



# Department for Transport

Bircham Dyson Bell LLP  
Solicitors and Parliamentary Agents  
50 Broadway  
London  
SW1H 0BL

Martin Woods  
Head of the TWA Orders Unit  
Department for Transport  
Zone 1/14-18  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

Enquiries: 020 7944 3293  
Email: [transportandworksact@dft.gov.uk](mailto:transportandworksact@dft.gov.uk)

Web Site: [www.gov.uk/dft/twa](http://www.gov.uk/dft/twa)

Our ref: TWA/14/APP/06  
Your ref: NJE/004595

Date 13 October 2016

Dear Sirs,

**TRANSPORT AND WORKS ACT 1992:  
APPLICATION FOR THE PROPOSED TRANSPORT FOR GREATER MANCHESTER  
(LIGHT RAPID TRANSIT SYSTEM) (TRAFFORD PARK EXTENSION) ORDER AND  
DEEMED PLANNING PERMISSION**

1. I am directed by the Secretary of State for Transport ("the Secretary of State") to say that consideration has been given to the report of the Inspector, Martin Whitehead LLB BSc (Hons) CEng MICE, who held a public local inquiry between 7 July and 8 December 2015 into the applications made by your clients, Transport for Greater Manchester ("TfGM"), for—

(a) the Transport for Greater Manchester (Light Rapid Transit System) (Trafford Park Extension) Order ("the Order"), to be made under sections 1 and 5 of the Transport and Works Act 1992 ("TWA"); and

(b) a direction as to deemed planning permission for the development provided for in the Order, to be issued under section 90(2A) of the Town and Country Planning Act 1990 ("the planning direction").

2. The Order and deemed planning permission would authorise TfGM to construct and operate a 5.5 kilometre extension of the Manchester Metrolink tram system from the existing stop at Pomona through Trafford Park to the Trafford Centre. The Order would include powers for TfGM to acquire, compulsorily and by agreement, land and rights in land and to use land for the purposes of constructing, operating and maintaining the new Trafford Park Line ("TPL").

3. Enclosed with this letter is a copy of the Inspector's report. His conclusions are set out in Chapter 8 of the report, and his recommendations are at Chapter 9.

## **Summary of Inspector's recommendations**

4. The Inspector recommended that the Order should be made, subject to modifications, and that the planning direction should be given, subject to conditions.

## **Summary of the Secretary of State's decision**

5. For the reasons given in this letter, **the Secretary of State has decided to make the Order, with modifications, and to give the planning direction, subject to the conditions set out in Annex 1 to this letter.**

## **Secretary of State's consideration**

6. Careful consideration has been given to all arguments put forward by, or on the behalf of, the parties. The Secretary of State's consideration of the Inspector's report is set out in the following paragraphs. All paragraph references, unless otherwise stated, refer to the Inspector's report ("IR").

### ***Aims, objectives and need***

7. The Secretary of State notes that the principle of the TPL is widely supported, including by Trafford Council, Salford City Council and some of the objectors. He agrees with the Inspector that the TPL would meet the identified aims and objectives for the scheme, and that TfGM has demonstrated a compelling case for the necessity of the TPL scheme (IR 8.2).

### ***The main alternatives considered by TfGM***

8. The Secretary of State agrees with the Inspector that TfGM has considered a sufficient number of alternatives and has satisfactorily demonstrated that the proposals in this application are the most suitable to achieve the stated aims (IR 8.3). He agrees also that the previously approved alignment (which was part of an extension to the Manchester Metrolink authorised by the Greater Manchester (Light Rapid Transit System) Act 1992 and which would have routed the TPL further away from the ITV studios, thus avoiding ITV's concerns about disturbance considered below) would not offer the same level of benefit as the proposals in this application and could present additional problems associated with events held at the Old Trafford Stadium. The benefits of the alignment now proposed would include a more attractive location for a tram stop to serve the Imperial War Museum, better connectivity to the redevelopment area along the Manchester Ship Canal, alternative tram access to MediaCity UK and a new connection between existing cycleways (IR 8.3-11). The Secretary of State is therefore satisfied that the route of the TPL in this application should be pursued in preference to the previous approved alignment.

