

BIRMINGHAM CITY COUNCIL

SUSTAINABILITY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE

FRIDAY, 29 JANUARY 2021 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 APOLOGIES

To receive any apologies.

1 - 112 **4 REQUEST FOR CALL-IN: CITY CENTRE PUBLIC REALM -PHASE 1**
FULL BUSINESS CASE

To consider the "Request for Call-In" (the Portfolio Holder and the Lead Officer identified in the report have been summoned to attend the meeting).

The following documents are attached:-

(A) The Executive Record

(B) The relevant form for the "Request for Call In" lodged by Councillors Jon Hunt and Roger Harmer

(C) the report considered by Cabinet in reaching the decision

5 **REQUEST FOR CALL IN: BIRMINGHAM CLEAN AIR ZONE (CAZ)
UPDATE TO CABINET ON DIGITAL AND PHYSICAL
INFRASTRUCTURE DEVELOPMENT, AIR QUALITY MONITORING AND
INCOME AND EXPENDITURE FORECAST**

To consider the "Request for Call-in" (the Portfolio Holder and the Lead Officer identified in the report have been summoned to attend the meeting).

The following documents are attached:-

(A) The Executive Decision Report

(B) The relevant form for the "Request for Call-in" lodged by Councillors Jon Hunt and Roger Harmer

(C) The report considered by Cabinet in reaching its decision.

**WEST MIDLANDS COMBINED AUTHORITY - NEW STATIONS
PACKAGE 2 FULL BUSINESS CASE - CAMP HILL LINE**

Item Description

6 **REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR
ACTION/PETITIONS RECEIVED (IF ANY)**

To consider any request for call in/councillor call for action/petitions (if received).

7 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

8 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

Decision Details

[Home](#) / [Decisions](#)

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General

Reports

Decision History

This section allows you to view the general details of a Decision

Details

Status: Decision Subject To Call In

Title:
City Centre Public Realm - Phase 1 Full Business Case

Reference: 007437/2020

Urgent Decision - Not in Forward Plan No

Details for Agenda Sheet
Report of Acting Director Inclusive Growth

Implementation Date (not before meeting on) Tue 19 Jan 2021

Purpose
To seek approval for the Full Business Case

Key Portfolio Transport and Environment

Include item on Forward Plan/ Key Decision Yes

Decision Maker

Reason For Key Decision	Above £1m capital
Relevant Documents	City Centre Public Realm Outline Business Case (OBC) – approved by Cabinet October 2019
Decision Type:	Committee
Decision Maker:	Cabinet
Directorate	Inclusive Growth
Other Information	
Private Reason	
Decision Outcome	<p>On 19 January 2021, Cabinet:</p> <p>(i) Approved the FBC for Phase 1 of the City Centre Public Realm estimated cost of £12.395m, funded from Transforming Cities Fund Clean Air Zone (£8.395m) as set out in Appendix A to the report;</p> <p>(ii) Approved the strategy and commencement of the procurement works for the CCPR scheme as detailed in Appendix B to the report;</p> <p>(iii) Delegated the award of the contract for the works for the CCPR to the Acting Director, Inclusive Growth in conjunction with the Assistant Director, Development and Commercial (or their delegate), the Interim Chair of the CCPR.</p>

(or their delegate) and the City Solicitor (or their delegate), subject within the budget;

(iv) Under Standing Order Part D2.5, approved the commencement of contractor negotiations by the Head of Major Transport Projects \ Midlands Combined Authority (WMCA) for the supply of the paving materials to the value of £0.500m to enable an order to be placed prior to the contract for the works;

(v) Delegated the award of the contract for the supply of the paving materials to the Acting Director, Inclusive Growth in conjunction with the Assistant Director, Development and Commercial (or their delegate), the Interim Chief Executive (or their delegate) and the City Solicitor (or their delegate), subject within the pre-tender estimate;

(vi) Noted that the FBC for Phase 2 of the CCPR scheme will be published in the summer of 2021;

(vii) Noted the loss of car parking income from removal of 30 parking spaces on Colmore Row/Waterloo Street to accommodate the works and that this has been factored into the 2021/22+ Medium Term Financial Plan budget to help mitigate the impact;

(viii) Authorised the City Solicitor to negotiate, execute and seal any necessary agreements and documentation to give effect to the above recommendations.

THE DEADLINE FOR CALL IN IS 1600 HOURS ON
MONDAY 25 JANUARY 2021

“On Friday 22 January 2021 at 1036 hours, a request for call-in was
Councillors Jon Hunt and Roger Harmer. No action on the decision
the request for call-in has been considered by the Sustainability and
Committee within 15 days of the decision being posted.

Rating:

**Is the Decision
Maker Aware
of the
Decision:** No

**Is the Head of
Services
Aware of the
Decision:** No

**Is Decision
County Wide:** No

**Would the
recommended
decision be
contrary to the
budget and
policy
framework:** No

**Further
Information:**

**Decision
Options:**

Additional Information

Reg 10

Reg 11

Decision Criteria

This Decision does not contain any decision criteria records.

Wards

Ladywood

Topics

This Decision does not contain any Topic records

Overview and Scrutiny

Economy and Skills Overview and Scrutiny Committee
Housing and Neighbourhoods Overview and Scrutiny Committee
Resources Overview and Scrutiny Committee
Sustainability and Transport Overview and Scrutiny Committee

[Back to Decisions](#)



Appendix 2: Request for Call In – Pro-forma

To:

Committee Services, Room 331, Council House.

E-Mail: LESCommitteeServicesAll@birmingham.gov.uk (marked "For the attention of Errol Wilson")

Date: 22 January 2021

Please arrange for a meeting of the

Sustainability and Transport

O&S Committee

to be called to discuss the following executive decision:

Title: City Centre Public Realm – Phase 1 Full Business Case
(Agenda item 13)

Taken By: Cabinet

On: 19 January 2021

Reason for request:

- | | | |
|--|--|--------------------------|
| (a) Is the Executive decision within existing policy? | 1. the decision appears to be contrary to the Budget or one of the 'policy framework' plans or strategies; | <input type="checkbox"/> |
| | 2. the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees; | <input type="checkbox"/> |
| | 3. the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive); | <input type="checkbox"/> |
| (b) Is the Executive decision well-founded? | 4. the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision; | <input type="checkbox"/> |
| | 5. the Executive appears to have overlooked some relevant consideration in arriving at its decision; | X |
| | 6. the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do; | <input type="checkbox"/> |
| | 7. the decision appears to be particularly "novel" and therefore likely to set an important precedent; | <input type="checkbox"/> |
| | 8. there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny | <input type="checkbox"/> |



Committee to hold the Executive to account and/or add value to the work of the Council.

(c) Has the Executive decision been properly taken?

9. the decision appears to give rise to significant legal, financial or propriety issues;

X

10. the notification of the decision does not appear to have been in accordance with council procedures;

☐

Councillor

Jon Hunt

(Signed)

(Print Name)

Councillor

Roger Harmer

(Signed)

(Print Name)



Appendix 3: Criteria For ‘Call In’

These are the criteria against which the Council expects an O&S Committee to judge any “request for call in”. The Council does NOT expect an Overview and Scrutiny Committee to call in an Executive decision UNLESS one or more of the following circumstances applies –

	(a) Is the Executive decision within existing policy?
1	the decision appears to be contrary to the Budget or one of the ‘policy framework’ plans or strategies;
2	the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;
3	the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);
	(b) Is the Executive Decision well-founded?
4	the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;
5	the Executive appears to have overlooked some relevant consideration in arriving at its decision;
6	the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;
7	the decision appears to be particularly “novel” and therefore likely to set an important precedent;
8	there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.
	(c) Has the Executive decision been properly taken?
9	the decision appears to give rise to significant legal, financial or propriety issues;
10	the notification of the decision does not appear to have been in accordance with council procedures;
	(d) Does the Executive decision particularly affect a District?
11	the decision appears to give rise to significant issues in relation to a particular District.

Birmingham City Council

Report to Cabinet

19th January 2021



Subject: City Centre Public Realm – Phase 1 Full Business Case

Report of: Acting Director, Inclusive Growth

Relevant Cabinet Member(s): Councillor Ian Ward – Leader
Councillor Waseem Zaffar – Transport and Environment
Councillor Tristan Chatfield – Finance and Resources

Relevant O &S Chair(s): Councillor Liz Clements – Sustainability and Transport
Councillor Sir Albert Bore, Resources

Report author: Philip Edwards – Assistant Director, Transport and Connectivity
Tel: 0121 303 6467
Email: philip.edwards@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Ladywood		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 007437/2020		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Exempt Appendix G</p> <p>Commercially sensitive information is provided in Appendix G to this report in accordance with Paragraph 3 - Schedule 12A Local Government Act 1972: Information relating to the financial or business affairs of any particular person (including the Council). The accompanying exempt appendix contains confidential market information which could impact on the tender process.</p>		

1 Executive Summary

- 1.1 The City Centre Public Realm (CCPR) scheme aims to deliver high-quality public realm improvements, provide greater priority for pedestrians and cyclists and enhanced signage and wayfinding in the city centre to create an attractive, welcoming and safe environment for citizens and visitors to enjoy.
- 1.2 This report seeks approval of the Full Business Case (FBC) for Phase 1 of CCPR at an estimated cost of £12.395m, as set out in Appendix A, which forms an important part of the comprehensive renewal of the public realm within the city centre core.
- 1.3 The report also seeks approval to the revised procurement strategy as set out in Appendix B.
- 1.4 A separate FBC for Phase 2 of the CCPR Scheme will be presented to Cabinet in the summer of 2021.

2 Recommendations

- 2.1 Approves the FBC for Phase 1 of the City Centre Public Realm scheme at a total estimated cost of £12.395m, funded from Transforming Cities Fund (£4.000m) and Clean Air Zone (£8.395m) as set out in Appendix A.
- 2.2 Approves the strategy and commencement of the procurement activity for the works for the CCPR scheme as detailed in Appendix B.
- 2.3 Delegates the award of the contract for the works for the CCPR scheme to the Acting Director, Inclusive Growth in conjunction with the Assistant Director, Development and Commercial (or their delegate), the Interim Chief Finance Officer (or their delegate) and the City Solicitor (or their delegate), subject to the cost being within the budget.
- 2.4 Under Standing Order Part D2.5, approves the commencement of single contractor negotiations by the Head of Major Transport Projects with the West Midlands Combined Authority (WMCA) for the supply of the paving materials up to the value of £0.500m to enable an order to be placed prior to the award of the contract for the works.
- 2.5 Delegates the award of the contract for the supply of the paving material to the Acting Director, Inclusive Growth in conjunction with the Assistant Director, Development and Commercial (or their delegate), the Interim Chief Finance Officer (or their delegate) and the City Solicitor (or their delegate), subject to the cost being within the pre-tender estimate.
- 2.6 Notes that the FBC for Phase 2 of the CCPR scheme will be presented to Cabinet in the summer of 2021.
- 2.7 Notes the loss of car parking income from removal of 30 pay and display bays on Colmore Row/Waterloo Street to accommodate the works and that this is being factored into the 2021/22+ Medium Term Financial Plan budget process in order to mitigate the impact.

- 2.8 Authorises the City Solicitor to negotiate, execute and seal and complete all necessary agreements and documentation to give effect to the above recommendations.

3 Background

- 3.1 The CCPR scheme will transform the city centre and create an attractive, welcoming and safe environment for citizens and visitors to enjoy. The improvements will also support economic recovery and growth, improve accessibility for pedestrians, cyclists and people with disabilities and create a lasting legacy.
- 3.2 On the 29 October 2019 Cabinet approved the Outline Business Case (OBC) for the CCPR scheme. A subsequent review of the project milestones and delivery strategy was undertaken and a Revised Financial Appraisal (RFA) was approved by Cabinet in July 2020. The RFA gave approval for:
- A revised delivery strategy – to undertake detailed design and Early Contractor Involvement (ECI) ahead of the FBC; and
 - Reallocation of £0.758m of professional fees from the post-contract fees to the pre-contract fees to support the substantial development of the project to FBC.
- 3.3 The project, as outlined in the OBC, proposed a two-phase approach: Phase 1 and Phase 2. This FBC sets out the Phase 1 deliverables only. Phase 2 works will be subject to a separate FBC to be submitted to Cabinet in the summer of 2021.
- 3.4 Phase 1 deliverables include:
- Victoria Square public realm improvements;
 - Colmore Row/Waterloo Street public realm improvements;
 - River Fountain – repair and reinstatement as a fountain; and
 - Permanent Hostile Vehicle Mitigation (HVM) at seven locations across the city centre.

4 Options Considered and Recommended Proposal

- 4.1 Options were considered at the OBC stage, approved by Cabinet on the 29 October 2019. This included the recommended option at the time to proceed with a design and build contract.
- 4.2 Options were considered to accelerate the delivery of Victoria Square by identifying current contractors working in the area. The Planned Procurement Activities Report dated 11 February 2020 was approved by Cabinet to enter into single contract negotiations (SCN) to deliver the Victoria Square public realm works.
- 4.3 A revised delivery strategy and associated milestones were approved by Cabinet in the RFA in July 2020. This revised strategy allowed time to develop the project in further detail and produce a comprehensive FBC including establishing a detailed design, finalising the scope of the project, securing ECI and establishing accurate capital and revenue costs.

- 4.4 Negotiations for the works failed to reach a satisfactory conclusion between the two parties and therefore there is now a requirement, in this FBC, for a revised procurement process. See Appendix B for the procurement strategy.

5 Consultation

- 5.1 A public consultation exercise was carried out for Phase 1 and Phase 2 of CCPR between 13 January and 21 February 2020. A total of 598 responses were received via BeHeard. Analysis shows that 77% of respondents agree or strongly agree that the proposals to improve the public realm are attractive and welcoming.
- 5.2 A consultation analysis report is shown in Appendix D.
- 5.3 Engagement has been undertaken with Ward Councillors and Retail and Colmore Business Improvement District (BID) representatives who support the proposed delivery of the CCPR project.

6 Risk Management

- 6.1 A risk register is included in Appendix E which highlights the scheme's strategic risks. The top four risks and mitigations are set out in Table 1 below.

Table 1: Risks & Mitigations

Risk	Mitigation
Unknown ground conditions, utilities and basements	Concrete testing and historic highway data investigation on concrete slab to establish ground conditions. Review of New Roads and Street Works Act (NRSWA) programme and Streetworks register. Undertaking Ground Penetrating Radar (GPR) surveys and trial holes to conclude clash detection and enter into early agreement with Statutory Undertakers. Partnership working and sharing of stats data. Known basement surveys requested.
Activities prior to construction are delayed. No float in programme.	Regular review of programme, and briefing sessions with senior officers and Cabinet Members.
The impact of Covid-19 and Brexit on the supply of materials, the contractor's resources and timescales	Engagement with the contractor and their supply chain to understand material lead in and resources available.
Clean Air Zone revenue does not materialise due to ongoing Covid-19/travel behaviour changes	Predicted Clean Air Zone revenue has been reassessed and the Clean Air Zone funding requirement has been re-profiled with less funding required in the early years of the Clean Air Zone. Project

	underwritten by Prudential Borrowing in the OBC.
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7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The proposals set out in this report will support the City Council's key policies and priorities as set out in the City Council Plan and Budget 2018 – 22 (as updated in 2019):

- Outcome 1, Priority 4: 'We will develop our transport infrastructure, keep the city moving through walking, cycling and improving public transport';
- Outcome 4: 'Birmingham is a great, clean and green city to live in', particularly 'improve the environment and tackle air pollution';
- Outcome 5: 'Birmingham residents gain the maximum benefit from hosting the Commonwealth Games'.
- Outcome 6: 'Birmingham is a city that takes a leading role in tackling climate change'.

7.1.2 The public realm proposals will support walking and cycling through the city centre and create available space for outdoor tables and chairs to support economic recovery and growth. The scheme will create high-quality walking and cycling routes in a daytime pedestrianised environment, helping to support environmental and climate change policies in advance of the Commonwealth Games.

7.1.3 In addition to the alignment with the Council's priorities, plans and strategies identified, the scheme also aligns to the following Council policies and the city's role as Host City for the 2022 Commonwealth Games:

- **Birmingham Development Plan 2011 (BDP)** – The proposed public realm changes that will be delivered as part of the City Centre Public Realm scheme are consistent with the achievement of Birmingham's objectives set out in the BDP, including:
 - To provide high quality connections throughout the City and with other places including encouraging the increased use of public transport, walking and cycling; and
 - To develop Birmingham as a city of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.
- **Draft Birmingham Transport Plan 2020 (DBTP)** – The project will help deliver the objectives set out in the plan including improving cycling and walking infrastructure and pedestrianisation, supporting

cross city centre navigation and connectivity with public transport hubs, and improving walking environments to make streets inclusive for all and help older people and people with disabilities travel around the city.

- **Emergency Birmingham Transport Plan (EBTP)** – The scheme will help address the short, medium and longer term measures set out in the EBTP including maximising improvements to walking and cycling and ensuring public spaces are safe and accessible for everyone. The scheme will support the vision and objectives set out in the Draft Birmingham Transport Plan and EBTP and support the delivery of further walking and cycling improvements to support social distancing and Covid-19 recovery.

7.1.4 Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of these contracts. Tenderers will be required to submit an action plan with their tender that will be evaluated in accordance with the procurement strategy set out in Appendix B and the action plan of the successful tenderer will be implemented and monitored during the contract period. The social value outcomes for the project are also detailed in Appendix B.

7.2 Legal Implications

- 7.2.1 The Council in carrying out transportation, highway and infrastructure related work will do so under the relevant primary legislation comprising the Town and Country Planning Act 1990; Highways Act 1980; Road Traffic Act 1974; Road Traffic Regulation Act 1984; Traffic Management Act 2004; Traffic Act 2000 and other related regulations, instructions, directives and general guidance.
- 7.2.2 Under Section 1 of the Localism Act 2011, the Council has the power to enter into the arrangements set out in this report, which are within the remit and limits of the general power of competence in Sections 2 and 4 of the Localism Act 2011.
- 7.2.3 The information in Exempt Appendix G is commercially sensitive with regard to the confidential market information which would impact on the future commercial negotiations – Exempt information 12A of the Local Government Act 1972 (as amended) - 3. Information relating to the financial business affairs of any particular person (including the Council).
- 7.2.4 The works contract for the CCPR scheme will be procured in accordance with the Public Contracts Regulations 2015.

7.3 Financial Implications

Capital Costs

- 7.3.1 The estimated total capital cost of Phase 1 of the City Centre Public Realm scheme outlined is £12.395m and are planned to be funded by Transforming Cities Fund (£4.000m) and Clean Air Zone (£8.395m). A detailed breakdown is included in Exempt Appendix G.
- 7.3.2 A delay in implementing the CAZ means that there is a risk that the funding required for Phase 1 may become unavailable. The recommendations approved by Cabinet within the OBC in October 2019 included the use of corporate resources up to the total value of £20.478m in the event that the funding sources identified were not approved or fell short of the required values and noted that, in the event of additional funding being subsequently confirmed, that this would be used to repay corporate funding. The use of corporate resources was subsequently included and approved as part of the Council 2020/21+ Capital Programme in February 2020.
- 7.3.3 The OBC for the Phase 1 works included £5m of funding as a part of the Commonwealth Games Public Realm capital budget, which forms a part of the overall budget for the Commonwealth Games being funded jointly between the Council, local Partners and the Government. As the detailed proposals for the Phase 1 works have been refined during the evolution from an Outline to a Full Business Case it has become clear that the City Centre Public Realm works can be funded wholly from funding available through Transforming Cities and Clean Air Zone programmes and it has been agreed with all Games Partners that the Commonwealth Games funding is more appropriately utilised to mitigate any risks arising as a result of the COVID-19 pandemic and ensure delivery of other projects that are critical for the successful delivery of the Commonwealth Games.
- 7.3.4 Subject to the successful conclusion of single contractor negotiations, the supply of paving materials is to be undertaken by WMCA, to enable the order prior to the award of contract for the works. The total estimated cost of this is £0.500m, and the WMCA will store and insure the materials at a secure location at no additional cost to the Council.

Revenue Implications

- 7.3.5 This project will both remove and create assets that will form part of the highway upon completion of the project; as such they will be maintained within the overall highway maintenance programme. The net maintenance costs arising from the public realm proposals in this FBC is estimated to be £0.001m per annum, which will be funded from the provision for Highways Maintenance held within Corporate Policy contingency. This figure does not include maintenance for the River Fountain or the three mechanically operated HVMS, details of both of these are shown separately below.
- 7.3.6 The revenue implications for the River Fountain is estimated to £0.020m per annum, based on engagement with a fountain specialist, which will be funded from the existing approved maintenance budget for clocks and fountains.

7.3.7 The total revenue implications for the mechanically operated HVMs at three of the seven locations are estimated to be £0.031m per annum based on a five-year maintenance agreement with the supplier. This cost is being factored into the 2021/22+ Medium Term Financial Plan budget process.

7.3.8 Additionally, the project will result in the removal of 30 pay and display bays on Colmore Row/Waterloo Street which will result in an estimated loss of parking income of £0.202m per annum, (£2.02m over a ten-year period). The loss of income will be offset within the overall net car parking income generated, and specifically through the controlled parking zones being implemented as part of the Clean Air Zone (CAZ) additional measures.

7.4 Procurement Implications (if required)

7.4.1 The procurement strategy for the works and the supply of paving materials is detailed in Appendix B.

7.5 Human Resources Implications (if required)

7.5.1 The management and delivery of Phase 1 of the City Centre Public Realm scheme will be led by officers within Transport and Connectivity supported by external consultants for professional services.

7.6 Public Sector Equality Duty

7.6.1 An initial Equality Analysis was carried out prior to approval of the OBC in October 2019. A revised analysis has been carried out (Report ref. EQUA285) and is attached in Appendix F. This found that this scheme does not have any adverse impact on the protected groups and characteristics under the Equality Act 2010 and there is no requirement for a full assessment.

8 Appendices

- 8.1 Appendix A – Full Business Case
- 8.2 Appendix B – Procurement Strategy
- 8.3 Appendix C – Scheme Plans
- 8.4 Appendix D – Consultation Analysis
- 8.5 Appendix E – Risk Register
- 8.6 Appendix F – Equalities Analysis
- 8.7 Exempt Appendix G

9 Background Documents

- 9.1 City Centre Public Realm Revitalisation Outline Business Case Report to Cabinet 29th October 2019
- 9.2 Transportation and Highways Capital Programme 2020/21 to 2025/26 Annual Programme Update Report to Cabinet 11th February 2020.

- 9.3 City Centre Public Realm – Revised Financial Appraisal Report to Cabinet on 21st July 2020.
- 9.4 Draft Birmingham Transport Plan 2020.
- 9.5 Emergency Birmingham Transport Plan 2020.

APPENDIX A

FULL BUSINESS CASE (FBC)												
A. GENERAL INFORMATION												
A1. General												
Project Title <i>(as per Voyager)</i>	City Centre Public Realm Improvement Scheme Phase 1 – Full Business Case (FBC)											
Voyager Code	CA-03078-03											
Portfolio / Committee	Transport & Environment Finance & Resources	Directorate	Inclusive Growth									
Approved by Project Sponsor	Phil Edwards 16/12/2020	Approved by Finance Business Partner	Simon Ansell 15/12/2020									
A2. Outline Business Case approval <i>(Date and approving body)</i>												
<p>The Outline Business Case (OBC) for the proposed City Centre Public Realm (CCPR) improvements presented in this Full Business Case (FBC) was approved by Cabinet on the 29 October 2019. Since the approval of the OBC, the project has been divided into two phases. These phases are detailed in Table 1 below.</p> <p>Table 1: CCPR Phases</p> <table border="1"> <thead> <tr> <th>Phase</th> <th>Area/Description</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td>Phase 1</td> <td>Victoria Square and Colmore Row/Waterloo Street</td> <td>FBC outlined in this document.</td> </tr> <tr> <td>Phase 2</td> <td>Remaining CCPR areas</td> <td>FBC to be submitted in the summer of 2021 subject to funding.</td> </tr> </tbody> </table>				Phase	Area/Description	Status	Phase 1	Victoria Square and Colmore Row/Waterloo Street	FBC outlined in this document.	Phase 2	Remaining CCPR areas	FBC to be submitted in the summer of 2021 subject to funding.
Phase	Area/Description	Status										
Phase 1	Victoria Square and Colmore Row/Waterloo Street	FBC outlined in this document.										
Phase 2	Remaining CCPR areas	FBC to be submitted in the summer of 2021 subject to funding.										
A3. Project Description												
<p>This FBC is for the delivery of Phase 1 of the CCPR project only. The FBC for Phase 2 will be subject to a separate FBC subject to funding in the summer of 2021. The two phases are illustrated on Figure 1 below.</p>												

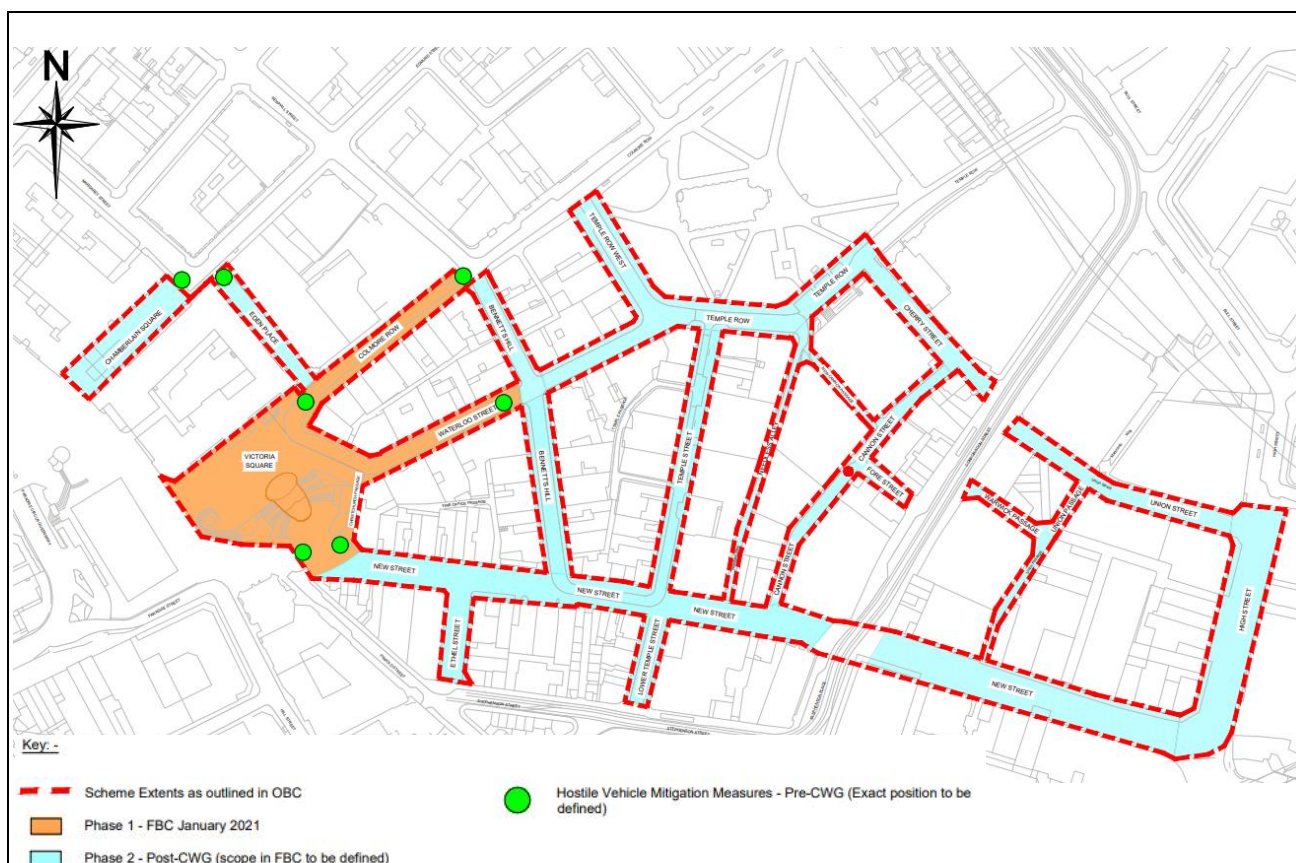


Figure 1: CCPR Phasing Plan

Background

Phase 1 of the project forms an important part of the comprehensive renewal of the public realm within the city centre core. Improvements to the quality of public realm include safe and attractive pedestrian environments, greater priority for active modes of travel and the creation of spill-out areas for outdoor seating, to further support businesses in their recovery and growth from the impacts of Covid-19. Permanent hostile vehicle mitigation (HVM) will replace the existing and unattractive temporary barriers.

Birmingham will be on the world stage during the 2022 Commonwealth Games (CWG) and the city centre will act as a gateway for many visitors coming to Birmingham for the first time. The public realm improvements will help create a lasting legacy, provide a safe, attractive and welcoming pedestrianised environment that will attract more visitors and investment and maximise the potential of the Colmore area, supporting further economic growth.

Existing Situation

Birmingham city centre is at the heart of the West Midlands with a magnitude of investment and opportunities over the next decade including HS2, Midland Metro extensions and the hosting of the 2022 CWG. Birmingham was the fourth most visited city in the UK in 2019¹ and boasts the largest city economy in the UK outside London with a GDP of £31.9bn². The city centre benefits from three main railway stations in the heart of the city: New Street, Snow Hill and Moor Street.

The existing public realm including the paving and street furniture is outdated, tired and inconsistent in its specification and positioning. Recent Midland Metro extensions have made improvements to the public realm adjacent to the Town Hall in Victoria Square, and on New Street (closest to the Council House) and this project will adopt the same material palette to be consistent across the area.

¹ Visitbritain.org/town-data

² Birmingham Update Q4 2019

The majority of the city centre is already pedestrianised; however, there is an increasing amount of vehicular activity taking place in the city core including Colmore Row and Waterloo Street at all hours of the day. This, combined with narrow footway and street furniture, creates pinchpoints for the increasing number of pedestrians travelling to and through the area for work and leisure.

Temporary National Barrier Assets (NBA) are in place across the city centre; however, these are large, intrusive structures that create unnecessary difficulties for cyclists, pushchairs and people with disabilities to navigate through. A permanent, less invasive solution is required to improve the flow of pedestrians and cyclists in the city centre whilst maintaining the necessary safety and security measures to protect the city from hostile vehicles.

Drivers and Opportunities for Change

The proposals set out in this FBC aim to transform the public realm in the city centre and create an attractive, safe and welcoming environment to support economic recovery and growth.

The early impacts on city centre retail and hospitality businesses as a result of Covid-19 have further strengthened the case for change and the need for investment in the city centre to drive forward further investment, attract more businesses to the city centre and create jobs that this project will aim to support.

The CWG's has presented an exciting opportunity to exhibit these improvements as for a lot of visitors, Birmingham city centre will, be the first place that spectators from around the world will see. High-quality public realm will enable safe, convenient and accessible travel to CWG venues, transport hubs and fan zones across the city centre.

New Street Station will be at the heart of visiting spectators and guests, providing fast and reliable services across the country including to Birmingham International Airport. The station normally accommodates circa 50 million passengers per annum but this will increase significantly during the games³. According to the latest version of the CWG spectator and workforce model (SWAT v1.5) up to 11,643 spectators (in addition to business as usual) will walk or cycle between the city centre and Arena Birmingham per hour⁴ during the games, passing through areas of high-quality public realm that this scheme will deliver. It is therefore vital that the public realm in the vicinity of New Street and Victoria Square is of the highest quality and specifications to create a lasting and positive impact. Improvements to the public realm in Victoria Square and on Colmore Row and Waterloo Street will provide high-quality connectivity between New Street and Snow Hill, complementing the public realm improvements being undertaken in the Snow Hill area.

High-quality public realm improvements can have many social, health, economic and environmental benefits including greater business and consumer confidence in the city centre allowing greater inward investment, increasing land values and spending in the city centre, boosting tourism and creating more jobs. Improved connectivity to transport hubs, jobs and leisure facilities will encourage walking and cycling which will also have positive health and social benefits.

Case studies within the UK have also shown that well-planned improvements to public spaces including restrictions to traffic and reallocation of space for walking and cycling can lead to increased revenue for retail stores and a boost in footfall and trading of 20-30%⁵. The outdoor 'spill-out' area that will be provided as part of this scheme will further enhance the desire for people to spend more time in the area. There are many misconceptions that restricting access to private cars damage the economy; however, studies have shown that this does not reduce the number of customers or spend within city centres. Widened footways and pedestrianised areas allow streets to become 'places' attracting greater footfall, outdoor tables and chairs and social interaction making the area a more attractive and welcoming place to be.

³ <https://www.birminghamupdates.com/birmingham-new-street-is-now-the-fifth-busiest-station-beating-london-euston/>

⁴ Data from the CWG spectator and workforce model (SWAT v1.5) during daytime hours (07:00-19:00).

⁵ Pedestrian pound 2018

The number of vehicles including HGVs driving through the city core during peak pedestrian hours is ever-increasing and is impacting upon the safety of pedestrians and cyclists. This combined with the risk of hostile vehicles in crowded places and densely populated areas of pedestrians provides a much-needed reallocation of space and improved security measures to ensure pedestrian safety is comprehensive, giving the public the confidence to enjoy the city centre without fear. The permanent HVM measures proposed will provide this security and fit with the aesthetics of the surrounding environment.

Phase 1 will also restore running water to one of Europe's largest fountains the River Fountain, known locally as the 'Floozie in the Jacuzzi', which was turned off in 2013 and subsequently filled with flowers in 2015. The Fountain is an iconic feature situated in Victoria Square surrounded by attractive buildings and architecture and has for many years been central to the identity of the city. Repairing and restoring the three tiered River Fountain to its former glory will support visitor numbers and create an improved civic space for people to meet and relax and to host civic events.

Scheme Development

Since the approval of the OBC on the 29 October 2019, the project has been split into two phases as a result of the impacts that the Covid-19 pandemic has had on the delivery of the project. As a result, some elements of the project that were set out in the OBC to be delivered prior to the CWG have been delayed until after the Games. The two phases are:

- Phase 1 – Victoria Square and Colmore Row/Waterloo Street public realm works, River Fountain reinstatement and seven HVM locations
- Phase 2 – The remaining elements of the CCPR project as outlined in the OBC (subject to a separate FBC)

A Revised Financial Appraisal (RFA) was approved by Cabinet on the 21 July 2020 which gave authority for the detailed design to be undertaken prior to the submission of this FBC to ensure accurate capital and revenue costs and timescales were estimated.

Scheme Proposals

This FBC outlines the scheme proposals for Phase 1 of the project, which is illustrated in the scheme drawing in Appendix C. Due to the CWG embargo, no construction work is permitted to take place after March 2022. ECI has informed the project that there is insufficient construction time available, partly due to Christmas working restrictions in 2021, to fully complete the construction works. Therefore, a phased delivery will be undertaken which includes:

Phase 1 Proposals (delivered by March 2022)

- Public realm improvements in Victoria Square;
- Public realm improvements on the corner of Colmore Row/Waterloo Street by Victoria Square;
- Repair and reinstatement of the River Fountain in Victoria Square;
- HVM at seven locations including Victoria Square, Waterloo Street, Colmore Row;
- Support the reinstatement of the Ironman in Victoria Square;
- Subject to a Traffic Regulation Order (TRO) the scheme proposals include:
 - No loading/unloading or vehicular access between 11am and 11pm on Colmore Row and Waterloo Street, seven days a week;
 - Removal of three pay and display bays on Colmore Row;
 - Removal of 25 pay and display bays on Waterloo Street;
 - Removal of two disabled bays on Waterloo Street;
 - Removal of two pay and display bays on Waterloo Street East to be replaced with the two removed disabled bays on Waterloo Street;
 - Removal of motorcycle bays on Colmore Row.

Phase 1 Proposals (delivered by October 2023)

- Completion of public realm improvements on Colmore Row/Waterloo Street including provision for a 2m outdoor seating/spill out area, new signage and wayfinding, street furniture and lighting.

To avoid any further delays to the programme, the project has identified the need to procure materials ahead of the contractor award due to the long lead time for this item and its impact on the works output. The West Midlands Combined Authority (WMCA) has been identified as a supplier of this material due to the need to match the specification of the product previously used by the MMA in the area.

A4. Scope

This scope includes all elements within Phase 1 of the CCPR project outlined within this report.

A5. Scope Exclusions

Phase 2 has been excluded from the scope of works and will be subject to a separate FBC in the summer of 2021 subject to funding.

B. STRATEGIC CASE

This sets out the case for change and the project's fit to the Council Plan objectives

B1. Project Objectives and Outcomes

The case for change including the contribution to Council Plan objectives and outcomes

Scheme Objectives

The scheme objectives are set out in Table 2.

Table 2: Scheme Objectives

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Scheme Objectives	Outcomes	Current Issues	How this scheme will achieve the objectives
To deliver high-quality public realm for all user groups and increase visitor numbers and support economic recovery	<p>Accessible for all users.</p> <p>Attractive and welcoming for people visiting Birmingham for the first time during the 2022 Commonwealth Games.</p> <p>River Fountain restored as a water feature.</p>	<p>Tired paving</p> <p>Neighbouring improvements e.g. Paradise, Centenary Square Metro Extension has upgraded surrounding paving.</p>	<p>Replacement of paving, street furniture including seating and lighting. Flush kerbs.</p>
To create a pedestrian friendly environment to support business recovery and growth	<p>Widened footways for restaurants and bars to spill out on.</p> <p>Vehicles restricted between 11am and 11pm to ensure safe environment for pedestrians to enjoy.</p>	<p>Narrow footways, street clutter, lots of vehicles.</p>	<p>Create spill out areas for restaurants and bars on Colmore Row/Waterloo Street to have outside seating and create an environment that people want to spend time in.</p>
To improve the security and safety in the city core	<p>Permanent HVM at seven locations within the city core.</p> <p>Vehicle access and loading restricted on Colmore Row/Waterloo Street between 11am and 11pm.</p>	<p>National Barrier Asset (NBA) HVM is unattractive and obstructive for cyclists and people with disabilities to navigate.</p> <p>No restrictions for vehicles to enter the city core at any time. High pedestrian flows and narrow footways increase the number of conflicts between pedestrians and vehicles.</p>	<p>Greater priority for pedestrians and cyclists at peak times.</p> <p>HVM controlled centrally to ensure a joined up safety and security strategy.</p>

Enhanced connectivity for pedestrians and cyclists	Improved connectivity for pedestrians and cyclists connecting.	Existing street clutter and NBA HVM makes movement through the city centre difficult.	Improved signage and wayfinding.
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Policy Fit

The improvements to the public realm in the city core set out in this FBC, helps support the delivery of local and regional policies set out in Table 3 below.

