

Birmingham City Council

Report to Homes Overview and Scrutiny Committee

20 June 2024



Title:	HOMES OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE AND WORK PROGRAMME
Lead Cabinet Portfolio:	Councillor Rob Pocock, Cabinet Member for Transformation, Governance and HR
Relevant Overview and Scrutiny Committee:	Not Applicable
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Authorised by:	Christian Scade, Head of Scrutiny and Committee Services Legal and Governance
Is this a Key Decision?	Not Applicable
If this is a Key Decision, is this decision listed on the Forward Plan?	Not Applicable
Reason(s) why not included on the Forward Plan:	Not Applicable
Is this a Late Report?	No
Reason(s) why Late:	Not Applicable
Is this decision eligible for 'call in?'	Not Applicable
If not eligible, please provide reason(s):	Not Applicable

Has this decision been included on the Notification of Intention to consider Matters in Private? Not Applicable

Reasons why not included on the Notification: Not Applicable

1 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to enable the Homes Overview and Scrutiny Committee (OSC) to agree key issues to be considered by the Committee during 2024/25 and the scrutiny methods that will be used to undertake this work.
- 1.2 A key aspect of the work of all Overview and Scrutiny Committees will be the continued focus on the delivery of savings agreed in the 2024/25 Council budget and the relevant programmes within the Council's Improvement and Recovery Plan (IRP) where the Committee can add value.

2 COMMISSIONERS' REVIEW

- 2.1 There were no comments from the Commissioners for this report.

3 RECOMMENDATIONS

That the Committee:

- 3.1 Notes the Committee's Terms of Reference as set out in Section 4.4.
- 3.2 Agrees the issues to be considered at a July Task and Finish Group meeting or subsequent meetings on the impact and implications of savings as set out in paragraphs 4.10 – 4.14.
- 3.3 Agrees the work programme outlined in Appendix A.
- 3.4 Appoints Cllr Jamie Tennant, Chair of the Homes Overview and Scrutiny Committee, as Chair of the Improving Standards of Re-let Properties Inquiry and confirms the membership for the Inquiry Group.
- 3.5 Notes, subject to further input from the Chair and Deputy Chair outside of the meeting, its proposed work programme will be submitted to Corporate and Finance Overview and Scrutiny Committee to enable work to be planned and co-ordinated throughout the year.
- 3.6 Notes the establishment of the Task and Finish Group outlined in Section 4.6 that will enable members to have the information to further develop the work programme during 2024/25.

4 KEY INFORMATION

Context

- 4.1 The Statutory Guidance for Overview and Scrutiny Committees [Overview and scrutiny: statutory guidance for councils, combined authorities and combined county authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/124422/Overview_and_scrutiny_statutory_guidance_for_councils_combined_authorities_and_combined_county_authorities_-_GOV.UK_(www.gov.uk).pdf) was updated in April 2024 and re-affirms the role of overview and scrutiny in holding an authority's decision-makers to account remains fundamentally important to the functioning of local democracy.
- 4.2 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 improvement in public services and strategic decision-making

4.3 The Council's Constitution Part B 11 sets out the procedures and functions of Overview and Scrutiny Committees:

[Constitution Part B Roles Functions and Rules of Procedure March 2024 AF \(1\).pdf](#)

4.4 The terms of reference for the Homes Overview and Scrutiny Committee are:

4.4.1 To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning housing development and supply, Council Housing management, private rented sector licensing and regulation, tenant engagement, Housing Options, temporary accommodation, homelessness and rough sleeping. This includes:

4.4.2 Collection of rent/recovery of rents from Council tenants/former tenants and overpayments of Housing Benefit from Council tenants.

4.4.3 Housing development.

4.4.4 Council Housing management services, repairs and maintenance programmes.

4.4.5 Best use of housing stock across all housing providers.

4.4.6 Neighbourhood management initiatives and the housing growth agenda (Birmingham Social Housing Partnership).

4.4.7 Private rented sector – licensing and regulation.

4.4.8 Tenancy engagement in the management and development of social housing and Housing Liaison Boards.

4.4.9 Exempt accommodation.

4.4.10 Housing Options for vulnerable adults, children, young people and offenders.

4.4.11 Temporary accommodation provision.

4.4.12 Homelessness and rough sleeping.

4.5 The work programme of all Overview and Scrutiny Committees will align to the priorities within the Council's Improvement and Recovery Plan (IRP).

