

# **BIRMINGHAM CITY COUNCIL**

## **MEETING OF THE CITY COUNCIL**

**TUESDAY, 03 DECEMBER 2024 AT 14:00 HOURS**  
**IN COUNCIL CHAMBER, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

### **A G E N D A**

#### **1 NOTICE OF RECORDING**

Lord Mayor to advise that this meeting will be webcast for live or 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 are confidential or exempt items.

#### **2 DECLARATIONS OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

**3 MINUTES**

To confirm and authorise the signing of the Minutes of the meeting held on 5 November 2024.

**4 LORD MAYOR'S ANNOUNCEMENTS**

**(10 minutes allocated) (1400-1410)**

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

**5 PETITIONS**

**(10 minutes allocated) (1410-1420)**

To receive and deal with petitions in accordance with Council Rules of Procedure (B4.4 E of the Constitution)

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

**6 QUESTION TIME**

**(70 minutes allocated) (1420-1530)**

To deal with oral questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

- A. Questions from Members of the Public to any Cabinet Member or Ward Forum Chair (20 minutes)
- B. Questions from any Councillor to a Committee Chair, Lead Member of a Joint Board or Ward Forum Chair (up to 10 minutes)
- C. Questions from Councillors other than Cabinet Members to a Cabinet Member (up to 20 minutes)
- D. Questions from Councillors other than Cabinet Member to the Leader or Deputy Leader (up to 20 minutes)

7 **APPOINTMENTS BY THE COUNCIL**

**(5 minutes allocated) (1530-1535)**

To make appointments to, or removal from, committees, outside bodies or other offices which fall to be determined by the Council.

**257 - 300** 8 **SENIOR OFFICER RESTRUCTURE - AMENDMENT TO CONSTITUTION; PART E SCHEME OF DELEGATIONS**

**(20 minutes allocated) (1535-1555)**

Councillor John Cotton to move the following recommendation:

"That City Council approves the proposed revisions to Part E of the Constitution, as detailed in Appendix 1 and the structure chart in Appendix 2".

**301 - 328** 9 **EXECUTIVE BUSINESS REPORT**

**(30 minutes allocated) (1555-1625)**

Councillor John Cotton to move the following recommendation:

"That the report be noted by the City Council".

(Break 1625-1655)

**329 - 334** 10 **UPDATE ON EQUAL PAY: PAY AND GRADING - REPORT FROM EMPLOYMENT COMMITTEE**

**(20 minutes allocated) (1655-1715)**

Councillor John Cotton to move the following recommendation:

"That City Council notes the decision made by the Employment Committee on 31 October 2024 to proceed with consultation on the proposal."

**335 - 404** 11 **SCRUTINY INQUIRY - ROAD SAFETY**

**(30 minutes allocated) (1715-1745)**

Councillor David Barker to move the following recommendation:

"That the Council approve recommendations R01 to R16, set out in Appendix A, and request that the Executive pursue their implementation."

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**(90 minutes allocated) (1745-1915)**

To consider the attached Motions of which notice has been given  
in accordance with Council Rules of Procedure (B4.4 G of the  
Constitution).

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**MEETING OF BIRMINGHAM  
CITY COUNCIL, TUESDAY,  
5 NOVEMBER 2024**

**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD  
ON TUESDAY, 5 NOVEMBER 2024 AT 1400 HOURS IN THE COUNCIL  
CHAMBER, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT**:- Lord Mayor (Councillor Ken Wood) in the Chair.

**Councillors**

Saima Ahmed	Deirdre Alden	Robert Alden
Gurdial Singh Atwal	Shabina Bano	David Barker
David Barrie	Baber Baz	Jilly Bermingham
Marcus Bernasconi	Sir Albert Bore	Nicky Brennan
Kerry Brewer	Marje Bridle	Martin Brooks
Mick Brown	Debbie Clancy	Liz Clements
Maureen Cornish	Carmel Corrigan	John Cotton
Phil Davis	Adrian Delaney	Diane Donaldson
Barbara Dring	Jayne Francis	Sam Forsyth
Ray Goodwin	Rob Grant	Colin Green
Fred Grindrod	Roger Harmer	Deborah Harries
Kath Hartley	Adam Higgs	Des Hughes
Jon Hunt	Mumtaz Hussain	Mahmood Hussain
Shabrana Hussain	Timothy Huxtable	Mohammed Idrees
Zafar Iqbal	Katherine Iroh	Ziaul Islam
Morriam Jan	Meirion Jenkins	Jane Jones
Amar Khan	Mariam Khan	Saqib Khan
Izzy Knowles	Narinder Kaur Kooner	Chaman Lal
Bruce Lines	Mary Locke	Ewan Mackey
Basharat Mahmood	Majid Mahmood	Rashad Mahmood
Lee Marsham	Karen McCarthy	Saddak Miah
Gareth Moore	Simon Morrall	Yvonne Mosquito
Richard Parkin	Rob Pocock	Julien Pritchard
Hendrina Quinnen	Esther Rai	Lauren Rainbow
Darius Sandhu	Jamie Scott	Kath Scott
Shafique Shah	Ron Storer	Saima Suleman
Jame Tennant	Sharon Thompson	Paul Tilsley
Lisa Trickett	Penny Wagg	Ian Ward
Clifton Welch	Alex Yip	

**NOTICE OF RECORDING**

50 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's Public-I website and that members of the press/public may record and take photographs except where there were confidential or exempt items.

Members noted that prior to the commencement of the break, there would be a presentation made to Graeme Betts in recognition of his service to the Council.

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**DECLARATIONS OF INTERESTS**

51 The Lord Mayor reminded Members that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at the meeting.

Councillor Narinder Kaur Kooner declared a non-pecuniary interest in relation to agenda item 12, Motion B and would leave the Chamber during consideration of this Motion. Councillor Kooner worked within the temporary exempt accommodation sector.

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**MINUTES**

52 It was moved by the Lord Mayor, seconded and –

**RESOLVED:**

That the Minutes of the meeting held on 17 September 2024 be taken as read and confirmed and signed.

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**LORD MAYOR'S ANNOUNCEMENTS**

53 The Lord Mayor had no announcements to make to the Council.

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**PETITIONS**

**Petitions Relating to City Council Functions Presented at the Meeting**

54 The following petitions were presented:-

(See document No. 1, 'Additional Meeting Documents')

In accordance with the proposals by the Members presenting the petitions, it was moved by the Lord Mayor, seconded and:-

**RESOLVED:-**

That the petitions were received and referred to the relevant Chief Officer(s).

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**Petitions Update**

55 A Petitions Update had been made available electronically:-

(See document No. 2, 'Additional Meeting Documents')

It was moved by the Lord Mayor, seconded and

**RESOLVED:-**

That the Petitions Update be noted and those petitions for which a satisfactory response has been received, be discharged.

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**QUESTION TIME**

56 The Council proceeded to consider Oral Questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

Details of the questions asked are available for public inspection via the webcast.

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**UPDATE ON PROPORTIONALITY CALCULATIONS**

57 A report of the Head of Scrutiny and Committee Services was submitted:-

(See document No. 3, agenda item 7a)

Councillor John Cotton moved the recommendations as outlined within the report which were seconded from the floor.

Following a query from a Member in relation to the status of Councillor Ayoub Khan, the Interim City Solicitor and Monitoring Officer informed Council that the political Group Leader or Group Secretary (Liberal Democrat) must inform the proper officer (Managing Director) of any changes to the membership of the Group. Because no such notification had been received, Councillor Ayoub Khan remained a Member of the Liberal Democrat Group.

It was therefore-

**RESOLVED:-**

1. That the updated proportionality calculations, including changes to aggregate entitlement, set out in Appendix 1, were noted.
2. That the appointments made to committees on 21 May 2024, updated by Full

Council on 18 June 2024, 9 July 2024 and 17 September 2024, set out in Appendix 2, were noted.

3. That, in view of the changes to aggregate entitlement, the following amendment to committee appointments was made: Labour to give up a seat to the Liberal Democrats on the Licensing and Public Protection Committee.
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### **APPOINTMENTS BY THE COUNCIL**

- 58 The Lord Mayor invited Groups to address the Council to advise of any changes to appointments.  
Councillors Katherine Iroh and Baber Baz addressed the Council to request changes to appointments.

#### **RESOLVED:-**

That City Council noted that Councillor Izzy Knowles be appointed to the Licensing and Public Protection Committee, replacing Councillor Miranda Perks.

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### **WEST MIDLANDS COMBINED AUTHORITY SCRUTINY AND AUDIT ANNUAL REPORT 2023/24**

- 59 A report of the West Midlands Combined Authority was submitted:-  
(See document No. 4, agenda item 8)

Councillor Jamie Tennant moved the recommendation which was seconded by Councillor Diane Donaldson.

A debate ensued.

Councillors Robert Alden, Roger Harmer, Mary Locke, Lee Marsham, Timothy Huxtable, Rob Pocock and Liz Clements spoke during the debate.

The Lord Mayor invited Councillor Jamie Tennant to sum up.

#### **RESOLVED:-**

That City Council noted the report.

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### **LEAD MEMBER REPORT – WEST MIDLANDS POLICE AND CRIME PANEL**

- 60 A report of Councillor Rashad Mahmood, Lead Member, West Midlands Police and Crime Panel was submitted:-

(See document No. 5, agenda item 9)

Councillor Rashad Mahmood moved the recommendation which was seconded by Councillor Jamie Scott.

A debate ensued.

Councillors Majid Mahmood, Izzy Knowles, Gareth Moore and Liz Clements spoke during the debate.

Before participating in the debate, Councillor Gareth Moore declared a non-pecuniary interest as he was a trustee of Birmingham LGBT which received domestic abuse funding from the Police and Crime Commissioner.

The Lord Mayor invited Councillor Rashad Mahmood to sum up.

**RESOLVED:-**

That City Council noted the report.

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**At this point of the meeting, a presentation was made to Graeme Betts in recognition of his work for the Council. The Leader of the Council, Councillor John Cotton, the Leader of the Conservative Group Councillor Robert Alden and the Leader of the Liberal Democrat Group Councillor Roger Harmer spoke. Graeme Betts also addressed the Council.**

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**ADJOURNMENT**

61 It was moved by the Lord Mayor, seconded and-

**RESOLVED:-**

That the Council be adjourned until 1710 hours on this day.

The Council then adjourned at 1640 hours.

62 At 1710 hours the Council resumed at the point where the meeting had been adjourned.

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**SCRUTINY BUSINESS REPORT**

63 A report of Councillor Sir Albert Bore was submitted:-

(See document No. 6, agenda item 10)

Councillor Sir Albert Bore moved the recommendation which was seconded by Councillor Jamie Tennant.

A debate ensued.

Councillors Ewan Mackey, Paul Tilsley, Ziaul Islam, Julien Pritchard and Meirion Jenkins spoke during the debate.

The Lord Mayor invited Councillor Sir Albert Bore to sum up.

**RESOLVED:-**

That City Council noted the report.

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**DECISIONS NOT ON THE FORWARD PLAN AND THOSE AUTHORISED FOR IMMEDIATE IMPLEMENTATION**

64 A report of the Head of Scrutiny and Committee Services was submitted:-

(See document No. 7, agenda item 11)

Councillor Sharon Thompson moved the recommendation which was seconded from the floor

**RESOLVED:-**

That the Council noted the report.

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**MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**

The Council proceeded to consider the Motions of which notice had been given in accordance with Council Rules of Procedure (B4.4 G of the Constitution).

**A. Councillors Jayne Francis and Jamie Tennant had given notice of the following Notice of Motion:-**

(See document No. 8, agenda item 12)

Councillor Jayne Francis moved the Motion which was seconded by Councillor Jamie Tennant.

In accordance with Council Rules of Procedure, Councillors Roger Harmer and Morriam Jan gave notice of the following amendment to the Motion:-

(See document No. 9, 'Amendments – City Council')

Councillor Roger Harmer moved the amendment which was seconded by Councillor Morriam Jan.

In accordance with Council Rules of Procedure, Councillors Bruce Lines and Robert Alden gave notice of the following amendment to the Motion:-

(See document No. 10, 'Amendments – City Council')

Councillor Bruce Lines moved the amendment which was seconded by Councillor Robert Alden.

In accordance with Council Rules of Procedure, Councillors Julien Pritchard and Rob Grant gave notice of the following amendment to the Motion:-

(See document No. 11, 'Amendments – City Council')

Councillor Julien Pritchard moved the amendment which was seconded by Councillor Rob Grant.

A debate ensued.

Councillors Sharon Thompson, Lisa Trickett, Lee Marsham, Simon Morrall, Basharat Mahmood, Ziaul Islam and Gareth Moore spoke during the debate.

The Lord Mayor invited Councillor Jayne Francis to sum up.

The amendment to the Motion in the names of Councillors Roger Harmer and Morriam Jan having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The amendment to the Motion in the names of Councillors Bruce Lines and Robert Alden having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The amendment to the Motion in the names of Councillors Julien Pritchard and Rob Grant having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The Motion as amended, having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

**RESOLVED:-**

"This Council notes that:

- The United Kingdom is navigating a national housing crisis, resulting in an over reliance on temporary accommodation to safeguard households facing homelessness across the UK.
- Temporary accommodation was never intended to exist for more than an immediate solution; Shelter reports, as of April 2024, 145,800 children are homeless and living in temporary accommodation with their families; the highest on record and up 19,460 (15%) in a year.
- Birmingham experiences a similar picture, with over 5000 households now living in temporary accommodation, 700 of these are families with dependent children in B&B for over 6 weeks. Temporary accommodation costs the Council over £2m per month, contributing to the £1.6bn national expenditure.
- Councils, including Birmingham are penalised for utilising privately provided temporary accommodation, being only able to receive 90% of the 2011 Local Housing Allowance rates as income, resulting in the need for large, general fund subsidies to enable the provision.

- Our commitment to prevention and partnership is reflected in the new Homelessness Prevention Strategy 2024-2029. A prevention success rate of over 55% is greater than the national or core cities average.

- In absolute terms, the Council's position in relation to the use of temporary accommodation is not out of kilter with the rest of the UK. However, the city's overreliance of B&B accommodation and a reduction in the number of affordable homes delivered has increased the number and length of time families reside in unsuitable B&B accommodation.

- The Council launched its Temporary Accommodation Strategy in June 2023, reviewed in September 2024 considering the Council's challenging financial position. The strategy sets out an innovative plan to reduce the use of B&B accommodation, including interventions such as:

- 10 years plus 1 day leasing scheme

- Delivering acquisitions through the Housing Revenue Account

- Increased use of Regulation 10

- Developing a family supported exempt model

- This strategy is coupled with the Council's intentions to increase the supply of social rented homes. The Council continue to work with partners to bring forward affordable schemes, including accelerating major regeneration projects such as Druids Heath and Ladywood.

- The Council are committed to doing everything within its power to reduce the number of families who are having to rely on long stays in temporary accommodation. However, there are several systemic challenges that are outside of the Council's control and require additional support from Government to move forward.

This Council believes that:

- The number of families building their lives in temporary accommodation across the UK and in Birmingham is unacceptable and causes major disruption to family life.

- The reduced number of affordable homes being delivered over recent years and the focus on home ownership as opposed to social rented products has significantly reduced the ability of households to move out of temporary accommodation quickly.

- The Council cannot resolve these challenges alone and require long-term and sustained investment in a variety of interventions that will mitigate the impact of homelessness.

- The rising cost of temporary accommodation puts the stability of local government finance at risk and takes vital resource away from delivering a high-quality service.

- The cross-government taskforce to reduce homelessness, announced by the Deputy Prime Minister in August, is to be welcomed, appreciating the need for a clear and strategic approach to tackling homelessness.

- By working with the Mayor of the West Midlands and the Government, we can deliver the biggest programme of social and affordable housing in 40 years, if this is backed by long-term investment.

This Council resolves to:

- Write to and continue to lobby the Deputy Prime Minister to request that the homelessness taskforce brings forward a Homelessness Strategy that:

- O Sets out the priorities for investment.

- O Commits to fair funding and investment in alternatives to temporary accommodation and particularly B&B accommodation.

- O Commits to investment in the supply of social rented homes

- O Commits to increasing the level of grant funding to help local authorities and their partners to acquire properties from the open market while the supply of new social homes catches up.

In addition, this Council:

Recognises that high levels of temporary accommodation are likely to be with us for many years. We should therefore review the support given to residents in temporary accommodation, engaging with providers and other partners.

Welcomes the Government's reforms of 'right to buy' which will reduce the discount offered to the pre-2012 levels and allow local authorities to use all the capital receipts from right to ensure all socially rented housing lost under the scheme is replaced.

Welcomes the Government's consultation on further reform of 'right to buy' and supports the proposal by the Local Government Association to allow local authorities to shape the details of the scheme locally.

Will engage with partners to tackle the skills shortage in the building industry so that we have the capacity to both bring our housing stock up to decency standards and build sufficient new homes in our city. This is an opportunity to reduce unemployment in Birmingham, providing skilled jobs for our residents."

**B. Councillors Deirdre Alden and Alex Yip had given notice of the following Notice of Motion:-**

(See document No. 12, agenda item 12)

Councillor Deirdre Alden moved the Motion which was seconded by Councillor Alex Yip.

In accordance with Council Rules of Procedure, Councillors Shabina Bano and Baber Baz gave notice of the following amendment to the Motion:-

(See document No. 13, 'Amendments – City Council').

Councillor Shabina Bano moved the amendment which was seconded by Councillor Baber Baz.

In accordance with Council Rules of Procedure, Councillors Sharon Thompson and Marje Bridle gave notice of the following amendment to the Motion:-

(See document No. 14, 'Amendments – City Council').

Councillor Sharon Thompson moved the amendment which was seconded by Councillor Marje Bridle.

In accordance with Council Rules of Procedure, Councillors Julien Pritchard and Rob Grant gave notice of the following amendment to the Motion:-

(See document No. 15, 'Amendments – City Council').

Councillor Julien Pritchard moved the amendment which was seconded by Councillor Marje Bridle.

The Lord Mayor invited Councillor Deirdre Alden to sum up.

The amendment to the Motion in the names of Councillors Shabina Bano and Baber Baz having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The amendment to the Motion in the names of Councillors Sharon Thompson and Marje Bridle having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

Names were called and the Chamber doors were locked.

Here upon a poll being demanded the voting was as follows:-

#### **For the amendment (41)**

Ray Goodwin	Mary Locke	Sam Forsyth
Diane Donaldson	Carmel Corrigan	Karen McCarthy
Jamie Tennant	Chaman Lal	Sharon Thompson
Saima Suleman	Nicky Brennan	Saqib Khan
Shafique Shah	Saddak Miah	Rob Pocock
Ziaul Islam	John Cotton	Lisa Trickett
Shabrana Hussain	Basharat Mahmood	Marje Bridle
Mahmood Hussain	Lauren Rainbow	Mohamed Idrees
Rashad Mahmood	Phil Davis	Liz Clements
Majid Mahmood	Mick Brown	Jamie Scott
Zafar Iqbal	Kath Hartly	Sir Albert Bore
Saima Ahmed	David Barker	Jilly Birmingham
Esther Rai	Lee Marsham	Marcus Bernasconi
Gurdial Singh Atwal	Kath Scott	

#### **Against the amendment (33)**

Maureen Cornish	Paul Tilsley	Deirdre Alden
Gareth Moore	Shabina Bano	Alex Yip
Meirion Jenkins	David Barrie	Ewan Mackey
Roger Harmer	Jon Hunt	Baber Baz
Timothy Huxtable	Adrian Delaney	Adam Higgs
Bruce Lines	Penny Wagg	Ron Storer
Simon Morrall	Julien Pritchard	Colin Green
Deborah Harries	Mumtaz Hussain	Clifton Welch
Robert Alden	Richard Parkin	Morriam Jan
Izzy Knowles	Debbie Clancy	Darius Sandhu
Kerry Brewer	Rob Grant	Ken Wood

## **Abstentions (0)**

The amendment was carried.

The amendment to the Motion in the names of Councillors Julien Pritchard and Rob Grant having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The Motion as amended, having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

### **RESOLVED:-**

“Council Notes:

- The Labour Government’s recent decision to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit, as announced by Chancellor Rachel Reeves.
- The estimated impact of this decision, which Age UK says will mean 2 million pensioners who badly need the money to stay warm this winter will not receive it.
- The significant role that Winter Fuel Payments play in helping older residents of Birmingham and across the UK afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.
- The criticism from Age UK and other charities, highlighting the social injustice and potential health risks posed by this sudden policy change.
- The additional strain this decision will place on vulnerable pensioners, many of whom do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.
- Research by Policy in Practice predicts that over 17,000 pensioners in Birmingham are eligible for pension but do not yet claim. To receive the winter fuel allowance this year under the government’s revised policy, they will need to claim pension credit before 21 December 2024.
- Even if all of these were successfully added to the list of current claimants, that would still leave around 100,000 pensioners in Birmingham facing a cut to their household income this winter.
- From April 2025, the full state pension will rise by 4.1% - equating to £472 a year, having risen by 8.5% in April 2024, which equated to £900 per year.
- The Labour Government’s commitment to retaining the Pensions Triple Lock.
- The Neighbourhood Advice and Information Service, since the Cost-of-Living Emergency was announced in September 2022, has helped citizens to claim £44.9 million of benefits and grants. £3.5m of this has been as a result of extended opening hours, and an additional £3.6m of income maximisation has

been achieved through Third Sector providers in the city.

