

# Birmingham City Council

## Report to Cabinet



21<sup>st</sup> July 2020

**Subject:** METRO BIRMINGHAM EASTSIDE EXTENSION (BEE)  
FULL BUSINESS CASE (FBC)

**Report of:** Acting Director, Inclusive Growth

**Relevant Cabinet Member:** 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

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): <b>Ladywood, Nechells, Bordesley &amp; Highgate</b>		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 007471/2020		
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

### 1 Executive Summary

- 1.1 This report provides details of the proposed Metro Birmingham Eastside Extension (BEE) scheme including the background to the development. It is being delivered and funded by West Midlands Combined Authority (WMCA)/Transport for West Midlands (TfWM), at a total estimated capital cost of £227.200m (including £15.000m for Digbeth Public Realm Improvements) and seeks authority to approve the proposals in the City Council's capacity as the Highway Authority.
- 1.2 The Digbeth Public Realm (DPR) improvements, that fall within the proposed BEE works, obtained Outline Business Case (OBC) approval from the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) on 24th June

2020 and will be the subject of separate GBSLEP and City Council Full Business Cases (FBCs) anticipated in Autumn 2020. Should the development of the FBCs identify costs in excess of the estimated £15.000m, options for seeking alternative external funding and/or descope the scheme will be pursued in order to contain the costs within the available funding envelope. WMCA/TfWM have noted that in the unlikely event that the DPR scheme does not obtain FBC approval, whilst the same level of planned public realm improvements could not be completed within their available budget, an operational southern tram alignment will still be delivered. Further background is provided in Appendix H.

- 1.3 A number of potential highway measures and proposed camera enforcement locations have been identified which may be required to be delivered as part of the scheme, and the report seeks to delegate authority to the Assistant Director, Transport and Connectivity (ADTC), in consultation with the Leader of the Council and the Cabinet Member for Transport and Environment (CMTE), to agree the details.
- 1.4 The procurement of the camera enforcement equipment will be called off from the Council's proposed framework agreement, that is in progress, on behalf of WMCA/TfWM, and that the costs will be funded by WMCA/TfWM as part of the cost of implementation.
- 1.5 It is proposed that the Council takes ownership of any camera enforcement equipment and responsibility for the ongoing operation of the enforcement activity including the operational income and expenditure.
- 1.6 The Council will take responsibility for the ongoing maintenance resulting from the highways works with a proposed commuted sum to be provided by the WMCA/TfWM to fund these costs.
- 1.7 The report explains the financial implications, including potential risks to the Council as a result of these proposals (e.g. funding sources and ongoing maintenance).

## **2 Recommendations**

- 2.1 Acting on behalf of the City Council in its capacity as Highway Authority, approves the Full Business Case (FBC) as set out in Appendix A and notes the route of the Metro BEE as set out in Appendix B.
- 2.2 Notes that Digbeth Public Realm (DPR) improvements, that fall within the proposed BEE works, will be the subject of separate GBSLEP and City Council Full Business Cases (FBCs) anticipated in Autumn 2020. In the unlikely event that the DPR scheme does not obtain FBC approval, whilst the same level of planned public realm improvements could not be completed within the available budget an operational southern tram alignment will still be delivered.
- 2.3 Delegates authority to the Assistant Director, Transport and Connectivity (ADTC), in consultation with the Leader of the Council and the Cabinet Member for Transport and Environment (CMTE), to agree the final details of the scheme,

including any additional highway measures (examples provided in Appendix D) that may be required with West Midlands Combined Authority (WMCA)/Transport for West Midlands (TfWM), who are acting in their capacity as project sponsors/ key funders.