### ***Justification and benefits***

9. The Secretary of State notes that TfGM's evidence about the significant transportation and socio-economic benefits of the TPL, by providing a sustainable means of transport between areas with high levels of deprivation and extensive employment areas, had not been challenged. He agrees with the Inspector that these benefits would more than offset the adverse environmental impact and effects on businesses, after mitigation.

He notes also that, including these benefits would place the Scheme in the “High” value for money category. The Secretary of State is therefore satisfied, like the Inspector, that there is a strong justification for the TPL proposals (IR 8.12-13).

### ***Consistency of the TPL proposals with relevant policies***

10. The Secretary of State agrees with the Inspector that in providing a sustainable mode of transport to serve areas of development the TPL scheme is consistent with the National Planning Policy Framework. He agrees also that the scheme is consistent with the aims and objectives of Greater Manchester’s third Local Transport Plan, and would accord with the relevant development plan policies in improving accessibility between regeneration areas and employment areas, and with the development plan as a whole (IR 8.14-17).

### ***Environmental impacts – noise and vibration***

11. The Secretary of State notes that the main effects of the TPL proposals due to noise and vibration would be on the production of “Coronation Street” at the ITV Trafford Wharf Studios due to construction noise, wheel squeal on the tight bend near the studios, and groundborne noise as a result of vibration from the trams. He accepts that construction noise should be able to be controlled through the Code of Construction Practice (“CoCP”); that occurrences of wheel squeal could be reduced by changing the wheel profile of trams, by control of the track gauge at the bend and by the use of a vehicle-mounted friction modification system; and that the effects of groundborne noise could, if necessary, be reduced by use of a “floating track slab” design in the vicinity of the studios. The Secretary of State accordingly agrees with the Inspector that these matters would be adequately addressed through the imposition and enforcement of planning conditions (discussed further at paragraph 23 below), which should ensure that measures are taken to avoid exceedances of the “just acceptable” noise levels specified by ITV (IR 8.18-21).

### ***Other environmental impacts***

12. The Secretary of State notes that, apart from some substantial adverse visual effects resulting from the Bridgewater Canal crossing and the loss of woodland to the east of Trafford Road Bridge, with mitigation and the safeguards secured through planning conditions, there would be no other significant adverse environmental impacts as a result of constructing and operating the TPL (IR 8.22-24).

### ***Likely impacts of the TPL scheme on traffic and the operation of businesses in the area***

13. The Secretary of State agrees with the Inspector that the CoCP and the agreements that had been, or were being, negotiated between TfGM and many of the objectors would adequately address concerns about the effects of constructing the TPL scheme on access to business premises, including those of Universal Pallet Services Limited and Manchester United Limited (“MUL”). He agrees also that reduced congestion due to modal shift should offset the disbenefit to other vehicular traffic of giving trams priority at junctions and other highway alterations; and that the proposed improvements to cycleways and footways would benefit cyclists and pedestrians (IR8.25-27).

14. The Secretary of State is satisfied that MUL's concerns about the safety of proposed highway alterations and of people leaving the Old Trafford Stadium following a major event would be adequately addressed by planning conditions (see paragraph 24 below). He agrees with the Inspector that an acceptable solution should be able to be found to address concerns about the effects of the scheme on access to Village Point from Village Way. The Secretary of State therefore agrees with the Inspector's conclusion that the harm to businesses in the area due to the effect of the TPL Scheme on road traffic, on access to and servicing of premises, and on parking is not sufficient to justify not making the Order (IR 8.28-30).

15. The Secretary of State agrees with the Inspector that the concerns expressed by objectors about the security of business premises and the sustainability of businesses have either been satisfactorily resolved or do not carry significant weight in the determination of this application (IR 8.32).