Table 3: Policy Fit

Policy	Strategic Alignment
Local Policies	
City Council Plan and Budget 2018-2022 (as updated in 2019)	<p>The proposed scheme supports the policy objectives outlined in the City Council's Plan and Budget 2018-2022 including:</p> <p>Outcome 1, Priority 4: <i>'We will develop our transport infrastructure, keep the city moving through walking, cycling and improving public transport';</i></p> <p>Outcome 4: <i>'Birmingham is a great, clean and green city to live in', particularly 'improve the environment and tackle air pollution';</i></p> <p>Outcome 5: <i>'Birmingham residents gain the maximum benefit from hosting the Commonwealth Games';</i></p> <p>Outcome 6: <i>'Birmingham is a city that takes a leading role in tackling climate change'.</i></p> <p>The Phase 1 proposals will provide improvements to walking and cycling, which will support the sustainable and environmental outcomes of the City Council Plan as well as delivering the majority of these improvements prior to the Commonwealth Games for everyone to enjoy.</p>
Birmingham Development Plan (2011)	<p>The vision for Birmingham set out in the Birmingham Development Plan (BDP) is:</p> <p><i>"By 2031 Birmingham will be renowned as an enterprising, innovative and green City that has delivered sustainable growth meeting the needs of its population and strengthening its global competitiveness."</i></p> <p>The proposed public realm improvements in the city centre are consistent with the achievement of Birmingham's objectives set out in the BDP, including:</p> <ul style="list-style-type: none"> • To provide high quality connections throughout the city and with other places including encouraging the increased use of public transport, walking and cycling; • To create a prosperous, successful and enterprising economy with benefits felt by all; • To promote Birmingham's national and international role; and

	<ul style="list-style-type: none"> To ensure that the City has the infrastructure in place to support its future growth and prosperity. <p>As well as specific policies including:</p> <ul style="list-style-type: none"> Policy PG2 – Birmingham as an international city – <i>Birmingham will be promoted as an international city supporting development, investment and other initiatives that raise the City's profile and strengthen its position nationally and internationally.</i> Policy PG3 – Place making - <i>Provide attractive environments that encourage people to move around by walking and cycling;</i> Policy GA1.1 – City Centre - ...improvements to the quality of the environment and the shopping experience within this area will be promoted. Policy GA1.4 – Connectivity – Improvements to and prioritisation of pedestrian and cycle accessibility; Policy TP39 – Walking – The provision of safe and pleasant walking environments throughout Birmingham will be promoted; and <p>Policy TP40 – Cycling - Cycling will be encouraged through a comprehensive city-wide programme of cycling infrastructure improvements.</p>
Birmingham Transport Plan (draft 2020)	<p>The draft Birmingham Transport Plan aims to create safe and healthy environments will make active travel, walking and cycling – the first choice for people making short journeys. The scheme will help deliver the objectives set out in the plan including:</p> <ul style="list-style-type: none"> Develop improved cycling and walking infrastructure and pedestrianisation supporting cross city centre navigation and connectivity with public transport hubs; and <p>Improve walking environments make streets inclusive for all and help older people and people with disabilities travel around the city.</p>
Emergency Birmingham Transport Plan (June 2020)	<p>The Emergency Birmingham Transport Plan does not replace the Birmingham Transport Plan; however, it sets out the short, medium and long term actions that Birmingham can take to enable a low carbon, clean air recovery from Covid-19. These measures, relevant to the City Centre Public Realm scheme, including maximising improvements to walking and cycling and ensure public spaces are safe and accessible for everyone. The scheme will support the vision and objectives set out in Birmingham's Transport Plan (below) and support the delivery of further walking and cycling improvements to support social distancing and Covid-19 recovery.</p>
Birmingham Connected (2014)	<p>The Birmingham Connected White Paper directly links to the strategies and policies of the BDP, outlined below. It sets out the agenda for investing in a radically improved integrated transport system that will realise the city's potential to support sustainable economic growth, support job creating and link communities. It seeks to make travel more</p>

	<p>accessible, more reliable, safer and healthier and to use investment in transport as a catalyst to improve the fabric of the city.</p> <p>The scheme will contribute to the objectives set out in the Birmingham Connected White Paper, including facilitating improvements to walking and cycling in the city centre.</p>
Clean Air Strategy (draft 2019)	<p>The scheme will support the objectives set out in the Council's draft Clean Air Strategy and the Council's implementation of a Class D Clean Air Zone to improve air quality in the city centre by:</p> <ul style="list-style-type: none"> • Contributing towards a reduction in car usage – reducing emissions and improve health; and • ...increasing the range of cleaner, sustainable and active travel modes.
City Centre Retail Strategy (2015)	<p>This strategy document builds on the vision of the City's Big City Plan published in 2010 focussing on the city centre and retail core. Plans to enhance the public realm in the retail core around New Street and Victoria Square are presented in this strategy to attract investment and visitors and improve the image of the city, with the aim of making Birmingham one of the top retail destinations in the UK. The main objectives that this scheme helps deliver includes:</p> <ul style="list-style-type: none"> • Support and promote the rationalisation of vehicular traffic on key streets in the Retail Core to create pedestrian friendly environments that are accessible to all; and • Support the improvement of the public realm and environment.
Regional Policies	
Midlands Connect Strategy: Powering the Midlands Engine (2017)	<p>The Midlands Connect Strategy sets out the long-term approach to power the Midlands Engine giving <i>'much-needed certainty to businesses, communities and investors whilst also improving quality of life, improving skills and enhancing access to new opportunities'</i>.</p> <p>This public realm scheme will improve connectivity within the city centre for sustainable modes of transport including walking and cycling and allow the economic potential of the Midlands to be maximised.</p>
Greater Birmingham and Solihull LEP Strategic Economic Plan (2016-2030)	<p>The proposed scheme supports policies set out in the GBS LEP Strategic Economic plan including:</p> <ul style="list-style-type: none"> • Reduce demand, ensuring that capacity on key routes is released by negating unnecessary trips. This means investing in towns and local centres to ensure that very short distance trips can be made safely by walking, cycling and public transport • Supporting the regeneration of our high streets • Improving connectivity within towns and local centres
Movement for Growth, West Midlands	<p>This policy document sets out the WMCA's strategic transport plan and long term delivery plan for transport across the West Midlands.</p>

Combined Authority (WMCA)	<p>The transport vision:</p> <p><i>“Reduce transport’s impact on our environment – improving air quality, reducing carbon emissions and improving road safety”</i></p> <p>This vision will be supported by:</p> <ul style="list-style-type: none"> • Using transport improvements to enhance the public realm and attractiveness of our centres • Ensuring that walking and cycling are a safe and attractive option for many journeys, especially short journeys by enhancing local travel <p>The scheme will improve the public realm and attractiveness of the city core, whilst encouraging more active travel including cycling and walking supporting public health.</p>
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Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of the contract for the main works. Tenderers will be required to submit an action plan with their tender that will be evaluated in accordance with each procurement strategy and the action plan of the successful tenderers will be implemented and monitored during the contract period.

B2. Project Deliverables

These are the outputs from the project e.g. a new building with xm2 of internal space, xm of new road, etc

Phase 1 outputs include:

- Paving:
 - 212sqm Yorkstone slab paving;
 - 5,499sqm Granite paving;
 - 520m Granite edging;
 - 548m Corduroy tactile;
 - 58m Dished channel drain;
- Provision for 2m ‘spill-out’ space outside buildings for outdoor seating on Colmore Row/Waterloo Street (refer to Appendix C for more details);
- Seven HVM bollards (three mechanically operated locations);
- Support the reinstatement of the Ironman in Victoria Square;
- Street furniture:
 - Four heritage street lighting on Colmore Row;
 - Three benches;
 - Three bins;
 - Four cycle racks;
 - Provision for one cycle hire dock;
 - Provision for e-scooter racks (if approved).

B3. Project Benefits

These are the social benefits and outcomes from the project, e.g. additional school places or economic benefit.

Measure	Impact
List at least one measure associated with each of the objectives and outcomes in B1 above	What the estimated impact of the project will be on the measure identified – please quantify where

APPENDIX A

	practicable (e.g. for economic and transportation benefits)
Support the economic recovery and growth of the city centre through renewal of public realm	Enhancement of the area will create a more attractive, safe and useable area to attract more visitors, businesses and investment to the area and increase consumer spend. The provision of 2m 'spill out' area outside properties on Colmore Row/Waterloo Street will create an attractive and safe place to spend time. It will also encourage repeat visits which is particularly important for Birmingham city centre given that the city will become a gateway during the CWG in 2022.
Encourage active modes of travel within the city centre	<p>Accessibility for pedestrians, cyclists and people with mobility issues will be improved through new, high-quality paving. An attractive, public space will increase the availability of civic space to host community events e.g. Pride and generate revenue for the city.</p> <p>A more pleasant environment through the city centre will encourage more people to walk shorter journeys, improving air quality and supporting the Council's clean air policies. It will also deliver health benefits to the citizens and visitors of Birmingham.</p>
People's perceptions of safety and attractiveness of the city centre	<p>59 crimes were reported in the vicinity of Victoria Square/Colmore Row/Waterloo Street between September 2019 and August 2020. Anti-social behaviour accounted for 29% of these crimes.</p> <p>Improvements to the public realm, lighting and provision of outdoor seating will improve the perceived safety of people within the area. Permanent HVM bollards will ensure only necessary access for loading takes place during designated hours. Outside of these hours the HVM will ensure pedestrians are safe from hostile vehicles.</p>
Property price increase	Substantial evidence that public realm improvements increase property prices in the local vicinity.
Table 2, in Section B1 above, outlines the scheme objectives, and how these will be achieved through this scheme tackling the current issues faced in the area. It also outlines the benefits and outcomes associated with delivering these objectives. Further economic benefits are listed in Section G3 below.	
B4. Benefits Realisation Plan <i>Set out here how you will ensure the planned benefits will be delivered</i>	
Benefits will be delivered upon completion of Phase 1 of the project. The planned benefits will be delivered by ensuring a robust governance structure has been established to monitor progress and manage dependencies, risks and issues, as they arise. Clear tolerance and escalation levels are set to ensure issues are identified and managed in a timely manner.	

Ordering the paving materials ahead of the contract award will mitigate any delay to the programme or outputs that could be caused as a result of long lead times for this item.

Further benefit realisation is set out in Table 4 below.

Table 4: Benefits Realisation

Benefit	Who will benefit?	How will benefits be realised?	Baseline measure
Improved public realm	All users	Increased attractiveness for all users	Satisfaction levels
Improved perception of safety for all users	All users	Crime rates	Crime statistics
Increased use of active modes	Pedestrians, cyclists, other active modes	Increase in number of people walking and cycling	Pedestrian counts (February 2020)
Increase in customers due to outdoor seating area	Local businesses	Occupancy of outdoor seating area	Business engagement and utilisation

B5. Stakeholders

Public consultation on the overall City Centre Public Realm scheme was carried out between 13 January 2020 and 21 February 2020. A total of 598 responses were received via BeHeard.

As part of the consultation exercise approximately 3,500 leaflets were delivered to all commercial and residential properties with the scheme area and regular emails were sent out via the Business Improvement Districts (BIDs) to their businesses. In addition, consultation material including leaflets and questionnaires were held at Library of Birmingham and individuals could request a copy of the material and questionnaire by contacting the project team.

Key stakeholders were emailed copies of the scheme proposals and consultation materials, urging them to provide feedback via the BeHeard consultation site. Two public drop-in sessions were also held to talk to discuss the project with businesses, residents and individuals and to understanding any local issues or concerns.

Engagement with Colmore and Retail BID, ward councillors and resident groups/representatives has been ongoing throughout the development of this project to ensure they are kept informed of the progress and changes.

Analysis of the consultation responses identified key themes and suggestions from individuals and organisations which has been taken into consideration whilst developing the scheme and addressed in Appendix D. The analysis highlights the following key statistics:

- 77% of respondents agree or strongly agree that the proposals to improve the public realm are attractive and welcoming. This is broken down to:
 - 77% of individuals;
 - 90% of businesses/organisations;
 - 79% of residents.
- 72% of respondents agree or strongly agree with the proposals to restrict access and loading between 7am and 7pm. This is broken down to:
 - 74% of individuals;
 - 42% of businesses/ organisations;
 - 7% of residents

- 46% of respondents believe the scheme will have a somewhat or very positive impact on them/their business and 34% believe the impact will be neutral. This is broken down to:
 - 46% of individuals;
 - 58% of businesses/organisations;
 - 14% of residents.

C. ECONOMIC CASE AND OPTIONS APPRAISAL

This sets out the options that have been considered to determine the best value for money in achieving the Council's priorities

C1. Summary of options reviewed at Outline Business Case

(including reasons for the preferred option which has been developed to FBC)

If options have been further developed since the OBC, provide the updated Price quality matrix and recommended option with reasons.

Options were reviewed at the OBC stage and Option 5 was approved to be taken forward to FBC stage. The options included:

Option 1 – Business as Usual (Do Nothing)

Option 2 – Do Minimum – implement HVM at critical locations across the city centre.

Option 3 – Partial intervention - implement permanent HVM measures as part of a comprehensive safety and security strategy for the city centre. Public realm improvements to New Street, Lower Temple Street and Ethel Street.

Option 4 – Partial intervention – Option 3 with the addition of public realm improvements in Victoria Square.

Option 5 – Comprehensive Integrated Approach – permanent HVM measures as part of a comprehensive safety and security strategy for the city centre. Public realm improvements to the city core including New Street, Lower Temple Street, Ethel Street and Victoria Square. Repair and restoration of the River Fountain in Victoria Square.

Changes since the OBC

After the approval of the OBC in October 2019, a new delivery team was established. Upon review of the programme, a revised delivery strategy and timeline was developed to allow time to develop the project in further detail and produce a comprehensive FBC including establishing a detailed design, finalising the scope of the project, securing Early Contractor Involvement (ECI) and establishing accurate capital and revenue costs. The Design and Build approach that was approved at OBC, outlined construction start in 2020. These timescales were deemed unfeasible and a revised delivery strategy and programme was issued and approved by Cabinet as part of a RFA in July 2020.

The RFA also granted permission to transfer £0.758m from the post-contract costs to develop the project to FBC. The Covid-19 pandemic has led to programme delays and uncertainty around funding available to deliver the project. As a result, the project was split into two phases outlined in Section A3 above. This FBC outlines the proposals for Phase 1 of the project with a separate FBC for Phase 2 to be submitted in Summer 2021. This phased delivery will enable the project team to fully understand the cost estimates and the funding requirements needed.

C2. Evaluation of key risks and issues

The full risks and issues register is included at the end of this FBC

A summary of the key risks are outlined in Table 5 below. A copy of the full risk register can be found in Appendix E.

Table 5: Top Risks

Risk	Mitigation
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Unknown ground conditions/utilities/basements	Ground Penetrating Radar (GPR) surveys and trial hole work being undertaken to conclude clash detection and enter into early agreement with Statutory Undertakers. Partnership working and sharing of stats data. Known basement surveys requested.
Activities prior to construction are delayed. No float in programme.	Regular review of programme and briefing sessions with senior officers and Cabinet Members.
The impact of Covid-19 and Brexit on the supply of materials, the contractor's resources and timescales	Engagement with the contractor and their supply chain to understand material lead in and resources available.
CAZ revenue does not materialise due to ongoing Covid-19/behaviour changes	Predicted CAZ revenue has been reassessed and the CAZ funding requirement has been re-profiled with less funding required in the early years of the CAZ. Project underwritten by Prudential Borrowing in OBC.

C3. Other impacts of the preferred option

Describe other significant impacts, both positive and negative

A VURT (Valuing Urban Realm Toolkit) assessment was undertaken in February 2020 to assess the economic benefits of the CCPR scheme. The toolkit was introduced by Transport for London (TfL) to provide an evidence-based justification for investing in public realm improvements by assigning monetary values to the less tangible benefits of a scheme. The estimated monetary benefits cover an appraisal period of 15 years (2022-2036) and are provided in 2010 prices and values. The estimated monetary benefits for Victoria Square, Colmore Row and Waterloo Street are shown in Table 6 below.

Table Error! No text of specified style in document.6: Estimated monetary benefits

Area	Estimated Monetary Benefits (2010 prices)
Victoria Square	£813,358
Colmore Row	£780,845
Waterloo Street	£261,461

Other impacts that CCPR will address are set out in Table 7 below.

Table 7: Impacts of preferred option

Measure	Impact
Pedestrians and Cyclists	Safe, attractive public spaces with enhanced public realm will create an area for all users to enjoy.
Public Realm	Better quality environment and paving materials leading to improved development value and a more attractive destination to attract more visitors to the city.

Noise/Air Quality	Noise generated from construction works will be minimised where possible. Timing of construction will be assessed based on local characteristics e.g. residential properties, businesses.	
D. COMMERCIAL CASE		
<i>This considers whether realistic and commercial arrangements for the project can be made</i>		
D1. Partnership, joint venture and accountable body working		
<i>Describe how the project will be controlled, managed and delivered if using these arrangements</i>		
The Council is responsible for the delivery of Phase 1 of the CCPR scheme. The scheme proposals have been developed alongside key partners including Retail BID and Colmore BID.		
D2. Procurement implications and Contract Strategy		
<i>What is the proposed procurement contract strategy and route? Which Framework, or OJEU? This should generally discharge the requirement to approve a Contract Strategy (with a recommendation in the report).</i>		
<p>Detailed Design</p> <p>The detailed design for phase 1 of the project is being undertaken by Arcadis Consulting Limited under a contract awarded under delegated authority in September 2020.</p> <p>Public Realm Works (including River Fountain)</p> <p>The procurement strategy for the works and the water feature is in Appendix B of the Cabinet report.</p> <p>Purchase of Materials</p> <p>The supply of paving materials is to be undertaken by the West Midlands Combined Authority to enable an order to be placed and delivered prior to the award of the contract and the commencement of the works. The cost of the paving materials is expected to be in the region of £0.5m. The WMCA will store and insure the materials at a secure location at no extra cost to the Council until the materials are ready to be used. The procurement strategy for the order of materials is in Appendix B.</p>		
D3. Staffing and TUPE implications		
There are no identified staffing or TUPE implications with this project. The scheme will be resourced using City Council staff and external resources for the professional services and the works.		

E. FINANCIAL CASE*This sets out the cost and affordability of the project***E1. Financial implications and funding**

	Previous Financial Years £000s	2020/21 £000s	2021/22 £000s	2022/23 £000s	Total £000s
Capital code: CA-03078-03					
CAPITAL EXPENDITURE					
Capital expenditure incl. contingency	414	1,274	8,147	2,560	12,395
Total capital expenditure	414	1,274	8,147	2,560	12,395
CAPITAL FUNDING:					
Transforming Cities Fund (TCF)	414	1,274	2,312	0	4,000
CAZ Revenue	0	0	5,835	2,560	8,395
Total capital funding	414	1,274	8,147	2,560	12,395

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	2022/23 £	2023/24 £	2024/25 £	Per annum £
Highways Maintenance				
Basic Highway Assets		-599.20	-2,004.06	-2,004.06
Enhanced Highway Assets		2,059.13	3,127.22	3,127.22
Energy Costs		0.00	134.64	134.64
Highway Horticulture (Parks)		0.00	0.00	0.00
Non-Highway Assets (NPNPs)		0.00	33.57	33.57
Net revenue consequences		1,459.93	1,291.37	1,291.37
Funded by:				
Highways Maintenance Policy Contingency		-1,459.93	-1,291.37	-1,291.37
Total Revenue Funding		-1,459.93	-1,291.37	-1,291.37
River Fountain	20,000.00	20,000.00	20,000.00	20,000.00
Net revenue consequences	20,000.00	20,000.00	20,000.00	20,000.00
Funded by:				
Clocks and Fountains Revenue Budget	-20,000.00	-20,000.00	-20,000.00	-20,000.00
Total Revenue Funding	-20,000.00	-20,000.00	-20,000.00	-20,000.00
HVM (5 year SLA)		31,002.00	31,002.00	31,002.00
Net revenue consequences		31,002.00	31,002.00	31,002.00
Funded by:				
Revenue Budget to be allocated via 2021/22+ Medium Term Financial Plan budget process		-31,002.00	-31,002.00	-31,002.00
Total Revenue Funding		-31,002.00	-31,002.00	-31,002.00
Loss of parking income	202,479.20	202,479.20	202,479.20	202,479.20
Net revenue consequences	202,479.20	202,479.20	202,479.20	202,479.20
Funded by:				
Controlled Parking Zone income	-202,479.20	-202,479.20	-202,479.20	-202,479.20
Total Revenue Funding	-202,479.20	-202,479.20	-202,479.20	-202,479.20

E2. Evaluation and comment on financial implications

Capital Costs

The estimated total capital cost of Phase 1 of the City Centre Public Realm scheme outlined is £12.395m and are planned to be funded by Transforming Cities Fund (£4.000m) and Clean Air Zone (£8.395m). A detailed breakdown is included in Exempt Appendix G.

A delay in implementing the CAZ means that there is a risk that the funding required for Phase 1 may become unavailable. The recommendations approved by Cabinet within the OBC in October 2019 included the use of corporate resources up to the total value of £20.478m in the event that the funding sources identified were not approved or fell short of the required values and noted that, in the event of additional funding being subsequently confirmed, that this would be used to repay corporate

funding. The use of corporate resources was subsequently included and approved as part of the Council 2020/21+ Capital Programme in February 2020.

The OBC for the Phase 1 works included £5m of funding as a part of the Commonwealth Games Public Realm capital budget, which forms a part of the overall budget for the Commonwealth Games being funded jointly between the Council, local Partners and the Government. As the detailed proposals for the Phase 1 works have been refined during the evolution from an Outline to a Full Business Case it has become clear that the City Centre Public Realm works can be funded wholly from funding available through Transforming Cities and Clean Air Zone programmes and it has been agreed with all Games Partners that the Commonwealth Games funding is more appropriately utilised to mitigate any risks arising as a result of the COVID-19 pandemic and ensure delivery of other projects that are critical for the successful delivery of the Commonwealth Games.

Subject to the successful conclusion of single contractor negotiations, the supply of paving materials is to be undertaken by WMCA, to enable the order prior to the award of contract for the works. The cost of this is estimated to be £0.500m and the WMCA will store and insure the materials at a secure location at no additional cost to the Council.

Revenue Implications

This project will both remove and create assets that will form part of the highway upon completion of the project; as such they will be maintained within the overall highway maintenance programme. The net maintenance costs arising from the public realm proposals in this FBC is estimated to be £0.001m per annum, which will be funded from the provision for Highways Maintenance held within Corporate Policy contingency. This figure does not include maintenance for the River Fountain or the three mechanically operated HVMs. Details of both of these are shown separately below.

The revenue implications for the River Fountain is estimated to be £0.020m per annum, based on engagement with a fountain specialist, which will be funded from the existing approved maintenance budget for clocks and fountains.

The total revenue implications for the mechanically operated HVM at three of the seven locations are estimated to be £0.031m per annum based on a five-year maintenance agreement with the supplier. This cost is being factored into the 2021/22+ Medium Term Financial Plan budget process.

Additionally, the project will result in the removal of 30 pay and display bays on Colmore Row/Waterloo Street which will result in an estimated loss of parking income of £0.202m per annum (£2.02m over a ten-year period). The loss of income will be offset within the overall net car parking income generated, and specifically through the controlled parking zones being implemented as part of the Clean Air Zone (CAZ) additional measures.

E3. Approach to optimism bias and provision of contingency

A contingency of 20% has been applied to the cost of Phase 1 public realm works on Colmore Row/Waterloo Street. A contingency of 40% has been applied to the cost of the HVM and River Fountain.

The contingency covers project risks around scope of construction and the outcomes of realising risks identified within the risk register.

Construction risk and contingency has been priced to cover any delays and changes to outputs.

E4. Taxation

Describe any tax implications and how they will be managed, including VAT

There will be no adverse VAT implications for the City Council in this scheme as the maintenance of highways is a statutory function of the City Council such that any VAT paid to contractors is reclaimable.

As this is a construction project, the requirements of HMRC's Construction Industry Tax Scheme will be included in the contract documentation to ensure the Council's compliance.

F. PROJECT MANAGEMENT CASE

This considers how project delivery plans are robust and realistic

F1. Key Project Milestones <i>The summary Project Plan and milestones is attached at G1 below</i>	Planned Delivery Dates
	Phase 1
Public Consultation	January – February 2020
Appoint contractor for detailed design	August 2020
Commence detailed design	November 2020
Full Business Case approval	January 2021
Placing the order for materials with WMCA	January 2021
Invitation to tender (ITT) issued	February 2021
ITT return	March 2021
Award of construction contract	April 2021
Construction start	June 2021
Construction end	March 2022/October 2023

BCC Project Team recognise that the achievement of the programme (and these milestones) may be subject to change.

F2. Achievability

Describe how the project can be delivered given the organisational skills and capacity available

The project involves standard highway engineering and measures and the City Council has in-house experience of successfully delivering highway projects of this nature. Specialist expertise and support has been obtained through appropriate external consultants for the public realm design elements, Traffic Regulation Orders and Construction Design Management (CDM) responsibilities.

F3. Dependencies on other projects or activities

N/A

F4. Officer support

Project Manager:	Craig Richards Tel: 07704539772 Email: craig.richards@birmingham.gov.uk
Project Accountant:	Simon Ansell Tel: 0121 464 9124 Email: simon.ansell@birmingham.gov.uk
Project Sponsor:	Philip Edwards Tel: 0121 303 6467 Email: philip.edwards@birmingham.gov.uk

F5. Project Management

Describe how the project will be managed, including the responsible Project Board and who its members are

The Project Board has been set up which will oversee the City Centre Public Realm works. It consists of officers responsible for delivering and monitoring the overall City Centre Public Realm and includes:

- Officers from Transport and Connectivity, Planning, Highways, Finance, Legal and Procurement including the Assistant Director, Transport & Connectivity and the Assistant Director, Highways and Infrastructure.

G. SUPPORTING INFORMATION

(Please adapt or replace the formats as appropriate to the project)

G1. Project Plan

Detailed Project Plan supporting the key milestones in section F1 above

Please refer to **Section F1** of this report for delivery milestones.

G2. Summary of Risks and Issues Register

Risks should include Optimism Bias, and risks during the development to FBC

Grading of severity and likelihood: High – Significant – Medium - Low

Please refer to **Appendix E** for the scheme risk register.

G3. External funding and other financial details

Description of external funding arrangements and conditions, and other financial details supporting the financial implications in section E1 above (if appropriate)

A summary of funding for the delivery of the scheme is provided in **Section E2** of this report.

G4. Stakeholder Analysis

The table below identifies all of the stakeholders involved in the project outlining their role and significance and how these relationships will be managed throughout the successful delivery of the project.

Stakeholder	Role and Significance	How stakeholder relationships will be managed
MP and local councillors	Local impact to ensure they are aware of the scheme should they be approached by their constituents	Regular updates through member briefings
Retail and Colmore BID	Key stakeholder group	Regular updates through email and meetings
Residents/businesses affected by TRO	Affected stakeholders	Updates during detailed design, prior to construction and during works.
Taxi operators	End user	Updates during detailed design, prior to construction and during works.
General groups e.g. cycling and walking, bus users and resident groups	End user	Updates during detailed design, prior to construction and during works.
Emergency services	End user	Updates during detailed design, prior to construction and during works.
General public	End user	Updates during detailed design, prior to construction and during works.

G5. Benefits Register

For major projects and programmes over £20m, this sets out in more detail the planned benefits. Benefits should be monetised where it is proportionate and possible to do so, to support the calculation of a BCR and NPSV (please adapt this template as appropriate)

Measure	Annual value	Start date	Impact
List at least one measure associated with each of the outcomes in B1 above			What the estimated impact of the project will be on the measure identified
(a) Non-quantified benefits:			

Other Attachments

provide as appropriate

• Appendix B – Procurement Strategy	
• Appendix C – Scheme Plans	
• Appendix D – Consultation Analysis	
• Appendix E – Risk Register	
• Appendix F – Equalities Analysis	
• Exempt Appendix G – Exempt Appendix	

Appendix B

Procurement Strategy for the City Centre Public Realm Works**1 Background**

- 1.1 The background and context are detailed in the Cabinet report.
- 1.2 Cabinet approved entering into single contractor negotiations for the public realm works in Victoria Square and along Colmore Row in the Planned Procurement Activities Report to Cabinet dated 11th February 2020. The negotiations failed to reach a satisfactory conclusion between the two parties and there is now a requirement for a procurement process to be undertaken for these works plus the public realm improvements in Waterloo Street and the reinstatement of the River Fountain in Victoria Square.

2 Outcomes Expected

- 2.1 The following outcomes are anticipated as a result of the proposed procurement process to be carried out:
- An improved public realm in the area to create an attractive focal point in the city centre, improving the overall experience for visitors; particularly those arriving to support the Commonwealth Games;
 - Reinstatement of the River Fountain;
 - Provision of hostile vehicle mitigation measures at seven locations in the city core;
 - Social value actions committed and delivered in accordance with the contractor's social value action plan.

3 Market Analysis

- 3.1 There are a large number of providers in the market who could provide the required works. It is anticipated with the Covid-19 situation, that there will be an appetite from the marketplace for an opportunity of this size and value from a number of providers as organisations try and win business to offset that lost due to cancelled contracts in other areas.

4 Strategic Procurement Approach

- 4.1 The following options were considered:
- Not to tender the requirement – this is not an option on the basis that the works are required to improve the visitor experience to the city centre and assist with the facilitation of economic growth.

- To tender for separate works contracts – this option was considered and discounted due to the lack of technical expertise in the Council to support the project, in particular in relation to the River Fountain.
- To tender for a single works contract. This is the recommended option on the basis that it will allow for all suppliers to express an interest in tendering for the opportunity, costs will be reflective of the current market position and all the Council's priorities can be incorporated into the tender documentation.
- To use a collaborative framework agreement. There are collaborative framework agreements in place and these options were discounted as detailed below.
 - Crown Commercial Services Construction Works and Associated Services: this covers both construction and civil engineering. A review of the framework suppliers gave a view that they primarily deliver building contracts and were unlikely to have the relevant ability or interest to deliver a public realm scheme.
 - Midlands Highway Alliance (MHA) – Although there are number of suppliers on this framework agreement suitable to deliver the works, in the current environment it is considered that better value for money will be realised from tendering to the open market. This option was discounted on this basis.
 - Scape National Civil Engineering Framework – This is a sole supplier framework agreement. This option was discounted for the same reasons as the MHA framework agreement.

5 Procurement Approach

5.1 Duration and Advertising Route:

- 5.1.1 The contract will be awarded for a period of up to 30 months and advertised in the www.findatender.co.uk, Contracts Finder and www.finditinbirmingham.com.

5.2 Sourcing Strategy

- 5.2.1 The contract will be awarded to one supplier.

5.3 Procurement Route

- 5.3.1 The contract will be tendered using the 'Open' Procedure on the basis that there are a large number of providers in the market who could provide the required works for an opportunity of this size and value.

5.4 Scope and Specification

- 5.4.1 The scope and specification for the public realm works and reinstatement of the water feature will be in accordance with the contract documentation produced by the project team and in accordance with approved specification for highway works to support the infrastructure improvements.

5.5 Tender Structure (Including Evaluation and Selection Criteria)

5.5.1 Evaluation and Selection Criteria

The quality, social value and price balances below were established having due regard for the corporate document 'Evaluating Tenders' which considers the complexity of the services to be provided. The tender documents will include the form of contract based on the New Engineering Contract (NEC) Engineering and Construction Contract Option C: target cost with activity schedule and with appropriate revisions to incorporate the Council's policies.

- 5.5.2 Tenders will be evaluated against the specification in accordance with a pre-determined evaluation model.

- 5.5.3 The evaluation of tenders will be assessed as detailed below:

The assessment will be divided into the following stages:

Stage 1 – Selection Assessment

Stage 2 – Invitation to Tender

Stage 1 – Selection Assessment

Criteria	Evaluation
STAGE ONE - Selection Stage	
Company Information	Pass / Fail
Financial Information (including Insurance)	Pass / Fail
Health and Safety	Pass / Fail
Compliance with Equalities	Pass / Fail
Quality Management	Pass / Fail
Grounds for Mandatory Exclusion	Pass / Fail
Grounds for Discretionary Exclusion	Pass / Fail
Modern Slavery Act 2015	Pass / Fail
Technical and Professional Ability *	Pass / Fail
Declaration	Pass / Fail

* A robust pass/fail will be incorporated to ensure that only those tenderers with satisfactory experience of delivering public realm schemes with a water feature in a busy city centre environment proceed to the next stage.

Tenderers must pass all the pass/fail elements for their responses to Stage 2 Invitation to Tender to be evaluated.

Stage 2 – Invitation to Tender Stage

Evaluation and Selection Criteria

Tenders will be evaluated using the quality/social value/price in accordance with a pre-determined evaluation model. The quality element will account for 50%, social value 20% and price 30%. This quality, social value and price balance has been established having due regard to the corporate document 'Evaluating Tenders' which considers the complexity of the services to be provided and the degree of detail contained within the contract specification.

Tenders will be evaluated against the specification in accordance with the pre-determined evaluation model described below:

Quality (50% Weighting)

Criteria	Overall Weighting	Sub-weighting
Technical Competency and Delivery Methodology	50%	40%
Organisation and Resources		10%
Project Management		10%
Stakeholder Engagement		40%
Total		100%

Tenderers who score less than 60% of the quality threshold i.e. a score of 60 marks out of maximum quality score of 100 marks will not proceed to the next stage of the evaluation.

Social Value (20%)

	Sub-Weighting	Sub-Criteria	Theme Sub-Weighting
Qualitative	25%	Local Employment	25%
		Buy Local	20%
		Partners in Communities	20%
		Good Employer	15%
		Ethical Procurement	10%
		Green and Sustainable	10%
			TOTAL 100%

Quantitative	75%	BBC4SR Action Plan	Total of financial proxies (£) score
			TOTAL 100%
Overall Social Value	20%		

Social Value Outcomes

The social value outcomes tenderers will be required to address will include:

Local Employment

- A strong local employment offer with the focus on hardest to reach groups particularly focused on the residents in the surrounding areas of the Council House, in particular to Ladywood, Bordesley and Highgate and Nechells wards.
- Employment and employability opportunities for the target groups particularly young, BAME, NEET, care leavers and ex-offenders.

Buy Local

- Spend to be, as practically as possible, with local, small and medium enterprises as well as social enterprises.

Partners in Communities

- Bidders and their supply chain will need to utilise their community reach and focus their outcomes on community cohesion with sensitivity to local demographics and dynamics, working with existing charities, in particular around rough sleeping.
- Working with schools and colleges to promote the STEM agenda for girls.
- Working with schools will need to focus on increasing attainment and employment options for those students facing disadvantage.
- Volunteering, fundraising, donations and supporting local, relevant community organisations
- A robust understanding and methodology for community engagement

Good Employer

- Provide good employment practices to increase the staff employability and quality of employment.
- Demonstration of the provision of in-depth training for their employees in equality, diversity and inclusion.
- Good practices around areas including collective representation, zero-hour contracts, whistle blowing policies
- The payment of the Real Living Wage down the supply chain is a mandatory requirement in accordance with the Council's policy.

Green and Sustainable

- Plans for a carbon natural position and what activities they are undertaking to achieve that additional to the specification including details relating to transport, recycling, materials used and offsetting.

Ethical Procurement

- The outcomes sought under this theme relate to the treatment of subcontractors in terms of payment and training.
- Evidence is required as to how the bidder is ensuring that the materials used are sourced ethically.

Price (30%):

Tenderers will be required to price on a fixed fee contract on the basis of the tender documents comprising: Schedule of Works, Specifications, NEC Engineering and Construction Contract Option C: target cost with activity schedule. This option is a cost reimbursable contract, subject to a pain/gain share mechanism – with an agreed target cost built up from an activity schedule. This option provides incentives to the contractor to ensure efficient delivery, by allowing them to share in the benefits of any scheme cost savings, but also to bear a share of the additional cost if there are any overruns.

Overall Evaluation

The evaluation process will result in comparative quality, social value and price scores for each tenderer. The maximum quality score will be awarded to the bid that demonstrates the highest quality. The maximum social value score will be awarded to the bid that demonstrates the highest social value. The lowest price will be given the maximum score. Other tenderers will be scored in proportion to the maximum scores in order to ensure value for money and the proposed contract will be awarded to the first ranked tenderer.

5.6 Evaluation Team

The evaluation of tenders will be undertaken by officers from the Transport Projects Team, Inclusive Growth Directorate and supported by the Corporate Procurement Services.

5.7 Indicative Implementation Plan

Cabinet Approval (Strategy)	January 2021
ITT Issued	February 2021
ITT Return	March 2021
Evaluation Period	March 2021

Contract Approval (Award)	April 2021
Mobilisation period	May 2021
Contract Start	June 2021

5.8 Service Delivery Management

5.8.1 Contract Management

The contract will be managed operationally by the Transport Delivery Manager, Transport Projects, Transport and Connectivity, Inclusive Growth Directorate.

PROCUREMENT STRATEGY FOR THE SUPPLY OF PAVING MATERIAL FOR THE CCPR WORKS

1 Service Requirements

- 1.1 In order to meet the timescales for the scheme, due to the lead times for delivery of the paving materials, there is a requirement for the initial pavements be ordered in advance of the award of contract for the works to enable the contractor to commence as early as possible. There is not enough float in the timetable to wait for the award of contract for the works and for the recommended contractor to order the first batch of materials, hence the recommendation for the Council to order the materials. Other paving materials required will be ordered by the contractor and will form part of the works contract.
- 1.2 To ensure consistency of public realm, it is a fundamental principle that the paving materials match those installed by the West Midlands Combined Authority (WMCA) for the Metro extension that adjoins the scheme.

2 Procurement Options

- 2.1 The following options were considered:
- To enter into single contractor negotiations with the WMCA for the supply of the paving materials. This is the recommended option and further details for the justification for this approach is detailed in paragraph 3.2.
 - To undertake an open procurement process – There is no time in the programme to undertake a procurement process as detailed in paragraph 1.1 and therefore this option was discounted.
 - To use a collaborative framework agreement – There is a collaborative framework agreement in place for building materials from Yorkshire Purchasing Organisation that covers the supply of paving materials. This option was considered and discounted on the basis that the rules of the framework agreement require a further competition exercise to be undertaken. As per paragraph 1.1, there is not time for a contract to be awarded following a further competition exercise.

