



**WMCA Board**

**Friday 17 September at 11.00 am**

**Minutes**

**Constituent Members**

Andy Street (Chair)	Mayor of the West Midlands
Councillor Mike Bird	Walsall Metropolitan Borough Council
Councillor Ian Courts	Solihull Metropolitan Borough Council
Councillor George Duggins	Coventry City Council
Councillor Patrick Harley	Dudley Metropolitan Borough Council
Councillor Abdul Khan	Coventry City Council
Councillor Stephen Simkins	City of Wolverhampton Council
Councillor Bob Sleigh	Solihull Metropolitan Borough Council
Councillor Ian Ward	Birmingham City Council

**Non-Constituent Members**

Councillor Matthew Dormer	Redditch Borough Council
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**Observer Members**

Councillor Greg Brackenridge	West Midlands Fire Authority
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The following participated in the meeting remotely via Microsoft Teams:

Lee Barron	Midlands Trades Union Congress
Councillor Andrew Day	Warwick District Council
Councillor Kath Hartley	Transport Delivery Committee
Councillor Tony Jefferson	Stratford-on-Avon District Council
Councillor Brigid Jones	Birmingham City Council
Councillor Sebastian Lowe	Rugby Borough Council
Councillor Olivia Lyons	Cannock Chase District Council
Councillor Jeremy Oates	Tamworth Borough Council
Ibrahim Sohail	Young Combined Authority
Councillor Heather Timms	Warwickshire County Council
Councillor Kristofer Wilson	Nuneaton & Bedworth Borough Council
Sarah Windrum	Coventry & Warwickshire Local Enterprise Partnership

**38. Apologies for Absence**

Apologies for absence were received from Councillor Cathy Bayton (Overview & Scrutiny Committee), Councillor Ian Brookfield (Wolverhampton), Councillor Maria Crompton (Sandwell), Councillor Shaun Davies (Telford & Wrekin), Councillor Lezley Picton (Shropshire), Tim Pile (Greater Birmingham & Solihull LEP), Councillor Izzi Seccombe (Warwickshire), Councillor Rajbir Singh (Sandwell), Tom Westley (Back Country LEP) and Councillor David Wright (North Warwickshire).

**39. Chair's Remarks**

**(a) Kim Bromley-Derry, Sandwell Metropolitan Borough Council**

The Chair congratulated Kim Bromley-Derry on his recent appointment as Interim Chief Executive of Sandwell Metropolitan Borough Council.

**40. Minutes - 23 July 2021**

The minutes of the meeting held on 23 July 2021 were agreed as a correct record.

**41. Forward Plan**

The forward plan of items to be reported to future meetings of the board was noted.

**42. Financial Monitoring 2021/22**

The board considered a report from the Director of Finance on the WMCA's finances as at the end of July 2021 (including the financial implications of COVID-19).

The overall year to date position at the end of July showed a £1.683m favourable variance from budget. This consisted of a favourable variance within the transport budget of £1.647m largely due to concession savings during the pandemic as a result of reduced service provision by operators, lower patronage and no fare increases. A revision of the Accessible Transport contract and staffing variations had delivered further savings. There was a further favourable variance of £0.036m within the delivery budget. This was driven by staffing variations and a re-profiling of activities whilst the strategic priorities of WMCA were reviewed and the COVID-19 restrictions were eased.

Resolved:

- (1) The financial position as at 31 July 2021 be noted.
- (2) The latest forecast for 2021/22, incorporating the latest view of the impact of COVID-19, be noted.
- (3) The work being undertaken on the Electric Vehicle infrastructure strategy and the potential for WMCA to bid into the Office for Zero Emission Vehicles for supplementary funding during October / November 2021 once the details were published be noted.
- (4) The use of £4.2m of Investment Programme Transport allocation to support Metro capital costs be noted.
- (5) The full business case for Binley Cycleway (£8.594m) be approved, noting the scope was subject to confirmation of the Active Travel Fund by the Department for Transport.
- (6) The drawdown of £5.894m from Transforming Cities Fund plus various sources and £2.70m of Active Travel Fund for the Binley Cycleway, with the latter being subject to the Department for Transport confirming that the WMCA's bid was successful be approved.