- The Chancellor's announcement that the Household Support Fund would be extended until March 2026, which will see local councils distribute £1 billion to help vulnerable families and individuals to cover essential costs.
- The Centre for Cities analysis from 2024 that found that, at a national level, people have been left with £10,200 less to spend or save on average since 2010 than if the economy had grown at pre-2010 trends.
- Over 3 million workers will receive a pay rise next year as the National Living Wage rises by 6.7% and the National Minimum Wage for 18 to 20-year-olds will rise from £8.60 to £10.00 an hour.

Council believes:

- That the Winter Fuel Payment has been a lifeline for many older people across the UK.
- While some pensioners currently in receipt of the Winter Fuel Payment may not require it, many thousands across Birmingham sit just above the cut-off for Pension Credit, have higher energy bills due to disability or live in hard-to-heat homes and will now lose their allowance.
- The Labour Government inherited a £22 billion black hole from the Conservative government that must be met.
- The recent national budget will fix the foundations to deliver change by fixing the NHS and rebuilding Britain, putting the country back on the path to economic growth and energy security that will help to raise living standards for all.

Council resolves to:

- Increase efforts to encourage pensioners to take up the support available through the Household Support Fund, following the long-term commitment of the government to this fund, building on the positive impact of the Fund and the Council's own Cost of Living programme.
- Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Birmingham are supported in claiming their entitlement."

The meeting ended at 1925 hours.



**CITY COUNCIL  
5 NOVEMBER 2024**

**WRITTEN  
QUESTIONS TO  
CABINET MEMBERS  
& CHAIRS OF  
COMMITTEES**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTIONS**

**A To the Leader of the Council**

**1. Productivity Plan**

From Councillor Clifton Welch

2. Moved to E24

**3. ISG**

From Councillor Ewan Mackey

**B To the Deputy Leader of the Council**

**1. Planning Backlog**

From Councillor Deirdre Alden

2. Moved to D9

**3. Moved to D10**

**4. CAB Occupancy**

From Councillor Matt Bennett

**5. Levelling Up Bids**

From Councillor Richard Parkin

**6. Brasshouse**

From Councillor Clifton Welch

**7. Brasshouse Language Centre move**

From Councillor Ron Storer

**8. Council Assets**

From Councillor Robert Alden

9. Moved to E23

**10. Moved to E25**

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11. **Energy costs**

From Councillor Darius Sandu

**C** To the Cabinet Member for Children Young People and Families

1. **Taxi Use**

From Councillor Alex yip

2. **Family Hubs and Start for Life Programme Exit Strategy**

From Councillor Clifton Welch

3. **CYP Travel Services Framework**

From Councillor Darius Sandhu

4. **Personal Transport Budgets**

From Councillor David Barrie

5. **School Transport Costs**

From Councillor Debbie Clancy

6. **CYP Transport Framework Direct Award vs Further Competition**

From Councillor Deirdre Alden

7. **Transport Appeals and Tribunals**

From Councillor Gareth Moore

8. **Family Hubs and Start for Life Programme Funding**

From Councillor Kerry Brewer

9. **Transport Provider Compliance Visits**

From Councillor David Pears

10. **Family Hubs and Start for Life**

From Councillor Richard Parkin

11. **Home to School Transport – Providers Outside of Framework**

From Councillor Ron Storer



12. **CME Referrals**

From Councillor Bruce Lines

13. **CME SEND**

From Councillor Ewan Mackey

14. **Children in Residential Care and Mainstream Education**

From Councillor Robert Alden

15. **Youth Centre Consultations**

From Councillor Zaker Choudhry

**D** To the Cabinet Member for Digital, Culture, Heritage and Tourism

1. **DCMS Advice**

From Councillor Clifton Welch

2. **Library Constitutions**

From Councillor Morriam Jan

3. **Moved to C15**

4. **Oracle Customisation**

From Councillor David Pears

5. **Digital Mail Group**

From Councillor Alex Yip

6. **Oracle Costs**

From Councillor Kerry Brewer

7. **Oracle Costs**

From Councillor Maureen Cornish

8. **SAP Licences**

From Councillor Gareth Moore



9. **Moseley Road Baths Risk Register**

From Councillor Ewan Mackey

10. **Moseley Road Baths Solvency Checks**

From Councillor Kerry Brewer

**E** To the Cabinet Member for Environment and Transport

1. **Task and Finish H & S**

From Councillor Adam Higgs

2. **Leaf and Gully Clearance**

From Councillor Adrian Delaney

3. **Blocked Gullies**

From Councillor Alex Yip

4. **Tyseley Incinerator**

From Councillor Clifton Welch

5. **Highways Contract**

From Councillor David Barrie

6. **Austin Village Leaf and Gully Cleaning**

From Councillor Deirdre Alden

7. **Centenary Square Repair and Maintenance**

From Councillor Kerrie Brewer

8. **Vehicle Hire**

From Councillor Matt Bennett

9. **H & S Incidents**

From Councillor Maureen Cornish

10. **Food Waste**

From Councillor Richard Parkin

11. **Additional Recycling Bins**

From Councillor Robert Alden

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12. **Traffic Road Signs**  
From Councillor Ron Storer
13. **Tame Valley Viaduct**  
From Councillor Timothy Huxtable
14. **Structural Life of Roads**  
From Ewan Mackey
15. **Austin Village Leaf and Gully Cleaning**  
From Councillor Debbie Clancy
16. **Dropped Kerbs**  
From Councillor Bruce Lines
17. **Malcolm House**  
From Councillor Izzy Knowles
18. **ENTF Understaffing**  
From Councillor Morriam Jan
19. **Glyphosate Use**  
From Councillor Mumtaz Hussain
20. **Replacement Trees in Parks**  
From Councillor Deborah Harries
21. **Toothless Enforcement for Car Businesses Run from Homes**  
From Councillor Baber Baz
22. **Selective Licensing**  
From Councillor Clifton Welch
23. **NSF Enforcement Contract**  
From Councillor Jon Hunt
24. **Lessons Learnt**  
From Councillor Darius Sandhu

5  
OFFICIAL

25. **Roundabout Sponsorship Scheme**

From Councillor Zaker Choudhry

F To the Cabinet Member for Finance

1. **Statutory Interest**

From Councillor Adam Higgs

2. **Payments of Suppliers**

From Councillor Adrian Delaney

3. Moved to D5

4. **“Oracle pressures”**

From Councillor Bruce Lines

5. **Consultancy Costs**

From Councillor Clifton Welch

6. **Payments**

From Councillor David Barrie

7. **Oracle Savings**

Councillor David Pears

8. **Oracle Savings**

Councillor Debbie Clancy

9. **Single Person Discount**

From Councillor Deirdre Alden

10. Moved to K3

11. Moved to D6

12. Moved to D7

13. **Invest to Save**

From Councillor Richard Parkin

14. **Bereavement Budget**

From Councillor Robert Alden

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15. **Inreach**

From Councillor Timothy Huxtable

16. **BID Levy**

From Councillor Meirion Jenkins

17. Moved to D8

18. **Unpaid Council Tax**

From Councillor Colin Green

19. **Council Tax Bands**

From Councillor Jon Hunt

**G** To the Cabinet Member for Health and Social Care

1. **Staying Independent at Home Adaptation and Improvement Service**

From Councillor David Pears

2. **Disabled Facilities Grant**

From Councillor Ron Storer

3. **Day Centres**

From Councillor Robert Alden

**H** To the Cabinet Member for Housing and Homelessness

1. **Emergency Bed Provision**

From Councillor Robert Alden

2. **Renters Reform Bill**

From Councillor Debbie Clancy

3. **BMHT Grounds Maintenance**

From Councillor Gareth Moore

4. **Emergency Bed Provision**

From Councillor Adam Higgs

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I To the Cabinet Member for Social Justice, Community Safety and Equalities

1. **PSPO FPNS**

From Councillor Robert Alden

J To the Cabinet Member for Transformation, Governance and HR

1. **Consultants and Interims IR35**

From Councillor Darius Sandhu

2. **VR and Pensions**

From Councillor David Barrie

3. **Redundancy and Pensions Support**

From Councillor David Pears

4. **Sickness Absence Rate**

From Councillor Robert Alden

5. **IR35 Penalties**

From Councillor Ron Storer

6. **Sickness Absence Patterns**

From Councillor Ewan Mackey

7. **Sickness Absence around Bank Holidays**

From Councillor Deirdre Alden

8. **Sickness Absence around Bank Holidays – Trigger Policy**

From Councillor Clifton Welch

9. **JE Milestones**

From Councillor Alex Yip

K **Chair of the Corporate and Finance Overview & Scrutiny Committee**

1. **Call-in Refusal**

From Councillor Adrian Delaney



2. **Planning Decision and Portals**

From Councillor Adrian Delaney

**Chair of the Trusts and Charities Committee**

3. **Charity Returns**

From Councillor Ewan Mackey

OFFICIAL

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR CLIFTON WELCH**

**“Productivity Plan”**

Question:

**Please provide a copy of the Productivity Plan that was required to be submitted and published by July 2024 as part of last year's local government finance settlement**

Answer:

Link to the Improvement and Recovery Plan:  
[BCC Improvement and Recovery Plan \(IRP\)](#)

The IRP serves as our Productivity Plan and includes a range of programmes, projects and initiatives that will:

1. Reduce expenditure and save money
2. Use technology and data to improve services
3. Transform services to make better use of resources

The IRP was approved by our Best Value Commissioners in March 2024, and by elected members at the City Council meeting on 16<sup>th</sup> April 2024. There are robust monitoring and assurance reporting arrangements in place to ensure delivery of the IRP, including senior officer, elected member, and Commissioner oversight.

Progress against the IRP is reported regularly to EMT and Commissioners, and a refresh process is underway to ensure that the programmes and deliverables contained within remain appropriate.

OFFICIAL

**PLEASE NOTE WRITTEN QUESTION A2 -  
HAS NOW BEEN REDIRECTED TO E24 –  
CABINET MEMBER FOR ENVIRONMENT &  
TRANSPORT**

**A2**

OFFICIAL

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR EWAN MACKEY**

**“ISG”**

Question:

**Please list all projects, planned and in progress, that were contracted with ISG and for each if any money has been paid for any work completed ahead of the firms collapse**

Answer:

The only council project that ISG Construction had been awarded was the renovation and redevelopment of Moseley Road Baths and Balsall Heath Library.

All works had been completed under the Pre-Construction Services Award and payments totalling £515,816 had been made. The final payment under this award of £28,000 has been withheld.

The construction was in a very early phase consisting of mobilisation and strip out and the Council had only received one valuation and invoice of £436,806 which it has also withheld payment.

OFFICIAL

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM  
COUNCILLOR DEIRDRE ALDEN**

**“Planning Backlog”**

Question:

**What is the size of the backlog in the planning registration process referenced in answer to question B12 at September's council meeting and by how much has that reduced since April 2024?**

Answer:

As of early summer, the backlog in the planning registration process stood at 920 cases. Through significant intervention and support from our planning officers, we reduced this number to 358. Recently, the backlog has increased to 625 due to officers shifting focus from registration tasks to concentrate on the determination process. However, we're making positive strides in streamlining processes, with performance excellence as our key tool, to drive long-term improvements. These efforts will help us manage and reduce the backlog efficiently as we move forward.

OFFICIAL

**PLEASE NOTE WRITTEN QUESTION B2 -  
HAS NOW BEEN REDIRECTED TO D9 –  
CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM**

**B2**

OFFICIAL

**PLEASE NOTE WRITTEN QUESTION B3 -  
HAS NOW BEEN REDIRECTED TO D10 –  
CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM**

**B3**

OFFICIAL

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM COUNCILLOR MATT BENNETT**

**“CAB occupancy”**

Question:

**For each of the council's central administrative buildings, what is the total capacity and the total average occupancy level as of the most recent data?**

Answer:

Since the decommissioning and sale of 10 Woodcock Street the Council’s central administrative building portfolio has been reduced to four buildings: Council House, Council House Extension, 67 Sutton New Road, and New Aston House.

The Corporate Landlord division is presently progressing the further closure of 67 Sutton New Road which will result in a significant increase in the utilisation of New Aston House as functions are relocated there. Occupancy utilisation surveys will be ongoing as we seek to ensure that the accommodation is being utilised appropriately and to inform any refinement of the product required as necessary.

September 2024 Workstation Capacity/total average occupancy per building:

September 2024	Workstation Capacity	Average Utilisation	Peak Utilisation	Average Utilisation %
Council House	403	280	412	69%
Council House Extension	166	66	166	40%
Sutton New Road *	113	44	113	39%
New Aston House**	187	70	95	37%
<b>TOTAL CAB</b>	<b>869</b>	<b>460</b>	<b>786</b>	<b>53%</b>

\*2 floors of Sutton New Road are currently mothballed pending decommissioning of the building, resulting in reduced supply of 113 workstations

\*\* New Aston House is currently underutilised, pending moves of services from Sutton New Road which will markedly increase its use.

OFFICIAL

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM  
COUNCILLOR RICHARD PARKIN****“Levelling Up Bids”**

Question:

**For each of the council's successful levelling-up fund bids, how much money has so far been paid by government (out of what total agreed), how much has been spent, and how much has been returned to government?**

Answer:

<b>Scheme</b>	<b>Grant Award</b>	<b>Received to end Period 6 2024/25</b>	<b>Spend</b>	<b>Returned</b>
A457 Dudley Road	£19,941,000	£18,851,674	£16,467,950.92	£0
Wheels Site	£17,145,000	£6,117,165	£3.306,000.00	£0
Moseley Road Baths	£15,538,700	£8,333,867	£3.300,000.00	£0
National Centre for Decarbonisation of Heat – approved October 2024	£19,999,260	£0	£0	£0

OFFICIAL

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM  
COUNCILLOR CLIFTON WELCH****“Brasshouse”**

## Question:

**In each year since it was declared surplus in 2016, how much has the council spent on the Brasshouse, Sheepcote St, including all costs such as maintenance, energy, security, business rates etc?**

## Answer:

Financial year	Actual Expenditure
	(£)
2016/2017*	43,644.80
2017/2018	154,611.20
2018/2019	149,894.49
2019/2020	177,322.35
2020/2021	167,214.65
2021/2022	178,141.25
2022/2023	217,646.18
2023/2024	278,306.73
TOTAL	1,366,781.65

\*Only covers 7-month expenditure as BAES moved September 2016

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**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM  
COUNCILLOR RON STORER**

**“Brasshouse Language Centre move”**

Question:

**What was the total cost, including borrowing costs, of the move of the language centre from the Brasshouse on Sheepcote St to the Library of Birmingham?**

Answer:

The total capital cost to deliver this proposal was £2.113m, as agreed by Cabinet in October 2015.

The initial net revenue cost of the move, including Prudential Borrowing, was £162,000 a year.

OFFICIAL

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM  
COUNCILLOR ROBERT ALDEN**

**“Council Assets”**

Question:

**Please list the ten council assets with the highest annual running costs, including the cost of each of these**

Answer:

The attached top 10 premises are derived from the gross running costs for buildings currently operated by the Council attributed to the relevant property cost centre as per Oracle (FY23/24 outturn position). A number of the listed premises generate income through rents, hire fees and service charges so the net position will be different.

Cost Centre and Building	Running Costs	Comments
TV1DL - Library of Birmingham	£2,871,158	Partially offset by income generated from rents / hire arrangements
TV3AE - Alexander Stadium	£1,989,904	Partially offset by income generated from rents / hire arrangements
TV2G7 - Council House	£1,827,580	Partially offset by room hire arrangements
TV3YP - Indoor Market	£1,161,082	Costs recharged to traders
TV2LA - Wholesale Market Witton	£1,074,807	Costs recharged to tenants via service charge arrangements
TV2HB - ICC/NIA	£1,000,139	Costs recharged to tenant
TV2WT - Cannon Hill Park	872,401	Partially offset by income generated from rents / hire arrangements
TV3AT - Kingstanding Leisure Centre	761,962	Partially offset by income generated from rents / hire arrangements
TV01J - Anne Marie Howes Care Centre	690,976	Partially offset by income generated from rents / hire arrangements
TV2L5 - Aston Science Park	690,121	Costs recharged to tenants via service charge arrangements

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**B9**

**PLEASE NOTE WRITTEN QUESTION B9 - HAS NOW BEEN REDIRECTED TO E23 –  
CABINET MEMBER FOR ENVIRONMENT & TRANSPORT**

OFFICIAL

**B10**

**PLEASE NOTE WRITTEN QUESTION B10 - HAS NOW BEEN REDIRECTED  
TO E25 – CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT**

OFFICIAL

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM  
COUNCILLOR DARIUS SANDHU**

**“Energy costs”**

Question:

**What was the average Kw/h unit price for gas and electricity paid by the council in each of the last 5 years**

Answer:

West Mercia Energy have provided the following annual average rates since BCC joined their procurement framework in 2022:

Electricity

	Day rate	Night rate
2022	31.13p	28.48p
2023	31.53p	29.57p
2024	23.20p	22.54p

Gas

	rate
2022	7.37p
2023	9.30p
2024	4.98p

The current contract came into effect from 2022 so there is only three years' worth of data currently available. Rates from 2020 and 2021 can be provided but were not available within the timeframe given to respond to the question.

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR ALEX YIP**

**“Taxi use”**

Question:

**What was the total use of taxis for home-to-school transport in each month since September 2022, including number of journeys and total cost?**

Answer:

The data is for all vehicles as we do not collate the information by vehicle type, and by cost only. We do not routinely compile data re number of journeys as it would be an extremely lengthy and costly process.

Negative values relate to duplicate payments in July 2023 and January 2024 accruals that balanced out in February 2024.

2022	£
October	3,025,218
November	4,406,360
December	3,786,857
<b>2023</b>	
January	7,318,556
February	4,196,451
March	4,183,050
April	4,407,158
May	3,283,960
June	1,131,205
July	- 908,851
August	8,302,390
September	6,135,080
October	3,255,621
November	2,168,030
December	6,694,586
<b>2024</b>	
January	- 841,557
February	1,972,775
March	849,427
April	7,225,757

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May	1,917,420
June	1,494,822
July	857,938

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR CLIFTON WELCH**

**“Family Hubs and Start for Life Programme Exit Strategy”**

Question:

**Please provide a copy of the 'detailed exit strategy' (per 6 September 2022 Cabinet report) to mitigate potential costs beyond the grant funding period of March 25 for the Family Hubs and Start for Life Programme along with progress against each of the actions identified within this exit strategy**

Answer:

In the budget announcement on 30<sup>th</sup> October 2024, the Chancellor pledged £69 million to continue delivery of Family Hubs, alongside continuation of a renewed early help offer. In light of the budget announcement, an exit strategy is being developed that informs Birmingham’s recommissioning and sustainability plans. This will be a key focus for the programme in the third and fourth quarter of the current financial year.

Family Hubs is a test and learn programme. A review of commissioned activity is taking place to determine what worked well. The review will inform future commissioning intentions.

Procurement have been advised of a possible programme extension and we are working to ensure adherence to procurement processes in future commissioning. At the same time, the learning from the programme is being used to inform the wider 0-19 transformation programme across Birmingham.

An infant strategy is being developed and coproduced with stakeholders. This will identify key priorities for the city and be a blueprint for progressing a partnership approach on implementation priorities. A perinatal and Parent/Infant relationship strategy is also being developed.

Early conversations have taken place with ICB and in particular CYP mental health commissioning to ensure the work is aligned.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR DARIUS SANDHU**

**“CYP Travel Services Framework”**

Question:

For all providers on the current framework agreement for CYP travel services, in each month since October 2023 when the framework went live, please state the total value of work awarded to each provider as well as the percentage of total value and percentage of total number of routes that represents. Please divide this between Lot 1 (minibus) and Lot 2 (taxi)

Answer:

Please see below

- A list of all the lot 1 contracts for the 4 years period
- A list of total contract value for lot 2
- Total Cost of Lot 1 & 2 contracts

Percentages and providers have not been provided as this is commercially sensitive

Month	Framework Lot 1 (Total Contract Period 4yrs)	Framework Lot 2 (Total Contract Period 2yrs)	Toal cost of routes awarded
Oct-23	N/A	N/A	£0.00
Nov-23	£20,172.00	£13,608,068.52	£13,628,240.52
Dec-23	£44,597.94	£141,624.23	£186,222.17
Jan-24	£62,746.01	£446,178.76	£508,924.77
Feb-24	£0.00	£20,852.31	£20,852.31
Mar-24	£0.00	£1,604.28	£1,604.28
Apr-24	£27,682,566.80	£14,301,319.00	£41,983,885.80
May-24	£293,783.80	£39,625.50	£333,409.30

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Jun-24	£0.00	£274,120.67	£274,120.67
Jul-24	£0.00	£31,608.40	£31,608.40
Aug-24	£0.00	£0.00	£0.00
Sep-24	£37,209,948.88	£10,128,508.84	£47,338,457.72
Oct-24	£960,089.00	£1,125,001.40	£2,085,090.40

<b>Total:</b>	<b>£66,273,904.43</b>	<b>£40,118,511.91</b>	<b>£106,392,416.34</b>
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OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR DAVID BARRIE**

**“Personal Transport Budgets”**

Question:

**In each year since April 2022, including year to date, what was the average cost per child/young person of a personal transport budget? Please break this down by school phase.**

Answer:

The average cost for the 2024/25 Academic Year, considering the parental contribution where applicable is set out in the table below.

