

## **BIRMINGHAM CITY COUNCIL**

### **SUSTAINABILITY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE**

**WEDNESDAY, 14 JUNE 2023 AT 14:00 HOURS**  
**IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

## **A G E N D A**

### **1 NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

### **2 APOLOGIES**

To receive any apologies.

### **3 DECLARATIONS OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

4 **MEMBERSHIP OF SUSTAINABILITY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE**

To note the resolution of the City Council meeting appointing the Committee, Chair and Members to serve on the Committee for the period ending with the Annual Meeting of City Council in 2024.

Labour (5):-

Councillors Lee Marsham (Chair), Saima Ahmed, David Barker, Martin Brooks and Waseem Zaffar

Conservative (2):-

Councillors Timothy Huxtable and Richard Parkin

Liberal Democrat:-

Councillor Colin Green

5 **ELECTION OF DEPUTY CHAIR (14:05 - 14:10)**

To elect a Deputy Chair, for the purposes of substitution for the Chair, if absent, for the period ending with the Annual Meeting of the City Council in 2024.

**5 - 6**

6 **SUSTAINABILITY AND TRANSPORT O&S COMMITTEE TERMS OF REFERENCE (14:10 – 14:15)**

To note the Terms of Reference for the Sustainability and Transport Overview and Scrutiny Committee.

**7 - 18**

7 **MINUTES**

To confirm the minutes from the meetings held on 19th April and 18th May 2023.

**19 - 20**

8 **SUSTAINABILITY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE ACTION TRACKER**

To review and note the actions from the previous Sustainability and Transport Overview and Scrutiny Committee meeting.

**21 - 26**

9 **DELIVERING EFFECTIVE AND FLEXIBLE SCRUTINY (14:20 – 14:40)**

To consider how the Sustainability and Transport Overview and Scrutiny Committee will develop a flexible and effective work programme for 2023/24.

**10 DEVELOPING THE SUSTAINABILITY & TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE SCRUTINY WORK PROGRAMME 2023/24 (14:40 - 15:55)**

To consider the issues for the 2023/24 work programme including Cabinet Member Priorities and forthcoming decisions, issues recommended to be carried forwards from 2022/23, information from the City Observatory; Programmes, Performance and Improvement Division to agree potential issues for the Scrutiny Work Programme and Scrutiny methods.

**11 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).

**12 SCHEDULE OF MEETING DATES FOR COMMITTEE MEETING AND SCRUTINY WORK**

(A) The scheduled dates for 2023 to 2024 are as follows:-

2023	2024
12 July	17 January
20 September	14 February
18 October	13 March
15 November	17 April
13 December	

(B) The Committee is also requested to Approve Wednesdays at 1400 hours as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of Executive decisions.

**13 OTHER URGENT BUSINESS**

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

**14 AUTHORITY TO CHAIR AND OFFICERS**

Chair to move:-

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



# Birmingham City Council

## Sustainability and Transport Overview and Scrutiny Committee

Date 14 June 2023



---

**Subject:** Sustainability and Transport Overview and Scrutiny Committee Terms of Reference.

**Report of:** Christian Scade, Head of Scrutiny and Committee Services.

**Report author:** Amelia Wiltshire, Overview and Scrutiny Manager.

### 1 Purpose

- 1.1 To consider the Sustainability and Transport Overview and Scrutiny Terms of Reference.

### 2 Recommendations

- 2.1 To note the Terms of Reference for the Sustainability and Transport Overview and Scrutiny Committee as set out in 3.2 below.

### 3 Sustainability and Transport Overview and Scrutiny Committee Terms of Reference

- 3.1 The Terms of Reference below were approved at the Annual City Council meeting on 23<sup>rd</sup> May 2023. This sets out the remit of the work for this committee.
- 3.2 To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities relating to:
- sustainable transportation policy and programmes, projects and initiatives
  - strategic highways matters
  - maintenance of roads and streets, traffic management and car parks and enforcing rights of way
  - cooperation with the WMCA and Mayor in relation to the key route network
  - an Air Quality Strategy for Birmingham
  
  - a financially and environmentally sustainable waste strategy
  - a robust re-use and recycle strategy
  - a strategy for sustainability, liveability and environmental improvements

- city-wide and national policy development to tackle the causes and consequences of climate change.

3.3 The Committee shall also undertake any functions in relation to the scrutiny of flood risk management.

#### **4 Any Finance Implications**

4.1 No direct financial implications resulting from this report.

#### **5 Any Legal Implications**

5.1 No direct legal implications resulting from this report.

#### **6 Any Equalities Implications**

6.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.2 The Committee should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering: How policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; Whether the impact on particular groups is fair and proportionate; Whether there is equality of access to services and fair representation of all groups within Birmingham; Whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

#### **7 Appendices**

7.1 None.

## BIRMINGHAM CITY COUNCIL

# SUSTAINABILITY AND TRANSPORT O&S COMMITTEE

1400 hours on 19th April 2023, Committee Room 3-4, Council House

---

### Present:

Councillor Chaman Lal (Chair)

Councillors, David Barker, Martin Brooks, Colin Green, Timothy Huxtable and Richard Parkin

### Also Present:

Mel Jones, Head of Transport Planning & Network Strategy

Simon Needle, Strategic Lead Urban Forestry and Nature

Martin Rowe, Transport Planning Manager

Christian Scade, Head of Scrutiny and Committee Services

Amelia Wiltshire, Overview & Scrutiny Manager

Sarah Fradgley, Scrutiny Officer

---

### 1. NOTICE OF RECORDING/WEBCAST

The Chair advised those present that the meeting would be webcast for live and subsequent broadcast via the Council's Public i site and that Members of the press/public may record and take photographs except where there are confidential or exempt items.

### 2. APOLOGIES

Councillors Saima Ahmed and Alex Aitken.

### 3. DECLARATIONS OF INTERESTS

None.

### 4. SUSTAINABILITY & TRANSPORT O&S COMMITTEE ACTION NOTES

The action notes of the meeting held on 14<sup>th</sup> March 2023 were approved.

The following updates to the Action Tracker were noted:

- Update on A45 Segregated Cycle Route – information briefing forwarded to Councillor Colin Green

- Potential impacts of proposed changes to HS2 Delivery Programme – information briefing forwarded to Members
- Waste Disposal Procurement – an informal briefing for Members would follow the committee meeting.

Members expressed their disappointment that the Waste Disposal Procurement would be considered at an informal briefing for members, rather than as a formal agenda item. It was felt the issue should be publicly scrutinised at a formal committee meeting. It was further noted that Cabinet decisions were subject to the Call-In procedure that would require a formal meeting.

Responding to questions, Christian Scade, Head of Scrutiny and Committee Services explained that it was recognised best practice that cabinet reports were shared with the relevant O&S Chair, but this was not the case for all reports. He noted Members' concerns and highlighted that there was an option for members and the chair to attend Cabinet to feedback before a decision was made, and also the call-in option.

The Committee requested that future action trackers indicate completion dates and asked that future briefing notes be provided before the next agenda despatch date, to ensure Members had time to digest the information.

**RESOLVED: -**

1. That future briefing notes on actions arising from the committee be provided before the next agenda despatch date and the Action Tracker document include completion dates.

## **5. CITY OF NATURE 25 YEAR PLAN UPDATE**

(See Item No. 5)

Simon Needle, Strategic Lead Urban Forestry and Nature, spoke to the presentation circulated. Responding to questions from Members the following points were made: -

- The City of Nature Plan focused on both improving existing green space and creating new green spaces. He summarised work undertaken across the city to date including the natural rivers and green corridors projects and biodiversity work with communities. He undertook to provide a copy of the Green Infrastructure Masterplan Vision Document that identified where new green spaces were required.
- The option for a city park at Smithfield was subject to an outline planning application. He had advised on the ecology of the site and integrating biodiversity but could not comment on the broader planning application details.
- The Future Park Standard provided the mean to improve the site management of existing parks.
- The support of volunteers and friend of parks groups was acknowledged. Work with the City of Nature Alliance and Green Champion Network sought to increase park volunteers and engage communities in the development of local green spaces.

**RESOLVED: -**



1. The report was noted.
2. Simon Needle to provide a copy Green Infrastructure Masterplan Vision document for committee members, following its publication end of April 2023.

## 6. REFRESH OF THE ROAD SAFETY STRATEGY FOR BIRMINGHAM

(See Item No. 6)

Martin Rowe Transport Planning Manager, spoke to the presentation circulated. Responding to questions from Members the following points were made: -

- There were a range of options to reduce traffic volumes in residential areas such as low traffic neighbourhoods, or reallocating road space. Proposals would be locally specific, and it was important to work with local communities to develop schemes. The wider Birmingham Transport Plan will include significant investment in alternative modes of travel, including public transport, active travel and mobility hubs.
- The Strategy was not anti-car but focused encouraging appropriate car use.
- Mel Jones reassured the meeting of the resources to develop and deliver schemes. BCC had recently increased team capacity and had an ongoing recruitment campaign to attract transport planners and engineers, despite the global shortage of such expertise. She also used the professional services framework to bring in additional support and specialists.
- BCC had secured Active Travel Round 4 funding and work continued to develop a pipeline of schemes ready to bid in future funding rounds. She was confident of BCC's ability to continue to attract funding.
- The Strategy's proposed move to a major scheme approach aimed to address the disconnect between the highways PFI and transport planning, by consolidating all the smaller schemes into a whole neighbourhood programme that would ensure right people were involved in planning and delivery.
- Martin Rowe was working with local ward councillors on HS2 Road Safety schemes and undertook to report back in due course.
- Orbital Routes would be included in strategy.
- Mel Jones undertook to provide an update winter maintenance programme associated with active travel including progress on the provision of grit bins.
- Positive conversations had been taken place with the new Chief Constable of West Midlands Police to increase capacity of Average Speed Cameras. BCC had the capital capacity to install new sites but was subject to WMP enforcement capacity.
- The meeting also discussed how to encourage car owners out of their cars, multiple car households, and future park and ride schemes.
- The criteria to prioritise road safety schemes was set out within the Road Safety Strategy. However, there was a backlog implementing the programme.

