
From: Helen Bissell

Sent: 28 January 2021 10:52

To: Jane Wakeham

Cc: Mark Mathews ; Khasru Ali

Subject: Re: Proposed Rother Valley Railway TWAO - former BRB bridge structures managed by HE HRE on behalf of SoS for Transport

This message originated outside Winckworth Sherwood

Dear Jane,

I have been instructed to advise you, on behalf of the Department for Transport, that:

1. The wording for Article 43 to be included in the draft TWAO, as set out below is agreed:

43. —(1) Upon the coming into force of this Order—

- (a) the Company shall, to the exclusion of the owner, be subject to all obligations statutory or otherwise relating to the railway line and the bridges and the airspace beneath them comprised in Railway No. 2 and referred to as plots 1 to 5 on the Order plans or any one of them (insofar as those obligations are still subsisting and capable of taking effect) to the intent that the owner shall be released from all such obligations; and
- (b) the agreement made between BRB (Residuary) Limited and Rother Valley Railway Limited and dated 12 September 2007 shall terminate with immediate effect such that its terms may not be enforced.

To clarify, this incorporates the wording I had added, as appearing in red, in Khasru Ali's email of 02 June 2020 in the thread below.

2. The Department consents in principle to the compulsory acquisition by Rother Valley Railway Limited of the bridges concerned if the Secretary of State for Transport is minded to make the Order.

Kind regards

Helen

Helen Bissell

Partner

Hollingworth Bissell

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