Homes Overview and Scrutiny Committee Work Programme 2024/25

4.6 The work programme for 2024/25 will develop during the year and a Task and Finish Group has been established that will consider what information members will need to identify further issues.

4.7 An initial outline work programme is attached as Appendix A that includes:

- Programmes from the Council's Improvement and Recovery Plan within the Committee's terms of reference.
- Scrutiny of the implications of savings agreed in the Council's budget including equality and equity issues arising from the budget as set out in Paragraph 4.10 below.
- Safe and effective delivery of key services supporting vulnerable people.
- Monitoring recommendations from previous Scrutiny Inquiries and Task and Finish Group work.
- Critical performance issues emerging by exception (this will be defined through work with the Centre for Governance and Scrutiny).

4.8 The Centre for Governance and Scrutiny is providing support to the Council which includes developing a framework which will enable the work of Overview and Scrutiny Committees to add value to the Council's improvement journey.

4.9 When considering the issues to be included in the work programme members are also asked to agree the Scrutiny method that will be used. This can include:

- **Committee meeting single item**, or items, on a public committee agenda: this fits more closely the "overview" aspect of the Scrutiny function and has limited opportunity for effective scrutiny.
- **Committee meeting single theme** at a public committee meeting: This has the capacity to enhance the previous option by taking evidence from a number of witnesses.
- **Task and Finish Group in a day**: provided that these are properly focused, they ensure Councillors can swiftly reach conclusions and make recommendations and are effective even for complex topics. The work of a Task and Finish Group will be agreed by the relevant Overview and Scrutiny Committee. The Task and Finish Group meeting is not public. The outcome of the Task and Finish Group will be reported to a public committee meeting.
- **Multiple Task and Finish Group meetings**: to consider an issue in depth over four or six meetings spread over a limited number of months.
- **Site Visit**: Members visit services or organisations to inform the work of the Committee.
- **Inquiry Evidence Gathering**: Evidence for Scrutiny Inquiries may take place at public committee meetings, Task and Finish Groups or Site Visits.
- **Briefings**: for members to be updated on specific issues.

Scrutiny of the Impact of Savings

4.10 The Budget Scrutiny Task and Finish Group recommended that each OSC receives a report following the approval of the Budget and Medium Term Financial Plan (MTFP) on the implications of the budget and savings on the services within their terms of reference. This recommendation was accepted by

the Executive and agreed at City Council on 5 March 2024. The Council's Improvement and Recovery Plan (IRP) Governance Principles sets out that there should be clear oversight via forums including Overview and Scrutiny. It also highlights that Scrutiny and decision making is timely and informed, and there is proactive management of risks, actions, issues and dependencies.

4.11 Based on the work previously undertaken through the Budget Scrutiny Task and Finish Group (November 2023 – January 2024) and the Savings Delivery Task and Finish Group (April 2024) and together with discussion with the Committee Chair, it is recommended that the Committee considers the following issues in its July Task and Finish Group:

- Establishment Reduction (Saving 81)
- Property Acquisition – HRA (Saving 78)
- Shelforce Surplus (Saving 83)
- Service charge increases to full cost recovery (Saving 79)
- B&B Unit cost negotiation (Saving 176)
- TA Investment Strategy delays to capacity increases (Saving 82)
- Income collection and provision improvements (Saving 86)
- Homeless Centre financing (Saving 85)
- TA Investment Strategy delays to landlord incentives (Saving 84)
- Public Health grant funding (Saving 87)
- Property licensing – administrative overhead and absorption rate (Saving 21)

4.12 Cabinet Members and senior directorate officers will attend the July Task and Finish Group meeting.

4.13 The Corporate and Finance Overview and Scrutiny Committee will receive a report in July 2024 on the financial delivery of savings.

4.14 Recommendations and issues from the Savings Implications Task and Finish Group will be reported to the Corporate and Finance Overview and Scrutiny Committee in September 2024.

