

Cabinet – 10 February 2021

West Midlands Enhanced Partnership Plan and Scheme

Portfolio: Councillor Adrian Andrew, Deputy Leader and Regeneration

Related portfolios: None

Service: Highways and Transport

Wards: All

Key decision: Yes

Forward plan: Yes

1. Aim

- 1.1 The improvement of bus services across the West Midlands through an improvement plan for the whole of the West Midlands Combined Authority area and a more-detailed improvement scheme for the A34(N) and A45 / B425 that will allow the subsequent implementation of SPRINT (bus rapid transit) service standards, including along the A34 between Walsall town centre and Birmingham city centre.

2. Summary

- 2.1 The Bus Services Act 2017 inserts powers in the Transport Act 2000 (TA 2000) to enable authorities and local bus operators to establish formal partnership arrangements known as Enhanced Partnerships.
- 2.2 The West Midlands Enhanced Partnership (EP) has been set up to enable formal partnership working arrangements between bus operators, the West Midlands Combined Authority (WMCA) and local authorities in the West Midlands (Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton). The EP requires a strategic document which sets out a clear vision of improvements that are envisaged to bus services (e.g. transition to a low emission bus fleet, simpler payment methods, faster journeys, safer services, better passenger information, concessions tailored to excluded groups) known as an Enhanced Partnership Plan (EP Plan). The EP Plan must be accompanied by one or more Enhanced Partnership Schemes (EP Schemes) which set out the actions and commitments to achieve the improvements in the EP Plan. An EP places a legal duty on all members of the EP including the Local Authority to deliver against the actions and commitments made in an EP Scheme.

- 2.3 The 'Strategic Vision for Bus' (November 2018) prepared by Transport for West Midlands (TfWM) sets out the objective to achieve modal shift by providing exceptional service and reliability along with comfort and accessibility. It was adopted by the WMCA Board on the 9 November 2018.
- 2.4 The EP will be used to deliver the ambition set out in the 'Strategic Vision for Bus'. The EP Plan is concerned with services throughout the West Midlands Metropolitan Area. To complement this, there is a single EP Scheme for the A34(N) and A45 / B425 SPRINT routes, which will be operated as one single cross-conurbation service (Walsall – Birmingham – Solihull/Airport).
- 2.5 The EP Plan requires approval from all the local authorities within the West Midlands Combined Authority area as it affects bus services operating throughout the West Midlands Metropolitan Area.
- 2.6 The EP Scheme for the A34(N) and A45 / B425 requires approval only from the local authorities through which the qualifying bus services operate (Walsall, Sandwell, Birmingham and Solihull).
- 2.7 Cabinet is asked to note this report is not seeking approval of the A34 SPRINT Phase 1 infrastructure works, which will implement Phase 1 of facilities and measures set out in the EP Scheme for the A34 corridor within Walsall. This is subject to a separate report to Cabinet.

3. Recommendations

3.1 It is recommended that Cabinet: -

3.1.1 Agree to the making of the West Midlands Enhanced Partnership Plan in conjunction with TfWM / WMCA and the other local authorities subject to compliance with the relevant statutory objection and consultation processes for making the EP Plan in order to deliver improvements to bus travel as outlined in 'Strategic Vision for Bus' and deliver SPRINT in the A34 and A45 / B425 corridors annexed as **Appendix A**.

3.1.2 Agree to make the Enhanced Partnership Scheme for the A34(N) and A45 / B425 in conjunction with TfWM / WMCA and the other local authorities subject to compliance with the relevant statutory objection and consultation processes for making the EP Scheme annexed as **Appendix B**.

4. Report detail – know

Context

- 4.1 A 'Strategic Vision for Bus' was set out by TfWM in November 2018 to improve bus services right across the West Midlands. New bus rapid transit routes, known as SPRINT, have been developed by TfWM to help deliver this vision. Recent legislation has made provision for new powers to enable authorities

and local bus operators to establish formal partnership arrangements to achieve improvements to bus services.