3 Procurement Approach

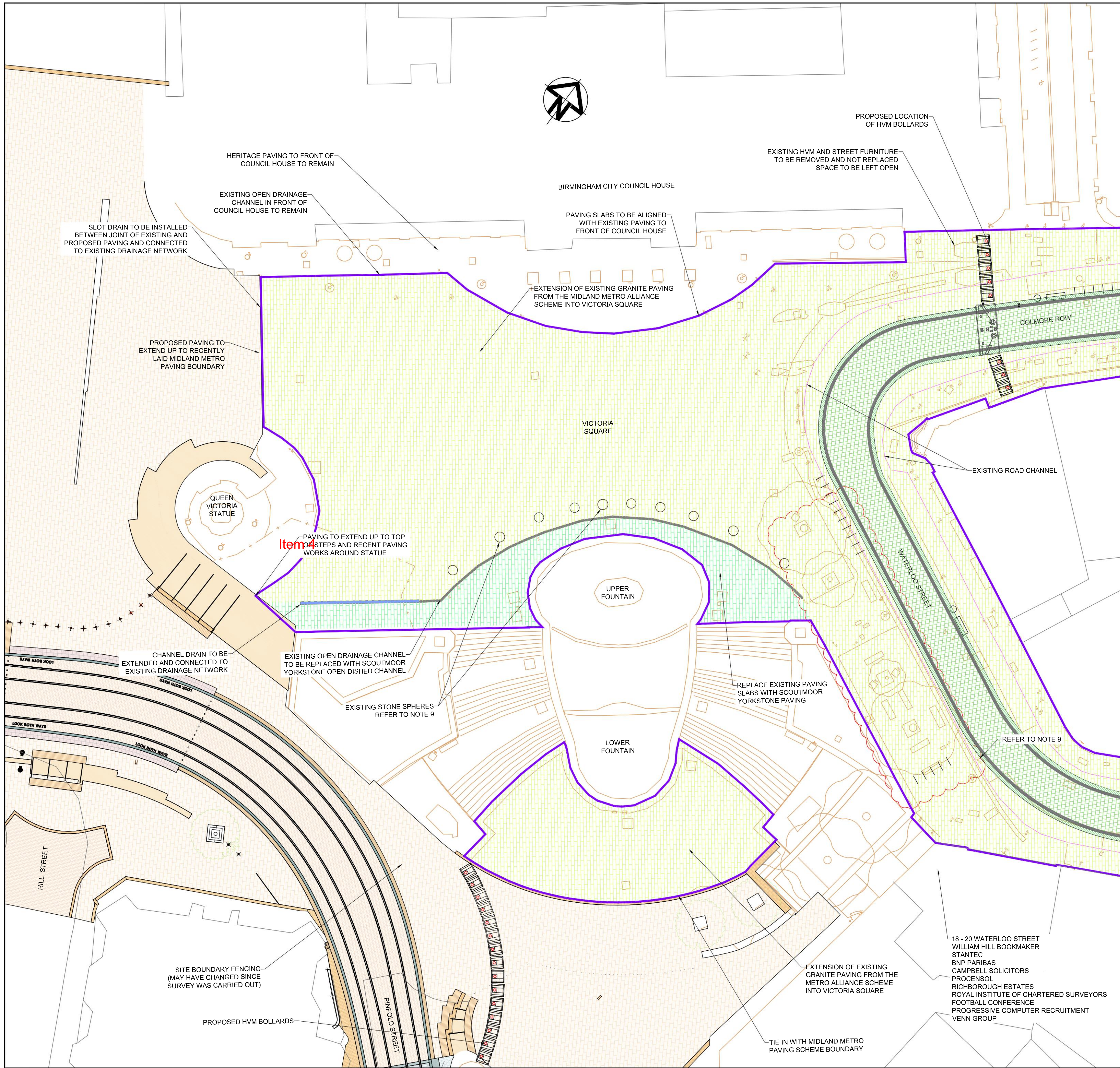
3.1 Scope and Specification

- 3.1.1 The scope and specification are as follows:
- 2,700m² Granite pavements; and

- 212m² Yorkstone slab paving.

3.2 Justification for Single Contractor Negotiations

- 3.2.1 The WMCA undertook a procurement exercise compliant to the Public Contracts Regulations 2015 to implement a 10-year programme of tram system enhancement works across the West Midlands and awarded an alliance contract to the Midland Metro Alliance (MMA), consortium of private sector suppliers. Included within the specification is the supply of paving materials to support these works. The MMA is a partnership and not a contracting entity therefore in order to access the arrangement a contract for the paving materials is required to be entered into with the WMCA. To be compliant with the Council's Constitution and Procurement Governance Arrangements, the proposed procurement route is to enter into single contractor negotiations with the WMCA.
- 3.2.2 Informal discussions have taken place with WMCA for the supply of the paving materials and support Council decision-making on the chosen procurement route that indicated an estimated cost of £500,000. These discussions have resulted in an indicative proposal that informs the recommended procurement option to enter into single contractor negotiations to conclude the award of a contract for the paving materials. This indicative cost includes all the costs to the Council.
- 3.2.3 The basis of the negotiations is to confirm value for money to the Council, delivery arrangements and the terms and conditions the materials will be supplied under.
- 3.2.4 The value of this contract is below the threshold for goods for the Birmingham Business Charter for Social Responsibility.
- 3.2.5 The justification for entering into single contractor negotiations is that due to practical and logistical considerations, WMCA is the sole supplier that could supply the paving materials and realise the benefits as stated above in paragraph 1.1 and 1.2. This requirement is not being tendered as this may result in different specifications for the materials to match the adjoining Metro scheme paving and overall project timescales.
- 3.2.6 The Interim Chief Finance Officer and the City Solicitor have certified in writing their approval to enter into single contractor negotiations with the WMCA for the supply of paving materials.



KEY:	
	EDGE OF CARRIAGEWAY
	SEATING & BIN
	CYCLE HOOPS
	PROPOSED GRANITE PAVING SLABS (MARSHALLS ELARA GRANITE) OR APPROVED SIMILAR
	PROPOSED SCOUTMOOR YORKSTONE PAVING SLABS
	PROPOSED GRANITE SETTS PAVING (MAGMA GRANITE) OR SIMILAR APPROVED
	PROPOSED SCOUTMOOR YORKSTONE DISHED CHANNEL DRAIN
	DARK GREY CORDUROY PAVING
	DARK GREY EDGE KERB
	2m WIDE ZONE - CAFE FRONTAGE
	2m WIDE ZONE - RETAIL FRONTAGE
	0.7m WIDE STREET FURNITURE ZONE
	EXISTING MAGMA GRANITE PAVING
	PHASE 1 SITE BOUNDARY

- NOTES:
- ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.
 - PROPOSED LEVELS ARE TO MATCH EXISTING LEVELS THROUGHOUT THE SQUARE.
 - EXISTING OPEN DRAINAGE CHANNEL TO FRONT OF COUNCIL HOUSE TO REMAIN AND NEW PAVING TO EXTEND SOUTH FROM THAT CHANNEL.
 - PAVING SLABS TO BE MARSHALLS ELARA GRANITE (OR APPROVED SIMILAR). 300mm BOND WIDTH, 300mm, 400mm & 600mm RANDOM LENGTHS.
 - ADDITIONAL NEW PAVING AROUND FOUNTAIN TO BE SCOUTMOOR YORKSTONE AS INDICATED.
 - PAVING SLABS TO BE A MIN 75mm THICKNESS TO ACCOMMODATE TRAFFIC LOADING.
 - EXISTING OPEN DRAINAGE CHANNELS TO BE REPLACED WITH SLOT DRAINS CONNECTED TO THE EXISTING DRAINAGE NETWORK.
 - SLOT DRAINS TO BE ALIGNED WITH PAVING SLABS WHERE POSSIBLE TO REDUCE CUTTING OF SLABS.
 - EXISTING STREET FURNITURE TO BE UPLIFTED AND SET ASIDE FOR RE-USE. SEATING TO BE RE-LOCATED TO POSITIONS AGREED WITH BCC AND ORNAMENTAL STONE SPHERES ARE TO BE REPLACED AS EXISTING.
 - UTILITY CHAMBER COVERS AND FRAMES TO BE UPLIFTED AND RESET TO NEW SURFACE LEVEL.
 - EXISTING GULLY POT, FRAME AND COVERS TO BE REMOVED AND CONNECTING PIPEWORK REPAIRED TO MAINTAIN CONTINUITY.
 - EXISTING BOLLARDS TO BE REMOVED AND RETURNED TO CPNI.
 - EXISTING COBBLE STRIPES RUNNING THROUGH THE SQUARE ARE NOT TO BE REPLACED.
 - EXISTING STREET LIGHTING COLUMNS ARE TO REMAIN WITH NEW LUMINARIES INSTALLED.
 - LOCATIONS OF CYCLE STANDS, LITTER BINS AND SEATING ARE PROVISIONAL.
 - PROPERTY NUMBERS AND OCCUPIERS SHOWN FOR INFORMATION AND IS SUBJECT TO CHANGE.
 - EXISTING TREES ARE TO REMAIN. PROPOSED WORKS ARE TO TAKE CARE TO AVOID DAMAGE TO ROOT SYSTEMS.

PHASE 1 MEASUREMENTS:

MARSHALLS ELARA GRANITE = 4423sq.m.
MAGMA GRANITE = 1076sq.m.
DISHED CHANNEL DRAIN = 58m
SCOUTMOOR YORKSTONE = 212sq.m.
GRANITE EDGING = 520m
CORDUROY TACTILE = 548m

Rev	Date	Description	Prod	Chk	Rev	App
P02	11/11/20	CLIENT COMMENTS ADDRESSED	I.M.	C.G.	J.C.	J.D.
P01	06/11/20	ORIGINAL ISSUE	I.M.	C.G.	J.C.	J.D.



Project:
**Birmingham City Centre - Public Realm
Phase 1 - Victoria Square
Colmore Row and Waterloo Street**

Site: Victoria Square
Colmore Row, Waterloo Street
Birmingham

Client: Birmingham City Council

ARCADIS Design & Consultancy for natural and built assets

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Drawing Title:
**Phase 1
Preliminary Design**

Designed: I. Mair	Signed: I. Mair	Date: 29/10/20
Produced: I. Mair	Signed: I. Mair	Date: 29/10/20
Checked: C. Govern	Signed: C. Govern	Date: 06/11/20
Reviewed: J. Chesterman	Signed: J. Chesterman	Date: 06/11/20
Approved: J. Deegan	Signed: J. Deegan	Date: 06/11/20

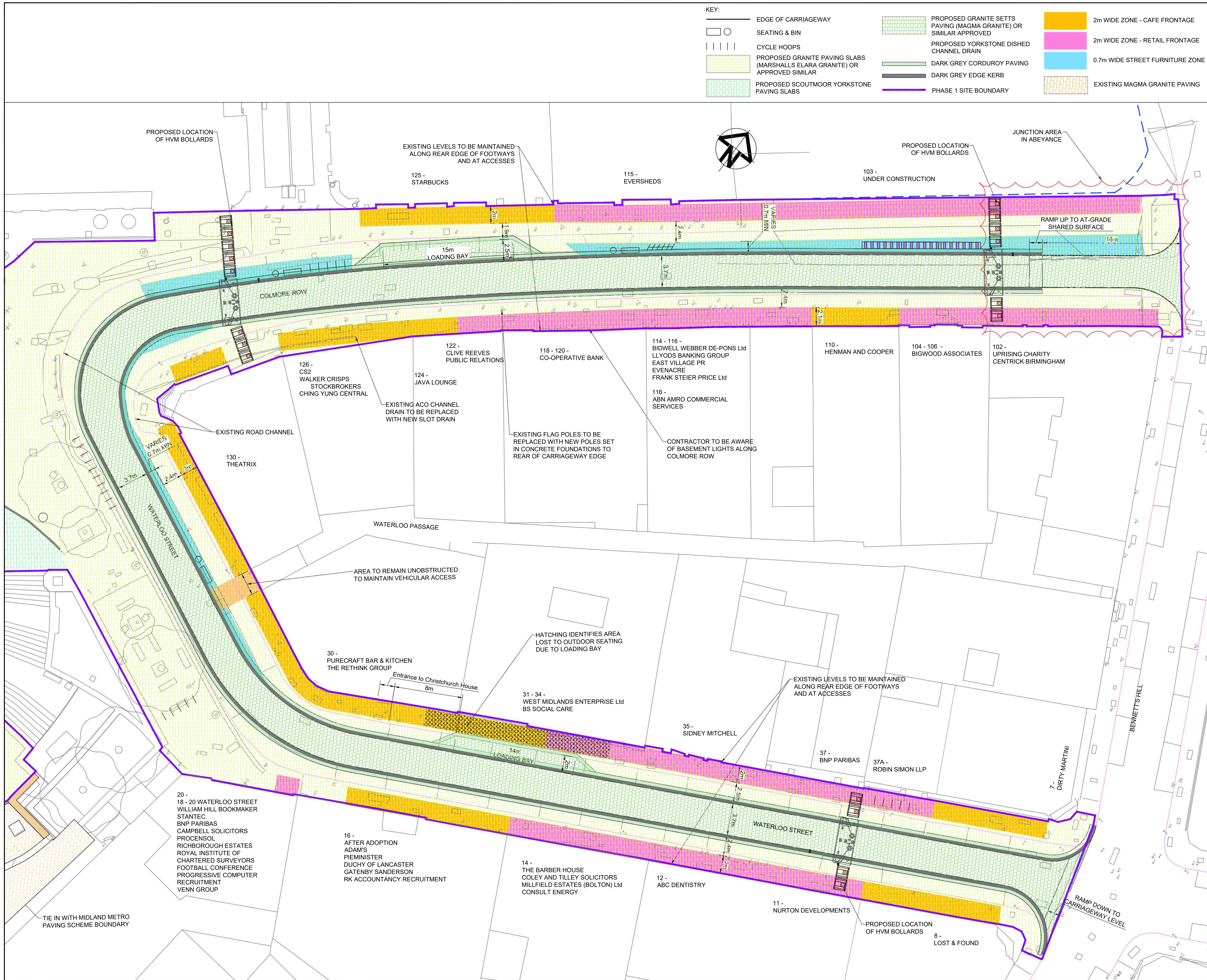
Design Stage: Preliminary

Original Size: A1	Grid: OS	Datum: AOD
Suitability Code: S1	Scale: 1:500	Project Number: 10041881

Suitability Description:

For Review and Comment

Drawing Number: 10041881 - ARC - HGN XX - DR - HE - 00001	Revision: P02
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NOTES:

- ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.
- PROPOSED LEVELS ARE TO MATCH EXISTING LEVELS ALONG PROPERTY FRONTAGES.
- CARRIAGEWAY LEVELS ARE TO BE RAISED TO PROVIDE A CONTINUOUS LEVEL SURFACE ACROSS THE WIDTH OF COLMORE ROW AND WATERLOO STREET AS WELL AS TYING IN WITH LEVELS ALONG THE EDGE OF VICTORIA SQUARE.
- PAVING SLABS IN PEDESTRIAN AREAS TO BE PAVING TYPE MARSHALLS ELARA GRANITE SLABS (OR APPROVED SIMILAR). 300mm BOND WIDTH x 300mm, 400mm & 600mm RANDOM LENGTHS.
- PAVING SETTS IN CARRIAGEWAY AREAS TO BE MAGMA GRANITE OR SIMILAR APPROVED EQUAL. BOND PATTERN 150 x 150mm TO 150 x 300mm.
- GRANITE PAVING SLABS / SETTS TO BE MIN 75mm THICKNESS TO ACCOMMODATE TRAFFIC LOADING.
- A SINGLE ROW OF DARK GREY COLOURED GRANITE EDGE KERBS ARE TO BE INSTALLED ALONG THE CARRIAGEWAY EDGE.
- A SINGLE ROW OF DARK GREY CORDUROY TACTILE SLABS TO BE LAID TO THE REAR OF THE EDGE KERB.
- GRANITE PAVING SETTS TO BE INSTALLED WITHIN LOADING BAYS.
- UTILITY CHAMBER COVERS AND FRAMES TO BE UPLIFTED AND RESET TO NEW SURFACE LEVEL.
- EXISTING GULLY POT, FRAME AND COVERS TO BE REMOVED AND CONNECTING PIPEWORK REPAIRED TO MAINTAIN CONTINUITY.
- SURFACE WATER DRAINAGE TO BE PROVIDED BY SLOT DRAINS. THESE ARE TO BE ALIGNED WITH PAVING SLABS AND CONNECT TO EXISTING OUTFALL PIPES.
- EXISTING BOLLARDS TO BE REMOVED AND RETURNED TO CPNI.
- PROPERTY NUMBERS AND OCCUPIERS SHOWN FOR INFORMATION AND IS SUBJECT TO CHANGE.
- EXACT LOCATIONS OF CYCLE STANDS, LITTER BINS AND SEATING ARE PROVISIONAL AND ARE TO BE LOCATED ONLY WITHIN STREET FURNITURE ZONES IDENTIFIED ON THE DRAWING UNLESS OTHERWISE NOTED.
- EXISTING LIGHTING COLUMNS TO REMAIN WHERE POSSIBLE SUBJECT TO THE LIGHTING ASSESSMENT OUTCOME.
- NEW SURFACE WATER DRAINAGE TO BE ASSESSED DURING DETAILED DESIGN STAGE.

PHASE 1 MEASUREMENTS:

MARSHALLS ELARA GRANITE = 4423sq.m.
MAGMA GRANITE = 1076sq.m.
DISHED CHANNEL DRAIN = 58m
SCOUTMOOR YORKSTONE = 212sq.m.
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TRANSPORT AND CONNECTIVITY
1 LANCASTER CIRCUS, BIRMINGHAM, B4 7DQ

Project: Birmingham City Centre - Public Realm
Phase 1 - Victoria Square
Colmore Row, Waterloo Street

Site: Victoria Square, Colmore Row, Waterloo Street, Birmingham
Client: Birmingham City Council

Design & Consultancy
for natural and built assets

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Drawing Title: Phase 1 Preliminary Design

Designed:	Signed:	Date:
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Produced:	Signed:	Date:
I. Mair	I. Mair	29/10/20
Checked:	Signed:	Date:
C. Govern	C. Govern	06/11/20
Reviewed:	Signed:	Date:
J. Chesterman	J. Chesterman	06/11/20
Approved:	Signed:	Date:
J. Deegan	J. Deegan	06/11/20

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City Centre Public Realm Improvements

Consultation Analysis Report

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Executive Summary

Introduction

The City Centre Public Realm Scheme will transform the public realm in the city centre and create an attractive, welcoming and safe environment.

High-quality public spaces will be created to enhance the city's environment and connectivity and attract more visitors and further investment to help facilitate economic growth. Access and loading will be restricted during peak times, in the city core, to make the city centre more welcoming and safer for pedestrians and other non-motorised users including those with mobility issues.

Birmingham will be at the centre of the world stage during the 2022 Commonwealth Games, and the city centre will act as a gateway for many visitors visiting Birmingham for the first time. These improvements will create a lasting legacy for all users to enjoy.

Permanent, less intrusive Hostile Vehicle Mitigation (HVM) measures will be implemented to replace the existing temporary measures as part of a safety and security strategy for the city centre.

Who took part in the consultation?

598 consultation responses were received via BeHeard and an additional 7 from businesses/ organisations. Further engagement was undertaken with local businesses and key stakeholder groups which has been included as part of this consultation report.

Headline findings from the consultation

Analysis of the consultation responses identified key themes and concerns from individuals, residents and organisations including:

- 77% of all respondents strongly agree or agree that the proposals are attractive and welcoming. This is broken down to:
 - 77% of individuals;
 - 90% of businesses/organisations;
 - 79% of residents.
- 72% of all individuals strongly agree or agree with the proposed vehicle access and loading restrictions;
- 47% of businesses/ organisations strongly disagree or disagree with the proposed vehicle access and loading restrictions;
- 93% of residents strongly disagree or disagree with the proposed vehicle access and loading restrictions;
- 46% of individuals believe that the scheme will have a somewhat positive or very positive impact on them and 34% think it will have a neutral benefit;
- 58% of businesses/ organisations believe that the scheme will have a somewhat positive or very positive impact on their business;
- 64% of residents believe that the scheme will have a somewhat negative or very negative impact on them.

Birmingham City Council's response to feedback

The Council has thoroughly read and analysed each response to the consultation and taken note of the discussions with local businesses and residents particularly with regards to the restricted times for vehicle access and loading. The feedback received will help inform any changes required for the public realm design as well as highlighting the need to develop the TRO proposals to include adhoc permits or one-time codes to support residents with emergency maintenance and large deliveries. Any proposed changes have been outlined in the Full Business Case (FBC).

1 Consultation Process

1.1 Background

This section provides an overview of the consultation process, outlining the methods of communication used by Birmingham City Council to promote and advertise the City Centre Public Realm consultation. It also summarises the engagement events that took place and the number of stakeholders that have been engaged with during this consultation.

The public consultation was carried out between the 13th January 2020 and the 21st February 2020.

1.2 Publicising the consultation

Birmingham City Council, along with its partners, used a number of different channels of communication to spread the word about the City Centre Public Realm Improvements consultation. This included:

- Existing stakeholder and community networks;
- Existing email and other electronic communications (corporate BCC, Birmingham Connected);
- Regular emails and bulletins from Retail BID and Colmore BID to their businesses;
- Press briefing;
- Printed leaflets delivered to all residential and commercial properties within the red boundary shown on **Figure 1.1**;
- Additional leaflet drop to residents at: Temple House, Temple Loft Apartments, Sun House and Burne Jones House.
- Traditional media;
- Social media activity including Facebook and Twitter; and
- Public events.

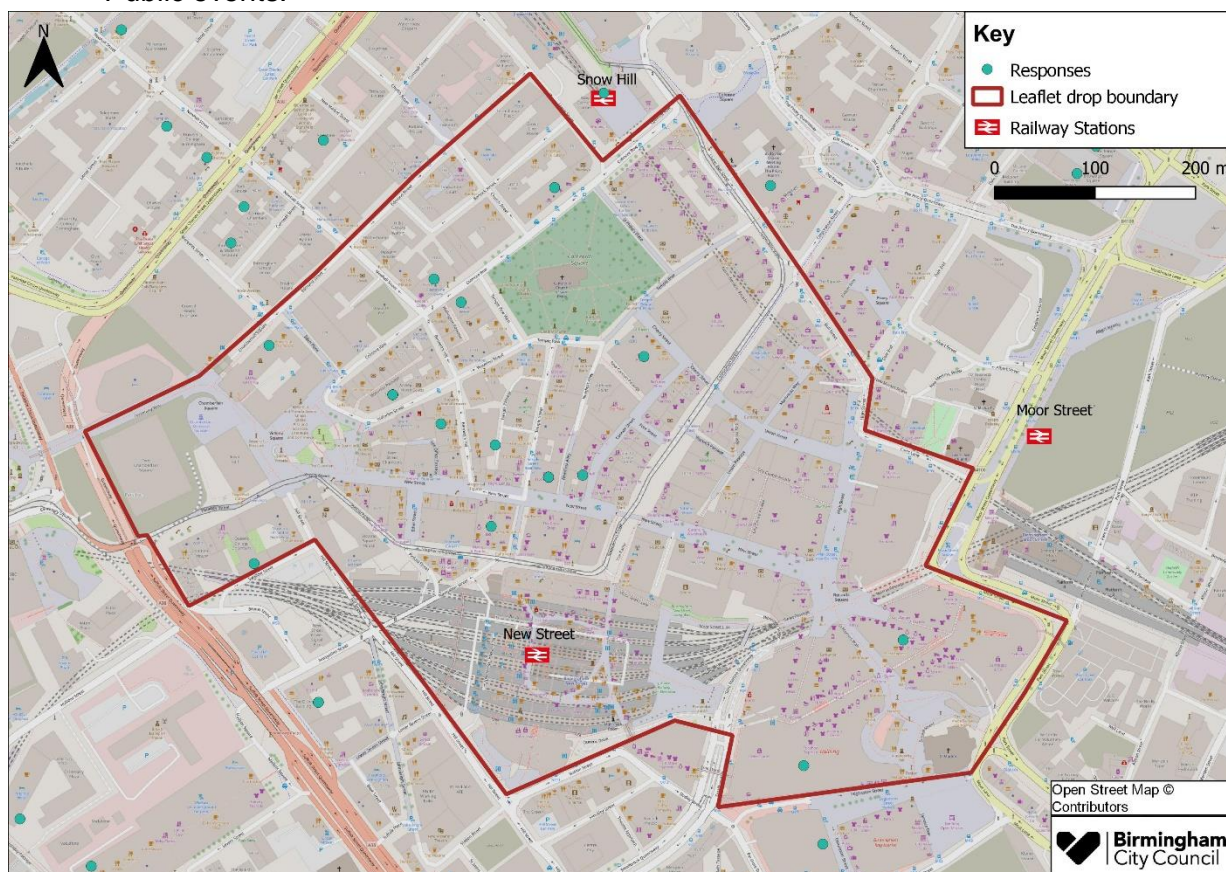


Figure 1.1: Leaflet drop boundary

1.3 Response channels

1.3.1 Online – Be Heard

All publicity directed citizens to either www.birmingham.gov.uk/citycentrepublicrealm or to BeHeard directly at www.birminghambeheard.org.uk/economy/citycentrepublicrealm.

The following documents were available to view or download on the Be Heard site:

- Technical Plan;
- Computer Generated Images (CGI); and
- Leaflet.

Respondents were asked to submit their feedback about the proposals through the online questionnaire, including closed and open questions and providing the opportunity for respondents to give additional comments.

For those who did not wish to or were not able to respond to the questionnaire online, paper copies and consultation documents were available the Library of Birmingham. Paper copies of the questionnaire and consultation materials were also sent in the post to individuals upon request.

1.3.2 Email correspondence

All email correspondence sent to transport.projects@birmingham.gov.uk was logged, acknowledged and responded to where relevant and appropriate. Emails from 6 citizens and organisations relating to the City Centre Public Realm Improvements were received during the consultation period.

1.3.3 Stakeholder Communication

Emails were sent to key stakeholders inviting them to give their views on the proposals via BeHeard. Attached to the email was:

- A leaflet outlining the highway improvements and details of the drop-in sessions;
- Scheme Consultation Plan detailing the highway proposals; and
- Computer Generated Images (CGI) of after the scheme proposals.

A copy of the attached documents are shown in **Annex A**.

1.3.4 Engagement Events

Two face to face drop-in sessions were held at the Head of Steam and the Council House. During these sessions the project team engaged with many representatives from businesses and residents of the city centre as well as members of the general public. These events were advertised through the leaflet drop, email channels, social media and through Retail BID and Colmore BIDs communications with their businesses.

Table 1.1: Public Consultation Events dates, times and approximate attendance

Event date	Number of stakeholders engaged with
Wednesday 5 February 2020 (12:00-15:00)	45
Wednesday 12 February 2020 (15:30-18:30)	17
Total	62

Separate engagement events were also held with specific stakeholders and groups including:

- Local ward councillors;
- Disability groups;
- BCC waste management;
- BCC internal stakeholders; and

- Cycling stakeholder group.

1.3.5 Overall Engagement

Table 1.2 outlines the number of businesses/ organisations and other stakeholders engaged with during the consultation period.

Table 1.2: Overall engagement figures

Engagement	Number of representatives from businesses/ organisations engaged	Number of other stakeholders engaged
BeHeard response	19	565
Written response	7	0
Face to face engagement	56	8
Total	82	673

2 Methodology

2.1 Confidentiality

All responses to the survey were made anonymously and confidentially, with no personal details being requested that could identify the respondent, however postcodes were collected in order to ascertain how people living in different locations responded to the survey. Additionally, respondents had the opportunity to opt in to receive updates on the scheme and provide their email address. The respondent's personal data was held by Birmingham City Council as the data controller and by Pell Frischmann Consultants Ltd as data processors. The survey was conducted in accordance with the Data Protection Act 2018 and General Data Protection Regulations (GDPR).

2.2 Consultation Survey

The survey was a mixture of qualitative and quantitative questions, with the qualitative questions requesting people's comments in order to explain their views and suggestions.

2.3 Analysis of Consultation Responses

2.3.1 Quantitative Analysis

Analysis was conducted on all responses to the quantitative questions. Percentage figures have been rounded to the nearest whole number for the majority of questions and, as a result, not all responses totals may equal 100%.

Response numbers to each of the quantitative (or "closed") and qualitative (or "open") questions varied.

Those who responded to this consultation constitute a self-selecting sample, and therefore appropriate caution should be applied when interpreting and utilising the response numbers in this report. Public consultation is not a referendum or a vote on whether a specific proposal should be carried out or not, instead, public consultation is a way of "actively seeking the opinions of interested and affected groups"¹ in relation to a proposal or set of options.

2.3.2 Qualitative Analysis

Each of the qualitative responses was read, analysed, and assigned to a theme or themes relevant to the question asked.

We have set a minimum number of 7 responses by individuals mentioning a theme for them to be included in the analysis tables in this report. A list of additional themes mentioned by fewer respondents is set out after each question.

¹ Organisation for Economic Co-operation and Development (OECD)

3 Respondent Demographics

3.1 Summary

598 individuals and businesses/organisations responded to the consultation via the questionnaire on BeHeard.

7 businesses/ organisations responded to the consultation separately to the BeHeard questionnaire.

3.2 Demographics

The Council has a statutory equality duty to ensure that no dis-benefits are introduced to any of the protected characteristics groups in Birmingham. Demographic data has been collected through the consultation questionnaire as part of Birmingham City Council's duty under the Equality Act 2010. This data was then compared against 2011 census data or 2017 mid-year population estimates for the Ladywood ward.

3.2.1 Age

1% were aged 0-17, 18% aged 18-29, 26% aged 30-39, 20% aged 40-49, 16% aged 50-59 and 9% aged 60-69 and 5% aged over 70. 7% gave no answer or preferred not to say.

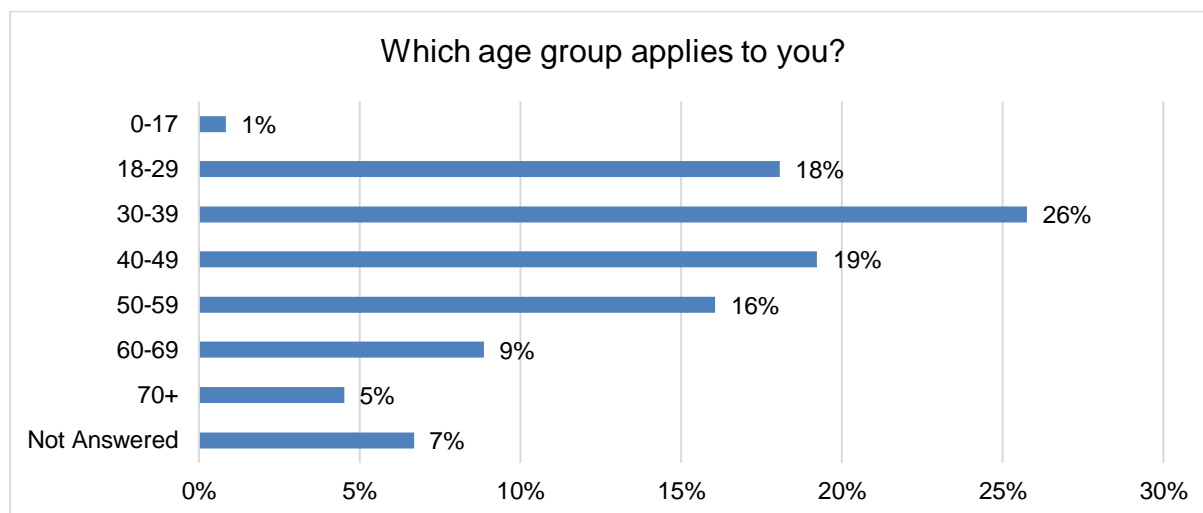


Figure 3.1: Which age group applies to you?

3.2.1.1 Comparison to Local Population

The under 29s age group was significantly under-represented, as might be expected in this type of consultation. As a result, other age groups are over-represented in the respondents to the survey.

Table 3.1: Age – A comparison of this consultation against data from the ONS Mid 2018 Population Estimates

Age Group (Data from ONS Mid 2018 Population Estimates for Ladywood)	% of questionnaire respondents	% of Ladywood Population (2018)	Difference
0-17	1%	15%	-14%
18-29	18%	42%	-24%
30-39	26%	21%	5%
40-49	19%	10%	9%
50-59	16%	7%	10%

60-69	9%	4%	5%
70+	5%	3%	1%

3.2.2 Sex/ Gender

51% of respondents were male and 38% female, with 10% not answering or preferring not to state their gender.

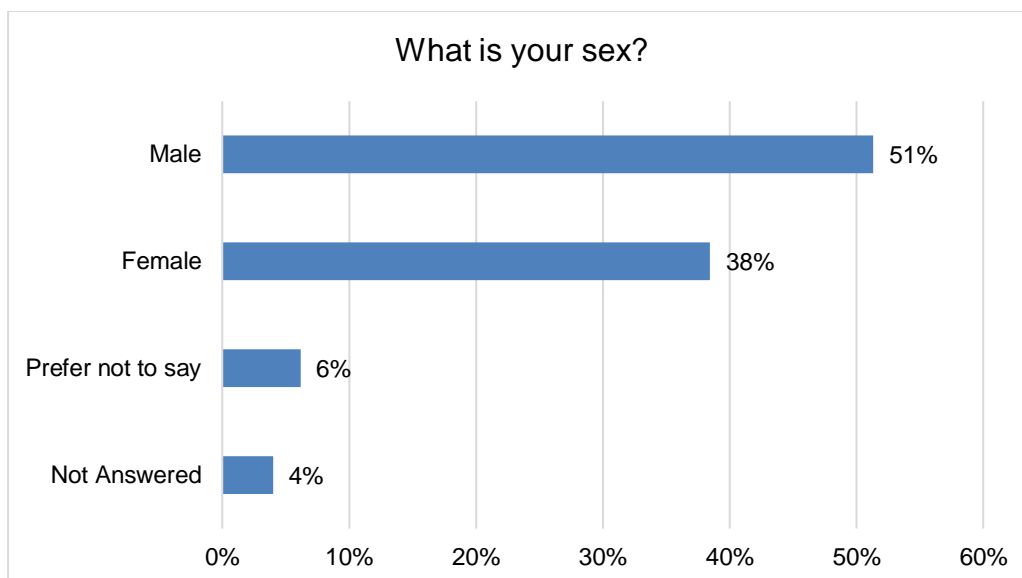


Figure 3.2: What is your sex/ gender?

3.2.2.1 Comparison to Local Population

The ratio of male to female respondents was in line with the gender estimates of the affected area with males slightly more represented than females.

Table 3.2: Gender – A comparison of this consultation against data from ONS Mid 2018 Population Estimates

Gender (Data from ONS Mid 2018 Population Estimates for Ladywood)	% of questionnaire respondents	% of Ladywood Population (2018)	Difference
Male	51%	54%	-3%
Female	38%	46%	-8%

3.2.3 Disability

17% of respondents reported having a disability (defined as having a physical or mental health condition or illness lasting or expected to last for 12 months or more). 71% said they did not have a disability and 12% either did not answer or preferred not to say.

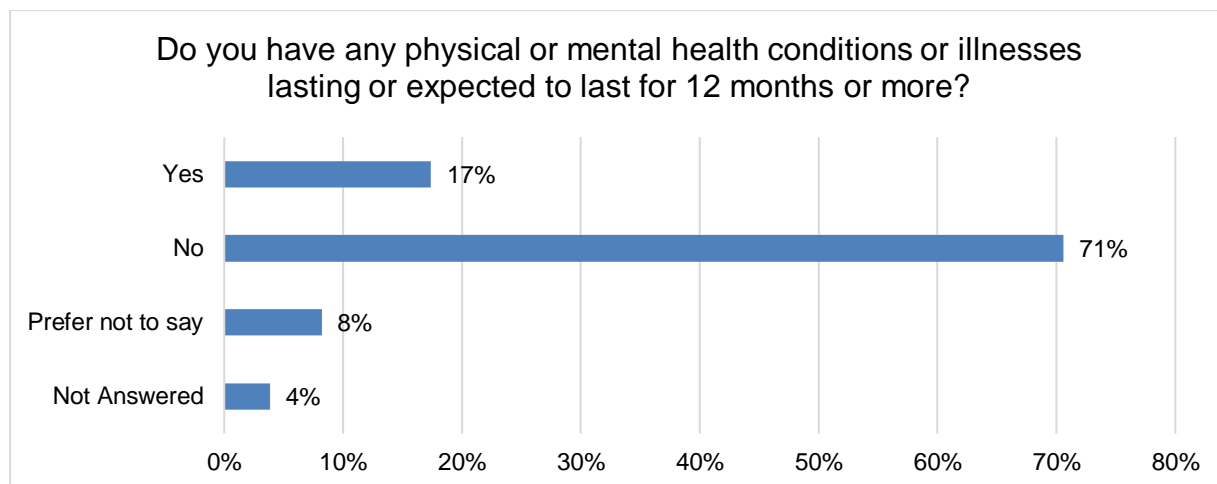


Figure 3.3: Do you have any physical or mental health conditions or illnesses lasting or expected to last for 12 months or more?

3.2.3.1 Comparison to Local Population

The survey has a slight under-representation of respondents with a disability, when compared to the Ladywood population.

Table 3.3: Disability – A comparison of this consultation against data from the 2011 Census

Disability	% of questionnaire respondents	% of Ladywood Population (2011 Census)	Difference
Yes	17%	12%	5%
No	71%	88%	-17%

3.2.4 Ethnicity

76% of respondents described their ethnicity as white English/ Welsh/ Scottish/ Northern Irish/ British. 5% selected 'Other white background', 1% as mixed/ from multiple ethnic groups, 6% Asian/ British Asian and 1% Black African/ Caribbean/ Black British. 1% of respondents described their ethnicity as from another ethnic group and 11% did not answer or preferred not to say.

