAST LIGHTING COLUMN  
OF 30m NOMINAL HEIGHT TO BE RELOCATED AND HAVE A NEW  
FOUNDATION.



EXISTING LEEDS CITY COUNCIL 10m STEEL NOMINAL HEIGHT  
LIGHTING COLUMN WITH TWIN BRACKET AND 2 No. LUMINAIRES  
TO REMAIN



EXISTING HIGHWAYS ENGLAND 12m NOMINAL HEIGHT  
LIGHTING COLUMN TO REMAIN



EXISTING HIGHWAYS ENGLAND 12m NOMINAL HEIGHT  
LIGHTING COLUMN WITH TWIN BRACKET AND 2 No. LUMINAIRES  
TO REMAIN



PROPOSED PCN FEEDER PILLAR TO SUPPLY GANTRY LED  
LUMINAIRES AND HOUSE LUMINAIRE DRIVERS



EXISTING DNO FEEDER PILLAR



CHAMBERS



PROPOSED MAINTENANCE ACCESS POINTS



PROPOSED MAINTENANCE ACCESS FOOTPATH






PROPOSED ACCESS STEPS

NOTES

- FOR GENERAL ARRANGEMENT LAYOUTS REFER TO DRAWINGS HE551464-ATK-HGN-XX-DR-CH-000101 TO 000112.
- ONLY EXISTING & PROPOSED STRATEGIC ADS SIGNS ARE SHOWN ON DRAWINGS HE551464-ATK-HGN-XX-DR-CH-000101 TO 000112. FOR A FULL INVENTORY OF ALL EXISTING & PROPOSED SIGNS, REFER TO THE 'SIGNAGE STRATEGY' REPORT HE551464-ATK-HSN-XX-RP-CX-000001.

Description STAGE 3 DESIGN FIX 2						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C01	PM	NP	DI	AP	25/05/18
Description STAGE 3 DESIGN FIX 3						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C02	PM	DI	JG	AP	26/05/18
Description STAGE 3 DESIGN FIX 3.2						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C03	NP	AP	KD	AP	17/06/19
Description STAGE 3 DESIGN FIX 3.2						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C04	NP	AP	KD	AP	28/06/19
Description STAGE 3 DESIGN FIX 3.2						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C05	NP	AP	KD	AP	31/07/19

Drawing Suitability APPROVED - PUBLISHED		Status A1	Project Title M621 J1-7
  <div>The Exchange 2nd Floor 3 New Market Street Manchester M1 4HN Tel: +44 (0)1612 453400 Fax: +44 (0)1612 453500 www.atkinsglobal.com</div>		Drawing Title GENERAL ARRANGEMENT KEY	
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Drawing Number Project HE551464 - ATK - HGN - XX		Originator Volume - DR - CH - 000100	
Location Original Size: A1		Type Role Number 1 of 1	
Scale: NTS		Project Ref. No. 5155828	
		Sheet Rev. C05	



## Appendix D. Responses from Consultees

### 1) Response from Sport England (01/02/2019)

Dear XXXXXXXX,

Thank you for consulting Sport England on the above proposal.

#### **Sport England –Statutory Role and Policy**

It is understood that the site forms part of, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

However, as the playing field has not been used for at least five years, any planning consultation with Sport England would not be a statutory requirement.

Sport England' applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago. Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs.

Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular Paragraph 97) and against its own playing fields policy, which states:

‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.’

Sport England Policy Exceptions	
E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Sport England Policy Exceptions	
E3	The proposed development affects only land incapable of forming part of a playing pitch and does not: <ul style="list-style-type: none"><li>▪ reduce the size of any playing pitch;</li><li>▪ result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);</li><li>▪ reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;</li><li>▪ result in the loss of other sporting provision or ancillary facilities on the site; or</li><li>▪ prejudice the use of any remaining areas of playing field on the site.</li></ul>
E4	The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field: <ul style="list-style-type: none"><li>▪ of equivalent or better quality, and</li><li>▪ of equivalent or greater quantity, and</li><li>▪ in a suitable location, and</li><li>▪ subject to equivalent or better accessibility and management arrangements.</li></ul>
E5	The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:  
<http://www.sportengland.org/playingfieldspolicy/>

### Assessment against Sport England Policy

Most of the works proposed will take place on the embankments and areas of existing landscaping. There will be a small encroachment onto the playing field along the west and south boundary. The encroachment along the south boundary will occupy a narrow strip of land between the existing embankment and the 'redgra' pitch.

Consequently, Sport England are of the view that the proposal broadly meets exception E3 of our playing fields policy, in that:

'The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.'

In light of the above, Sport England would have **no objection** to the proposal.

Sport England reserves the right to object to any subsequent planning application if we do not consider that it accords with our playing fields policy or paragraph 97 of NPPF.

If you require any further information please do not hesitate to contact the undersigned.

Yours sincerely,

XX

XXXXXX

My position has not really changed since I sent the initial response. Overall I am supportive of the redesign and believe that the changes around Junction 3 in particular will bring significant benefits to the traffic flow on the M621. I agree that in order to safely construct that change then the closure of the Junction 2A exit slip is required but the disruption caused by regular users of this exit slip is mitigated somewhat by the improvements made at Junction 2.

There is an element of increased risk to road users stranded between Junction 2A and Junction 2 but if your research states that this risk is within the acceptable limits of tolerance for Highways England then I am content with that research and the Highways England decision being presented to a Coroner in the event of a Fatal Road Traffic Collision. I would personally like to see some form of advice for pedestrians and / or pedestrian activated warning system on the wall area that would alert the NERCC or possibly even the SMART motorway technology to alert on-coming vehicles and mitigate the delay of having to phone 999 and establishing the correct location of the issue (I'm thinking of the 'panic strips' that we have in Police Stations which when pressed trigger an alarm for immediate assistance). I am, however, mindful of the limitations of technology and costs of the projects and so understand the difficulties of such a proposal.

In summary I have no objections – just the observation about the increased risk between Junction 2A & Junction 2 and again reminding you that Red X compliance [a Red X sign is used to identify when a lane is closed and indicates that drivers should move into an open lane to continue their journeys]. is still very poor at this current time.

Kind regards,

XXXXXXXXXXXXXXXXXXXX

### 3) Response from West Yorkshire Combined Authority (12/03/2019)

-----  
**From:** [REDACTED]  
**Sent:** 12 March 2019 12:32  
**To:** [REDACTED]  
**Subject:** RE: M621 Junction 1 to 7 Improvement Scheme

Hi [REDACTED]

Further to your email below, we just have the one point to raise

Leeds City Council are currently working on the delivery of a Flood Risk Management (FRM) scheme at Farnley Wood Beck near Cottingley. This watercourse crosses the M621 at Gildersome Cemetery (SE269301) and may be affected by the proposed improvement work to the M621 motorway. I have also attached a Flood Map of the area for your information. I am raising this with you to ensure you are aware of the work in this area.

At this stage the scheme is likely to consist of some storage upstream of the M621 with a flood wall close to at-risk properties. The scheme is currently at feasibility stage proposed to start construction in 2022.

Please note that this scheme was also identified (along with a related proposal – listed below) as a scheme for Highways England Designated Funds (RIS 2).

Grateful if any opportunities to align these projects as part of the M621 work could be considered.

If you require further information on the detail of the FRM scheme please contact

[REDACTED]

Many thanks,

[REDACTED]



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