Background

- 4.2 A review was undertaken by TfWM to assess the most appropriate statutory mechanism (set out in the TA 2000) to ensure the timely delivery of the first two SPRINT schemes ahead of the 2022 Commonwealth Games, whilst protecting the significant investment levels being made by the authorities and potential operator(s).
- 4.3 The TA 2000 provides local transport authorities, local authorities and bus operators with powers to enable improvements to be made to services in their area. TfWM made an assessment of the legislation currently in use for partnership in the West Midlands as well as the arrangements set out in the TA 2000 (as amended by the Bus Services Act 2017) and determined that the options were Advanced Quality Partnership Schemes, Enhanced Partnerships and Franchising. The details of each arrangement and their differences are summarised below: -
- 4.4 Advance Quality Partnership Scheme (AQPS)
- An area-based statutory partnership replacing Quality Partnerships
 - Minimum five-year duration
 - The Local Transport Authority commits to bus facilities and measures
 - The Local Transport Authority can prescribe vehicle standards, payment methods, information and publicity requirements
 - The Local Transport Authority can additionally prescribe maximum fares and service frequency/timing, but only if there are no 'admissible objections' from relevant operators
- 4.5 Subject to consultation, AQPS will be available where the local transport authority is satisfied they will: -
- Contribute to implementing local transport policies; and
 - Improve service quality; or
 - Reduce/limit congestion, noise or air pollution; or
 - Increase, or prevent decline in, patronage.
- 4.6 Enhanced Partnership (EP)
- An EP is a new statutory-based partnership to facilitate the Local Transport Authority, local authorities and the majority of their bus operators to work together to improve local bus services;
 - It includes a clear vision of improvements that the EP is aiming for which is set out in the EP Plan and accompanying actions to achieve them;
 - The EP Plan cannot exist on its own and must be accompanied by one or more EP Schemes;
 - Can be indefinite, varied and/or revocable;

- There is no mandatory requirement for the Local Transport Authority to commit bus facilities or measures. The Local Transport Authority can prescribe not only the same characteristics as an Advanced Quality Partnership Scheme but also entitlement passes, on-bus information equipment, vehicle and ticket appearance, ticketing arrangements (including multi-operator ticket prices, timetable change windows and other scheme facilitating arrangements);
 - Plans and schemes cannot be made where a 'sufficient number' of 'operators of qualifying local services' object.
- 4.7 Subject to consultation, EP Plans will be available where the Local Transport Authority is satisfied they will: -
- Improve service quality or effectiveness; or
 - Reduce/limit congestion, noise or air pollution.
 - An EP places a legal duty on all members of the partnership including the Local Authority to deliver against commitments made to facilities, measures and performance standards.
- 4.8 Franchising
- Replaces Quality Contracts;
 - Initially available only to Mayoral Combined Authorities;
 - Enables granting of an exclusive right to operate specified local services on specified terms (including frequency, fares and standards) and which may include public authority payments;
 - Service permits may be granted to others to operate in a franchise area if it benefits local service users in the area and 'will not have an adverse effect' on franchised services.
- 4.9 Subject to consultation, Franchising will be available where a Mayoral Combined Authority has: -
- Compared a franchising proposal to 'one or more other courses of action';
 - Assessed the proposal following a 'consideration' of a five-case business case covering strategic fit, value for money, feasibility, affordability, and deliverability;
 - Obtained an independent audit of the quality of its assessment (information and analysis) and compliance with guidance.

Preferred Option

- 4.10 The case for Franchising, an AQPS and an EP has been considered and assessed by TfWM and their conclusion was presented at WMCA Board on 28 June 2019. The assessment concluded that AQPS legislation does not provide the level of protection for local authorities and bus operators when considering the value and scale of investment. In addition, franchising was not considered suitable based on the ability to deliver it within the required

timescale, but it should also be noted that franchising would also likely not have been recommended or suitable for such a small geographical area e.g. a corridor-based bus route(s). Based on this assessment, TfWM have concluded that the most suitable mechanism for delivering and managing SPRINT schemes ahead of the 2022 Commonwealth Games is through an EP.

4.11 Officers from both TfWM and Walsall have concluded that there are several compelling reasons why an EP compared to franchising and an AQPS is the preferable mechanism to deliver SPRINT for the following reasons: -

- The ability to manage access to infrastructure by SPRINT and other services as the council is able to make commitments under the EP scheme by the provision of facilities and measures;
- The powers to set maximum frequencies or restrict access to only SPRINT vehicles on individual route sections (which cannot be achieved with an AQPS);
- The flexibility to trigger a review of the EP at certain points of the EP lifetime (whereas an AQPS has a minimum five-year lifespan);
- The ability to develop additional EP Schemes at a later date in the region if they are deemed an appropriate mechanism without having to create a new EP Plan;
- Supports the timescales for the operating model where commercial operators are required to procure the vehicles for use on the service;
- Provides clear accountability for all partners including bus operators; and
- An EP scheme can be implemented for a specific route, rather than a geographic area.

