

**Meeting:** West Midlands Rail Board of Directors

**Subject:** Minutes

**Date:** Friday 29 July 2016 at 10.00am

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**PRESENT:**

Councillor Khurshid Ahmed	- Dudley Metropolitan Borough Council
Councillor Roger Horton	- Sandwell Metropolitan Borough Council
Councillor Roger Lawrence	- City of Wolverhampton Council
Councillor Angela McClements	- Telford and Wrekin Council
Councillor Ken Pollock	- Worcestershire County Council
Councillor Ted Richards OBE	- Solihull Metropolitan Borough Council
Councillor Izzi Seccombe	- Warwickshire County Council
Councillor David Welsh	- Coventry City Council
Councillor Stewart Stacey	- Birmingham City Council
Councillor Mark Willington	- Staffordshire County Council

**IN ATTENDANCE:**

Babs Coombes	- West Midlands Rail / D for Transport
Beatrice Filkin	- Department for Transport
Malcolm Holmes	- West Midlands Rail
Clare Horton	- Staffordshire County Council
Laura Shoaf	- Transport for West Midlands

**1. Election of Chair and Vice Chair**

Cllr Roger Lawrence reminded the Board that the Articles of Association required that the roles of Chair and Vice Chair prescribed be rotated annually. He suggested that given that at this point in time with the Franchise Agreement, the position with negotiations with the Department for Transport and the impending Mayoral Elections it would be appropriate to continue rotations to these positions but to make the elections biennial.

Accordingly, it was proposed by Councillor Roger Lawrence, seconded by Cllr Khurshid Ahmed and AGREED that Cllr Mark Willington be elected Chair of the Board for the remainder of the Municipal Year and the Constituent Authorities be invited to agree to the necessary amendment to the Articles of Association. It was proposed by the Chair, seconded by Cllr David Welsh and AGREED that Cllr Roger Lawrence be elected Vice Chair of the Board for the remainder of the Municipal Year and the Constituent Authorities be invited to agree to the necessary amendment to the Articles of Association.

Malcolm Holmes reported that the amendments to the Articles of Association could be amended by means of a Special Resolution between WMR Member Authorities and this should be possible without recourse to special meetings but by way of an exchange in correspondence.

**2. Welcome and apologies**

The Chair welcomed those present at the meeting.

Apologies for absence were received from Councillors Peter Butlin (Warwickshire County Council), John Clancy (Birmingham City Council), Steve Eling (Sandwell Metropolitan Borough Council), Andre Gonzalez de Savage (Northamptonshire County Council), Tony Johnson (Herefordshire Council), Ian Morris (Northamptonshire County Council) and Paul Rone (Herefordshire Council).

**3. Declarations of Interest**

Cllr Stewart Stacey declared an interest in any matters pertaining to British Rail and Birmingham Airport as a former employee of British Rail and Non Executive Director of Birmingham Airport.

Cllr Ted Richards OBE declared a non-pecuniary interest as a Non- Executive Director of Birmingham Airport.

**4. Minutes of the Meeting of the West Midlands Rail Board of Directors – 18 March 2016**

Minutes of the meeting held on 18 March 2016 were agreed and signed by the Chair as a correct record.

There were no matters arising from the minutes of the meeting held on 18 March 2016.

**5. 2015/16 Chair's Report**

The Chair presented his report for 2015/16 which updated the Board on progress made towards gaining greater influence over the West Midlands local rail network. Malcolm Holmes commented on the demonstrable progress which had been made and on the excellent working relationship with the Department for Transport which had enabled West Midlands Rail to have a meaningful input into the Franchise Agreement. He reminded the Board that Peter Sargant and Babs Coombes had been seconded from West Midlands Rail to the Department for Transport. He confirmed that the Collaboration Agreement would be 'signed off' by the respective Constituent Authorities prior to being signed formally by the Secretary of State and West Midlands Rail, hopefully in September 2016.

The Board of Directors noted the report.

**6. Forward Plan**

The Board of Directors noted a forward plan of items to be reported to future meetings.

