

APP/INQ 5.2

MIDLAND METRO (WEDNESBURY TO BRIERLEY HILL LAND ACQUISITION) ORDER

COMPLIANCE WITH STATUTORY PROCEDURES

Note for the Inspector in relation to compliance with Rule 13(6) of the Transport and Works (Inquiries Procedure) Rules 2004 (Date and notification of Inquiry)

Rule 13(6) of the Inquiries Rules requires that the applicant shall not later than 2 weeks before the date fixed for the commencement of an inquiry—

- (a) post a notice of the inquiry in a conspicuous place or as close as reasonably practicable to, the land to which the powers sought in the application relate;
- (b) post a notice of the inquiry in one or more places where public notices are usually posted in the area in which the proposals contained in the application relate;
- (c) publish a notice of the inquiry by local advertisement in the area in which the proposals contained in the application are to have effect.

Rules 13(6)(a) (posting of notices along the route) and Rule 13(6)(c) (publication of notice of the inquiry) have been complied with.

Due to difficulties ascertaining whether both Dudley and Sandwell usually display public notices, and if so where, the posting of notices in the council offices was delayed and they were displayed as follows –

- at the offices of Dudley Metropolitan District Council on 8 March 2019 (12 days before the start of the Inquiry); and
- at the offices of Sandwell Metropolitan District Council on 11 March. (9 days before the start of the Inquiry).

Confirmation was received on Monday 18th March that Sandwell Council do not usually post public notices.

In order to ensure no one is prejudiced as a result of the delay in displaying the notices in the offices of Dudley Metropolitan Council we suggest that the inquiry is formally held open until 22 March