Plan Preparation

4.12 On 17 July 2019, TfWM issued a notice of intention to prepare an EP Plan and an EP Scheme for the A34(N) and A45 / B425. From this time, formal discussions have taken place with both local authorities and local bus operators.

Figure 1: West Midlands Enhanced Partnership Plan Area, Advanced Quality Partnership Scheme (AQPS) Areas and A34 & A45 / B425 Enhanced Partnership Scheme Area



- 4.13 TfWM prepared an EP Plan that covers the whole of the West Midlands Combined Authority¹ area excluding the three existing AQPS areas (Birmingham and Wolverhampton city centres and Solihull town centre). This is because an EP and AQPS cannot operate alongside each other in the same geographical area.
- 4.14 The West Midlands EP Plan provides the framework to contribute towards meeting the nine objectives set out in the *'Strategic Vision for Bus'*: -
- UK leading low emission bus fleet with zero emission corridors serving the most affected areas of air quality.
 - Fully integrated bus network, including demand responsive and rapid transit services supporting interchange with rail, coach and Metro to form one network.
 - Simple, convenient and easy to use payment options, including full capping, providing a network which is value for money and affordable for customers.

¹ As defined in the West Midlands Combined Authority Constitution

- Fewer private car journeys by making bus the mode of choice and creating better access to jobs and long-term change.
- Creating a safe, secure and accessible mode for all and tackling long-held barriers and perceptions.
- Accountable network performance management, tackling issues causing congestion and reliability problems.
- World-leading customer information, utilising 5G and all available technologies and platforms.
- All young people under 25 supported by discounted travel, as well as addressing barriers for excluded groups.
- Evolve a network to support a 24/7 thriving economy, connecting people to new and developing destinations and attractions.

Scheme Preparation

- 4.15 Specific EP Schemes will provide the details of the actions and developments to be taken by the EP to deliver a marked improvement in bus services on certain corridors or in defined areas that will help meet the above objectives, particularly by speeding-up bus journey times and improving journey time reliability. Such schemes may be proposed and promoted by TfWM, constituent local authorities or bus operators.
- 4.16 Within each EP Scheme the details of the infrastructure commitments, service specification and standards, customer standards, performance requirements and maintenance are agreed between partners.
- 4.17 Two SPRINT routes – for A34(N) and A45 / B425 – have been identified by TfWM as a priority to facilitate the transport element of the 2022 Commonwealth Games. Delivering Phase 1 of these SPRINT routes in time for the Commonwealth Games is a commitment that has been made to the Commonwealth Games Federation.
- 4.18 Funding and an implementation timetable for these SPRINT routes was approved by the WMCA Board at its meeting on 14 February 2020, including: -
- Revised phasing plan for the A34(N) and A45 / B425 SPRINT routes to be delivered in two phases;
 - Funding of A34 Phase 1 (£32.4m) and A45 / B425 Phase 1 (£55.4m);
 - SPRINT Phase 1 is to be delivered by June 2022;
 - SPRINT Phase 2 is anticipated to be delivered by December 2024, and will be subject to separate approvals for funding and highway infrastructure works.

- 4.19 The introduction of these SPRINT Phase 1 routes by 2022 provides a major opportunity for investment by the public and private sector to achieve a step-change in public transport that will set the foundations for benefits and improvements across the integrated transport system throughout the region.
- 4.20 For these SPRINT routes, TfWM and its partners agreed that a single EP Scheme should be prepared. The EP Scheme for the A34(N) and A45 / B425 is annexed to this report as **Appendix B**. It sets out a range of improvements to bus infrastructure, highway infrastructure and bus vehicles to achieve the agreed ambition for these routes.
- 4.21 The facilities and measures to be provided by TfWM under the EP Scheme include: -
- New and existing bus lanes
 - Bus gates
 - Pedestrian crossing upgrades
 - Traffic signal upgrades
 - Bus stops/shelter infrastructure, including lighting, CCTV, Real Time Information and seating
 - Maintenance of bus stop infrastructure
 - Ticketing schemes
 - Passenger information
- 4.22 The facilities and measures to be provided by the Council under the EP Scheme (within the Borough of Walsall only) include: -
- Maintenance of bus lanes
 - Maintenance of bus gates
 - Maintenance of pedestrian crossings
 - Maintenance of traffic signals
 - Bus lane enforcement
 - Junction enforcement
 - Managing and coordinating highway works
 - Existing Local Highway Authority mechanisms and procedures
- 4.23 Bus operating companies will operate bus services that comply with the vehicle standards set out in the EP Scheme.
- 4.24 The making of the EP Plan and EP Scheme for the A34(N) and A45 / B425, together with the complementary A34 SPRINT Phase 1 highway works, will provide the confidence to bus operating companies to invest in the necessary vehicles for the relevant commercially operated bus routes as required by the EP.

