

Private and Confidential

For the attention of: Angela Foster
The Transport and Works Act Orders Unit
General Counsel's Office
Department for Transport
Zone 1/18 Great Minster House
33 Horseferry Road
London SW1P 4DR
By email: transportandworks@dft.gsi.gov.uk

Your Ref:
Our Ref: (P)RPA.MKF.AXR.CRT001.1272
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Date: 22 May 2018
Direct Line: +44 (0) 191 204 4190
Direct Fax: +44 (0) 191 204 4001
Email Address: melissa.flynn@wardhadaway.com

Dear Sirs

Re: Midland Metro – Wednesbury to Brierley Hill Extension
Our Client: The Canal and River Trust

We have recently been instructed by The Canal and River Trust ("the Trust") in respect of the above matter. The Trust have become aware that an application has been made for a Transport and Works Act Order which is intended to supplement The Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005. The Trust cannot, however, find a record of notice having been served upon them in respect of this application as required in accordance with Rule 15 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 ("the 2006 Rules"). We would be grateful if you would kindly forward to us a copy of the notice duly served on our Client in accordance with the 2006 Rules.

We are instructed to request that you register this letter as a holding objection against the Transport and Works Act Order. Further submissions on behalf of the Trust will follow in due course and without prejudice to these further submissions one fundamental point we would make at this stage is that the Book of Reference accompanying the draft Order is deficient at page 189 in failing to recite the Trust's statutory undertaker status as defined by Rule 4 of the 2006 Rules.

We acknowledge the content of paragraphs 2.14-2.15 of the "Report Summarising the Consultation Undertaken" in respect of the engagement with the Trust and the wider discussions that have taken place in respect of a Memorandum of Understanding. Our Client remains fully supportive of this process although it should be noted that as matters stand the Memorandum has not yet been completed by the parties. Therefore, notwithstanding the broader discussions, with regard to this specific proposals we would encourage the promoter to liaise directly with our client in order to satisfy them in respect of the content and effect of the proposed Order. We confirm that the relevant contact is Ailith Rutt, Planning Manager, and she can be contacted by email in the first instance at ailith.rutt@canalrivertrust.org.uk.

Ward Hadaway Solicitors

Sandgate House, 102 Quayside, Newcastle upon Tyne NE1 3DX
Tel: +44 (0)191 204 4000 Fax: +44 (0)191 204 4001 DX: 730360 Newcastle upon Tyne 30
Email: legal@wardhadaway.com Web: www.wardhadaway.com

Also at: Leeds and Manchester

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Ms Rutt would be happy to assist in facilitating contact between the relevant individuals at the Trust and the West Midlands Combined Authority.

Yours faithfully



Ward Hadaway