- (7) The possible requirement for a parent company guarantee or security deposit in relation to power supply contract for the Metro be noted and authority be delegated to the s151 Officer and the Monitoring Officer to conclude those negotiations.

#### **43. West Midlands Circular Economy Routemap**

The board considered a report from the Director of Inclusive Growth & Public Service Reform that provided an overview of the West Midlands Circular Economy Routemap as well as the next steps and recommendations for delivery.

The definition of a circular economy was a system that designed out waste and pollution, keeping products and materials in use for as long as possible and regenerating natural systems through economic activity. Rather than depend on linear and extractive, wasteful processes, a circular economy encouraged repair, reuse and regeneration of resources and materials as well as a transition to renewable energy.

Councillor Heather Timms welcomed the report and indicated that Warwickshire was keen to explore the circular economy principles further in respect of the battery industry and food waste. Councillor Ian Ward stressed the need to ensure this work complemented and added value to the work being undertaken by constituent authorities.

Resolved:

- (1) The production of the West Midlands Circular Economy Routemap, the engagement of key partners, and the opportunities for the WMCA to add value in turning the routemap into action to maximise circular economy opportunities for the region be noted.
- (2) The following two areas be agreed for priority action and business case development, both of which would support the regional economy:
  - Circular Manufacturing with a focus on a West Midlands Industrial Symbiosis Delivery Programme to unlock investment, innovation and circularity in strategic regional locations, building on the hub models of Repowering the Black Country by supporting the project's emerging investment opportunities.
  - Circular Construction with a focus on developing Zero Waste Construction Hubs to support materials exchange and recovery using strategic hubs based across the region.
- (3) The wide-ranging opportunities for wider collaborative action and good practice sharing, and the suggested delivery plan in the routemap, be noted.
- (4) The recommendation to local authorities to build on their existing leadership, and to use their enabling functions to create the conditions for a more circular economy be noted.

#### **44. West Midlands Bus Service Improvement Plan**

The board considered a report from the Interim Managing Director, Transport for West Midlands, seeking approval for the West Midlands Bus Service Improvement Plan principles, ahead of the plan's publication required under the National Bus Strategy for England by the 31 October 2021.

The National Bus Strategy published in March 2021 set out the requirements for all Local Transport Authorities to access transformational funding from April 2022. Transport for West Midlands was the Local Transport Authority the WMCA constituent area. The first step was to publish a notice of intent to pursue an Enhanced Partnership and/or franchising by the end of June 2021. By 31 October 2021, Transport for West Midlands must publish a Bus Service Improvement Plan. By 31 March 2022 the Local Transport Authority should have either an Enhanced Partnership in place or be following the statutory processes for a franchising assessment.

The Office of the Police & Crime Commissioner indicated that it wished to work with Transport for West Midlands on these proposals, particularly regarding the development of any new bus byelaws and how the police could help build greater confidence in the use of public transport. Councillor Ian Ward stressed the importance of ensuring the bus network was funded as a public service that provided safe and reliable services across the route network.

Resolved:

- (1) The principles for the West Midlands Bus Service Improvement Plan be authorised.
- (2) It be noted that the scope and delivery of the West Midlands Bus Service Improvement Plan continued to be refined with key partners, including local bus operators and local highway authorities, taking account of the desire for ambition to be shown.
- (3) It be noted that if principles could not be agreed with bus operators, a further regulatory option of franchising existed to support delivery of the WMCA's objectives, subject to understanding risks and mitigations, and these would be considered by the WMCA Board when it met on 19 November 2021 once the finalised West Midlands Bus Service Improvement Plan was submitted.
- (4) The estimated cost of the West Midlands Bus Service Improvement Plan ambition that would be submitted to Government be noted.
- (5) The publication of the West Midlands Bus Service Improvement Plan once completed, and as required under the National Bus Strategy for England to be published by the 31 October 2021, be authorised.
- (6) The public consultation on a revised West Midlands Enhanced Partnership Plan, following publication of the West Midlands Bus Service Improvement Plan, be authorised.