- 4.25 Once the EP Scheme is made, Walsall Council will be under a legal obligation to provide and maintain facilities and measures as set out in the EP Scheme's schedules.
- 4.26 The commitment made by the Council to provide the facilities and measures set out in the EP scheme is a legal obligation which will remain binding on the Council for the duration of the scheme, until such time it is varied to remove the obligation.

Council Corporate Plan priorities

- 4.27 The EP Plan and Scheme support the Council's vision that '*Inequalities are reduced and all potential is maximised*' as set out in the Corporate Plan 2018-2021. The EP Plan and EP Scheme will facilitate better public transport services on the A34, which will help delivery against the Council's priorities, including: -
- Economic growth for all people, communities and businesses;
 - People have increased independence, improved health, and can positively contribute to their communities;
 - Communities are prospering and resilient with all housing needs met in safe and healthy places that build a strong sense of belonging and cohesion.

Risk management

- 4.28 Failure to secure approval would have an impact on the deliverability of the Sprint schemes either in achieving the timescales set out or in achieving the standards and levels of protection for the investment.

Financial implications

- 4.29 The costs for preparing, consulting and making of the EP for Walsall Council will be met by the West Midlands Combined Authority.
- 4.30 The SPRINT Phase 1 highway works will provide the initial facilities and measures that Walsall Council is obligated to deliver by the EP Scheme for the A34 corridor.
- 4.31 The capital costs of delivering the SPRINT schemes will be met by West Midlands Combined Authority. The total estimated cost of A34 Phase 1 is £32.4m, with £22.1m from WMCA funding and £10.3m from other central government contributions. (A45 Phase 1 has a cost of £55.4m with £20.2m of WMCA funding and £35.2m of other central government funding.) Phase 2

costs for the combined (A34 and A45) scheme are estimated at £50.3m. Phase 1 is fully funded. Phase 2 is subject to further funding being approved by WMCA.

- 4.32 Costs associated with the EP Schemes are agreed through the development and finalisation of those projects. For equipment assets delivered as part of the Sprint scheme (e.g. bus lane enforcement cameras, traffic signal equipment), equipment is being purchased with a maintenance package for the upkeep of such assets for a period aligned to the Enhanced Partnership Scheme.
- 4.33 Obligations on Walsall Council regarding the EP Scheme will be as follows: -
- Maintenance of highways will be in line with the Council's current reactive and planning maintenance procedures and will be managed within existing budgets;
 - Maintenance of bus lane enforcement cameras post the initial maintenance period will be between £2,500 and £3,500 per year per site for four sites, which has no committed budget at present;
 - Maintenance cost of bus priority equipment at traffic signals post the initial maintenance period will be up to £750 per year per site for seven sites, which has no committed budget at present.
- 4.34 Any rapid electric vehicle re-charging infrastructure subsequently installed as part of the SPRINT scheme will be owned and maintained by WMCA/TfWM, at nil cost (both capital and revenue) to the Council.

Legal implications

- 4.35 The Bus Services Act 2017 (the "2017 Act") amends the TA2000 by inserting a new wide range of powers to improve the local bus market, which includes franchising and two forms of partnership working.
- 4.36 Sections 113C – 113O of the TA 2000 creates AQPS, which is a mechanism based around the existing Quality Partnership Schemes (QPS) set out in s114 of the TA 2000.
- 4.37 Under the Quality Partnership Model a local transport authority ('LTA')(or two LTA's acting jointly agrees to invest in facilities at specific locations along bus routes (e.g. bus stops or bus lanes) and the operator who wished to use those facilities undertake to provide a service of a particular standard (e.g. new buses or driver training standards). Only those operators prepared to provide the facilities to the standard specified in the Scheme are permitted to use the facilities.