16. As regards the impacts of the TPL scheme on harbour and canal undertakings, the Secretary of State agrees with the Inspector that the protective provisions proposed by TfGM for inclusion in the Order following negotiations with the Manchester Ship Canal Company, the Bridgewater Canal Company and Peel Water Services Limited would ensure that the harbour and canals would be adequately protected (IR 8.33-34). In this regard the Secretary of State has noted also that, by letter dated 8 September 2016, The Manchester Ship Canal Company withdrew its objection to this application in its entirety, and Ship Canal Properties Limited and Peel South East Limited withdrew their objections to this application in part, following the completion of an agreement with TfGM.

17. The Secretary of State notes that there is limited evidence that there would be any significant adverse impacts on redevelopment proposals in the area as a result of the TPL scheme. There is, however, evidence to suggest the presence of the TPL should be an aid to redevelopment (IR 8.35).

### ***Mitigation measures proposed by TfGM***

18. The Secretary of State notes that the key mitigation measures would be the CoCP, those set out in the Environmental Statement ("ES"), and those proposed by TfGM to address ITV's concerns about the effects of noise and vibration at its Trafford Wharf Studios. All of these measures would be secured through planning conditions (IR 8.36). Under section 14(3AA) of the TWA, the Secretary of State is required to describe the main measures to avoid, reduce and if possible, remedy the major adverse environmental effects of the scheme. In this case he considers that the main measures to mitigate the effects of the TPL scheme are the planning conditions, set out in Annex 1 to this letter, and the CoCP.

### ***Adequacy of the ES***

19. The Secretary of State agrees with the Inspector that the ES together with the Addendum submitted by TfGM in January 2015 were adequate and he is satisfied that there has not been any failure to comply with the statutory procedural requirements (IR 8.37). The Secretary of State confirms that he has complied with the requirements of paragraphs (a) to (c) of section 14(3A) of the TWA relating to the consideration of the ES.

### ***Compulsory acquisition and funding matters***

20. The Secretary of State agrees with the Inspector that the Order would authorise the compulsory acquisition of no more land than is necessary and that TfGM has a clear idea of how it intends to use each parcel of land. He notes that sufficient budgetary provision is in place and is satisfied that no land is proposed to be acquired ahead of time. The Secretary of State agrees with the Inspector that there is a compelling case for implementing the TPL scheme to secure the transportation and socio-economic benefits referred to in paragraph 9 above. He is accordingly satisfied that, having regard to the Department for Communities and Local Government (“DCLG”) guidance dated 29 October 2015 on the compulsory purchase process, there is a compelling case in the public interest for the compulsory acquisition powers in the Order which justifies interfering with the human rights of those with an interest in the land that would be subject to those powers (IR 8.38-8.39, 8.54).

21. With regard to the negotiations between TfGM and the Peel Group of Companies, the Secretary of State notes that most of the latter’s objections (OBJ 14 to 23) were either wholly or partially withdrawn on 18 April 2016, with further withdrawals notified on 8 September 2016 as referred to at paragraph 16 above. He considers that, given the level of engagement between TfGM and those objectors before, during and after the inquiry and the progress that has been achieved, there are reasonable prospects that satisfactory agreements to protect the remaining objectors’ interests will be reached. He is in any event satisfied that the compulsory acquisition powers in the Order are justified for the reasons given above.

### ***Conditions to be attached to the planning direction***

22. The Secretary of State agrees with the Inspector that the conditions as set out in Appendix C to the IR are relevant and necessary and meet the tests in DCLG’s “Planning Practice Guidance, Use of Conditions” (IR 8.40). He has, like the Inspector, given careful consideration to the concerns of ITV and MUL and the extent to which they would be met by the proposed conditions.

23. With regard to the impact of noise and vibration at ITV’s Trafford Wharf Studios, the Secretary of State agrees with the Inspector that the proposed conditions would set an appropriate limit level for groundborne noise consistent with that used for the design of the studios; that monitoring of noise at the studio boundary would be the most appropriate method; and that the prescribed area within which construction noise would be controlled by a scheme (to be approved by the local planning authority) would be adequate to protect ITV’s interests. He is, like the Inspector, satisfied that proposed conditions 9 to 11 in Annex 1 to this letter are an appropriate method of protecting ITV’s property and that the local planning authority would be capable of taking effective enforcement action (IR 8.41-47).