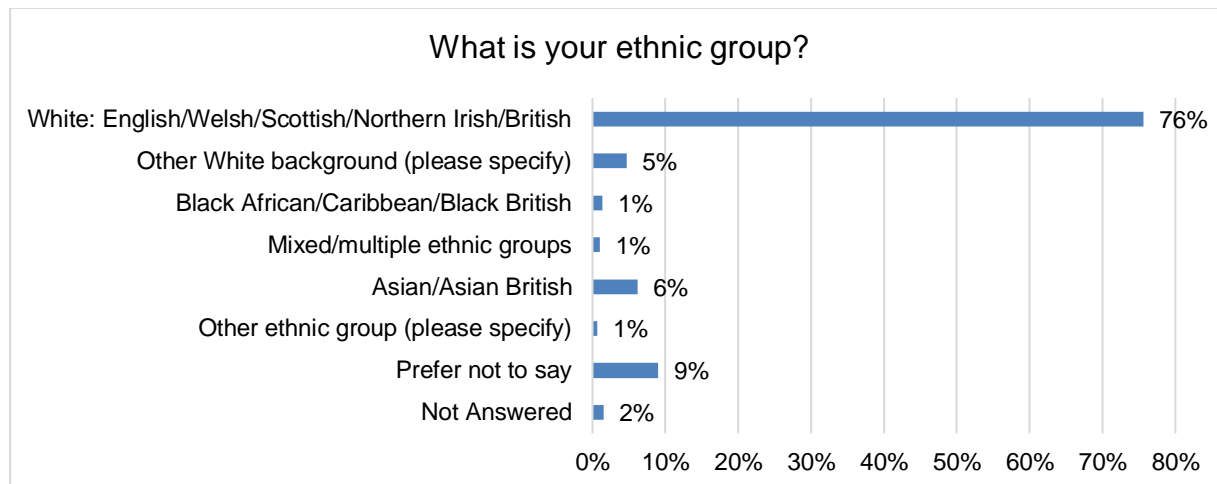


Figure 3.4: What is your ethnic group?

3.2.4.1 Comparison to Local Population

The survey has an under-representation of respondents from Asian/Asian British and Black/African/Caribbean/Black British ethnic backgrounds, when compared to the Ladywood population. This has resulted in an over-representation of people from white ethnic groups.

Table 3.4: Ethnicity – A comparison of this consultation against data from the 2011 Census

Ethnicity (2011 Census)	% of questionnaire respondents	% of Ladywood Population	Difference
White: English/Welsh/Scottish/Northern Irish/British	76%	40%	36%
Other White background	5%	8%	-3%
Mixed/ multiple ethnic groups	1%	7%	-6%
Asian/ Asian British	6%	24%	-18%
Black African/ Caribbean/ Black British	1%	17%	-16%
Other ethnic group	1%	4%	-3%

3.2.5 Sexual Orientation

62% described their sexual orientation as heterosexual or straight, 11% as gay or lesbian, 3% as bisexual and 2% as other, with 23% not answering or preferring not to say.

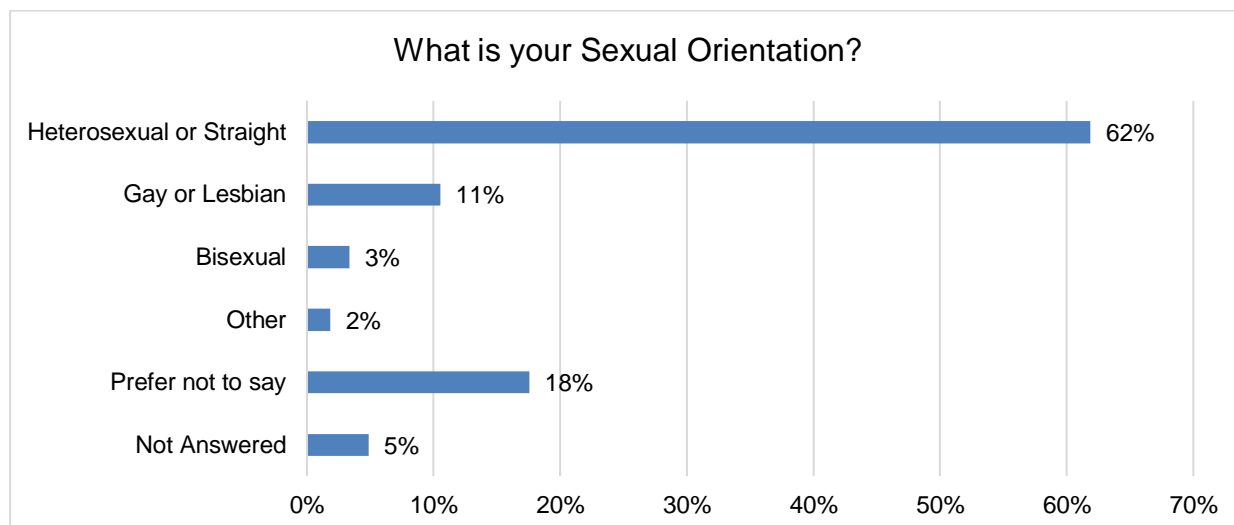


Figure 3.5: What is your sexual orientation?

3.2.5.1 Comparison to Local Population

This question was not asked in the 2011 Census therefore there is no comparison to the Ladywood population.

3.2.6 Religion

47% described themselves as having no religion, while 31% said they were Christian and 3% said they were Muslim. Buddhist, Hindu and Sikh accounted for 1% of respondents each and 15% did not provide an answer.

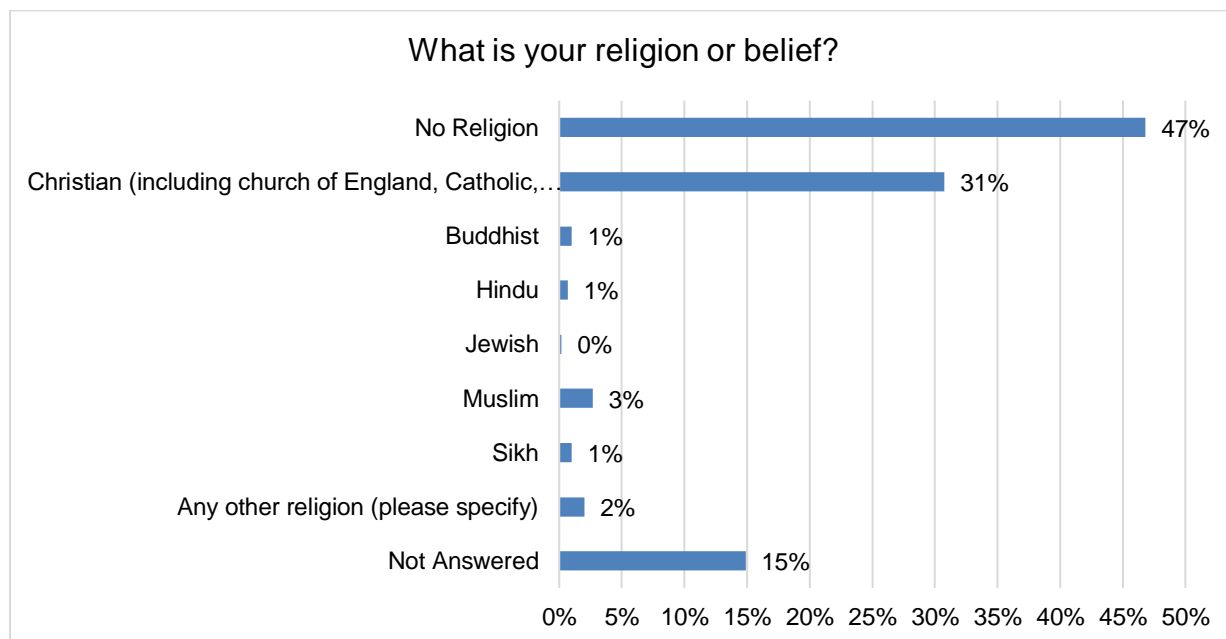


Figure 3.6: What is your religion or belief?

3.2.6.1 Comparison to Local Population

The survey has an under-representation of people who identify as being from a Christian faith and there is a large over-representation of people stating that they have “no religion”.

Table 3.5: Religion – A comparison of this consultation against data from the 2011 Census

Religion (2011 Census)	% of questionnaire respondents	% of Ladywood Population	Difference
No religion	47%	31%	16%
Christian	31%	41%	-10%
Muslim	3%	12%	-9%
Jewish	0%	0%	0%
Sikh	1%	3%	-2%
Hindu	1%	4%	-3%
Other religion	2%	1%	1%
Buddhist	1%	2%	-1%

3.2.7 Location of respondents

Figure 3.7 shows the location of the respondents listed as their home address and their most commonly used mode of transport.

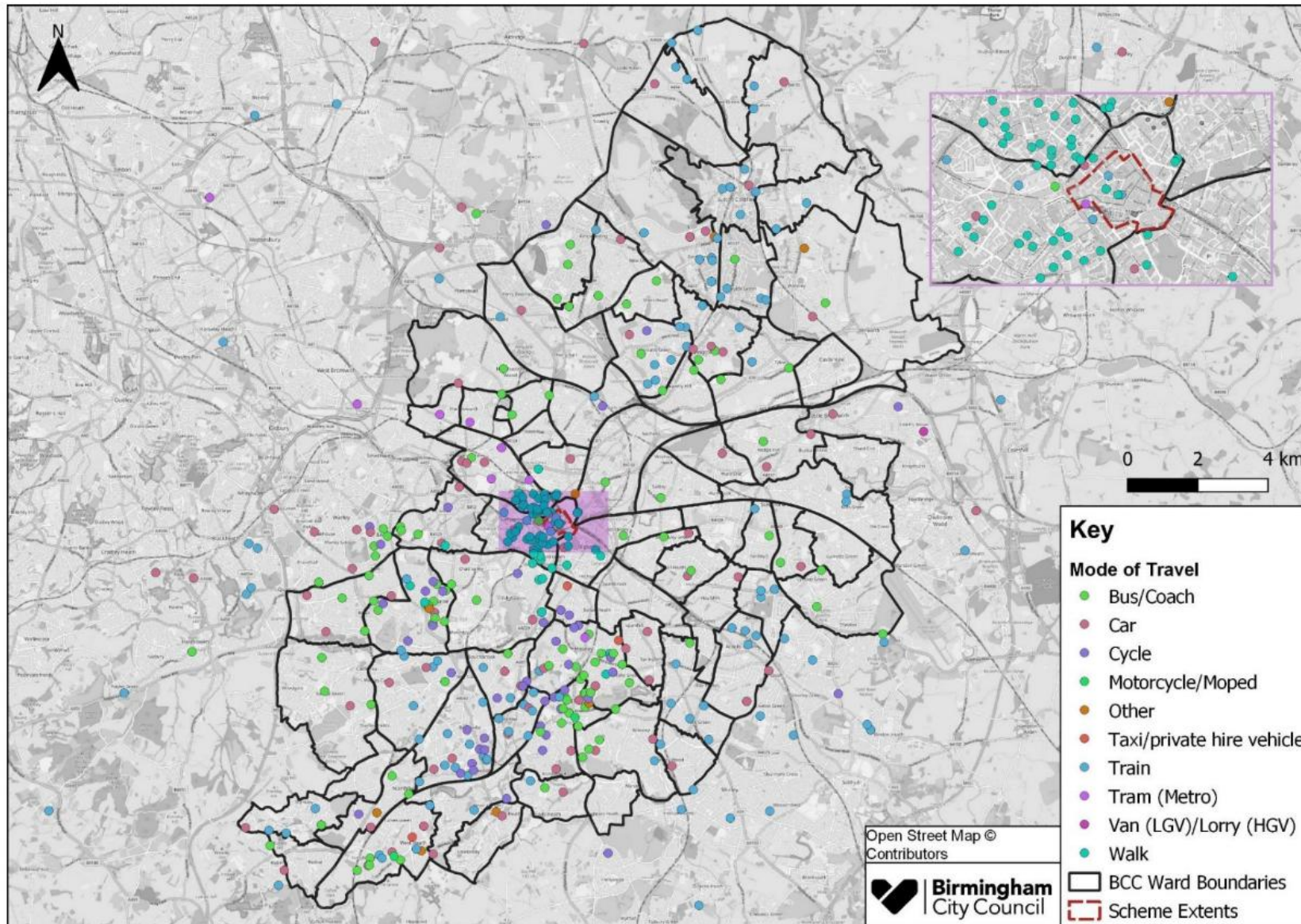


Figure 3.7: Location of Respondents

Figure 3.8 shows the location of respondents and businesses/residents who were engaged with within the scheme area.

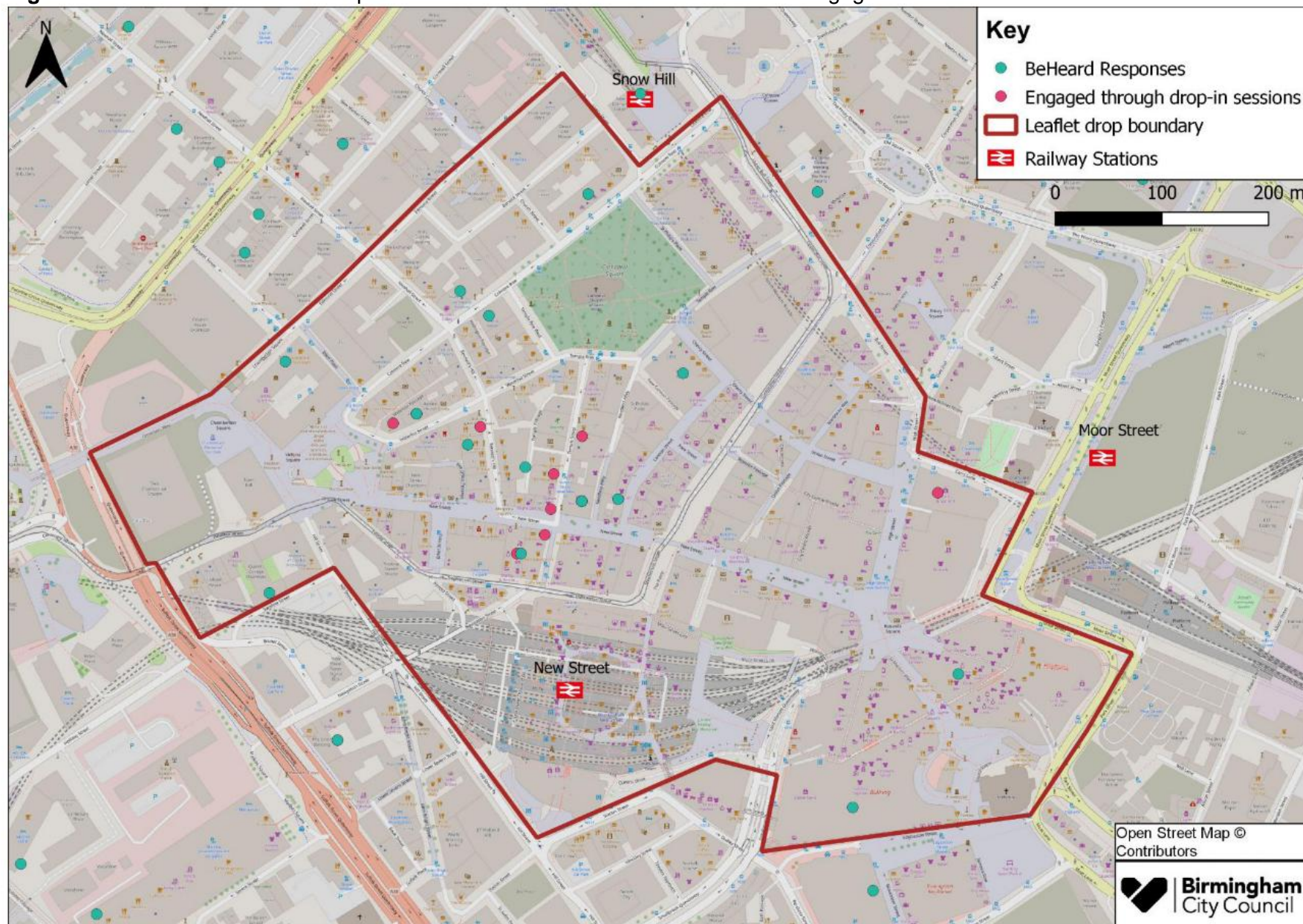


Figure 3.8: Engagement within the scheme area

4 Consultation Responses

4.1 About you

4.1.1 Q1. Are you responding to this consultation as an individual or on behalf of a business/organisation?

The majority of respondents to this questionnaire were individual citizens, 97%, with 3% of businesses responding via BeHeard. However, separate responses were also received directly from businesses located within the scheme area. More information about this is available in **Section 0**.

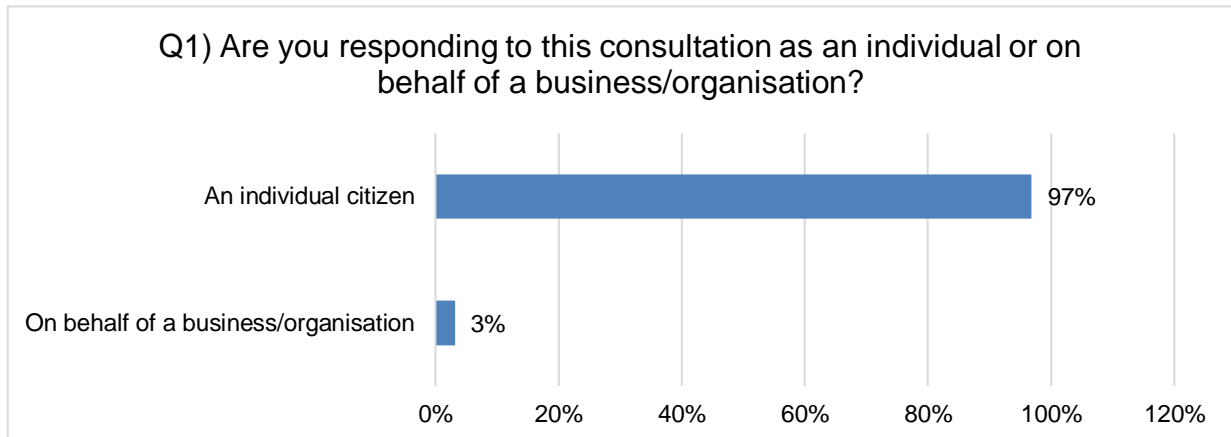


Figure 4.1: About you

Q2-Q10 collected data from businesses regarding the quantity, frequency and type of loading/unloading activities undertaken by their businesses which will be used to help inform the Traffic Regulation Order (TRO).

The remaining questions, covering Q11-Q15, in this section are related to individual responses only.

4.1.2 Q11. Do you live within the scheme area?

5% of respondents stated that they live within the scheme area, defined by an image of the scheme extents on the questionnaire. The majority of respondents did not live within the scheme area.

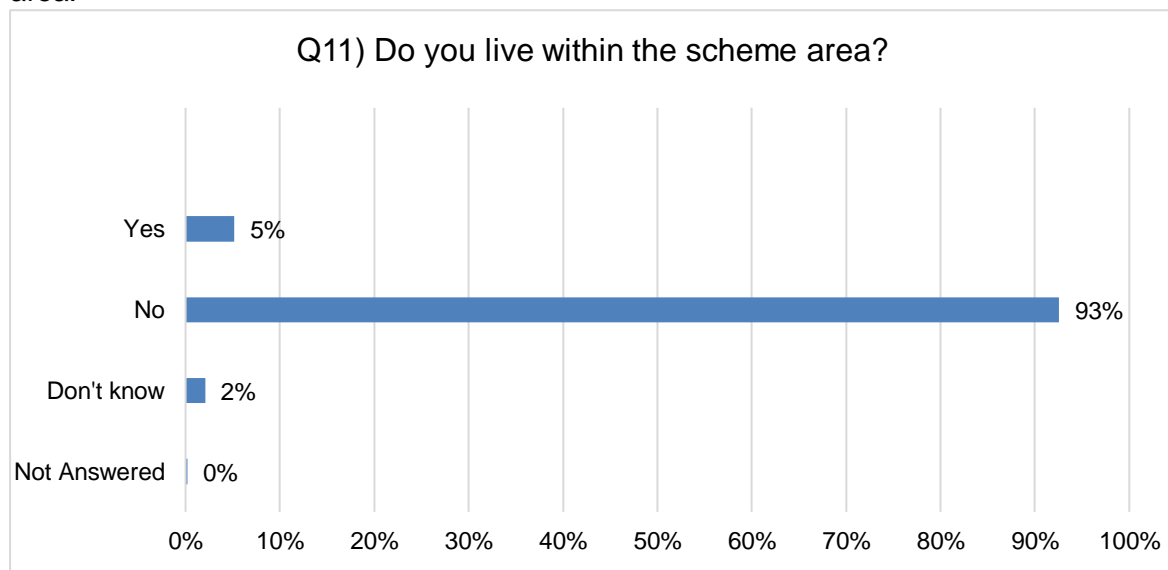


Figure 4.2: Residence within the scheme area

4.1.3 Q12. What is your postcode?

Refer to **Figure 3.7** in **Section 3.2.7**.

4.1.4 Q13. How often do you visit Birmingham city centre?

Nearly half of all respondents visit Birmingham city centre 5 or more days a week, suggesting this is for work purposes. 13% of respondents undertake a trip 3 or 4 days a week, 15% one or two days per week and 17% one or two days per month. 7% of respondents undertake a trip less often than one day per month and 2% stating they never visit Birmingham city centre.

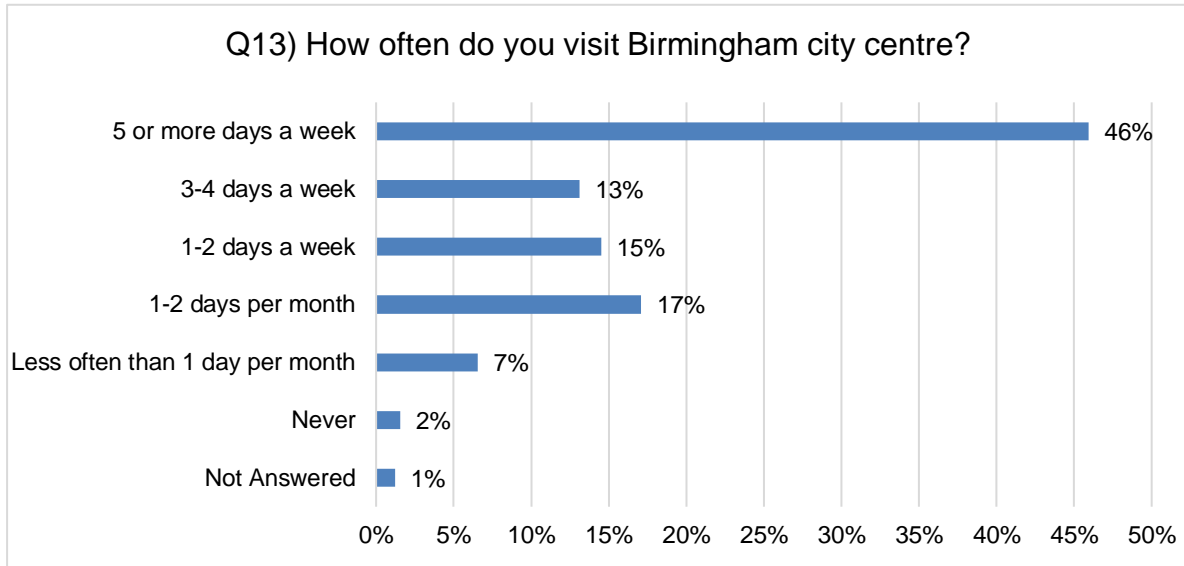


Figure 4.3: Frequency of visits to Birmingham city centre

4.1.5 Q14. When visiting Birmingham city centre, what is your typical mode of transport?

30% of respondents travel to the city centre via train, bus/coach and car represent 20% and 21% respectively. 14% of respondents said they walk, and 9% cycle when visiting Birmingham city centre.

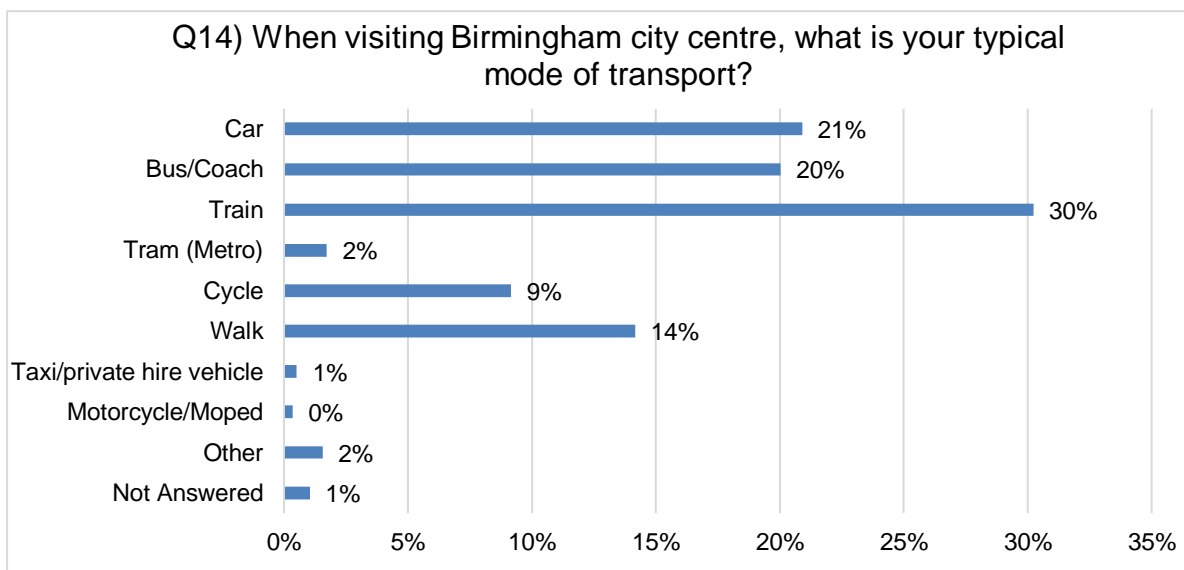


Figure 4.4: Typical mode of travel into the city centre

4.1.6 Q15. When visiting Birmingham city centre, typically what is the purpose of your trip?

49% of respondents stated the main purpose of their trip to Birmingham city centre is for work and 37% for leisure or shopping.

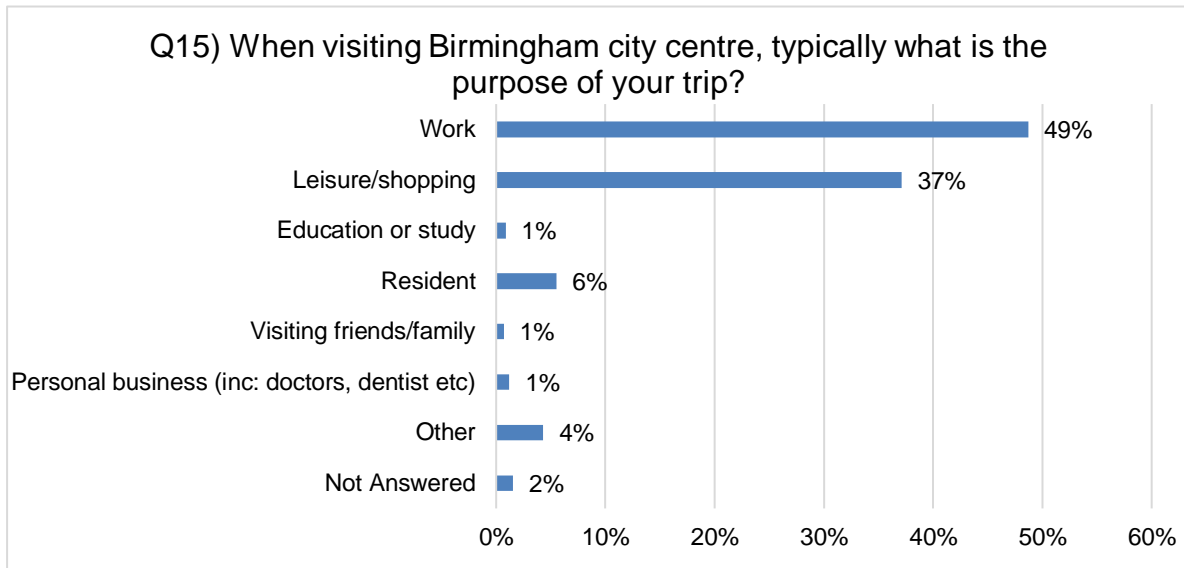


Figure 4.5: Purpose of trip into Birmingham city centre

4.2 Scheme proposals

This section covers responses from individuals, businesses/organisations and residents (within the scheme area outlined as the red boundary on **Figure 1.1**) for Q16-Q20. In total 598 responses were received via BeHeard which includes:

- 565 individual responses, not including residents (representing 94% of total respondents);
- 19 responses from businesses/organisations (representing 3% of total respondents); and
- 14 responses from residents (representing 2% of total respondents).

An additional 7 responses were received separately via email from businesses and organisations in addition to a number of discussions with representatives of businesses with a summary of discussions outlined in **Section 4.3** below.

The results have been broken down into the three categories to clearly show the differing views and impacts of the proposals of the different user groups.

4.2.1 Q16. Do you agree that the public realm proposals are attractive and welcoming?

Overall, 77% of respondents agree or strongly agree that the public realm proposals are attractive and welcoming. 14% disagree that the proposals are attractive and welcoming and 7% didn't know or had no opinion.

90% of businesses/ organisations agree or strongly agree that the public realm proposals are attractive and welcoming. 5% of businesses/organisations disagree and 5% don't know or don't have an opinion.

79% of residents agree or strongly agree that the public realm proposals are attractive and welcoming and 14% strongly disagree.

Figure 4.6 shows a breakdown of the responses per user group. Overall, the majority of respondents from all user groups believe that the proposals are attractive and welcoming.

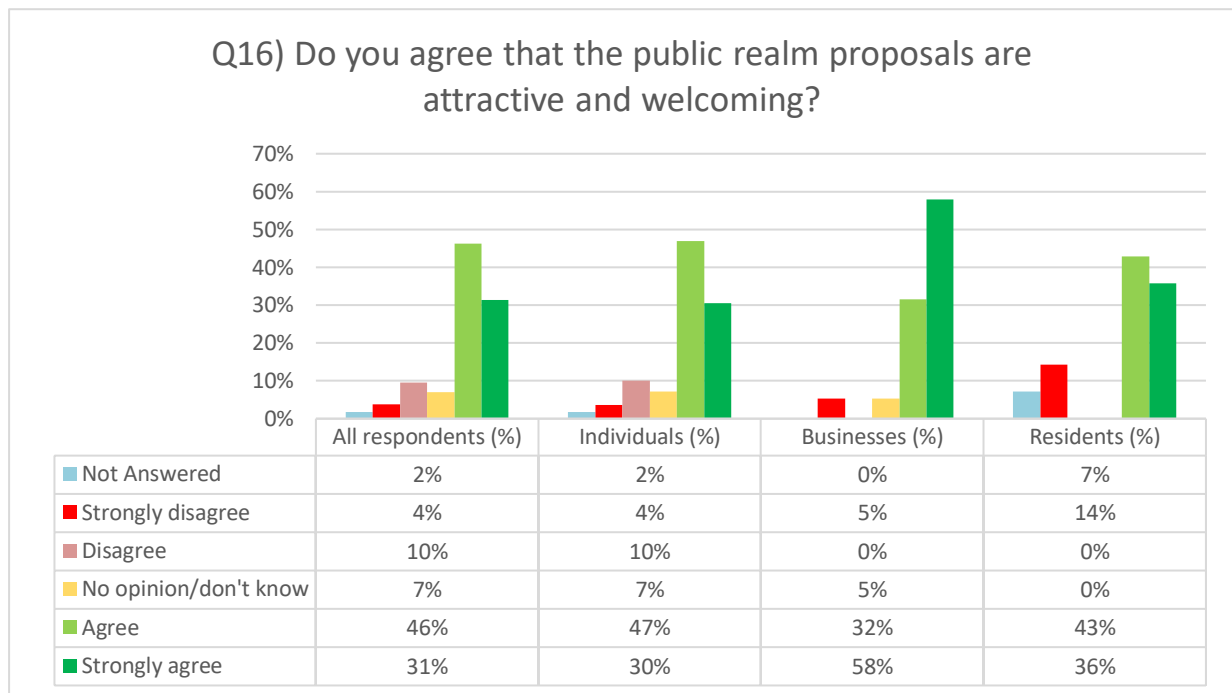


Figure 4.6: Do you agree that the public realm proposals are attractive and welcoming?

4.2.2 Q17. Do you have any comments on the proposed public realm proposals?

Table 4.1 outlines the key recurring themes that were mentioned by individuals, businesses/organisations and residents in response to this question.

Table 4.1: Q17 Individual - Key Themes

Theme	Number of responses	BCC's response
<i>Individuals</i>		
More greenery/ tree planting is required	54	<i>We will look at locations within the scheme area where we may be able to plant additional greenery e.g. planters, at the detailed design stage.</i>
Money would be better spent on other things including tackling homelessness	24	<i>The funding to deliver this scheme is made up of Transforming Cities and CAZ revenue funding. There are specific requirements for what this money can be spent on e.g. measures to improve air quality.</i> <i>Birmingham City Council has been granted almost £600k to continue its successful approach in supporting rough sleepers as part of the Next Steps Accommodation Programme.</i>
Public realm proposals will be an improvement to the area	21	<i>Good quality public realm is important to the economic growth of the city. Pedestrian friendly, public areas are also crucial at attracting people into the city centre, supporting the retail core. It is also acknowledged that high-quality public realm</i>

Theme	Number of responses	BCC's response
		<i>improves the value of properties within the local area.</i>
Improve provision for cyclists	20	<i>There is not sufficient space available to provide segregated cycle facilities within the city core e.g. along New Street. Existing mixed or shared-use areas will remain as existing. New and improved cycle parking will be implemented as part of this scheme.</i>
Proposals need to ensure they are suitable for those with mobility issues	17	<i>The scheme proposals will be compliant with the Disability Discrimination Act. During the consultation the project team has engaged with disability groups who have shared their advice and best practice. This engagement will continue through the detailed design stage.</i>
Proposals need assurances that the paving will be maintained when dug up by utility companies	16	<i>Annual maintenance requirements have been included within the revenue costs outlined in the Full Business Case.</i> <i>Utility companies have been consulted and contacted regarding the scheme. A restriction is placed after the new works are complete. (S58 Act: NRSWA 1991)</i>
Re-paving seems unnecessary	15	<i>The existing public realm in the city centre is tired having been last renewed in 1992/93. The visual appearance and overall experience for visitors to the city centre is important to the success of the retail centre.</i>
Repaving of the city centre is desperately needed	11	
More money needs to be spent in the suburbs rather than the city centre	11	<i>Investment in the suburbs is ongoing. There have been recent transformations of local areas including Selly Oak and Longbridge and future proposed improvements that are outlined in Birmingham's Urban Centres Framework.</i>
Support plans to restore the River Fountain	10	<i>The River Fountain is a landmark within the city and is an important aspect of the quality of the public realm and the ongoing development and investment in the city centre. It is also important in attracting tourists, particularly given Birmingham is hosting the Commonwealth Games in 2022.</i>
River fountain is better as a flower bed	10	
Support the integrated HVM measures	8	<i>The installation of permanent, less hostile HVM will support the safety and security of the city centre for the Commonwealth Games and beyond.</i>
Too much construction going on in the city prior to CWG - disruption to businesses is great	7	<i>We will work with the chosen contractor to phase the construction and minimise the impact of construction on local businesses as best we can.</i>

Theme	Number of responses	BCC's response
<i>Businesses & Organisations</i>		
Supportive of the part-pedestrianisation of Colmore Row/ Waterloo St	2	<i>The scheme will deliver pedestrianisation of Colmore Row and Waterloo Street between 11am and 11pm, 7 days a week</i>
<i>Residents</i>		
The public realm proposals will be an improvement to the area	2	<i>The public realm proposals will transform the city centre and feel like an attractive and welcoming environment.</i>

Typical responses from individuals, businesses/ organisations and residents include:

Individuals

"I think there should be more green - areas of grass and trees both for aesthetic reasons and to reduce air pollution!"

"All utility company providers and any other developers that disturb the integrity of the finished product should reinstate to original and sign a subsidence maintenance liability"

Businesses/Organisations

"The landscaping plans look excellent and will massively improve the visual impact and experience of visitors to, and residents of the city centre."

"We are strongly supportive of the part pedestrianization of Colmore Row and Waterloo Street adjacent to Victoria Square."

The paving is smart, but how will you prevent workmen replacing the specifically patterned manhole covers incorrectly? It is a common occurrence at this stage."

Residents

"This will make a fantastic improvement to the area"

"Opening up the city centre to pedestrians rather than cars is overwhelmingly a good principle"

4.2.3 Q18. To what extent do you agree with the proposed vehicle access and loading restriction between the hours of 7am and 7pm?

Overall, 72% of all respondents agree or strongly agree with the proposed vehicle access and loading restriction between the hours of 7am and 7pm.

74% of individual respondents agree or strongly agree with the proposed vehicle access and loading restriction between the hours of 7am and 7pm. 11% disagree with the restrictions and 12% didn't know or had no opinion.

42% of businesses/organisations who responded via BeHeard agree or strongly agree with the proposed vehicle access and loading restrictions. 47% of businesses/organisations disagree or strongly disagree and 11% don't know or don't have an opinion.

93% of residents who responded to this question disagree or strongly disagree with the proposed vehicle access and loading restriction between the hours of 7am and 7pm. 7% strongly agree with the restriction proposals.

Figure 4.7 shows a breakdown of the responses per user group. The majority of individuals support the proposed restrictions however it is clear to see from the responses that residents do not support the proposals for vehicle access and loading restrictions. Some businesses/organisations agree with the restrictions, however others disagree.

