

BIRMINGHAM CITY COUNCIL

SUSTAINABILITY AND TRANSPORT O&S COMMITTEE

**1400 hours on 7th March 2024, Committee Rooms 3&4, Council House –
Public Meeting**

Present:

Councillor Lee Marsham (Chair)

Councillors David Barker, Timothy Huxtable, Richard Parkin and Waseem Zaffar

Also Present:

Mark Shelswell, Assistant Director, Highways & 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 Councillors Saima Ahmed, Martin Brooks and Colin Green.

3. DECLARATIONS OF INTERESTS

There were no declarations of interests submitted.

4. MINUTES

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

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

RESOLVED: That the Minutes of the meeting of 8 February 2024 were approved and signed by the Chair subject to correction of apologies noted from Councillor Parkin.

5. SUSTAINABILITY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE ACTION TRACKER

The Chair gave an update on the lack of up-to-date information published on the Council's website in relation to the rolling 3-month planned schedule of works for the public highway. The Assistant Director, Highways & Infrastructure agreed that the issues would be taken up with the relevant officers. In the meantime, this information would be circulated by email to Members.

RESOLVED: -

1. That the action tracker be noted.
2. The Assistant Director, Highways & Infrastructure to speak with relevant officers and ensure that a copy of the schedule of works is circulated to all Members.

6. COMMISSIONER'S REVIEW AND COMMENTS ON THE AGENDA

RESOLVED: It was noted that no comments had been received.

7. HIGHWAYS MANAGEMENT AND MAINTENANCE SERVICES PFI

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

The Assistant Director, Highways & Infrastructure explained the current position and confirmed that a date was set for the legal hearing on 21-22 March. Legal advisors and Highways officers were preparing for this, and the Council had asked for the hearing to be expedited due to the financial issues that it currently faces and because the Highways PFI contract should have already been in place.

It was anticipated that a decision could be received up to 3 months after the hearing. It was hoped that the Judge would give a timescale on when the outcome might be expected. This would be imperative due to the time constraint in relation to funding issues. The Assistant Director, Highways & Infrastructure confirmed that Council officers were working with partners to ensure that this position was sustained.

A discussion was held, and the following were among the points made: -

- Following the budget agreed at Council it was clarified that this was predicated on the PFI not continuing. The standard of service would not change however there would be a much-reduced level of maintenance works in the future (aside from what is already published on the Council's website). Members

were informed that the main concern would be ensuring that safety issues are met, and these will continue to be carried out.

- It was confirmed that the £12m proposed saving was the input from the Council was part of the PFI contract.
- In relation to the impact on planned activities of the £12m budget saving it was clarified that this would not affect larger planned schemes.
- The Council cannot sustain the current level of funding in the longer term and will be seeking for the court to impose a deadline by when the government must respond.

Further to queries relating to contingency plans and legally prejudicial information the Chair paused the public meeting so that Members could hold a discussion in private.

RESOLVED: -

1. That the report be noted.
2. That a briefing note be provided by Officers on the points raised in the private session.
3. That the Committee are provided with a copy of the draft Cabinet report outlining options before it is presented to Cabinet.

8. WORK PROGRAMME

The Chair outlined updates made to the work programme following the last meeting. In relation to Appendix 2 it was agreed that the impact of works on the highway would be considered at a future meeting.

Due to Eid Members agreed that April's meeting would be moved to 18th April.

RESOLVED: -

1. That the report be noted.
2. That the next meeting is re-arranged for 18th April.

9. DATE OF NEXT MEETING

The next meeting will be held on 18th April at 2pm.

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

There were no requests for Call In received.

11. OTHER URGENT BUSINESS

None.

The meeting ended at 14:58 hours.