24. The Secretary of State agrees with the Inspector that the conditions proposed by TfGM with regard to highway measures in the vicinity of Old Trafford Stadium, event day traffic safety and traffic signalling and signage during events (conditions 12 to 14) are sufficient to ensure vehicular and pedestrian safety and to mitigate the impacts on the highway network after events. He agrees also that the amendments to those conditions proposed by MUL would be too restrictive and would not meet the relevant test of being necessary (IR 8.48-53).

25. The Secretary of State therefore intends to attach to the planning direction the conditions as recommended by the Inspector, subject to some minor drafting modifications. He is satisfied that the conditions as set out in Annex 1 to this letter meet the tests in paragraph 204 of the National Planning Policy Framework and the Planning Practice Guidance referred to above.

### ***The proposed TWA Order***

26. The Secretary of State is satisfied that, subject to some further minor drafting changes which do not materially alter the effect of the Order, the form of the Order as recommended by the Inspector, including the protective provisions for the Manchester Ship Canal Company and the Bridgewater Canal Company, is appropriate (IR 8.55-57, 9.1(a)). He is satisfied that none of the modifications made to the Order since application would make a substantial change in the proposals such as would require notification to affected persons under section 13(4) of the TWA.

### ***Post-inquiry correspondence***

27. The Secretary of State received a further representation from ITV which was not seen by the Inspector. He does not, however, consider that anything in that representation constitutes new evidence, or raises a new issue, which needs to be referred to interested parties before he proceeds to a decision on this application. Neither does it cause him to take a different view on the matters before him than he would otherwise have taken based on the Inspector's report.

### **Secretary of State's overall conclusion and decision**

28. The Secretary of State agrees with the Inspector that there is a compelling case in the public interest for making the Order on the basis of clear evidence that the substantial public benefit which the TPL would achieve in terms of transport improvements and economic development would outweigh the harm due to private losses. Taking into account also the consistency of the proposals with relevant policies, the availability of funding and the measures proposed to mitigate the environmental effects of the scheme, he has decided to make the Order in the form referred to above and to give the planning direction subject to the conditions set out in Annex 1 to this letter.

29. The letter conveying the planning direction will issue shortly, at the same time as the Order is made, following the publication of a notice of this determination in the London Gazette.

### **Notice under section 14 of the TWA**

30. This letter constitutes the Secretary of State's notice of his determination to make the Order with modifications, for the purposes of section 14(1)(a) and section 14(2) of the TWA. Your clients are required to publish newspaper notices of the determination in accordance with section 14(4) of the TWA.

### **Challenges to decision**

31. The circumstances in which the Secretary of State's decision may be challenged are set out in the note attached at Annex 2 to this letter.

### **Distribution**

32. Copies of this letter are being sent to those who appeared at the inquiry and to all statutory objectors whose objections were referred to the inquiry under section 11(3) of the TWA but who did not appear.

Yours faithfully,

**Martin Woods**

**CONDITIONS WHICH THE SECRETARY OF STATE INTENDS TO ATTACH TO THE DIRECTION AS TO DEEMED PLANNING PERMISSION**

**Definitions**

In these conditions:

“construction noise” means noise caused by construction works undertaken in the Relevant Area in respect of the development;

“the development” means the development authorised by the Order;

“the Environmental Statement” means the documents of that description submitted with the application for the Order on 11th November 2014, as supplemented by the further environmental information submitted on 27th January 2015;

“event days at Old Trafford Stadium” means the days when major events are held at Manchester United Football Club Old Trafford Stadium that require a Traffic Management Plan;

“the local planning authority” means Trafford Metropolitan Borough Council;

“operational airborne noise” means airborne noise caused by a tram or trams passing through the operational area, the use of warning horns by any such trams, or the use of public address systems pursuant to the operation of the development;

“operational area” means the areas shown hatched blue on Plan 2;

“operational groundborne noise” means groundborne noise caused by a tram or trams passing through the operational area;

