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**Meeting of the Cabinet - 30<sup>th</sup> July 2025**

**Report of Group Director for Communities and Growth**

**Cross City Bus Package 3 - Dudley to Druids Heath: Burnt Tree Junction Improvement Scheme**

**Purpose of Report**

1. This report seeks 'in principle' approval to the proposed preliminary Burnt Tree Junction Improvement scheme.

Approval to delegate authority to the Cabinet Member for Economy and Infrastructure to approve final scheme designs is also sought.

Once agreement between Dudley Council's and the West Midlands Combined Authority (WMCA) respective Legal and Finance teams is reached; the report also seeks to delegate authority to the Group Director for Communities and Growth to approve the funding agreement to deliver the junction improvement scheme once finalised.

The urgency of this report is due to this scheme needing to accommodate other planned highway works; the timescales for approval, commencement of works and final scheme delivery are very tight and any delay may adversely impact upon this programme and other dependant activities.

**Recommendations**

2. The Cabinet is recommended to:-
  - Approve 'in principle' the proposed highways modifications at the Burnt Tree Junction within Dudley that form part of the Cross City Bus Package 3 – Dudley to Druids Heath Cross City Bus (Package 3) programme as shown at **Appendix A: Burnt Tree Junction Improvement Scheme Drawing**.

- Delegate authority to the Cabinet Member for Economy and Infrastructure to approve final scheme designs following consideration of the public consultation that has been carried out by Transport for West Midlands (TfWM), the outcome of which are presented in **Appendix B: Burnt Tree Public Consultation** and subject to Dudley Council's highway Officers providing technical approval for the final scheme drawings.
- Delegate authority to the Group Director for Communities and Growth to approve the funding agreement; a draft of which is enclosed at **Appendix C: Draft Funding Agreement for Burnt Tree**, to deliver the junction improvement scheme once this is finalised and agreed between Dudley Council's and the West Midlands Combined Authorities respective legal and finance teams following agreement of the funding required to deliver the scheme by Dudley Council officers within Transport and Highway Services with Transport for West Midlands as the scheme sponsor.
- That due to the urgency, Cabinet be recommended to approve this amendment to the Capital Programme and the decision be reported to the Council for information.

## **Background**

3. The Dudley to Druids Heath project is a Transport for West Midlands (TfWM) led scheme being delivered using Department for Transport (DfT) funding allocated directly to the West Midlands Combined Authority through the Better deal for Bus Users fund, along with some funding, for the Birmingham sections, allocated by Birmingham City Council. It forms part of a wider programme of cross-city corridor upgrades identified in the West Midlands Local Transport Plan (LTP) and the Bus Service Improvement Plan (BSIP).

In 2020 the government announced funding for WMCA to make bus services faster and more reliable specifically on the Dudley to Druids Heath corridor through Birmingham City Centre, in what was called "A Better Deal for Bus Users". Since the funding was announced, TfWM, working in partnership with Birmingham City Council, Sandwell, and Dudley Councils, has developed proposals for the Dudley to Druids Heath corridor (Cross City Package 3) and Birmingham City Centre (Cross City Package 1).

The proposals consist of a series of bus priority interventions along the corridor that will offer improved journey times and a more reliable service

for routes including the 50, 82 and 87 services in Birmingham, Sandwell and Dudley. The plan at **Appendix D** shows the entirety of the corridor.

Bus routes 74, 87 and 126 all run through Dudley via the Burnt Tree junction. In Dudley, the nature of the roads along which the cross-city route runs means that opportunities for full bus priority are limited either by road width, or capacity constraints. The Dudley elements of the programme consists solely of interventions at the Burnt Tree junctions where benefits to bus patrons and other users can be derived.

### Burnt Tree Junction Improvement Proposals

4. Due to the strategic importance of the Burnt Tree junctions to commuters and businesses, The proposals at Burnt Tree involve alterations to the traffic signals for the benefit of all users including bus services, cyclists and pedestrians. The scheme also integrates with the two City Region Sustainable Transport Settlement (CRSTS) projects along the A4123 and A461 corridors (full business cases under development) which provides opportunities to exploit the benefits of all schemes. The Burnt Tree proposals are well developed, public consultation undertaken during the autumn of 2024 which included:

- Correspondence sent to relevant Ward Members in both Dudley and Sandwell,
- Letters to affected frontages,
- A public consultation event held at the nearby Tesco,
- A press release, social media posts and online consultation via the Commonplace platform (a digital citizen engagement platform).

There were 58 respondents and there were no objections to the scheme proposal; outcome of that consultation is summarised in **Appendix B**. Following final scheme approval, it is anticipated that the works at Burnt Tree scheme will be in a position to move to delivery later this year depending on timescales for necessary approvals.

The Burnt Tree scheme will be delivered by Dudley Council Officers within Transport and Highway Services under an agreement with Sandwell Council (as the junction improvement scheme traverses both local authority boundaries). Dudley Council Officers delivered the previous scheme at this junction many years ago and therefore have the expertise that will specifically benefit the delivery this project. Sandwell Council support and approve the scheme and have undertaken land appropriation to deliver the scheme (approved by Sandwell Council's cabinet on 9 April 2025). The final approval of the scheme design delegated to Sandwell's

Cabinet Members for Environment & Highways and Regeneration & Infrastructure which is also sought in July 2025.

5. The corridor was chosen by the Department for Transport based on bus patronage levels and thus the number of passengers likely to benefit from improvements to the service. The funding was allocated to TfWM/WMCA on a geographically restricted basis. No alternative routes were offered.