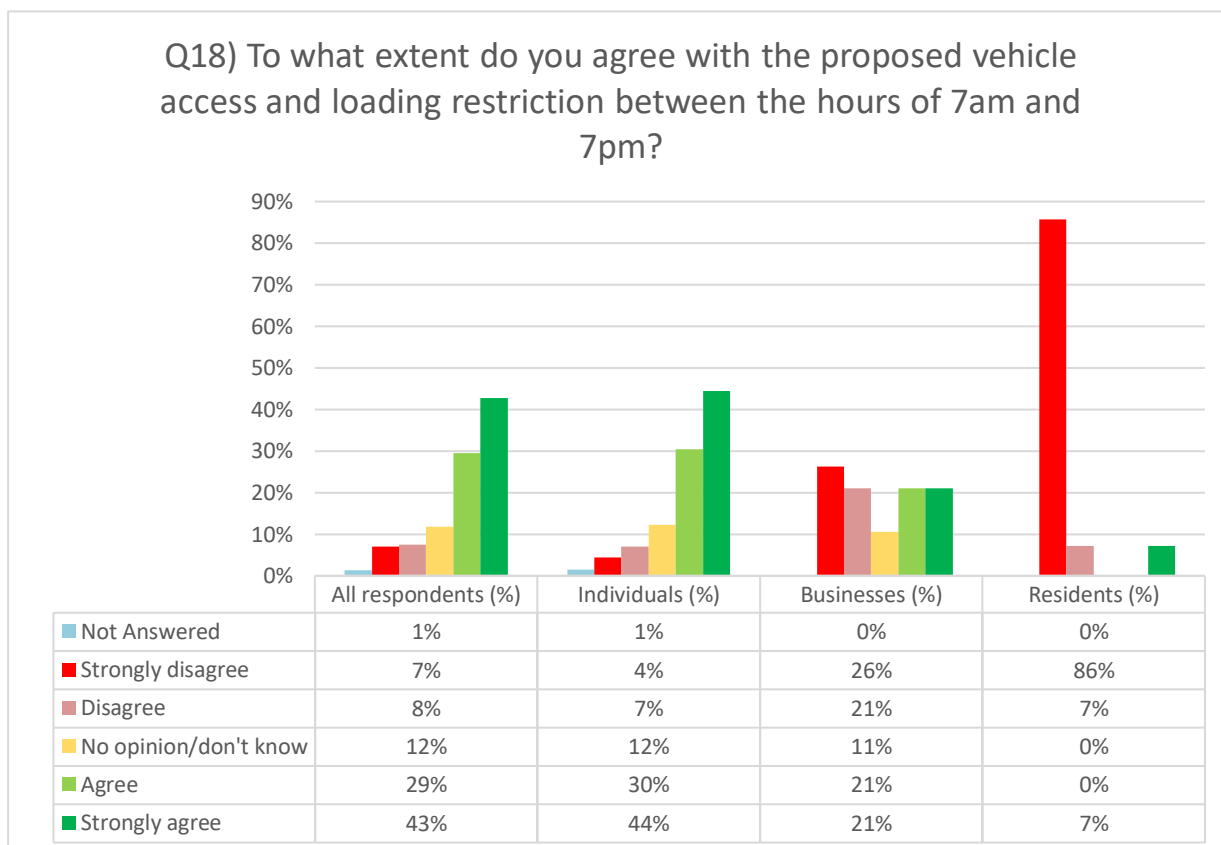


Figure 4.7: To what extent do you agree with the proposed vehicle access and loading restriction between the hours of 7am and 7pm?

4.2.4 Q19. Do you have any comments on the proposed vehicle access and loading restrictions?

Table 4.2 outlines the key recurring themes that were mentioned by individuals, businesses/organisations and residents in response to this question.

Table 4.2: Q19 Individuals - Key Themes

Theme	Number of responses	BCC's response
Individuals		
Support the restriction of vehicles	48	<i>Restriction on loading and access in the city will help improve the safety and security of the city centre, particularly for pedestrians, cyclists and disabled users during peak times.</i>

Theme	Number of responses	BCC's response
City centre is dangerous in the morning and evening peak with large number of pedestrians	14	<i>During the AM and PM peak periods, footfall in the city centre is particularly high. The permanent HVM measures will limit the number of vehicles accessing the areas, therefore making it a safer and more accessible area for all.</i>
Disruptive to businesses and residents in the city centre	12	<p><i>We will work with the chosen contractor to phase the construction and minimise the impact of construction on local businesses and residents as best we can.</i></p> <p><i>Further consultation will be undertaken as part of the licence to construct the works</i></p> <p><i>The improvements to the public realm and HVM will make the centre a more attractive and welcoming place, attracting more visitors and leading to greater benefits.</i></p> <p><i>It is also acknowledged that high-quality public realm improves the value of properties within the local area.</i></p>
Vehicle restriction should extend into the evening for late night shopping/bars/restaurants	12	<i>Based on the feedback received from businesses we have amended the restriction time to 11am to 11pm, allowing deliveries to take place in the morning and restricting vehicle access in the evenings for bars and restaurants.</i>
Restrictions are unrealistic for deliveries	8	<i>Engagement with businesses and residents during the consultation period identified some concerns and questions which will be further reviewed during the development of the TRO. The current restrictions during the Frankfurt Christmas Market (FCM) in November & December mean deliveries are restricted to take place outside the hours of 10am-6pm. The success of this during the busiest retail months of the FCM shows that changes to deliveries can be made, if required.</i>
Restrictions would negatively impact disabled users	8	<i>During the detailed design stage, we will be looking at locations where the disabled bays from Bennetts Hill could be relocated. One of the options would be to relocate the existing disabled bays to Waterloo Street East.</i>
TRO would need to be properly enforced, not left to be abused	7	<i>The implementation of the HVM measures will help enforce the TRO as the bollards will be in the 'closed' position during hours of restrictions.</i>

Theme	Number of responses	BCC's response
Businesses/Organisations		
Will be difficult to find delivery companies who will deliver before 7am. Even if it is possible it will not be cost effective.	3	<i>The restriction times have been amended to between 11am and 11pm to allow morning deliveries which will tie in with existing delivery times for most businesses.</i>
Not enough time for loading	2	<i>The times in which vehicles are restricted have been amended to 11am to 11pm to allow a greater period of time in the morning for deliveries to take place. The number of loading bays will be determined by the quantity of deliveries required, as per survey results.</i>
Residents		
Maintenance and deliveries will become more difficult and more expensive if they can only take place after 7pm.	8	<i>The TRO for Colmore Row / Waterloo Street will now restrict access to motor vehicles between 11am and 11pm, allowing morning deliveries. There are no residential properties on Colmore Row / Waterloo Street however Phase 3 of the project (post Commonwealth Games) will look to implement a permit system where residents can apply for a permit to allow access for large deliveries or emergency maintenance work.</i>

Typical responses from individuals, businesses/organisations and residents include:

Individuals:

"This needs to be strictly enforced with penalties enforced against businesses that disregard it."

"The city centre traffic has become an absolute nuisance. Cycling is incredibly dangerous in Birmingham, so I am welcoming the restrictions to vehicle access that would make cycling and walking around the city centre safer and more enjoyable."

"I think vehicles should also be limited until 10pm on Friday and Saturday Evenings."

Businesses/Organisations:

"We support the restriction proposed due to the positive environmental benefit this would bring."

"The restriction may need to start a little later in the day to allow for all deliveries to be made."

"We operate a business that requires fresh food deliveries on a daily basis and we will not be able to find companies nor will it be cost effective to deliver prior to 7am."

Residents:

"As a resident, restricting access prevents deliveries being made or access for tradespeople (e.g. plumbers, electricians, etc) impossible."

"It would be great to apply for exceptional circumstances permits that allowed daytime access. It's already hard to find contractors prepared to work on our property and these changes will make it near impossible. If we could have exceptions which allowed individual vehicles access during working hours on an occasional basis that would alleviate the problems."

4.2.5 Q20. What impact do you think the scheme will have on you/your business?

Overall, 46% of individuals felt that the scheme would have a positive impact on them, and 36% a neutral benefit. 11% of individuals felt that the proposals would have a negative/somewhat negative impact on them.

58% of businesses/organisations who responded to via BeHeard think that the scheme will have a positive impact on their business while 32% think that it will have a negative impact on their business. It is worth noting that due to the small numbers of responses from businesses/organisations, each response represents approximately 5%.

64% of residents think that the scheme will have a very negative or somewhat negative impact on them, and 14% think it will have a somewhat positive/ very positive impact on them. 14% of residents believe the impact on them will be neutral.

Figure 4.8 shows a breakdown of the responses per user group. The majority of individuals believe that the scheme will have a neutral to very positive impact on them. Businesses/organisations also believe that the scheme will have a positive impact on their business however, residents feel that overall there will be a very negative impact on them.

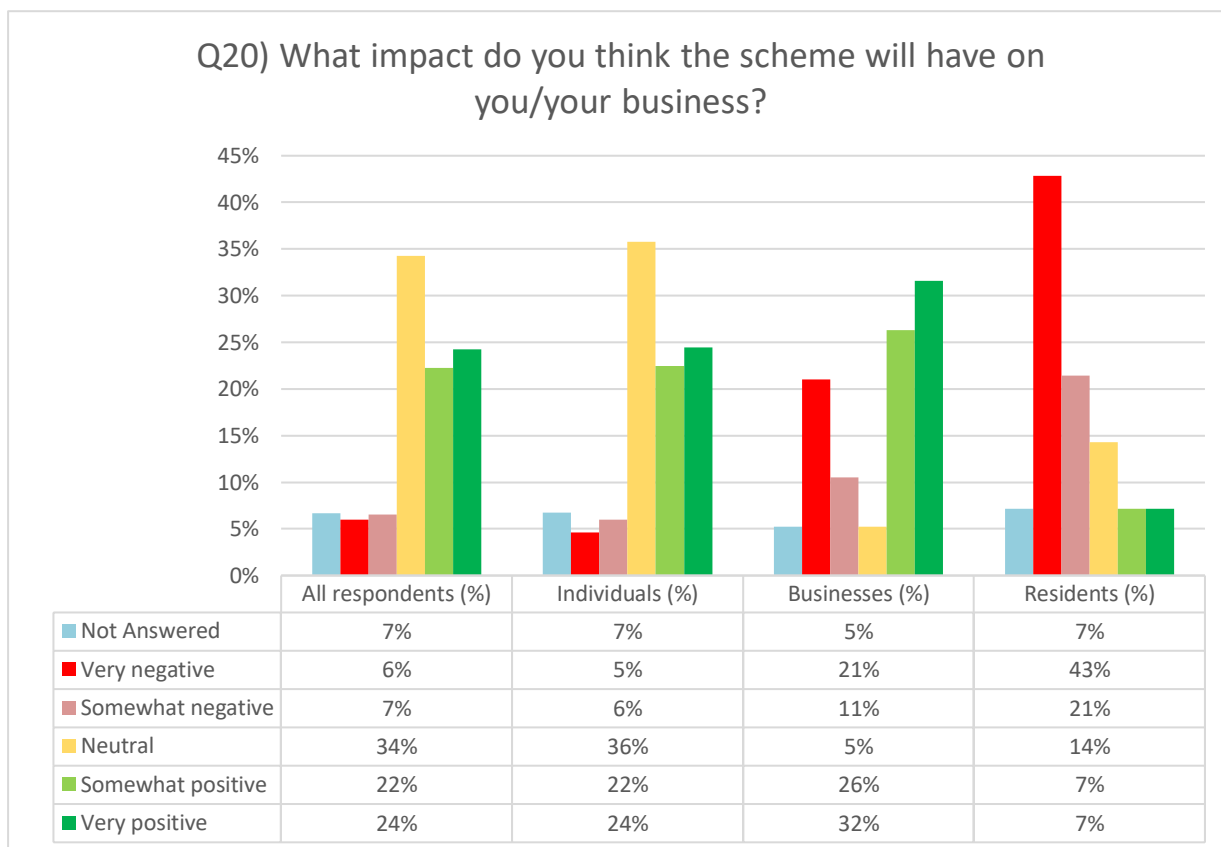


Figure 4.8: What impact do you think the scheme will have on you/your business?

4.3 Other business responses from consultation events

During the drop-in events the project team spoke with many local businesses regarding the scheme proposals. Overall, the businesses were supportive of the improvements but did raise some concerns regarding the Traffic Regulation Order (TRO) and the impact that this would have on deliveries, as well as the disruption to the businesses during construction. Some common comments received included:

- 7am-7pm is a little early for deliveries as will have an impact on resources and costs;
- Suggestion of 10am start time – to reflect Frankfurt Christmas Market that works during December; and
- Some businesses said they could accommodate the 7am-7pm restriction and modify delivery times if required but it would be inconvenient.

Other suggestions from businesses

- More public artwork;
- Hanging planting;
- Improved street lighting (e.g. overhead lighting façade to façade); and
- Construction phasing plan.

4.4 About the Consultation

The following section covers responses to Q21-Q23 from all respondents.

4.4.1 Q21. Do you have any further comments on the scheme proposals?

The majority of comments in this section had already been noted in the previous section however the most common themes emerging are shown in **Table 4.3** below.

Table 4.3: Q21 Key Themes

Theme	Number of responses
Opportunity to create cycle paths/provision through the city centre including cycle parking	28
Money would be better spent on other things/areas of the city	23
Support the overall scheme	18
More planting/greenery	15
New public realm needs to be well maintained	8

4.4.2 Q22. Do you feel that the information provided has enabled you to make an informed comment on the proposals?

68% of respondents felt that the information provided was sufficient to make an informed comment on the proposals. 22% however felt more information could have been provided. These suggestions are laid out in **Section 4.4.3** below.

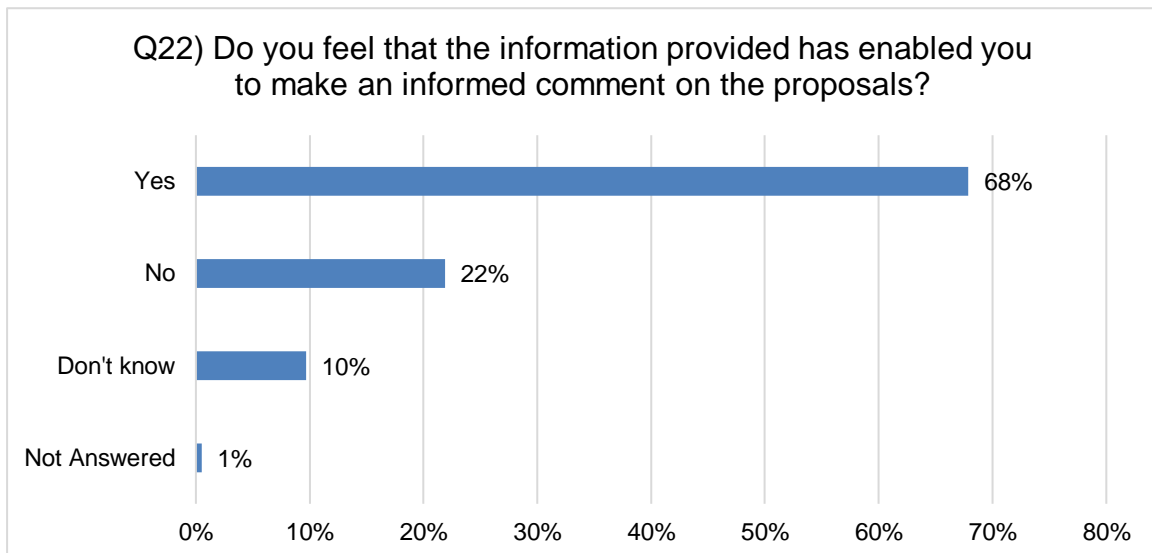


Figure 4.9: Do you feel that the information provided has enabled you to make an informed comment on the proposals?

4.4.3 Q23. What additional information would have helped you to comment on the proposals?

Of the total 598 respondents, 36% gave further comments on what additional information could have been provided to help comment on the proposals. The most common themes were:

Table 4.4: Q23 Common themes

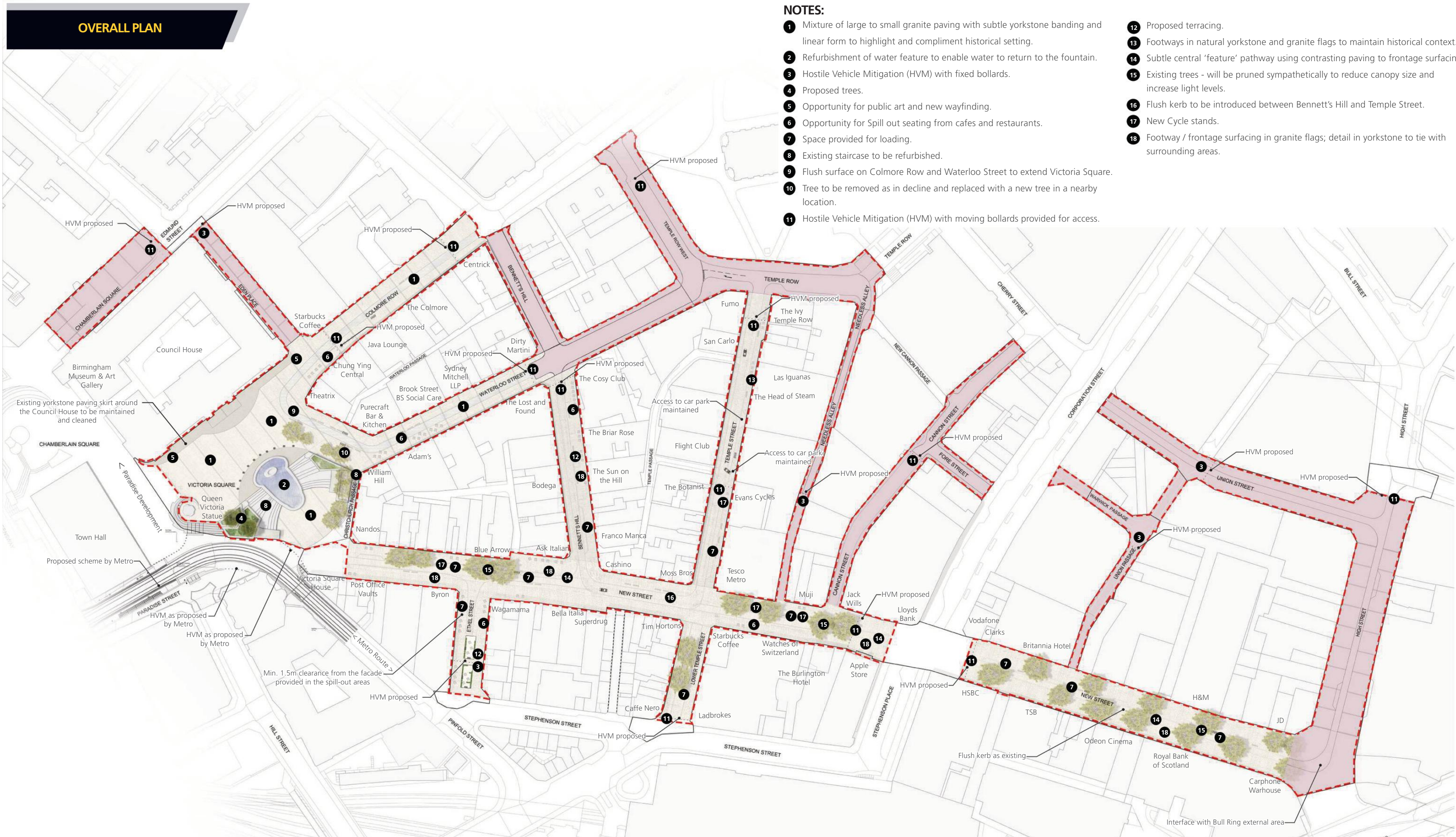
Theme	Number of responses
More Computer Generated Images (CGIs)	37
Detailed breakdown of costs	23
More detailed plans	19
Detailed timescales of works	18
Plans for cycle provision in the city centre	11
What the street furniture will look like	7

Comments included:

- *“A detailed breakdown of what each part of the scheme will cost and further information on the ongoing costs associated with repairing the fountain in Victoria Square”*
- *“More in-depth images and maps of the proposals”*
- *“Would like to see more detailed plans, design statements, material sample documents”*

Annex A
Consultation Documents

OVERALL PLAN



NOTES:

- 1 Mixture of large to small granite paving with subtle yorkstone banding and linear form to highlight and compliment historical setting.
- 2 Refurbishment of water feature to enable water to return to the fountain.
- 3 Hostile Vehicle Mitigation (HVM) with fixed bollards.
- 4 Proposed trees.
- 5 Opportunity for public art and new wayfinding.
- 6 Opportunity for Spill out seating from cafes and restaurants.
- 7 Space provided for loading.
- 8 Existing staircase to be refurbished.
- 9 Flush surface on Colmore Row and Waterloo Street to extend Victoria Square.
- 10 Tree to be removed as in decline and replaced with a new tree in a nearby location.
- 11 Hostile Vehicle Mitigation (HVM) with moving bollards provided for access.
- 12 Proposed terracing.
- 13 Footways in natural yorkstone and granite flags to maintain historical context.
- 14 Subtle central 'feature' pathway using contrasting paving to frontage surfacing.
- 15 Existing trees - will be pruned sympathetically to reduce canopy size and increase light levels.
- 16 Flush kerb to be introduced between Bennett's Hill and Temple Street.
- 17 New Cycle stands.
- 18 Footway / frontage surfacing in granite flags; detail in yorkstone to tie with surrounding areas.

Materials Palette

Victoria Square



Granite paving buff colour

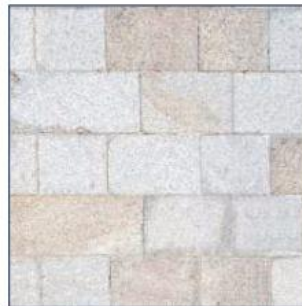


Granite kerb in a contrasting colour



Natural Yorkstone

New Street



Granite paving buff colour



Granite kerb in a contrasting colour

Temple Street



Natural Yorkstone



Granite kerb in a contrasting colour

HVM bollards



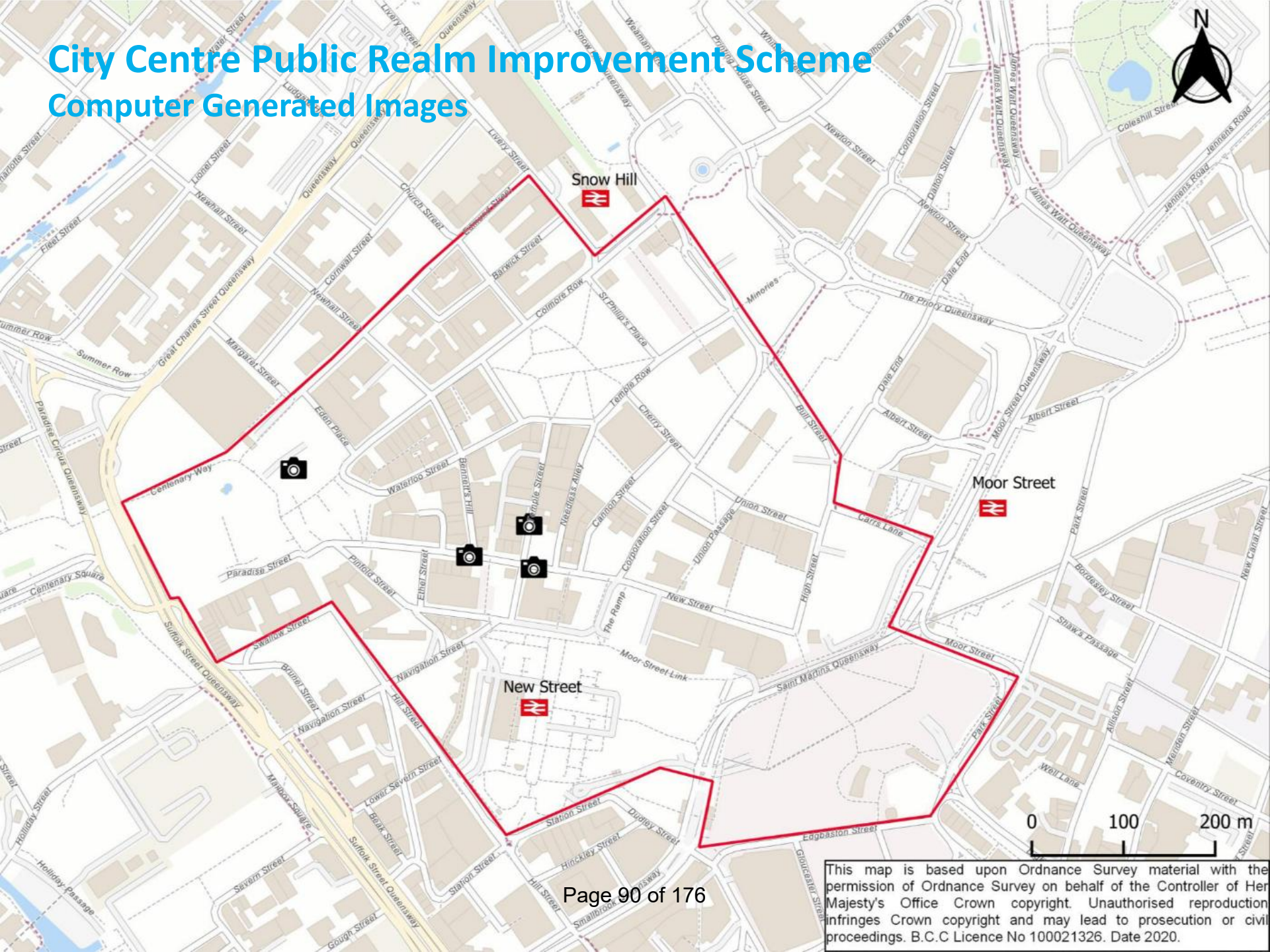
Hostile Vehicle Mitigation (HVM) with moving bollards for access.

- Proposed extension of Traffic Regulation Order with respect to loading, parking and hours of access.
- Planned improvements to public realm, to take place following 2022 Commonwealth Games.

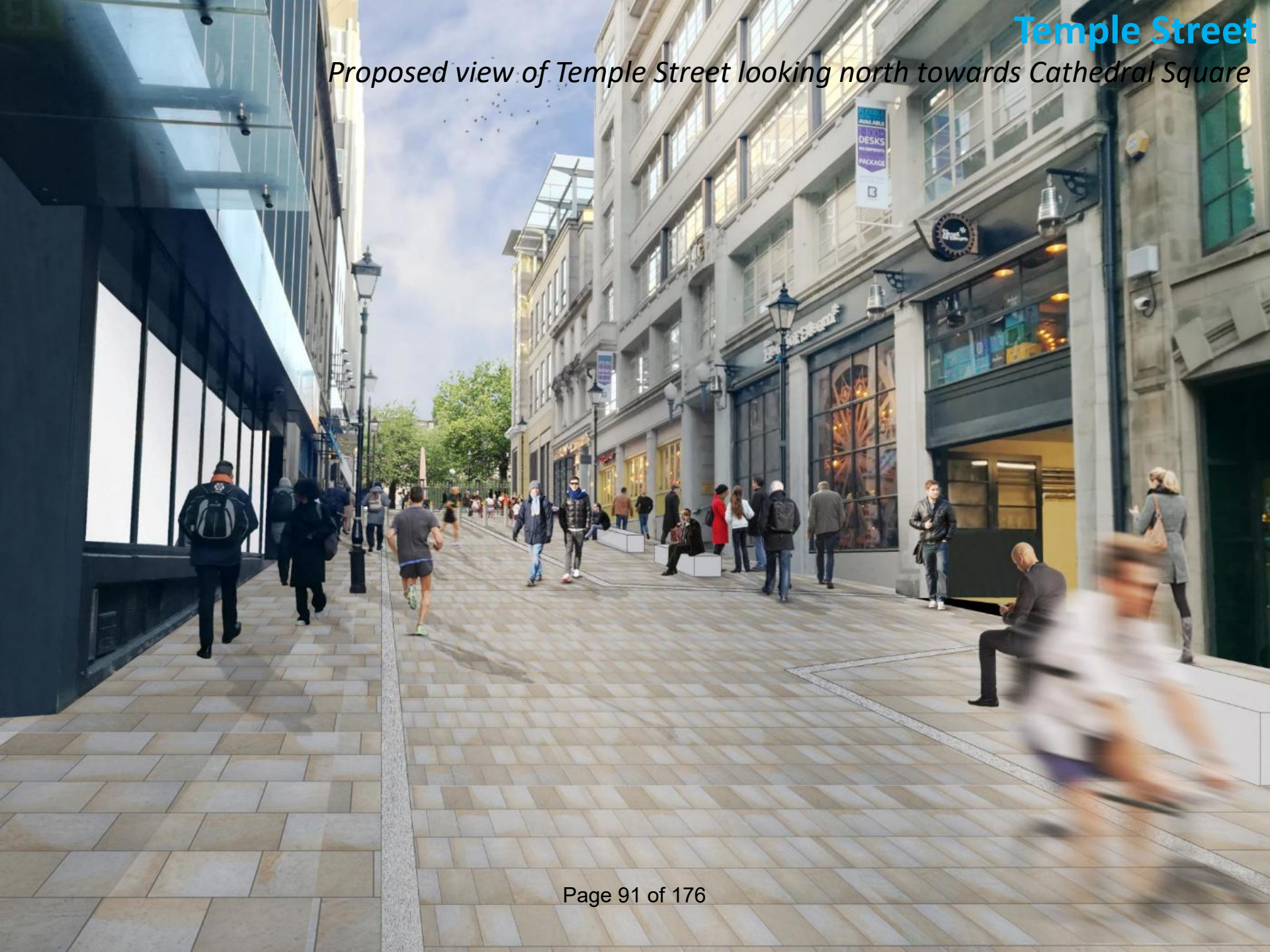


City Centre Public Realm Improvement Scheme

Computer Generated Images



Proposed view of Temple Street looking north towards Cathedral Square



Victoria Square

Proposed view of Victoria Square looking towards Waterloo Street





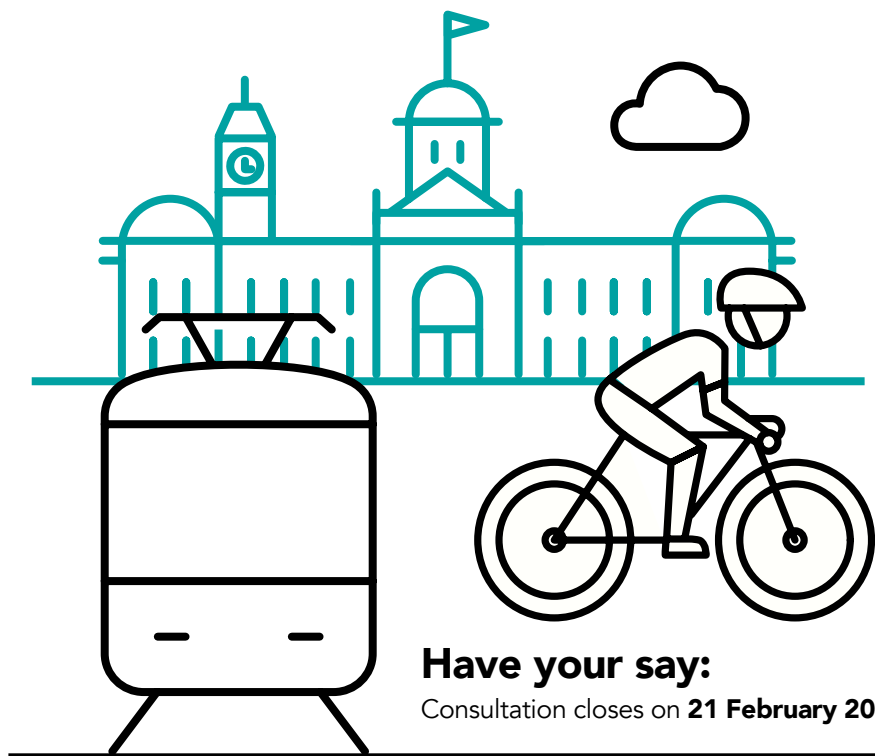
New Street

Proposed view of New Street looking west towards Corporation Street



Consultation on the
City Centre Public Realm Scheme

CITY CENTRE PUBLIC REALM IMPROVEMENTS



Have your say:

Consultation closes on **21 February 2020**



Birmingham
City Council

Working in partnership with



Our vision

We want to transform the public realm in the city centre and create an attractive, welcoming and safe environment to attract more visitors to Birmingham city centre which will facilitate economic growth.

High-quality public spaces will be created to enhance the city's environment and connectivity. At peak times access and loading will be restricted within the city centre to make it easier, more welcoming and safer for pedestrians and more accessible to those with mobility issues.

The works programme will also include permanent and less intrusive hostile vehicle security measures (HVM) as part of a comprehensive safety and

security strategy for the city centre.

Birmingham will be at the centre of the world stage during the 2022 Commonwealth Games and the city centre will act as a gateway for many visitors visiting the city for the first time.

These improvements will create a lasting legacy by providing a safe, attractive and welcoming pedestrianised environment for all users to enjoy.



Public realm improvements

The scheme will:

- Enhance the public realm using new high-quality paving materials throughout the scheme area, whilst reinstating heritage paving in sections of Victoria Square
- Create a kerb free pedestrian route for passengers travelling from New Street Station to the retail and business centre
- Widen footways, where possible, to provide easier connectivity for pedestrians
- Replace the temporary HVM measures that have been in place for several years with permanent, less intrusive, measures at occasions within the public realm
- Extend Victoria Square into Colmore Row and Waterloo Street forming a larger pedestrian space
- Remove one tree from Waterloo Street that is in decline and replace with one new tree in a nearby location
- Improve and enhance the street lighting, making the area feel safer for all
- Improve wayfinding for all
- Upgrade the street furniture by replacing the existing with high-quality street furniture
- Repair and restore The River fountain in Victoria Square



Vehicle access restrictions



Proposed view of Temple Street looking north towards Cathedral Square

We are proposing to extend the existing pedestrian zone and loading restrictions to standardise operation times to 7am to 7pm seven days a week to ensure a safe and secure environment for pedestrians during times of busy footfall.

This will provide greater priority for pedestrians and make the area feel safer, more welcoming and help to minimise the interaction between pedestrians and vehicles. Reallocating space to pedestrians will require changes to the current taxi and disabled bays.

Improved loading facilities will be provided for local businesses outside of the restriction hours to offset the daytime restrictions. Vehicular access will be maintained to off-street, private accesses at all times through manual operation of the HVM bollards.



Proposed view of New Street looking west towards Corporation Street



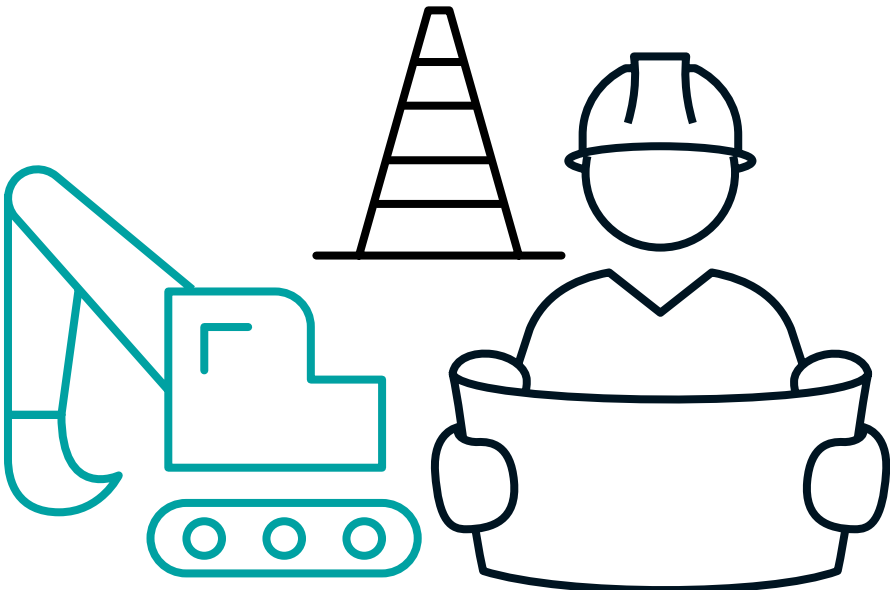
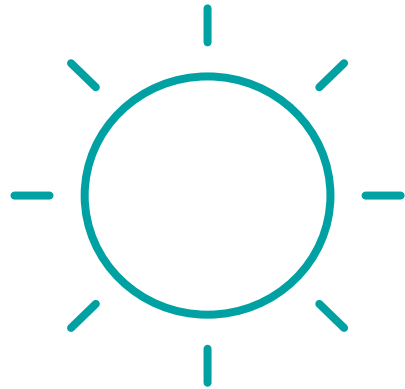
Proposed view of New Street looking west towards Victoria Square

Construction

Construction is expected to begin in 2020.

We will do all that we can to minimise the disruption, including:

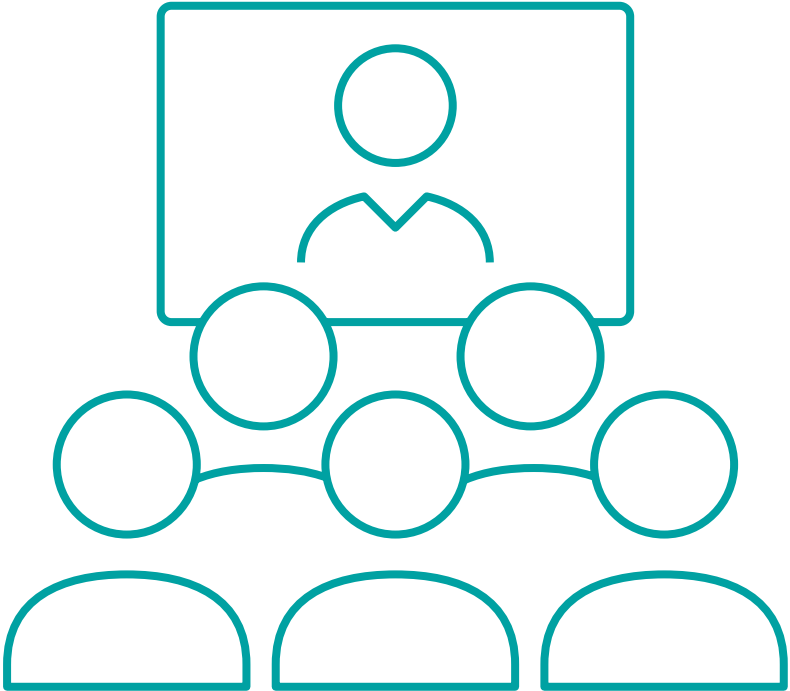
- Adopting a phased approach to the construction works
- Co-ordinating with other local works
- Business access will remain throughout the duration of the works, during business hours. Where the works might require short term unavoidable interruptions to access, we will carry out such works outside of normal trading hours.



Events

We will be holding two drop-in events, where you can see the plans for yourself and talk to the project team.

Venue	Location	Date	Time
Head of Steam	Somerset House, 36 Temple Street, Birmingham	Wednesday 5 February 2020	12pm-3pm
Council House	Victoria Square, Birmingham B1 1BB	Wednesday 12 February 2020	3:30pm-6:30pm



Have your say

We want to know what you think about our plans for the changes to the city centre public realm. We are consulting on the proposed changes to the access, loading/ unloading, hostile vehicle security measures and public realm.

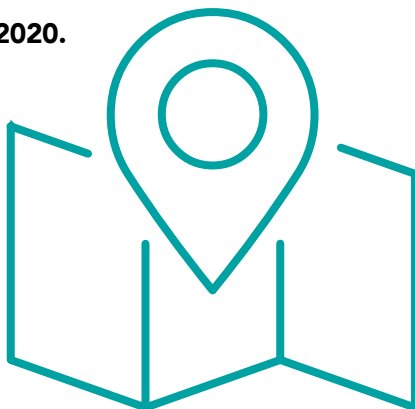
You can view full details of the consultation, detailed plans of the proposed scheme and respond to an online questionnaire at **www.birminghambeheard.org.uk/economy/citycentrepublicrealm**

The simplest way to respond to this consultation is via the website, but if you are unable to access the internet, you can view printed plans and pick up a paper questionnaire at:

Library	Location	Opening times
Library of Birmingham	Centenary Square, B1 2ND	Mon and Tue: 11am to 7pm Wed to Sat: 11am to 5pm

If you require more information, have any questions or would like paper copies of the plans and questionnaire posted to you, please contact us at **transportprojects@birmingham.gov.uk** or on **0121 303 7532**.

