



SUBJECT TO CONTRACT

Transport and Works Act 1992: The Midland Metro (Wednesbury to Brierley Hill Land Acquisition Order

Done Brothers (Cash Betting) Limited, Unit L16 Former Post Office, Merry Hill Shopping Centre, Brierley Hill (the "Property") – Plots 336 and 337

Assurances from West Midlands Combined Authority (WMCA)

On the basis of Done Brothers (Cash Betting) Limited withdrawing their objection WMCA covenants to use reasonable endeavours to:-

1. Maintain vehicle and pedestrian access/egress to the Intu Merry Hill Shopping Centre at all times during construction of the Metro Scheme as far as reasonably practicable however if interrupted temporarily, WMCA will ensure that appropriate alternative access to the Shopping Centre and the Property remains in place at no cost to Done Brothers (Cash Betting Limited);
2. Keep The Embankment open at all times as per the letter from WMCA dated 18 April 2018 (attached). However in the event that the road is to be closed to enable works of construction, ensure that the alternative vehicular and pedestrian access to the Intu Merry Hill Shopping Centre is clearly signposted, and traffic diverted as necessary;
3. Provide Done Brothers (Cash Betting) Limited with advance warning of disruptive work that WMCA will carry out in close proximity to the Property with the exception of any works carried out in an emergency;
4. Provide regular updates and communication on the upcoming works and likely impacts to the business and customers of Done Brothers (Cash Betting) Limited at the Property;
5. Minimise interference to the Property by way of noise, dust vibration and other similar matters as set out in the Code of Construction Practice Part 1; and
6. Carry out works with minimum disruption to business at the Merry Hill Shopping Centre.

The assurances above will not affect in any way Done Brothers (Cash Betting) Limited's rights to claim compensation under their right in the above Transport and Works Act Order.

Done Brothers (Cash Betting) Limited covenants to withdraw their objection to the Order within five working days of the assurances being agreed.

Reasonable and proper professional fees incurred by Done Brothers (Cash Betting) Limited in connection with the provision of these assurances will be paid by WMCA and for the avoidance of doubt there will be no double recovery of costs from WMCA.

Fees will only be paid after Done Brothers (Cash Betting) Limited have formally withdrawn their objection and a detailed breakdown of costs have been provided to the WMCA. Under this Assurance, Done Brothers (Cash Betting) Limited commit to making no further objections for The Midland Metro (Wednesbury to Brierley Hill Land Acquisition) Order.

WMCA signature

PETER ADAMS
HEAD OF METRO DEVELOPMENT
31 JULY 2018