**Average cost per child/young person**

<b>Academic Year</b>	<b>Pre-Statutory School Age</b>	<b>Statutory School Age</b>	<b>Post 16</b>	<b>Post 19</b>
<b>2024/25</b>	£662	£3,128	£1,537	£3,670
<b>2023/24</b>	£227	£2,645	£3,276	£2,786
<b>2022/23</b>	NA	£2,458	£2,791	£3,647

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR DEBBIE CLANCY**

**“School Transport costs”**

Question:

**Since October 23, what was been the total spend per month on a) minibuses and b) taxis for the CYP travel service**

Answer:

The Framework prices reflect a value that encompasses the much longer total contract duration. This includes newly awarded contracts and extensive tendering under the new Framework to replace the previous DPS contracts. Lot 1 is Taxi, Lot 2 is Minibus.

Month	Lot 1 Total Daily Cost	Lot 1 Monthly Cost	Lot 2 Total Daily Cost	Lot 2 Monthly Cost
Oct-23	£60,141.41	£1,202,828.16	£91,927.70	£1,838,554.01
Nov-23	£118,063.98	£2,361,279.60	£91,927.70	£1,838,554.01
Dec-23	£118,063.98	£2,361,279.60	£91,927.70	£1,838,554.01
Jan-24	£118,063.98	£2,361,279.60	£91,927.70	£1,838,554.01
Feb-24	£118,063.98	£2,361,279.60	£91,927.70	£1,838,554.01
Mar-24	£118,063.98	£2,361,279.60	£91,927.70	£1,838,554.01
Apr-24	£25,071.48	£501,429.60	£0.00	£0.00
May-24	£25,071.48	£501,429.60	£0.00	£0.00
Jun-24	£25,071.48	£501,429.60	£0.00	£0.00
Jul-24	£25,071.48	£501,429.60	£0.00	£0.00
Aug-24	£0.00	£0.00	£0.00	£0.00
Sep-24	£25,071.48	£501,429.60	£0.00	£0.00
Oct-24	£25,071.48	£501,429.60	£0.00	£0.00
<b>Total:</b>	<b>£800,890.19</b>	<b>£16,017,803.76</b>	<b>£551,566.20</b>	<b>£11,031,324.06</b>

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR DEIRDRE ALDEN**

**“CYP Transport Framework Direct Award vs Further Competition”**

Question:

**Since October 23, when the framework agreement for CYP transport services was implemented, what proportion of awards were made by a) direct award and b) further competition**

Answer:

Direct award 52.21%. Further competition 46.79%

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR GARETH MOORE**

**“Transport appeals and tribunals”**

Question:

**What was the total spend on school transport appeals and tribunals in each month since September 2022?**

Answer:

There are no direct or external costs associated with appeals, but we have 1 officer at Grade 6 and 1 officer at Grade 4 who sit one day per week on a panel and 1 officer at Grade 3 who is employed full-time administrating appeals. The SEND Tribunal does not have jurisdiction to hear appeals just about education transport decisions, therefore there are no costs of this nature. Challenges to decisions about transport are brought by way of Judicial Review in the High Court.

During the period in question there have been no claims issued in the High Court in respect of education transport decisions, therefore no external costs have been incurred. Since September 2022 the only external costs that have been incurred in responding to threatened High Court Claims were in August 2024, where an amount of £4,620 was incurred.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR KERRY BREWER**

**“Family Hubs and Start for Life Programme funding”**

Question:

**Since April 2022, how much of the £9.9m 3 year funding from government for the Family Hubs and Start for Life Programme has been returned to the DfE?**

Answer:

£898,614

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR DAVID PEARS**

**“Transport Provider Compliance Visits”**

Question:

**For each provider on the framework agreement for CYP transport services, and any providers used within the last 12 months that have been procured outside of this framework, please list the date of the last compliance visit?**

Answer:

Provider	Recent Site Visit	Current Status	Audit scheduled
<b>247 Cars Willenhall Limited</b>	New to framework	Not operating routes currently - routes commencing 04/11/24	Dec/Jan
<b>AFJ LTD</b>	10/4/2024		Dec/Jan
<b>Akaash Travel</b>	New to framework	Not operating routes currently	Dec/Jan
<b>Elite Radio Cars LTD</b>	27/11/2023	Not operating routes currently	Dec/Jan
<b>Green destinations</b>	4/10/2024		Dec/Jan
<b>Halo Transfers LTD</b>	14/10/2024		Dec/Jan
<b>Lawrences Garage</b>	9/10/2024		Dec/Jan
<b>London Hire Community Services LTD</b>	12/4/2024		Dec/Jan
<b>Olympic South (HATS)</b>	7/10/2024		Dec/Jan
<b>Select Private Hire LTD</b>	12/12/2023		Dec/Jan
<b>Shencare Community transport LTD</b>	6/12/2023		Dec/Jan
<b>Smart Kids group</b>	New to framework	Not operating routes currently	Dec/Jan
<b>Solihull cars ltd</b>	New to framework	Recently allocated routes - visit planned November 24	Dec/Jan
<b>Take me services</b>	20/6/2024	Not operating routes currently	Dec/Jan
<b>Taxie</b>	15/10/2024		Dec/Jan
<b>Touchwood Private Hire</b>	23/10/2024		Dec/Jan

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Each date of the most recent site visit has been provided per Service Provider. Those new to the Framework that haven't been allocated any routes have not had a site visit (as they have no routes); some former Service Providers in April/July have not had a site visit since 2023 due to not having any routes.

Site audits are scheduled for December 2024 and January 2025.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR RICHARD PARKIN**

**“Family Hubs and Start for Life Programme contracts”**

Question:

**For each contract awarded under the Family Hubs and Start for Life Programme please state:**

- a. name of provider,**
- b. start and end date of contract,**
- c. total value of contract,**
- d. procurement route followed,**
- e. the date the procurement appeared on the cabinet procurement activities report,**
- f. the date and nature of any waiver granted from procurement and governance rules**

Answer:

Please see attached spreadsheet for details of each commissioned contract.

A global waiver was approved by the Commercial commissioner on 14<sup>th</sup> March 2024.

A number of digital applications and training were additionally purchased as per DfE suggestion/grant guidance.

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Procurement Approval	Provider (Supplier)	Agreed Value (£)	Delivery Start date	Delivery End date
14/03/2024	<ul style="list-style-type: none"> <li>Birmingham Women's and Children's NHS Foundation Trust (BWC)</li> </ul>	65,500	10/06/2024	31/10/2024
14/03/2024	<ul style="list-style-type: none"> <li>Rees Foundation</li> </ul>	138,398	02/09/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>Birmingham Solihull Mental Health Foundation Trust</li> </ul>	16,000	01/09/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>Approachable Parenting CIC</li> </ul>	44,437	03/12/2023	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>Birmingham Children's Trust (BCT)</li> </ul>	55,500	12/08/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>Birmingham Women's and Children's NHS Foundation Trust (BWC)</li> </ul>	46,750	02/09/2024	04/11/2024
14/03/2024	<ul style="list-style-type: none"> <li>Phola</li> </ul>	9,200	02/09/2024 Then withdrawn	
14/03/2024	<ul style="list-style-type: none"> <li>Born to Bond CIC</li> </ul>	30,098.15	01/09/2024	01/08/2024
14/03/2024	<ul style="list-style-type: none"> <li>Circle of Security International, Inc.</li> </ul>	16,060	09/09/2024	01/12/2024
14/03/2024	<ul style="list-style-type: none"> <li>University of Warwick</li> </ul>	7,200	02/09/2024	29/11/2024
14/03/2024	<ul style="list-style-type: none"> <li>Birmingham Women's and Children's NHS Foundation Trust (BWC)</li> </ul>	54,777	03/06/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>Birmingham Women's and Children's NHS Foundation Trust (BWC) Forward Thinking Birmingham Partnership (FTB)</li> </ul>	56,177	07/03/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>1-Acacia Family Support, 2-Maternity Engagement Action, 3-Noah's Star</li> </ul>	178,964	01/05/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>Birmingham Women's and Children's NHS Foundation Trust (BWC) Forward Thinking Birmingham Partnership (FTB)</li> </ul>	290,000	01/04/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>New Baby Network</li> </ul>	33,000	01/07/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>New Baby Network</li> </ul>	32,225	31/01/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>Birmingham and Solihull Integrated Care Board (BSol ICB NHS) Local Maternity and Neonatal System (LMNS)</li> </ul>	98,000	01/07/2024	31/03/2025

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14/03/2024	<ul style="list-style-type: none"> <li>• Early Talk Boost</li> </ul>	88,019	30/11/2023	
14/03/2024	<ul style="list-style-type: none"> <li>• Family Foundation</li> </ul>	55,426	01/10/2023	11/01/2024
14/03/2024	<ul style="list-style-type: none"> <li>• Early Intervention Foundation (Anna Freud)</li> </ul>	70,000	08/04/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• Oxford Parent-Infant Project (OXPIP)</li> </ul>	12,000	05/04/2024	31/10/2024
14/03/2024	<ul style="list-style-type: none"> <li>• Birmingham Women's and Children's NHS Foundation Trust (BWC), Birmingham Community Healthcare NHS Foundation Trust, Breaking the Cycle TESS</li> </ul>	13,500	26/02/2024	
14/03/2024	<ul style="list-style-type: none"> <li>• Breastfeeding Network</li> </ul>	48,000	01/04/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• Birmingham City University (BCU) University of Birmingham (UoB)</li> </ul>	6,000	14/10/2024	31/12/2024
14/03/2024	<ul style="list-style-type: none"> <li>• Incredible Years Approved Provider (licenced evidence based)</li> </ul>	-	withdrawn	withdrawn
14/03/2024	<ul style="list-style-type: none"> <li>• The Tavistock and Portman NHS Foundation Trust</li> </ul>	28,300	12/04/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• Various to be identified after the strategy</li> </ul>	25,000	01/10/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• BSOL ICB (Knowledge Change Action through Kate Cairns Associates)</li> </ul>	5,000	01/03/2024	01/11/2024
14/03/2024	<ul style="list-style-type: none"> <li>• Birmingham &amp; Solihull Mental Health Foundation Trust (BSMHFT) Perinatal Service</li> </ul>	27,500	03/06/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• Happy Sling Lady</li> </ul>	26,360	24/06/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• Birmingham Women's and Children's NHS Foundation Trust (BWC)</li> </ul>	15,000	16/06/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• Birmingham University</li> </ul>	100,000	01/08/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• NSPCC</li> </ul>	20,034	10/05/2024	20/06/2024
14/03/2024	<ul style="list-style-type: none"> <li>• Wellcomm - GL Assessment</li> </ul>	354,500	07/01/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• EasyPeasy</li> </ul>	125,000	01/01/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>• Acivico under contract to BCC, BCC landlord and estates BCC Family HUB team through Asst Director decision</li> </ul>	524,467		

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App purchase	<ul style="list-style-type: none"> <li>Baby Buddy</li> </ul>	280,702	23/10/2023	31/03/2025
App purchase	<ul style="list-style-type: none"> <li>Essential Parenting</li> </ul>	240,000	09/12/2023	31/03/2025
one off purchase	<ul style="list-style-type: none"> <li>Knowledge Change Action (Kate Cairns Associates)</li> </ul>	19,170	19/01/2024	31/03/2025
na	<ul style="list-style-type: none"> <li>Birmingham City Council - Digital</li> </ul>	172,346.39	10/04/2023	31/03/2024
MOU	<ul style="list-style-type: none"> <li>Birmingham Community Healthcare NHS Foundation Trust</li> </ul>	-	withdrawn	withdrawn
	<ul style="list-style-type: none"> <li>Birmingham Women's and Children's NHS Foundation Trust (BWC) (Birmingham &amp; Solihull United Maternity &amp; Newborn Partnership)</li> </ul>	488,532.09	02/01/2024	31/03/2025
one off purchase	<ul style="list-style-type: none"> <li>Triple P Foundation</li> </ul>	15,229.42	15/10/2023	19/10/2023
15/02/2024	<ul style="list-style-type: none"> <li>Birmingham Community Healthcare NHS Foundation Trust</li> </ul>	18,881	01/09/2024	31/03/2025
na	<ul style="list-style-type: none"> <li>Birmingham Women's and Children's NHS Foundation Trust (BWC) &amp; BSMHFT Staff cost</li> </ul>	75,310	01/11/2022	31/03/2025
App purchased	<ul style="list-style-type: none"> <li>50 Things to Do</li> </ul>	39,000	02/05/2023	31/03/2025
Evidence based programme DfE approved	<ul style="list-style-type: none"> <li>REAL</li> </ul>	416,731	03/12/2023	31/03/2025
one off purchase	<ul style="list-style-type: none"> <li>50 Things to Do</li> </ul>	10,000	02/05/2023	31/03/2025
na	<ul style="list-style-type: none"> <li>Birmingham Children's Trust</li> </ul>	45,000	09/09/2023	31/05/2024
na	<ul style="list-style-type: none"> <li>Family Action West Smethwick Enterprise Birmingham Children's Trust</li> </ul>	44,000	31/01/2024	31/01/2024
n/a	<ul style="list-style-type: none"> <li>Solihull Approach (licence purchase)</li> </ul>	78,076	19/10/2023	01/05/2024
02/02/2024	<ul style="list-style-type: none"> <li>Birmingham Community Healthcare NHS Foundation Trust</li> </ul>	380,000	01/07/2024	31/03/2025
	<ul style="list-style-type: none"> <li>Barnardo's</li> </ul>	293,325	01/04/2024	31/03/2025
n/a	<ul style="list-style-type: none"> <li>Birmingham Voluntary Sector Council Grant</li> </ul>	180,000	01/11/2023	31/01/2024
n/a	<ul style="list-style-type: none"> <li>Birmingham Voluntary Sector Council Grant</li> </ul>	203,280	01/07/2024	31/03/2025
14/03/2024	<ul style="list-style-type: none"> <li>Approachable Parenting CIC</li> </ul>	140,000	01/12/2023	31/03/2025

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na	<ul style="list-style-type: none"> <li>Dads pad (purchase of licence)</li> </ul>	83,934	01/09/2024	05/07/2024
na	<ul style="list-style-type: none"> <li>Birmingham Children's Trust (Staff cost)</li> </ul>	128,390	09/10/2023	31/03/2025
na	<ul style="list-style-type: none"> <li>one off purchase of equipment</li> </ul>	37,722	Historic - tba	31/03/2025
na	<ul style="list-style-type: none"> <li>Public Health Birmingham City Council</li> </ul>	15,000	27/10/2023	31/01/2025
05/09/2024	<ul style="list-style-type: none"> <li>Hitch Marketing Limited (TENDER AWARD)</li> </ul>	90,000	01/10/2024	31/03/2025
CST23	<ul style="list-style-type: none"> <li>Breastfeeding Network</li> </ul>	298,900	01/04/2024	31/03/2025
S76	<ul style="list-style-type: none"> <li>Local Maternity and Neonatal System (LMNS)</li> </ul>	323,000	04/12/2023	31/03/2025
09/07/2024	<ul style="list-style-type: none"> <li>Commercially Public Ltd (Tender award)</li> </ul>	59,000	21/07/2024	31/10/2024
	<ul style="list-style-type: none"> <li>Birmingham Community Healthcare NHS Foundation Trust</li> </ul>	40,000	09/01/2023	31/03/2025
	<ul style="list-style-type: none"> <li>Basis - Developing Offer for BSfL</li> </ul>	34,425	06/09/2023	31/12/2023
	<ul style="list-style-type: none"> <li>Liquid - Facilitating Design, Print, Signage</li> </ul>	86,340	06/09/2023	28/06/2024
14/03/2024	<ul style="list-style-type: none"> <li>Various Community Groups (<i>Established through Coordination and Dev</i>)</li> </ul>	49,775	18/09/2023	31/07/2024
na	<ul style="list-style-type: none"> <li>Early Years Birmingham City Council</li> </ul>	54,381	01/12/2023	31/03/2025
na	<ul style="list-style-type: none"> <li>Being developed. Exploring Parent Infant Foundation - DfE approved.</li> </ul>	16,000	tbc	31/03/2025
	<ul style="list-style-type: none"> <li></li> </ul>	10,000	Withdrawn	

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR RON STORER**

**“Home to School Transport – providers outside of framework”**

Question:

**In each month since October 23, please list the number of routes, total cost, and provider used for any home to school transport services procured outside of the framework agreement that went live in October 23**

Answer:

No routes have been awarded off-framework since the P1216 contract framework went live.

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR BRUCE LINES**

**“CME Referrals”**

Question:

**In the September and October of each year since 2018, how many Children Missing Education referrals were received?**

Answer:

Academic Year	September	October	Total
2018/19	301	118	419
2019/20	378	130	508
2020/21	321	177	498
2021/22	262	136	398
2022/23	375	170	545
2023/24	296	183	479
2024/25	250	65	315
Referral total:	2183	979	3162

As at 30/10/2024.

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR EWAN MACKEY**

**“CME SEND”**

Question:

**In each year since 2018, including year to date, what percentage of the overall number of children missing education referrals were received for children a) on the SEND register and b) with an EHCP**

Answer:

We do not have historic data for CME referrals before the academic year 2022-2023 as referral information prior to this was recorded in Impulse notes and cannot be extracted.

For the academic years since, the CME referral data provided has been cross referenced with EHCP data but further work will be required to do the same for SEN Support:

2022 – 2023 – 29 referrals, 16 with EHCPs – overall percentage 55%

2023 – 2024 – 9 referrals, 5 with EHCPs – overall percentage 56%

2024 – to date – 2 referrals, both with EHCPs – overall percentage 100%

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR ROBERT ALDEN**

**“Children in residential care and mainstream education”**

Question:

**How many children currently in the care of the council are:**

- a. In a residential care placement *inside* the city and mainstream education *inside* the city**
- b. In a residential care placement *inside* the city and mainstream education *outside* the city**
- c. In a residential care placement *outside* the city and mainstream education *inside* the city**
- d. In residential care placement *outside* the city and mainstream education *outside* the city**

\*Please exclude short-term breaks from these figures

Answer:

In residential care placement inside the city and mainstream education inside the city; **28**

In residential care placement inside the city and mainstream education outside the city; **4**

In residential care placement outside the city and mainstream education inside the city; **15**

In residential care placement outside the city and mainstream education outside the city; **30**

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## **C15**

(was D3)

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR ZAKER CHOUDHRY**

### **Youth Centre consultations**

**Question:**

**The consultation that was given to Newton Europe about the Youth centres charged £160k, why was so much money spent when this could have been discussed with Youth managers; do you think this was value for money, especially with our city's financial crisis?**

**Answer:**

Managing the change programme across several key areas for young people including 14-19, Careers and Youth services is complex, and has many constituent elements including a range buildings, multiple stakeholders, and assets.

Commissioning external expertise to support with the analysis and the facilitation of this process supports the development of a comprehensive and impartial view, which is necessary as decisions for the future delivery and sustainability of these services are maintained.

A thorough compliant Tendering process was followed to ensure value for money. As Birmingham City will be continuing to deliver this range of services in the future, with strengthened partnerships unlike a number of other areas in the country, this investment was considered necessary.

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CITY COUNCIL – 5 NOVEMBER 2024

**D1**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE, AND TOURISM FROM COUNCILLOR CLIFTON WELCH**

**“DCMS ADVICE”**

Question:

**Please provide a copy of the advice from DCMS on consultation for the library service changes?**

Answer:

Public libraries support and resources

Support and resources for councils in England and the public libraries sector in England and its partners provided through the Department for Culture, Media and Sport (DCMS), can be found at the following: [Public libraries support and resources - GOV.UK](https://www.gov.uk/guidance/public-libraries-support-and-resources)

<http://www.gov.uk/guidance/public-libraries-support-and-resources>

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## **D2**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE, HERITAGE AND TOURISM FROM COUNCILLOR MORRIAM JAN**

### **Library Consultations**

**Question:**

**Recently we had library consultations, residents asked why the Leader or the Cabinet member Councillor Suleman didn't attend these consultations so they could hear the residents' concerns?**

**Answer:**

Councillor Suleman, the Cabinet Member for Digital, Culture, Heritage, and Tourism, is the Cabinet Member with responsibility for community libraries and has therefore participated in library service consultation sessions at various libraries throughout the city, representing her Cabinet colleagues in doing so. This has enabled her to listen to residents' views on the future of the library service. The updated Option 4a demonstrates that the council has listened to these views and has responded, proposing a more equitable split of opening hours between our libraries across the city, whilst maintaining a Community Library Hub in each constituency.

**D3**

**PLEASE NOTE WRITTEN QUESTION D3 - HAS NOW BEEN  
REDIRECTED TO C15 – CABINET MEMBER FOR CHILDREN,  
YOUNG PEOPLE AND FAMILIES**

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE, HERITAGE, AND TOURISM FROM COUNCILLOR DAVID PEARS**

**“Oracle customisation”**

Question:

**Please list all service areas that had customisations for Oracle**

Answer:

The Council has many customisations developed where the functionality existed in Oracle, or standard products/approaches were available rather than requiring custom BCC code to be developed. The following PaaS extensions were developed for BCC, impacting many service areas.