Consultation closes on 21 February 2020.



Appendix E – Risk Assessment

Risk No	Risk description	Risk mitigation	Residual / current risk			Additional steps to be taken
			Likelihood	Impact	Prioritisation	
1.	Unknown ground conditions/utilities/basements	Concrete testing and historic highway data investigation on concrete slab to establish ground conditions. Review of New Roads and Street Works Act (NRSWA) programme and Streetworks register. Undertaking Ground Penetrating Radar (GPR) surveys and trial holes to conclude clash detection and enter into early agreement with Statutory Undertakers. Partnership working and sharing of stats data. Known basement surveys requested.	Significant	Significant	<i>Tolerable</i>	
2.	Activities prior to construction are delayed. No float in programme.	Regular review of programme, and briefing sessions with senior officers and Cabinet Members.	Significant	Significant	<i>Material</i>	
3.	The impact of Brexit on the supply of materials, the contractor's resources and timescales	Engagement with the contractor and their supply chain to understand material lead in and resources available.	Medium	Significant	<i>Material</i>	

4.	CAZ revenue does not materialise due to ongoing Covid-19/travel behaviour changes	Predicted CAZ revenue has been reassessed and the CAZ funding requirement has been re-profiled with less funding required in the early years of the CAZ. Project underwritten by Prudential Borrowing in OBC.	Medium	Significant	Severe	
5.	The impact of Covid-19 on the supply of materials, the contractor's resources and timescales	Engagement with the contractor and their supply chain to understand material lead in and resources available.	Medium	Significant	Material	
6.	Budget estimates are higher than available funding	Complete review of scheme costs post detailed design and before tender submission.	Medium	Medium	Tolerable	ECI has been undertaken to develop budget estimates.
7.	Type of TRO is not accepted by residents or businesses	Reduction in scheme scope pre games allows for consultation and delivery of TRO in Colmore Row/Waterloo Street. The BIDs are not opposed to the TRO proposed.	Low	Medium	Tolerable	Ongoing engagement with BIDs to de-risk the chances of objections.

Measures of likelihood/ Impact:

Description	Likelihood Description	Impact Description
High	Almost certain, is expected to occur in most circumstances. Greater than 80% chance.	Critical impact on the achievement of objectives and overall performance. Critical opportunity to innovate/improve performance missed/wasted. Huge impact on costs and/or reputation. Very difficult to recover from and possibly requiring a long term recovery period.

Significant	Likely, will probably occur in most circumstances. 50% - 80% chance.	Major impact on costs and objectives. Substantial opportunity to innovate/improve performance missed/wasted. Serious impact on output and/or quality and reputation. Medium to long term effect and expensive to recover from.
Medium	Possible, might occur at some time. 20% - 50% chance.	Waste of time and resources. Good opportunity to innovate/improve performance missed/wasted. Moderate impact on operational efficiency, output and quality. Medium term effect which may be expensive to recover from.
Low	Unlikely, but could occur at some time. Less than 20% chance.	Minor loss, delay, inconvenience or interruption. Opportunity to innovate/make minor improvements to performance missed/wasted. Short to medium term effect.

Title of proposed EIA	Equality Impact Assessment for the City Centre Public Realm Improvement Project
Reference No	EQUA285
EA is in support of	New Strategy
Review Frequency	Annually
Date of first review	06/04/2020
Directorate	Inclusive Growth
Division	Transport and Connectivity
Service Area	Project Delivery Team
Responsible Officer(s)	<input type="checkbox"/> Lucy Ronaldson
Quality Control Officer(s)	<input type="checkbox"/> Janet L Hinks
Accountable Officer(s)	<input type="checkbox"/> Craig Richards
Purpose of proposal	To transform the public realm in the city centre, and create an attractive, welcoming and safe environment to attract more visitors to Birmingham city centre. The city centre will act as a gateway for many first time visitors to the 2022 Commonwealth Game
Data sources	Consultation Results; relevant reports/strategies; relevant research
Please include any other sources of data	
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Wider Community
Age details:	<p>The scheme will deliver public realm improvements in the city centre, including improved lighting, flush kerbs and permanent Hostile Vehicle Mitigation (HVM) measures. The scheme also aims to further pedestrianise the city core during busy day-time hours, restricting loading and access and therefore improving the safety and security of the city centre. Children, young people and the elderly can be more concerned over personal security and be more sensitive to changes however these proposals will positively impact these groups.</p> <p>The scheme is anticipated to have some positive impacts with regards to</p>

age of users. The proposed installation of permanent HVM measures to replace the existing obtrusive temporary National Barrier Asset deployed will result in easier permeability through the barriers. Also, improved lighting, flush kerbs and improved street furniture will benefit elderly pedestrians by improving visibility at night, reducing trip hazards and providing ample benches for the elderly to rest. The city core will become pedestrianised during busy daytime hours by limiting access and loading activity through the use of the HVM barriers which will improve the overall safety of the city core for all age groups.

It is acknowledged that during the construction of the public realm scheme there is likely to be some disruption to pedestrians, in particular elderly citizens who are less mobile and may find traversing the works more difficult. To mitigate this problem, site investigations along with a phasing plan will be created to identify appropriate timescales for the works to be completed, minimising the construction footprint as much as possible.

The consultation received responses from a range of age groups. The majority of the age categories based on the Ladywood mid-2018 population estimates were over-represented. The 0-17 age category was under-represented however this is not seen as unusual. Overall, improvements to the public realm, street furniture (including benches) and flush surfaces will benefit all ages, especially elderly people and those with pushchairs and wheelchairs.

Disability details:

The scheme will deliver public realm improvements in the city centre including new paving, street furniture and measures to restrict vehicles in the city core during peak pedestrian hours to ensure the safety and security of pedestrians. This will be a positive improvement for people with disabilities as the flush surface will make it more accessible for wheelchair users. New street furniture including benches will provide greater provision for people with and without disabilities to sit and rest. Less intrusive, permanent HVM will also make travelling through the city centre by foot less challenging. More spacing between the bollards will allow more pedestrians, wheelchair users and pushchairs to permeate through the HVM whilst providing protection against hostile vehicles.

2011 Census data was collected for the Ladywood Ward and compared against the demographic data provided by consultation respondents. There was an over representation from people with disabilities responding to the consultation as 17% of respondents stated they had a disability compared with census data which shows 11% of people in the affected ward had a disability.

The public consultation included face-to-face and written engagement with disability groups including Pocklington Trust and Guide Dogs to seek their feedback on the scheme proposals. Responses received from these organisations in addition to individual respondents, who stated they had a disability, were analysed to ensure any potential concerns would be captured during detailed design.

The most common comment received was a lack of colour contrast between the materials proposed so visually impaired users would be able to identify where hazards may be.

Although flush kerbs were welcomed, appropriate delineation is required between footways and areas where vehicle movements will still occur to allow blind and partially sighted people to differentiate between footway and carriageway. De-cluttering of street furniture and replacement of temporary HVM measures with less intrusive permanent measures were also welcomed.

Some respondents who stated they had a disability mentioned concerns about possibly removing disabled parking on Bennetts Hill and that access to the city centre would become harder for them as public transport is not an option. The impact of the potential loss of disabled parking on Bennetts Hill will be considered during the detailed design of Phase 2 and development of the TRO. A suitable location to re-locate these spaces will be sought, if deemed appropriate.

As part of the detailed design, the design consultant will develop a design that meets all disability design guidance whilst also looking to address the comments and suggestions received as part of this consultation.

Protected characteristic: Sex

Not Applicable

Gender details:

2018 mid-year population estimates show that Ladywood have 46%/54% split of females and males respectively. The consultation responses represented a 38%/51% split of females to male, with 11% not answering or preferring not to say.

It is not anticipated that the City Centre Public Realm scheme is likely to disadvantage people because of their gender.

Protected characteristics: Gender Reassignment

Not Applicable

Gender reassignment details:

It is not anticipated the City Centre Public Realm scheme is likely to disadvantage individuals with gender reassignment.

Protected characteristics: Marriage and Civil Partnership

Not Applicable

Marriage and civil partnership details:

It is not anticipated the City Centre Public Realm scheme is likely to disadvantage people who are married or in civil partnerships.

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders; Wider Community

Pregnancy and maternity details:

Improvements to the public realm in the city centre including improved lighting, flush kerbs and street furniture e.g. benches is likely to have a positive impact on pregnant women and young mothers. The existing HVM barriers filter all users through one entrance, which can create challenges for pushchairs and wheelchairs to pass through during peak times however, the permanent measures will be less intrusive and will provide multiple locations for pedestrians, pushchairs and wheelchairs to pass whilst protecting the city against hostile vehicle attacks.

As mentioned above, there is likely to be some disruption to pedestrians during construction however this will be mitigated through a detailed phasing and construction plan to ensure only small parts of the street are inaccessible to pedestrians at any given time – whilst ensuring appropriate signage is in place.

It is not anticipated that the City Centre Public Realm scheme is likely to disadvantage people who are pregnant or who are young mothers.

Protected characteristics: Race

Not Applicable

Race details:

Data collected from the 2011 census shows that 48% of the population of Ladywood identify as White and 48% as Black and Ethnic Minorities (BAME). Respondents identifying themselves as white ethnicity represented 81% of total respondents with BAME only representing 8%. This was a 40% under-presentation of the BAME community.

It is not anticipated that the City Centre Public Realm scheme is likely to disadvantage people because of their race.

Protected characteristics: Religion or Beliefs

Not Applicable

Religion or beliefs details:

2011 census data shows that within the Ladywood ward, 41% of the population are Christians and 31% of the population state that they do not have a religion. Christians were slightly under-represented in the consultation with 31%, however an over representation from people with no religion of 47% of respondents.

It is not anticipated that the City Centre Public Realm scheme is likely to disadvantage people who have a religious belief.

Protected characteristics: Sexual Orientation

Not Applicable

Sexual orientation details:

62% of respondents to the consultation identified themselves as heterosexual or straight with 23% choosing not to say. This question was not asked in the 2011 census so there is no data to compare this to. However, it is not considered that the City Centre Public Realm scheme is likely to disadvantage people because of their sexual orientation.

Socio-economic impacts

Please indicate any actions arising from completing this screening exercise.

Please indicate whether a full impact assessment is recommended NO

What data has been collected to facilitate the assessment of this policy/proposal?

Consultation analysis

Adverse impact on any people with protected characteristics.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

How will the effect(s) of this policy/proposal on equality be monitored?

What data is required in the future?

Are there any adverse impacts on any particular group(s) No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

The scheme has no adverse impacts on the protected characteristics groups listed above. Many of the measures proposed will provide benefits to pedestrians and cyclists as well as people with mobility issues. Birmingham will act as a gateway to the 2022 Commonwealth Games with many people visiting Birmingham for the first time. The improvements to the public realm will transform the city core into an attractive and safe environment which will contribute towards a lasting legacy and help facilitate economic growth.

As part of the City Centre Public Realm scheme, the City Council undertook extensive public and stakeholder engagement. Public consultation took place between the 13th January 2020 and the 21st February 2020. In total 598 responses were received via the City Council's consultation platform, BeHeard. Further responses were

received from Transport for West Midlands, cycle groups, disability groups and other key stakeholders.

The results of the consultation will be presented to Cabinet as part of the Full Business Case. The views of individuals and groups representing protected characteristic groups were invited to comment on the impact of the scheme proposals on their protected characteristic. All comments received were considered as part of the consultation analysis. No adverse impacts relating to protected characteristics were received.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Ok to proceed to Accountable Officer
20 10 20

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

No

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

28/10/2020

Reasons for approval or rejection

approved, meets all requirements and offers full explanations

Please print and save a PDF copy for your records

Yes

Julie Bach

Person or Group

Content Type: Item

Version: 79.0

Created at 04/04/2019 03:40 PM by ☐ Peter A Bethell

Last modified at 28/10/2020 09:54 AM by Workflow on behalf of ☐ Craig Richards

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Decision Details

General

Reports

Decision History

This section allows you to view the general details of a Decision

Details

Status: Decision Subject To Call In**Title:**

Birmingham Clean Air Zone (CAZ) Update to Cabinet on Digital and Physical Infrastructure Development, Air Quality Monitoring and Income and Expenditure Forecast

Reference: 008212/2020**Urgent Decision - Not in Forward Plan** No**Details for Agenda Sheet** Report of Acting Director Inclusive Growth**Implementation Date (not before meeting on)** Tue 19 Jan 2021**Purpose**

To update Cabinet on the Clean Air Zone's development as the Council continues to work towards its launch on 1st June 2021

Key Portfolio Transport and Environment**Include item on Forward Plan/ Key Decision** Yes**Decision Maker****Reason For Key Decision** Affects all Wards**Relevant Documents**

- Birmingham Clean Air Zone Submission of Full Business Case and Request to Pro Report 11th December 2018. CMIS Reference 005939/2018

- Tackling Air Quality in Birmingham - Clean Air Zone – Submission of Business Case to Gove
CMIS Reference 005425/2018
- 2019 Air Quality Annual Status Report -
https://www.birmingham.gov.uk/downloads/file/15061/air_quality_annual_status_r

Decision Type: Committee

Decision Maker: Cabinet

Directorate Inclusive Growth

Other Information

Private Reason

Exempt information paragraph 3. Information relating to the financial or business affairs of any particular person (including the Council

Decision Outcome

On 19 January 2021, Cabinet:

(i) Noted that the launch date for the CAZ has been agreed as the 1st June 2021. This is a change from the original date of 1st January 2020 which could not be met initially due to the late delivery of the government's vehicle compliance checker, and was followed by a further delay to the revised launch date set for summer 2020 as a result of the impacts of COVID-19;

(ii) Noted that the Council remains subject to a Ministerial Direction (the Environment Act 1995 (Birmingham City Council) Air Quality Direction 2019) which requires that it implements its plans so that compliance within the legal limit for Nitrogen Dioxide is achieved in the shortest possible time;

(iii) Noted that the Council continues to monitor air quality in the city and recorded improvements in Nitrogen Dioxide (NO₂) levels throughout the course of 2020 and the legal limit for annual average NO₂ levels remains at 40 µgm⁻³ (micrograms per cubic metre). Improvements in 2020 were largely because of significantly reduced traffic levels caused by the national restrictions imposed as a result of COVID-19. Whilst the reduction in NO₂ levels for last year is positive, the improvements are not considered to be permanent and are expected to be reversed when traffic levels increase following the anticipated lifting of COVID-19 restrictions;

(iv) Noted that the majority of infrastructure works to support and enforce the CAZ are complete and testing of the IT enforcement solution and integration with the Clean Air Zone Central Service will commence in early 2021, subject to the necessary data sharing arrangements being in place;

(v) Noted that Cabinet previously approved the Charging Order and Indicative Net Allocation of Net Proceeds report in June 2019 which included estimated revenue forecasts based on the information available at the time. The income and expenditure (I&E) forecast has been updated to reflect the revised CAZ operational dates, assumptions regarding traffic volumes and compliance, and revised costs from JAQ for the use of the Clean Air Zone Central Service. It also includes projects which have been allocated CAZ funding, subject to sufficient net revenue being generated, following approval by Cabinet;

(vi) Noted that the fees to pay for the Council's use of the Clean Air Zone Central Services provided by the Secretary of State for Transport, through JAQU, will be Page 4 of 18 recovered using a Statutory Instrument (SI) and that the basis and value of the fee has changed from the Council's original FBC submission to JAQU, which equate to 5% of the Council's revenue, to a transactional approach which levies a £2 fee per transaction and will incur charges equivalent to approximately 16% of CAZ revenue;

(vii) Noted that the I&E will continue to be updated as assumptions are refined and new data becomes available. This includes data from additional air quality monitoring stations, additional traffic counting equipment, and automatic number plate recognition and compliance information. A further report will be presented to Cabinet following the CAZ launch with an updated forecast which will seek to address the remaining uncertainties and confirm the ongoing reporting process;

(viii) Noted that the Council will be required to enter into agreements with the Secretary of State for Transport for the provision of the Clean Air Zone Central Services. These agreements are currently still being drafted by JAQU on behalf of the Secretary of State and will include a Data Sharing Agreement (DSA) and a Clean Air Zone Central Services Agreement (CAZ Agreement) which will detail the specification and provision of the Clean Air Zone Central Services by the Secretary of State to the Council. These documents are expected to be finalised by JAQU in the New Year and at present are insufficiently mature to present to Cabinet;

(ix) Delegated Authority to the Cabinet Member for Transport and Environment in consultation with the Director, Inclusive Growth, to finalise and enter in to a CAZ Agreement with the Secretary of State for Transport for the provision of the Clean Air Zone Central Services required to operate the CAZ;

(x) Delegated authority to the Cabinet Member for Transport and Environment in consultation with the Director, Inclusive Growth, to finalise and enter in to a Data Sharing Agreement with the Secretary of State for Transport for the purposes of testing, monitoring, operation and enforcement of the CAZ;

(xi) Authorised the City Solicitor (or their delegate) to negotiate, execute, seal, take any necessary action, and complete all necessary documents to give effect to the above recommendations.

THE DEADLINE FOR CALL IN IS 1600 HOURS ON

MONDAY 25 JANUARY 2021

"On Friday 22 January 2021 at 1036 hours, a request for call-in was submitted by Councillors Jon Hunt and Roger Harmer. No action on the decision can be taken until

the request for call-in has been considered by the Sustainability and Transport O&S Committee within 15 days of the decision being posted.

Rating:

**Is the Decision
Maker Aware
of the
Decision:** No

**Is the Head of
Services
Aware of the
Decision:** No

**Is Decision
County Wide:** No

**Would the
recommended
decision be
contrary to the
budget and
policy
framework:** No

**Further
Information:**

**Decision
Options:**

Additional Information

Reg 10

Reg 11

Decision Criteria

This Decision does not contain any decision criteria records.

Wards

Acocks Green; Allens Cross; Alum Rock; Aston; Balsall Heath West; Bartley Green; Billesley; Birchfield; Bordesely & Highgate; Bordesely Green; Bournbrook & Selly Park; Bournville & Cotteridge; Brandwood & Kings Heath; Bromford & Hodge Hill; Castle Vale; Druids Heath & Monyhull; Edgbaston; Erdington; Frankley Great Park; Garretts Green; Glebe Farm & Tile Cross; Gravelly Hill; Hall Green North; Hall Green South; Handsworth; Handsworth Wood; Harborne; Heartlands; Highter's Heath; Holyhead; Kings Norton North; Kings Norton South; Kingstanding; Ladywood; Longbridge & West Heath; Lozells; Moseley; Nechells; Newtown; North Edgbaston; Northfield; Oscott; Perry Barr; Perry Common; Pype Hayes; Quinton; Rubery & Rednall; Shard End; Sheldon; Small Heath; Soho &

Jewellery Quarter; South Yardley; Sparkbrook & Balsall Heath East; Sparkhill; Stirchley; Stockland Green; Sutton Four Oaks; Sutton Mere Green; Sutton Reddicap; Sutton Roughley; Sutton Trinity; Sutton Vesey; Sutton Walmley & Minworth; Sutton Wylde Green; Tyseley & Hay Mills; Ward End; Weoley & Selly Oak; Yardley East; Yardley West & Stechford

Topics

This Decision does not contain any Topic records

Overview and Scrutiny

Sustainability and Transport Overview and Scrutiny Committee

[Back to Decisions](#)



Appendix 2: Request for Call In – Pro-forma

To:

Committee Services, Room 331, Council House.

E-Mail: LESCommitteeServicesAll@birmingham.gov.uk (marked "For the attention of Errol Wilson")

Date: 22 January 2021

Please arrange for a meeting of the

Sustainability and Transport

O&S Committee

to be called to discuss the following executive decision:

Title: Birmingham Clean Air Zone (CAZ) Update to Cabinet on Digital and Physical Infrastructure Development, Air Quality Monitoring and Income and Expenditure Forecast (agenda item 12)

Taken By: Cabinet

On: 19 January 2021

Reason for request:

- | | | |
|--|--|--------------------------|
| (a) Is the Executive decision within existing policy? | 1. the decision appears to be contrary to the Budget or one of the 'policy framework' plans or strategies; | X |
| | 2. the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees; | X |
| | 3. the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive); | <input type="checkbox"/> |
| (b) Is the Executive decision well-founded? | 4. the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision; | X |
| | 5. the Executive appears to have overlooked some relevant consideration in arriving at its decision; | X |
| | 6. the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do; | X |
| | 7. the decision appears to be particularly "novel" and therefore likely to set an important precedent; | X |



(c) Has the Executive decision been properly taken?

8. there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council. ☒
9. the decision appears to give rise to significant legal, financial or propriety issues; ☒
10. the notification of the decision does not appear to have been in accordance with council procedures; ☐

Councillor

Jon Hunt

(Signed)

(Print Name)

Councillor

Roger Harmer

(Signed)

(Print Name)



Appendix 3: Criteria For ‘Call In’

These are the criteria against which the Council expects an O&S Committee to judge any “request for call in”. The Council does NOT expect an Overview and Scrutiny Committee to call in an Executive decision UNLESS one or more of the following circumstances applies –

	(a) Is the Executive decision within existing policy?
1	the decision appears to be contrary to the Budget or one of the ‘policy framework’ plans or strategies;
2	the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;
3	the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);
	(b) Is the Executive Decision well-founded?
4	the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;
5	the Executive appears to have overlooked some relevant consideration in arriving at its decision;
6	the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;
7	the decision appears to be particularly “novel” and therefore likely to set an important precedent;
8	there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.
	(c) Has the Executive decision been properly taken?
9	the decision appears to give rise to significant legal, financial or propriety issues;
10	the notification of the decision does not appear to have been in accordance with council procedures;
	(d) Does the Executive decision particularly affect a District?
11	the decision appears to give rise to significant issues in relation to a particular District.

Birmingham City Council

Report to Cabinet

19th January 2021



Subject: Birmingham Clean Air Zone (CAZ) Update to Cabinet on Digital and Physical Infrastructure Development, Air Quality Monitoring, and Income and Expenditure Forecast.

Report of: Acting Director Inclusive Growth

Relevant Cabinet Member: Councillor Waseem Zaffar, Transport and Environment

Relevant O & S Chair(s): Councillor Liz Clements, Sustainability and Transport

Report author: Stephen Arnold, Head of Clean Air Zone.
Email: Stephen.Arnold@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): add Wards here WITHIN CAZ: Newtown, Soho & Jewellery Quarter, Nechells, Bordesley and Highgate, and Ladywood CAZ BOUNDARY: Lozells, Bordesley Green, Sparkbrook and Balsall Heath East, Balsall Heath West, and Edgbaston		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference: 008212/2020		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 The purpose of this report is to ensure Cabinet remains sighted on the progress of the Clean Air Zone's digital and physical infrastructure development, changes to the income and expenditure forecast, and the air quality monitoring situation

over the course of the last year. It also highlights the agreements that the Council will need to enter into with the Secretary of State for Transport for the delivery of Central Government systems, which are required for the operation and enforcement of the CAZ, and delegations are sought to enable those agreements to be entered into once the documents have been finalised.

- 1.2 At various meetings of the City Council it has been noted that some time has elapsed since Cabinet received sight of the latest CAZ income and expenditure forecast which has been impacted by the delay to launch. More recently the Joint Air Quality Unit (JAQU), which is a joint organisation between the Department for Transport (DFT) and the Department for Environment, Food and Rural Affairs (DEFRA), has also detailed its plans for recovering the costs of Birmingham's use of their CAZ Central Services which warrants visibility of the impacts of their proposals on the CAZ operating expenditure. This report also provides an opportunity for a broader update on the CAZ delivery.
- 1.3 As the Council continues to work towards the CAZ launch on 1st June 2021, further work is ongoing to integrate local CAZ systems with the Clean Air Zone Central Services provided by Central Government for all Local Authorities developing CAZs in England. In addition to digital integration, the Council will be required to enter into a 'CAZ Agreement' with the Secretary of State for Transport which details the provision of the CAZ Central Services to the Council. These services include:
 - i an online vehicle compliance checker (VCC) which determines if a vehicle complies with the CAZ emissions standards and if a charge should be paid,
 - ii an online payment portal through which all payments for use of the CAZ will be made, and
 - iii a central helpdesk for central CAZ queries and digital assisted payments.
- 1.4 In order to prioritise and enable systems integration and testing in the New Year, whilst the main CAZ Agreement continues to be developed, a separate Data Sharing Agreement (DSA) is being drafted by JAQU. The Council's Clean Air Zone team, with significant support from Legal Services, have provided extensive feedback to drafts of both the CAZ Agreement and Data Sharing Agreement to ensure JAQU are aware of the standards and provisions that the Council expects. The delegation sought in this report will allow the signing of those agreements to be authorised in a timely manner once they are finalised.
- 1.5 In December 2020 the Secretary of State for Transport signed into force the Clean Air Zones Central Services (Fees) (England) Regulations 2020. These regulations require that any local authority using the Clean Air Zone Central Services pay a £2 charge which will be applied to all transactions processed by the online payment portal (item 'ii' in paragraph 1.3). A copy of these regulations can be seen in Appendix B. In practice, this charge will apply to all payments made for entry into the Birmingham CAZ and this represents a change in both the basis and the value of the fee from the Council's original FBC submission to

JAQU. The Council previously expected to pay up to 5% of the CAZ revenue for these services, but now forecasts that costs will increase to approximately 16% of CAZ revenue. More detail on the implications of this change is provided in paragraph 7.3.

- 1.6 The Leader and the Cabinet Member for Transport and Environment have attended meetings with the Parliamentary Under Secretaries of State for DEFRA and DFT where the Government's mandate for the implementation of the Birmingham local plan for NO₂ compliance has been consistently affirmed.

2 Recommendations

- 2.1 Notes that the launch date for the CAZ has been agreed as the 1st June 2021. This is a change from the original date of 1st January 2020 which could not be met initially due to the late delivery of the government's vehicle compliance checker, and was followed by a further delay to the revised launch date set for summer 2020 as a result of the impacts of COVID-19.
- 2.2 Notes that the Council remains subject to a Ministerial Direction (the Environment Act 1995 (Birmingham City Council) Air Quality Direction 2019) which requires that it implements its plans so that compliance within the legal limit for Nitrogen Dioxide is achieved in the shortest possible time.
- 2.3 Notes that the Council continues to monitor air quality in the city and recorded improvements in Nitrogen Dioxide (NO₂) levels throughout the course of 2020 and the legal limit for annual average NO₂ levels remains at 40 µgm⁻³ (micrograms per cubic metre). Improvements in 2020 were largely because of significantly reduced traffic levels caused by the national restrictions imposed as a result of COVID-19. Whilst the reduction in NO₂ levels for last year is positive, the improvements are not considered to be permanent and are expected to be reversed when traffic levels increase following the anticipated lifting of COVID-19 restrictions.
- 2.4 Notes that the majority of infrastructure works to support and enforce the CAZ are complete and testing of the IT enforcement solution and integration with the Clean Air Zone Central Service will commence in early 2021, subject to the necessary data sharing arrangements being in place.
- 2.5 Notes that Cabinet previously approved the Charging Order and Indicative Net Allocation of Net Proceeds report in June 2019 which included estimated revenue forecasts based on the information available at the time. The income and expenditure (I&E) forecast has been updated to reflect the revised CAZ operational dates, assumptions regarding traffic volumes and compliance, and revised costs from JAQU for the use of the Clean Air Zone Central Service. It also includes projects which have been allocated CAZ funding, subject to sufficient net revenue being generated, following approval by Cabinet.
- 2.6 Notes that the fees to pay for the Council's use of the Clean Air Zone Central Services provided by the Secretary of State for Transport, through JAQU, will be

recovered using a Statutory Instrument (SI) and that the basis and value of the fee has changed from the Council's original FBC submission to JAQU, which equated to 5% of the Council's revenue, to a transactional approach which levies a £2 fee per transaction and will incur charges equivalent to approximately 16% of CAZ revenue.

- 2.7 Notes that the I&E will continue to be updated as assumptions are refined and new data becomes available. This includes data from additional air quality monitoring stations, additional traffic counting equipment, and automatic number plate recognition and compliance information. A further report will be presented to Cabinet following the CAZ launch with an updated forecast which will seek to address the remaining uncertainties and confirm the ongoing reporting process.
- 2.8 Notes that the Council will be required to enter into agreements with the Secretary of State for Transport for the provision of the Clean Air Zone Central Services. These agreements are currently still being drafted by JAQU on behalf of the Secretary of State and will include a Data Sharing Agreement (DSA) and a Clean Air Zone Central Services Agreement (CAZ Agreement) which will detail the specification and provision of the Clean Air Zone Central Services by the Secretary of State to the Council. These documents are expected to be finalised by JAQU in the New Year and at present are insufficiently mature to present to Cabinet.
- 2.9 Delegates authority to the Cabinet Member for Transport and Environment in consultation with the Director, Inclusive Growth, to finalise and enter in to a CAZ Agreement with the Secretary of State for Transport for the provision of the Clean Air Zone Central Services required to operate the CAZ.
- 2.10 Delegates authority to the Cabinet Member for Transport and Environment in consultation with the Director, Inclusive Growth, to finalise and enter in to a Data Sharing Agreement with the Secretary of State for Transport for the purposes of testing, monitoring, operation and enforcement of the CAZ.
- 2.11 Authorises the City Solicitor (or their delegate) to negotiate, execute, seal, take any necessary action, and complete all necessary documents to give effect to the above recommendations.

3 Background and Update on Air Quality and CAZ Digital and Physical Infrastructure Implementation

- 3.1 The Council has been working to implement the CAZ since approval of the FBC by Cabinet in December 2018 and receipt of funding for the programme from Central Government in March 2019.
- 3.2 Following delays experienced by Central Government in delivering their systems for enforcement, and more recently due to the impacts of COVID-19, the launch date for the CAZ has been moved originally from 1st January 2020, to summer 2020, and has now be agreed as 1st June 2021.

- 3.3 This report provides an update on progress towards implementing the CAZ, a summary of the air quality monitoring that has taken place this year given that air quality improvements are the key justification for the CAZ, and the latest income and expenditure forecast.

Air Quality

- 3.4 The Council undertakes continuous monitoring of air quality throughout the city and reports annually as part of its obligations under the Environment Act 1995 for Local Air Quality Management. In addition, specific studies have been commissioned in relation to the CAZ programme.
- 3.5 The Council has identified on successive occasions that excessive levels of Nitrogen Dioxide (NO₂) is the main air quality issue in the city, particularly within the city centre, with road traffic emissions being a substantial contributor. NO₂ exposure can exacerbate respiratory problems and the Council has previously committed to an area-based strategy which includes the CAZ and is detailed in the Council's Air Quality Action Plan. NO₂ levels are measured in µgm⁻³ (micrograms per cubic metre of air) and the legal limit for a calendar year is an average not exceeding 40 µgm⁻³.
- 3.6 The results included in the Council's 2019 Air Quality Annual Status Report (ASR), which considered data captured in 2018, showed annual average NO₂ level exceedances in a number of areas with the highest reading measuring 55 µgm⁻³, 37% higher than the legal limit. Across all the 96 sites with measuring apparatus that collected sufficient data, 34 showed exceedances above the legal limit. The following year, in the Council's 2020 ASR which detailed results from 2019, the highest reading was 51 µgm⁻³ and 26 of the Council's monitoring stations recorded exceedances above the legal limit.
- 3.7 Traffic volumes fluctuated significantly over the course of 2020 in response to the national COVID-19 restrictions. Weekly traffic levels dropped to around 30% of those recorded in January (pre-COVID-19), with minimum levels recorded in March and April. Subsequently traffic levels rose to around 90% of those recorded pre-COVID-19 until early November 2020 when they decreased significantly again due to the further restrictions.
- 3.8 Annualised data from 2020, collected between January and September, showed that the number of monitoring sites that recorded exceedances had reduced to just 5. There have been COVID-19 related challenges that have prevented all of the monitoring sites having their results processed which has impacted the number of sites with complete data sets, however not only have fewer sites recorded exceedances but those exceedances have also reduced.
- 3.9 The results of monitoring throughout 2020 appear positive with a marked reduction in NO₂ levels compared to the previous years. It is not possible to conclude that it is exclusively as a result of lower traffic levels, largely due to anomalous weather experienced earlier in the year which can impact the

monitoring equipment, but with the reduction correlates strongly with reduced traffic volumes. This was expected given the strong causal links between roadside traffic emissions and NO₂ concentrations. Air quality improvements noted during 2020, however, cannot be considered to be permanent as traffic levels are expected to increase following the anticipated lifting of COVID-19 restrictions, and therefore the improvements recorded are expected to be at least partially reversed.

- 3.10 The objective of the CAZ is to accelerate changes in traffic fleet composition to increase the proportion of less polluting vehicles in order to achieve compliance with the legal air quality limits. The Council's air quality monitoring team urge caution when interpreting short term data trends because of the large number of factors that can affect results and prefer to look at longer term trends (over periods of 5 years). These strongly indicate that there remains an intervention required in order to achieve compliance with the legal NO₂ limits in the shortest possible time, and provide a longer term solution to the air quality issues within the city.

CAZ Infrastructure

- 3.11 The infrastructure to support and enforce the CAZ continues to progress, with the vast majority of works to the physical infrastructure complete and the back office IT enforcement solution advancing in conjunction with the Central Service development. The Council does anticipate further change requests from JAQU and the impact of any changes will be considered once the necessary detail has been provided. A further Executive report will be provided should significant issues arise.
- 3.12 The Council has completed the installation of 61 Automatic Number Plate Recognition (ANPR) cameras in 40 locations around the CAZ perimeter, and a further 6 within the CAZ. These interface with a bespoke back office system which records vehicle entrants and will communicate with the Clean Air Zone Central Services to determine each vehicle's compliance and also whether a payment has been made to enter the CAZ as will be required for drivers of non-compliant vehicles. Also now installed are all boundary signs notifying motorists of the CAZ, with radial advance warning signs expected to be fully installed early in 2021 alongside gantry signs on the A38.
- 3.13 Beginning in January 2021, systems integration and testing will take place in accordance with an agreed test plan which has been co-created between the Council, its contractor, and JAQU. This timescale for this testing assumes no further significant changes being required by JAQU.
- 3.14 There are several key dependencies upon JAQU which present risks to the project's timely delivery and include; the provision of sample data for testing purposes, a Data Sharing Agreement (DSA) which covers both testing and normal operations, and a CAZ Agreement which specifies the Clean Air Zone

Central Services, their performance levels and service standards. The Council continues to assist JAQU with the development of these agreements.

- 3.15 The Council continues to manage applications for time-limited exemptions from CAZ charging which will begin from the CAZ launch in June 2021. These include CAZ residents and eligible workers and local businesses under certain circumstances. It is also compiling longer term exemptions from charging for emergency service vehicles and other specialist vehicles.
- 3.16 The CAZ business case included some Additional Measures which complement the CAZ. Of these works, the Great Lister Street junction with Dartmouth Middleway and the two Controlled Parking Zones (CPZs) associated with this programme are scheduled for completion by July 2021 pending consultation. Traffic signal changes at Dartmouth Circus will take place after the launch of the CAZ to account for actual traffic flow changes once the CAZ is operational. Furthermore, work on the junction between Suffolk Street Queensway and Paradise Circus is scheduled for the last quarter of 2021 to link in with phased works for the Metro currently underway in that area. These works have developed since the original Additional Measures proposal and continue to be progressed with key stakeholders.
- 3.17 As part of the Early Measures programme, works to install 10 Variable Message Signs (VMS) are complete and the signs are operational. Transport for West Midlands have completed works for 10 new bus shelters around the city as well as refurbishment of several others. These include Real Time Information (RTI) screens for users of the bus network. Further work is underway to install Bus Priority Measures (BPM), an updated Network Signing Strategy (NSS), and Traffic Signal Upgrades (TSU) which are also expected to be complete by March 2021.

Income and Expenditure

- 3.18 The CAZ income and expenditure has been under continuous review as the project has developed and will remain under review following the implementation of the CAZ. A breakdown of the elements of the income and expenditure forecast, alongside changes from the original FBC projections and the reasons for change, are included in section 7.3 Financial Implications.

Agreements with the Secretary of State for Transport

- 3.19 The Council has been working with JAQU to develop their CAZ Agreement and DSA. Further detail is provided in section 7.4 Legal Implications.

4 Options Considered and Recommended Proposal

- 4.1 Not Applicable.

5 Consultation

- 5.1 A statutory public consultation for the CAZ was undertaken by the Council between July and August 2018. This was reported to Cabinet in September 2018.

6 Risk Management

- 6.1 Overall programme risks are managed through the internal performance monitoring boards associated with the programme. This includes the management of risks related to capital works, exemptions and the supporting IT systems.
- 6.2 CAZ income and expenditure continue to be based on forecasts until sufficient up to date data on vehicle compliance and CAZ journey information is available. The I&E will be kept under review and updated when this information is available. The Council has made prudent adjustments to the modelled net income in order to allow for variations between the modelled outcomes and what the actual outcomes may be. More information is provided in 7.3.7 below.
- 6.3 The effects of COVID-19 related lockdowns present a challenge for accurately modelling traffic levels though the Council continues to assume that there will be an increase following the anticipated lifting of COVID-19 restrictions in the future.
- 6.4 There remain a number of dependencies on JAQU for the delivery and performance of the Clean Air Zone Central Services. This includes the production of the necessary legal agreements to enable the use of those services and further detail is provided in 7.2.4 and 7.2.5 below. Delegations are sought in paragraphs 2.9 and 2.10 to allow the Council to enter into these agreements in a timely manner.
- 6.5 There are further dependencies on JAQU which require their developers taking a consistent approach to the delivery of the Central Services, into which the Council's systems will interface. Any additional development work required resulting from adjustments to that system will introduce risk to the Council's delivery schedule and additional costs. Further governance may be required should significant changes arise, and this will be taken forward in accordance with the Council's gateway and financial approval framework.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The recommendations in this report are consistent with the Council Plan 2018-2022 (2019 Update).

Birmingham is an entrepreneurial city to learn, work and invest in

- The Clean Air Zone and associated grant funds encourage investment in compliant methods of transportation.