- 2.4 Subject to WMCA having the necessary approvals and funding in place, delegates authority to the ADTC to prepare, and enter into, the associated Section 278 Agreements for the highway measures and Traffic Regulation Orders (TROs) noting that the legal agreements are to be made without a bond being required from WMCA as detailed in paragraphs 7.3.5 and 7.3.6.
- 2.5 In order to ensure efficient progress of any scheme, approves that, where the costs for any additional highway measures are covered by alternative funding, the governance for these schemes will follow the delegated authority principles set out in the Transportation and Highways Capital Programme 2020/21 to 2025/26 Annual Programme Update report approved by Cabinet on 11<sup>th</sup> February 2020 as follows:
  - 2.5.1 Delegates approval of all OBCs, FBCs and related reports including revised financial appraisals to the Acting Director, Inclusive Growth in conjunction with the Interim Chief Finance Officer and in consultation with the relevant portfolio holder, up to a maximum value of £2.000m.
  - 2.5.2 Delegates approval of all OBCs, FBCs and related reports including revised financial appraisals to a report of Acting Director, Inclusive Growth and Interim Chief Finance officer to the relevant portfolio holder, up to a maximum value of £10.000m.
  - 2.5.3 Delegates authority to bid for and accept external capital and revenue resources in line with City Council priorities and consistent with the policies and objectives of the West Midlands Strategic Transport Plan, Birmingham Development Plan and Birmingham Connected transport strategy to the Acting Director, Inclusive Growth, in conjunction with the Interim Chief Finance Officer, and in consultation with the relevant portfolio holder, up to a maximum value of £2.000m, noting that such bids are to be subject to initial Capital Board oversight.
  - 2.5.4 Delegates authority to bid for and accept external capital and revenue resources in line with City Council priorities and consistent with the policies and objectives of the West Midlands Strategic Transport Plan, Birmingham Development Plan and Birmingham Connected transport strategy to a report of Acting Director, Inclusive Growth and Interim Chief Finance officer to the relevant portfolio holder, up to a maximum value of £10.000m, noting that such bids are to be subject to initial Capital Board oversight.
- 2.6 Approves expenditure of fees and other costs up to a value of £0.900m for the City Council to complete design reviews, legal agreements, traffic regulation orders and site inspections, and agrees to the City Council being reimbursed by WMCA based

on actual costs rather than a fixed fee percentage, subject to an agreed cap on overhead rates.

- 2.7 Approves the principle of the implementation of an estimated eight proposed enforcement cameras as located in Appendix B, at an estimated cost of £0.120m to be funded by WMCA, and delegates the award of the contract for the cameras and associated equipment to the Acting Director, Inclusive Growth, the Assistant Director Development and Commercial (or their delegate), the Interim Chief Finance Officer (or their delegate) and the Acting City Solicitor (or their delegate) in accordance with the Procurement Strategy set out in Section 7.4.
- 2.8 Notes that following completion of the scheme the City Council will be responsible for the on-going operation of the Bus Lane Enforcement activity and the resultant income and expenditure including future maintenance obligations. Further details are given in Appendix A.
- 2.9 Notes that following implementation of the scheme, the City Council will be responsible for the ongoing maintenance resulting from the highway works at an estimated annual cost of £0.023m as detailed in Appendix A and approves the estimated commuted sum of £0.700m to be provided by WMCA/TfWM to fund these costs.
- 2.10 Notes that should there be any significant changes to the scheme design, cost or funding a further report will be brought forward for approval, in line with the Council's Governance Framework.
- 2.11 Authorises the City Solicitor to negotiate, execute, seal and complete all necessary documentation to give effect to the above recommendations.

### **3 Background**

- 3.1 WMCA/TfWM developed proposals to extend the network out to the Eastside of Birmingham, providing connectivity to the proposed HS2 Curzon Street station and to form a new cross-city route. This also complemented the City Council's longstanding plans for further investment and regeneration of Digbeth and the Eastside areas. It also facilitates longer term plans to extend the tram system out to Birmingham Airport. An application for an Order to be made under the Transport and Works Act 1992 Sections 1 and 5 was submitted to the Secretary of State for Transport in October 2016. A local public inquiry followed in November 2017 at which no objections were raised.
- 3.2 In October 2017 WMCA Board approved £18.500m from the Investment Programme to fund diversions to HS2's utilities which would allow for the tram to operate through the Curzon station site and down New Canal Street.
- 3.3 Funding of £10.000m was secured from DfT in August 2019 to allow for the procurement process of the work and commencement of detailed design (DfT letter dated 8th August 2019).