4.38 The AQPS model is more flexible than a QPS. Under AQPS, schemes can continue to be route- or corridor-specific, cover a larger network of routes, or even a geographical area. AQPS allows an LTA to specify requirements as to ticketing arrangements, information provided to passengers, and provisions about how bus services are marketed and publicised. It also removes the requirement that local authorities should always provide facilities and introduces the new concept of local authority 'measures' that can be taken to directly or indirectly encourage bus use.

4.39 In a franchising scheme, LTAs determine the details of the services to be provided, where they run and the standard of the service. Typically, bus operators provide their services under contract to the LTA. No other services can operate in franchised areas without the agreement of the franchising Authority.

4.40 The EP powers are contained in Sections 138A-138S of the TA 2000. An EP is a formal partnership arrangement between a LTA and local bus operator to work together to improve bus services. It includes a clear vision of the improvements that the EP is aiming for (known as the EP Plan) and accompanying actions to achieve them (the EP Scheme).

4.41 In meeting the statutory requirements an EP Plan should at least include: -

- A map of the geographical area it covers;
- All the relevant factors that the parties consider will affect, or have the potential to affect, the local bus market over the life of the plan;
- A summary of any available information on passengers' experiences of using bus services in the area and the priorities of users and non-users for improving them;
- A summary of any available data on trends in bus journey speeds and the impact of congestion on local bus services;
- What outcomes need to be delivered to improve local bus services in the plan area; and
- What overall interventions the partnership believes need to be taken to deliver those outcomes.

4.42 Section 138 A and 138 H the TA 2000 impose legal requirements in relation to EP Schemes and the Scheme must state: -

- The area to which it relates;
- The requirements imposed on local bus services under it;

- Whether the operation of the scheme is to be reviewed and, if so, how and by which dates;
- The date on which it is to come into operation; and
- The period for which it is to remain in operation.

4.43 Section 138 of the TA 2000 also provides that the scheme must: -

- Specify the 'facilities' (if any) that are to be provided by the authority (and the date from which they are to be provided if it is not the date when the scheme comes into operation);
- Specify the 'measures' (if any) that are to be taken by the authority (and the date from which they are to be provided if it is not the date when the scheme comes into operation); and
- Include provision (if any) about its variation or revocation (including any dates on which they come into force or cease to apply).

4.44 The LTA must comply with the notice requirements set out in S138F and S138 G, which relate to the intention to make and prepare EP Plans and Schemes.

4.45 Under Section 138A (10) of the TA 2000, an EP Plan may not be made unless the authority or authorities are satisfied that the scheme will contribute to the implementation of: -

- (a) The Policies set out in the related EP Plan, and
- (b) The Local Transport Policies.

4.46 In addition, an EP Scheme may not be made unless the authority or authorities are satisfied that the scheme will: -

- (a) Bring benefits to persons using the Local services in the whole or any part of the area to which the scheme relates by improving the quality or effectiveness of those services; or
- (b) Reduce or limit congestion, noise or air pollution.

4.47 The commitments made by the authority or by a bus operator once a formal EP Plan and EP Scheme are made are legally binding. An authority that does not fulfil its obligations can face legal action by the bus operators in the Courts. Likewise, an operator not meeting its service standards could be in breach of its bus service registration and face its bus registration being cancelled by a traffic commissioner.

4.48 Under Section 138(11) of the TA 2000, an EP Plan or EP Scheme may not be made unless the authority or authorities have complied with the requirements in: -

(a) Section 138F (preparation, notice and consultation), and

(b) Section 138G(1) to (4) (making of plan and scheme).

4.49 Further under s138 (12) an EP Plan may not be made without also making an EP Scheme.

4.50 If a Local Authority includes any facilities or measures under an EP Scheme they have a legal obligation in accordance with s138 J of the TA 2000: -

- Provide the facilities and take the measures not later than the date(s) specified in the Scheme; and
- Continue to provide those facilities and take those measures throughout the lifetime of the scheme or until a scheme is varied to remove the obligation to do so.

4.51 The only exception to this rule is if: -

- The scheme is formally postponed ; or
- If the local authority is temporarily unable to provide a facility or take a measure due to circumstances beyond their control.

4.52 The LTA has formal responsibility for making the Scheme, but at set points in the process they can only proceed with the proposals if they have the support of a defined number of bus operators on the expiry of the objection periods.