7.1.2 Birmingham is a fulfilling city to age well in –

- Improving air quality will have a direct impact on the health and wellbeing of citizens and visitors to the city centre. People are encouraged and financially incentivised to use public transport or upgrade their vehicles rather than commuting in non-compliant vehicles.

7.1.3 Birmingham is a great, clean and green city to live in –

- The CAZ will directly improve air quality in the city centre. This is a further step on the way to a clean and sustainable city.

7.1.4 Birmingham is a city that takes a leading role in tackling climate change

- The scheme supports the Additional Climate Change Commitments agreed by Cabinet on 30th July 2019 following the motion on Climate Emergency passed by full City Council on the 11th June 2019, including the aspiration for the City Council to be net zero-carbon by 2030.

7.2 Legal Implications

- 7.2.1 The Secretary of State for the Department of Environment, Food and Rural Affairs issued a Ministerial Direction in March 2019 which required that the Council implement its plans so that compliance within the legal limit value for Nitrogen Dioxide is achieved in the shortest possible time, and by 2021 at the latest. The Council remains subject to this Direction.
- 7.2.2 The Clean Air Zone will be introduced pursuant to the Transport Act 2000. A Charging Order has been produced which is expected to be made in January 2021 or as soon as possible thereafter. It is this order which will provide the legal basis for charging non-compliant vehicle users of the CAZ from 1st June 2021.
- 7.2.3 A Statutory Instrument (the Clean Air Zones Central Services (Fees) (England) Regulations 2020) has been developed by the Joint Air Quality Unit and signed into force by the Secretary of State for Transport in December 2020. The SI details the recovery of the fee for the use of the Clean Air Zone Central Services and can be seen in Appendix B. The Clean Air Zone Central Services will provide a means of determining vehicle compliance through a vehicle checker, an online payment portal for all UK CAZ charges including for the Birmingham CAZ, and a centralised helpdesk for assisted digital payments. As a result, the Council, alongside all other Local Authorities implementing a CAZ, will be mandated to pay the fees (currently £2 per transaction) associated with use of the service.
- 7.2.4 The Council will need to enter into a Data Sharing Agreement (DSA) with the Secretary of State for Transport (through JAQU) with provisions for the personal data that will be shared to enable the CAZ enforcement and

monitoring. The DSA is currently being developed by JAQU and the final details of this agreement have yet to be provided, though the Council has provided detailed feedback to earlier drafts on a number of occasions.

- 7.2.5 The Council will also be required to enter into a Clean Air Zone Agreement with the Secretary of State for Transport for the provision of the Clean Air Zone Central Services. This agreement details the services that will be provided by the Secretary of State, including an online vehicle checker, an online payment portal through which CAZ charges can be paid, and a central CAZ helpdesk for queries and digital assisted payments. The final details of this agreement have yet to be provided by JAQU though the Council has provided detailed feedback to earlier drafts on a number of occasions.
- 7.2.6 The CAZ Agreement will be entered into pursuant to Regulation 12(7) of the Public Contract Regulations 2015 and as such does not require a procurement exercise. The CAZ Agreement for the provision of the CAZ Central Service seeks to establish co-operation between the Secretary of State for Transport and the Council with the aim of ensuring the achievement of the common objective of air quality compliance. The service will be provided on a cost-recovery basis.
- 7.2.7 The requirement of air quality compliance was imposed upon the UK by the EU Ambient Air Quality Directive(b) and upon the Council by the Environment Act 1995 (Birmingham City Council) Air Quality Direction 2019.

7.3 Financial Implications

- 7.3.1 The core objective of the Clean Air Zone is to accelerate the achievement of compliance within the legal limits for NO₂ in the shortest possible time; whilst revenue will be generated in the process it has not fundamentally been designed with revenue generation in mind.
- 7.3.2 The Clean Air Zone net revenue income/expenditure was the subject of the Clean Air Zone: Charging Order and Indicative Allocation of Net Proceeds report to Cabinet of 25th June 2019. Specifically, the report noted that net proceeds must be used to fund local transport initiatives and be allocated in accordance with Part 3 of the Transport Act 2000.
- 7.3.3 Schedule 12 paragraph 8 of that Act requires that net proceeds of a charging scheme shall be applied by a local authority “for the purpose of directly or indirectly facilitating the achievement of local transport policies of the authority”.
- 7.3.4 In developing the original CAZ business case, the Council commissioned the development of a model to forecast CAZ income and expenditure (I&E). This model was based on assumptions around traffic volumes and composition forecasts, as they were known at the time, and anticipated compliance rates across various vehicle categories. These assumptions

result in a degree of uncertainty in relation to the forecast income and expenditure. Whilst some of this uncertainty has been resolved/reduced as a result of the recent update, some significant areas of uncertainty remain such as the continued effect of COVID-19 on traffic levels. The assumptions will continue to be refined as the CAZ programme develops. Once implemented the I&E forecast will continue to be updated regularly and the frequency of these updates will be defined in a subsequent report to Cabinet following the launch.

7.3.5 At the time the Indicative Allocation of Net Proceeds report was written, the forecasted income for the CAZ was anticipated to generate £82.174m of net proceeds between the 2020/21 and 2030/31 financial years which was a slight reduction from the £85.708m in the CAZ FBC which is the figure used for comparison in this report. The report also provisionally allocated £75.700m to the following projects:-

- Controlled Parking Zones to mitigate localised impacts of the CAZ;
- Gap funding for the Hydrogen Bus Pilot;
- City centre pedestrianisation and public realm improvements;
- Enhanced programme of bus priority, walking and cycling schemes;
- Creation of a Clean Air City Fund, with a proposed annual allocation of £20,000 to each ward (£40,000 for two member wards) for use against a defined catalogue of measures to aid sustainable transport and improve air quality;
- New transformational transport plans for the period up to 2050; and
- Match funding contributions towards new or upgraded public transport projects.

7.3.6 Numerous changes have occurred that impact the overall income and expenditure forecast which stem from four key areas. These are:-

- delays to implementation,
- a firming up of assumptions,
- increased costs of using the CAZ Central Services, and
- a reduced operating period as the CAZ Central Services are due to terminate in 2027.

The revised I&E is shown in Tables 1 and 2 below.

7.3.7 It should be noted that the majority of the revised I&E figures are still based on forecasts. In order to account for the continued level of uncertainty, particularly around vehicle compliance rates which cannot be accurately forecasted, and to reflect a prudent approach to estimating net revenues, an adjustment factor has been included which reduces net income to 65%

of the forecast level. This adjustment factor is consistent with the approach taken in the original FBC.

Table 1 - CAZ PROJECTED OPERATIONAL I&E

	21/22 £000	22/23 £000	23/24 £000	24/25 £000	25/26 £000	26/27 £000	Total £000	FBC Total (2020-2030)	Variance from FBC
CAZ Gross Income	(27,167)	(23,052)	(18,697)	(14,343)	(10,572)	(8,552)	(102,383)	(175,322)	72,939
Sinking Fund (General)	165	167	167	167	167	167	1,000	6,066	(5,066)
Central Service Costs	4,277	3,848	3,139	2,430	1,812	1,466	16,972	7,855	9,117
Operating Costs (including Admin)	4,706	4,001	3,525	3,243	2,990	2,654	21,119	29,543	(8,424)
Net Revenue	(18,019)	(15,036)	(11,866)	(8,503)	(5,603)	(4,265)	(63,292)	(131,858)	68,566
Adjustment (Percentage)	65%	65%	65%	65%	65%	65%	65%	65%	65%
Net Revenue	(11,712)	(9,773)	(7,713)	(5,527)	(3,642)	(2,772)	(41,140)	(85,708)	44,568

- 7.3.8 Table 1 includes a revised net revenue forecast, after applying the adjustment factor, which shows a reduction from £85.708m as forecast in the original FBC to £41.140m as currently forecast. This is primarily because of the reduced operating window (originally 2020 to 2030, now 2021 to 2027) and increased costs for the CAZ Central Services. Further details are provided in 7.3.9 to 7.3.13 below.
- 7.3.9 The reduction in income of £72.939m is as a result of delays to implementation and also the reduction in the overall operational lifespan of the CAZ. Initially expected to operate until 2030, the Clean Air Zone Central Services will now terminate in 2027 which means the CAZ will currently be unable to operate past the date of termination.
- 7.3.10 The Council's operating costs forecast in the original FBC totalled £43.464m and are now forecast to be £39.091m, which is an overall reduction of £4.373m primarily due to the reduced operating lifespan of the CAZ.
- 7.3.11 The sinking fund contributions have been revised in line with updated expectations from a revenue percentage contribution of £6.066m to a limited fund of £1.000m for decommissioning which sees a reduction in forecast expenditure of £5.066m; actual costs will depend on whether complete decommissioning will take place or the apparatus is repurposed for other means.
- 7.3.12 Central Service costs have increased by £9.117m to £16.972m as a result of a change in the basis and value of the fee from the Council's original FBC submission to JAQU, which equated to 5% of the Council's revenue, to a transactional approach which levies a £2 fee per transaction that will incur charges equivalent to approximately 16% of revenue. This is based on the original traffic modelling and expected number of non-compliant vehicle journeys. The fees to pay for the Council's use of the Clean Air Zone Central Services provided by the Secretary of State for Transport, through JAQU, will be recovered using a Statutory Instrument which can be seen in Appendix B. The exact costs of the service will be proportional to non-compliant vehicle use of the CAZ and will therefore increase or decrease in line with use of the service.
- 7.3.13 Overall, the CAZ operating costs have decreased by £8.424m which is again linked in the main to the overall reduction in the operational lifespan of the CAZ.

Table 2 - CAZ COMMITTED EXPENDITURE

	21/22 £000	22/23 £000	23/24 £000	24/25 £000	25/26 £000	26/27 £000	Total £000
Net Revenue (Incl. Adjustment)	(11,712)	(9,773)	(7,713)	(5,527)	(3,642)	(2,772)	(41,140)
<i>Projects with Funding Approved by Cabinet</i>							
Hydrogen Bus	3,355	0	0	0	0	0	3,355
Taxi Running Grant	200	200	200	200	200	200	1,200
City Centre Pedestrianisation	5,835	2,560	3,460	3,623	0	0	15,478
Sub-Total	9,390	2, 760	3,660	3,823	200	200	20,033
<i>Projects with Provisional Allocation to meet Air Quality Objectives</i>							
Contingency for Additional Mitigations	0	3,873	2,068	1,559	0	0	7,500
Sub-Total	0	3,873	2,068	1,559	0	0	7,500
Projected Net Proceeds	(2,322)	(3,140)	(1,985)	(145)	(3,442)	(2,572)	(13,607)
<i>West Midlands Combined Authority Transport Schemes Capped Contributions Subject to Funding Availability/Prioritisation</i>							
University Station Redevelopment							3,400
Camp Hill Line Stations Scheme							5,218
Cross City Bus Scheme							4,225

- 7.3.14 Included in Table 2 above, are projects which have CAZ funding allocated to them via an approved Cabinet report. These are shown in the top section of the table and cover the Hydrogen Bus Project, an additional CAZ mitigation measure in the form of Private Hire Vehicle Running Grant, and the City Centre Public Realm (CCPR) project. The CCPR project and associated CAZ funding requirements continues to be developed and will be subject to separate reporting and approvals in line with the Council's Gateway and Financial Approvals Framework. Further projects which require funding will need to meet the requirements of paragraphs 7.3.2 and 7.3.3 and be in line with the Council priorities.
- 7.3.15 To be prudent and to enable compliance within the required timescales, the Council has set aside £7.500m should further financial incentive measures, which target specific areas of non-compliance, be required (see Table 2).
- 7.3.16 Table 2 also contains projects included in the Clean Air Zone Contributions to West Midlands Combined Authority Transport Schemes report approved by Cabinet on 17th March 2020. This approved capped revenue funding contributions of £3.400m towards delivery of the University Station redevelopment scheme, £5.218m towards delivery of the Camp Hill Line Stations scheme and £4.225m towards delivery of the Cross-City Bus scheme. Whilst it is still the Council's intention to fund these projects it should be noted that the funding contributions will only be available where sufficient CAZ net proceeds have been accumulated, after resourcing CAZ operational requirements and prioritised schemes, with due regard to other funding commitments made by Cabinet. Where funding is available it should be noted that this may not be to the full value or in line with the original expenditure profile included in the approved Cabinet reports.
- 7.3.17 Should any additional net revenue become available over the lifetime of the CAZ there will be an initial process of prioritisation by the Cabinet Member, Transport and Environment and the Assistant Director, Transport and Connectivity to ensure funding is utilised in line with regulations and is aligned with the relevant Council priorities. This will take place in advance of the formal approvals being sought through the Council's Gateway and Financial Approvals Framework.

7.4 Procurement Implications (if required)

7.4.1 None.

7.5 Human Resources Implications (if required)

7.5.1 None.

7.6 Public Sector Equality Duty

7.6.1 Under Section 149 of the Equality Act 2010 the Council has a statutory duty to have due regard to the need to eliminate discrimination and advance equality of opportunity by ensuring that no dis-benefits are introduced to any persons who share a protected characteristic. The CAZ programme will have an impact on a variety of aspects including the health and well-being and financial capacity of those working, living and visiting the city. The scheme will have an impact upon air quality, congestion, ease of travel, within the city and also the capacity of the city's roads which will see an increased volume of traffic in some areas. As such, an Integrated Impact Assessment (IIA) has been undertaken during the feasibility phase which consists of an Equality Impact Assessment (EIA) and a Health Impact Assessment (HIA). As described below:

- Equality Impact Assessment: the purpose of this piece of work is to assess the impacts to the various socio-economic groups which inhabit the city. The assessment shows that the largest impact will be to lower income families and those with disabilities. As part of the CAZ programme a number of mitigation measures have been developed which will aim to reduce the impact on the people who fall into these groups.
- Health Impact Assessment: the purpose of this piece of work assesses the implications of introducing the various schemes on the health and well-being of those people who live, work and visit the city, highlighting the particular impacts on identified vulnerable groups such as, children and disabled people. The output of this assessment showed that the overall health impact would be positive, with areas of high income deprivation benefitting most. This is partly due to the improvement in vehicle emissions and the indirect benefits of the modal shift towards active travel.

7.6.2 Equality Assessment (EQUA210) is provided as Appendix A. This document is being kept under review.

8 Appendices




8.1 Appendix A - Equality Analysis

8.2 Appendix B - The Clean Air Zones Central Services (Fees) (England) Regulations 2020

9 Background Documents

- Birmingham Clean Air Zone Submission of Full Business Case and Request to Proceed with Implementation, Cabinet Report 11th December 2018. CMIS Reference 005939/2018
- Tackling Air Quality in Birmingham - Clean Air Zone – Submission of Business Case to Government, Cabinet Report 10th Sept 2018. CMIS Reference 005425/2018

- Clean Air Zone Charging Order and Indicative Allocation of Net Proceeds Report, Cabinet Report 25th June 2019. CMIS Reference 006457/2019.
- Birmingham City Council 2019 Air Quality Annual Status Report - https://www.birmingham.gov.uk/downloads/file/15061/air_quality_annual_status_report_2019_containing_data_for_2018
- Birmingham City Council 2020 Air Quality Annual Status Report (link not yet available).

Title of proposed EIA	Birmingham Clean Air Zone submission of FBC and request proceed with implementation
Reference No	EQUA210
EA is in support of	New Function
Review Frequency	Annually
Date of first review	01/12/2021
Directorate	Inclusive Growth
Division	Transport and Connectivity
Service Area	Clean Air Zone Team
Responsible Officer(s)	 Naomi R Coleman
Quality Control Officer(s)	 Janet L Hinks
Accountable Officer(s)	 Stephen Arnold
Purpose of proposal	To proceed with implementation of Birmingham Clean Air Zone, aligned to the Full Business Case
Data sources	Survey(s); Consultation Results; Interviews; relevant reports/strategies; Statistical Database (please specify); relevant research; Other (please specify)
Please include any other sources of data	Distributional Impact Appraisal (DIA), Health Impact Assessment (HIA)

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

Protected characteristic: Age	Service Users / Stakeholders; Employees; Wider Community
Age details:	<p>Children, young people and the elderly can be more vulnerable to air pollution and would be more likely adversely affected by any reduction in the availability of community transport servicing schools and community centres within the CAZ. Self evidently such groups are more reliant on public transport than the general population. They could also be adversely affected by the increased cost of community transport particularly if this prevented them accessing schools and community centres within the CAZ, if it prevented families of patients at Birmingham Children's Hospital from visiting them during their stay.</p> <p>A high proportion of elderly people have limited mobility and therefore could be adversely affected by implementation of the CAZ if it were to result in the reduction in availability of community transport and taxis, and also the potential increase in cost of community transport and private vehicle travel.</p> <p>A Defra commissioned study in 2006 showed that there is a tendency for higher relative mean annual concentrations of NO₂ and PM10 in the most deprived areas of the country. In areas which exceed emissions standards, the correlation is stronger. The most vulnerable human receptors include young people and the elderly. A report published by the Royal College of Physicians finds that children living in high pollution areas are four times more likely to have reduced lung function when they become adults (Royal College of Physicians, 2016.).</p>

The entire CAZ has a very low proportion of people over the age of 65 by LSOA relative to distribution across England and Wales and there is no variation in the proportion of people over the age of 65 within the CAZ. The areas with greater proportions of elderly people are in the Sutton Coldfield area in the northern part of Birmingham and the Northfield/Selly Oak areas to the south. This suggests that the elderly population is unlikely to be disproportionately affected by changes incurred within the CAZ.

Where transport is not provided by the school or local authority, then there could be a differential adverse impact on children attending special educational needs schools if the introduction of the CAZ discourages or prevents families from accessing these schools. However, based on School Travel Plan monitoring within the CAZ area the level of trips to school by non-car modes is generally quite high.

There are also several community centres within the CAZ that have been identified as providing services used principally by children and which may require transport to and from the premises. These include St Martin's Youth Centre and community centres associated with schools in the CAZ area such as Al-Rasool School and St George's Academy.

Community transport vehicles are typically older and liable to incur the CAZ charge. As community centres are typically funded either partially or fully by charitable donations, they are unlikely to have sufficient cash reserves to upgrade to a compliant vehicle. Therefore, they may have to either increase the cost or reduce the availability of their travel services as a result of the CAZ charge. This would have a differential adverse impact on children using these services.

BCC Procurement contracts for SEN and Community transport specify the requirement for CAZ compliant vehicles no sooner than July 2020.

However, where Community and School transport is registered as section 19 or section 22 for operation in Birmingham and not registered as a Hackney Carriage or Private Hire Vehicle they will be exempt from the CAZ charges for 1 year.

Birmingham Licensed taxis that undertake BCC SEN and Community transport services or any other BCC transport contracts are excluded from exemption, as they are already required to be CAZ compliant from January 2020 in order to meet the Birmingham Licensing Authority policy criteria. Likewise, any other external Local Authority licensed taxi vehicle used to service a contract procured by BCC to deliver SEN and Community Transport (whether section 19 or otherwise) would need to meet CAZ compliance standards of Euro 6 diesel or Euro 4 petrol as a minimum.

All facilities of importance within the air quality modelling area for the preferred CAZ option would experience a decrease in NO₂ concentrations to some degree. The degree of increase or decrease in NO₂ concentrations has been modelled to show impacts following implementation of the preferred CAZ option relative to locations of facilities of importance to children as described above. The greatest

Protected characteristic: Disability

Disability details:

decreases in average NO₂ concentrations are generally seen within the CAZ areas itself and surrounding major arterial roads as they extend out of the CAZ, which is also where average NO₂ concentrations are highest under the Do Minimum scenario.

By introducing exemptions, the residual effect is anticipated to be neutral as affected vehicles would be exempted.

Service Users / Stakeholders; Employees; Wider Community

The presence of a higher disability ratio may indicate a high proportion of people sensitive to air quality due to some long term illnesses (especially respiratory). The disabled are also more likely to have concerns over personal security, i.e. more reluctant to travel via taxi or public transport and will therefore be more heavily reliant on private transport.

The CAZ includes areas where there are a high proportion of disabled residents based on the comparative illness and disability ratio component of the Index of Multiple Deprivation. The central north section as well as the southern west part of the CAZ includes the highest proportion of disabled residents in the CAZ. There is only a small section within the centre with a low proportion of disabled residents.

The 2011 Census reported that 9% of the population of Birmingham (98,181 people) reported a long term health problem or disability that was significantly limiting their day-to-day activities. A similar percentage of the population reported their day-to-day activities were slightly limited by health problem or disability. The official labour market statistics state that the total number of people claiming disability living allowance in Birmingham is 43,920 (approximately 4% of the population).

The population of the young, the old and disabled exhibit a higher proportion of persons who are more sensitive to poor AQ. AQ are known to be more sensitive to poor air quality and the implementation of the Clean Air Zone will have positive impacts for those in the CAZ area and the wider city.

There are a number of exemptions and mitigations which will be available to support disabled people who live or need to travel into the Clean Air Zone and who would be adversely affected by the charges. These will be specifically targeted towards CAZ residents, low income groups and those visiting specified medical facilities.

Vans and mini buses registered as providing essential community and school transport services and those classified as section 19 or section 22 operators in Birmingham will also be exempt for 1 year from the date of CAZ implementation.

The reliance on Wheelchair Accessible Hackney Carriages is also noted and proposals to support the uptake of compliant models of these vehicles is also proposed to ensure the continued availability of this service.

Vehicles within the disabled passenger vehicle tax class will be exempt from paying a charge in a Clean Air Zone. As noted, vehicles registered as providing essential community

Protected characteristic: Sex

Gender details:

and school transport classified as section 19/22 operators in Birmingham will also be exempt for 1 year from the date of CAZ implementation.

Service Users / Stakeholders; Employees; Wider Community

There is a very low proportion of female residents throughout the majority of the CAZ. There is a higher proportion of female residents in a small section in the southern part of the CAZ (Digbeth area) and one area, north east of the centre which includes a high proportion of female residents. This is in the vicinity of the Birmingham Children's Hospital and the high proportion of female residents is assumed to be due to the presence of key worker accommodation on the hospital site. Much of the remaining CAZ area has a low proportion of female residents by LSOA relative to distribution across England and Wales.

Notwithstanding the above, the DIA has identified that there could be a disproportionate and differential impact on women, who as a group are more frequent users of taxis and have a more negative perception or experience of alternative modes of public transport and active travel modes (walking and cycling).

Specific mitigation measures are not being proposed on the basis of gender. However a number of the mitigation measures being proposed will serve an indirect benefit to women; the mitigation for taxis, PHV etc would help mitigate potential impacts on women by maintaining availability of taxis and PHV. Also, exemptions for CAZ workers likely to benefit women, who are disproportionately represented in these roles (nursing, care workers etc).

Protected characteristics: Gender Reassignment

Gender reassignment details:

Service Users / Stakeholders; Employees; Wider Community

The DIA notes that "There are potential differential impacts on security [in relation to people with gender reassignment as a consequence of some public attitudes which may affect transport preferences. However, the scale of this issue is not known and based on anecdotal evidence."

It was difficult to find sufficient evidence or studies to provide robust research on this. However it is considered that people with this protected characteristic are more likely to experience, or be concerned about, antisocial behaviour or hostility towards them which may influence whether they are comfortable using public transport or would be more likely to use taxis or own vehicles.

By assumption, therefore, any reduction in PHV and taxis may adversely affect people with this protected characteristic, so the mitigation measures to support the PHV and taxis are beneficial to gender reassignment by helping to ensure that people do not leave the taxi and PHV businesses, therefore ensuring the continued availability of this form of transport for people who do not feel safe using public transport.

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Not Applicable

Protected characteristics: Pregnancy and Maternity

Pregnancy and maternity details:

It is not considered that the introduction of a CAZ will negatively impact individuals who are married or in a civil partnership.

Service Users / Stakeholders; Employees; Wider Community

There are health inequalities associated with pregnancy and air quality. The DIA notes that there is emerging evidence on the links between high levels of emissions and effects on the unborn child. Evidence shows that air pollution can affect the growth of the unborn baby and may be linked to premature birth or even still birth. It is estimated that traffic-related air pollution exposure (particularly exposure to PM) of pregnant women accounts for more than one-fifth of all cases of low birth weight at term. Low birth weight is associated with low lung function, COPD, cardiovascular disease and early death in adulthood. Air pollution can also harm placental development, which affects the development of the unborn child and has been associated with several chronic diseases including heart disease, obesity and type 2 diabetes. Poor foetal growth is linked to abnormal development of the kidneys, and to hypertension and kidney disease in later life.

It is thought that the introduction of a Clean Air Zone will have a positive impact to pregnant women and those on maternity leave with small children.

A specific mitigation measure is not proposed for this group; however, it is noted that there are potential impacts related to accessibility to key facilities e.g. the Children's Hospital and a specific mitigation measures to support visitors and patients are proposed.

Protected characteristics: Race

Race details:

Service Users / Stakeholders; Employees; Wider Community

Compared to England and Wales, much of Birmingham has a high proportion of its population that identifies as Black, Asian and Minority Ethnic (BAME). There is a generally high concentration of Birmingham's BAME population to be found in the central part of Birmingham, with the highest concentrations to the east (Hockley, Winson Green and Handsworth areas) and west of the CAZ (Sparkbrook, Small Heath and Bordesley Green areas). The areas with the lowest proportion of BAME population are the Sutton Coldfield area in the northern part of Birmingham and the Northfield/Selly Oak areas to the south, but these still comprise populations in the top 40% proportion of BAME population compared to England and Wales as a whole.

There are however high proportions of LSOAs within the CAZ with high levels of income deprivation and BAME communities. Key issues are therefore likely to relate to travel within the CAZ and the proportion of residents within the CAZ that have non-compliant vehicles who would not be able to avoid the zone.

The DIA notes that the impact on the taxi trade could have consequential impacts for BAME and low income communities, since a very high proportion of taxi drivers are from communities with a high proportion of non-white residents and income deprived residents. Since taxis in

Birmingham are all wheelchair accessible, whereas currently none of the private hire taxis are, a reduction in this type of vehicle will have an adverse impact on disabled people who may depend on them for access.

As such, a number of mitigation measures being proposed are targeted at providing support for drivers of both Hackney Carriages and Private Hire Vehicles as detailed in the initial Equality Impact Assessment below.

There would be an overall beneficial health impact within the study area under the preferred CAZ option and all other options, however, the magnitude of benefit would be greatest under the preferred CAZ option. When income distribution is considered relative to England and Wales, residents of those LSOAs which fall within quintile one for income deprivation would experience a disproportionately greater amount of the benefits associated with reductions in atmospheric concentrations of all three pollutant types (NO₂, PM₁₀ and PM_{2.5}) than those within less deprived quintiles.

Protected characteristics: Religion or Beliefs

Religion or beliefs details:

Service Users / Stakeholders; Employees; Wider Community

According to the 2011 census, Christianity was the highest represented religion in Birmingham with 46% of residents saying they were Christian. Whilst 22% of the population were Muslim and 19% had no religious beliefs.

The majority of people classifying themselves in one of the White or Black ethnic groups said that they were Christian, whereas the Muslim community was predominantly made up from the Asian population. In general, the Muslim population are concentrated closer to the city centre area with the Christian group generally further out towards the council boundary.

Within the proposed CAZ area there are 30 registered places of worship, including Roman Catholic, Presbyterian, Church of England, Greek Orthodox Churches, Synagogues, Mosques and Sikh Temples. Most are of a size that suggests their catchment is highly localised. However, Birmingham Central Mosque is an exception with a capacity of 20,000 and regularly attracts more than 4,000 worshippers for Friday services, suggesting that it attracts a significant number of visits from outside the CAZ area on a regular basis. Other places of worship with a significantly larger than average capacity (greater than 500 spaces) within the CAZ area include the Anglican, Greek Orthodox and Catholic Cathedrals, Camp Hill Seventh Day Church, Ladywood Seventh Day Adventist Church and Birmingham City Church.

The DIA includes an analysis of the distribution of different faith populations across Birmingham. This did not indicate any pronounced issues regarding the distribution of populations and the CAZ. Therefore the analysis looked more closely at the location of large places of worship that would require people to travel across the CAZ boundary.

Mitigation measures are not being proposed specifically for faith groups as there is no direct correlation between religion and ability to comply with the requirements of the Clean Air Zone.

Protected characteristics: Sexual Orientation

Sexual orientation details:

Further measures to work with faith and community groups on travel planning is also included within the proposed mitigations.

Not Applicable

It is not considered that the CAZ scheme is likely to disadvantage individuals based on their sexual orientation.

However, similar to gender reassignment, any reduction in PHV and taxis may adversely affect people with this protect characteristic, so the mitigation measures to support the PHV and taxis are beneficial by helping to ensure that people do not leave the taxi and PHV businesses, therefore ensuring the continued availability of this form of transport for people who do not feel safe using public transport.

Socio-economic impacts

Please indicate any actions arising from completing this screening exercise.

The mitigations and exemption packages are detailed in the Initial Equality Impact assessment below.

Please indicate whether a full impact assessment is recommended

YES

What data has been collected to facilitate the assessment of this policy/proposal?

A Distributional Impact Appraisal and a Health Impact Assessment were completed as detailed in the Initial Equality Impact Assessment below. The attached document should be read together with this EIA.

Consultation analysis

A public consultation on the Clean Air Zone proposals was launched on Wednesday 4th July 2018 and ran for 6 weeks until Friday 17th August 2018.

The consultation questionnaire asked for details about the respondents so we would be able to know how well people with each protected characteristic were represented among the respondents. The consultation report (published as part of the report to Cabinet on September 10th 2018) provided an overview of the overall demographics of those who responded compared to the general population. This suggested favourable levels of engagement from different communities across the city.

The aim of the consultation process was to seek feedback from individuals and organisations on the proposals for a Class D Clean Air Zone (CAZ) for Birmingham. Specifically identifying:

- Feedback and thoughts on all aspects of the CAZ proposals (including the principle of the proposals);
- Develop a better understanding of the impact that the proposals would have on individuals and organisations;
- What support/mitigation is needed for particular groups of people/organisations; and
- Suggestions for any further measures which were not included.

A programme of engagement which has taken place during 2019 is shown below.

Date	Event	Background	Event type
20/6/2019			

	Clean Air Day event at Birmingham Cathedral	Market-place event in St. Philip's Cathedral grounds, Colmore Row. BCC stall to present communities with Clean Air Zone Information.	Community fair
Sunday 19 August 2018	Lord Mayor's Show	Information stand at Cannon Hill Park with 2 volunteers. spoke to 95 individuals, main interest checking vehicle registrations.	Community Engagement
Saturday 25th, Sunday 26th May 2019	Birmingham Pride	Stand held at Birmingham Pride to give people information and guidance on the Clean Air Zone and how to prepare	Community Engagement
Sunday 28th July 2019	Big John's Mela	Stand held at Big John's community mela event to give people information and guidance on the Clean Air Zone	Community Engagement
02/05/2019	CAZ Business Event	Series of events for businesses and organisation to find out latest information about the CAZ and additional support available to them to prepare.	Business Engagement
04/06/2019	CAZ Business Event	-	Business Engagement
18/06/2019	CAZ Business Event	-	Business Engagement

02/07/2019	CAZ Business Event	-	Business Engagement
21/06/2019	Shabana Mahmood MP visit	Nelson Primary School	Community Engagement
05/07/2019	Shabana Mahmood MP visit	Chandos Primary School	Community Engagement
12/07/2019	Shabana Mahmood MP visit	Drop-in St Matthew's CE Primary School	Community Engagement
19/07/2019	Shabana Mahmood MP visit	St Luke's Church	Community Engagement
02/10/2019	Chamber of commerce breakfast briefing	Chamber of Commerce breakfast briefing to member about developments within Brum Breathes. Specifically, the CAZ. Presentations by Cllr Zaffar and Steve Arnold.	Business Engagement
10/10/2019	Fleet operators and HGV's Clean Air Roadshow	Motor Transport is hosting a second Birmingham Clean Air Roadshow on 10 October to provide vital information and support to HGV and van operators ahead of the city's Clean Air Zone rollout by July 2020.	Business Engagement
21/11/2019	Sandwell workshop	Working together with Sandwell to address air quality and understand	Business Engagement

		the impact of the work we are delivering and the changes we are making, with particular reference to air quality hotspots. Agenda includes a presentation on the Sandwell Change and Air Quality Action Plan and also an update from Birmingham on Air Quality Monitoring and Evaluation.	
22/10/2019	West Midlands Transport Conference		Business Engagement
23/10/2019	World Air Quality Conference 2019	World Air Quality conference at London City Hall	Business Engagement
24/10/2019	TOA taxis chairman meeting	Meeting with chairman of TOA taxis to discuss concerns and forward planning of support packages for the taxi community	Business Engagement
24/10/2019	City centre strategy board	Presentation of CAZ plans at the next City Centre strategy board	Business Engagement
26/10/2019	Birmingham Hebrew Congregation presentation	Presentation and briefing at Birmingham Hebrew Congregation to the community about Brum Breathes and the Clean Air Zone plans	Community Engagement
05/11/2019			

	Members marketplace	An opportunity to share information about the CAZ - next steps etc.	Community Engagement
06/11/2019	Economy and Skills committee	Steve to present support for businesses package at committee	Briefing event
11/11/2019	Birmingham Advanced Motorists	CAZ presentation	Community Engagement
20/11/2019	Birchfield Ward meeting		Community Engagement
02/12/2019	Budget consultation - business rate payers		Community Engagement
18/12/2019	Public Budget consultation		Community Engagement

Adverse impact on any people with protected characteristics.

As detailed within each characteristic analysis.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

The mitigations and exemption packages are detailed in the Initial Equality Impact assessment below.

How will the effect(s) of this policy/proposal on equality be monitored?

The City Council propose to undertake some qualitative monitoring and evaluation of travel behaviours to understand the impacts of the mitigation measures and exemptions as help to interpret and explain the findings from the travel monitoring and air quality. The proposed method for doing so is by commissioning a consultant, research group or university team via a competitive tendering process to undertake a Cohort Study. The Cohort Study would recruit through targeted sampling of people eligible for the mitigation measures and exemptions as well as some general population sampling to assess the impact of the CAZ on different groups, and provide a comparison to understand the additional impact that the mitigation and exemption measures have on travel behaviour.

What data is required in the future?

To be determined by the Cohort Study as detailed above.

Are there any adverse impacts on any particular group(s)?

Yes

If yes, please explain your reasons for going ahead.

As detailed in the Initial Equality Impact Assessment below.

Initial equality impact assessment of your proposal

Birmingham City Council has a duty under S149 of the Equality Act to pay due regard to the need to eliminate discrimination, harassment and victimisation and to ensure equality of opportunity to those who share a protected characteristic and those who don't. Additionally the City Council has a duty to foster good relations between persons.

who share relevant protected characteristics and those who don't. The authority must give proper regard to all the goods in Section 149 of the Equalities Act in the context of the function that it is exercising, and at the same time, pay regard to any countervailing factors which, in the context of the function being exercised, it is proper and reasonable for the authority to consider.

As such, Birmingham City Council has commissioned a distributional impact appraisal, together with a health impact assessment, to identify how the impacts of a proposed Clean Air Zone (CAZ) would be distributed across Birmingham's diverse population and business communities. These impacts include positive health benefits as well as financial impacts. The outputs of this work together with responses received as part of the consultation have been used to develop a package of measures to reduce the impact on individuals and businesses most likely to be adversely impacted by the Clean Air Zone proposals.

Social and Equality Impacts

Income deprivation has been considered at lower super output level (LSOA)¹ relative to England and Wales, and relative to Birmingham. Compared to England and Wales as a whole, there are high levels of income deprivation within the CAZ and Birmingham in general. Owners of non-compliant vehicles resident within the CAZ and in close proximity to the CAZ (such as Nechells, Aston, Perry Barr, Tyburn, Soho and Sparkbrook) are potentially the worst affected financially by the proposed scheme, as due to their geographical location they would be least able to avoid entering and exiting the CAZ for everyday car journeys. There is a higher rate of non-compliant cars associated with areas of income deprivation. It should also be noted that there is a relatively high proportion of households within the CAZ that have no access to a car. The adverse impacts therefore would be distributed amongst those households that are dependent on car use and who have non-compliant vehicles. It is notable that low income households across Birmingham are also among those who would benefit most from the effects of the CAZ in terms of reduced journey times and reduced petrol consumption due to reduced congestion around the city centre as well as from the health benefits of the proposed scheme.

Other social groups potentially adversely affected by the Clean Air Zone proposals would be those dependent on community transport and taxis, as without mitigation these forms of transport could be adversely affected to the extent that their availability decreases (see below). People vulnerable to the impacts would include the disabled, the elderly, women and children. There are some key community facilities within the CAZ whose users could be adversely affected by the combination of CAZ charges and parking charges. Examples include staff and families of children who are patients of the Birmingham Children's Hospital, and congregants of the larger or more unique places of worship within the CAZ. Exemption will be offered to visitors of select medical facilities within the CAZ however it is not possible to provide

mitigation to cover all key community facilities with adversely affecting the rate of achieving compliance. Visits to community facilities are not provided for under the package of mitigation measures and exemptions therefore individuals will be required to plan their travel appropriately.

Business Impacts

The analysis has shown that some transport dependent businesses are more likely to have compliant fleets than others and so the impact of the CAZ would be distributed unequally across businesses. Taxi businesses would be faced with high upfront costs and few choices of response to the CAZ. Other types of business less able to afford the impact of the CAZ appear to be private hire taxi companies, van companies with fleets that are owned by individuals rather than registered to the company, and SME HGV operators. A very high proportion of businesses within the CAZ are SMEs. Since all would be dependent on transport to some extent, any increase in costs from their suppliers as a result of entering the CAZ are likely to be passed on to the businesses, who in general would have less capacity to cope with increased costs than larger businesses. A number of the mitigation measures and exemptions are targeted at SME Commercial Vehicle Fleets, taxis and private hire taxi companies to ensure that they are catered for and the impact is minimised.

Health Impacts

Health impacts would result from the reduction in pollutants (particularly NO₂ and fine particles (PM10 and PM2.5)) as well as behavioural changes from switching to active modes of transport (walking and cycling) and improved environmental conditions. Analysis has shown that more deprived communities would proportionately receive high health benefits than the population as a whole, meaning that the CAZ would help address a health inequality associated with the more deprived communities typically being exposed to more air pollution. Spatial analysis of where the main quality changes would occur have shown that there would be a 26% improvement in NO₂ pollution concentrations around schools and nurseries which are currently within the areas of greater risk of illegal levels of air pollution.

One of the aims of the CAZ is to nudge behavioural change so that people use more active modes of travel where they can. Although it is not possible to quantify the likely level of change of the CAZ, across a population the increase in physical activity could contribute to significant improvement in overall public health.