“the Order” means the Transport for Greater Manchester (Light Rapid Transit System) (Trafford Park Extension) Order 2016;

“phase” means a part, section or stage of the development identified as a phase in the scheme approved under condition 2;

“Plan 1” means the plan numbered MMD-327551-DWG-100-081 Rev P3 at Appendix 1 to inquiry document TfGM.CD152;

“Plan 2” means the plan numbered MMD-327551-SK-000-376 Rev P2 at Appendix 2 to inquiry document TfGM.CD152;

“Plan 3” means the plan number MMD-327551-DWG-100-082 Rev P2 at Appendix 3 to inquiry document TfGM.CD152;

“Relevant Area” means the area shown shaded green on Plan 1;

“structure” means any structure excluding tram lines;

“Studio” means ITV’s premises on Trafford Wharf Road as shown delineated in blue on Plan 1;

“Studio 4” means ITV’s indoor studio as shown delineated in yellow on Plan 1;

“Table” means the table showing  $L_{AFmax}dB$  against frequencies at Appendix 4 to inquiry document TfGM.CD152; and

“the transit system” has the meaning given in article 2(1) of the Order.

### **Time limit for commencement of development**

- 1 The development must begin not later than 5 years from the date when the Order comes into force.

***Reason:** To ensure that the development is commenced within a reasonable period of time.*

### **Phasing of development**

- 2 The development must not commence until details of a phasing scheme of construction works have been submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the approved phasing scheme.

***Reason:** To protect the amenity of the users and occupiers of Trafford Park and to protect the functioning of the highway network.*

### **Design and external appearance**

- 3 No phase of the development is to commence until details of the design and external appearance of all structures, including the positions of any poles to support overhead line equipment within that phase, have been submitted to and approved in writing by the local planning authority. The erection and creation of the structures must be carried out in accordance with the approved details for that phase.

***Reason:** To ensure a satisfactory external appearance in the interests of visual amenity.*

### **Materials**

- 4 No phase of the development is to commence until details of materials to be used in any external surfaces within that phase and their external appearance have been submitted to and approved in writing by the local planning authority. The submitted details must include samples of the materials to be used. The development must be carried out in accordance with the approved details.

***Reason:** To control the external materials used in the development and to ensure a satisfactory external appearance in the interests of visual amenity.*

### **Landscaping scheme**

- 5 No phase of the development is to commence until a landscaping scheme specifying details of both hard and soft landscaping in relation to that phase has been submitted

to and approved in writing by the local planning authority. The scheme must include:

- (a) the identification of any trees having a stem diameter of 75 millimetres or greater intended to be lopped, pruned or felled in connection with the carrying out of the development;
- (b) provision that the works to such trees are to be carried out in accordance with BS5837:2012;
- (c) provision for the replacement within the next appropriate planting period of trees having a stem diameter of 75 millimetres or greater that are to be felled;
- (d) provision for the protection during the period of construction of all retained mature trees in the vicinity of the development in accordance with BS5837:2012, including plans identifying the location and species of the trees to be retained and a method statement to include particulars relating to working methods, temporary protective fencing, location of hoardings and areas prohibited for use by contractors; and
- (e) provision for the replanting of any trees which require replacement in consequence of accidental damage during the construction period, or which die or become seriously diseased within 5 years of planting.

The approved landscaping scheme must be implemented in accordance with the approved details not later than 12 months after the date when the transit system is brought into public use.

**Reason:** *To ensure a satisfactory external appearance in the interest of visual amenity, to ensure appropriate provision for trees is made in the landscaping scheme and to ensure that landscaping mitigation is provided in a timely manner.*

### **Code of Construction Practice**

- 6 No development is to commence until a Code of Construction Practice in relation to the development has been submitted to and approved in writing by the local planning authority. The Code of Construction Practice must accord with the principles set out in the draft Code of Construction Practice submitted with the application for the Order on 11th November 2014. The development must be carried out in accordance with the approved Code of Construction Practice.

