

BIRMINGHAM CITY COUNCIL

COORDINATING O&S COMMITTEE – PUBLIC MEETING

1000 hours on Friday 16th June 2023, Committee Rooms 3 and 4,

Council House, Victoria Square, B1 1BB

Action Notes

Present:

Councillor Albert Bore (Chair)

Councillors: Jack Deakin, Mick Brown, Mohammed Idrees, Lee Marsham, Ewan Mackey, Kerry Jenkins, Shabrina Hussain, Alex Yip, Morriam Jan.

Also Present:

Richard Brooks, Director (Strategy, Equality & Partnerships)

Paul Clarke, Assistant Director (Programmes, Performance and Improvement)

David Harris, Assistant Director (Inclusive Growth)

James Betjeman, Head of EZ & Curzon Delivery

Christian Scade, Head of Scrutiny & Committee Services

Ed Brown, Committee Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised the meeting that the meeting would be webcast for live and 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 were confidential or exempt items.

2. APOLOGIES

Apologies were received from Councillors Akhlaq Ahmed and Darius Sandhu.

3. DECLARATIONS OF INTERESTS

Councillors Bore and Mackey informed the Committee, in respect of Item 17. Private Minutes – Commonwealth Games, Culture and Physical Activity Overview and Scrutiny Committee – that they were Council-appointed Directors of B: Music.

4. EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC

During the meeting the following requests were made to go into private session:

- By Councillor Bore, regarding Item 17.
- By Councillor Yip, regarding Item 14.

5. APPOINTMENT OF COMMITTEE AND CHAIR

RESOLVED:

- That the appointments of the Chair and Committee for the municipal year 2023/24 as agreed at the Annual Council meeting on 23 May 2023 be noted.

Labour (8):

Cllr Sir Albert Bore (Chair), Cllr Akhlaq Ahmed, Cllr Mick Brown, Cllr Jack Deakin, Cllr Shabrana Hussain, Cllr Mohamed Idrees, Cllr Kerry Jenkins and Cllr Lee Marsham

Conservative (3):

Cllr Ewan Mackey, Cllr Darius Sandhu and Cllr Alex Yip.

Liberal Democrats (1):

Cllr Morriam Jan

6. ELECTION OF DEPUTY CHAIR

RESOLVED:

That Councillor Kerry Jenkins be elected as 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.

7. COMMITTEE TERMS OF REFERENCE

RESOLVED:

That the Committee Terms of Reference be noted.

8. MINUTES – CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE

RESOLVED:

That the public minutes of the Co-ordinating Overview and Scrutiny Committee meeting held on 14 April 2023 be confirmed as a correct record.

9. MINUTES – COMMONWEALTH GAMES, CULTURE AND PHYSICAL ACTIVITY OVERVIEW AND SCRUTINY COMMITTEE

It was noted that the only Councillor present at the meeting who had been a member of the Commonwealth Games, Culture and Physical Activity Overview and Scrutiny Committee was Councillor Deakin.

RESOLVED:

That the public minutes of the Commonwealth Games, Culture and Physical Activity Overview and Scrutiny Committee meeting held on 5 April 2023 be confirmed as a correct record.

10. CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE ACTION TRACKER

Councillor Deakin requested that the Scrutiny Office remind newly appointed Cabinet members of the actions in the tracker.

RESOLVED:

- That the Scrutiny Office remind newly appointed Cabinet members of the actions in the tracker.
- That the Action Tracker was noted.

11. DELIVERING FLEXIBLE AND EFFECTIVE SCRUTINY

(See Document No. 1)

The Chair presented a report to consider how the Co-ordinating Overview and Scrutiny Committee would develop a flexible and effective work programme for 2023/24 and highlighted the following points:

- The report considered how scrutiny could move on to a more flexible programme for 2023/24.
- Within the pack there was a document circulated on the more flexible function of Scrutiny. This had been considered on an all-party basis by the previous

Committee and endorsed. It had been to all Overview and Scrutiny Committees.

- The Chair had met with the Leader and Deputy Leader, and they were discussing the matter with Cabinet members. Additionally, the Chief Executive was aware of the plans and as such they were on course to move forward.