- 3.4 Following Cabinet approval of the BEE Project Definition Document (PDD), on 26<sup>th</sup> June 2018, WMCA/TfWM have developed the proposals to a preliminary design stage. This received an Approval in Principle from the City Council on the 30<sup>th</sup> September 2019, and the City Council identified areas where they wished to see further clarification and detailed design development.
- 3.5 WMCA/TfWM pursued obtaining the Transport and Works Act Order (TWAO) and this was received on the 15<sup>th</sup> January 2020. The objection period for this decision ended on the 26<sup>th</sup> February 2020 and no objections were received.
- 3.6 The Department for Transport approved the funding of the scheme and devolved this to the WMCA in March 2020.
- 3.7 WMCA/TfWM have proposed to divide the route into five separate sections for detailed design and delivery, in order to allow for adjacent third-party developments (e.g. HS2) and network access. The delivery of the connection of the BEE tram tracks to the existing tram line at Bull Street/Corporation Street needs to be complete before the extension to Edgbaston is open to passengers in December 2021.
- 3.8 WMCA/TfWM continue to liaise with HS2 Limited over delivery of the section within the proposed Curzon Street station works. Due to delays caused by HS2, the programme has changed from being delivered in 2022/23 to 2025/26.
- 3.9 It is proposed that WMCA will undertake this task via the Midland Metro Alliance (MMA), which is a partnership between TfWM, the design consortium of Egis, Tony Gee and Pell Frischmann, and contractor Colas Rail (supported by their sub-alliance partners Colas Ltd, Barhale, Thomas Vale, and Auctus Management Group). The partnership has been formed with the award of a contract following an OJEU-compliant procurement process.
- 3.10 Where there is a requirement for any associated highway measures to be undertaken and it is not possible for the MMA to deliver them, a separate procurement process will be carried out and reported in individual business cases.
- 3.11 Camera enforcement may be required to prevent/discourage general traffic from using the bus/tram lanes, which disrupts services and reduces journey time reliability. Providing more reliable/'attractive' public transport options is crucial to encouraging modal shift from private vehicles. The potential camera locations are listed in Appendix B, with the cameras to be delivered by 2026. If appropriate, they could be delivered in phases to suit the construction programme.
- 3.12 It is proposed that the delivery of the BEE and Digbeth High Street public realm (DPR) capital works, including the acquisition and installation of enforcement cameras and any associated highways measures, is to be combined and will be the responsibility of WMCA/TfWM. The total combined estimated capital cost is £227.200m, £212.200 funded by WMCA/TfWM and £15.000 funded by the City Council. The City Council will approve proposals in its capacity as the Highway Authority.

- 3.13 The City Council have developed proposals for the DPR Improvements in conjunction with the WMCA/TfWM and obtained GBSLEP approval for the OBC in June 2020. The City Council will be seeking separate approval for the associated GBSLEP FBC in order to secure the £15.000m Enterprise Zone funding contribution and, subject to approval, a City Council FBC will then be brought before Cabinet for approval, with both reports anticipated for Autumn 2020. Should the development of the FBCs identify costs in excess of the estimated £15.000m, options for seeking alternative external funding and/or descopeing the scheme will be pursued in order to contain the costs within the available funding envelope. WMCA/TfWM have noted that in the unlikely event that the DPR scheme does not obtain FBC approval, whilst the same level of planned public realm improvements could not be completed within their available budget an operational southern tram alignment will still be delivered. Further background is provided in Appendix H. Any changes in scope will be subject to City Council approval in line with recommendation 2.10.
- 3.14 Following implementation of the scheme, the City Council will take ownership of any enforcement cameras provided by WMCA/TfWM as Highway Authority assets and responsibility for the ongoing operation of the enforcement activity and the operational income and expenditure including future maintenance obligations. Further details are detailed within Appendix A Section 2.
- 3.15 WMCA/TfWM are now developing the previously agreed preliminary design proposals for the BEE to a detailed design level for approval by the City Council. Work is being undertaken jointly with WMCA/TfWM to identify any necessary associated highway measures. WMCA/TfWM are looking to commence utility diversion works in July/August 2020 with main construction completed in autumn/winter 2025. Passenger service is programmed for spring/summer 2026.

## **4 Options Considered and Recommended Proposal**

### **Tram alignment**

- 4.1 Consider options to move the tram alignment from the current road corridors shown.
- 4.2 The TWAO and DfT funding is based on the proposed BEE route layout, as shown within Appendix B. It cannot be fundamentally changed from this, and it is recommended that it is taken forward through detailed design and delivered by WMCA/TfWM. WMCA/TfWM have noted that in the unlikely event that the DPR scheme does not obtain FBC approval, whilst the same level of planned public realm improvements could not be completed within their available budget an operational southern tram alignment will still be delivered. Further background is provided in Appendix H. Any changes in scope will be subject to City Council approval in line with recommendation 2.10 of this report.

## **Camera enforcement**

- 4.3 Consider whether to implement camera enforcement at appropriate locations.
- 4.4 It is recommended that the City Council develop camera enforcement proposals in conjunction with WMCA/TfWM at locations outlined within Appendix B. Subject to funding provided by WMCA/TfWM, such proposals would be implemented as part of the BEE. The City Council would be responsible for the ongoing ownership, operation of the enforcement activity and the operational income and expenditure including future maintenance obligations. Where enforcement is essential to unimpeded bus /tram running there is no real alternative. The Police are unable to reallocate front line resource for this operation, and a camera car can only be used for short visits if there is safe parking available in the appropriate location.