Procurement Implications/Social Value

4.53 There are no procurement implications.

Property implications

4.54 There are no property implications.

Health and wellbeing implications

4.55 The EP Plan has been tested against the 'Marmot Objectives'. These are:-

- Giving every child the best start in life – *the EP will see bus-based schemes deliver measures to support travel to school by sustainable modes. Schemes will also positively improve air quality throughout the borough.*
- Enabling all children, young people and adults to maximize their capabilities and have control over their lives – *the EP goal is to deliver bus-based sustainable travel which help promote healthy and independent travel choices;*
- Creating fair employment and good work for all – *improved public transport networks help people access employment and training opportunities;*
- Ensuring a healthy standard of living for all – *access to paid employment is facilitated by improved public transport networks;*
- Creating and developing sustainable places and communities – *schemes delivered through the EP all promote and assist with active travel and travel by public transport, which support sustainable places and communities;*
- Strengthening the role and impact of ill-health prevention – *healthy travel choices, such as walking or cycling to and from bus based public transport routes, can help prevent ill health, as well as positively impacting on improving air quality.*

Staffing implications

4.56 There are no staffing implications.

Reducing Inequalities

- 4.57 Access to a wide range of opportunities (such as employment, education, training, healthcare and leisure) are important to all residents. The EP Plan and EP Scheme enable high-quality public transport, such as SPRINT, which can help ensure that young people, elderly people, disabled people and non-car drivers/owners, have access to the full range of services available in the Borough and wider West Midlands. SPRINT is part of a wider network of public transport (bus, rail and Metro) across the metropolitan area developed and promoted by TfWM. Whilst Sprint Phase 1 is focused on the Walsall to Birmingham corridor along the A34 and will inevitably have the most impact for residents of St Matthews ward and Paddock ward, the importance of good connectivity to the regional centre, Birmingham Airport and the wider West Midlands is important to all residents.
- 4.58 All vehicles operating SPRINT services will be low-floor and fully accessible for wheelchair users and parents with buggies. Engine standards and the ambition articulated for 'zero emissions at the point of use' will help promote improved air quality in the corridor.
- 4.59 WMCA have undertaken a Stage 1 initial analysis of the equalities implications and there are no concerns that the proposal affects or could affect people differently or that the needs of certain groups would not be met. This has been

reviewed by Walsall Council officers who are satisfied with the assessment. The Equality Impact Assessment is available at **Appendix D**.

Consultation

- 4.60 The WMCA Board gave approval for TfWM to commence the legal process for the EP, preparation of the EP Plan and a single EP Scheme for the A34(N) and A45 / B425 SPRINT routes on behalf of its constituent authorities for the area of the West Midlands Combined Authority on 28 June 2019.
- 4.61 Following the establishment of an EP there is a legal requirement for the LTA to publish an intention to make the EP Plan and EP Scheme. This is followed by an objection period for bus operators to make representations followed formal consultation prior to the making of the EP Plan and EP Scheme with at the least the following statutory consultees: -
- All local bus operators
 - Passenger Organisations
 - Other Local Authorities affected by the proposals
 - Traffic Commissioners
 - Chief of Police for the West Midlands
 - Transport Focus
 - Competition and Markets Authority
 - Any other person as WMCA sees fit
- 4.62 TfWM issued the notice of intent to prepare an EP Plan for the area of the West Midlands Combined Authority and a single EP Scheme for the first two SPRINT routes (A45 and A34) on 17 July 2019.
- 4.63 The EP Plan and EP Scheme were then developed by TfWM and its partners.
- 4.64 A notice was published on 20 December 2019 by TfWM giving operators until 24 January 2020 (at least 28 days as required by legislation), within which to make an objection to either the EP Plan and/or EP Scheme. TfWM did not receive any operator objections to the EP Plan or the EP Scheme.
- 4.65 Subsequently, a further review of the EP Scheme was undertaken with partners. It was agreed to undertake another operator objection period on the EP Scheme. TfWM issued a further notice on 28 February 2020, giving the relevant local bus operators until 27 March 2020 to lodge a formal objection to the Scheme. No operator objections were received, and the Scheme then proceeded to formal (public) consultation as approved by Transport Delivery Committee (TDC) – a WMCA sub-committee – at its meeting on 16 March 2020.

4.66 The statutory consultation process in connection with the preparation of the EP Plan and EP Scheme commenced on 6 July 2020 and closed on 13 September 2020. Further details of this consultation process can be found in the Public Consultation booklet at **Appendix C**.