During the discussion the following issues were raised:

- It was requested that the Scrutiny Office explicitly remind all Cabinet members going forwards that all relevant Cabinet reports needed to be given to the relevant Overview and Scrutiny (OSC) Chairs. The Chair clarified that this was within the document and had been brought to the attention of the Leader and Deputy Leader. It was added that this would foster a better relationship between Scrutiny and the Executive. OSC Chairs were encouraged to inform the Head of Scrutiny & Committee Services if they did not think they were receiving the reports that they should.
- Regarding the process for proposing items at Council Business Management Committee, it was noted that the Chair of Coordinating OSC attended the Council Business Management Committee to assist with agenda planning for meetings of Council. As such it was highlighted that this provided opportunities for Coordinating OSC to raise scrutiny matters for consideration by Council.
- To reflect the cultural shift in Council workings, the Committee added that the information set out in the papers presented should be endorsed as well as noted.

RESOLVED:

That the Committee note and endorse 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).

12. DEVELOPING THE CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE SCRUTINY WORK PROGRAMME 2023/24

(See Document. No 2)

The Chair introduced the report and made the following points:

- A summary report had been provided and the Committee was asked to note the information and identify a menu of topics for the municipal year.
- The Committee was also asked to consider which issues might come to the next meeting of the Committee on 14 July 2022 and beyond.
- The attention of the Committee was drawn to issues carried forward from the 2022/23 municipal year. It was noted that the Customer Services programme was continuing, and Councillor Jan had been engaged to take over from Councillor Harmer on the Task and Finish Group. The group had met three times in the past two weeks and had considered the issues of housing repairs, waste management and bereavement services. A further report on the current situation was in preparation. It was intended for an item on the Customer Services programme to come to the meeting of Coordination OSC on 14 July 2023.
- The issue of Highways would not be picked up until 7 July 2023. It was the intention to bring the recommendations to the meeting of Coordination OSC on 14 July 2023. This would mean putting out a paper on housing repairs, waste management and bereavement services with a supplementary report on highways. It was intended that issues in relation to Customer Services would then be passed over to the respective OSC (i.e. waste management and bereavement to Neighbourhoods OSC, highways to Sustainability and Transport OSC and housing repairs to Homes OSC). These Committees would then follow the issues through.
- The Cabinet Member for Social Justice, Community Safety and Equalities and the Chief Executive had been engaged regarding the recommendations on Homes for Ukraine. The Chair had indicated to them that he wished to bring a response to the Coordinating OSC in September to see if the lessons learned on the issue had been taken onboard.
- The Trailblazer Devolution Deal was due to be signed-off and Published in March 2023, however this had not happened. The Chair had been advised that it would likely be considered at Cabinet in September. If this was the case, then it would be desirable to conduct pre-scrutiny on the issue in July. Whilst some elements would not be completed in time for the September Cabinet meetings, the devolution deal text itself was available and could be provided for pre-scrutiny in July. What came to the meeting would depend on what was available in terms of external information, as such a draft cabinet report might not be available.
- The Elections Act would need to be considered later in the year to consider lessons learned from other Authorities who held elections in May and to consider what

measures might be needed in future elections. The Assistant Director for Legal and Governance would be engaged to establish the best time for it to be considered. December was currently thought to be best.

- In response to a request for the Committee to consider contracts and agreements regarding Birmingham Museums Trust and what involvement the Committee could have, the Chair agreed to consider it and discuss with Cllr Deakin and the Committee as to the best way to take it forward.
- Cabinet Member Priorities had been set out in the document and all Scrutiny Committees had been given sight of it. Questions had been raised over how helpful the documents produced had been in terms of how much steer they gave on priorities. It was suggested that it had been difficult to pick out issues that might be of interest to the Committees. The Leader and Deputy Leader had been asked to look again at the documents and it had been agreed by them that the Chairs of Overview and Scrutiny Committees should meet regularly with their Cabinet counterparts regarding issues to take forward. Issues coming forward from these meetings could go on the menu of issues. The Leader and Deputy Leader had agreed to this. Further to this it had been agreed that there should be a quarterly meeting between all Scrutiny Chairs and all Cabinet members so that collectively they could look at the programme. The Assistant Director (Programmes, Performance and Improvement) agreed to raise this with the Cabinet Secretariat.
- Regarding a request to add the issue of employment to the Work Programme, the Chair explained that the matter had arisen at the Customer Services Task and Finish group when it considered recruitment in Bereavement Services. The Chair had intended to leave this matter until it had been reported in July and use what had arisen in the recommendations as a lever to bring things in. There was also a need to note that in terms of remit, Human Resources issues sat with the Finance and Resources OSC.
- Regarding Performance and Improvement, each OSC had a respective report appropriate to their remit. This was a high-level information pack, and the format and structure was bespoke to each Committee. The document summarised and reminded the Committee on strategic environment and contextual issues to keep in mind when considering on the Work Programme. It also highlighted some of the external environment contextual issues. Some issues had not been listed such as the imminent launch of the Office for Local Government (OFLOG) which aimed to improve the transparency of local government and performance and might have an impact on the Council. Additionally, the Local Government Association (LGA) were doing work on assurance frameworks for Local Authorities. Ways of joining this information up were being considered.