## **Associated highway measures**

- 4.5 Consider not to develop any additional highway measures.
- 4.6 It is recommended that the ADTC, in consultation with the Leader of the Council and CMTE, develops any necessary additional highway measures (see examples in Appendix D) to facilitate the delivery of the BEE.
- 4.7 The proposed BEE alignment will require changes to some adjacent streets in order to facilitate traffic movement for servicing etc., and non-provision would compromise the scheme.

## **5 Consultation**

- 5.1 The PDD document from June 2018 identified the previous external consultation history including the Transport and Works Act Order (TWAo) consultation in March/April 2016. Recent external consultation for the Digbeth Public Realm Improvements (February/March 2020) included the proposed tram layout for the BEE. Any further consultation required for associated highway measures would be undertaken as part of the future development of these measures.

## **6 Risk Management**

- 6.1 Please refer to Appendix F for further detail. The key items are:

<b>Risk</b>	<b>Mitigation</b>
Digbeth Public Realm scheme does not receive GBSLEP funding.	The DPR OBC was approved in June 2020 and the City Council will continue to work with the GBSLEP through the development of the scheme. Should approval not be granted, whilst the full planned public realm improvements would not be delivered, WMCA/TfWM would still provide a southern alignment tram. Any changes to current proposals, to stay within remaining budgets, will be agreed with the City Council.

<b>Risk</b>	<b>Mitigation</b>
WMCA/TfWM do not have sufficient funding for Metro works.	WMCA/TfWM to seek opportunities to de-scope or additional funding sources where they exceed their contingency.
WMCA/TfWM cannot find sufficient funding for all additional highway measures or revenue implications.	City Council and WMCA/TfWM jointly review available resources during the development of the measures in order to remain with the available funding or seek to identify additional funding sources.
Works to Digbeth High Street cannot be completed before Commonwealth Games, leaving the area incomplete when visitors arrive.	WMCA/TfWM to monitor external issues which might delay works and agree 'hold /review points' in the programme.
Objections to TROs	City Council to review and look to remove objections.

## **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 for the BEE support the City Council's Plan and Budget 2018-2022 priorities (as updated in 2019), specifically:

- *'an entrepreneurial city to learn, work and invest in', particularly 'develop our transport infrastructure, keeping the city moving through walking, cycling and improved public transport'.*
- *'a great, clean and green city to live in', particularly 'improve the environment and tackle air pollution'.*
- *'gain the maximum benefit from hosting the Commonwealth Games' particularly "deliver high quality ... transport infrastructure for the benefit of our citizens'.*
- *'takes a leading role in tackling climate change'.*

7.1.2 The proposals also support the objectives of Birmingham Development Plan (BDP) 2031 including:

- *'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 more sustainable city that minimises its carbon footprint'.*
- *'To encourage better health and wellbeing'.*

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



- 7.1.4 The measures will support the aspirations of the Birmingham Connected Transport Strategy, the Health and Wellbeing Strategy and the Draft Birmingham Transport Plan 2031. They will contribute to the vision of a sustainable, low emission, inclusive, integrated public transport system. It will also complement the implementation of a Clean Air Zone (CAZ), by helping the City Council towards achieving compliance with the European Union (EU) annual legal Limit Values for nitrogen dioxide (NO<sub>2</sub>) of 40µg/m<sup>3</sup>.
- 7.1.5 WMCA/TfWM's contract with Midland Metro Alliance incorporates similar requirements to provide social value commitments as the Birmingham Business Charter for Social Responsibility (BBC4SR), and further information is provided in Appendix E.
- 7.1.6 The Birmingham Eastside Extension, as set out in this report, is an important element in the expansion of Midland Metro, and in the development of the Strategic Transport Plan's Metropolitan Rail and Rapid Transit Network, particularly as an enabler for the future East Birmingham to Solihull (EBS) extension.