Business Area	PaaS extension
Finance	Invoice Request Form
Finance	Purchase Order Auto Receipt
Finance	Construction Industry Scheme (CIS)
Finance	Making Tax Digital
Finance	Standing Charge Form
Finance	Direct Debit (Collections)
Finance	One Time Payment
Finance	Request for Payment Form
Finance	DD (Registration)
Finance	Chart of Accounts
Finance	AR Instalment Plan Maintenance
Finance	Customer Creation Form
Finance	Bank Reconciliation System
Finance	Journal Creation Form
Finance	Internal billing approvals
Finance	Project Internal Billing
Finance	Non-Project Internal Billing
Payroll	RTI
HR	Pay Award & Progression
HR	HR Help Desk
All	Scheduler -PaaS reporting tool

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CITY COUNCIL – 5 NOVEMBER 2024

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE, AND TOURISM FROM COUNCILLOR ALEX YIP**

**“Digital Mail Group”**

Question:

**For the digital mail centre please state:**

- a) total set up costs (forecast and actual)**
- b) total annual running costs (forecast and actual)**
- c) total savings (forecast and delivered)**

Answer:

- a) The initial set up costs for Digital Mail are not available as the service was consolidated 17 years ago which has progressively evolved over time. The transformation journey began in 2007 moving the operating model from a basic post room, courier and internal scanning service to a consolidated offer starting with reducing postage costs by obtaining a Royal Mail DSA licence (one of only 30 licences across the UK).

The transformation journey continued and we now have a full digital mail offering including a Hybrid mail solution i.e. Press to Post which was implemented en-masse when COVID lockdown hit due to employees working from home having no means to communicate with customers and stakeholders.

The Digital Mail Centre has evolved and significant efficiencies have been made over many years. The service offering has also significantly expanded to include many external clients to which we provide various services. This in turn has enabled DMC to achieve bulk discounts with Royal Mail and as such cheaper services are provided to BCC clients because of larger volumes being achieved.

- b) This information will be sent round to members separately on a confidential basis as it is commercially sensitive.

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c) 22/23 Savings - £10k supplies and services

23/24 Savings - Nil however the service absorbed considerable increased operating costs as a result of increasing activity across BCC as a result of increased home working following the pandemic

24/25 Savings - Savings in Parking Services following insource to Digital Mail Centre so far £76,720.29

AUGUST	£27,781.32
SEPTEMBER	£48,938.97

25/26 Savings - Digital Mail is part of the £2.66m Business Support and Digital Mail target VR (reference 105). It will contribute £0.250m from VR and £0.06m from efficiencies.

Digital Mail Service has helped to deliver wide scale efficiencies to many areas of BCC and encouraged a take up of digitisation. They currently achieve over £2m of income from clients external to BCC which has contributed to mitigating the councils rising operating costs for print and post activity.

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CITY COUNCIL – 5 NOVEMBER 2024

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE, AND TOURISM FROM COUNCILLOR KERRY BREWER**

**“Oracle costs”**

Question:

**What is the cost per week on Oracle (inc both bcc resource and external resources) for**  
**a) cashbook (BRS) and other manual interventions, and**  
**b) manual teams deployed on HR work-arounds including payroll, DBS, right to remain, schools workforce census**

Answer:

- a) Cashbooks (BRS) and other manual interventions: £61.3k per week
- b) Manual work arounds: The issue identified in 2022-2023 in relation to manual work arounds for Payroll, DBS, right to remain and schools workforce have been largely resolved and no tracked at a per process/activity level.

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CITY COUNCIL – 5 NOVEMBER 2024

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE, AND TOURISM FROM COUNCILLOR MAUREEN CORNISH**

**“Oracle costs”**

Question:

**What is the total cost incurred and planned across the council for additional management, business partners and business analysts needed due to issues caused by oracle implementation?**

Answer:

The total spend on Oracle implementation and run since 2018 to 2023-24 is £63,406,689, with a further £45M allocated over to the next two years to 2026 (including Oracle re-implementation and income management systems).

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CITY COUNCIL – 5 NOVEMBER 2024

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE, AND TOURISM FROM COUNCILLOR GARETH MOORE**

**“SAP Licences”**

Question:

**What is the total monthly cost and expiry dates of any SAP licences still held by the council for its legacy ERP system?**

Answer:

The Council’s SAP licenses are no longer supported by SAP as no operational services are run from the system. The licensing for accessing the legacy system as an archive is held by the Council in perpetuity at no cost.

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**D9**  
**(was B2)**

CITY COUNCIL – 5 NOVEMBER 2024

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM FROM COUNCILLOR EWAN MACKEY**

**“Moseley Road Baths Risk Register”**

Question:

**Please provide a copy of the risk register for the project to restore Moseley Rd Baths as it was at the point the decision to appoint the primary contractor was made (including the date of this decision)**

Answer:

The decision to appoint ISG was made in June 2023. The risk register for the project is commercially sensitive and will be sent to Cllr Mackey on a confidential basis.

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CITY COUNCIL – 5 NOVEMBER 2024

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM FROM COUNCILLOR KERRY BREWER**

**“Moseley Road Baths Solvency Checks”**

Question:

**What solvency checks were undertaken (and on what date) ahead of the decision to appoint ISG for the restoration of Moseley Road Baths?**

Answer:

ISG were appointed from the Constructing West Midlands Framework administered by Acivico. Appointed in June 2023 following a full tender process undertaken by Procurement Services, the Sport Service as Client and the Project Team.

Checks are undertaken by Acivico on the financial capability of contractors as part of their framework obligations and further financial competency is reviewed at the tender stage. At no point during these processes were there any concerns on ISG's capability to deliver the contracted works package.

In response to the Supplier Questionnaire issued as part of the tender process for selecting Framework Contractors, all respondents were required to provide:-

- A copy of their most recent audited accounts
- A completed Economic and Financial Standing Workbook

As with responses from all bidders, ISG's response was assessed by colleagues in Solihull MBC's Finance Team and they reported that they had no concerns as to their financial standing.

Once appointed to Constructing West Midlands, Acivico ran CreditSafe reports on all suppliers and set up alerts on the CreditSafe system so that they could monitor any changes to the financial standing and liquidity ratios of the respective suppliers and automatically avail of any early warnings derived from these reports. There were no significant updates during the operation of the Framework until the company filed for administration in September 2024.

In addition, Acivico also periodically check the latest published accounts of suppliers. In the case of ISG this was last completed in September 2023 and no concerns were raised. These findings were consistent with the CreditSafe reports prevailing at the time this review was undertaken and accordingly no increased risk was perceived. Between the time the last set of published accounts were reviewed and the time ISG

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went into administration no alerts were forthcoming from CreditSafe to indicate that the financial risk profile of ISG had changed from the time of the last review.

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR ADAM HIGGS**

**“Task and Finish H&S”**

Question:

**When task and finish was introduced in the waste collection service during the pandemic, what control measures, including management and supervisory control, were put in place to comply with the Health and Safety Executive and Waste Industry Forum guidance for managing task and finish practices, given the increased risks associated with this practice and what were the costs of these increased measures?**

Answer:

During Covid, reasonable adjustments were applied within all Council services. The city council set up a safety group attended by heads of service, HR and safety services. Decisions were made to maintain the safety of staff within the workplace. This was informed by published governmental advice. Waste services were classed as key workers.

The Waste sector, under the guidance of WISH (Waste Industry Safety and Health) forum, quickly mobilised best practice guidance. This guidance was established by senior leaders, and other respected Health and Safety advisors across the waste sector. Birmingham, alongside other Local Authorities, adopted this guidance.

Street Scene also set up an internal group consisting of management and the joint trades unions. We would discuss the current advice from government and agree steps to be put in place.

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR ADRIAN DELANEY**

**“Leaf and Gully clearance”**

Question:

**In each of the last 3 years, what was leaf and gully cleaning schedule in each ward?**

Answer:

Due to limited resources, these are deployed on a responsive basis, depending on the weather, location, type of trees, and number of trees in any vicinity.

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR ALEX YIP**

**“Blocked gullies”**

Question:

**In each of the last 4 years, how many reports of blocked gullies were received per month?**

Answer:

The number of enquiries received for which the defect of a blocked gully may have been present are detailed below.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct*	Nov	Dec	Total
<b>2021</b>	282	234	187	117	352	236	374	251	251	450	268	267	3269
<b>2022</b>	224	294	248	140	160	174	124	109	293	460	1080	230	3536
<b>2023</b>	442	132	231	165	224	391	732	179	133	409	202	288	3528
<b>2024</b>	326	382	282	209	196	107	164	161	563	367	N/A	N/A	2757
<b>Total</b>	1274	1042	948	631	932	908	1394	700	1240	1686	1550	785	13090

\*For Oct 24, this data relates to 01/10/24 - 30/10/24 Inclusive

OFFICIAL

CITY COUNCIL – 5 NOVEMBER 2024

**E4**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR CLIFTON WELCH**

**“Tyseley Incinerator”**

Question:

**Under the waste disposal contract, what are the minimum levels of waste to be sent for incineration each year?**

Answer:

There is no minimum level of waste to be sent for incineration in the new waste disposal contract.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR DAVID BARRIE**

**“Highways Contract”**

Question:

**Does the council's contract with Kier for highways repairs and maintenance, pay a fixed rate or a fee per job? (or if a mix of these what is the percentage split based on current value)**

Answer:

The Interim Services Contract for the repairs and maintenance of the Highway is with Birmingham Highways Limited (BHL) whom sub-contract to Kier to deliver the services. The payments made under the contract are not broken down in such a way to identify associated costing on a per job basis however we can confirm that jobs are not paid on a fixed rate basis. This is via an NEC4 cost reimbursable contract.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR DEIRDRE ALDEN**

**“Austin Village leaf and gully cleaning”**

Question:

**In each of the last 4 years, how many gullies were cleared per month broken down by ward.**

Answer:

The number of reactive attendances to unblock gullies is detailed in the attached appendix.

Please note: The attached figures do not include data relating to the routine maintenance gully cleansing programme as this is a proactive rather than reactive service.



E6 from Cllr D Alden  
Appendix 1.xlsx

\*For Oct 24, this data relates to 01/10/24 - 30/10/24 Inclusive

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR KERRY BREWER**

**“Centenary Square repair and maintenance”**

Question:

When the Centenary Square Public Realm Improvement Scheme was called-in, explicit assurances were given by cabinet members to the O&S committee that there would be adequate resources available for the repair and maintenance of the square, including the water feature. Since completion of the project, what was the revenue budget in each year for repair and maintenance of the square and how much was actually spent in each year (including current year to date)

Answer:

The information below outlines the budget identified as Centenary Square repairs and maintenance and reported spend each year.

The fountain was installed July 2019

Please note that the CCM service did not put a specific budget in place until 2022/23

2023/24	Budget	Outturn	Variance
	70,600.00	68,613.34	-1,986.66

2022/23	Budget	Outturn	Variance
	25,000.00	30,462.02	5,462.02

2021/22	Budget	Outturn	Variance
	0.00	31,671.97	31,671.97

2020/21	Budget	Outturn	Variance
	0.00	22,065.70	22,065.70

2019/20	Budget	Outturn	Variance
	0.00	64,088.89	64,088.89

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR MATT BENNETT**

**“Vehicle Hire”**

Question:

The written answer to question E3 at September's council meeting shows that this year the council has used 6 different hire companies for fleet and waste vehicles. However, 3 of these - Priority, Mid Hire, and Northgate - do not appear on the list of companies on the Framework contract for vehicle hire in answer E8. Why were companies outside the framework used, what was the total value paid for each of these, who authorised it, and what procurement route was followed to ensure best value?

Answer:

The 3 companies specifically mentioned as being outside of the framework contract are Priority, Midhire and Northgate. Northgate are on a council-wide contract.

The values of spend in the current financial year is in the table below

Row Labels	Sum of Amount
Midhire Self Drive Rental Limited	75,986.62
Northgate Vehicle Hire (West Midlands) Limited	65,751.83
Priority Hire Ltd	337,969.98
<b>Grand Total</b>	<b>479,708.43</b>

Northgate currently holds the contract for vehicles up to 3.5 tons, with the contract expected to expire in March 2025 and currently under review.

If Northgate, as the preferred supplier, cannot fulfil vehicle needs, the alternative providers such as Midhire and Priority are used to support the existing fleet requirements.

Midhire and Priority hire have been used to supply specialist vehicles for a number of years. Both companies supply equipment at a unit rate which is benchmarked to ensure best value is achieved. Working with procurement officers are at the final stages at evaluating a new provider of specialist vehicles to include the categories above which is scheduled to be in place by the end November 2024.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR MAUREEN CORNISH**

**“H&S Incidents”**

Question:

**How many health and safety incidents, including near misses, were reported within the waste collection service in each year since 2018**

Answer:

The number incidents and near misses in waste is set out in the table below:

<b>Year</b>	<b>Number of Accidents, Incidents and Near Miss reports within City Operations (Street Scene)</b>
2018	109
2019	178
2020	114
2021	113
2022	93
2023	87
<b>Total</b>	<b>694</b>

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR RICHARD PARKIN**

**“Food Waste”**

Question:

**What revenue budget has been assessed as needed for the delivery of food waste collections from April 25, and what revenue grant funding has been agreed by Defra for this?**

Answer:

This was set out in the July Cabinet report, when the Council took to decision to implement weekly food waste collections.

Replicated below is an extract from this Cabinet report.

Delivery of a weekly food waste collection service has an annual operational revenue cost, of £5.595m (£4.196m in 2025/6 due to the phased introduction) as per Table 2 below. Transitional revenue resource funding is anticipated to be provided by Government from 2024/5 as well as ongoing funding from 1 April 2026. Further clarification is awaited from DEFRA on these additional funding allocations. Full costs of delivering the food waste collection service have been included in the MTFP refresh pending clarity and confirmation of the revenue grant position.

**TABLE 2**

<b>REVENUE GENERAL FUND - Street Scene Waste Management</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28 +</b>
	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>
<b><u>Cost estimate</u></b>				
Food waste collection service - people, vehicles other operating costs.	-	5,110	6,813	6,813
Food waste - Disposal (11,000 tonnes diverted from residual waste to food waste)	-	(914)	(1,218)	(1,218)

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR ROBERT ALDEN**

**“Additional recycling bins”**

Question:

**At Cabinet on 10 September, you said "12,000 households currently have an additional bin (for recycling) and based on evidence we have from those households there is less contamination and more recycling presented to the council."**

**We asked for this 'evidence' but in answer to written question E25 at Council on 17 September you said “we are yet to have meaningful data.”**

**Was it untrue to say at Cabinet on 10 September that you had evidence from 12k households with additional bins, or was it untrue at Council on 17 September to say you did not have meaningful data?**

Answer:

At Cabinet on the 10<sup>th</sup> September, I shared anecdotal information from operational teams that additional recycling capacity will result in the presentation of more recycling, and through increased recycling bin capacity, means that contamination is less likely.

The current trial of the second recycling wheel bin has delivered results that indicate an increase in the paper and board recovered and decrease in levels of contaminated DMR. Analysing the data over the last 3 months has shown a 19.9% increase in the level of paper and card recovered and 7% reduction of contaminated DMR.

Although we have limited data at this time the results are as expected.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR RON STORER**

**“Traffix Road signs”**

Question:

**For road diversion signs hired from Traffix for the Commonwealth Game, how many were hired, at what total cost and how many of these have not been returned and how much has the council paid in additional fees for non-returned signs?**

Answer:

Traffic management for the Commonwealth Games was arranged and funded by the Birmingham 2022 Organising Committee and Transport for West Midlands, rather than the Council. Should members be aware of any residual signage on the city's network, this should be reported to the Council's Highways Department to arrange removal by Transport for West Midlands and/or their contractor.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR TIMOTHY HUXTABLE**

**“Tame Valley Viaduct”**

Question:

The written answer to question E11 at September Council states that the Tame Valley Viaduct undergoes regular contract, commercial and risk management reviews and these include weekly reviews and monthly updates of the risk register including mitigation measures.

Given this, on what data was the overspend to the 2019 budget first identified and reported and why was this not reported as a wider budget pressure/risk within cabinet reports until this summer?

Answer:

The risks for this project are proactively monitored through quantitative and qualitative risk evaluation and the available risk pot (budget allocated to deal with risks) is updated regularly.

The main risks of the scheme are;

1. Inflationary pressures
2. Presence of Hexavalent Chromium in the paint system
3. Discovery of greater number of existing structural defects than anticipated as the scheme progress arising from the poor original workmanship when the structure was built

Discovery of additional defects in March 2024 onwards indicated that there would be a risk of overspend. This however required further evaluation and rescoping of the works, which is underway. Advice from Finance Officers proposed raising a potential pressure because of these additional defects as financially prudent step.

Every effort is being made to ensure the project is delivered to the original allocated budget of £93.46m as set in the 2019 Cabinet Report, whilst meeting its core objectives.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR EWAN MACKEY**

**“Structural Life of Roads”**

Question:

What is average structural life remaining on Birmingham highways, and what proportion of Birmingham Road have

- a) less than 20 years
- b) less than 15 years
- c) less than 10 years and
- d) less than 5 years

structural life remaining?

Answer:

That data that is currently available is based on a survey which took place in 2021 on H1 roads only. From this we have applied a one-year deterioration for each calendar year and have added life where maintenance has been undertaken under a capital investment scheme under the Interim Services Contract.

The results on the H1 network are as follows:

Residual Life	Percentage
<20	19.75%
<15	7.16%
<10	8.26%
<5	34.39%
Average	13.65 years

Please note: This data no longer complies with the deterioration modelling standards following the recent issue of the new standard PAS 2161:2024 by the DFT. Kier as the acting subcontractor are currently undertaking surveys to the new standard to determine the current condition of the network, and a full carriageway survey is due to be completed by the end of this calendar year. The results of these surveys will be available in 2025.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR DEBBIE CLANCY**

**“Austin Village leaf and gully cleaning”**

Question:

**In the last 12 months please list all dates on which**

- a) leaves swept, and**
- b) gullies cleared**

**in Austin Village, Longbridge?**

Answer:

For leaf clearance, the Council does not retain this level of performance information. The approach that is taken to leaf clearance is based on local determination by local managers depending on factors such as the weather, location, type of trees, and number of trees in any vicinity.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR BRUCE LINES**

**“Dropped Kerbs”**

Question:

**In each month since April 2022, for illegally installed dropped kerbs please state:**

- a) The number of enforcement actions undertaken by council, and**
- b) The number of referrals made to the police for criminal damage to council property**

Answer:

- a) The Council historically has not had a robust approach to enforcement of illegally constructed footway crossings. A proposal for undertaking enforcement action with Highways, Legal Services and West Midlands Police is currently being developed and implemented to act as a deterrent.
- b) In the period from August 2023 to April 2024 a total of 5 individual referrals were made to WMP. As part of the work being undertaken in part (a) above, a new process for reporting of criminal damage arising from illegal footway crossings has been agreed with WMP. This revised process will result in all reports from the Council being reported under the same crime number with WMP to make best use of Police and Council resources.

OFFICIAL

## **E17**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR IZZY KNOWLES**

### **Malcolm House**

**Question:**

**In June and September 2023, I asked written questions about the cleaning schedule and long-term intention of land adjoining Malcolm House.**

**You noted that the land around Malcolm House has been deemed by a court to be HMPE (Highways Maintained at Public Expense) and that the area is part of scheduled street cleansing activities in the Ward. It was conceded that the ‘cleanliness of the site is not to the standard that we would expect’. A deep clean of the area took place and I was assured ‘the responsible Assistant Service Manager will monitor the cleanliness of the site to ensure standards are maintained after this clear up.**

**A year later the site is not being regularly cleaned and is full of litter, fly tipping and discarded drug paraphernalia. No action has been taken about its continual use for the parking of untaxed and unroadworthy cars by a nearby car repair business.**

**Please can you explain why this land is not being regularly patrolled and litter picked, and confirm the council’s long-term intention for this land?**

Steps have been taken to incorporate this land into the cleansing regimes from the service. We can advise that we have added this land to the local beatsweepers scheduled work and they will clean it as and when required as they pass the area as they go about their schedules. The depot will also monitor any Flytipping and remove as required and respond to any requests for service from our digital reporting system.

OFFICIAL

## **E18**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT FROM  
COUNCILLOR MORRIAM JAN**

### **ENTF understaffing**

**Question:**

**How will the ENTf (Environment and Neighbourhoods Transport Fund) be delivered without adequate funding?**

**Answer:**

The new Environment and Transport Neighbourhoods Fund (ENTf) has an initial budget of £5.90m which is spread over two financial years: 2024/25 and 2025/26 i.e. £2.95m per annum.

The ENTf is funded from several sources. The first is £2.4m (£1.2m p.a. for 2024/25 and 2025/26), from the transport grant provided by the Department for Transport (DfT) via the WMCA as part of the CRSTS1 settlement. One of the key performance indicators set by the DfT for the use of this funding is 'road safety'. Therefore, incorporating this funding into the ENTf aligns with citizen concerns around road safety.

The second source of funding for the ENTf is CAZ net surplus revenues (£2.4m split over three financial years starting in 205/26) and un-used funding from the BBF. It is anticipated that the value of this contribution would be in the region of £2.8m.

The Local Engineering service will book the time associated with the identification, development and delivery of schemes – including all post-implementation processes to a dedicated fee budget (£0.910m p.a) within the overall scheme (i.e. from the £5.90m provided to support the ENTf). The team have been sized to the available budget.

This leaves a budget for individual projects of £4.04m over two financial years. This represents the maximum budget available over this period.

## **E19**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR MUMTAZ HUSSAIN**

### **Glyphosate use**

**Question:**

**Have Kier now stopped spraying with Glyphosate and if not, when will this happen?**

Answer:

A Glyphosate based product is still currently used by Kier and at present, no date has been set for an alternative product to be used as no suitable alternative has been identified. Within a response provided in July 24, in relation to Highways only we stated:

- *We are seeking to reduce use of pesticides wherever possible. Alternatives to glyphosate-based chemicals will be investigated as and when these products are available. There have to date been no successful trials of alternative within the city. The current alternatives, while having some plus points, also have a range of negative points in terms of effectiveness (more treatments required), other environmental impacts such as larger carbon footprint, higher water use, collateral damage (particularly with hot water/foam-based products), and cost.*

Council's which have previously stopped the use of Glyphosate on hard surfaces such as highways are reconsidering the position. For example a controlled-droplet application of Glyphosate is proposed to be re-introduced alongside other methods to tackle weeds in Brighton and Hove.