Alternative layouts have been considered through the design process with Dudley Council Officers within Transport and Highway Services being fully engaged with the design process, however the option currently proposed provides the most benefits to general traffic and bus users whilst also improving the junction for other road users, particularly pedestrians and cyclists.

Full details of the alternative options will be reported to the Cabinet Member for Economy and Infrastructure as part of the approval process for the final scheme designs as per the recommendation in paragraph 2.

### Consultation

As the scheme is a TfWM project, consultation is carried out by that organisation and any comments or objections received are dealt with through its approval processes.

As the Burnt Tree proposals are at an advanced stage of development, consultation has already taken place. As part of the initial design process a public engagement exercise on new junction proposals was conducted allowing members of the public to have their say. The consultation ran from 16th February to 16th March 2022. Members of the public were able to have their say via:

- Online Survey form on the TfWM website.
- The survey was emailed out to members of the Human Intelligence Teams contact list.
- Other feedback e.g. via social media/letters and email, including a press release.

In total there were 108 responses to the engagement at that time and these responses influenced further design development.

A second round of public consultation took place during Autumn 2024 and the results of this are per **Appendix B**.

## **Finance**

6. As the scheme is a TfWM project funded by a DfT grant there are no financial implications for Dudley. As per the recommendations in paragraph 2, a funding agreement for project delivery will only be entered into once it is finalised and agreed between Dudley Council's and the West Midlands Combined Authority's respective Legal and Finance teams; the final Dudley approval provided by the Cabinet Member for Economy and Infrastructure.

## **Law**

7. The project is being sponsored by TfWM under powers granted to the West Midlands Combined Authority as part of the West Midlands Combined Authority Order 2016. WMCA is the Integrated Transport Authority for the West Midlands metropolitan area under powers set out in the Transport Act 2000.

The highway works themselves take place on the West Midlands Key Route Network (KRN). Defining a KRN is a mayoral power under West Midlands Combined Authority Order 2016. The Order provides for WMCA to have concurrent highway powers for the KRN along with the Local Highway Authority (LHA).

As the works take place on highways for which the Council is the LHA, those works require technical approval and sign off by the LHA under powers contained in the Highways Act 1980. Both Dudley Council and Sandwell Council will enter into a Section 8 Agreement to enable Dudley Council to deliver the scheme by the powers granted to them under the Agreement. The recommendations in this report provide the overarching strategic approval for the scheme within Dudley against which all further approvals will be considered.

## **Risk Management**

8. There are no direct risk implications resulting from the course of action outlined in this report. All project risk sits with TfWM as project lead and receiver of grant funding. Should the scheme be approved, construction risk will be managed by the appointed contractor and Dudley Council's Officers within Transport and Highway Services as per the Funding Agreement.

## **Equality Impact**

9. An Equality Impact Assessment (EIA) will be undertaken by TfWM as part of the development of the Business Justification Cases for each element of the scheme as they progress towards detailed design. TfWM will keep them under review as the detailed designs progress to ensure there are no concerns that the proposals will affect, or could affect, people with protected characteristics. The Equality Impact Assessment will involve anticipating consequences of actions on different sections of the community and making sure that any negative consequences are eliminated or minimised and that steps are taken to promote equality of opportunity.

Consultation has been undertaken by TfWM with various demographics including consultation that includes children and young people. The details of the consultation and the EIA, along with any recommended actions are as per **Appendix B**.

## **Human Resources/Organisational Development**

10. Staff resource costs associated with the design/delivery of these schemes are included in the Transport capital programme. There are no further human resource or transformation implications associated with this report.

## **Commercial/Procurement**

11. Any procurement activity that may result from the recommendations in this report will be carried out in accordance with the Councils Contract Standing Orders

## **Environment/Climate Change**

12. Decarbonisation of the transport system is central to the government's aims and objectives for CRSTS. It is also a principal theme within the West Midlands Local Transport Plan and of Dudley's route to net zero by 2041. All projects within the programme need to demonstrate how they address climate change and contribute to decarbonisation through their business cases. The project includes measures to reduce journey times, congestion and its associated environmental impacts; the scheme also promotes the use of sustainable, non-car modes which will reduce carbon outputs from transport.

## Council Plan

13. *The contents of this report relate to the following key Council priorities as set out in the 2025-26 Council Plan:*

- *Use Of Resources* – This scheme adheres to Dudley Council’s financial management by delivering an improvement scheme in Dudley that is funded externally and at no cost to Dudley Council and will be delivered taking into consideration agreed savings, and compliance to procurement and contract management guidelines.
- By offering improvements to public transport and active travel infrastructure, the scheme will offer residents a more affordable transport option and hence financial sustainability.
- *Governance*– This report ensures that there is a clear and transparent governance and decision-making process for approving and delivering this scheme.
- *Partnership & Community Engagement*- Provision of high-quality bus services is vital to many of our young people in accessing schools, further education, and beyond our boundaries, higher education establishments. Successful communities need access to jobs, services and facilities within the borough and beyond its boundaries to enable them to remain healthy and vibrant. New and existing residential developments rely on good quality access and links to shops, services and leisure facilities in order for them to be successful. Bus services are a key component of the public transport network. The Bus Service Improvement Plan is backed by capital projects to improve bus service reliability, such as the scheme set out in this report, will underpin the provision of a comprehensive and integrated bus network throughout Dudley.

The provision of a high-quality, sustainable public transport network is vital to the borough’s business as an enabler of access for their existing workforce and as a means of widening the labour market catchment for future recruitment.



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## **Appendices**

- Appendix A: Burnt Tree Junction Improvement Scheme Drawing
- Appendix B: Burnt Tree Public Consultation
- Appendix C: Draft Funding Agreement for Burnt Tree
- Appendix D: Cross-City Corridor Plan