### **RESOLVED: -**

1. The report was noted.
2. Martin Rowe to update the Committee on the HS2 Road Safety schemes in due course.

3. Mel Jones to provide an update on the winter maintenance programme associated with active travel including progress on the provision of grit bins.

## **7. WORK PROGRAMME**

(See Item No. 7)

The current work programme was noted, and it was agreed that a decision on whether to bring forward the remaining outstanding work programme items should be left to the new committee.

### **RESOLVED: -**

1. It was agreed not to recommend any forward programme items, leaving the decision on outstanding work programme items to the new committee.

## **8. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS (IF ANY)**

None

## **9. OTHER URGENT BUSINESS**

A vote of thanks was recorded for Councillor Lal's chairing of the Committee for the 2023/24 Municipal Year.

Councillor Lal thanked committee members, the Cabinet Member, and officers for their contributions and collaboration throughout the year.

## **10. AUTHORITY TO CHAIR AND OFFICERS**

Agreed.

### **RESOLVED: -**

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

---

The meeting ended at 15:44 hours.

## BIRMINGHAM CITY COUNCIL

# SUSTAINABILITY AND TRANSPORT O&S COMMITTEE

1000 hours on Thursday 18 May 2023, Committee Room 6, Council House

---

**Present:**

Councillor Chaman Lal (Chair)

Councillors: Alex Aitken, David Barker, Colin Green, Timothy Huxtable and Richard Parkin

**Also Present:**

Councillor Majid Mahmood, Cabinet Member for Environment

Councillor Ewan Mackey

Councillor Roger Harmer

Councillor Julien Pritchard

Michelle Climer, Contracts Manager

Meena Chuhan, Interim Procurement Manager (online)

Michael Wareing, Lead Consultant, Fichtner Consulting Engineers Limited

Rajesh Parmer, Senior Solicitor

Baseema Begum, Scrutiny Officer

Amelia Wiltshire, Overview and Scrutiny Manager

---

The meeting started at 10:01 hours

**1. NOTICE OF RECORDING/WEBCAST**

The Chair advised that this meeting would be webcast for live or subsequent broadcast via the Council's meeting and that members of the press/public may record and take photographs except where there were confidential or exempt items.

**2. APOLOGIES**

Apologies were received from Councillors Saima Ahmed and Martin Brooks.

### 3. DECLARATIONS OF INTERESTS

None.

### 4. REQUEST FOR CALL-IN: CONTRACT AWARD FOR THE OPERATION AND MAINTENANCE OF TYSELEY ERF, WASTE TRANSFER STATIONS AND HOUSEHOLD WASTE RECYCLING CENTRES

(See document No. 1)

The Chair was notified of apologies given on behalf of Councillor Rob Grant and Darren Share, Assistant Director, Street Scene.

Councillor Majid Mahmood, Cabinet Member for Environment, Councillor Ewan Mackey, Councillor Roger Harmer, Councillor Julien Pritchard, Michelle Climer, Contracts Manager, Meena Chuhan, Interim Procurement Manager (online), Michael Wareing, Lead Consultant, Fichtner Consulting Engineers Limited and Rajesh Parmer, Senior Solicitor, were in attendance for this item.

The Chair advised that the purpose of the item was to discuss whether the Committee should, or should not exercise its power of call-in, and outlined the process to be followed at the meeting. Members were advised that an exempt report was included in their agenda pack and should they wish to discuss any element of this the meeting would need to go into private session. It was confirmed by the members who made the request that they were not proposing to discuss any element of information in the exempt report.

The Chair invited Cllrs. Mackey, Harmer, and Pritchard to explain the reasons for their request for this decision to be called-in using the set criteria and in doing so the following were amongst the main points made:

#### **Criteria 2: the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees**

- The decision was inconsistent with the Council's policies on clean air and climate change. It was highlighted that the Council had declared a climate emergency in 2019 that had received cross-party support. Further to this the ambition to reach net zero carbon by 2030 or as close to this date as possible was also a Council priority. However, it was felt that this was in direct conflict with the decision to continue with a contract to dispose of waste by use of an incinerator that would see a rise in CO<sub>2</sub> emissions. Concern was shown that the contract fell outside of the target to reach net zero carbon by 2030 as the contract meant that waste would still be incinerated up to 2034 at the earliest and therefore was incompatible with the Council's aims.
- There was not enough evidence in the cabinet report demonstrating that other options had been considered with the Council looking at trying something different.
- There was concern held that data from 2016/17 had been used for the options appraisal however the decision was being made years later in 2023 so the decisions were being made on out-of-date information. In addition, the

Council's Executive did not revisit the decision made in 2016 through the options appraisal following the Council declaring a climate emergency in 2019 where there was a clear change of aims and objectives. It was felt therefore that there should have been a re-assessment of those plans following the climate emergency declaration and there had been no evidence of this.

**Criteria 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)**

- Previous Scrutiny inquiries have noted in their recommendations the need to consider procurement options in a timelier fashion to ensure that all possible options are considered. However, the most recent example of a failure to do this is the current contract whereby an extension was applied for at the last minute in 2019 (the original contract was signed in 1994 for a period of 25 years) for the authority to prepare for a full procurement process by the end of the current contract in 2024. It was noted that the decision made in 2019 was also 'called-in' and the response from the Executive was that lessons had been learnt and the forthcoming procurement process would involve looking at alternatives. There was concern that the Council had found itself in the same position in 2023 with an extension been applied for again for the same contract. It therefore was noted that previous recommendations and processes had not been noted.

**Criteria 4: the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision**

- It was highlighted that progress being made in respect of the procurement process before the final decision was made was not shared with the Scrutiny Committee despite previous commitments made in 2016 for Members to be involved earlier in the process.

**Criteria 5: the Executive appears to have overlooked some relevant consideration in arriving at its decision**

- It was stated that the Council had not considered all the available options and little analysis has been made of other considerations. Members had been told that the contract must be of a minimum length of 10 years for the industry to consider it worthwhile as alternatives with a shorter lifespan would be deemed to be a non-viable option. Cllr Pritchard explained that with the contract being extended with the same provider a set up period would not be required, and this would eliminate the need for a longer contract period.
- It was highlighted in the report that the incinerator is an old and out of date asset and the belief was that the Council was paying over the odds for its use. In addition, it requires a lot of investment to maintain and that is the justification being made for the Council to be tied into a long contract. It was felt that the amount of investment to maintain it was not being considered carefully and that no comparison work had been carried out to demonstrate the effect of reducing the amount of waste going into the incinerator. A comparison of the cost of sending waste to landfill or full consideration given to other alternative disposal methods would have been helpful and worthwhile

to see. Furthermore, there was an assumption being made that recycling rates will not improve in the future to justify the use of the incinerator for waste disposal.

- There is a need to make a serious commitment to reducing the amount of waste being sent to the incinerator and increasing the amount of waste being recycled. Looking at other ways to reduce waste that would require less use of the incinerator and consideration being given to whether an incinerator was required if waste being produced was halved. Therefore, analysis of other options such as the transfer of a smaller amount of total waste to another location would cost the authority less although the travel involved may be further.
- Consideration needs to be given to alternative methods of disposal including looking at what neighbouring/other council's do. The impact of burning more waste on the environment in light of the Council's commitment to reducing CO2 emissions and air pollution.

**Criteria 6: the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of O&S Committees, it is likely so to do**

- There has been significant opposition to the extension of this contract. There was concern that the Council's commitments and policies were not being adhered to in specific reference to the declaration of a climate emergency in 2019 and to reach net zero carbon by 2030 (or as soon as possible after). It was clear from the Council's waste strategy and the decision on the contract that these commitments cannot be met and this observation had been made by Councillors across the political divide.
- The management of waste is key and a cause of concern with the authority recycling the same amount of waste as it did 4 years ago. Birmingham is still one of the worse reporting Council's sitting at 330 out of 333 in a table showing local authorities waste recycling levels. It was noted that mobile household recycling centres (HRCs) reduce the amount of recycling compared to static HRCs and less than 5% of waste is recycled by the mobile trucks.
- There has been media and press coverage highlighting the dissatisfaction from a range of Councillors noting that this is the first call-in that has been submitted on a cross-party basis. Furthermore, the same item has been called-in twice. This demonstrates the need for a detailed action plan to address the need to reduce the use of the incinerator and increase the levels of recycling.

**Criteria 8: the decision appears to give rise to significant legal, financial, governance or property issue**

- Concerns over the age and nature of delegations relied upon. It was noted that appraisals undertaken in 2016 and agreed in 2018 but being implemented in 2023 were out of date. Therefore, it should be noted if actions taken are in line with the approved strategy as is a requirement of those delegations.
- The cross-party group set up to be involved in the decision-making process has not met for 4-5 years.

- The city needs to improve its recycling level and currently this is being masked by using the incinerator. There is a need to look at greener technology to help improve recycling levels.