OFFICIAL

## **E20**

**CITY COUNCIL – 5 NOVEMBER 2024**

### **WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR DEBORAH HARRIES**

#### **Replacement trees in parks**

##### **Question:**

**I have recently experienced the five-year assessment of tree health in Old Yardley Park, which is part of a Conservation Area, and nearly 20 trees have been removed. However, it has been confirmed to me that there is no plan to replace these trees. This seems rather inconsistent approach, to maintain our green canopy on our roads and pavements but not in our parks and green spaces. Could the Council please explain why it has a policy (for Kier) to replace every tree removed from the Highway, but that this does not apply to our parks and green spaces?**

##### **Answer:**

When the city's highways went out to a PFI contract around 2009 a condition within the contract required tree numbers on the highway network to be maintained (plus or minus any approved accruals or de-accruals) at the level to which the contractor had assumed responsibility. This effectively required the appointed contractor to replace on a 1:1 basis any tree that required removal from the network.

As this was a stated aim in the PFI tender documents, the allocated highways budgets allowed for this mechanism.

Following the surrender of the PFI contract by Amey (the appointed contractor) the interim provider appointed (Kier) assumed the delivery of the contract which included the tree management and replacement process funded through the highways budget.

The Parks Tree Service though, does not have dedicated tree replacement budgets.

The approach taken in Parks is confined to essential health and safety works

The Parks Tree Service have and continues to work with community organisations such as Birmingham Trees for Life (now disbanded) and Birmingham TreePeople (its successor) to identify opportunities for tree planting in Birmingham's parks and green spaces and develop funding streams to support this.

These community groups have been integral to securing external funding for tree planting in the city and, between them over the last 16 years, have planted (in partnership with BCC) well over 100,000 trees.

While there have been a number of government funding programmes aimed at local authorities for tree planting, these have focused on large woodland planting (using small seedling trees) and not the type of succession planting referred to.

In 2021 the city produced and adopted the Birmingham Urban Forest Master Plan 2021- 2051 which sets out the long-term vision for the management of our city-wide tree resource.

OFFICIAL

## **E21**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT FROM  
COUNCILLOR BABER BAZ**

### **Toothless Enforcement for Car Businesses Run From Homes**

**Question:**

**Currently, planning enforcement, trading standards and highways appear unable or unwilling to act, whilst neighbours experience that misery of flat-bed trucks coming and going, dozens of additional vehicles parked in their street, and even large fuel spills on the highway. This practice will only increase if the Council continues to inadequately explore common explanations such as ‘it is a hobby’, ‘the cars are all owned by members of my family’, or ‘I drive a flat-bed truck for my job’. With all of this in mind can the Council please explain how it plans to tackle growth of commercial car repair and sales businesses being operated from residential homes?**

**Answer:**

The Council can issue Penalty Charge Notices to vehicles if they are parked in contravention of a Traffic Regulation Order, for example Vehicles parked on double yellow lines.

Trading Standards enforces the part of The Clean Neighbourhoods and Environment Act 2005 that makes it an offence for an individual or business to display two or more vehicles for sale on public roads within 500 metres of each other if it appears to be part of a commercial operation or for vehicles being repaired on a public highway in the course of a business. We investigate and follow-up every complaint received.

However we are aware this is a complex issue in which other agencies have a part to play including police where vehicles are causing obstructions or have no MOT or are uninsured. Untaxed vehicles can also be reported to DVLA through GOV.UK.

Planning enforcement can tackle businesses operated from residential properties where there is a breach of planning control and it is expedient to do so or the housing service if operated from council owned property.

The way forward is likely to be a multi-agency joined-up approach where we can ensure all the nuisances arising are effectively dealt with. I do want to see more robust action being taken on these issues.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT FROM COUNCILLOR CLIFTON WELCH**

**“Selective Licensing”**

Question:

**How many selective licenses are there in each of the wards where it has been introduced, and how many inspections have been carried out in each ward since its introduction?**

Answer:

Between the launch of the Selective Property Licensing Scheme in June 2023 and the 30 October 2024 we have issued a total of 25 972 licences. Compliance inspections to these licensed properties started in January 2024 and to date a total of 5 422 inspections have been undertaken. Below are the number of licences and inspections split by the 25 wards in the designation.

Ward	Licences	Inspections
Acocks Green	892	294
Alum Rock	547	241
Aston	641	211
Balsall Heath West	307	93
Birchfield	263	120
Bordesley & Highgate	2250	683
Bordesley Green	354	93
Bournbrook & Selly Park	1062	323
Edgbaston	1215	194
Gravelly Hill	447	205
Handsworth	290	120
Heartlands	289	162
Holyhead	539	127
Ladywood	6976	1245
Lozells	177	67
North Edgbaston	2269	61
Small Heath	420	151
Soho & Jewellery Quarter	3283	17
South Yardley	440	108
Sparkbrook & Balsall Heath East	664	86
Sparkhill	526	259
Stockland Green	1115	250
Tyseley & Hay Mills	412	116
Ward End	279	104
Yardley West & Stechford	315	92

OFFICIAL

**E23**  
**(was B9)**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR JON HUNT**

**NSL Enforcement contract**

**Question:**

**Can the Cabinet member provide details of the net and gross costs of income and expenditure from the parking enforcement contract with NSL, explaining whether the contract generates a surplus or loss and who benefits?**

Answer:

The current enforcement contract with NSL is valued at approximately £4 million per year. The contract covers enforcement of on and off street parking, bus lane and clean air zone enforcement.

The £4 million contract cost is recovered through the enforcement of the above activities. that are carried out by NSL. The following table gives a breakdown of income and costs associated to parking enforcement, as per the last section 55 statement produced by finance in 2022/23. Any surplus generated are used by the Council in line with the requirement of the Road Traffic Regulations Act 1984 and the Council's Clean Air Zone Policy.

PCN Income	(£4,793,611)
Operating costs	£4,269,327
Traffic Penalty Tribunal Fees	£73,480
Traffic Enforcement Centre Fees	£803,680
<b>Total (Surplus)/Deficit</b>	<b>£352,876</b>

OFFICIAL

CITY COUNCIL 5 NOVEMBER 2024

**WRITTEN QUESTION TO CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR DARIUS SANDHU**

**“Lessons Learnt”**

Question:

**When the Centenary Square Public Realm Improvement Scheme required additional Cabinet approval for a one-third overspend on its budget, the 'lessons learnt' in the report included:**

- e. a requirement for 6-month stage reviews to take into account budget, programme and scope of works with additional funding built into the full business case to allow and increase in funding if required, and**
- f. where project costs to be incurred to accommodate events and later decisions of council, the cost impact on the original project should be included in those subsequent decisions and added to the project budget.**

**Please detail how both of these 'lessons' were incorporated into the Victoria Square public realm project**

Answer:

In the context of the lessons learnt for Centenary Square, the Victoria Square project reviewed budget, programme, scope and risk on a monthly basis via a Project Board and the Council's Capital Board. A Cabinet report to increase the Victoria Square budget as a result of accommodating the PoliNations event was brought for approval once the additional cost impact was finalised and an appropriate funding source identified.

OFFICIAL

**E25**  
**(was B10)**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT AND  
TRANSPORT FROM COUNCILLOR ZAKER CHOUDHRY**

**Roundabout Sponsorship scheme**

**Question:**

**CP Medial Ltd is managing the council roundabout sponsorship initiative, which provides businesses with outdoor advertising on roundabouts across the city. Could you please elaborate on the following- how many businesses have signed and the revenue they have brought the council on a yearly basis; subsequently what is done with the revenue and the percentage that is spent directly on the roundabouts that are being sponsored?**

**Answer:**

Awaiting information from officers. Response to follow.

OFFICIAL

CITY COUNCIL – 5 NOVEMBER 2024

**F1**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR ADAM HIGGS**

**“Statutory Interest”**

Question:

**How much in total has been paid and owed in statutory interest for late payment of invoices since April 2022?**

Answer:

Awaiting information from officers. Response to follow.

OFFICIAL

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR ADRIAN DELANEY

“Payments of suppliers”

Question:

**What percentage of undisputed invoices were paid within 30 days in each month since April 2022?**

Answer:

This specific information is not a metric that we are currently able to report on from Oracle. A suitable report is currently in development that, once live, will support this going forward. However, we are able to report the following information as at the end of September:

- Of 4,142 invoices outstanding for payment 30% sat with Accounts Payable and the remaining with Directorates;
- Of the 30% (1,242) with Accounts Payable, 65% (808) were **not** due for payment. The main reason for 35% being **overdue** would be the late receipt of the invoice in Accounts Payable.
- Of the 70% (2,899) with the business 81% (2,349) were **overdue** for payment. Overdue payments could be for various reasons but mainly:
  - Non-Purchase Order invoice awaiting approval
  - Purchase Order invoice needed goods receipt
  - Purchase Order invoice with price difference

OFFICIAL

**PLEASE NOTE WRITTEN QUESTION F3 - HAS  
NOW BEEN REDIRECTED TO D5 – CABINET  
MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM**

**F3**

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR BRUCE LINES**

**“Oracle pressures”**

Question:

**In each year since 2019/20 what pressures were included in that year's budget relating to delays or overspends with the Oracle project?**

Answer:

<b>Year</b>	<b>Budget</b>
2018/19	172,000
2019/20	6,983,000
2020/21	12,810,000
2021/22	20,000,000
2022/23*	11,445,000
2023/24	35,083,844
2024/25	25,000,000
2025/26	20,000,000
<b>Total</b>	<b>131,493,844</b>

\* 2022/23 was retrospective approval as part of getting the £46.53m approved at Cabinet on 27 June 2023

A further £45m is allocated over the next 2 years i.e. 24/5 and 25/6 to cover the costs of reimplementation and an income management system to replace the bank reconciliation system (BRS).

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR CLIFTON WELCH**

**“Consultancy costs”**

Question:

**What was the total spend (including cost incurred but not yet paid) on consultancy in each month since April 2020? Please split this between spend from general fund, capital programme, and HRA.**

Answer:

*Awaiting information from officers. Response to follow.*

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR DAVID BARRIE**

**“payments”**

Question:

**Since 2015 what payments have been made to the following companies: CDH Group Limited, CDH Renovations Ltd, APSL Group, West Midlands Built Environment, Trucfix Ltd.**

Answer:

The following is the only information we have been able to source on the system against those company names:

CDH Group Ltd Wolverhampton

22.09.2017 £600cr

23.10.2017 £600

Built Environment Networking Ltd, Leeds

04.02.2022 £18,000cr

23.03.2022 £18,000

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR DAVID PEARS**

**“Oracle Savings”**

Question:

**In each year from 2019/20 what savings were included in that year's budget relating to savings from the oracle project, and what proportion of these were delivered?**

Answer:

In 2022/23, a £2m target was set, intended to capture efficiencies from the post-Oracle implementation phase.

This target was initially met from the ERP reserve in 2022/23, with planned cost reductions expected to begin in 2023/24, following the first full year of Oracle going live.

However, due to ongoing issues with the implementation of Oracle, these savings were replaced by a new target with the original £2m savings target rephased as follows:

2023/24 £0.6m

2024/25 Increasing to £1.6m

2025/26 Increasing to £2.0m

Despite this adjustment, the savings target was ultimately written off in the 2024/25 budget due to continued Oracle implementation issues (see page 127 of the 2024/25 budget report presented to Cabinet on 27/2/24).

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR DEBBIE CLANCY**

**“Oracle Savings”**

Question:

**What is the total current spend per week on the oracle project in total, including both BCC staff and any external resource?**

Answer:

The current budget for 2024-2025 for the Council’s finance and HR system is £25m. This includes both the running of the failed Oracle implementation and the reimplementation costs. It is not possible to provide a weekly breakdown as the costs from suppliers, BCC resource and external contractors will vary according to what stage of delivery the programme is at across the year.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR DEIRDRE ALDEN**

**“Single Person Discount”**

Question:

**How many people are claiming Single Person Discount for council tax by ward in the city in the current year and how many claimed last financial year?**

Answer:

Data can be supplied on a Ward basis following the meeting if required as it will take considerable time to extract this information and it will be based on the old Ward names. The data on full caseload is detailed below for 2023 & 2024.

<b>Apr-23</b>	150,114	<b>Apr-24</b>	136,830
<b>Oct-23</b>	151,653	<b>Oct-24</b>	143,295

OFFICIAL

**PLEASE NOTE WRITTEN QUESTION F10 -  
HAS NOW BEEN REDIRECTED TO K3 -  
CHAIR OF TRUSTS AND CHARITIES  
COMMITTEE**

**F10**

OFFICIAL

**PLEASE NOTE WRITTEN QUESTION F11 -  
HAS NOW BEEN REDIRECTED TO D6 –  
CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM**

**F11**

OFFICIAL

**PLEASE NOTE WRITTEN QUESTION F12 -  
HAS NOW BEEN REDIRECTED TO D7 –  
CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM**

**F12**

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR RICHARD PARKIN**

**“Invest to Save”**

Question:

**In each year since 2018, please list all spend from 'invest to save' budgets including total spent, and the total annualised saving delivered as a result of that spend (broken down by individual budget)**

Answer:

*Awaiting information from officers. Response to follow.*

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR ROBERT ALDEN**

**“Bereavement Budget”**

Question:

**In each year since 2016 what was the total income and expenditure for the bereavement service?**

Answer:

*Awaiting information from officers. Response to follow.*

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR TIMOTHY HUXTABLE**

**“Inreach”**

Question:

**In each year since its incorporation please list –**

- 1. value of new loans made to Inreach,**
- 2. the total value of loans outstanding from Inreach at year end,**
- 3. the total amount of interest paid on loans by Inreach in year,**
- 4. the total value of deferred interest from Inreach that was due but not paid in year,**
- 5. total capital repayments of loans made by Inreach,**
- 6. the total amount of interest paid by the council for prudential borrowing taken to make the loans to Inreach**

Answer:

*Awaiting information from officers. Response to follow.*

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM  
COUNCILLOR MEIRION JENKINS****“BID Levy”**

Question:

**For each Business Improvement District, what is the total value in uncollected levy since April 2020 and where does the liability for this fall, with the BID itself, or the council?**

Answer:

The liability rests with the debtor to pay – this is a statutory debt and the billing authority is obliged under Regulation to collect and enforce. Where debts become uncollectable, the liability becomes the BID company’s as per the Operating Agreement between the Council and each BID company.

The total value in uncollected levy is detailed below.

<b>BIDS</b>	<b>Pre Liability order (L/O) Debt Outstanding</b>	<b>Post L/O Debt</b>	<b>Debt Subject to Write-Off</b>	<b>Net Collectable Debt</b>
Colmore	£23,806.07	£19,320.20	£7,635.51	£35,490.76
Erdington	£11,229.74	£53,318.83	£20,765.50	£43,783.07
Harborne	£39,432.80	£31,372.43	£9,355.75	£61,449.48
Jewellery Quarter	£35,197.08	£138,780.39	£46,462.07	£127,515.40
Kings Heath	£90,336.34	£20,674.69	£12,968.05	£98,042.98
Northfield	£10,640.11	£32,069.10	£7,863.85	£34,845.36
Retail/Central	£74,294.73	£80,138.45	£31,033.44	£123,399.74
Southside	£60,791.22	£101,261.88	£52,347.10	£109,706.00
Sutton Coldfield	£20,281.01	£40,719.23	£10,282.71	£50,717.53
Soho Road	£10,493.45	£132,293.46	£67,890.61	£74,896.30
Westside	£60,274.08	£86,760.38	£36,172.75	£110,861.71
<b>Total Debt</b>	<b>£436,776.63</b>	<b>£736,709.04</b>	<b>£302,777.34</b>	<b>£870,708.33</b>

OFFICIAL

**PLEASE NOTE WRITTEN QUESTION F17 -  
HAS NOW BEEN REDIRECTED TO D8 –  
CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM**

**F17**

OFFICIAL

**F18**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM COUNCILLOR COLIN GREEN**

**Unpaid council tax**

**Question:**

**Is it possible (or available) to get a figure from BCC of how much the bill for unpaid Council Tax is; what steps are being are being taken to recover this debt from residents and how much of the arrears have been recovered so far?**

*Awaiting information from officers. Response to follow.*

**F19**

**CITY COUNCIL – 5 NOVEMBER 2024**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE FROM COUNCILLOR  
JON HUNT**

**Council tax bands**

**Question:**

**When a house has an extension is the council tax band reviewed?**

*Awaiting information from officers. Response to follow.*

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR DAVID PEARS**

**“Staying Independent at Home Adaptation and Improvement Service”**

Question:

**Since the commencement of the contract for Staying Independent at Home Adaptation and Improvement Service in January 2024 how much**

- a) has been paid so far (excluding mobilisation costs),**
- b) has been committed in approved works, and**
- c) has been paid in mobilisation costs**

Answer:

Since the contract commenced in January 2024 until 25<sup>th</sup> October 2024 across mandatory and discretionary works a total of £5,618,618.95 has been paid to the provider for works completed to citizens' homes (with the exclusion of mobilisation costs).

- c) As of 30<sup>th</sup> October 2024, a further value of £1,910,944.92 for works to enable citizens to live independently at home, have been approved.
  
- c) The mobilisation costs have now been paid in full and this was £1m. Please note that all the assets purchased utilising this funding are assets of the council not the provider. This includes tools, vans, uniforms, IT equipment etc.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR RON STORER**

**“Disabled Facilities Grant”**

Question:

**What is the current backlog of mandatory work for disabled facilities grants, and what was it on the 1st of each month since January 2024?**

Answer:

The data has been provided below on the number of citizens where the works have not been completed within the 12 month timeframe following grant approval.

<b>Month (2024)</b>	<b>Number of citizens</b>
January	67
February	8
March	6
April	4
May	5
June	5
July	4
August	3
September	3
October	5

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR ROBERT ALDEN**

**“Day Centres”**

Question:

**Part B, Section 11.9 ii of the constitution provides that a decision cannot be implemented until the expiry of call-in period, and the s9F(4) Local Government Act 2000 provides councillors with the right to request a review of a decision of cabinet made but not implemented.**

**In its notice of decisions taken, the council states clearly that 'no action can be taken to implement a decision' until after the expiry of the call-in period, or if a call-in is received, after it has been considered.**

**Given this, and given you were notified that a request for call-in was submitted on 15 October 2024 for the cabinet decision in relation to Day Centres, why did you feel it was appropriate to issue a press release on 16 October announcing the decision to close the centres whilst it was still subject to call-in?**

Answer:

We fully understand the concern around the future of the Adult Social Care Day Centres, and it is therefore right that, once this report was published on 7<sup>th</sup> October 2024, we ensured a range of stakeholders were made aware of its detailed contents via a press release, rather than rely on speculation or rumour.

It is not unusual to be proactive with communicating information of this kind to interested parties, including citizens, carers, staff, ward members and the media, once the report is in the public domain.

The press release was not an 'action to implement the decision' to close the Day Centres. It was alerting people to information in a published report and clearly refers to the recommendations and proposals.

The press release was updated on 16<sup>th</sup> October 2024, following the Cabinet Meeting on 15<sup>th</sup> October 2024, purely to confirm Cabinet approval of the recommendations, and did not refer to subsequent implementation.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR ROBERT ALDEN**

**“Emergency Bed Provision”**

Question:

**What measures are in place for after the expiry of the contract for emergency bed provision on 30 November 2024, including details of any new contracts entered (or to be entered) into and the cost of these?**

Answer:

A procurement exercise has been completed to secure emergency bed provision from 1<sup>st</sup> December 2024, when the currently commissioned contracts expire.

Trident Reach and St Basil’s were successful in the process. We are working with both providers to understand the beds that will be made available. Both providers have also secured contracts with Adult Social Care on their vulnerable adults provision, which includes supported housing. They are currently reviewing their stock and best options for each unit of accommodation. Due to this, contracts have yet to be signed.

Initial cost for the provision, from 1<sup>st</sup> December 2024 to 31<sup>st</sup> March 2025 is £61k. Funding for 2025/26 is under review.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR DEBBIE CLANCY**

**“Renters Reform Bill”**

Question:

**What assessment has been made, and what mitigations put in place, for the possibility of a temporary spike in evictions ahead of the abolition of section 21 notices within the renters reform bill?**

Answer:

The Housing Options Team are working in partnership with the Private Rented Sector Team to provide initial advice and guidance to tenants when a S21 notice is served.

The private Rented Sector Team will check the validity of the S21 notice and will provide appropriate advice and guidance to the Landlord and Tenant to try and prevent the S21 progressing. In the unfortunate circumstances where the S21 is valid and the Landlord wishes to progress with eviction proceedings, the Tenant will be referred to the Housing Options Team to take a homeless application and try to prevent the household from becoming homeless.