**Reason:** *To mitigate expected construction impacts.*

### **Environmental mitigation measures**

- 7 No phase of the development is to commence until a scheme for the implementation of mitigation measures specified in the Environmental Statement in relation to that phase has been submitted to and approved in writing by the local planning authority. The

mitigation measures must be implemented in accordance with the approved scheme.

**Reason:** *To mitigate expected environmental impacts arising from the development.*

### **Park and ride site**

- 8 The park and ride site shown indicatively on drawing numbered MMD-327551-DWG-100-036 must not be brought into use until those parts of the site used by vehicles have been laid out, drained and surfaced, and that area must not subsequently be used for any purpose other than park and ride related use.

**Reason:** *To ensure that the layout and drainage of the park and ride site is satisfactory and that the park and ride site is not used for unrelated purposes.*

### **Control of construction noise**

- 9 No phase of the development that includes construction works within the Relevant Area is to commence until a scheme for the control of noise arising from such works has been submitted to and approved in writing by the local planning authority. The scheme must include details of:

- (a) the measures that are to be taken to control construction noise between 0800 hours and 2000 hours from Monday to Friday and such other measures as would enable ITV to film within the Studio outside these hours;
- (b) the measures to be taken to monitor construction noise in the Relevant Area, including the proposed methodology for measuring the levels of construction noise;
- (c) the measures to be taken to ensure that the threshold levels of construction noise at the different frequencies set out in the Table are not exceeded at any point 3 metres above ground level along the southern boundary of the Studio as shown in blue between points a, b and c on Plan 1 between 0800 hours and 2000 hours from Monday to Friday and such other measures as would enable ITV to film within the Studio outside these hours; and
- (d) the measures to be taken in the event that the above levels are exceeded so as to reduce construction noise such that it complies with the levels set out above.

The development must not be carried out otherwise than in accordance with the approved scheme.

**Reason:** *To mitigate the impacts of noise during the construction of the development.*

### **Control of operational groundborne noise**

- 10 Construction of the track slab supporting the transit system to be constructed in the Relevant Area must not commence until a scheme for the control of operational groundborne noise in Studio 4 has been submitted to and approved in writing by the local planning authority. The scheme must include details of:

- (a) the measures to be taken to ensure that the operational groundborne noise level in

Studio 4 does not exceed NR25  $L_{AFmax}$ , including details of any testing and commissioning to be carried out before the transit system is brought into passenger operation, and of the proposed maintenance regime for the tramcars and rails in the Relevant Area;

- (b) the measures to be taken to monitor operational groundborne noise, including the proposed methodology for measuring operational groundborne noise; and
- (c) the measures to be taken, including the timescales within which they would be taken, to reduce operational groundborne noise if the groundborne noise does exceed NR25  $L_{AFmax}$ .

The development must not be operated otherwise than in accordance with the approved scheme.

**Reason:** *To mitigate the impacts of noise during the operation of the transit system.*

### **Control of operational airborne noise**

11 The construction of the track comprised in the transit system in the Relevant Area must not commence until a scheme for the control of operational airborne noise has been submitted to and approved in writing by the local planning authority. The scheme must include details of:

- (a) the measures that are to be taken to control operational airborne noise between 0800 hours and 2000 hours from Monday to Friday and such other measures as would enable ITV to film within the Studio outside these hours;
- (b) the measures to be taken to ensure that the threshold levels of operational airborne noise at different frequencies set out in the Table are not exceeded at any point 3 metres above ground level along the southern boundary of the Studio as shown in blue between points a, b and c on Plan 2 between 0800 hours and 2000 hours from Monday to Friday and such other measures as would enable ITV to film within the studio outside these hours, including details of any testing and commissioning to be carried out before the transit system is brought into passenger operation, of any proposed friction modification system, and of the proposed maintenance regime for the tramcars and rails in the Relevant Area;
- (c) the measures to be taken to monitor operational airborne noise in the operational area, including the proposed methodology for measuring the levels of operational airborne noise; and
- (d) the measures to be taken, including the timescales within which they would be taken, in the event that the above levels are exceeded so as to reduce operational airborne noise such that it complies with the levels set out above.