4.67 In summary, a total of 347 responses were received to the online questionnaire, with a further 14 responses received by e-mail. Among the 347 responses received via the online questionnaire: -

- 68% of respondents either agreed or strongly agreed with the vision laid out in the EP Plan, 11% of respondents either disagreed or strongly disagreed with the vision in the EP Plan, 17% neither agreed nor disagreed.
- 47% of respondents either agreed or strongly agreed that the Scheme will raise standards along the three route corridors. 12% either disagreed or strongly disagreed that the Scheme would raise standards, 26% neither agreed nor disagreed. However, it was noted that 53% of respondents did not use the bus services in the Scheme area, so this could explain the higher percentage neither agreeing nor disagreeing.

4.68 The key themes to arise from the comments in the open questions were: -

- Support or Opposition to the EP Plan and/or Scheme
- Economics and cost
- General travel experience
- On-board experience
- Comments on the consultation

4.69 The EP Plan was unaltered following this consultation. However, the EP Scheme for the A34(N) and A45 was modified in line with the consultation feedback.

4.70 TDC reviewed the consultation outcomes and proposed revisions in connection with the EP Scheme at its meeting on 9 November 2020 and approval was given to 'make' the EP Plan and a modified EP Scheme. A further statutory objection period for bus operators commenced in connection with the modified EP Scheme and this ended on 7 December 2020 with no objections having been raised.

5. Decide

- 5.1 As discussed in Section 4, options for the best mechanism to deliver the A34(N) and A45 / B425 SPRINT schemes ahead of the 2022 Commonwealth Games have been fully explored and the EP selected as the preferred option.
- 5.2 Cabinet is asked to agree to the making of the EP Plan and EP Scheme in conjunction with TfWM / WMCA and the other local authorities, as both the resolution of objections and the consultation process have now successfully concluded for the EP Plan and the EP Scheme.
- 5.3 Cabinet is asked to note that granting this authority will not in itself give the Council authority to proceed with the SPRINT Phase 1 scheme on the A34, but to enable the legislative framework under which the SPRINT Phase 1 scheme will be delivered and subsequently managed.

6. Respond

- 6.1 The intention is for TfWM and Walsall Council to implement the SPRINT Phase 1 works on the A34 within the Borough of Walsall (this is subject to a separate report to Cabinet), which will deliver the necessary infrastructure to achieve the improvements envisaged in the West Midlands EP Plan and EP Scheme for the A34(N) and A45 / B425.
- 6.2 Following the implementation of the SPRINT Phase 1 highway works, a commercial bus operator – National Express West Midlands – will operate bus services that meet the standards set out in the EP Scheme for the A34(N) and A45 / B425. These will operate as cross-conurbation services (Walsall – Birmingham – Solihull/Airport) from 2022.
- 6.3 SPRINT Phase 2 will continue to be developed by TfWM and will be subject to future approvals for funding and highway works. If these approvals are obtained and SPRINT Phase 2 works are implemented it is envisaged that tram-style zero emission, low floor, articulated vehicles will be operated commercially on the SPRINT route. This will also necessitate that the EP Scheme for the A34(N) and A45 / B425 is further modified for SPRINT Phase 2, the operator objection process conducted, statutory consultation undertaken and the necessary approvals are sought and successfully obtained.

7. Review

- 7.1 As part of developing the EP Plan and EP Scheme, how the EP Scheme is to be monitored, managed and what the triggers are for variation and revocation have been agreed.

Appendices

Appendix A –West Midlands Enhanced Partnership Plan (TfWM)

Appendix B –West Midlands Enhanced Partnership Scheme for the A34(N) and A45 / B425 (TfWM)

Appendix C –West Midlands Enhanced Partnership Public Consultation Booklet (TfWM)

Appendix D –West Midlands Enhanced Partnership Equality Impact Assessment (TfWM)

Background papers

- WMCA Board Paper ‘Vision for Bus Next Steps – Part B. Enhanced Partnership for Sprint’, 28 June 2019
- Strategic Vision for Bus, November 2018 (TfWM)

Author

Matt Crowton

Transportation Major Projects & Strategy Manager

☎ 07944 783 934

✉ matt.crowton@walsall.gov.uk



Simon Neilson
Executive Director

1 February 2021



Councillor Adrian Andrew
Portfolio holder - Regeneration

1 February 2021