## **7.2 Legal Implications**

- 7.2.1 The City Council carries out transportation, highways and infrastructure works under the relevant primary legislation including the Town and Country Planning Act 1990, Highways Act 1980, Road Traffic Regulation Act 1984, Traffic Management Act 2004, Transport Act 2000, and other related regulations, instructions, directives, and general guidance.
- 7.2.2 WMCA has powers to construct the Metro under the Transport and Works Act, 1992.
- 7.2.3 Bus lane enforcement cameras are installed in accordance with the 'Provisional Guidance on bus lane (including tramway) enforcement in England outside London' (2005, revised 2008) and 'A Code of Practice for Bus Lane Camera Enforcement' (March 2007) and the 'Surveillance Camera Code of Practice' (June 2013).
- 7.2.4 S1 of the Localism Act 2011 contains the Council's general power of competence and S111 of the Local Government Act 1972 contains the Council's financial and ancillary powers required for the discharge of any of its functions.

## **7.3 Financial Implications**

### **Capital Costs**

- 7.3.1 It is proposed that the delivery of the BEE and Digbeth High Street public realm (DPR) capital works, including the acquisition and installation of enforcement cameras, is to be combined and is the responsibility of WMCA/TfWM. The total combined estimated capital cost is £227.200m, (including development, fees and contingency), £212.200 funded by

WMCA/TfWM and £15.000 funded by the City Council. This is a £90.000m increase on the PDD value reported in June 2018, and details of the breakdown of this cost can be found in the financial tables in Appendix A.

- 7.3.2 As detailed above the total estimated cost of £227.200m includes £15.000m for DPR Improvements funded from GBSLEP Enterprise Zone resources. The GBSLEP OBC was approved on 24 June and the subsequent GBSLEP FBC and City Council FBC are anticipated in Autumn 2020. If the development of the FBC identifies additional costs, options for seeking alternative external funding and/or descopeing the scheme will be developed in order to contain the costs within the available funding envelope. WMCA/TfWM have noted that in the unlikely event that the DPR scheme does not obtain FBC approval, whilst the same level of planned public realm improvements could not be completed within their available budget an operational southern tram alignment will still be delivered. Further background is provided in Appendix H. Any changes in scope will be subject to City Council approval in line with recommendation 2.10 of this report.
- 7.3.3 The report seeks to delegate approval of any associated highways measures required to the ADT Connectivity (ADTC), in consultation with the Leader of the Council and the CMTE. Where measures cannot be accommodated within the existing BEE budget options for seeking alternative external funding and/or descopeing the scheme will be developed in order to contain the costs within the available funding envelope. Where the costs for any additional highway measures are covered by alternative funding, this report seeks approval for the governance for these schemes to follow the delegated authority principles set out in the Transportation and Highways Capital Programme 2020/21 to 2025/26 Annual Programme Update report, as detailed in recommendation 2.5 above.
- 7.3.4 Other City Council costs for the scheme are estimated to be £0.900m including staff time in contributing to completing design reviews, legal agreements, traffic regulation orders and site inspections. These costs will be reimbursed by WMCA under the terms of the legal agreement, with quarterly invoices submitted retrospectively by the City Council. The City Council will be reimbursed based on actual costs incurred rather than a fixed fee percentage. This will be subject to an agreed cap on overhead rates.
- 7.3.5 As all main Metro works within the limits of deviation are undertaken under the powers granted within the TWAO, with direct authority from the Secretary of State, WMCA/TfWM require no legal agreements with the City Council to work on the Highway. Hence, the works are not subject to a bond.

- 7.3.6 Where works are required that fall outside of the limits of deviation and are therefore not subject to the powers granted within the TWAO, these will be subject to Section 278 legal agreements. These agreements will not be subject to a bond from WMCA, as they are a public-sector body and the scheme is predominantly public-funded. In the unlikely event of non-performance by WMCA/TfWM then the legal agreement would give the City Council power to step in and complete works. The City Council would have to underwrite the resulting costs initially but would be able to recover these costs from WMCA/TfWM under the terms of the legal agreement.

### Revenue Implications

- 7.3.7 Camera Enforcement Operational Income and Expenditure - The Council will be responsible for the ongoing enforcement operations and income will be generated from Penalty Charge Notices (PCNs) issued as part of the enforcement regime. This income will be used in the first instance to cover the operational costs including cameras and administration costs of enforcement. Any surpluses generated will be used in line with applicable regulations. The table below shows a summary of the estimated income and expenditure based upon the proposed enforcement regime and full year operation, which assumes eight cameras are required, and experience from Bus Lane Enforcement schemes already in operation within the city. This shows that over the first seven years of operation of the cameras, income from PCNs is estimated at £1.048m with operational and other costs estimated at £0.768m leaving a retained surplus of £0.280m.

