

BIRMINGHAM CITY COUNCIL

RESOURCES O&S COMMITTEE – PUBLIC MEETING

1400 hours on Wednesday 12 June 2019, Committee Room 2

Present:

Councillor Sir Albert Bore (Chair)

Councillors: Muhammad Afzal, Meirion Jenkins, Yvonne Mosquito and Lisa Trickett

Also Present:

Councillor Debbie Clancy

Councillor Ewan Mackey

Councillor Tristan Chatfield, Cabinet Member for Finance and Resources

Councillor Ian Ward, Leader

Kathryn James, Assistant Director, Property

Rob King, Property Sales Manager

Debbie Middleton, Assistant Director, Finance

Jayne Bowles, Scrutiny Officer

Emma Williamson, Head of Scrutiny

1. NOTICE OF RECORDING/WEBCAST

The Chairman advised the meeting to note that this meeting will be webcast for live and subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

Apologies were received from Councillors David Barrie and Paul Tilsley.

3. APPOINTMENT OF RESOURCES OVERVIEW AND SCRUTINY COMMITTEE CHAIR, DEPUTY CHAIR AND MEMBERS

RESOLVED:

- (i) To note the resolution of City Council appointing the Committee, Chair and Members to serve on the Committee for the period ending with the Annual Meeting of the City Council in 2020:

Labour (5): Councillors Sir Albert Bore (Chair), Muhammad Afzal, Yvonne Mosquito, Brett O'Reilly and Lisa Trickett.

Conservative (2): Councillors David Barrie and Meirion Jenkins.

Liberal Democrat (1): Councillor Paul Tilsley.

- (ii) To elect Cllr Lisa Trickett as Deputy Chair for the purposes of substitution for the Chair, if absent, for the period ending with the Annual General Meeting of the City Council in 2020.

4. DECLARATIONS OF INTERESTS

None.

5. RESOURCES O&S COMMITTEE TERMS OF REFERENCE

(See document 1)

Noted.

6. ACTION NOTES – 8 APRIL 2019

(See document 2)

RESOLVED:-

The action notes of the 8 April 2019 meeting were agreed.

7. REQUEST FOR CALL IN: DISPOSAL OF SURPLUS PROPERTIES

(See documents 3, 4 and 5)

Cllr Ian Ward, Leader, attended for this item, supported by Kathryn James, Assistant Director, Property, and Rob King, Property Sales Manager.

Cllrs Ewan Mackey and Debbie Clancy gave the following reasons for the request for call in, stating that the issues related solely to the Brindley Drive Car Park:

- 4 – the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision – the REP, CBSO, Town Hall/Symphony Hall and the library had told the councillors that none of them had been consulted. These are key city council partners, with council representatives on their boards. They have expressed a high level of concern that the closure would have a negative impact on their customers, and this should be considered by Cabinet before coming to a final decision.*
- 5 – the Executive appears to have overlooked some relevant consideration in arriving at its decision – the report states that an equality impact assessment was “not applicable” and that no groups will be adversely affected, but closing the car park would disproportionately affect the elderly, those with disabilities and pregnant women who would find it more difficult to walk or to use public transport. No service users were consulted as part of the equalities assessment.*
- 6 – the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do – venues were not consulted, therefore their customers were not aware;*
- 8 – there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of*

the Council – this refers to the incomplete consultation, and that legal requirements have not been fulfilled with regards to the Equalities Act.

In response, the Leader made the following points:

- There was no requirement for consultation with the bodies mentioned above; there are other users of those car parks that could also have been consulted. If the City Council had consulted, would those organisations have had the data to show how many patrons were using that car park?
- There is data to show that the car park is under-used and there is a surplus of parking spaces in that area of the city. It is also a long term aim of the City Council to reduce car usage, which a study said would not be achieved if there is an over-supply of spaces (there is an excess of 8,000 spaces in the city centre, and an over-supply of 2,100 spaces in the Broad Street area. This car park has 610 spaces). The long term aim is to encourage more sustainable modes of travel. However, this was not the experience of councillors or the venues.
- The Cabinet report also states that a study undertaken by Atkins recommended that this car park would require major investment; and the council is not in a position to prioritise major capital spend here so that would have the effect of the car park being used less and less. Also, retention would expose the council to increasing risk and liabilities.
- With regards to the equalities assessment, the council needs to demonstrate that impacts can be mitigated; the tram coming to Centenary Square is one such mitigation. The Leader stated that an assessment was not necessary, but members were strongly of the view that one should have been carried out nonetheless. What had been done was inadequate and did not mention mitigations such as the tram.
- Members asked about the consultation, and whether the loss of the car park will impact on the viability of the organisations, their business plans and therefore the business rates the council receives. It was noted that the car park does not have a lift and has limited spaces for disabled users (and an earlier ICC assessment had identified a shortage of disabled parking), and was also felt to be unsafe by some when used by councillors last year.
- It was also noted that the Paradise car park will come into operation next year, before the Brindley Drive car park closes, and will be the nearest to these venues and will have 500 spaces. Also, revenue from advertising hoardings was not included in the financial assessment.