Inquiry – Improving Standards of Re-let Properties

4.15 In September 2023, the Committee agreed to undertake an inquiry into improving the standards of Council houses. In November 2023 and following reassurances about the progress achieved addressing the concerns of the Regulator for Social Housing and the Housing Ombudsman, the inquiry was refocused to improving standards of void properties only. The Terms of Reference is attached as Appendix C.

- 4.16 Evidence gathering commenced for this inquiry in December 2023. The inquiry group has taken part in two site visits to Council properties, as well as an external visit to Pioneer Housing, another Birmingham based provider. Pioneer subsequently provided evidence to the Committee in March 2024. The inquiry is scheduled to conclude in the new municipal year. Further evidence is being provided at today's Committee from Birmingham City Council. It is intended that this will conclude the evidence gathering phase.
- 4.17 The Inquiry Group membership in 2023-24 was Councillor Ken Wood (Chair); Councillor Mohammed Idrees; Councillor Saqib Khan, Councillor Lauren Rainbow and Councillor Penny Wagg. New membership will need to be confirmed to finish the remainder of this Inquiry.

Forward Plan

- 4.18 The Council's latest Forward Plan: [June 2024](#) may assist Members in identifying future topics. The following reports are of particular relevance to this Overview and Scrutiny Committee:

Cabinet Member for Housing and Homelessness			
Reference Item	Title	Date Proposed	First Published
012205/2024	Homelessness Prevention Strategy 2024-2029	23 Jul 24	20 Nov 23
012620/2024	Implementation of Updated Conditions of Tenancy	23 Jul 24	26 Feb 24
012651/2024	City Housing CCTV Strategy	25 Jun 24	11 Mar 24
012759/2024	Perry Barr Stock Appropriation for Social Housing	23 Jul 24	01 Apr 24
012808/2024	Energy Company Obligations 4 (EC04) Scaling Up Retrofit Proposals	25 Jun 24	16 Apr 24
012859/2024	Contract Award for Security Measures Provision for Victims of Domestic Abuse	25 Jun 24	29 Apr 24
012890/2024	Local Authority Housing Fund Round 3	23 Jul 24	03 May 24

5 RISK MANAGEMENT

- 5.1 The Council's Governance and Stabilisation Plan identified the need to strengthen the working relationships between the Chairs of Overview and Scrutiny Committees and the Chair of the Audit Committee to lead and direct the function. This will include the development of a Memorandum of Understanding that will include the respective roles of Overview and Scrutiny Committees and Audit in relation to the Council's management of risk.

6 IMPACT AND IMPLICATIONS

Finance

- 6.1 There are no immediate financial implications from this report as the Committee has been asked to review the implications and impact of the budget savings on the services within the terms of reference, not to challenge or change the financial delivery of the savings themselves. An update report on the performance of the council in delivering the financial savings will instead be taken to the Corporate and Finance Overview and Scrutiny Committee in July 2024.

Legal

- 6.2 There are no legal implications arising from the recommendations in the report.

Equalities

- 6.3 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.
- 6.4 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.
- 6.5 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.
- 6.6 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.

People Services

- 6.7 There are no staffing implications resulting from the recommendations in this report.

Climate Change, Nature and Net Zero

- 6.8 Overview and Scrutiny Committee's will consider the climate change, nature and Net Zero issues relevant to the work programme items.

Corporate Parenting

- 6.9 Overview and Scrutiny Committees will consider the corporate parenting responsibilities and opportunities relevant to the work programme.

7 APPENDICES

- 7.1 Appendix A: Homes OSC Work Programme June 2024
- 7.2 Appendix B: Summary of Savings within the Homes Overview and Scrutiny Committee Terms of Reference
- 7.3 Appendix C: Improving Standards of Re-let Properties Inquiry Terms of Reference

8 BACKGROUND PAPERS

- 8.1 [Governance Review of Birmingham City Council by Centre for Governance and Scrutiny: Cabinet 12 December 2023](#)
- 8.2 [Improvement and Recovery Plan: Cabinet 4 April 2024](#)