The Cabinet Member and officers responded to the issues raised and in further discussion with Members, the following were amongst the main points raised:

- Cllr Mahmood set out the timeline that led to the procurement process and explained that following the 5-year contract extension awarded in 2019 the first steps in the procurement exercise took place in 2020. Several organisations showed interest in bidding for the contract, and in 2021 a competitive dialogue started. The procurement process was completed in early 2023 with the award of the contract subject to a report to Cabinet seeking authorisation.
- The Council has set a very ambitious target to reach net zero carbon by 2030 (or as closely after) in comparison with others. It was noted that the West Midlands Combined Authority aims to reach the same goal by 2041. The Government has set the target for 2050.
- The contract award is very cost effective and the Tyseley ERF meets all compliance legislation. The Council has declared a climate emergency with the aim of a just transition to alternative and greener methods for dealing with air pollution and waste disposal so that the most disadvantaged in the city are not adversely affected. It was noted that a study undertaken in 2019 showed no negative impact on residents in the area. The interim contract awarded of 10 years allows for a period of transition.
- There is flexibility in the contract for amendments to be made as required for example to include the disposal of food waste without any financial penalty. The Cabinet Member confirmed that this was an area of work that could be brought back to the scrutiny committee for input and discussion.
- It was explained that the Council has a statutory duty to fulfil as a waste disposal authority and through its climate emergency declaration and work to make the city cleaner and green it has set itself two competing priorities. Work is happening in all these respective areas, and it was noted in response to poor recycling rates in the city that an educational programme was being set up to help residents to understand what can and can't be recycled. It was felt that this was key in improving the city's recycling levels.
- In response to the possibility of transporting waste outside of the city the Cabinet Member said that this was in effect moving and creating a problem elsewhere. It was highlighted that the current fleet of waste vehicles are non-polluting and compliant with the Clean Air Zone therefore not adding to pollution levels within the A4040 ring road.
- Members noted that the previous waste disposal contract ended in 2019 after a period of 25 years. An extension was granted for an interim period of 5 years to allow the Council to complete a full procurement process. However, a transitional contract has now been agreed for a further 10 years with a possibility of this being extended for another 5 years meaning that the current

contract could run to 2039. Concerns were raised that even though new technologies were being referred to throughout the process there was no resolution or solution found resulting in the current contract being extended. Members noted that in a previous report to Cabinet it had been stated that the Tyseley ERF was past its natural life expectancy. With this being noted it was felt that the Council was receiving reputational damage by extending this contract yet again.

- Only limited information could be shared with Members for example the timeline and stages of awarding the contract at public committee meetings due to commercial sensitivity. The Council had to ensure that contractual information is kept confidential otherwise it would be open to legal challenge. The Scrutiny Committee had received updates on the procurement process at their request.
- It was noted that the opportunity for a meeting to discuss the award of the contract was shared with Members at very short notice and meant that there was no opportunity to have a discussion prior to the report being presented for approval at Cabinet. However, the Cabinet Member confirmed information could only be shared once the decision had been scheduled for an upcoming Cabinet meeting based on advice received by Legal Services. Therefore, an offer for an informal briefing of Members was shared however this was at short notice and this was acknowledged.
- Members asked that the Cabinet Member for Environment notes all future meetings of the Committee in his diary so that he can attend if he has information to share and likewise if the Committee request a discussion on sustainability issues.

Cllr Mahmood and supporting officers left the meeting.

Members then held a discussion on the issues raised and the merits of the request for call-in noting that issues and concerns raised covered several criteria and that this should be noted. The Chair then moved to a vote and the Committee agreed unanimously for the decision to be called-in.

**RESOLVED:**

1. That the decision was called in.

**5. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS (IF ANY)**

None.

**6. OTHER URGENT BUSINESS**

None.



## **7. AUTHORITY TO CHAIR AND OFFICERS**

### **RESOLVED:**

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

---

The meeting ended at 12:03 hours.



**SUSTAINABILITY AND TRANSPORT O&S COMMITTEE**  
**ACTION TRACKER 2023-24**

<b>Date</b>	<b>Agenda Item</b>	<b>Action</b>	<b>Update</b>	<b>Completion</b>
19 <sup>th</sup> April	Action Tracker	Future briefing notes on actions arising from the committee be provided before the next agenda despatch date and the Action Tracker document include completion dates.	Noted.	n/a
19 <sup>th</sup> April	City of Nature 25 Year Plan Update	Simon Needle to provide a copy Green Infrastructure Masterplan Vision document for committee members, following its publication end of April 2023.	Final amendments in progress – 31 <sup>st</sup> May.	Anticipated completion date mid- June.
19 April	Refresh of the Road Safety Strategy for Birmingham	Martin Rowe to update the Committee on the HS2 Road Safety schemes in due course.	Scoping of schemes currently taking place – 26 <sup>th</sup> April.	Anticipated update on the various initiatives proposed will be available in July.
19 April	Refresh of the Road Safety Strategy for Birmingham	Mel Jones to provide an update on the winter maintenance programme associated with active travel including progress on the provision of grit bins.	Passed to Highways as falls within their remit. Scrutiny Officers have chased for response - 31 <sup>st</sup> May.	Request for a response as soon as possible.



# Birmingham City Council

## Sustainability and Transport Overview and Scrutiny Committee

Date 14 June 2023



---

**Subject:** Delivering Effective and Flexible Scrutiny.  
**Report of:** Christian Scade, Head of Scrutiny and Committee Services.  
**Report author:** Amelia Wiltshire, Overview and Scrutiny Manager.

### 1 Purpose

- 1.1 To consider how the Sustainability and Transport Overview and Scrutiny Committee will develop a flexible and effective work programme for 2023/24.

### 2 Recommendations

- 2.1 To note the development of a flexible and effective work programme for 2023/24 as developed by members of the Coordinating Overview and Scrutiny Committee in the last Municipal year 2022/23 (ref: Appendix 1).

### 3 Any Finance Implications

- 3.1 No direct financial implications resulting from this report.

### 4 Any Legal Implications

- 4.1 No direct legal implications resulting from this report.

### 5 Any Equalities Implications

- 5.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 5.2 The Committee should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering: How policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; Whether the impact on particular groups is fair and proportionate; Whether there is equality of access to services and fair representation of all groups within Birmingham; Whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

## **6 Appendices**

- 6.1 Appendix 1 – A More Flexible, Effective Scrutiny Function for 2023/24.

## **A MORE FLEXIBLE, EFFECTIVE SCRUTINY FUNCTION FOR 2023-24**

In April 2021, the City Council adopted an Overview & Scrutiny Framework document that set out a vision for Overview & Scrutiny in Birmingham.

**“To ensure effective democratic accountability and oversight of the Council’s executive. This will be achieved by a Member-led Scrutiny function which is held in high regard by its many stakeholders and which adds value for the people of Birmingham.”**

**“To achieve this, Scrutiny will follow the nationally agreed ‘Four Principles of Good Scrutiny’:**

- **Amplify public voice and concerns;**
- **Drive improvement in public services;**
- **Provide constructive ‘critical friend’ challenge; and**
- **Be led by ‘independent minded people’ who take responsibility for their role.”**

**“Scrutiny must add value and not duplicate the other forms of performance management, review or inspection. .... that Scrutiny is involved in a timely manner, at a point where the outcome can be influenced, to ensure involvement is meaningful.”**

The framework document recognised that:

**“Creating a strong organisational culture that recognises the critical role of an independent Scrutiny in the governance process is essential to adding value and creating efficient and effective services.”**

**“Scrutiny should be well planned and timely.”**

Unfortunately, Scrutiny has not always delivered on these goals and in its relationship with the Council’s executive (i.e., Cabinet) and the Chief Executive’s Senior Leadership Team – Scrutiny has not always been held in equal respect. For some years, Overview & Scrutiny has pursued very few issues that have contributed significantly to the thinking and actions of the Council’s Cabinet and the Chief Executives senior management team. We have not always been enabled to deliver on the aspirations set out in the O & S Framework document.

As we move into the 2023–24 municipal year, the roles and responsibilities must be clear:

**“Overview & Scrutiny Chairs are responsible for leading and co-ordinating the work the Scrutiny Committee so that Scrutiny functions in a positive, constructive and non-partisan manner. Overview and Scrutiny members must contribute time and effort to both the development and the carrying out the Scrutiny work programme ..... .**

So, in adopting their responsibility, the present Co-ordinating O & S members are putting forward a number of suggestions that will improve the way in which Scrutiny Committees function, learning from their own experiences in 2022-23.

## **1. Remit of Overview & Scrutiny Committees**

The remit and workload of committees is uneven. Particularly, the remit of the Housing & Neighbourhoods and Health & Social Care Committees is much larger than that of other committees.

In a separate document, Scrutiny Planning 2023/24, the present Co-ordinating O & S members have reviewed the terms of reference of Scrutiny Committees and are recommending arrangements for 2023-24 that will ensure that the workloads of the committees are more evenly balanced and, in part, better aligned with the remits of Cabinet Members. Co-ordinating O & S will consult further over the next 6 months on further changes to the structure and operation of Scrutiny.

## **2. Engagement with Cabinet Members**

In the current Scrutiny structure, most Cabinet Members attend multiple committees to report on their activities and policies – with some Cabinet Members being asked to attend three or four separate Scrutiny committees. This takes up a considerable portion of the time allocated to committee meetings and requires an equally considerable time commitment by Cabinet Members and the officers that support them. Moreover, many of these reports do not lead to Scrutiny added value or impact as the reports are presented for information and noting.

A Cabinet Members should only be in formal attendance when deemed necessary by the relevant Scrutiny Chair.

There will be occasions when an Overview & Scrutiny Committee will wish to receive an update report on a specific policy or initiative at a scheduled meeting of the committee, to allow members to publicly consider the appropriateness of that policy or initiative to the Council's Corporate Plan and the challenges faced by the Council – a recognised part of the role of Scrutiny. Also, these update reports could be scheduled at the request of the Cabinet Member so that Scrutiny is involved in a timely manner.

These opportunities should arise from regular dialogue between a Cabinet Member and the relevant Scrutiny Chair; and always with the intention that the Scrutiny committee should be adding value through its engagement with the Cabinet Member.

A Cabinet Member may wish to issue directly to members of an Overview & Scrutiny Committee a briefing note to provide members with background information, especially important at the start of the municipal year as some committee members may not have knowledge of plans and strategies being pursued by the Cabinet/Council.