The Accommodation Finding Team are currently collaborating with private landlords to procure private rented accommodation for households who are or may become homeless. Communication will be sent to all the private landlords the team currently work with to reinforce the incentives we can offer to landlords in return for them to offer their properties and prevent the issuing of S21 notices.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR GARETH MOORE**

**“BMHT grounds maintenance”**

Question:

**How many BMHT estate builds in the last ten years are still not on the grounds maintenance schedule?**

Answer:

To date 2,583 dwellings have been handed over. In many areas this will have involved multiple phases of site completions and staged handovers across a period of time. Local housing teams are currently undertaking a reconciliation of all sites based on the most recent update of schemes to confirm grounds maintenance arrangements and following completion of this exercise a breakdown will be provided confirming any dwellings not on the schedule but requiring the service.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR ADAM HIGGS**

**“Emergency Bed Provision”**

Question:

**What is the total capacity for emergency bed provision under the existing contracts expiring at the end of November, and what will contracted provision be on 1 December**

Answer:

Under current contracts the total emergency bed provision is 147 units across adult (over 25) and young persons (16-25) provision. However, due to perceived lack of move on options many citizens occupied emergency provision for longer than the expected length of stay, so the availability of accommodation on a daily basis was severely limited.

From 1<sup>st</sup> December, emergency bed provision will be at least 51 units (pending full list of placements from providers). The emergency bed provision will be available for 18-24 year olds, and those 25 and over. The provision will be for those who are rough sleeping or roofless on the day. For applicants who have temporary housing options, Housing Support and Solutions caseworkers will support to identify and access longer term accommodation.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL JUSTICE,  
COMMUNITY SAFETY, AND EQUALITIES FROM COUNCILLOR ROBERT  
ALDEN**

**“PSPO FPNS”**

Question:

**For each Public Space Protection Order in the city, how many fixed penalty notices have been issued for a PSPO breach in each year since its introduction (where a PSPO was allowed to lapse and then renewed please include data from both PSPO terms)**

Answer: **Response from Environmental Health**

	Dog Fouling (Intro. 1 <sup>st</sup> March 2014)	Dogs on Lead (Intro. 1 <sup>st</sup> March 2014)	Dog Exclusion (Intro. 1 <sup>st</sup> March 2014)	Dogs on leads by direction (Intro. 1 <sup>st</sup> March 2014)	Dog Specified maximum (walking more than 4 dogs)	City Centre Noise - New St/Temple St (Intro. 15 <sup>th</sup> August 2022)	City Centre Noise – New St/High St (Intro. 15 <sup>th</sup> August 2022)
2014	1	6					
2015	21	18	5				
2016	16	8	1				
2017	12	8	1		1		
2018	5	1	1				
2019	4	2	3		1		
2020	3	2					
2021	2	1		1			
2022	6	1		1		3	3

OFFICIAL

2023	3	1			1		6
2024	2						

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION,  
GOVERNANCE & HR FROM COUNCILLOR DARIUS SANDHU**

**“Consultants and Interims IR35”**

Question:

**Please list the total number of interims and consultants engaged by the council in the last 2 years who are**

- a) outside off-payroll working rules or self-employed for tax purposes,**
- b) inside off-payroll working rules or employed for tax purposes,**
- c) do not have any current determination on employment status for tax purposes**

Answer:

Since October 2022 we have had:

- a) 271 Interims engaged inside of IR35
- b) 102 engaged outside of IR35

All interim appointments are submitted to the IR35 Gateway Service that we contract to make a determination for BCC as to the status of the employment and whether it can correctly be classified as inside or outside of IR35 for tax purposes. Therefore, there are no contractors with nil determination.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION,  
GOVERNANCE AND HR FROM COUNCILLOR DAVID BARRIE**

**“VR and pensions”**

Question:

**Ahead of the VR trawl for budget savings, what steps were put in place to ensure that the West Midlands Pension Fund would have the capacity to cope with increase demand from BC employees?**

Answer:

At the time of the initiation of the voluntary redundancy programmes it was known that WMPF had extensive IT service issues, and this was flagged as a risk to the project itself.

By way of mitigation, contact was made with WMPF to advise them of BCC's upcoming VR Programme which may increase their volume of work. In the circumstances, WMPF did their best to service the additional requirements that BCC had with support activities such as webinars and roadshows for staff, and a detailed communication plan.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION,  
GOVERNANCE AND HR FROM COUNCILLOR DAVID PEARS**

**“Redundancy and pensions support”**

Question:

**What measures are being put in place to support staff who have taken voluntary or compulsory redundancy and have found themselves waiting for access to their pension, including if compensation will be paid to those individuals and so if this will be paid by the pension fund or the council?**

Answer:

In addition to the pension information that was set-up and located on the Staff Consultation SharePoint site during the voluntary redundancy application process, colleagues are also provided with access to the WMPF portal and direct helpline.

There have not been any compulsory redundancies.

Colleagues also have access to the BCC dedicated pension team and the Consultation Team for support.

Any redundancy related queries are flagged and treated as a priority.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION, GOVERNANCE AND HR FROM COUNCILLOR ROBERT ALDEN**

**“Sickness Absence rate”**

Question:

**What is the sickness absence rate in each directorate in each month since April 2022?**

Answer:

Please see the table below.

Area	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23
ASC	1.26	1.24	1.22	1.41	1.39	1.25	1.57	1.46	1.59	1.54	1.37	1.38	1.39	1.61
C&F	1.03	1.06	1.21	1.38	1.25	1.14	1.08	1.06	1.09	1.07	1.13	1.06	0.96	1.03
CH	0.81	0.92	1.04	1.31	1.31	1.38	1.49	1.40	1.42	1.31	1.25	1.42	1.06	1.07
CO	0.87	1.02	1.16	1.26	1.47	1.49	1.54	1.37	1.63	1.55	1.51	1.57	1.32	1.32
CM	0.71	0.74	0.84	0.98	0.91	0.92	0.94	0.91	0.92	0.91	0.86	0.88	0.78	0.70
PPS	0.26	0.41	0.41	0.60	0.85	0.98	1.07	1.01	1.02	0.65	0.48	0.67	0.47	0.59
SEP	0.38	0.20	0.26	0.77	0.94	0.54	0.29	0.27	0.53	0.41	0.58	0.68	0.66	0.38
Overall	0.86	0.92	1.01	1.18	1.21	1.19	1.27	1.19	1.28	1.21	1.15	1.20	1.05	1.08

Area	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
ASC	1.55	1.60	1.23	1.19	1.08	1.40	1.21	1.27	1.28	1.24	1.14	1.06	1.08	1.09	1.00	0.92
C&F	0.99	0.95	0.65	0.63	0.56	0.65	0.64	0.81	0.95	1.06	0.96	0.89	0.82	0.89	0.70	0.73
CH	1.06	1.11	0.98	1.01	1.21	1.41	1.19	0.99	0.98	1.07	1.01	1.10	0.93	1.00	0.85	0.94
CO	1.36	1.41	1.31	1.36	1.36	1.49	1.57	1.51	1.24	1.37	1.39	1.46	1.47	1.49	1.38	1.22
CM	0.72	0.78	0.59	0.63	0.73	0.88	0.78	0.81	0.71	0.65	0.63	0.71	0.60	0.66	0.65	0.62
PPS	0.71	0.70	0.61	0.44	0.43	0.57	0.41	0.39	0.39	0.49	0.52	0.51	0.45	0.39	0.41	0.26
SEP	0.01	0.24	0.41	0.29	0.46	0.34	0.26	0.17	0.32	0.24	0.22	0.35	0.40	0.30	0.24	0.32
Overall	1.07	1.11	0.92	0.92	0.97	1.14	1.05	1.05	0.98	1.00	0.97	1.00	0.94	0.98	0.89	0.84

OFFICIAL

CITY COUNCIL – 5 NOVEMBER 2024

**J5**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION,  
GOVERNANCE & HR FROM COUNCILLOR RON STORER**

**“IR35 penalties”**

Question:

**What is the total number and value of any penalties charged by HMRC for breaches of IR35 in each year since April 2022?**

Answer:

There have been no penalties charged to Birmingham City Council by HMRC for any breaches of IR35 in any tax year since April 2022.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION,  
GOVERNANCE AND HR FROM COUNCILLOR EWAN MACKEY**

**“Sickness Absence patterns”**

Question:

**What is the average sickness absence rate on each normal weekday (Monday-Friday) since April 2022?**

Answer:

Monday	2.73
Tuesday	2.84
Wednesday	2.84
Thursday	2.85
Friday	2.82

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION,  
GOVERNANCE AND HR FROM COUNCILLOR DEIDRE ALDEN**

**“Sickness Absence around bank holidays”**

Question:

**What was the sickness absence rate on the day immediately before and the day immediately after each bank holiday weekend since April 2022?**

Answer:

Since April 2022 the average absence rate before a Bank Holiday is 368 absences/0.9% of work force and after a Bank Holiday 388 absences/0.95% of workforce.

Bank Holidays	Day Before BH	Day After BH	SUM of Absence Day Before BH	SUM of Absence Day After BH
15/04/2022	14/04/2022	16/04/2022	136	95
18/04/2022	17/04/2022	19/04/2022	94	116
02/06/2022	01/06/2022	03/06/2022	248	209
03/06/2022	02/06/2022	04/06/2022	240	217
02/08/2022	01/08/2022	03/08/2022	394	422
29/08/2022	28/08/2022	30/08/2022	333	364
19/09/2022	18/09/2022	20/09/2022	371	427
26/12/2022	25/12/2022	27/12/2022	364	361
27/12/2022	26/12/2022	28/12/2022	359	400
02/01/2023	01/01/2023	03/01/2023	367	448
07/04/2023	06/04/2023	08/04/2023	413	371
10/04/2023	09/04/2023	11/04/2023	361	397
01/05/2023	30/04/2023	02/05/2023	382	410
08/05/2023	07/05/2023	09/05/2023	393	446
29/05/2023	28/05/2023	30/05/2023	402	438
28/08/2023	27/08/2023	29/08/2023	430	455
25/12/2023	24/12/2023	26/12/2023	461	451
26/12/2023	25/12/2023	27/12/2023	453	478

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION,  
GOVERNANCE AND HR FROM COUNCILLOR CLIFTON WELCH**

**“Sickness Absence around bank holidays”**

Question:

**Since April 2022 how many sickness absence triggers have been met under the under the trigger policy criteria “pattern of absence i.e, consistently absent after holidays, or significant amounts of same day absence”**

Answer:

We do not hold this information.

OFFICIAL

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSFORMATION,  
GOVERNANCE AND HR FROM COUNCILLOR ALEX YIP**

**“JE Milestones”**

Question:

**For each of the milestones in the Job Evaluation Programme please state**

- a) how many of the 200 benchmark roles have now been evaluated**
- b) how many of the c.2000 non-benchmark roles have been reviewed by managers**
- c) how many out of how many of the JDQ workshops for non-JDQ roles have now been completed**
- d) how many of the c.2000 non-benchmarking roles have now been evaluated**

Answer:

- a) 122 roles have been sent for evaluation to West Midlands Employers and we anticipate 155 will be completed by w/c 4<sup>th</sup> November. A further 23 have had to be 'paused' as directorate level consultations progress.
- b) 155 roles have been evaluated in the last 3 months which cover many benchmark roles and a further 135 have been evaluated relating to service redesigns, we believe this work has lowered the identifiable number of non-benchmark roles to be evaluated across the whole council considerably to circa 1200, from a starting position of over 3000 roles.

A high number of those 1200 remaining roles are likely to be updated and replaced with Directorates undertaking further service re-design work for the 25/26 financial year.

- c) How many out of how many of the JDQ workshops for non-JDQ roles have now been completed - please see description above.
- d) How many of the c.2000 non-benchmarking roles have now been evaluated - please see description above.

OFFICIAL

**WRITTEN QUESTION TO THE CHAIR OF CORPORATE AND FINANCE  
OVERVIEW AND SCRUTINY COMMITTEE FROM COUNCILLOR ADRIAN  
DELANEY**

**“Call-in refusal”**

Question:

**What was the constitutional reason for not allowing the request for call-in by Cllrs Clements and Barker (city centre PSPO) to be heard at scrutiny, given it had been marked as eligible for call-in on the decision report?**

Answer:

Under the Constitution, it is the responsibility of the Monitoring Officer in consultation with the Chair of Corporate and Finance Overview & Scrutiny Committee, to determine if a Request is in accordance with the criteria (set out below) specified in Rule 11.9 “Request for Call-In” and “Call-In of Part B Roles, Functions and Rules of Procedure of the BCC Constitution.

A decision was taken that the constitutional criteria for the City Centre Consultation PSPO call-in was not met for the following main reasons:

1. The Decision was within existing Policy and was well founded
2. The Call-In was premature as the decision is only to consult
3. Any delay in the consultation puts the renewal of the PSPO at risk as it expires in January 2025

Call-In Criteria

**(a) Is the Executive decision within existing policy?**

1. the decision appears to be contrary to the Budget or one of the ‘policy framework’ plans or strategies;
2. the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;
3. the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);

**(b) Is the Executive Decision well-founded?**

4. the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;
5. the Executive appears to have overlooked some relevant consideration in arriving at its decision;

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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;
7. 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.

(c) Has the Executive decision been properly taken?

8. the decision appears to give rise to significant governance, legal, financial or propriety issues;
9. the notification of the decision does not appear to have been in accordance with council procedures.

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CITY COUNCIL – 5 NOVEMBER 2024

**WRITTEN QUESTION TO THE CHAIR OF CORPORATE AND FINANCE  
OVERVIEW AND SCRUTINY COMMITTEE FROM COUNCILLOR ADRIAN  
DELANEY**

**Planning decision and portals**

**Question:**

**I was recently shocked to discover the planning inspectorate overturned a decision made by the planning department – although the planning department decision correctly relied on the 3Bs Neighbourhood Plan as well as city policies. I was even more disturbed to find this out after works began, meaning the decision had been made four months earlier. Although I made a submission to the inspectorate, I and others received no notification of the decision, and this denied the community the chance of seeking a judicial review of the decision. I am not sure who is responsible for notifying the interested parties. However, I then discovered that progress of appeals is not being logged on the Council’s main planning portal (which the 3Bs forum and I had been monitoring). Instead, there is a completely separate portal of which I was unaware.**

**Will the chair ensure the integration of these two portals bring transparency to the appeal process?**

**Answer:**

When a planning appeal is made to the Planning Inspectorate, we (BCC) notify individuals who have previously commented or objected, offering a further chance to make comments to the Planning Inspectorate directly. From that point on, the appeals process is administrated by the Inspectorate and the appeal can be tracked via the Planning Inspectorate's website. Once the decision is made by the Inspectorate, it is forwarded to the local authority, after which we upload it to our planning appeal module along with the relevant appeal decision document.

In relation to the BCC process, the progress of appeals is not logged on the Council’s main planning portal. This is due to the separation of systems: the Council’s planning portal and the Council’s planning appeal portal are distinct modules within our internal systems, each with different requirements and

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therefore, unfortunately they have to be logged separately. The current setup does not allow for automatic integration of appeal progress updates on the Council's planning portal.

We understand this separation may cause inconvenience, and we are committed to exploring options to improve communication and transparency for the community, namely through the work on our new planning back-office system. In the interim, the Head of Enforcement, Householder & Technical Services already sends appeal decision to Planning Committee members and with immediate effect will expand this so all members receive all appeal decisions.

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CITY COUNCIL – 5 NOVEMBER 2024

**WRITTEN QUESTION TO THE CHAIR OF TRUSTS AND CHARITIES COMMITTEE FROM COUNCILLOR EWAN MACKEY**

**“Charity returns”**

Question:

**For each charity for which the council is trustee please state the date the latest annual return, accounts, and trustees annual report was submitted to the charity commission (or state where either one of these returns is not required for that charity)**

Answer:



BCC%20as%20Trustee%20-%20Trust%20a

Every registered charity with annual income above £10,000 must submit an Annual Return to the Charity Commission each year.

Those with a gross income over £25,000 must also submit the Trustees' Annual Report and an independently examined or audited set of accounts.





# Birmingham City Council

## Report to City Council

3 December 2024



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<b>Title:</b>	<b>SENIOR OFFICER RESTRUCTURE - AMENDMENT TO CONSTITUTION; PART E SCHEME OF DELEGATIONS</b>
<b>Lead Cabinet Portfolio:</b>	Councillor Rob Pocock, Cabinet Member for Transformation, Governance and HR
<b>Relevant Overview and Scrutiny Committee:</b>	Corporate and Finance Overview and Scrutiny Committee
<b>Report Author:</b>	Julia Lynch, Assistant Director Legal Services - Litigation Law & Deputy Monitoring Officer  Legal and Governance
<b>Authorised by:</b>	Marie Rosenthal, City Solicitor & Monitoring Officer  Legal and Governance
<b>Is this a Key Decision?</b>	No
<b>If this is a Key Decision, is this decision listed on the Forward Plan?</b>	Not Applicable
<b>Reason(s) why not included on the Forward Plan:</b>	Not Applicable
<b>Is this a Late Report?</b>	No
<b>Reason(s) why Late:</b>	Not Applicable
<b>Is this decision eligible for 'call in?'</b>	No
<b>If not eligible, please provide reason(s):</b>	Not Applicable

**Wards:** Not Applicable

**Does this report contain exempt or confidential information?** No

**Has this decision been included on the Notification of Intention to consider Matters in Private?** No

**Reasons why not included on the Notification:** Not Applicable

## **1 EXECUTIVE SUMMARY**

- 1.1 Council constitutions provide a framework within which people can understand their own responsibilities, and the responsibilities of others. They allow decision-making, within a democratically elected body, to be consistent, accountable and transparent. They facilitate strong, effective relationships.
- 1.2 This report sets out proposed amendments to Part E of the Council's Constitution, Scheme of Delegations, and asks Full Council to approve the changes.

## **2 COMMISSIONERS' REVIEW**

- 2.1 Commissioners have no observations on this report.

## **3 RECOMMENDATIONS**

### **That Council**

- 3.1 Approves the proposed revisions to Part E of the Constitution, as detailed in Appendix 1 and the structure chart in Appendix 2.

## **4 KEY INFORMATION**

### **Context**

- 4.1 Section 37 of the Local Government Act 2000 (as amended by the Local Government Act 2011) requires the Council to prepare, keep up to date and publicise a Constitution, with an annual review. This sets out how the Council operates, how decisions are made and the procedures to be followed to ensure these are efficient, transparent and accountable. Some of these processes are required by law, and others are processes which the Council has chosen.
- 4.2 Responsibility to monitor and review the operation of Birmingham City Council's Constitution is set out in Part A of the Constitution under the Review, Revision and Suspension of the Constitution.
- 4.3 Officer designations in the scheme of delegation have been revised to reflect recent changes to the Chief Officer structure, which redefines Strategic Directors as Executive Directors, deletes the positions of Director of Strategy, Equality and Partnerships and Chief Operating Officer, creates the positions of Deputy Chief Executive and Executive Director of Corporate Services, Executive Director of HR, Organisation Development and Payroll and redefines other roles.
- 4.4 A structure chart will be included within the Constitution, as detailed in appendix 2.

## **5 RISK MANAGEMENT**

- 5.1 Based on the recommendations in this report there are no risk management implications.

## **6 IMPACT AND IMPLICATIONS**

### **Finance**

- 6.1 Based on the proposals outlined in this report, there are no additional financial implications.

### **Legal**

- 6.2 A local authority is under a duty to prepare and keep up to date its constitution under section 9P Local Government Act 2000 as amended. The Constitution must contain a) The Council's standing orders/ procedure rules. b) The Members' Code of Conduct c) Such information as the Secretary of State may direct. d) Such other information (if any) as the authority considers appropriate.

### **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, and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.4 An up-to-date Constitution will help ensure decisions contribute to the advancement of equality and good relations and demonstrate that the Council is paying due regard in our decision making in the design of policies and in the delivery of services.

### **People Services**

- 6.5 Chief Officers with delegations within the amended scheme will need to ensure that they are acting within their delegated powers and that they are familiar with their roles and responsibilities. Some support from people services may be required to clarify the new Senior structure and the functions and services that sit within the redefined directorates.

## **7 APPENDICES**

- 7.1 Appendix 1: Part E Scheme of Delegations
- 7.2 Appendix 2: Structure Chart

## **8 BACKGROUND PAPERS**

None.

ENDS





# **Birmingham City Council Constitution**

**Part E – Scheme of Delegations**

**December 2024**

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## **E1. SUMMARY AND EXPLANATION**

1. Each Chief Officer has a number of delegations which are set out below. The following sections set out the delegations to officers:
  - Officer delegated decision making – setting out general notes on the parameters of the delegations and the process for taking officer delegated decisions;
  - Financial delegations to Chief Officers – setting out the financial and governance delegations to all Chief Officers;
  - Functional Delegations to each of the Chief Officers.
2. Each of these may be supplemented by a Scheme of Sub-Delegations.

## **E2. OFFICER DELEGATED DECISION MAKING**

### **2.1 General Notes**

1. All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.
2. The exercise of a delegated power, duty or function shall:
  - (i) be subject to the City Council's Policy Framework and/or Budget;
  - (ii) be subject to the requirements of the Constitution including the Council Procedure (B4), Executive Procedures (B6) Financial Procedure Rules (Part D), Procurement and Contract Governance Rules (Part D) Corporate Standards (C1) and any delegations contained therein.
3. An officer to whom a power, duty or function is delegated may authorise another officer to exercise that power, duty or function, subject to the requirements that follow:
  - (i) such authorisations shall be in writing and shall only be given to an officer over which the officer with the original delegated power etc. has control;
  - (ii) such authorisations should only be given where there is significant administrative convenience in doing so;
  - (iii) the officer authorised by the other should act in the name of the officer who received the original delegation;
  - (iv) no authorisation may be given if the statute or the law prohibits it.