The development must not be operated otherwise than in accordance with the

approved scheme.

**Reason:** *To mitigate the impacts of noise during the operation of the tram.*

### **Highway measures in the vicinity of Old Trafford Stadium**

12 No phase of the development within the area shown in green on Plan 3 is to commence until details of the proposed highway works in that area and any associated traffic calming and pedestrian safety measures within or outside that area have been submitted to and approved in writing by the local planning authority. These details must include:

- (a) the works associated with the remodelling of the junctions of Sir Alex Ferguson Way with Trafford Wharf Road and Sir Alex Ferguson Way with Victoria Place;
- (b) the provision of a signal-controlled pedestrian crossing on the slip road from Sir Alex Ferguson Way to Wharfside Way; and
- (c) modifications to the footways adjacent to the Metrolink waiting area corral shown indicatively on drawing numbered MMD-327551-DWG-100-032.

The Wharfside stop must not be brought into passenger operation until the highway works and other measures approved under this condition have been implemented in accordance with the approved details.

**Reason:** *To ensure vehicular and pedestrian safety in the vicinity of Old Trafford Stadium.*

### **Event day traffic safety scheme**

13 The Wharfside stop must not be made available for use by passengers on event days at Old Trafford Stadium until a scheme for the management of traffic before, during and after events at Old Trafford Stadium that is required as a result of the changes to the highway network resulting from the development has been submitted to and approved in writing by the local planning authority. The scheme must include details of:

- (a) any temporary road closures proposed and other measures to avoid the obstruction of pedestrians before, during and after events at the Old Trafford Stadium;
- (b) the access and egress arrangements for car parks located off Victoria Place;
- (c) any other traffic management measures proposed before, during and after events at the Old Trafford Stadium; and
- (d) the times on event days at Old Trafford Stadium when the proposed closures and measures are to have effect.

The road closures and other traffic management measures must be implemented on an event day at Old Trafford Stadium in accordance with the approved scheme.

**Reason:** *To ensure vehicular and pedestrian safety during events at Old Trafford Stadium.*

## **Traffic signalling and signage during events at Old Trafford Stadium**

- 14 The Wharfside stop must not be made available for use by passengers on event days at Old Trafford Stadium until a scheme detailing the traffic signalling and signage required for the management of traffic after events as a consequence of the changes to the highway network resulting from the development has been submitted to and approved in writing by the local planning authority. The scheme must include:
- (a) details of the number, type and locations of any traffic signs to be installed;
  - (b) details of any special traffic signal plans to include urban traffic control for selected junctions on the network; and
  - (c) details of any variable message signs to be installed and the times on event days at Old Trafford Stadium when they are to have effect.

The scheme must be implemented on an event day at Old Trafford Stadium in accordance with the approved details of the scheme.

***Reason:*** *To mitigate the impacts on the highway network before, during and after events at Old Trafford Stadium.*

END

## **RIGHT TO CHALLENGE ORDERS MADE UNDER THE TWA**

Any person who is aggrieved by the making of the Order may challenge its validity, or the validity of any provision in it, on the ground that—

- it is not within the powers of the TWA; or
- any requirement imposed by or under the TWA or the Tribunals and Inquiries Act 1992 has not been complied with.

Any such challenge may be made, by application to the High Court, within the period of 42 days beginning with the day on which notice of this determination is published in the London Gazette as required by section 14(1)(b) of the TWA. This notice is expected to be published within 3 working days of the date of this decision letter.

## **CHALLENGES TO DEEMED PLANNING PERMISSION GIVEN IN CONNECTION WITH A TWA ORDER**

There is no statutory right to challenge the validity of the Secretary of State's direction that planning permission be deemed to be granted for development for which provision is included in the Order. Any person who is aggrieved by the giving of the direction may, however, seek permission of the High Court to challenge the decision by judicial review.

**A person who thinks they may have grounds for challenging the decision to make the Order and to give the planning direction is advised to seek legal advice before taking any action.**