RESOLVED:-

The Committee voted unanimously to call in the decision, only in respect of the decision to sell the Brindley Drive Car Park, on the grounds that:

- 4 – the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision* – relevant stakeholders were not consulted and the City Council does not have information on the impact the closure might have on those venues;

5 – the Executive appears to have overlooked some relevant consideration in arriving at its decision – the equalities impact assessment was not completed thoroughly and the mitigations cited in the meeting were not included in the report;

8 – there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council – the report did not contain pertinent information including details of the condition of the car park and why it would require significant investment and the fact that the opening of the Paradise car park next year would provide additional car park spaces and would be close to many of the venues mentioned.

8. FINANCIAL OUTTURN 2018/19

(See document 6)

Cllr Tristan Chatfield, Cabinet Member for Finance and Resources, and Debbie Middleton, Assistant Director, Finance, attended for this item.

The Chair welcomed Cllr Chatfield and Debbie Middleton and made the following points by way of explanation and direction for this item:

- Over the course of the last year, the Committee had spoken to the Chief Finance Officer about adopting a consistent format for monthly and quarterly reports and this consistency is requested for 2019/20;
- Members wished to hear what lessons had been learnt from 2018/19 and how they will be applied in 2019/20;
- It was acknowledged that although there was an overall surplus on outturn there are some real concerns about directorates which have had budget pressures and non-delivery of savings in certain areas, eg the Waste Service and Travel Assist;
- It is the intention of this Committee to flag potential budgetary issues with the relevant O&S committees so they can look at service impacts.

In the course of the discussion and in response to Members' questions, the following points were raised:

- Cllr Chatfield expressed his thanks to directorates and Cabinet Members who had worked hard to ensure the outturn was an improvement on previous years but there are still savings that were not made last year and it is important to reduce this;
- Members were told that work was being done to ensure a more robust base budget and following a review of activity during the year a number of recommendations had been made regarding changes to the framework for managing the budget throughout the year;
- There are a number of new business partners working with directors to look at performance data and check forecasts;
- The format of reports has been revised so there is a consistent set of tables in both the monthly and quarterly reports and referencing will be consistent to enable comparisons to be made, however it was pointed out that the monthly reports will be more detailed;

- In response to the question about what lessons have been learnt, Members were told that the Star Chamber process has been important in terms of holding directorates to account;
- There is also a need to bring financial responsibility further down the organisation, address income targets, making sure they are as reliable as they can be, have better forecasting into the future (bearing in mind government funding decisions can change);
- It is important to get proper financial management systems in place and the Enterprise Resource Planning (ERP) system should be in place in March 2021. This will bring all systems into one place with consistent reporting;
- The Chair said that he had asked for a briefing on ERP and Cllr Chatfield confirmed that he would be keen to work with Scrutiny if members wished to get involved in this;
- In relation to the use of a cloud based system, Members highlighted the need for caution to be exercised in terms of the potential of overruns in cost and time and the Chair pointed out that later on the agenda the work programme item references the Committee looking at the impact of a cloud based systems approach;
- Concerns were raised around the Dedicated Schools Grant where the report talks about cumulative deficit and the need to reduce the higher needs deficit with a local plan being developed in the coming months to address this and the Chair indicated that this would be referred to the Education and Children's Social Care O&S Committee as a service issue;
- Also, perhaps a matter for Housing Scrutiny, clarification was sought regarding the cost of B&B accommodation and the breakdown of rental income – how much pertains to temporary accommodation and how much to general needs housing. Cllr Chatfield undertook to provide further information on this;
- Members pointed out the importance of having sufficient narrative in the main body of the report to explain movements in the budget.

RESOLVED:-

- Further information to be provided on the cost of B&B accommodation and breakdown of rental income;
- The report was noted.

9. RESOURCES O&S COMMITTEE WORK PROGRAMME 2019/20

(See document 7)

The following items were suggested for the work programme for 2019/20, in addition to the monthly financial monitoring reports:

- A piece of work to be undertaken on the impact of ICT changes, either by the whole committee or a sub-group. Terms of Reference for this work to be taken formally through Co-ordinating O&S Committee;
- HR and Equalities – specific issues to be identified and agreed;
- The Capital Board process.

RESOLVED:-

The work programme was noted.

**10. RESOURCES OVERVIEW AND SCRUTINY COMMITTEE – DATES OF MEETINGS
2019/20**

RESOLVED:

- i. That the committee meets on the following Thursdays at 1400 hours in the Council House:
2019: 18 July, 19 September, 17 October, 14 November, 12 December
2020: 16 January, 13 February, 12 March, 9 April.
- ii. That the Committee approves Thursdays 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.

11. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)

None.

12. OTHER URGENT BUSINESS

None.

13. AUTHORITY TO CHAIRMAN AND OFFICERS

RESOLVED:

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

The meeting ended at 1606 hours.