- (7) The responsibility for approving the final West Midlands Bus Service Improvement Plan be delegated to the Mayor and Portfolio Lead for Transport following engagement with the Strategic Transport Board relating to integration with the City Region Sustainable Transport Settlement and wider bus policy, and with Transport Delivery Committee to ensure full understanding of impacts to the wider bus network, and integration with other services and modes.
- (8) The interdependency between the West Midlands Bus Service Improvement Plan and the City Region Sustainable Transport Settlement be noted.
- (9) The direct link between the funding from the West Midlands Bus Service Improvement Plan and the support required to maintain the existing bus network across the West Midlands beyond March 2022, as well as developing new services, be noted.

#### **45. City Region Sustainable Transport Settlement Bid**

The board considered a report of the Interim Managing Director, Transport for West Midlands, setting out the approach towards the submission of a regional transport infrastructure programme into Government to be considered as part of the City Region Sustainable Transport Settlement.

On 20 July 2021, the WMCA and other Mayoral combined authorities received guidance from the Department for Transport pertaining to the City Region Sustainable Transport Settlement. Previously badged as the Intracity Transport Settlement, the fund was a five-year capital settlement to enable the region to achieve the Government's ambitions in terms of transport investment, carbon reduction, economic growth and levelling up. The guidance requested that the WMCA submit a bid on behalf of the region as soon as possible after the end of August and, subject to consent at this board, the prospectus and various supporting technical documents would be submitted to Government for consideration.

Councillor Ian Courts congratulated all those that had been involved in the preparation of the bid submission which he considered to be of high quality.

Resolved:

- (1) It be noted that the WMCA had been invited to submit a City Region Sustainable Transport Settlement bid into Government to support capital transport investment within the region (April 2022 to March 2027), with both Highway Maintenance and Integrated Transport Block being subsumed within this new fund.
- (2) It be noted that the actual final allocation would be between a range of £0.780bn and £1.280bn for the five years, with the final allocation being dependant on the quality of the region's bid relative to the other seven city regions.
- (3) The principles and total quantum of the bid (totalling £1.735bn) be agreed, along with the approach towards:

- (a) Over-programming against the upper limit to ensure the best chance of assembling a deliverable programme as projects matured through the lifecycle process and as the final funding allocation was currently unknown.
  - (b) The provisional exclusion of the Levelling Up Fund bid for the Metro Depot in the core submission, noting if the Levelling Up Fund bid was not successful, the funding requirement would have a high-priority call against the City Region Sustainable Transport Settlement.
- (4) The prospectus based submission for the bid, which was to be finalised and submitted to Government following and subject to WMCA Board approval, be approved.
  - (5) It be noted that, dependent upon the final agreed financial allocation, the WMCA would be required to locally agree a programme which fitted the funding envelope allocated by Government.
  - (6) The requirements placed on the WMCA as the accountable body and the management / monitoring arrangements which accompanied this fund be noted.
  - (7) The release of the £8.9m City Region Sustainable Transport Settlement prep-fund revenue monies already received by the WMCA in accordance with the schedule and approach set out in the report (in order to allow capacity development and readiness for delivery from April 2022 onwards) be agreed.

**46. Zero Emission Bus Regional Area Scheme 2021/22 - Phase 2 Full Business Case**

The board considered a report of the Interim Managing Director, Transport for West Midlands presenting the Full Business Case submitted to the Government on 20 August 2021, under Phase 2 of the Zero Emission Bus Regional Areas 2021/22 competition.

On the 30 March 2021, the Department for Transport invited Local Transport Authorities in England (outside London), to submit expressions of interest in receiving funding to become a Zero Emission Bus Regional Area, a place-based scheme that would allow areas, led by local transport authorities, working in close partnership with bus operators, to bring forward zero emission bus proposals. The scheme supported the wider government commitments to net zero, and plans to decarbonise the transport system, which would be set out in the forthcoming Transport Decarbonisation Plan, and levelling up.

Councillor Ian Ward welcomed the submission of this bid and hoped that it led to the large scale testing of this new technology on the bus network.

Resolved:

- (1) The submission of the Full Business Case from Transport for West Midlands to the Department for Transport on behalf of the WMCA for the grant funding under the Government's Phase 2 of the Zero Emission Bus Regional Areas 2021/22 competition be endorsed.