Furthermore, it should be incumbent on a Cabinet Member to advise a Scrutiny Chair, in a timely manner, of a report being taken to Cabinet when the Scrutiny Chair is listed as the relevant Scrutiny Chair, or of a report being placed on the Forward Plan.



### 3. Meeting arrangements

For years, Scrutiny committees have met in formal, structured public meetings, mostly monthly. Some flexibility in meeting arrangements could bring advantages, particularly if Scrutiny members are being engaged in the other work of the committee – such as a Task & Finish Group.

Initially at the start of the municipal year, through informal meetings or workshops, members could identify a ‘menu’ of issues (including policy development, policy review, issues of accountability, statutory functions, voice of the public, ..... ) as the potential work programme of that committee – meeting with the Cabinet Member(s) to ensure the list of issues would be welcomed by them. The list would be a ‘menu’ from which topics could be selected for consideration by the committee or a Task & Finish Group. The committee would regularly review the ‘menu’ and decide which issues need to be examined further and how that work would be undertaken. Scrutiny activities should be thorough and undertaken in a timely manner.

At the June meetings, each Committee will consider information including key data from the City Observatory, information from Corporate Performance reports, Cabinet Member and directorate priorities and issues recommended or carried forwards from the previous scrutiny work programmes to inform the initial menu of topics for the work programme for the year.

Aspects of the work programme would be assigned<sup>1</sup> to scheduled (public) meetings of the committee or a more limited number of members that might take evidence from a number of witnesses, whilst other issues could be assigned to Task & Finish Groups set up by the committee - with these groups meeting in public or private sessions as required, enabling the committee to focus on specific matters throughout the year as appropriate and without unnecessary delay.

Whilst scheduled meetings of the committee would rely primarily on resources available through the Scrutiny Office, other Scrutiny activities could be supported by resources from elsewhere in the Council – as successfully achieved this year by the Customer Services Programme and Homes for Ukraine Task & Finish Groups set up by the Co-ordinating O & S Committee.

A Task & Finish Group or other sub-committee arrangements would include members from different political groups – but not necessarily politically balanced, and would have Terms of Reference, setting out aims, methodology and timescale, agreed by the sponsoring committee and would have to report back to that committee with a final report. The sponsoring committee could also determine whether a Task & Finish Group could include non-executive members from beyond the committee to draw on other members’ interest and experience, but there would be a limit on the number of co-options to prevent a Task & Finish Group from becoming ineffective.

It may be appropriate for a Scrutiny report of significant importance to be reported directly to Council rather than via the Scrutiny Business Report to Council three times a year. Such requests would need to be directed to the Council Business Management Committee.

<sup>1</sup> <https://cfigs.org.uk/wp-content/uploads/Work-Programming-FINAL.pdf>



# Birmingham City Council

## Sustainability and Transport Overview and Scrutiny Committee

14 June 2023



---

**Subject:** Developing the Overview and Scrutiny Committee Work Programme (Sustainability and Transport)

**Report of:** Christian Scade, Head of Scrutiny and Committee Services

**Report author:** Amelia Wiltshire, Overview and Scrutiny Manager  
[amelia.wiltshire@birmingham.gov.uk](mailto:amelia.wiltshire@birmingham.gov.uk)  
07825 979253

### 1 Purpose

- 1.1 This report provides information for the Sustainability and Transport Overview and Scrutiny Committee to consider in developing their work programme for 2023-24. It identifies potential issues for the Committee to explore and sets out the range of scrutiny methods which could be adopted.
- 1.2 The report refers to the relevant Cabinet Member Priorities and forthcoming decisions; issues recommended to be carried forward from the 2022-23 Overview and Scrutiny work programme, which are specific to this Committee's remit; and tailored high level summary from the City Observatory and Programmes, Performance and Improvement Division.

### 2 Recommendations

- 2.1 That the Committee:
  - Notes the information set out in Appendices 1-3 and identifies a menu of topics for the Committee to explore over the coming year.
  - Confirms, subject to further input from the Chair and Deputy Chair outside of the meeting, items for the Committee meeting in July
  - Agrees the issues that the Committee will consider during September – October 2023, the proposed aims and objectives and the preferred method of scrutiny.
  - Notes that a draft work programme will be presented to the Committee meeting in July for consideration and approval

- Notes, subject to further input from the Chair and Deputy Chair outside of the meeting, its proposed work programme will be submitted to Co-ordinating O&S to enable work to be planned and co-ordinated throughout the year.

### **3 Background**

- 3.1 The [statutory guidance for local government overview and scrutiny](#) sets out the role it can play in holding an authority's decision makers to account. This makes it fundamentally important to the successful functioning of local democracy.
- 3.2 Effective Overview and Scrutiny should:
- Provide constructive 'critical friend' challenge
  - Amplify the voices and concerns of the public
  - Be led by independent people who take responsibility for their role
  - Drive improvements in public services
- 3.3 The role and functions of Overview and Scrutiny Committees are outlined in [The City Council's Constitution | Birmingham City Council](#) They will:
- Make reports and/or recommendations to the full Council, the Executive and/or other organisations in connection with the discharge of the functions specified in their terms of reference.
  - Consider any matter covered in their terms of reference that may affect or be likely to have an effect on the citizens of Birmingham; relevant to the Council's strategic objectives; relevant to major issues faced by officers in managing a function of the Council; and likely to make contribution to moving the Council forward and achieving key performance targets.
- 3.4 Effective scrutiny needs to add value. A well planned and timely work programme enables Overview and Scrutiny Committees to be involved at the right time and in the right way, and ensure their involvement is meaningful and can influence the outcome.

### **4 Developing the Work Programme 2023-24**

- 4.1 The document on developing flexible and effective scrutiny, which is considered as a separate agenda item at this meeting, describes a revised approach to work programme development. It proposes that the Committees identifies a 'menu' of issues (including policy development, policy review, issues of accountability and statutory functions) at the start of the year. The Committee should then regularly review the 'menu' and decide which issues need to be examined further, and how that work would be undertaken. Scrutiny activities should be thorough and undertaken in a timely manner.
- 4.2 There are a range of ways to undertake scrutiny. This new approach will enable flexible scrutiny and outlines a shift from monthly formal meetings to a

combination of approaches. The Committee will choose the most effective scrutiny method to achieve the desired aims and objectives.

4.3 Based on Statutory Guidance published in 2019, different scrutiny methods include (but are not limited to):

- A single item, or items, on a committee agenda – these fit more closely the “overview” aspect of the Scrutiny function and has limited opportunity for effective scrutiny. It is most appropriate for specific issues where the committee wants to maintain a watching brief.
- A single item meeting, either as the committee or a more limited number of Members. It has the capacity to enhance the previous option by taking evidence from a number of witnesses
- A task and finish day - provided that these are properly focused, they ensure Councillors can swiftly reach conclusions and make recommendations and are effective even for complex topics.
- A task and finish review – this is an enhancement of the previous option being held over four or six meetings spread over a limited number of months.

4.4 Appendix 1 outlines the outstanding items from the Overview and Scrutiny work programmes 2022-23, which relate to the remit of this Committee.

4.5 Appendix 2 sets out the current Cabinet Member priorities and pending decisions, which relate to the remit of this Committee.

4.6 Appendix 3 provides a high-level summary of:

- The strategic and organisational context, including the Corporate Plan 2022-26, city and citizen outcome indicators and a summary of external factors impacting on the remit of the committee.
- A summary of key performance indicators and delivery milestones against Corporate Plan priorities, and directorate priorities for 2023/24 relevant to the remit of this Committee
- Transformation and improvement activity relevant to the remit of this committee.

4.7 Altogether this information suggests potential topics for the Committee to consider when determining a work programme for 2023-24. The Committee is advised to consider where it can best add value through scrutiny.

4.8 Members often have a number of topics suggested to them and are therefore required to **prioritise** matters for consideration. The Scrutiny Framework sets out the following factors could be considered:

- Public interest: concerns of local people should influence the issues chosen;
- Ability to change: priority should be given to issues that the Committee can realistically influence;

- Performance: priority should be given to areas in which the Council and Partners are not performing well;
- Extent: priority should be given to issues that are relevant to all or a large part of the city;
- Replication: work programme must take account of what else is happening to avoid duplication.

4.9 Overview and Scrutiny Chairs are advised to maintain regular engagement with Cabinet Members to enable flexibility to be built into the Overview and Scrutiny work programme, so as to respond to the Council's policy priorities in a timely way.

## **5 Any Finance Implications**

5.1 There are no financial implications arising from the recommendations set out in this report.

## **6 Any Legal Implications**

6.1 There are no legal implications arising from the recommendations set out in this report.

## **7 Any Equalities Implications**

7.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 The protected characteristics and groups outlined in the Equality Act are: Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion and Belief; Sex, and Sexual Orientation.

7.3 The Committee should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering: How policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; Whether the impact on particular groups is fair and proportionate; Whether there is equality of access to services and fair representation of all groups within Birmingham; Whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

- 7.4 The Committee should ensure that equalities comments, and any recommendations, are based on evidence. This should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

## **8 Appendices**

- 8.1 Appendix 1: Work Programme Mapping  
Appendix 2: Cabinet Member Priorities and Forthcoming Decisions  
Appendix 3: Corporate Priorities, Performance and City Outcomes

## **9 Background Papers**

- 9.1 [Birmingham City Council Constitution](#)  
9.2 Birmingham City Council Overview and Scrutiny Framework April 2021





O&S Committee 2022-23	O&S Committee 2023-24	Item/Topic	Aims and Objectives (if outlined)	Why carried forward?	Any other information (e.g. scrutiny method/ Council motion/ asked to come back in 6 months etc)
<b>Sustainability &amp; Transport</b>	<b>Sustainability &amp; Transport</b>	The development of railway stations within the city (Camp Hill Rail Line) - Visit to Pineapple Road, Kings Heath, and Moseley Village stations	To pick up any issues identified as part of the visit and subsequent conversations on University station (lessons learned) with particular reference to cycling provision.	Works to these stations will be at different stages but are planned to be opened in December 2023.	Suggested by Cllr Barker following the Committee's visit to University station in December 2022.
<b>Sustainability &amp; Transport</b>	<b>Sustainability &amp; Transport</b>	Road Safety Strategy	Committee to contribute to the refresh of the document	Martin Rowe was working with local ward councillors on HS2 Road Safety schemes and undertook to report back in the summer.	Committee initially received a briefing in April 2023 about the approach to refreshing the road safety strategy for the city. *motion to city council April 2023.  Council Resolution 19 April 2023: Ask the Sustainability and Transport Overview and Scrutiny Committee to review and help shape the Council's new Road Safety Strategy including looking into relevant criteria and a near miss strategy, which would enable criteria such as records of non- injury accidents, proximity to schools, community facilities with high pedestrian and cyclist use, and recorded levels of speeding to be considered.