Authorisations of this kind should not be considered to be the norm but used only in appropriate circumstances and after careful thought. There can be no additional such delegation.

Any mis-categorisation of a delegation as being Executive, non-Executive or anything else shall not invalidate the delegation.

4. References to any Act, Regulation, Order or Byelaw shall be construed as including any re-enactment or re-making of the same, whether or not with amendments.
5. Any reference to any Act of Parliament includes reference to Regulations or subordinate legislation upon which either UK legislation is based, or from which powers, duties and functions of the Council are derived.
6. Where the exercise of powers is subject to prior consultation with another officer, that officer may give his or her views in general terms in advance to apply to any particular circumstances, to remove the need for consultation for each proposal.
7. Subject to any express instructions to the contrary from the delegating body, any power to approve also includes the power to refuse, and the power to impose appropriate conditions.
8. Delegations to officers are subject to:
  - (i) The right of the delegating body to decide any matter in a particular case;
  - (ii) The officer may, in lieu of exercising his/her delegated power, refer to the delegating body for a decision; and
  - (iii) Any restrictions, conditions or directions of the delegating body.
9. In exercising delegated powers, the officer shall:
  - (i) Take account of the requirements of this Constitution and shall address all legal, financial and other professional safeguards as if the matter were not delegated;
  - (ii) Shall exercise the delegation so as to promote the efficient, effective and economic running of that Directorate and the Council, and in furtherance of the Council's visions and values; and
  - (iii) Where and when appropriate, report back to the appropriate delegating body as to the exercise of those delegated powers.
10. Except where otherwise expressly provided either within the Scheme of Delegation or by resolution of the delegating body, the exercise of any delegated power, duty or function is subject to having the appropriate and necessary budgetary provision in place to take the action in the name of and/or on behalf of the Council.
11. Save in respect of any statutory roles that are not capable of delegation, any power conferred on a subordinate officer shall be exercisable by the Director.
12. The Scheme of Delegations is maintained by the Director of Legal (Monitoring Officer), and delegations are added to it as they are made by delegating bodies. Officers should take care to inform themselves of any subsequent changes to the Scheme before solely relying on this document.
13. The Director of Legal (Monitoring Officer) shall have the power to amend the Scheme of Delegations to reflect re-organisations, changes in job titles and vacancies, where said changes result in re-distributing existing delegations and not the creation of new ones.
14. Any post specifically referred to in the Scheme of Delegations shall be deemed to include any successor post, or a post which includes within the job description, elements relevant to any

particular delegation, which were also present in the earlier post and shall include anyone acting up or seconded. Any power contained within this Scheme in anticipation of any reorganisation may be exercised in accordance with the preceding Scheme to the date of that reorganisation.

15. Any reference to a Committee, Panel or Sub-Committee shall be deemed to include reference to a successor Committee or Sub-Committee provided that the subject matter of a particular delegation can be found within the terms of reference of both the earlier and the successor Committee or Sub-Committee.
16. Where a power or duty is delegated to an officer, and the exercise of that power or duty is contingent upon the opinion of the Council that particular conditions or factual circumstances exist, then the officer in question has the power to determine whether or not those circumstances exist or those conditions have been fulfilled in the name of and with the authority of the Council.
17. All enquiries about the Scheme of Delegations should be made to the Director of Legal (Monitoring Officer).
18. All matters of interpretation of this document will be determined by the Director of Legal (Monitoring Officer).
19. If a matter is delegated to an officer, but that delegation cannot be implemented, that should be reported to the delegating body.
20. Functions, matters, powers, authorisations, delegations, duties and responsibilities etc within this Scheme shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of anything specified.
21. Non-executive functions are specified in Schedules 1 and 2 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended. Any function that is not therefore specified must be assumed to be executive.
22. Advice on procedures and matters to be taken into account in exercising officer delegated powers, is set out in the guidance on decision-making issued by the Director of Legal (Monitoring Officer).
23. For the avoidance of doubt, where a power or duty delegated under this scheme includes at source a power to recover costs, fees or charges, the delegation shall include the power to take all necessary action to recover such fees cost or charges by way of civil debt or otherwise and shall be without prejudice to any other power to charge or recover costs that the Council may have under legislation.
24. Where there is doubt over the responsibility for the exercise of the delegated power, the Managing Director or his or her nominee is authorised to act.

## **2.2 Process and Recording of Delegated Decisions**

Officers should ensure that delegated powers are exercised in accordance with relevant Council policies and procedures and also put appropriate systems in place for recording the exercise of delegated powers in the following manner and circumstances:

- (i) All decisions with a value of £50,000 or more made by Officers under delegated powers should be recorded in writing and a single copy for each Directorate produced to the Managing Director and the Leader/Deputy Leader on the 30<sup>th</sup> September and 31<sup>st</sup> March of each year.
- (ii) Additionally, all decisions taken by Cabinet Members (based on a written report by the Chief Officer) should be recorded using the prescribed template. These decisions are only effective and actionable when posted on the Council's website by Committee Services and following the call-in process.

## **E3. DELEGATIONS TO CHIEF OFFICERS<sup>1</sup>**

### **3.1 Summary**

The Council, its Committees and the Executive will make decisions on matters of significant policy. The Managing Director and Directors are given express authority to take all necessary actions to implement Council, Committee and Executive decisions that commit resources within agreed budgets in the case of financial resources, as set out below.

In relation to all delegated authorities conferred on Chief Officers, the Managing Director may allocate or reallocate responsibility for exercising particular powers in the interests of effective corporate management as he or she thinks fit.

Chief Officers may take all routine and day-to-day operational service decisions within agreed policies provided they are met from within overall approved budgets in relation to the services for which they are responsible, subject to any other requirements imposed by the Constitution.

Chief Officers may take all decisions necessary to give effect to implement the contents of any approved Policy Framework plan, in relation to the services for which they are responsible, and within agreed budgets in the case of financial resources, as necessary and appropriate.

### **3.2 General Delegations**

The Managing Director and Chief Officers have the following delegated powers in respect of all matters which are not “key decisions” and not reserved for decision by the Council or by a Committee of the Council:

- (i) To make decisions and approve expenditure relating to the functions of their Directorate providing that:
  - The sum expended is within the approved budget for the Directorate and/or relevant portfolio, and
  - The amount in relation to any single matter does not equal or exceed £200,000 or
  - The amount in relation to any single matter that is at or above £200,000 and below £500,000 (revenue) or £1m (capital) is a Cabinet Member(s) decision (based on a written report from the Chief Officer).
  - The requirements of the Financial Approvals Framework in this Constitution and other requirements in the Constitution are complied with.
- (ii) Determine employment matters relating to staff including all changes to staffing structures below JNC level and the annual implementation of the contractual pay increment system. These powers will not include changes to terms and conditions of

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<sup>1</sup> Chief Officers are those officers reporting to the Managing Director of Legal (Monitoring Officer), Director of Public Health and all Executive Directors).

employment (the Birmingham Contract) or additional payments to any individual member of staff above the general financial threshold delegated to officers (£200k).

- (iii) To approve tender strategies and award contracts in accordance with the Procurement Governance Arrangements where the supplies, materials, or services to be purchased or the works to be executed are between the Procurement Threshold (see Procurement and Contract Governance Rules set out in Part D of the Constitution) and £10,000,000 in value, over the contract length.
- (iv) Where no other viable alternative exists to approve contract extensions, where no extension option in the contract exists, in accordance with the Procurement Governance Arrangements where the supplies, materials, or services to be purchased or the works to be executed do not exceed £500,000.
- (v) To write off any individual debts of income (including any associated court costs and bailiffs' fees) within their service directorate responsibility, and after consultation with the Executive Director of Finance (s.151 Officer), up to the sum of £25,000 per individual or organisation, which in the opinion of the Director of Finance (s.151 Officer) is considered to be uneconomical to collect or is irrecoverable. *All individual debts above this amount can only be written off by the Executive Director of Finance (s.151 Officer).*
- (vi) The Managing Director and Chief Officers have delegated authority to approve and make payments in connection with the duties of the council where it holds monies in the capacity of an "Accountable Body". In all such cases where the Council is the Accountable Body, the Managing Director or any Chief Officer has authority to make lawful payments in compliance with the terms under which the Council holds monies as the Accountable Body and in accordance with any requirements approved by the Council as Accountable Body, up to but not exceeding the total amount held under each agreement with the grant giver.
- (vii) The Managing Director has all the above delegated authority in respect of all executive and non-executive expenditure, and as may be necessary, determine which Directorate discharges any particular Council function if this is not clear.

#### **Managing Director and the Executive Director of Finance (s.151 Officer)**

- (viii) The Managing Director and the Executive Director of Finance (s.151 Officer) may exercise voting rights at general meetings of companies of which the Council is a member or by written resolution and may take any necessary action to protect, safeguard and effectively manage the Council's interest in such companies.
- (ix) The Managing Director and the Executive Director of Finance (s.151 Officer) together (and no other Director) without financial limit have the following additional powers to make decisions in relation to:
  - All future forms of indemnity on behalf of the Council including the signing of certificates under the Local Government (Contracts) Act 1997.
  - The Council's loan and investment portfolios in accordance with the statutory borrowing limits determined by the Council and the Council's Treasury Policy

Statement and Management Strategy as approved from time to time by the Council and all such decisions are exempt from the reporting requirements.

- Trust fund and accountable body investments;
- Banking arrangements including opening bank accounts and credit card facilities;
- Non land and building leases;
- The application for financial assistance to the City Council and the authorisation of any grant claims;
- The administration of the Housing Rents, Council Tax and Housing Benefit systems and the collection of Community Charge, Council Tax, Housing Rents and Non-Domestic Rates (including setting Non-Domestic rates and applications for relief or reduction in accordance with the criteria and policy guidance approved from time to time by the Cabinet);
- Matters relating to the transfer of pension rights.

#### **Managing Director and the Executive Director of Place, Prosperity and Sustainability**

- (x) The Managing Director and the Executive Director of Place, Prosperity and Sustainability have the following additional powers to make decisions in relation to:
- The acquisition and disposal of leasehold interests for rent (including the granting and surrendering of any rights over such land and property) provided that any rental does not exceed £200,000 p.a.;
  - The acquisition and disposal of freehold and leasehold interests at a premium, provided that the premium does not exceed £1,000,000;
  - The management of all of the Council's land and properties, including the authorising and payment of discretionary contributions towards trade/loss and or removal expenses and all payments due under an approved Compulsory Purchase Order, provided that the cost does not exceed £200,000;
  - Save that land and property held by the Council as Trustee shall be the responsibility of the Trusts and Charities Committee.

#### **Executive Director of Place, Prosperity and Sustainability, Executive Director of Finance (s.151 Officer) and Director of Legal (Monitoring Officer)**

- (xi) The Leader and Cabinet Member, Finance, jointly with the Executive Director of Place, Prosperity and Sustainability, Executive Director of Corporate Services and the Director of Legal (or their delegates as set out in the Scheme of Sub-Delegations) have the following additional powers to make decisions in relation to the approval of acquisitions to, and disposals from, the Investment Property portfolio up to a limit of £25m in any one transaction.

- (xii) These decisions will take the form of Cabinet Member decisions based on written reports from Chief Officers and as such are subject to the provisions in Part B6.5 of the Constitution.

#### **Director of Legal (Monitoring Officer)**

- (xiii) The Director of Legal (Monitoring Officer) may exercise all proper Officer and any other functions of the Council which do not fall within the Directorate or budget responsibility of a Director and has the powers set out in the Legal Proceedings section of the Constitution.

#### **Executive Director of Children and Families**

- (xiv) The Executive Director of Children and Families (and in their absence the Director of Finance (s.151 Officer)) has the authority to authorise and approve the completion of (but not limited to) the grant of long term leases, commercial transfer agreements and any other ancillary documentation relating to the changing status of schools pursuant to the Academies Act 2010 or any associated legislation relating to the changing status of schools, as well as requesting the making and varying of Instruments of Government for maintained schools, subject to the agreement of the Director of Legal (Monitoring Officer)

### **3.3 Emergency Plan/Business Continuity**

- (i) Chief Officers and Statutory Officers (or deputising officers) are empowered to authorise all necessary actions in relation to disasters and emergencies as designated under the Council's Emergency Plan when activated; or under Business Continuity Plans in the event of a business continuity disruption.
- (ii) In the event of the Emergency Plan being activated, and following action taken, the Chief Officer must notify the Executive Director of Finance (s.151 Officer) in writing of the circumstances and estimated financial impact and report formally to the relevant Cabinet Member or, for non-executive matters, to the next available meeting of the relevant committee.
- (iii) The principles of decision-making set out in Part B3.2 will apply.

## E4. MANAGING DIRECTOR

### 4.1 Overall Responsibility

The Managing Director shall be the Head of Paid Service and be provided by the authority with such resources as s/he deems necessary to perform that role. The Head of Paid Service shall have overall corporate management and operational responsibility for the way in which the organisation delivers its services.

### 4.2 Emergency Reports

Part B6.6 of the Constitution provides that the Managing Director may make decisions that are of special urgency.

The Managing Director may decide that a special urgency situation arises when:

- (i) A decision **must** be made before the next scheduled meeting of the Cabinet; or
- (ii) A recommendation to the Cabinet should be implemented prior to the next scheduled meeting of the Cabinet by which it could be approved.

In either case, if the Managing Director is satisfied that the making of the decision is urgent and cannot reasonably be deferred then the following shall apply:

#### *Urgent Key Decisions*

Where the decision is a “key decision” pursuant to B3.1 vi) the Managing Director, (or may designate a Chief Officer) shall follow the procedures set out below to obtain agreement that the making of the decision is urgent and cannot be reasonably deferred:

- (i) Consult with the Leader of the Council; and
- (ii) Seek the consent of the Chair of the relevant Overview and Scrutiny Committee; or
- (iii) if there is no such person, or if the Chair of the relevant Overview and Scrutiny Committee is unable to act, the Lord Mayor (or in their absence the Deputy Lord Mayor).
- (iv) inform the Leaders of the main Opposition Groups.

As soon as is reasonably practicable after the Managing Director, or delegated Chief Officer, has obtained agreement pursuant to (i) – (iii) above they must:

- (i) Make available at the Council offices a notice setting out the reasons that the decision is urgent and cannot be reasonably deferred; and
- (ii) Publish that notice on the Council's website.

Further:

- (i) that the Managing Director, or designated Chief Officer, before making a decision shall consult with the Director of Legal (Monitoring Officer) and the Executive Director of Finance (s.151 officer) or their nominated deputies;

- (ii) that a record of all decisions made or recommendations implemented, together with the consultations referred to above shall be published on the Council's website within 10 working days; and
- (iii) that any decisions made or recommendations implemented under this provision shall be reported to the next scheduled meeting of the Cabinet (for noting).

#### *Urgent Non-Key Decisions*

Where the decision is not a "key decision" pursuant to B3.1 vi) the Managing Director shall have the power (or may designate a Chief Officer who will then have power) to determine the question or matter or to implement the recommendation (as the case may be) in the name of and without further reference to the Executive.

The exercise by the Managing Director, or designated Chief Officer, of any powers under this delegation shall be subject to the following conditions:

- (i) that the determination of the question or other matter or implementation of the recommendation is capable of determination under law in this manner;
- (ii) that the Managing Director, or designated Chief Officer, before making a decision shall consult with the Leader of the council and inform the Leaders of the two main Opposition Groups;
- (iii) that the Managing Director, or designated Chief Officer, before making a decision shall consult with the Director of Legal (Monitoring Officer) and Executive Director of Finance (s.151 Officer) or their nominated deputies;
- (iv) that a record of all decisions made or recommendations implemented, together with the consultations referred to in (ii) and (iii) above shall be published on the Council's website within 10 working days; and
- (v) that any decisions made or recommendations implemented under this provision shall be reported to the next scheduled meeting of the Cabinet (for noting).

Each Chief Officer (in their service area) and Director of Legal (Monitoring Officer) (all areas) may exercise the powers of the Managing Director in the event of his/her incapacity, absence or unavailability.

### **4.3 Immediate Implementation**

If the interests of the Council are jeopardised unless an executive decision is implemented immediately then the Managing Director in consultation with the Leader (or Deputy Leader in his/her absence) and subject to the consent of the Chair of the relevant Overview and Scrutiny Committee, or in the relevant Chairs absence the Lord Mayor, for key decisions; may designate such executive decision as so urgent that its implementation cannot wait until the expiry of the call-in period.

The exercise of such power shall be clearly noted on the record of the decision.

In such circumstances the Leaders of the two main Opposition Groups will be notified.

#### **4.4 Extraordinary Meetings**

The Managing Director and the Director of Legal (Monitoring Officer) acting together may call an extraordinary meeting of the Council (see Part B4.4C). The Director of Legal (Monitoring Officer) shall, in calling an Extraordinary Meeting of the Council, restrict the business on the summons to that required by law, any matter or matters that the Managing Director, Monitoring Officer or Executive Director of Finance (s.151 Officer) wish to raise and the business for which the Extraordinary Meeting has been called.

#### **4.5 Executive Functions**

In the event of the Emergency Plan being activated, the Managing Director (or deputising officer) is empowered to authorise all necessary actions as the Local Authority Strategic Commander. All authorities relevant to the management of the incident are delegated to duty officers as set out in the plan.

#### **4.6 Non-Executive Functions**

The Managing Director is authorised to discharge the following non-Executive functions:

- The appointment, termination and disciplinary arrangements of Officers who are not Chief Officers or Deputy Chief Officers (other than assistants to political groups) in line with the Council's normal recruitment, disciplinary and termination policies;
- Community Governance: proposals for a change in governance arrangements or complying with a duty to make a change in governance arrangements, approving the proposals, deciding whether the change should be subject to approval;
- Reorganisation orders implementing recommendations of a community governance review.

#### **4.7 Local Choice Functions**

The Managing Director is authorised to discharge the following Local Choice Functions which have been assigned to full Council and Cabinet (see Part B2 of the Constitution):

- To appoint any individual to any office other than an office in which he is employed by the authority and to revoke any such appointment:
  - to the extent that appointments are to outside bodies in connection with functions which are the responsibility of the Executive (Cabinet)
  - to the extent that appointments are not the responsibility of the Executive (Full Council).
- To make agreements with other local authorities for the placing of staff at the disposal of those other authorities (Cabinet).

## **E5. DEPUTY CHIEF EXECUTIVE**

### **5.1 Summary**

The Deputy Chief Executive leads the Directorate.

### **5.2 Non Executive Functions**

The Deputy Chief Executive is authorised to discharge the following functions:

1. Joint coordination and production of the Council's Corporate Plan (with the Executive Director of Finance (s.151 Officer)).
2. Member development.

### **5.3 Executive Functions**

The Deputy Chief Executive is authorised to discharge the following functions:

3. Insight, policy, strategy, and partnerships, including:
  - (i) Strengthening the Council's use of evidence to generate insight, inform decision making and drive improvements across services;
  - (ii) Developing the Council's policy agenda;
  - (iii) Promotion of collaborative working with stakeholders and partners, including the West Midlands Combined Authority and Core Cities;
  - (iv) Strengthening the Council's approach to public participation;
  - (v) Third sector partnership and engagement.
4. Tackling inequality, promoting equality within the community and compliance with the Council's equality duties.
5. Corporate communications services, including:
  - (i) the council's communications strategy and policy;
  - (ii) internal and external communications; and
  - (iii) Press and media relations.
6. Setting, supporting and monitoring the council's policies and procedures for managing performance and service improvement.
7. Assurance, Internal Audit and Risk.

## **E6. EXECUTIVE DIRECTOR OF FINANCE (S.151 OFFICER)**

### **6.1 Summary**

The Executive Director of Finance (s.151 Officer) is the responsible officer for the proper administration of the Council's financial affairs under the Local Government Act 1972, Section 151. The Executive Director of Finance (s.151 Officer) Protocol is set out in Part D of this Constitution.

### **6.2 Section 151 Officer Functions**

The Executive Director of Finance (s.151 Officer) is authorised to take all action as is necessary or expedient to fulfil the statutory obligations under Section 151 Local Government Act 1972.

1. Ensuring effective financial management and controls, including:
  - Reporting on the robustness of the Council's financial plans;
  - Managing the Council's borrowing and investment requirements;
  - Managing and monitoring the Council's revenue budget and capital programme;
  - Preparation and closure of the Council's financial accounts;
  - Managing the Council's tax affairs; and
2. Setting, supporting and monitoring the council's policies and procedures for managing:
  - Budgets;
  - Risk management.
3. To make standing orders in relation to Finance and contracts.<sup>2</sup>
4. Setting, supporting and monitoring the council's policies and procedures for managing:
  - Procurement and Purchasing;
  - Contract management;
  - Business Charter for Social Responsibility;

### **6.3 Non-Executive Functions**

The Executive Director of Finance (s.151 Officer) is authorised to discharge the following Council (non- executive) functions:

1. Joint coordination of the Council Plan (with the Deputy Chief Executive).
2. Revenues, Benefits and Rents services including:
  - Council tax processing and billing arrangements;
  - Local Council Tax Support and recoverability of excess Council Tax Support payments;
  - National non domestic rates;
  - Local hardship schemes;
  - Housing benefit, including recoverability of overpayments, and education benefit services;

- Financial and social inclusion initiatives;
- Collection of Housing Rents.

