

BIRMINGHAM CITY COUNCIL

SUSTAINABILITY AND TRANSPORT O&S COMMITTEE

1400 hours on 18th April 2024, Committee Rooms 3&4, Council House

Present:

Councillor Lee Marsham (Chair)

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

Also Present:

Mark Shelswell, Assistant Director, Highways and Infrastructure

Stephen Walton, Head of Highways PFI

Amelia Wiltshire, Overview & Scrutiny Manager

Baseema Begum, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised those present that the meeting would be webcast for live and subsequent broadcast 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 Councillor Saima Ahmed.

3. DECLARATIONS OF INTERESTS

There were no declarations of interests submitted.

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 7th March 2024 be approved as a correct record and signed by the Chair.

5. SUSTAINABILITY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE ACTION TRACKER

RESOLVED: -

1. That the action tracker be noted.
2. Reassurance was given by the Assistant Director, Highways and Infrastructure that the Council website would be kept up to date in the future with the rolling schedule of highway works as requested at the last meeting.
3. With respect to the action on the report to Cabinet in June on the Highways Management and Maintenance PFI the Chair requested a copy of the report prior to the Cabinet meeting, if possible, for consideration by the Committee.
4. That the summary of points raised during the private session on the Highways Management and Maintenance PFI item at the March meeting was circulated to Committee as soon as possible.

6. COMMISSIONER'S REVIEW AND COMMENTS ON THE AGENDA

RESOLVED: The Chair confirmed with officers that a written report would be provided as soon as possible, and this will be shared with the Commissioners and the Committee.

7. HIGHWAYS MANAGEMENT AND MAINTENANCE SERVICES PFI - UPDATE AND CONTINGENCY ARRANGEMENTS

The Chair gave an overview in relation to the item and outlined that the Committee had received regular briefings.

Mark Shelswell, Assistant Director, Highways & Infrastructure and Stephen Walton, Head of Highways PFI were in attendance for this item.

The Assistant Director, Highways & Infrastructure outlined the position of the Council in relation to the government's decision to withdraw the PFI funding. The Council with support from the Commissioners took this to judicial review and a hearing took place on 21st – 22nd March at Birmingham Civil and Family Courts. No judgement was given but is expected within the next 3 months. Due to the legal proceedings the Council needs to maintain confidentiality in relation to any information being shared.

The Council is currently awaiting a decision and has asked for this to be expediated due to the current financial constraints that it is facing.

A discussion was held with Members and the following were among the points made:

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- Officers were hopeful that a decision would be made within the coming weeks. It was acknowledged that there was a recess for Easter and that the judge would be reviewing the process from 9th April onwards.
- It was confirmed that once a decision was made by the judge the Council will be given time to check all documents for factual and legal accuracy by senior

officers. Therefore, the decision will remain embargoed until this process is completed, and the judgement will then be made public.

- If the decision is not favourable to the Council, there may be grounds to appeal however this would need to be based on the judgement given. An assessment of the financial implication to the Council would need to be conducted as part of any further action.
- The current governance arrangements have been agreed by Cabinet based on the previous Cabinet decision and covers the period until 31st July. A report will be presented to Cabinet in June for arrangements for future arrangements. This will be on very similar terms and conditions as the previous contract.

RESOLVED: -

1. That the report be noted.
2. The monthly update for May be cancelled. If, however, a court judgement is received an update will be provided and officers will be invited to the meeting on 16th May.
3. That a pre-decision scrutiny session is arranged, if possible, to consider the report to be presented to June Cabinet.

8. CUSTOMER SERVICES PROGRAMME – HIGHWAYS REPAIRS UPDATE

The Chair explained that the Co-Ordinating O&S Committee had conducted some work in relation to Customer Services and recommended that individual committees take on the monitoring of recommendations made as part of this work. The work on highways repairs would therefore be monitored by this Committee to assess progress and understand what actions had been taken and identify those areas with a higher risk rating.

Mark Shelswell, Assistant Director, Highways and Infrastructure was present for this item.

The Assistant Director, Highways & Infrastructure explained that a significant amount of customer improvement was focused on the Highways PFI contract. Any efficiencies made were reinvested back into the scheme and were not corporate savings. There was some activity in the original programme in relation to interaction with customer services. However, with the delays to the PFI contract those areas flagged with a higher risk rating was due to these delays.

The Highways service is collaborating with colleagues across the Council and with Digital and Customer Services on technological solutions.

Members then held a discussion, and the following were among the points made: -

- Councillors used different systems to track their casework as there was no one generic system that provided a comprehensive and connected service to allow tracking of cases.
- Icasework was a newer example of a system used by a limited number of councillors. However, feedback was that the numbering system did not always transpose, and this made it harder to track queries as often generic replies

were received with service areas reporting in silos rather than a joined-up response being provided. Additionally, Members felt that it was unlikely to be used going forward due to the limited number of councillors that were using it. There was agreement that one system used by all councillors would be helpful that was user friendly and allowed reporting of all issues in one place.

- Another issue raised was the delays experienced by councillors in receiving a reply to their enquiry sometimes taking up to a month or more. This resulted in councillors often contacting officers directly to resolve issues.
- Members reported that where there were emergencies, they were more likely to send officers an email directly or copy them in to ensure that the matter was expediated.
- Clarity on the quarterly information provided on the Council's website for residents would be helpful as it was difficult to navigate the exact week within the 12-week period.
- Kier Highways inquiry tracking system was commended for the service provided to councillors. Members used other systems and approaches to resolve queries including approaching locally based officers with specific knowledge and this was noted as being the most effective.
- The Assistant Director for Highways and Infrastructure agreed that one system to report issues should be the norm and the service received by councillors and the public should be seamless. This should also allow for updates and feedback to those who have reported the fault regardless of the method used to report it.
- The City Operations directorate houses both the Highways and Parks service areas and better and closer working should transpire in the responses that councillors and residents receive.
- It was acknowledged that issues are reported through a variety of means and it was explained that all reports are managed by the Council's contact centre who then forward the issue to the correct service area. There were cases of reports being missed and the Assistant Director for Highways and Infrastructure had spoken to contractors for highways and parking enforcement in relation to this.
- Due to the current financial climate the Council is taking a prudent approach to maintenance works however highway safety remains the number one priority.

RESOLVED: -

1. That the report be noted.
2. That a written briefing is provided following the verbal update that includes comments from the discussion with Members and this is provided to the Commissioners and Committee.
3. That the committee continues to monitor the Customer Services Programme - Highway Repairs and adds its future work programme for the new municipal year.

9. WORK PROGRAMME

The Chair outlined items for the May meeting noting that the update on the Highways PFI would not be required unless a decision was received.

The Road Safety Inquiry Task & Finish Group will hold its first evidence gathering on 26th April.

RESOLVED: -

1. That the report be noted.

10. DATE OF NEXT MEETING

The next meeting will be held on 16th May at 2pm.

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

There were no requests for Call In received.

12. OTHER URGENT BUSINESS

None.

The meeting ended at 15:09 hours.