<b>Sustainability &amp; Transport</b>	<b>Sustainability &amp; Transport</b>	Highways PFI Contract	Update on the contract and issues	Committee has received regular updates as part of its remit	<p>Advisable to programme an update towards the end of the contract when the new contractor is expected to take over.</p> <p>Committee has received regular update on the contract and issues. The re-procurement of the contract is due to commence towards the end of the year. Advisable to programme an update towards the end of the contract when the new contractor is expected to take over.</p>
<b>Sustainability &amp; Transport</b>	<b>Sustainability &amp; Transport</b>	Flood Risk Management Report	Understand current priorities, delivery towards achieving these priorities and future risks for flood risk management.	Annual report	Previously the Committee undertook the authority's statutory functions in relation to the scrutiny of flood risk management (Flood and Water Management Act 2010). This report has been presented annually; the last report was presented in March.
<b>CWG, Culture &amp; Physical Activity</b>	<b>Sustainability &amp; Transport</b>	CWG Legacy	Consider relevant CWG legacy	New for 2023-24 as previously undertaken by CWG, Culture and Physical Activity O&S Committee (no longer in place)	Neighbourhoods O&S will take the lead around CWG legacy in general, however legacy will also be integrated across all O&S Committees as relevant to their remit
<b>Sustainability &amp; Transport</b>	<b>Sustainability &amp; Transport</b>	Domestic Abuse	Co-ordinating O&S Resolution 17 February 2023: To ask scrutiny chairs to take back to their own committees how Domestic Abuse (DA) is relevant to their own Overview and Scrutiny	This had not been picked up in 2022-23	This also follows on from Council Resolution: 6 Dec 2022

			Committees, consider how they can have an involvement and feed back to Coordinating Overview and Scrutiny Committee.		
--	--	--	--	--	--



## **Cabinet Member for Transport – Councillor Liz Clements**

### **Priorities 2023/24**

#### **Transport & Connectivity**

- Supporting the update to the Birmingham Road Safety Strategy (public consultation Autumn 2023)
- Regular Updates on Birmingham Transport Plan Delivery Plan (Autumn 2023 onwards)
- Evolution of the Cycle Revolution (from early 2024)
- Transport Funding – opportunities and challenges
- Transport Project Delivery – update and challenges
- School Streets Programme
- Clean Air Strategy / CAZ – update and challenges
- International Comparators eg. Brussels – to look at their schemes

#### **Highways**

- Flood Risk Management
- Highway Works Programme
- Street Works Permit Scheme
- Highways PFI Contract
- Find and Fix/Potholes
- Approach to Parking and Enforcement
- Local Engineering Service – Awareness Raising
- Pilot Review of Signal Timings and Prioritisation



## Sustainability and Transport OSC

Cabinet Member	Priorities	Associated Dates
Leader		
Deputy Leader	N/A	
Cabinet Member for Children, Young People and Families	N/A	
Cabinet Member for Digital, Culture, Heritage and Tourism	N/A	
Cabinet Member for Environment	<ul style="list-style-type: none"> <li>Create a collaborative forum to discuss and identify measures and mitigations to assist the Council in reaching its net zero commitment.</li> </ul>	<b>10.10.23</b> <b>Cabinet Report</b> Public Sector Decarbonisation Scheme
Cabinet Member for Finance and Resources	N/A	
Cabinet Member for Health & Social Care	N/A	
Cabinet Member for Housing & Homelessness	N/A	
Cabinet Member for Social Justice, Community Safety and Equalities	N/A	

<p>Cabinet Member for Transport</p>	<p><u>Transport &amp; Connectivity</u></p> <ul style="list-style-type: none"> <li>• Supporting the update to the Birmingham Road Safety Strategy (October 2023)</li> <li>• Regular Updates on Birmingham Transport Plan Delivery Plan (September 2023 then update March 2024)</li> <li>• Evolution of the Cycle Revolution (February 2024)</li> <li>• Transport Funding – opportunities and challenges (September 2023)</li> <li>• Transport Project Delivery – update and challenges</li> <li>• School Streets Programme – October 2023</li> <li>• Clean Air Strategy / CAZ – update and challenges</li> <li>• International Comparators eg. Brussels – to look at their schemes – 2024 TBC</li> </ul> <p><u>Highways</u></p> <ul style="list-style-type: none"> <li>• Flood Risk Management – ongoing flood alleviation programme delivery, specific flood resilience (eg Sparkbrook), general health and safety and reservoir inspections (11) and remedial measures</li> <li>• Highway Works Programme</li> <li>• Street Works Permit Scheme (went live 1.3.23) – review after 12 months’ operation</li> <li>• Highways PFI Contract (due to commence 1/2/2024)</li> <li>• Find and Fix/Potholes</li> <li>• Approach to Parking and Enforcement</li> <li>• Local Engineering Service – Awareness Raising</li> <li>• Pilot Review of Signal Timings and Prioritisation</li> </ul>	<p><b>16.05.23</b> <b>Cabinet Report</b> City Region Sustainable Transport Settlement Programme and Governance</p> <p><b>05.09.23</b> <b>Cabinet Report</b> Highway Maintenance and Management PFI Contract - Commercial Arrangements</p> <p><b>05.09.23</b> <b>Cabinet Report</b> A45 Birmingham to Airport and Solihull Sprint Phase 2 - Full Business Case</p> <p><b>05.09.23</b> <b>Cabinet Report</b> A34 Walsall to Birmingham Sprint Phase 2 - Full Business Case</p>
-------------------------------------	--	--



## Performance and Improvement Summary

### Sustainability and Transport

#### Overview and Scrutiny Committee

This document provides a high-level summary of:

- The strategic and organisational context, including the Corporate Plan 2022-26, city and citizen outcome indicators, and a summary of external factors impacting on the remit of this Committee.
- A summary of key delivery milestones and performance indicators against Corporate Plan priorities, and directorate priorities for 2023/24 relevant to the remit of this Committee.
- Transformation and improvement activity relevant to the remit of this committee.

Programmes, Performance, and Improvement Division

June 2023



**BE BOLD BE BIRMINGHAM**

# 1. STRATEGIC AND ORGANISATIONAL CONTEXT

## 1A. CORPORATE PLAN 2022-26

*An overview of the Corporate Plan 2022-26.*

In October 2022, the City Council approved the Corporate Plan 2022-2026 that sets out the organisation's vision and strategic priorities. These priorities are aligned to six themes: Prosperous, Inclusive, Safe, Healthy, Green, and being a Best-in-Class Council. The Plan provides the context for improvement and transformation activity and a framework for the organisation's business planning.

The Corporate Performance and Delivery Plan (CPDP), updated each year, provides a summary of the key delivery milestones and performance measures that are used to demonstrate delivery and performance against the Corporate Plan priorities. The CPDP provides the basis for quarterly reporting to the Corporate Leadership Team (CLT) and Cabinet. The CPDP does not include the totality of the Council's delivery activity but summarises key activity from Directorate Business Plans, delivery strategies, and transformation agendas.

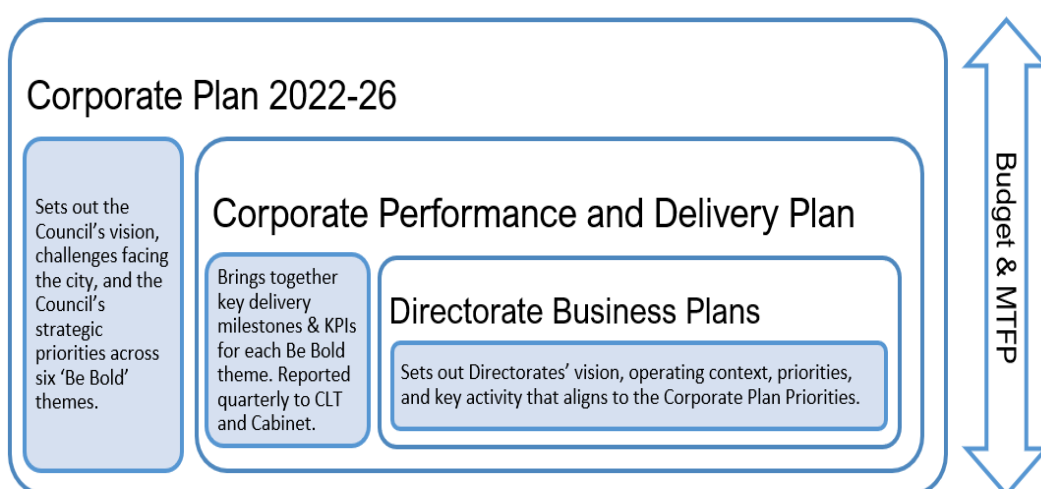


Diagram showing an overview of the Corporate Plan 2022-26:

GRAND CHALLENGES		OUR RESPONSE: BE BOLD OUTCOMES	PRIORITIES
Equality and Inclusion	Unemployment, skills and the local economy	A BOLD PROSPEROUS BIRMINGHAM	1. Support inclusive economic growth 2. Tackle unemployment 3. Attract inward investment and infrastructure 4. Maximise the benefits of the Commonwealth Games
	Opportunities for children and young people	A BOLD INCLUSIVE BIRMINGHAM	5. Tackle poverty and inequalities 6. Empower citizens and enable the citizen voice 7. Promote and champion diversity, civic pride and culture 8. Support and enable all children and young people to thrive
	Community resilience, cohesion and living standards	A BOLD SAFE BIRMINGHAM	9. Make the city safer 10. Protect and safeguard vulnerable citizens 11. Increase affordable, safe, green housing 12. Tackle homelessness
	Health and wellbeing	A BOLD HEALTHY BIRMINGHAM	13. Tackle health inequalities 14. Encourage and enable physical activity and healthy living 15. Champion mental health 16. Improve outcomes for adults with disabilities & older people
	Climate Emergency	A BOLD GREEN BIRMINGHAM	17. Improve street cleanliness 18. Improve air quality 19. Continue on the Route to Net Zero 20. Be a City of Nature
		A BOLD BEST IN CLASS COUNCIL	21. Delivering a Bold Best in Class Council

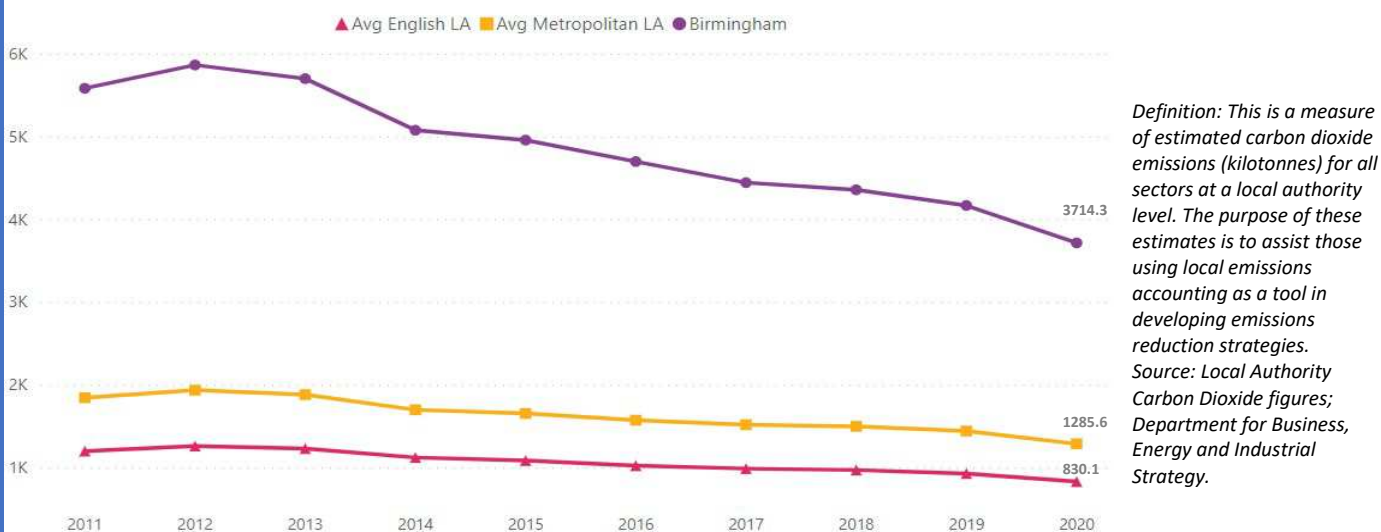
## 1B. CITY OBSERVATORY SNAPSHOT

A snapshot of key city and citizen outcome data from the City Observatory that is relevant to the remit of this Committee (data extracted May 2023). Other measures are available:

[www.cityobservatory.birmingham.gov.uk](http://www.cityobservatory.birmingham.gov.uk).

### Total CO<sub>2</sub> emissions per capita

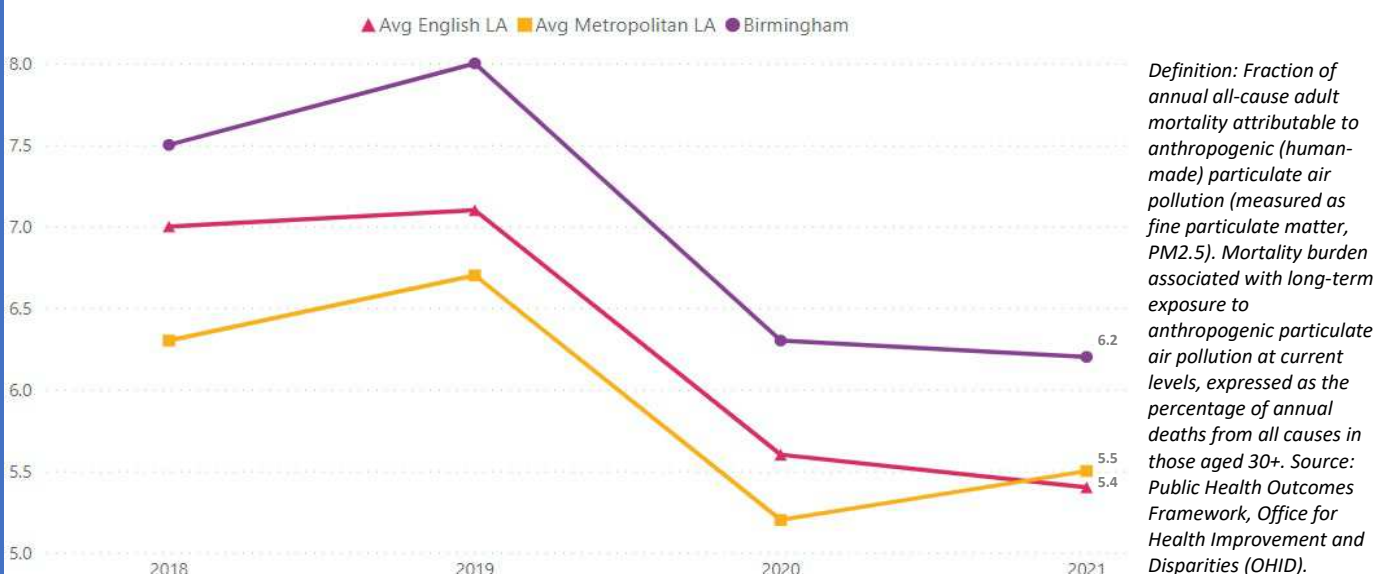
Preferred direction of travel	Direction of travel (last 12 months)	Rank among Met Boroughs (1-36 with 1 being the top ranking)	Birmingham result	Met average
↓	Improving ↓	36/36	3714.3 KT	1285.6 KT



The Average Total CO<sub>2</sub> emissions per capita in Birmingham (AVB) has been higher than the Average of all English Local Authorities (AVL) and the Average of all Metropolitan Boroughs (AMB). The AVB has steadily decreased from 2012 (5864.3 KT) to 2020 (3714.3 KT).

### Fraction of mortality attributable to particulate air pollution

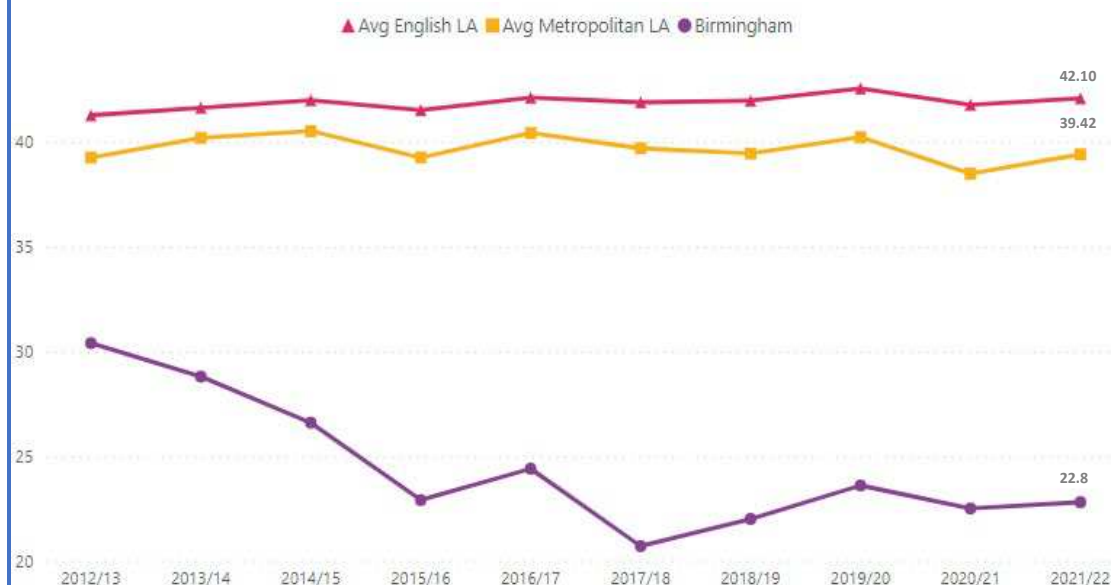
Preferred direction of travel	Direction of travel (last 12 months)	Rank among Met Boroughs (1-36 with 1 being the top ranking)	Birmingham result	Met average
↓	Improving ↓	2/36	6.2	5.4



The Average Fraction of mortality attributable to particulate air pollution (AVB) has been higher than the Average of all English Local Authorities (AVL) and the Average of all Metropolitan Boroughs (AMB). In 2021 the AVB estimates reached their lowest value (6.2).