**7. West Midlands Franchise – Invitation to Tender (ITT) Update/Stakeholder Consultation response**

Beatrice Filkin and Babs Coombes gave a PowerPoint presentation in connection with the ITT Update/Stakeholder Consultation response. She stressed that the information contained within the presentation needed to be kept confidential at this stage. She talked through the various changes that had

occurred since the last update, including the outcome of the recent Referendum on the UK's membership of the European Union and the withdrawal of one of the Bidders. She explained that the proposition had been amended following discussions and negotiations with H M Treasury an agreement had now been reached with concessions being made by both sides. As a consequence of the discussions with H M Treasury there had been some delays in finalising the ITT documentation and this would not now be released until late August or early September 2016. A joint approach for press engagement would be developed for the launch of the ITT.

Babs Coombes gave an overview of the responses received to the Consultation, which amounted to 1,800 responses, 1,200 of which were from individuals with 100 from Stakeholders. She advised that the responses were all of a high quality with 66% being from the West Midlands area of which 58% were regular commuters. She outlined the key themes contained within the responses. She acknowledged the work undertaken by Beatrice Filkin and colleagues during the Consultation exercise and reminded the Board that the Franchise Agreement set out the minimum requirements. The ITT would afford the Bidders an opportunity to set out how they would be provided. The ITT also provided an opportunity to compare Bidders on quality and deliverability in addition to price. This would encourage the Bidders to speak with Stakeholders, including West Midlands Rail, in order to inform their bids. She explained the steps being taken in developing the ITT to respond to the requirements of customers.

Cllr Roger Horton thanked the Officers for the presentation but reminded the Board that a seven day service had always been an aspiration but that the employees Terms and Conditions were based on six days with an option for the seventh day. Similarly, the proposal to have a Sunday service with a timetable similar to Saturday was a proposal that would be hindered until such times as the impasse with regard to the Terms and Conditions was overcome. He enquired how this situation was to be resolved. He also enquired whether the contents of the InterCity West Coast Consultation had been taken into account insofar as it referred to 'skip stops'. Cllr David Welsh enquired as to links between North and South Warwickshire with Coventry using the NUCKLE stations. Cllr Ken Pollock commended the work undertaken to date and the approach adopted in preparing the specification. Cllr Ted Richards OBE referred to the 24 hour economy and that the need for early morning and late evening services were essential if the Gross Domestic Profit (GDP) of the region was to grow.

Beatrice Filkin explained the approach which had been adopted with regard to securing the provision of a seven day service. She advised that it was not within the remit of either the DfT or WMR to require changes to Terms and Conditions but that Bidders would be required to set out how they would deliver the requirements (including the enhanced Sunday service) and it would be for the Bidders to determine how this could be achieved. With regard to the InterCity West Coast Consultation, she reported that there would be inter-action between the two franchises and 'De-confliction' rules would apply with priority for one service over the other being set out in the ITT. In relation to NUCKLE, she

advised that this was not yet at the stage of development to enable it to be included within the specification.

With regard to the seven day service, Cllr Stewart Stacey enquired as to who would carry the risk. In relation to the proposed increase in capacity of 32% he enquired whether this would be at peak periods or alternatively, achieved by running empty trains. On possible changes to seating configuration, he drew to the attention of the Board many of the trains arriving at New Street Station were already full and that passengers, whether able or less able, had no choice but to stand for the duration of their journey. He also enquired whether journeys between Worcester and Birmingham would be via Bromsgrove using the New Street line especially as the Snow Hill line to Worcester had been re-opened to reduce pressure on New Street. Also, the improvements at Bromsgrove would be delivered by electrification of the line. He enquired whether an increase in the number of services to Dorridge would reduce the number of services to Shirley.

Cllr Izzi Seccombe commented that whilst she accepted the response in relation to NUCKLE she enquired how the timetable would be developed to promote its use. With regard to the frequency of services to Stratford upon Avon she commented that the economy was out of sequence in relation to the night time economy both for visitors and residents. She also suggested that Coventry's bid for 'City of Culture' status should not be ignored when timetables were developed and that the 'cultural offer' should not be ignored. Cllr Stacey commented that he supported the need for a late train from Stratford upon Avon to Birmingham

Cllr David Welsh expressed his disappointment with the position adopted on NUCKLE and undertook to pursue this matter outside the meeting. Cllr Roger Lawrence reminded the Board that the West Midlands Combined Authority had invested jointly in a new form of delivery to Coventry within the existing Franchise and that additional services could be added as required. He stated that the new specification set out the de-minimus requirements and that NUCKLE was being utilised now on the Nuneaton – Kenilworth – Coventry line rather than in 2018 when the new specification would apply. Beatrice Filkin commented that the position was frustrating but that at the present stage of development no further steps could be taken.

