

Midland Metro Penalty Fares Order

Transport and Works Act 1992
The Transport and Works
(Applications and Objections Procedure)
(England and Wales) Rules 2006



**Concise Statement of
Aims**

Transport and Works Act 1992

Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 – Rule 10(2)(c)

The Midland Metro (Penalty Fares) Order

CONCISE STATEMENT OF THE AIMS OF THE PROPOSALS

This statement explains the aims of the proposal to which the draft Order relates, as required by Rule 10(2)(c) of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006.

The application for the Order is made by the West Midlands Combined Authority (“WMCA”). WMCA is a statutory body established by the West Midlands Combined Authority Order 2016 (S.I.2016/653) under the Local Democracy, Economic Development and Construction Act 2016. It is the successor body to the West Midlands Passenger Transport Executive.

WMCA is responsible for the Midland Metro tram network which currently links Birmingham with Wolverhampton.

A penalty fare regime was introduced on the Midland Metro by the Midland Metro (Penalty Fares) Act 1991 (“the 1991 Act”) but has not been updated since that time. The current penalty fare is £10 (set by s.5 (1) of the Act).

Whilst the penalty fare of £10 may have been appropriate at the time of the original Act, more than quarter of a century ago, the impact of inflation on ticket prices has meant that this no longer serves as an effective deterrent to potential fare evaders, particularly given that the cost of a single end to end journey on the Metro is currently £4.10.

The aim of the proposal to which this application relates is to amend sections 5 and 9 of the 1991 Act, conferring powers on WMCA make changes to penalty fares on Midland Metro in the future without being required to seek an Order from the Secretary of State for Transport. Instead, the Executive would be able to vary the penalty fare by publication of a notice in the local newspaper(s) circulating in the areas where passengers get on and off Metro Vehicles after consulting on its proposals with the Secretary of State for Transport, representatives of local authorities, representatives of passengers on the Metro and such other persons or bodies as WMCA considers appropriate.

The powers conferred by the Order would empower the WMCA to alter the period for payment of the penalty fare and also for a reduction in the amount of penalty fare if paid within a shorter period, thereby enabling it to introduce in the future a two tier penalty fare system, as in existence on some other tram¹ and public transport networks. The Order would also prescribe that the amount of the penalty fare may not exceed the maximum amount for which a person failing to comply with the requirements of section 8(1) (supplementary provisions) of the 1991 Act may be liable on summary conviction for fare evasion.

¹ For example Croydon Tramlink (Penalty Fares) Order 2003 (S.I. 2003/1614)