### Percentage of household waste recycled

Preferred direction of travel	Direction of travel (last 12 months)	Rank among Met Boroughs (1-36 with 1 being the top ranking)	Birmingham result	Met average
↑	Improving ↑	36/36	22.8%	39.42%

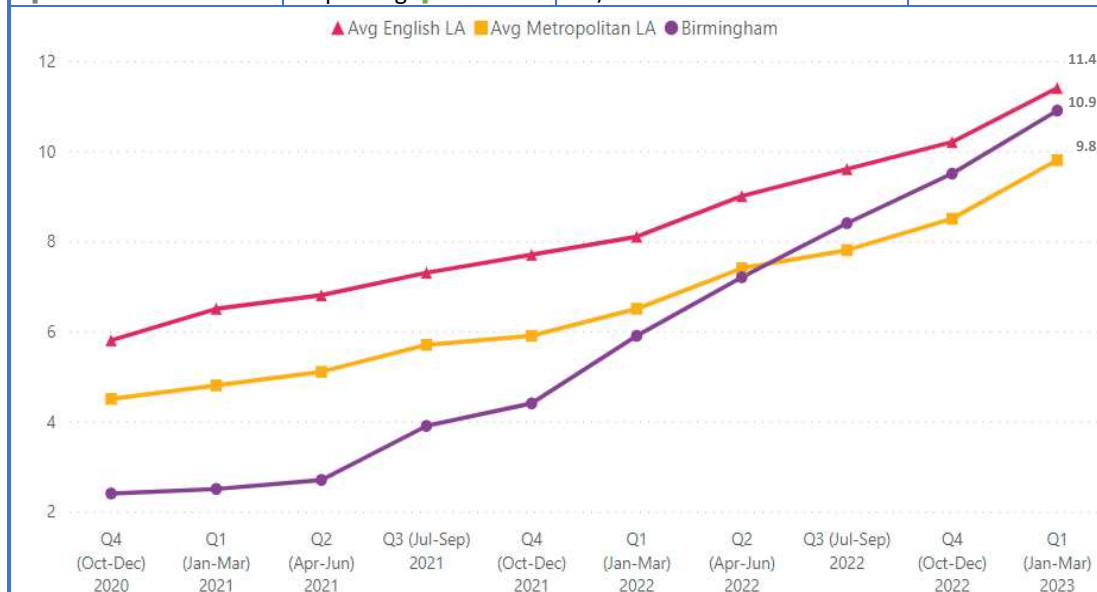


*Definition: The percentage of household waste arising which has been sent by the authority for reuse, recycling, composting or anaerobic digestion. This was previously collected as BVPI 82a and 82b in 2007/08. Source: Local Authority Collected Waste Management, Department for Environment, Food and Rural Affairs.*

Historically, the Average percentage of Household Waste Recycled in Birmingham (AVB) has always been lower than the Average of all English Local Authorities (AVL) and the Average of all Metropolitan Boroughs (AMB). The AVB has decreased between the periods of 2012/2013 (30.4%) to 2015/16 (22.9%), seen a spike in 2016/17 (24.4%), and currently stands at 22.8% for 2021/2022.

### Public electric vehicle charging rapid devices per 100,000 population

Preferred direction of travel	Direction of travel (last 12 months)	Rank among Met Boroughs (1-36 with 1 being the top ranking)	Birmingham result	Met average
↑	Improving ↑	11/36	10.9	9.8



*Definition: This shows the proportion of publicly available electric vehicle rapid charging devices per 100,000 population. Rapid charging devices are those rated at 43kW or above, including 'ultra-rapid' chargers of more than 100kW. A charging device may have a number of connectors of varying speeds, however not all can charge more than one vehicle at the same time. Source: Electric vehicle charging infrastructure statistics, Department for Transport.*

The average Public electric vehicle charging rapid devices per 100,000 population in Birmingham (AVB) has been lower than the Average of all Metropolitan Boroughs (AMB), and the Average of all English Local Authorities (AVL), except for the period between 2022 Q3 (8.4) and 2023 Q1 (10.9) The AVB has steadily increased to throughout the analysed time.

## **1C. EXTERNAL ENVIRONMENT**

*A summary of key events and changes to the external operating environment that is relevant to the remit of this Committee, including changes in national policy or regulatory frameworks.*

### **Economy**

The recovery from the Covid pandemic, the cost-of-living crisis, high inflation and increase in interest rates will impact on both government and private sector investment levels and on the Council's own development and capital programmes. These factors may drive a need for the review of major commercial decisions - on whether projects can go ahead as originally planned and whether the timing of projects still makes commercial sense.

### **Consultation on National Networks National Policy Statement (NPS):**

The Government is currently consulting on national policy that governs planning approval for new roads (NPS). The NPS sets out the need for, and government's policies to deliver, development of nationally significant infrastructure projects (NSIPs) on the national road and rail networks in England. This is expected to be completed at the end of 2023.

### **Forthcoming Department for Transport guidance on future Local Transport Plans (LTP):**

Government will provide new guidance to Local Transport Authorities, and as committed in the West Midlands Combined Authority (WMCA) Deeper Devolution Deal, assist WMCA in developing its LTP, including meeting defined environmental and decarbonisation standards and fully adopting planned new guidance on quantifying carbon reductions. The West Midlands LTP is our statutory transport document and the next round of LTPs will include Local Area Strategies (LAS) for specific geographies within an LTP area – the Birmingham Transport Plan will act as the LAS for Birmingham.

Specifically for Transport in the Deeper Devolution Deal:

- Accelerating the delivery of transport services and infrastructure to improve accessibility
- Delivering a green revolution by decarbonising and electrifying our transport infrastructure
- Developing behaviour change to reduce traffic and creating safer streets to walk, wheel and cycle

### **Civil Enforcement of Moving Traffic Contraventions**

Further to an application made in February this year the Council has been informed that subject to no objections from Parliament the Statutory Instrument giving us the powers to undertake the Civil Enforcement of Moving Traffic Contraventions (by camera, as for bus lanes) will come into effect in July 2023. A pilot scheme at a number of trial sites is in development which will inform wider roll-out in due course.

### **Possibility of a Transport Bill:**

Potentially within the autumn King's Speech, it could cover rail reform and the framework to create a new Low speed Zero Emission Vehicle (LZEV) category.

### **Climate Emergency:**

The expectation of the public in relation to the climate emergency has increased over recent years and there is a real need to show credible and measurable action to convert ambition into positive collective action across the wider city. There is a need to not only drive reductions in the Council's own carbon emissions but to also foster external relations to enable behaviour change through informative calls to action and facilitating new community and public-private sector partnerships to build investment and delivery capacity.

### **Environment Act:**

The Environment Act became law in 2021 and acts as the UK's new framework of environmental protection. It sets out the legal framework for significant reforms to local authority waste and recycling services, creates new statutory duties for local authorities on nature recovery, and offers new powers to set new binding targets, including for air quality, water, biodiversity, and waste reduction. The impact of the Act will be far-reaching for the Council, and we will continue to monitor and work with Government and partners to understand the full implications as further guidance is released.

The Act was accompanied by an amendment to the Highways Act. This amendment requires specific consultation with the public on the felling of street trees. This will not impact the day-to-day regular management of our street trees for health and safety reasons, but it will impact highways changes and new transport schemes where healthy trees might be impacted by such schemes.

## 2. PERFORMANCE AND DELIVERY

### 2A. 2022-23 PERFORMANCE FOR KEY DELIVERY MILESTONES

An overview of 2022-23 performance for key delivery activity (from the CPDP) that is relevant to this Committee (as reported Cabinet on a quarterly basis). Information is accurate as of 5<sup>th</sup> June and may be subject to change.

RAG Rating	RAG Definition
	Action has been achieved (and cannot be reversed)
	Action on course to be delivered as originally planned or at revised scope/scale agreed with CLT and Cabinet Member
	Risk of action not being delivered as planned. Root causes of delivery risk have been identified and mitigating actions are in place to resolve
	Risk of action not being achieved as planned. Root causes of delivery risk are not clear and/or mitigating actions are not in place to resolve
	RAG not applicable

Corporate Plan Theme	Lead Directorate	Delivery Activity/Milestone	2022-23 BRAG status			
			Q1	Q2	Q3	Q4
Green	Place, Prosperity and Sustainability	Deliver the Route to Zero Programme, comprising a portfolio of short, medium- and long-term projects designed to reduce carbon emissions that will be revised and expanded during 2022/23. Wave 2 projects identified, clearly defined, and timetabled				
Green	Place, Prosperity and Sustainability	Establish dedicated Route to Zero Team, enabling BCC to drive the programme, and secure self-funding model from 2023/24 onwards				
Green	Place, Prosperity and Sustainability	Development of a decarbonisation roadmap through Birmingham District Energy Company (BDEC)				
Green	Place, Prosperity and Sustainability	As part of the longer-term implementation of the Clean Air Strategy, in year activity to deploy AQ sensors to schools in Birmingham				
Green	Place, Prosperity and Sustainability	Birmingham Transport Plan delivery: A policy statement and delivery plan setting out the city's vision for transport to support the Birmingham Development Plan and Route to Zero and focussing on what we need to do differently to achieve this vision.				
Green	Place, Prosperity and Sustainability	Commence Urban Forest Accelerator pilot, a two year externally funded project to explore and embed the improvement actions as set out in the Urban Forest Master Plan.				
Green	Place, Prosperity and Sustainability	Develop Biodiversity Net Gain Policy in compliance with the Environment Act				
Green	Place, Prosperity and Sustainability	Continue to progress the Urban Forest Master Plan				
Green	Place, Prosperity and Sustainability	Develop a 25-year Green Infrastructure Strategy				
Green	City Operations	Develop and deliver a Waste Prevention Plan to advise residents on how to minimise their waste and increase recycling				



			2022-23 BRAG status			
Corporate Plan Theme	Lead Directorate	Delivery Activity/Milestone	Q1	Q2	Q3	Q4
Green	City Operations	Deliver investment programmes to improve road defects through the Highway Investment Works Programme				
Green	City Operations	Respond to the Environment Act, including: a) Ensuring vehicle compliance with the Clean Air Zone for the Council's waste fleet				
		Respond to the Environment Act, including: b) Undertaking access to open space assessments				
Green	City Operations	Deliver on the Route to Zero action plan for Waste, including continuing to progress the hydrogen / electric vehicle fleet pilot				
Green	City Operations	Identify net zero opportunities associated with a city-wide strategy for waste as part of the future waste strategy, including energy generation, resource efficiency and circular economy				
Green	City Operations	Develop the City of Nature Delivery Framework governance model for the natural environment in Birmingham, embedding the principles into Stadium legacy planning and the approach to Perry Barr 2040 (with Place, Prosperity, and Sustainability)				
Safe	City Operations	Contribute to the Route to Zero agenda through the progression of a whole housing retrofit programme, as part of the "3 cities retrofit" across the West Midlands. First phase by December 23, with an evaluation completed by Jan 24				

## 2B. 2022-23 PERFORMANCE FOR CORPORATE PLAN KPIS

An overview of 2022-23 performance for Corporate Plan key performance indicators (KPIs) that are relevant to the remit of this Committee (as reported to Cabinet on a quarterly basis). Information is accurate as of 26<sup>th</sup> May and may be subject to change.

