

Midland Metro

1.3 The Requirements for an Environmental Statement

The Wednesbury to Brierley Hill scheme is being promoted under the Transport and Works Act 1992. In order to obtain the necessary powers to construct and operate the scheme, Centro is applying to the First Secretary of State for a Transport and Works Order (TW Order).

It should be noted that the Midland Metro (No. 2) Act 1992 authorised a route from Wolverhampton via Walsall and Wednesbury to Brierley Hill. In January 1999, the section of the alignment from Wolverhampton via Walsall to Wednesbury was relinquished. The powers for the remainder of the route from Wednesbury to Brierley Hill were retained, but expired in March 2002.

The procedures for Order applications are described in The Transport and Works (Applications and Objections Procedure) Rules 2000 (hereafter referred to as "the Applications Rules") ⁽¹³⁾. The Applications Rules require that, when an application for an Order is made, it should usually be accompanied by an ES. Tramways are included on the list of projects described in Schedule 2 of the regulations ⁽¹⁴⁾. Consequently, the provision of an ES is not mandatory in all cases. However, the regulations state that *"for linear transport schemes, the likelihood of significant effects will generally depend on the estimated emissions, traffic, noise and vibration and degree of visual intrusion and impact on the surrounding ecology. EIA is more likely to be required for new development over 2 km in length"*. The regulations also state that EIA is likely to be required where the area of the works exceeds 1 hectare. The proposed Wednesbury to Brierley Hill Extension scheme exceeds both of these criteria.

This ES has been prepared in accordance with the Applications Rules to accompany Centro's application for an Order for the Wednesbury to Brierley Hill scheme.

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