Mitigation

The City Council has paid due regard to the need to achieve the goals set out in the Equalities Act (see above), and where

there is risk of an adverse impact to a protective group, it has been identified and considered in the development of mitigation measures and exemptions. A targeted package of mitigation measures and exemptions has been developed to ensure that those impacted are catered for where possible and that the City Council's duties under the Equality Act 2010 are fulfilled. The mitigation measures and exemptions are set out below.

Mitigation Measures:

- M1a - CAZ workers earning less than 30k pa. Scrappage scheme and/or mobility credit.
- M2a - Hackney carriage support package;
- M2b - Council Hackney Carriage rental scheme;
- M2c - Private hire vehicle upgrade support;
- M4 - HGV & Coach compliance fund;
- M5 - Marketing and engagement campaign.

Exemptions:

- Commercial vehicles registered within the CAZ will receive a 1 year exemption from date of CAZ commencement (max 2 vehicles per company);
- Commercial vehicles with a pre-existing finance agreement beyond 2020 registered within the CAZ will receive 1 year exemption from date of CAZ commencement (max 2 vehicles per company);
- Residents of the CAZ - Individuals with non-compliant vehicles registered in the CAZ will be exempted for 2 years from date of CAZ commencement;
- Individuals with a non-complicant vehicle travelling into the CAZ regularly for work and earning less than £30k pa will be exempt upon successful application for 1 year from date of CAZ commencement;
- Visitors to select medical facilities within the CAZ will be exempt for the duration of their stay within 1 year from date of CAZ commencement; and
- Vans and mini buses registered as providing essential community and school transport services and those classified as section 19/22 operators in Birmingham will be exempt for 1 year from date of CAZ commencement.
- Vehicles with disabled passenger tax class.
- Specialist Vehicles (Emergency Service Vehicles, Historic Vehicles, Military Vehicles, Agricultural or Similar Vehicles, Recovery Vehicles, Showman's Vehicles, Special Vehicles)

Temporary Non-Chargeables:

- Taxis awaiting retrofit.
- Commercial Vehicles awaiting retrofit.

Consulted People or Groups

As detailed under Consultation Analysis

Informed People or Groups

As detailed under Consultation Analysis

Summary and evidence of findings from your EIA

The impacts of introducing a Clean Air Zone include positive health benefits as well as financial impacts. Financial impacts are two-fold; positive impacts include generation of a revenue stream for the city council which will be used to fund future transport initiatives that will result in further

improvements to air quality. However, financial burden will be placed on those who are eligible to pay the CAZ charge. The impacts of this will be mitigated as much as reasonably possible via the implementation of a set of mitigation measures and exemptions.

It has been identified that the most significantly impacted protected characteristics are Age, Disability, Pregnancy and Maternity and Race., Some impacts are positive rather than adverse, particularly for Pregnancy and Maternity. The mitigation measures and exemptions help to address any adverse impacts. It has also been noted that there could be possible impacts for Gender and Religion or Belief particularly linked to those on lower incomes. It is anticipated that individuals with these characteristics, will benefit from the various exemptions and mitigations .

It is important to stress that the implementation of a Clean Air Zone will have positive health impacts on a number of characteristics, particularly Age and Pregnancy and Maternity. It will also help address health inequality associated with more deprived communities typically being exposed to more air pollution.

Evidence for these impacts has been drawn from extensive consultation, a distributional impact appraisal and a health impact assessment, as detailed above. A distributional impact appraisal and a health impact assessment in a combined document as per attachment.

QUALITY CONTROL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Agreed to proceed to Accountable Officer 03 12 19

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

Yes

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

04/12/2019

Reasons for approval or rejection

Assessment meets requirements and necessary areas of impact.

Please print and save a PDF copy for your records

Yes

Julie Bach

Person or Group

Attachments

BCAZ_DIARReport_Rev2.pdf

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Close

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

STATUTORY INSTRUMENTS

2020 No. 1444

ENVIRONMENTAL PROTECTION, ENGLAND FEES, ENGLAND

The Clean Air Zones Central Services (Fees) (England) Regulations 2020

<i>Made</i>	- - - -	<i>4th December 2020</i>
<i>Laid before Parliament</i>		<i>7th December 2020</i>
<i>Coming into force</i>	- -	<i>31st December 2020</i>

The Secretary of State, with the consent of the Treasury and in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973⁽¹⁾, makes the following Regulations.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Clean Air Zones Central Services (Fees) (England) Regulations 2020.

(2) They come into force on 31st December 2020.

(3) They extend to England and Wales, but apply in England only.

Interpretation

2.—(1) In these Regulations—

“charging scheme” has the meaning given in section 163(1) of the Transport Act 2000⁽²⁾;

“charging authority” has the meaning given in section 163(5)(a) of the Transport Act 2000;

“charging authorities” has the meaning given in section 163(5)(b) of the Transport Act 2000;

“the clean air zones central services” means the services known as the clean air zones central services provided by or on behalf of the Secretary of State and which may provide in relation to a charging scheme one or more of the following services—

(1) [1973 c. 51](#). Section 56(1) was amended by [S.I. 2011/1043](#) and will be amended by section 23(5), and Schedule 8, paragraph 17, of the European Union (Withdrawal) Act 2018 ([c. 16](#)).

(2) [2000 c. 38](#). Section 163 was amended by section 103 of, and paragraphs 1 and 2 of Schedule 5 to, the Local Transport Act 2008 ([c. 26](#)) and paragraphs 95 and 102 of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 ([c. 20](#)).

- (a) the provision of a website which allows persons to check whether they need to pay a charge in relation to a charging scheme and, if so, pay the charge via the website;
- (b) customer support to persons who may be subject to charges under a charging scheme;
- (c) support to a charging authority or charging authorities in relation to the introduction of a charging scheme;

“relevant charging authority” means a charging authority in respect of which each of the following conditions is satisfied—

- (a) Condition 1 is that the charging authority has been directed to make a charging scheme by the Secretary of State under section 85(5) of the Environment Act 1995⁽³⁾ (“the direction”);
- (b) Condition 2 is that the purpose or one of the purposes stated when the direction was given was to reduce levels of nitrogen dioxide to the second limit value specified in Schedule 2 to the Air Quality Standards Regulations 2010⁽⁴⁾ (averaging period of calendar years) in the geographical area for which the charging authority is responsible;
- (c) Condition 3 is that the charging authority has made a charging scheme;
- (d) Condition 4 is that the direction has not been revoked;

“relevant charging authorities” means charging authorities in respect of which each of the following conditions is satisfied—

- (a) Condition 1 is that the charging authorities have been directed to make a charging scheme by the Secretary of State under section 85(5) of the Environment Act 1995 (“the direction”);
- (b) Condition 2 is that the purpose or one of the purposes stated when the direction was given was to reduce levels of nitrogen dioxide to the second limit value specified in Schedule 2 to the Air Quality Standards Regulations 2010 (averaging period of calendar years) in the geographical area for which the charging authorities are responsible;
- (c) Condition 3 is that the charging authorities have made a charging scheme;
- (d) Condition 4 is that the direction has not been revoked.

(2) In the definitions of “relevant charging authority” and “relevant charging authorities” in paragraph (1), it does not matter whether—

- (a) in respect of Condition 1, the direction was given before or after these Regulations come into force;
- (b) in respect of Condition 3, the charging scheme was made before or after these Regulations come into force.

Fees—use of clean air zones central services

3.—(1) A relevant charging authority is, or relevant charging authorities are, liable to pay to the Secretary of State a fee—

- (a) in the circumstances set out in paragraph (2), and
- (b) of the amount specified in paragraph (3).

(2) The circumstances are when—

(3) 1995 c. 25. Section 85 was amended by section 367 of the Greater London Authority Act 1999 (c. 29) and S.I. 2001/3719 and 2011/1043. It will be amended by S.I. 2019/458.

(4) S.I. 2010/1001.

- (a) a person pays one or more charges in relation to the charging scheme made by the relevant charging authority or relevant charging authorities (as the case may be) by a payment processed by the clean air zones central services (a “processed payment”);
 - (b) the processed payment is made in the period starting on 1st January 2021 and ending at the end of 31st March 2027.
- (3) The amount is, in relation to a processed payment, £2 per charge covered by the processed payment.
- (4) Liabilities under paragraph (1)—
- (a) are payable on invoice by the Secretary of State,
 - (b) are recoverable as civil debts, and
 - (c) in respect of relevant charging authorities, are to be treated as joint and several liabilities.

Signed by authority of the Secretary of State for Transport

4th December 2020

Rachel Maclean
Parliamentary Under Secretary of State
Department for Transport

We consent

2nd December 2020

Maggie Throup
James Morris
Two of the Lords Commissioners of Her
Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Secretary of State is under a duty to ensure that air quality standards are maintained, set out in regulation 17 of, and Schedule 2 to, the Air Quality Standards Regulations 2010 ([S.I. 2010/1001](#)) (“the 2010 Regulations”). For nitrogen dioxide one such limit is that levels of nitrogen dioxide must not exceed 40 micrograms per cubic metre, averaged over a calendar year. They implement the UK’s obligations under [Directive 2008/50/EC](#) on ambient air quality and cleaner air for Europe (amongst other things). They will continue to form part of UK law after the end of the implementation period on 31st December 2020 at 23:00.

Various local authorities (“charging authorities”) with responsibility for traffic have the power to make charging schemes under Chapter 1 of Part 3 of the Transport Act 2000 ([c. 38](#)). Charging schemes allow, for example, motorists to be charged for travelling in the area for which the charging authority is responsible.

The Secretary of State has the power to direct charging authorities to introduce charging schemes under section 85(5) of the Environment Act 1995 ([c. 25](#)); and may do so to discharge the regulation 17 duty under the 2010 Regulations.

These Regulations apply to the charging authorities defined in regulation 2(1). These are charging authorities which have made charging schemes under an extant direction of the Secretary of State given for the purpose of reducing nitrogen dioxide levels to the level required by the 2010 Regulations.

The Secretary of State will provide services known as the clean air zones central services which charging authorities may choose to use. These include a website which will allow motorists to check whether they need to pay a charge under a charging scheme and, if so, make the payments. Where charging authorities use the clean air zones central services, regulation 3 imposes a fee of £2 per charge paid for by a payment processed through the services and makes provision for its collection.

An impact assessment has not been produced for this instrument as it has no impact, or no significant impact, on the costs of business, charities or the voluntary sector.

WMCA Board

Date	15 January 2021
Report title	New Stations Package 2 - Full Business Case
Portfolio Lead	Transport - Councillor Ian Ward
Accountable Chief Executive	Laura Shoaf, Managing Director, Transport for West Midlands email: laura.shoaf@tfwm.org.uk tel: (0121) 214 7444
Accountable Employee	Malcolm Holmes, Director of Rail email: malcolm.holmes@tfwm.org.uk tel: (0121) 214 7058
Report has been considered by	Transport for West Midlands Decision Making Meeting - 23 November 2020 Investment Panel - 30 November 2020 Strategic Transport Officers Group - 7 December 2020 Investment Board - 14 December 2020 Strategic Leadership Team - 16 December 2020 Programme Board - 4 January 2021 Transport Delivery Committee - 11 January 2021

Recommendation(s) for action or decision:

WMCA Board is recommended to:

- (1) Authorise the Full Business Case for new stations Package 2 (Camp Hill line stations).
- (2) Agree a total project budget of £61.4m based on the Estimate at Completion for the scheme at Full Business Case stage, subject to WMCA securing the funding for the project as detailed within the report.
- (3) Authorise the release of £9m from the WMCA Investment Programme subject to Department for Transport approval of the RNEP funding.

- (4) Note that the WMCA intend to be the accountable body for the entirety of the funding package.
- (5) Note that the costs included within the Full Business Case are the current best estimates prior to the completion of single option development (GRIP 4).
- (6) Note that further economic analysis is ongoing to understand the impact of the latest Covid-19 growth scenarios on demand and benefits and that to date the scheme has consistently returned positive BCRs.
- (7) Note the aim of securing funding in Quarter 1 2021 to enable the project to proceed as per stated timescales.
- (8) Jointly delegate to the WMCA Monitoring Officer and the WMCA Director of Finance the authorisation of the award of contracts to the successful tenderer for the design and build stage are entered into, subject to:
 - i. The project being within the £61.4m recommended budget;
 - ii. Adequate funding being secured to allow for the delivery of the new stations, as outlined within this report;
 - iii. All funding agreements being signed and sealed to the satisfaction of the WMCA Finance Director and the Monitoring Officer;
 - iv. The operating costs of the stations being fully quantified and affordable.
- (9) Approve delegation/s to the WMCA Monitoring Officer and WMCA Director of Finance to enter into the various funding agreements and contracts which would be reasonably required to enable delivery of the new stations, including (if necessary) the issuing of a Letter of Intent to ensure the project schedule is maintained whilst funding agreements are being finalised subject to the risks of doing so being acceptable to the WMCA Section 151 Officer and the Monitoring Officer.

1. Purpose

- 1.1 The purpose of this paper is to seek approval from the WMCA Board for the Full Business Case for new stations Package 2 (Camp Hill stations). To maintain project programme and deliver the three stations with the associated train services for entry into service in Q4 2023, it is essential that the FBC is approved by WMCA Board in January 2021.
- 1.2 The project has had £7.35m approved and committed to date. This paper seeks a further £9m from the WMCA Infrastructure Programme which is subject to receipt of the balance of funding. The WMCA will be the Accountable Body for the entirety of the Funding package as outlined in the Financial Implications section of this paper.

2. Background

- 2.1 West Midlands Rail Executive (WMRE) and Transport for West Midlands (TfWM) are developing a package of three new railway stations at Moseley, Kings Heath and Hazelwell in Birmingham City Council (BCC). These would be served by two trains an hour between Birmingham New Street and Kings Norton.
- 2.2 These stations are located on the Camp Hill line. Since the closure of the three original stations in 1941, the areas around the stations have seen a large growth in population and regeneration activity, resulting in a strong business case to reopen the stations. Each of these stations will be fully accessible and include unstaffed ticketing and help facilities. Moseley and Hazelwell Stations will also include pick up / drop off areas and cycle parking to enable the stations to be accessed from a range of transport modes.

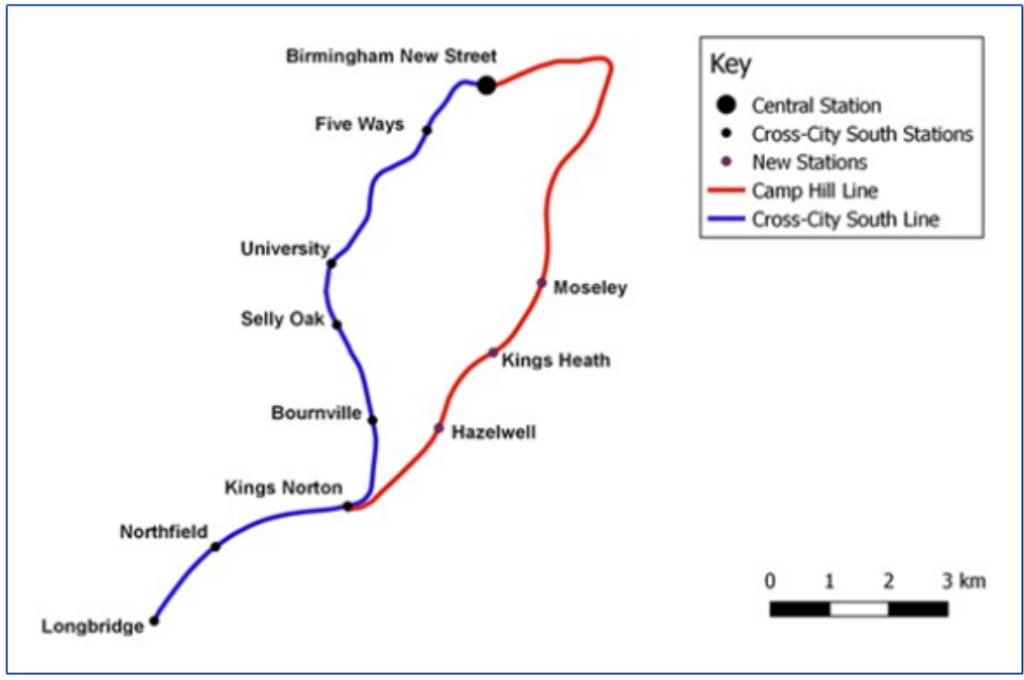
3. Benefits

- 3.1 The project will deliver economic benefits by substantially improving access to commercial, employment, and education opportunities in central Birmingham, as well as improving connectivity along this corridor. We also anticipate significant environmental benefits, with more than a quarter of expected passengers transferring away from car use for journeys to Birmingham City Centre.
- 3.2 The new rail timetables will deliver time savings as follows:

From	To	Current public transport journey time (Peak time)	Current public transport journey time (off peak)	Indicative Rail Journey Time	Potential Time Saving
Hazelwell	Birmingham New Street	45 mins	30 mins	14 mins	16 – 31 mins
Kings Heath	Birmingham New Street	35 mins	20 mins	11 mins	9 – 24 mins
Moseley	Birmingham New Street	29 mins	15 mins	8 mins	7 – 21 mins

- 3.3 In addition, the construction of these stations will directly create c.130 jobs during construction and 16 jobs longer term plus induced jobs.
- 3.4 The impact of Covid-19 on rail patronage and capacity means that there is now an opportunity to introduce new services, increasing connectivity using largely existing infrastructure. The proposed service strategy is for two new services an hour between Birmingham New Street and Kings Norton, calling at all stations, shown in the map below.

Future investments envisaged as part of the ‘Midlands Hub’ strategy would unlock further long term capacity.



- 3.5
- We also expect that these rail services will encourage reduction in the level of private car use, which will contribute specifically to the aims of the Birmingham Clean Air Zone (CAZ). Current vs. proposed public transport time savings show particular time benefits for journeys to Birmingham.
- 3.6
- The benefits of the scheme are considered in further detail in sections 6 – 8 below, including consideration of how this scheme supports wider strategic priorities for the region.

Value for Money – BCR

- The original modelling produced a Benefit Cost Ratio of 2.4, representing high value for money;
- Since then there have been changes around the timetable assumptions and the impact of Covid-19 on passenger demand;
- We are currently modelling a range of scenarios for the scheme based on latest input data. The strategic case for the scheme remains strong.
- The economic appraisal links the user and non-user benefits with the scheme costs and assesses the value for money over an appraisal period of 60 years. The appraisal has been undertaken in accordance with TAG Rail Appraisal guidance.

4. Programme

Confirmation of funding	February 2021
Award of Detailed Design & Build contract	November 2021
Construction complete	August 2023

The new stations will open in November 2023.

Progress since OBC

GRIP4 (Single Option Design): Outline design for Moseley, Kings Heath and Hazelwell stations have been developed and accepted by Network Rail and West Midlands Trains. The endorsed Approval in Principle documentation is currently being received.

Timetabling: Securing funding from DfT is contingent on advice from Network Rail confirming their acceptance of the timetable solution for operating the Camp Hill services. We are continuing to work with industry partners to address concerns.

Planning Applications: King's Heath was unanimously approved on 6th January 2020, Hazelwell was unanimously approved on 30th January 2020, and Moseley was unanimously approved on 24th September 2020.

Programme: The project schedule has been re-baselined to take into account the impact of the timetable study, findings from Early Contractor Involvement and additional works required to maintain the existing Victorian era railway infrastructure and due to the availability of disruptive possessions in the West Midlands rail network.

Land Acquisition: WMCA has reached agreement over the purchase of land for Hazelwell Station, with completion expected in March 2021. Commercial negotiations are ongoing with the owners of the land at Kings Heath (Speedwell Properties Ltd / Solihull School) and Moseley (Network Rail).

Cost Estimate: the (AfC) estimate has been updated from £52.18m to £61.40m to reflect the GRIP4 design developments and to take into account lessons learned from the procurement of University station which experienced increased construction costs. This includes contingency and provision for construction inflation due to HS2 and Covid-19. Further details can be found in Section G2 of the FBC.

Value Engineering and scope: We have undertaken a significant amount of value engineering to confirm that the right scope for the stations was being delivered to achieve the project objectives and to ensure value for money.

5. Financial Implications

5.1 The budget requested for the scheme can be broadly analysed as follows:

Package 2 EAC Cost Breakdown	£m
Detailed Design and Construction	34.2
Project/Programme Management Support	7.5
Other Costs	7.1
Contingency and Inflation	12.6
TOTAL	61.4

- 5.2 As part of the process to verify cost estimates, WMCA have undertaken value engineering, and benchmarking exercises in collaboration with Network Rail. The output of this benchmarking exercise suggested that, when market and site specific factors were taken into account (such as ground remediation), the cost estimate for the Package 2 stations is within a reasonable range of the comparators.
- 5.3 WMCA continue to engage with Network Rail to identify opportunities for value engineering and to consider if these can be implemented without significant programme prolongation.
- 5.4 The funding package for the scheme is being assembled and is summarised below:

Funding Body	Total £m
WMCA funding: <ul style="list-style-type: none"> Secured at SOBC / OBC stage Requested at FBC stage subject to DfT funding being provided (funding from WMCA Infrastructure Programme) 	7.35 9.00
Department for Transport (Requested from (RNEP))	19.35
Birmingham City Council Clean Air Zone (CAZ)	5.22
Additional future funding to be secured (see below)	20.48
TOTAL	61.40

- 5.5 The £9.00m funding request from WMCA is subject to approval of the DfT funding detailed above and is provisionally contained within the £801 million affordable limit which has applied to the Investment Programme since agreement by WMCA Board in November 2019.
- 5.6 The £19.35m funding request to the DfT is underway and is expected to be progressed at DfT Programme Board on 7 January 2021. This represents the balance of the £59m request to fund both Rail Packages 1 and 2 both of which are the subject of reports to this Committee.
- 5.7 In the event that the RNEP funding announcement results in a reduced value of funding or the announcement timing is not compatible with the delivery schedule, it is possible WMCA will need to call down some of the £9m earmarked within the Investment Programme affordable limit to maintain the schedule. Specifically, there are critical, seasonal works which if not undertaken in line with the programme, will have a significant impact in terms of cost and delay. Should this be the case, the request will be progressed through the Investment Programme assurance arrangements and approved in line with the delegations that apply.

- 5.8 The value of the two rail packages combined versus the funding considered available from DfT and other stakeholders, leaves a residual sum of £20.48m to be funded. WMCA continue to consult with Government on options for realising this funding and the recent spending review is considered to present WMCA with options for ultimately closing this gap. Should the lead-times for obtaining funding not be compatible with the delivery schedule, a revised approach towards delivery may need to be considered, with the programme delivered over a longer time-scale or alternative scope. In the event of a material deviation, WMCA Board would be requested to approve this option separately.
- 5.9 In terms of operating costs, the scheme theoretically requires an initial operating subsidy of £0.9m by 2022 - 2024 to cover driver training and operating costs, however, this subsidy requirement is fully covered in the following years of the franchise (delivering £0.35m net revenue by 2025). The scheme is forecast to deliver a positive net income (and cumulative net income) in 2026.

6. Management of risk

- 6.1 The main risks by value that inform the contingency assessment are presented in the Financial Appendix. Key strategic risks include:
- **Funding:** It will be necessary to seek funding from Government beyond that identified in the RNEP. This is discussed above and in the financial annex.
 - **Condition of existing infrastructure:** Risk that existing infrastructure is not compliant with modern requirements requiring the project to fund additional works in order to fully integrate new stations or to correct existing non-compliances. This is controlled / mitigated by ongoing discussions with Network Rail, detailed site surveys to identify non-compliances, production of robust outline and detailed designs which are agreed with Network Rail.
 - **Operational concerns:** Timetable. Current reductions in passenger services from 6tph to 4 tph due to Covid on the Cross City line mean that paths exist to enable two trains an hour to operate on the Camp Hill line. Investment in new rolling stock means that there will be an increase in passenger capacity on the Cross City Line even at a reduced frequency. However restoring 6tph on the Cross City Line would require further investment in the future.
 - **Market capacity:** There is a risk that the heated construction market that is being witnessed in the West Midlands due to large projects such as HS2 and Commonwealth Games infrastructure will drive up contractors' costs and capacity to deliver. The proposed procurement route (see section 4) is designed to mitigate against this.

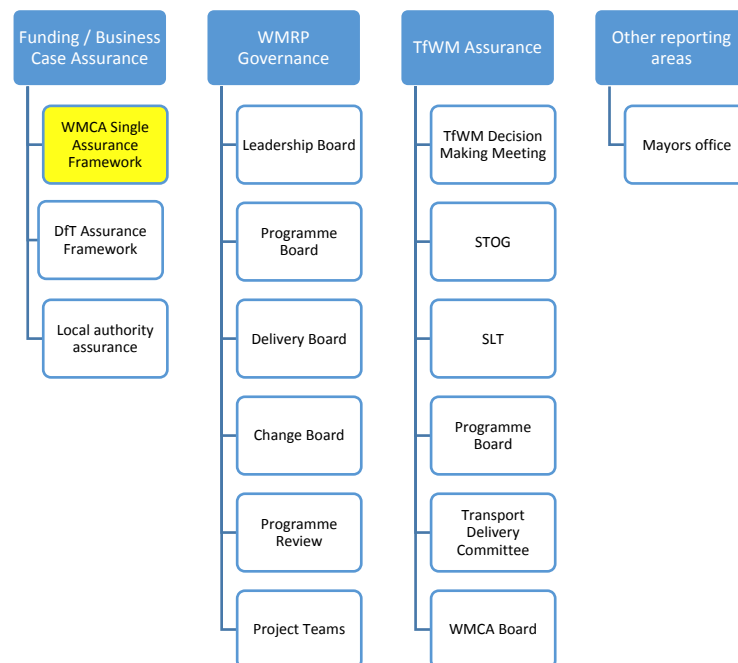
Risk review process

- 6.2 Risks are reviewed a monthly basis by the project team with support from the Risk Manager and assured by the Associate, Risk Management on a monthly basis for quality purposes.

- 6.3 The date whereby mitigation or risk response needs to be in place is unique to each risk and tracked with ARM. The risk around Covid-19 on resource/supplier availability is an emerging area. Once lessons are learned from the University/Perry Barr/Package 1 schemes they will be fed in.
- 6.4 All risks are assessed for both direct and indirect costs i.e. project overrun in addition to time impacts.

Project Governance and management

- 6.5 The chart below illustrates the various funding and governance arrangements for the project, with this paper forming part of the WMCA Single Assurance Framework (highlighted in yellow).



The project will be resourced in GRIP 5 – 8 as follows:

- Senior Project Manager 50% - increase from 33%
 - Project Manager 100% – No change
 - Assistant Project Manager 100% - increase from 50%
 - Design Manager / Engineering Manager 50% - no change
 - Commercial Manager 100% - increase from 50%
 - Construction Manager 100% - increase from 50%
- 6.6 In addition to the project team described in the comments box, the sponsor team provide the necessary management support in relation to business case development, financial approvals, stakeholder management and liaison with other industry parties such as Network Rail and West Midlands Trains as well as externally to Birmingham City Council, local ward councillors and politicians and interest / community groups. These resources are accounted for in the financial case.

Stakeholder communications

- 6.7 The current Stakeholder Communications and Engagement Plan was prepared to support GRIP 4. The next update is scheduled for early in GRIP 5, following the appointment of a contractor. Regular monthly meetings will actively manage and monitor the workstream to ensure continued engagement, information sharing and mitigations of future risks. This work will follow the approval of the timetable and funding and the period of purdah so is likely to commence in Q2 2021.
- 6.8 The wellbeing of our people (stakeholders, project team etc.) is of paramount importance, the project has therefore taken a Covid-19 resilient approach to communications and engagement in line with government recommendations. Covid-19 has seen communications and engagement move primarily into the digital realm, a strategy mirrored across a large number of our delivery partners and stakeholder audiences.
- 6.9 There will be no face to face public engagement until it is safe to do so – we are currently working towards a next ‘meet the project team’ engagement in Quarter 2 of 2021 but this remains subject to Covid-19.

7. Legal Implications

- 7.1 Part 3 of the West Midlands Combined Authority Order 2016 conferred powers to the Authority relating to public transport functions for the constituent authorities to the Combined Authority. TfWM is the executive body of the WMCA responsible for carrying out its transport related functions and to implement policies and strategies. TfWM is the body responsible for co-ordinating and promoting the use of public transport.
- 7.2 Section 113A(1)(a) of the Local Democracy, Economic Development and Construction Act 2009 gives the Authority a power of competence appropriate for the purposes of carrying-out any of its functions. This includes enhancements to the transport network and delivery of new transport infrastructure.
- 7.3 The delivery of the new stations at Moseley, Kings Heath and Hazelwell requires a number of legal issues being addressed. These include the ownership of land, the procurement and delivery of the scheme and connectivity with the local highway network. These are being managed as part of the project process.
- 7.4 It is not anticipated that the station development will require a CPO. However, some preliminary CPO tasks have been undertaken to ensure that this remains a viable option should it be required.

Procurement

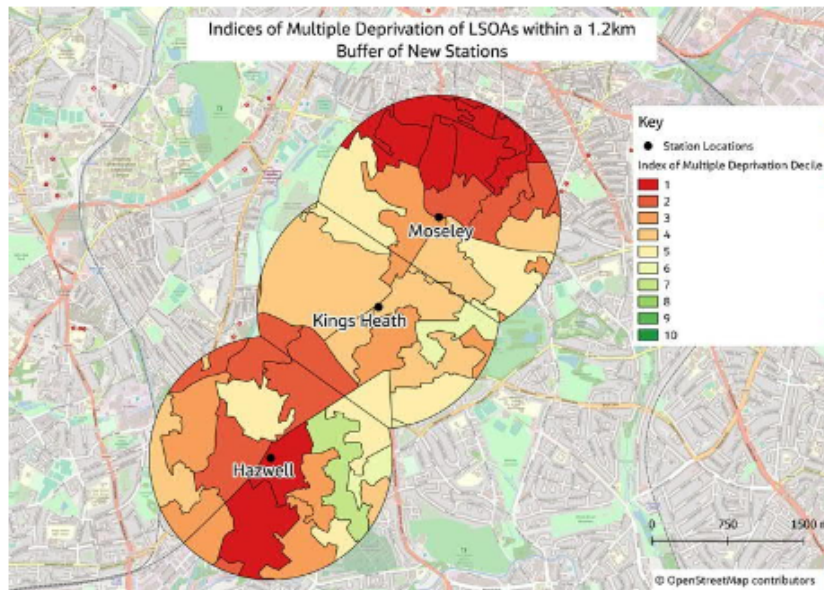
- 7.5 The preferred procurement route for this package will follow that of Package 1. This will see a single contractor appointed for all three stations delivering both the Design and Build elements of the contract. This will be achieved by undergoing a Restricted OJEU Procedure with Negotiation. This process will commence in early 2021.
- 7.6 Legal will support the Procurement process and this will be provided for by a combination of internal and external resources. The procurement contract will not be let until the required funding commitment has been confirmed.

8. Equalities Implications

- 8.1 Diversity Impact Assessments have been undertaken by the project which identify and address key equality issues and their mitigating measures. This project provides three stations designed to the very latest standards, with all areas fully accessible. Platforms are accessed by footbridges and lifts. Whilst there are no car parks provided at the stations, two of the stations (Hazelwell and Moseley) feature pick up and set down facilities. The project will continue to engage with local disability groups regarding the station designs.

9. Inclusive Growth Implications

- **Economic Growth** – the new stations and train services to Moseley, Kings Heath and Hazelwell will support local economic growth and provide better access for businesses to the labour market, playing a key role in the regeneration of the surrounding areas.
- **Transport** – the new stations and train services to Moseley, Kings Heath and Hazelwell will provide connectivity to the local and national rail network, offering access to jobs and other opportunities in central Birmingham and beyond, and driving mode shift from the existing road network.
- **Accessibility** – a key aspect of this scheme is providing the area with other transport choices and reducing congestion on commuter routes to support a more sustainable and accessible Birmingham for businesses, residents and visitors. The new stations will be built to the latest design standards and will be fully accessible to all passengers.
- **Fiscal Impact** – the scheme will generate an estimated 440k journeys per annum from Moseley, 314k from Kings Heath and 358k from Hazelwell per annum with net additional rail demand of 1 million journeys per annum. Future station OPEX costs will be included in subsequent commercial agreements between West Midlands Trains and the Department for Transport. The OPEX costs of the station forecourts are subject to ongoing discussions between the WMCA and Birmingham City Council. The scheme has a BCR of 2.4 representing High Value for Money.
- **Environmental impact** – during operation it is estimated that 27% of new rail users will transfer from car use for their journeys, which will contribute to the reduction of emissions from traffic on the wider strategic network. As the primary traffic generator for rail is Birmingham City Centre it is likely that the scheme will contribute to the Clean Air Zone objectives by reducing NO₂ emissions. Train services will be operated by the very latest diesel trains featuring low emission engines. A study is being carried out with Network Rail to ensure that these proposed services do not exacerbate the existing air quality issues at Birmingham New Street station. The station sites will be landscaped to be sympathetic to the local environment.



Indices of Multiple Deprivation (IMD) within a 1.2km station catchment area.

Colour coded map, where the most deprived decile is shown in red and the least deprived decile is shown in green.

The areas served by the proposed stations have neighbourhoods in significantly deprived areas of the West Midlands

10. Geographical Area of Report's Implications

- 10.1 The areas around the proposed stations are densely populated with a high propensity to access professional employment in the city centre, yet these areas are currently served by frequent but slow and unpunctual bus routes using congested roads. This results in poor journey times and connectivity, reliance on private transport adding to congestion, limiting economic growth as well as worsening air quality.
- 10.2 All stations will support further employment and academic opportunities by improving connectivity to education and employment centres, including Birmingham City Centre. The catchment areas of Hazelwell and Kings Heath stations include the King Edwards Camp Hill Schools, with approximately 1,700 students attending from across the West Midlands.
- 10.3 Hazelwell Station will serve a population totalling 21,500 – slightly above average when compared to the average for existing stations in south Birmingham (19,700). The station catchment encompasses a hub of local businesses situated along the Pershore Road. Although the western portion of the Hazelwell station catchment is served by the existing Bournville Station, residents located in the heavily populated eastern side of the catchment lack rail access, with some areas currently a 40+ minute walk from the nearest railway station. The location of the proposed Hazelwell station would reduce this walk to within 20 minutes.
- 10.4 Kings Heath Station will serve a region of 18,500 people within a 1.2km radius of the proposed station location. The station will serve the high street which supports many local businesses and shops. Kings Heath presents a well below average percentage of residents that are economically active (44.7%), when compared with a local average of 60%.

- 10.5 Moseley station will serve a larger than average population within a 1.2km radius of 30,000. In addition, the station will be located close to the area's high street, housing an abundance of local businesses. The working population of Moseley exceeds the entire population of most existing West Midland stations (Census, 2011) and the population of Moseley's catchment area is comparable to dense city centre stations, such as Five Ways (28,000) and Birmingham New Street (26,000). There is also a higher than average proportion of the population with no qualifications.

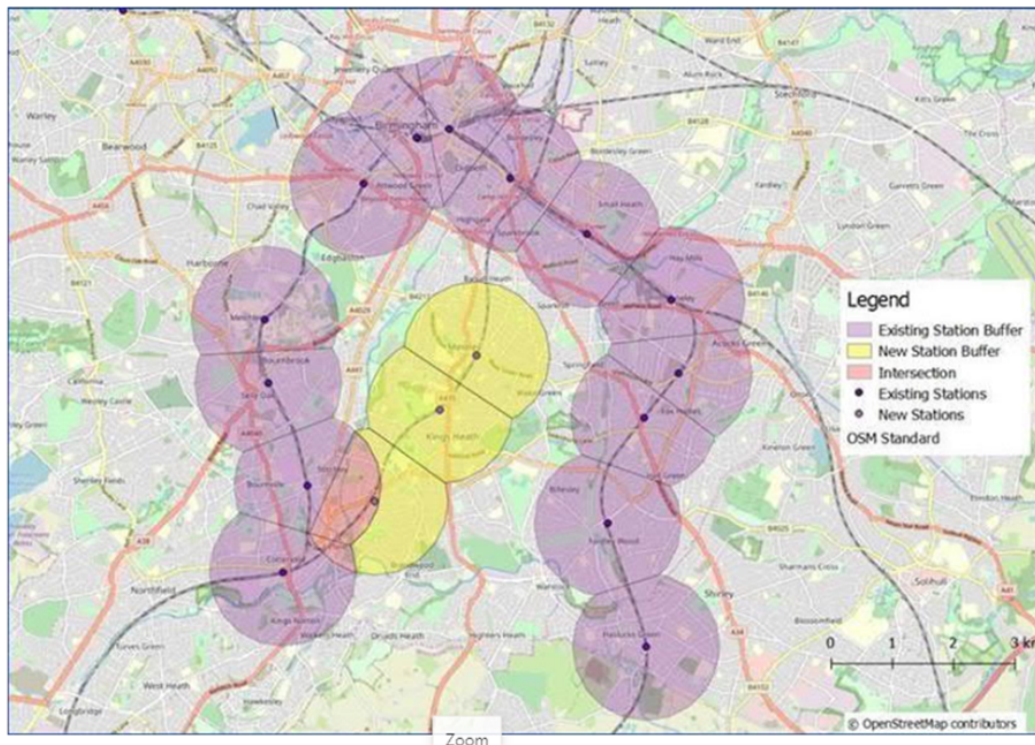


Figure 1: Camp Hill line station catchment areas compared to existing station catchment areas

11. Other Implications

The Scheme

The Station schemes will comprise:

- Two platforms accommodating six car trains
- Pedestrian footbridge, stairs and lifts for full accessibility between platforms (at Moseley access between platforms will be above the tunnel, and at Hazelwell access between platforms will be via the Cartland Road overbridge)
- Ticket machines at each passenger entrance and customer information systems
- Passenger help-points on each platform
- Small forecourt at the station entrance
- Pick-up/drop-off area (Hazelwell and Moseley only)
- Secure cycle parking

- 11.1 The works will be procured by the West Midlands Combined Authority (WMCA). A suite of legal agreements will be entered into between WMCA and Network Rail to allow development to progress, to provide asset protection for the existing railway, to provide for the handover to the relevant stakeholder when completed and to address property rights and ongoing responsibilities going forward. WMCA will be managing the delivery of the development and managing the construction contract.

Outputs

In addition to those benefits described above:

- Service patronage will be in the order of 1.1m to 1.5m by 2027.
- The time saving and value of savings to public transport times will be 241,000 hours per annum and £2.3m per annum.
- Carbon Reduction will be £9k per annum by 2025.

12. Schedule of Background Papers

FBC for new stations Package 2 (Camp Hill line stations) is available upon request.

Private financial appendix.