RAG Rating	RAG Definition
	Performance is equal to or better than target
	Performance is lower than target but better or equal to tolerance
	Performance is below tolerance
	RAG not applicable

			2022-23 RAG status			
Corporate Plan Theme	Directorate	KPI	Q1	Q2	Q3	Q4
Green	Place, Prosperity and Sustainability	Percentage of vehicles (by vehicle category) entering Clean Air Zone that meet the emissions standards of the zone.				
Green	Place, Prosperity and Sustainability	The number of schools progressing a Mode "STARS" (Sustainable Travel Accreditation and Recognition for Schools) programme a) Schools using Modeshift STARS to produce a new Travel Plan and reaching green accreditation. (Reported annually)				
Green	Place, Prosperity and Sustainability	The number of schools progressing a Mode "STARS" (Sustainable Travel Accreditation and Recognition for Schools) programme b) New Modeshift STARS				

			2022-23 RAG status			
Corporate Plan Theme	Directorate	KPI	Q1	Q2	Q3	Q4
		accreditations for schools at Bronze, Silver or Gold level. (Reported annually)				
Green	Place, Prosperity and Sustainability	The number of schools progressing a Mode "STARS" (Sustainable Travel Accreditation and Recognition for Schools) programme c) Schools attending a CPD training session. (Reported annually)				
Green	Place, Prosperity and Sustainability	The number of workplaces progressing the Modeshift STARS (Sustainable Travel Accreditation and Recognition) programme a) Workplaces joining Modeshift STARS and working to produce a new Travel Plan. (Reported annually)				
Green	Place, Prosperity and Sustainability	The number of workplaces progressing the Modeshift STARS (Sustainable Travel Accreditation and Recognition) programme b) New Modeshift STARS accreditations for workplaces at Green, Bronze, Silver or Gold level. (Reported annually)				
Green	Place, Prosperity and Sustainability	Percentage increase in the number of trips taken by bicycles per annum. (Reported annually)				
Safe	City Operations	Percentage of Streetlight In-Light repairs carried out within service standard (time)				
Safe	City Operations	Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours				
Green	City Operations	Recycling, Reuse, and Green Waste (both with and without bottom ash)				
Green	City Operations	Percentage of waste presented to landfill				

## 2C. DIRECTORATE PRIORITIES FOR 2023-24

*An overview of Directorate delivery priorities for 2023-24 that are relevant to the remit of this Committee.*

### PLACE, PROSPERITY AND SUSTAINABILITY

#### Directorate priorities

- We will implement the Birmingham Transport Plan, develop our infrastructure in accordance with a new delivery plan and improve accessibility through active travel and improved public transport.
- We will implement the City of Nature 25 Year Plan and develop a strategy to increase the number of parks and green spaces in Birmingham focusing on the least green neighbourhoods first. Starting with the six most environmentally deprived wards we will also implement the Future Parks Standard to ensure that everyone has access to quality green spaces that are biodiverse, provide essential climate adaptation and resilience services and the health and well-being benefits for citizens that follow.
- We will implement the Clean Air Strategy, working across the organisation and with partners to address health inequalities and make major improvements to air quality within the city by reducing pollutants that directly affect the health and wellbeing of residents.
- Our response to the climate emergency will address emissions reduction and avoidance in order to mitigate the impacts of climate change, alongside adaptation and resilience building in our natural and built environment. We will provide leadership on the Council's route to net zero, ensuring our own directorate policies, plans and activities drive and deliver carbon dioxide emissions reductions, building ownership and momentum across the wider council, and providing clear and measurable reports on progress towards our organisational and city net zero goals.



## CITY OPERATIONS

### Directorate Vision Statement extract

- Ensuring our neighbourhoods and streets are clean, green, and safe.
- Making the best use of our parks and open spaces and recognising the contribution to health and wellbeing of our citizens.
- Keeping our Highways safe and improving our roads, footways and street lighting and keeping the city moving.

## CITY HOUSING

### Directorate priorities

- Contributing to the Route to Zero agenda through the progression of a whole housing retrofit programme.

## 2D. KEY DELIVERY MILESTONES FOR 2023-24

*An overview of 2023-24 key delivery activity (from the CPDP) that is relevant to the remit of this Committee. Information is accurate as of 26<sup>th</sup> May and may be subject to change.*

Corporate Plan Theme	Lead Directorate	Delivery Activity/Milestone	Delivery Date
Prosperous	Place, Prosperity and Sustainability	<b>Progress City Region Sustainable Transport Settlement (CRSTS) projects</b>	March 2024
Green	Place, Prosperity and Sustainability	<b>Deliver the Council's Clean Air Strategy</b>	March 2024
Green	Place, Prosperity and Sustainability	Continue to deliver the <b>Route to Zero Programme</b> comprising a portfolio of short, medium, and long-term projects designed to reduce carbon emissions.	March 2024
Green	Place, Prosperity and Sustainability	Finalise scope and commence <b>delivery of a climate change strategy</b>	March 2024
Green	Place, Prosperity and Sustainability	Further <b>develop Birmingham District Energy Company decarbonisation road map</b>	March 2024
Green	Place, Prosperity and Sustainability	Work with City Housing and Housing Development on a city-wide delivery and funding plan to <b>improve the energy performance and decarbonisation of existing and new housing.</b>	March 2024
Green	Place, Prosperity and Sustainability	<b>Launch an engagement and behaviour change strategy</b> plan (linked to net zero) with clear set of mechanisms to support engagement of city stakeholders including launching a staff engagement network.	January 2024
Green	Place, Prosperity and Sustainability	<b>Birmingham Transport Plan delivery</b>	September 2023
Green	Place, Prosperity and Sustainability	<b>Progress Urban Forest Accelerator pilot</b> , a two year, externally funded project, including working with the Woodland Trust and Birmingham Tree People; and commencing work on devising a 5 year tree planting programme targeting lowest canopy cover wards	October 2024
Green	Place, Prosperity and Sustainability	<b>Progress the Urban Nature Development Programme</b>	December 2023
Green	City Operations	<b>Develop future waste strategy</b> to develop a shared vision for the City's waste post 2034	March 2024

Corporate Plan Theme	Lead Directorate	Delivery Activity/Milestone	Delivery Date
Green	City Operations	<b>Progress the City of Nature Plan</b>	March 2024
Green	City Operations	<b>Progress master-planning study at Perry Park</b> and preparing a business case to support its enhancement into a sustainable destination park	March 2024
Green	City Operations	<b>Support the strategic air quality objectives</b> through the utilisation of environmental protection powers to improve air quality.	March 2024
Safe	City Housing	Complete the <b>300 home retrofit pilot</b> in East Birmingham, take forward the SHDF round 2 programme to retrofit 2,000 homes and the Sustainable Warmth and Home Grants funding programmes	March 2024

### 3. IMPROVEMENT AND CHANGE

#### 3A. TRANSFORMATION PROGRAMMES

*An overview of major change and transformation programmes that are relevant to the remit of this Committee.*

#### PLACE, PROSPERITY AND SUSTAINABILITY

##### Route to Zero

- Wave 1 of the Route to Zero (R20) programme was focused on creating, enabling, and delivering projects and initiatives that support the City's ambition to be net zero by 2030 or thereafter – as an organization but also as a city. The first annual report was approved by Full Council on 11 January 2022.
- Given the scope, scale, and complexity of the R20 programme and the underlying initiatives it was agreed with CLT in March 2022, that a different approach to the monitoring and governance of the programme was needed. Initial proposals were presented to CLT in July 2022 to set up a separate Climate Change corporate programme with a senior management governance board with regular reporting direct to CLT and Members. Monitoring remains with CPMO currently.

#### CITY OPERATIONS

##### Waste Services Transformation

- This programme brings together both internal and external opportunities overlayed through digital transformation and underpinned by leadership to create a 21st century waste service.

### **3B. DIRECTORATE IMPROVEMENT PLANS AND ACTIVITIES**

*An overview of improvement plans and activity that are relevant to the remit of this Committee.*

#### **CITY OPERATIONS**

##### **Improving customer service across Highways Repairs**

- Highways Repairs are taking forward recommendations to improve customer service and satisfaction, including through the Customer Service Programme and recommendations arising from the Task and Finish Review led by Co-Ordinating Overview and Scrutiny Committee.

### **3C. OVERVIEW AND SCRUTINY RECOMMENDATIONS**

*A summary of recent Overview and Scrutiny Committee recommendations that are relevant to the remit of this Committee.*

Not applicable for this Committee.