#### Camera Enforcement Operational Income and Expenditure:

	2022/23 £m	2023/24 £m	2024/25 £m	2025 -2029 £m	Total £m
Operational Income	(0.284)	(0.116)	(0.199)	(0.449)	<b>(1.048)</b>
Operational Expenditure	0.121	0.059	0.112	0.342	<b>0.634</b>
<b>(Surplus)/Deficit</b>	<b>(0.163)</b>	<b>(0.057)</b>	<b>(0.087)</b>	<b>(0.107)</b>	<b>(0.414)</b>
Other Expenditure	0.021	0.016	0.016	0.081	<b>0.134</b>
<b>Net (Surplus)/Deficit at Year End</b>	<b>(0.142)</b>	<b>(0.041)</b>	<b>(0.071)</b>	<b>(0.026)</b>	<b>(0.280)</b>
(Surplus)/Deficit B/Forward		(0.142)	(0.183)	(0.254)	
<b>(Surplus)/Deficit C/Forward</b>	<b>(0.142)</b>	<b>(0.183)</b>	<b>(0.254)</b>	<b>(0.280)</b>	

Full details are included in Appendix A, Table 2.

- 7.3.8 Highways Infrastructure Maintenance - The impact to the Council in terms of on-going maintenance liabilities arising from additional highway assets will be assessed during scheme development and opportunities will be sought to control costs through the design and de-accruals. Costs are expected to be funded by WMCA/TfWM through a commuted sum payment. The current estimated ongoing maintenance value for the additional assets created by the works is £0.700m over a 30-year period (£0.023m per year for full year of maintenance). The split of asset maintenance responsibilities between the City Council and WMCA has been indicatively identified on a typical highway cross-section in Appendix G.
- 7.3.9 Where associated highway measures are implemented, and in the event that a financial shortfall is experienced in the WMCA/TfWM budget, the City Council may be asked to assist in finding an alternative source of funding for all, or part of, the highway maintenance liabilities. Where resources cannot be identified from any other means this would be funded from the provision for Highways Maintenance held within Corporate Policy Contingency.
- 7.3.10 The risk assessment identifies the potential for the implementation to impact on businesses along the direct route during the construction period. This will be carefully monitored, and any mitigations required will be considered during construction.

#### **7.4 Procurement Implications (if required)**

- 7.4.1 Contracts for the civil engineering works to be awarded by WMCA/TfWM will be using the MMA which is their route for work of this nature.
- 7.4.2 The procurement implications for any associated highway measures that are subsequently required and cannot be awarded through the MMA will be detailed within individual business cases.
- 7.4.3 The contract for the enforcement cameras will be awarded using the proposed framework agreement for this equipment currently in progress.

#### **7.5 Human Resources Implications (if required)**

- 7.5.1 None

#### **7.6 Public Sector Equality Duty**

- 7.6.1 See WMCA Equality Impact Assessment (EIA) in Appendix C. Due regard and consideration has been given to this EIA for the report recommendations and no adverse implications are expected for any of the protected characteristics and groups. Designs will look to incorporate features for the benefit of particular groups where appropriate in compliance with the Equality Act 2010.

## **8 Appendices**

### **8.1 List of Appendices accompanying this report:**

Appendix A – Full Business Case

Appendix B – Metro Birmingham Eastside Extension route and potential Tram or Bus Lane Enforcement camera locations

Appendix C – Equality Analysis

Appendix D – Associated Highway Measures

Appendix E – MMA Contribution to Social Value

Appendix F – Risk Assessment

Appendix G – Typical Tram route cross-section

Appendix H – Digbeth Public Realm Improvements Dependency

## **9 Background Documents**

9.1 Cabinet Report, Bus Lane Enforcement – Full Business Case, 4 March 2013

9.2 Highlight Report - Bus Lane Enforcement Review, July 2016

9.3 Report to Cabinet, Bus Lane Enforcement (Tranche 1) - Full Business Case, 24 January 2017

9.4 Report to Cabinet, Metro Birmingham Eastside Extension (BEE) and Digbeth Public Realm Improvements Project Definition Document (PDD), 26th June 2018

9.5 Private Report to the West Midlands Combined Authority Investment Advisory Group, Midland Metro Birmingham Eastside Extension, 6th January 2020

9.6 Report to Cabinet, Transportation and Highways Capital Programme 2020/21 to 2025/26, 11 February 2020

9.7 Greater Birmingham and Solihull Local Enterprise Partnership Application for Local Growth Funding, Outline Business Case, Digbeth Public Realm Phase 1, 24th June 2020.