- (2) The estimated cost of the project which was inclusive of the £54.9m funding from Government be noted.
- (3) It be noted that the WMCA was the accountable body for the entirety of the funding package and any costs above the funding from the Department for Transport.
- (4) It be noted that the scope and delivery of the project continued to be refined and that the risks to scope and delivery uncertainty were mitigated by the project's risk management strategy.
- (5) It be noted that in the event of a successful bid to Government and an offer of funding from the Department for Transport, an emergency WMCA Board would be called to review the project risks and provide guidance to officers on a decision to accept the terms and conditions of funding set out by Government, and a decision as to the acceptance of any proposed funding itself.

**47. West Midlands Rail Ltd Collaboration Agreement**

The board considered a report of the Director of Rail, Transport for West Midlands, on the changes to rail franchising as a consequence of the COVID-19 pandemic meaning that the existing Collaboration Agreement between West Midlands Rail Ltd and the Department for Transport would terminate in September 2021 requiring a new agreement must be negotiated in order to protect West Midlands Rail Ltd's ongoing role working in partnership with Government to manage rail service in the region, as well as its grant income.

Resolved:

- (1) West Midlands Rail Ltd be authorised to enter into a new Collaboration Agreement with the Department for Transport.
- (2) The intention to enter into a side letter or memorandum of understanding with the Department for Transport to codify West Midlands Rail Executive's existing 'soft powers' as a year one deliverable of the new Collaboration Agreement be noted.

[NB. The Chair and Councillor Stephen Simkins declared interests in this item as they both sat on the West Midlands Rail Board of Directors.]

**48. Strategic Economic Development Board - 9 July 2021**

The board received the minutes of the Strategic Economic Development Board meeting held on 9 July 2021.

Resolved:

The minutes of the meeting held on 9 July 2021 be noted.

**49. Transport Delivery Committee - 19 July 2021**

The board received the minutes of the Transport Delivery Committee meeting held on 19 July 2021.

Resolved:

The minutes of the meeting held on 19 July 2021 be noted.

**50. Wellbeing Board - 20 July 2021**

The board received the minutes of the Wellbeing Board meeting held on 20 July 2021.

Resolved:

The minutes of the meeting held on 20 July 2021 be noted.

**51. Overview & Scrutiny Committee - 21 July 2021**

The board received the minutes of the Overview & Scrutiny Committee meeting held on 21 July 2021.

Resolved:

The minutes of the meeting held on 21 July 2021 be noted.

**52. Investment Board - 9 August 2021**

The board received the minutes of the Investment Board meeting held on 9 August 2021.

Resolved:

The minutes of the meeting held on 9 August 2021 be noted.

**53. Overview & Scrutiny Committee - 6 September 2021**

The board received the minutes of the Overview & Scrutiny Committee meeting held on 6 September 2021.

Resolved

The minutes of the meeting held on 6 September 2021 be noted.

**54. Young Combined Authority - Summer Activity Update**

The board received a report from the Young Combined Authority setting out its programme of activity during the summer.

Ibrahim Sohail paid tribute to those members of the YCA who were leaving the group, and encouraged younger people across the region to become involved in the work of the YCA, including to shape its priorities for the coming year.

**55. Metro Works in Corporation Street, Birmingham**

Councillor Ian Ward raised an urgent issue regarding the Metro track replacement works in Corporation Street, Birmingham and the significant impact this was having on businesses trading in the immediate area. He understood that compensation was only paid to businesses that involved new works, but he considered that the scale of the track replacement programme was such that this should be reviewed.

The Interim Chief Executive confirmed that the WMCA's compensation policy, which mirrored that of highway authorities when they paid compensation for road works, was only paid out for new works. The Chair accepted the current policy of the WMCA, but thanked Councillor Ian Ward for raising this important issue and requested the Interim Chief Executive to look at the scope for providing support for businesses experiencing significant hardship and to brief members of the board on this matter further.

- 56. Date of Next Meeting**  
Friday 19 November 2021 at 11.00am

The meeting ended at 12.20pm.