With regard to risk and risk sharing, Beatrice Filkin advised that this would be shared by multiple partners and that action was being taken to ensure it was addressed before the award of the Franchise. With regard to achieving the increase in capacity, this would be through a mixture of off peak services and in peak periods and lengthening in peak periods and also through potential re-configuration of seating. She explained that more flexible approaches were being adopted to address this aspect. She undertook to respond separately to Cllrs Stacey and Seccombe respectively on the questions pertaining to the Worcester – Birmingham service and also the timetabling of services to and from Stratford upon Avon.

Cllr Kurshid Ahmed congratulated the Officers on the work undertaken to date and questioned the position on frequency of stopping trains at Dudley Port and Sandwell and Dudley stations. Beatrice Filkin advised that the 'Train service Promise' provided for the retention of the current number of stops as a minimum requirement.

Malcolm Holmes reported that WMR supported the approach adopted to NUCKLE 1.2 and explained that timing was the issue as Network Rail could not currently provide a timetable for a delivery date. This meant that it could not be included within the ITT but that it could be addressed subsequently. With regard to the Worcester – Birmingham service he advised that this would be via Bromsgrove and Droitwich stations on the New Street line as this provided a faster service. With regard to the additional services to Dorridge, the proposed changes filled in the gaps which existed in the morning and evening peak periods on the Stratford upon Avon – Solihull service. He undertook to respond separately to Cllr Stacey with regard to later trains.

Beatrice Filkin and Babs Coombes explained that there would be positive improvements on the Chase and Bromsgrove lines following electrification. The current one train per week service between Birmingham and Gloucester via Worcester would not be specified but it would be up to the Bidders if this service was continued. They referred to the Euston – Crewe service via Stoke on Trent / Alsager / Stone/ Kidsgrove which currently were limited to four carriages due to the infrastructure at the latter stations and advised that the specification would require this service to be specified to run directly from Stafford to Crewe together with a further service from Birmingham via Stafford and Stoke on Trent stations. This service was supported in responses received during the consultation process.

Cllr Ken Pollock commented that the improvements at Bromsgrove station had not alleviated the problem of over-crowding. He enquired as to the timetable for the electrification of the line. He also expressed his disappointment with regard to the perceived under usage of the Birmingham – Gloucester via Worcester service having regard to the Worcester Parkway proposals. Beatrice Filkin assured the Board that only the once/ week service had been removed from the specification and that this did not preclude the Bidders maintaining the service. Malcolm Holmes commented that the implications of a direct service to Stoke on Trent and Crewe from Birmingham would be to extend the WMR geography. He undertook to engage with Officers from Stoke on Trent and East Cheshire Councils and to submit a report to the next meeting of the Board.

The Board of Directors AGREED that

- (1) the presentation be received and noted;
- (2) details be provided to Cllrs Stacey and Seccombe respectively on the line to be used for services between Bromsgrove – Worcester and the times of later train services between Stratford upon Avon and Birmingham;

- (3) that Malcolm Holmes engage with Officers from Stoke on Trent and East Cheshire Councils and report back on the outcomes to the next meeting of the Board;
- (4) that Beatrice Filkin explore the provision of the slides used in the PowerPoint presentation being made available to the Board of Directors via a secure server link.

## **8. Draft InterCity West Coast Consultation Response**

Malcolm Holmes presented a report which sought endorsement for the principles of the WMR response to the InterCity West Coast (ICWC) consultation exercise currently being undertaken by the Department for Transport. He advised that the draft response included comments received from the Constituent Authorities and the WMCA.

Cllr Roger Lawrence advised that a very similar response had been submitted on behalf of the WMCA but suggested that a covering letter highlighting the key points raised in the response should also be sent to the DfT. He stressed that regular and more timely services to Birmingham International / Birmingham Airport were required and that the importance of Milton Keynes as a key area of strategic economic growth with key links to the West Midlands needed to be highlighted.

