



**WEST MIDLANDS**  
COMBINED AUTHORITY

## WMCA Board

<b>Date</b>	23 June 2017
<b>Report title</b>	Memorandum of Understanding – West Midlands Combined Authority and Canals and Rivers Trust
<b>Portfolio Lead</b>	Councillor Roger Lawrence – Transport
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<b>Accountable Employee</b>	Stuart Everton, Black Country Director of Transport. Email: Stuart.everton@wolverhampton.gov.uk Tel. 07881358686
<b>Report has been considered by</b>	STOG (22.05.17) and Programme Board (02.06.17)

**Recommendation(s) for action or decision:**

**WMCA Board are recommended to:**

1. Approve the contents of the Memorandum of Understanding between The West Midlands Combined Authority and Canals and Rivers Trust.

## **1. Purpose**

- 1.1. The report sets out the need to develop and adopt a collaborative way of working between the West Midlands Combined Authority, constituent local authorities and Canals and Rivers Trust due to the increased levels of funding now available to deliver transport improvements over the next 10 years.
- 1.2. The Memorandum of Understanding (MoU) recognises the interests of all parties and will form the basis for mutual collaboration as scheme delivery and constraints across the network become more critical.

## **2. Background**

- 2.1. Prior to the formation of the combined authority and the announcement of the devolution deal in October 2015, Local Authorities have engaged with the Canals and Rivers trust on an adhoc basis as and when major schemes were delivered.
- 2.2. The Canals and Rivers Trust was formed in July 2012 and operates as a charity. In doing so it is heavily reliant on investment from outside organisations and fees that are generated from works being undertaken on their network.
- 2.3. Over the last 4 years, both Birmingham City Council and the Black Country LEP have invested heavily to upgrade the canal tow paths to increase the level of cycling and walking across the metropolitan area.
- 2.4. The development of schemes such as Wednesbury to Brierley Hill and East Birmingham Metro Extension require a substantial amount of interaction between both parties, with considerable amounts of land access and acquisition required. Other major highways schemes such as M6 J10 will require planning and acquisition to be undertaken with CRT that is time critical.
- 2.5. Through schemes such as this listed above, the Canal and River Trust assets will be enhanced and will also introduce higher demand on their network. In return for the West Midland Combined Authority and constituent Local Authorities making a considerable investment at nil cost to CRT, there is a need to introduce a streamlined process to allow schemes to be delivered without incurring unnecessary delays.
- 2.6. The MoU will seek to prevent CRT from submitting objections to planning applications or Compulsory Purchase Orders where they stand to benefit from the improvements, either through an enhancement in the value of their assets or increase in use on the network. In addition all fees due on schemes will be waived unless legal agreements are required for indemnity purposes.
- 2.7. CRT will only be able to object to a planning application or CPO where it is detrimental to its own asset or user base.
- 2.8. This agreement applies to the Metropolitan Authorities within the Combined Authorities and any work funded through the 3 Local Enterprise Partnerships.

2.9. Signatory to the West Midlands Combined Authority will be Tim Martin, Head of Governance.

### **3. Impact on the Delivery of the Strategic Transport Plan**

- 3.1 The Metropolitan Tier: Rail and Rapid Transit Network, Key Route Network, Strategic Cycle Network
- 3.2 The West Midlands Combined Authority (WMCA) policies that are supported include:
- Policy 1 – To accommodate increased travel demand by existing transport capacity and new sustainable transport capacity.
  - Policy 3 – To maintain existing transport capacity more effectively to provide greater resilience and greater reliability for the movement of people and goods.
  - Policy 4 – To improve connections to new economic development locations to help them flourish, primarily through sustainable transport connections.
  - Policy 6 – To improve connections to areas of deprivation.
  - Policy 8 – To improve connections to new housing development locations to help them flourish, primarily through sustainable transport connections.
  - Policy 10 – To help tackle climate change by ensuring a large decrease in greenhouse gases from the West Midlands Metropolitan Area's transport system.
  - Policy 13 – To assist with the reduction of health inequalities in the West Midlands Metropolitan Area.
  - Policy 14 – To increase the accessibility of shops, services and other desired destinations for socially excluded people.

### **4. Wider WMCA Implications**

4.1. The MoU will allow schemes contained within the High Speed Two Connectivity Package and the West Midlands' 2026 Delivery Plan for Transport to be developed and delivered more efficiently and to reduce the amount of delays encountered when changes are required to schemes on site.

### **5. Financial implications**

- 5.1. There are no direct savings to the Local Authorities or West Midlands Combined Authority as part of this report.
- 5.2. Savings will be generated through a reduction in fees required to undertake works on the Canals and Rivers Trusts land and assets and through more efficient delivery methods. Thus expediting schemes to site more quickly.
- 5.3. Savings will also be generated from the reduction in objections submitted during the Compulsory Purchase Order process and the need for subsequent Public Inquiries.

## **6. Legal implications**

6.1. The memorandum of understanding is not legally binding by either party, but sets out a mutually agreed way of operating. In return, further levels of investment will be directed towards the Canals and Rivers Trust.

## **7. Equalities implications**

7.1. No equality implications envisaged in relation to this report.

## **8. Other Implications**

8.1. None Identified

## **9. Schedule of background papers**

9.1. None

## **10. Appendix**

Appendix 1: Draft Memorandum of Understanding between WMCA & Canals and Rivers Trust