- Other performance and improvement points included flagged changes to the regulatory framework, a new social housing framework from next year, corporate performance and delivery information, and delivery priorities for the next year. Improvement and change activity known to be going on had been picked out, this was helpful in terms of the principles of the paper such as flexible scrutiny and avoiding duplication.
- Regarding evaluating the delivery of the Cost-of-Living Emergency Response Programme, lessons learnt and developing options for longer term actions, the Chair suggested that this could be something that the Committee could assist on. The idea of considering lessons learned tied in with the approach that had been taken towards Homes for Ukraine. It was suggested that a small Task and Finish group looking at this in terms of the Cost-of-Living Emergency Response could be useful and the experiences from the Homes for Ukraine Task and Finish group could be brought to it. Councillors Jan and Deakin expressed interest in being part of it, and it was suggested that a member of the Conservative group would join.
- A short briefing note on OFLOG and its functions and powers would be produced once more was known about it.
- Whilst duplication was generally avoided, it was necessary to recognise that the separation of scrutiny and the executive meant that similar work might need to take place as part of the oversight function adding value. In such situations the work was complementing rather than duplicating.

Summarising, the Chair noted that the Customer Services progress report from the Task and Finish Group, the Trailblazer Devolution Deal and a report on the OSC Programmes including updates from all Overview and Scrutiny Committees as well as the current position from this Committee would come to the meeting of Coordination OSC on 14 July 2023. The Cost-of-Living Task and Finish Group would be organised in July. The feedback from the Homes for Ukraine task and Finish Group would come back in September and an update on the Elections Act would provisionally be seen in December.

In response to questions, it was highlighted that the Head of Scrutiny and Committee Services and the Director of Strategy, Equality & Partnerships were working together to develop a dashboard of Committees to balance resources which would help with the Committee with its Coordination role.

RESOLVED:

- That a short briefing note on OFLOG and its functions and powers be produced once more was known about it.

- That a small Task and Finish group on the Cost-of-Living Emergency Response be convened. With the draft Terms of Reference to come to the Committee in July 2023.
- That an item on the Customer Services programme be considered at the meeting of Coordination OSC on 14 July 2023.
- That pre-scrutiny of the Trailblazer Devolution Deal be conducted at the meeting of the Coordinating OSC on 14 July 2023.
- That the Committee note the information set out in Appendices 1-3.
- That Homes for Ukraine be considered at the meeting of Coordination OSC on 15 September 2023.
- That the Election Act be considered at the meeting of Coordination OSC on 15 December 2023
- That the Committee notes that a draft work programme will be presented to the Committee meeting in July for consideration and approval.
- That the Committee notes that proposed work programmes from each Overview and Scrutiny Committee will be submitted to the Co-ordinating O&S Committee to enable work to be planned and co-ordinated throughout the year

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

There were no requests for Call In for Co-ordinating OSC.

14. OTHER URGENT BUSINESS

Councillor Yip requested that a matter be discussed in Private session due to its sensitivity. Concerning whistleblowing and safeguarding.

15. SCHEDULE OF MEETING DATES FOR COMMITTEE MEETING AND SCRUTINY WORK

The following schedule of dates for upcoming meetings was noted:

<u>2023</u>	<u>2024</u>
14 July	26 January
15 September	23 February
13 October	15 March
17 November	19 April

15 December

16. AUTHORITY TO CHAIR AND OFFICERS

RESOLVED: -

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

17. PRIVATE MINUTES – COMMONWEALTH GAMES, CULTURE AND PHYSICAL ACTIVITY OVERVIEW AND SCRUTINY COMMITTEE

The Chair advised that the private minutes at Agenda item 17 along with the request from Councillor Yip contained exempt information within the meaning of Section 100I of the Local Government Act 1972.

RESOLVED:

- That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.
- That the private minutes of the Commonwealth Games, Culture and Physical Activity Overview and Scrutiny Committee meeting held on 5 April 2023 be confirmed as a correct record.

The meeting ended at 11:10