Cllr Ted Richards OBE advised that Solihull MBC was supportive of the contents of the draft response and that it had submitted a response direct to the DfT. Cllr Angela McClements advised that Telford and Wrekin Council was keen to ensure that the current service to Telford and Shrewsbury was retained in the Franchise as a mandatory service.

Cllr Roger Horton supported the contents of the draft response. He reported that the West Coast Rail 250 Campaign had also made its views known on this matter. He referred to the infrastructure between Stafford / Wolverhampton / Coventry / Rugby and on the need for the operators to work together to continue the existing stops at stations. He stressed that Sandwell and Dudley station operated as a Park and Ride facility for residents of Sandwell, Dudley and Walsall Councils and that the needs of that population needed to be recognised given that some 800,000 passengers per year used the station. He commented that 'set down' or 'pick up' stops only would not be satisfactory as the station was important for the local economy especially in terms of leisure activities.

Cllr Stewart Stacey confirmed that Birmingham City Council had taken no part in the suggestion of 'skip stopping' and had complained in relation to this suggestion. He advised that he supported the need to change the title of Birmingham International station to include reference to the Airport and perhaps also including reference to the National Exhibition Centre (NEC) as a major employer.

The Board of Directors AGREED that the Officers be authorised to make further amendments to the draft response to reflect any further input from WMR

Partner Authorities prior to submission to the DfT on or before the 2 August 2016 deadline.

**9. WMR Governance Review and WMR / DfT Strategic Board**

Malcolm Holmes presented a report which sought approval for a strengthening of WMR governance arrangements. The proposed change reflected the increased influence and responsibilities that WMR would be taking on as a consequence of collaboration with the DfT over the months and years ahead.

The Board of Directors AGREED to

- (1) the establishment of a WMR Steering Group to provide senior level Partner Authority strategic guidance; and
- (2) that the WMR Steering Group be granted delegated responsibility for nominating the two representatives on the WMR / DfT Joint Strategic Board comprised of two senior representatives (at least Director or Head of Service level) representing the metropolitan authorities / WMCA and two drawn from shire / unitary authorities together with key advisors.

**10. Neighbour Authority Engagement and West Midlands Rail Investment Strategy**

Malcolm Holmes presented a report which set out proposals for reinvigorating the West Midlands region's engagement with the rail industry on both operational and wider strategic governance arrangements so as to better reflect the reality of the wider devolution agenda. The proposals for future ownership, review of, and accountability for the West Midlands Rail Investment Strategy (previously known as 'West Midlands Rail Vision' and other strategic policy documents were also included.

Clare Horton, Chair of the West Midlands Rail Officers Rail Devolution Group gave a PowerPoint presentation on work which had been undertaken by a Task and Finish Group to refresh and adapt the existing 'West Midlands Rail Vision'. She explained that this work was required in order to reflect better the work that was currently being undertaken by WMR, the position that was sought and contributions to and from other franchises. She reported that the document need to be fit for purpose to enable WMR to respond to other consultation exercises and have synergy with and how the organisation would respond to Midlands Connect.

She reported that the Task and Finish Group had been established to develop the strategic geography and in order to focus on longer distance connectivity. It was intended that a report on the emerging elements would be reported to the next meeting, with a consultation exercise being launched in October with approval and adoption of the revised document at the December meeting. The structure would include:

- Economic Growth;
- People and Passengers;
- Freight;
- HS2 and connectivity;
- Stations and Gateways

She undertook to circulate a copy of the presentation to the Board.

The Board of Directors expressed concern as to the possible duplication of work being undertaken or to be undertaken by either Midlands Connect and/or Midlands Engine.

The Board of Directors AGREED that:

- (1) a further report be submitted to the next meeting of the Board on how the proposed Strategy Board and Strategic Rail Group would relate to the work being undertaken or to be undertaken by Midlands Connect and/or Midlands Engine;
- (2) the work commenced by the Task and Finish Group to refresh the 'West Midlands Rail Vision' be continued.

**11. 2017-18 WMR Budget Indicative Proposals**

Clare Horton presented a report which advised the Board of the indicative proposals for the 2017-18 Budget.

The Board of Directors AGREED that the indicative budget proposals for 2017-18 be endorsed with a further report being submitted in autumn 2016.

*[The meeting ended at 11:52 a.m.]*

**CHAIRMAN**