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<sup>2</sup>Section 106 of, and paragraph 42 of Schedule 12 to the Local Government Act 1972 and Section 135 of the Local Government Act 1972

## **E7. EXECUTIVE DIRECTOR OF HR, ORGANISATION DEVELOPMENT AND PAYROLL**

### **Executive**

The Executive Director of HR, OD and Payroll is authorised to discharge the following functions:

1. Setting, supporting and monitoring the council's policies and procedures for managing human resources and effective organisational development (including Occupational Health, Safety and Wellbeing).

### **Non-Executive**

2. Employment of staff and terms and conditions.
3. Functions relating to local government pensions, including:
  - To make arrangements to consider and determine employee appeals in relation to grievances, grading and dismissal
  - To determine employee terms and conditions
  - To make standing orders in relation to Officer Employment.

## E8. DIRECTOR OF LEGAL (MONITORING OFFICER)

### 8.1 Executive Functions

The Director of Legal (Monitoring Officer) is authorised to take any action intended to give effect to a decision of the Council (including decisions taken by a Council committee in accordance with its terms of reference or by a Director in accordance with this scheme of delegation).

The Director of Legal (Monitoring Officer) is authorised to institute, defend or participate in any legal proceedings or settle (up to the value of £500,000), if appropriate, any actual or threatened legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Director of Legal (Monitoring Officer) considers that such action is necessary to safeguard and protect the Council's interests. Decisions above this financial threshold will be made by the Director of Finance (s.151 Officer) and/or the Managing Director in consultation with the Director of Legal (Monitoring Officer).

### 8.2 Non-Executive Functions: Monitoring Officer

The Director of Legal is the Monitoring Officer for the Council. The Monitoring Officer is a statutory appointment and provides advice to protect and safeguard the Council. The functions are summarised below.

	<i>Description</i>	<i>Source</i>
a)	Report on contraventions or likely contraventions of any enactment or rule of law	Section 5 and Section 5A Local Government and Housing Act 1989
b)	Report on any maladministration or injustice where Ombudsman has carried out an investigation	Section 5 and Section 5A Local Government and Housing Act 1989
c)	Appointment of Deputy	Section 5 and Section 5A Local Government and Housing Act 1989
d)	Report on resources	Section 5 and Section 5A Local Government and Housing Act 1989
e)	Receive copies of whistleblowing allegations of misconduct	Public Interest Disclosure Act 1998 and Whistleblowing Code of Practice
f)	Arrange investigations of complaints of any Member misconduct	Section 28 Localism Act 2011
g)	Establish and maintain registers of Members' interests and gifts and hospitality	Section 29 Localism Act 2011 and Code of Conduct for Members
h)	Advise on disclosable pecuniary interests	Section 30 Localism Act 2011
i)	Advise on sensitive interests	Section 32 Localism Act 2011
j)	Grant of dispensations re: restrictions on Members' participation in meetings	Section 33 Localism Act 2011
k)	Advice to Members on interpretation of Code of conduct for Members	Section 28 Localism Act 2011 and Code of Conduct for Members

	<b>Description</b>	<b>Source</b>
l)	New ethical framework functions in relation to Parish Councils	Section 27 Localism Act 2011
m)	Compensation for maladministration	Section 92 LGA 2000
n)	Advice on vices issues, maladministration, probity and policy framework to all Members	DCLG guidance
o)	Advise on any indemnities and insurance issues for Members / Officers	Section 101 LGA 2000 and Local Authorities (Indemnities for Members and Officers) Order 2004 (SI 2004/3082)

### 8.3 Non-Executive Functions: Other

The Director of Legal (Monitoring Officer) is authorised to discharge the following Council (non-executive) functions:

1. Supporting the corporate governance of the council, particularly in respect of:
  - (i) Monitoring and reviewing the effectiveness and operation of the constitution;
  - (ii) The requirements of the Members' Code of Conduct;
  - (iii) Setting, supporting and monitoring the council's policies and procedures for managing and access to information including data protection laws;
  - (iv) The appointment of committees and discharge of Council functions;
  - (v) The appointments to outside bodies;
  - (vi) The Members' Allowance Scheme;
  - (vii) The power to make, amend or revoke byelaws.
2. Legal and Governance services including
  - (i) Legal advice and related support services;
  - (ii) Functions relating to the role of Solicitor to the Council including:
    - taking any action intended to give effect to a decision of the Executive;
    - the commencement, defence, withdrawal or settlement of proceedings;
    - the authorisation of Council officers to conduct legal matters in court<sup>3</sup>
  - (iii) Governance Services including support to elected members in their responsibilities, particularly in respect of:
    - The Leader and Deputy Leader of the Council and Cabinet Members;

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<sup>3</sup> "Court" to be construed widely including but not limited to tribunals, inquiries and other quasi-judicial hearings.

- The Lord Mayor;
- Councillors via group support offices;
- The full Council meeting;
- Cabinet;
- Committees appointed by full Council;
- Overview & Scrutiny;

#### **8.4 Local Choice Functions**

The Director of Legal (Monitoring Officer) is authorised to discharge the following Local Choice Functions which have been assigned to full Council (see Part B2 of the Constitution):

- To appoint review boards under the Social Security Act 1998;<sup>4</sup>
- To amend this Constitution (as set out in Part A6 of this Constitution);
- To make arrangements for the appointment of Committees and discharge of Council's functions.

<sup>4</sup> s34(4) Social Security Act 1998

## E9. RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

The Assistant Director Governance is the Returning Officer and Electoral Registration Officer and is authorised to discharge the following Council (non-executive) functions:

No	Function	Reference
a)	To assign officers in relation to requisitions of the registration officer	Section 52(4) of the Representation of the People Act 1983
b)	To provide assistance at European Parliamentary elections	Section 6(7) and (8) of the European Parliamentary Elections Act 2002
c)	To divide constituency into polling districts	Section 18A to 18E of and Schedule A1 to the Representation of the People Act 1983
d)	To divide electoral divisions into polling districts at local government elections	Section 31 of the Representation of the People Act 1983
e)	Powers in respect of holding of elections	Section 39(4) of the Representation of the People Act 1983
f)	To pay expenses properly incurred by electoral registration officer	Section 54 of the Representation of the People Act 1983
g)	To fill vacancies in the event of insufficient nominations	Section 21 of the Representation of the People Act 1985
h)	To declare vacancy in office in certain cases	Section 86 of the Local Government Act 1972
i)	To give public notice of a casual vacancy	Section 87 of the Local Government Act 1972
j)	To submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000	Section 10 of the Representation of the People Act 2000

## **E10. EXECUTIVE DIRECTOR CORPORATE SERVICES**

### **10.1 Summary**

The Executive Director Corporate Services is responsible for leading the directorate. The key focus of the Executive Director of Corporate Services is leading, transforming and bringing together essential internal professional, enabling departments.

### **10.2 Executive Functions**

The Executive Director Corporate Services is authorised to discharge the following functions:

1. The Council's Information and Communications Technology Strategy Information and Communications Technology Service including;
  - Deliver a reliable, flexible, integrated, secure, accessible and well managed service;
  - Create the capability to turn information into insight;
  - Deliver 'Value for Money' services through the commission of excellent ICTD;
  - Be innovative; to make changes to what's established, by introducing new methods, ideas and solutions.
2. The Council's corporate customer services and business support functions including;
  - The telephone contact centre;
  - Digital access including the council's website and e-services;
  - Business support functions supporting all Directorates
3. The Council's corporate estates and facilities management.
4. The Council's Digital Mail function.
5. The Council's Corporate Portfolio Management Office (CPMO).

## **E11. EXECUTIVE DIRECTOR OF ADULT SOCIAL CARE AND HEALTH**

### **11.1 Summary**

The Executive Director of Adult Social Care and Health, is the responsible officer for the Adult Social Services.<sup>5</sup>

### **11.2 Executive Functions**

The Executive Director of Adult Social Care and Health, is authorised to discharge the following functions:

1. Services to support adults including:

- Integration and personalisation of health and social care services across the city for the benefit and health and well-being of Birmingham citizens;
- Information, advice and advocacy;
- Prevention and Recovery: to take steps to prevent, reduce or delay the need for care and support for all people including:
  - Preventative Services: Provision or arrangement of community and home based services to adults with less intensive needs; and
  - Re-ablement Services: Provision or arrangement of early intervention time-limited services to meet the immediate requirements of adults with short-term social care needs.

2. Safeguarding including:

- Co-ordination of multiagency arrangements to ensure that resources are deployed in safeguarding vulnerable adults;
- Delivery of safeguarding training; and
- To promote and enable identification of and appropriate action for vulnerable adults at risk of abuse or neglect.

3. Assessment and eligibility;

4. Charging and financial assessments including undertaking financial assessments and the provision of deferred payments;

5. Commissioning.

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<sup>5</sup> Appointed under Section 6 Local Authority Social Services Act 1970

## **E12 DIRECTOR OF PUBLIC HEALTH (DPH)**

The Director of Public Health is a statutory appointment as a Chief Officer of the Council appointed jointly with the Secretary of State for Health and Social Care.

The DPH must be a professionally registered Public Health Consultant.

The DPH is accountable for appropriate use of the ring-fenced public health grant and ensuring the Council delivers the mandated public health services.

The DPH leads the Public Health Division.

The DPH has specific statutory responsibilities; the DPH's specific responsibilities and duties arise directly from Acts of Parliament – mainly the NHS Act 2006 and the Health and Social Care Act 2012 – and related regulations including:

- Responsibility to protect and improve the health of the local population;
- Responsibility to ensure arrangements for planning for, and responding to, emergencies;
- Ensuring co-operation with police, probation and prison services in relation to violent and sexual offenders;
- Provide public health response as a responsible authority to Licensing applications;
- Responsibility for ensuring provision of Healthy Start vitamins where child health clinics and maternity services are commissioned by the local authority;
- Write an annual Director of Public Health report;
- Be an active member of the Health and Wellbeing Board.

## **E13. EXECUTIVE DIRECTOR OF CHILDREN AND FAMILIES**

### **13.1 Summary**

The Executive Director, Children and Families, is the responsible officer for the Children's Services.<sup>6</sup>

### **13.2 Executive Functions**

The Executive Director of Children and Families is authorised to discharge the following functions:

1. Education of Children and Young People including:
  - School improvement;
  - School places and travel to and from school;
  - Oversight of the Dedicated Schools Grant.
2. Special Educational Needs and Disability (SEND).
3. Early Years Provision
4. Children's Services and Safeguarding, including:
  - Overseeing the Children's Trust;
  - Safeguarding and Child Protection;
  - Youth Offending Services
5. Corporate Parenting.
6. Skills and employability
  - Skills and entrepreneurship in schools;
  - Youth engagement and youth services;
  - Employment Opportunities.
7. Library of Birmingham and community libraries.
8. Commissioning.

### **13.3 Local Choice Functions**

The Executive Director of Children and Families is authorised to discharge the following Local Choice Functions which have been assigned to Cabinet (see Part B2 of the Constitution):

- To make arrangements for appeals against exclusion of pupils from maintained Schools;
- To make arrangements for appeals regarding school admissions;<sup>7</sup>
- To make arrangements for appeals by governing bodies.<sup>8</sup>

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<sup>6</sup>Appointed under Section 18 Children Act 2004

<sup>7</sup>s94 (1), (1A) and (4) School Standards and Framework Act 1998

<sup>8</sup>s95 (2) School Standards and Framework Act 1998

## **E14. EXECUTIVE DIRECTOR OF PLACE, PROSPERITY AND SUSTAINABILITY**

### **14.1 Executive Functions**

The Executive Director of Place, Prosperity and Sustainability, is authorised to discharge the following functions in line with the provisions of this Constitution:

1. International and domestic inward economic investment including tourism and the visitor economy.
2. Economic growth, including:
  - Development programmes;
  - Land use planning;
  - Housing development.
3. Transport & Connectivity including:
  - Development of the Council's transport strategies and programmes;
  - The authority's strategic traffic management role and network planning;
  - Street naming and numbering;
  - Design of minor and major transport and highways projects;
  - The making of agreements for the execution of highways works under S278 Highways Act 1980;
  - Powers and duties relating to rights of way (including closures) under the Wildlife and Countryside Act, Highways Act, Town and Country Planning Act or Clean Neighbourhoods Act;
  - Air Quality via the Clean Air Zone.
4. Local Land Charges functions including:
  - Maintenance of the Local Land Charges Register; and
  - Responsibility for processing local authority searches.
5. Planning functions including:
  - Deal with any applications for planning permission or other consents (including demolitions);
  - Development of the Council's planning and transport policies;
  - Management of the planning service;
  - Building conservation and urban design; and

- Obtaining of information as to interests in land.

6. Property Services including:

- Council land use and property;
- Operational Property Management
- Asset Management;
- Central Administration Building (CAB) Accommodation and Management;
- Valuations and Acquisitions;
- Property Sales;
- Property Strategy Delivery;
- Investment Estate & Property Management;
- Property Asset Management and Income;
- Strategic Investment Property Management;
- Property Development;
- Security Services.

## 14.2 Non-Executive functions

The Strategic Director of Place, Prosperity and Sustainability, and Strategic Director of City Operations are authorised jointly to discharge the following functions in line with the provisions of this Constitution:

- Power to create footpaths and bridleways;
- Power to stop up footpaths and bridleways;
- Power to divert footpaths and bridleways;
- Powers relating to the preservation of trees;
- Powers relating to the protection of important hedgerows.

### 14.3 Local Choice Functions

The Executive Director of Place, Prosperity and Sustainability is authorised to discharge the following Local Choice Functions which have been assigned to full Council (see Part B2 of the Constitution):

- The control of pollution or the management of air quality jointly with the Executive Director, City Operations;<sup>9</sup>
- To obtain information about interests in land;<sup>10</sup>
- To obtain particulars of persons interested in land;<sup>11</sup>
- To make agreements for the execution of highways works jointly with the Executive Director, City Operations<sup>12</sup>

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<sup>9</sup> Pollution Prevention and Control Act 1999; Part IV Environment Act 1995; Part I Environmental Protection Act 1990; Clean Air Act 1993

<sup>10</sup> s330 Town and Country Planning Act 1990

<sup>11</sup> s16 Local Government (Miscellaneous Provisions) Act 1976

<sup>12</sup> Section 278 Highways Act 1980

## **E15. EXECUTIVE DIRECTOR OF CITY HOUSING**

### **15.1 Executive Functions**

1. Housing Services including:

- Council housing management services;
- Liaison with Registered Social Landlords;
- Housing Options;
- Tenant engagement in social housing;

## **E16. EXECUTIVE DIRECTOR OF CITY OPERATIONS**

### **16.1 Executive Functions**

1. Waste Strategy and Services including:

- Waste collection;
- Waste disposal;
- Recycling.

2. Cleaner Neighbourhoods including:

- Street cleansing;
- Pest control;
- Litter bin provision and maintenance;
- Provision and cleaning of public conveniences;
- Graffiti removal;
- Dog control and dog warden service.

3. Arts, Culture and Sports, including:

- Museums and galleries;
- Arts;
- Sporting events;
- Leisure centres and community sports facilities.

4. Parks and Allotments including:

- Creation, management and enhancement of green spaces<sup>13</sup>;
- Creation, management and enhancement of related visitor attractions and facilities;
- Public rights of way and provision and maintenance of footpaths and bridleways;
- Woodland and tree management;
- Provision of educational events and programmes;
- Grass cutting and grounds maintenance;
- Management of designated conservation sites.

5. Bereavement Services including:

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<sup>13</sup> Including parks & city centre beds, nature reserves & woodlands, playgrounds, allotments

- Cemeteries, crematoria, burial grounds and mortuaries including the authority's role as burial authority;
6. To discharge the Council's statutory obligations in relation to the operation of the Community Right to Bid for Assets of Community Value and the Community Right to Challenge.
7. To exempt the Illegal Money Lending Team from provisions in Part D2 in relation to FinditinBirmingham (as per the footnotes in that section), if it is prudent to do so for operational, geographical and policy reasons. Value for money will also be a consideration in line with the ringfenced grant agreement.
8. Highways and Infrastructure including:
- The authority's role as a highways, traffic and streetworks authorities;
  - Maintenance of highway assets of roads, bridges, retaining walls, street lighting and associated infrastructure;
  - Design and delivery of major and minor highway schemes;
  - The making of agreements for the execution of highways works under S278 Highways Act 1980;
  - Powers and duties relating to rights of way (including closures) under the Wildlife and Countryside Act, Highways Act, Town and Country Planning Act or Clean Neighbourhoods Act;
  - To act as the Authority's Representative on behalf of the Council in accordance with the terms of the Highway Maintenance and Management Service PFI Contract;
  - Discharging statutory duties with respect to the delivery of operational parking functions, including Civil Parking Enforcement
  - Flood and water management including:
    - Discharging duties as Lead Local Flood Authority and other duties and responsibilities associated with the Flood Water Management Act;
    - Land drainage activities;
    - The delivery and maintenance of flood alleviation schemes
    - Flood response.
9. The council's city-wide resilience and emergency planning functions.
10. Neighbourhood Management.

## 16.2 Non-Executive Functions

The Executive Director, City Operations is authorised to discharge the following functions:

1. Regulation and Enforcement, including

- Environmental Health Service, Trading Standards Service, England Illegal Money Lending Team, Regional Investigation team, the Licensing Service, the Waste Enforcement Unit (street scene) and the private rented sector (housing);
- Enforcement activities, including the authorisation of proceedings and defending proceedings on behalf of the council in relation to civil and criminal matters in respect of these services and other services as appropriate.

2. Licensing functions including:

- Functions of a licensing authority including (but not restricted to):
  - The administration of licenses for entertainment, gambling and the sale of alcohol;
  - Taxi and Private Hire;
  - Miscellaneous licensing functions;
  - Private Rented Sector licensing and regulation.
- Adoption and revision of the Statement of Licensing Policy (Licensing Act 2003)
- Adoption and revision of the Statement of Gambling Policy (Gambling Act 2005)

3. Environmental Health including:

- Food hygiene and safety;
- Health and safety at work<sup>14</sup>;
- Monitoring and control of infectious diseases;
- Private water supply monitoring; and
- Animal health and welfare enforcement<sup>15</sup>.

4. Trading Standards including:

- Tackling rogue traders
- Product safety
- Misleading claims, scams and illegal trading practices.
- Underage sales
- Illegal advertising

5. Registrars functions including:

- Registration of births, deaths, marriages and civil partnerships; and

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<sup>14</sup> other than in relation to Birmingham City Council staff or activities

<sup>15</sup> including livestock markets and animal breeding and boarding establishments

- Provision of civic weddings, civil partnerships and citizenship ceremonies.
6. Public Health Protection and Control of Statutory Nuisance including:
- Flytipping, commercial and household Duty of Care and rubbish accumulations;
  - Domestic, commercial and industrial noise, fumes and odours;
  - Air quality management; and
  - Other forms of pollution harmful to public health.
7. To authorise action and exercise powers in relation to the Anti-Social Behaviour, Crime & Policing Act 2014. · Setting, supporting and monitoring the council’s policy on Community Safety including:
- Safer communities;
  - Domestic abuse;
  - Prevent and Counter-terrorism;
  - To discharge local authority approvals for S35 Dispersal Orders and other statutory instruments relating to local community safety;
  - To Host the Community Safety Partnership and produce a Community Safety Strategy including reducing reoffending and serious violence strategies.
8. Highways:
- Duty to assert and protect the rights of the public to the use and enjoyment of highways;
  - Powers relating to the removal of things so deposited on highways as to be a nuisance;
  - Duty to keep a definitive map and statement under review;
  - Duty to reclassify roads used as public paths;
  - Power to make limestone pavement order.

### **16.3 Local Choice Functions**

The Executive Director, City Operations is authorised to discharge the following Local Choice Functions which have been assigned to full Council:

- Any function relating to contaminated land;<sup>16</sup>
- To serve an abatement notice in respect of a statutory nuisance;<sup>17</sup>

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<sup>16</sup> Part IIA Environmental Protection Act 1990 and subordinate legislation

<sup>17</sup> s80(I) Environmental Protection Act 1990

- To pass a resolution that Schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area;<sup>18</sup>
- To inspect the authority's area to detect any statutory nuisance;<sup>19</sup>
- To investigate any complaint about the existence of a statutory nuisance.<sup>20</sup>
- The control of pollution or the management of air quality;<sup>21</sup>
- To make agreements for the execution of highways works.<sup>22</sup>

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<sup>18</sup> s8 Noise and Statutory Nuisance Act 1993

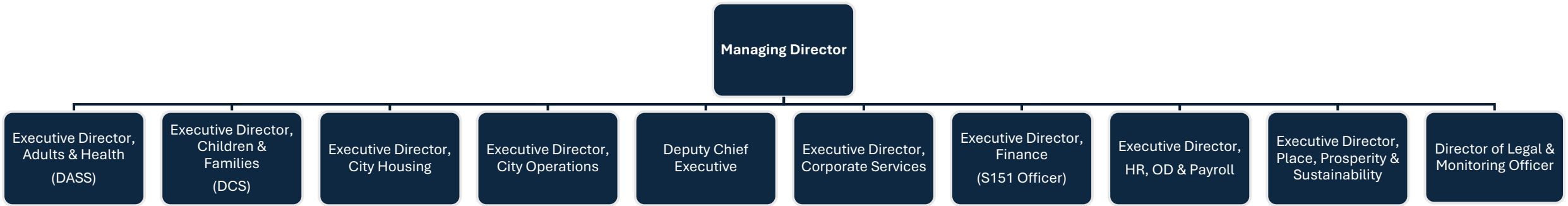
<sup>19</sup> S79 Environmental Protection Act 1990

<sup>20</sup> s79 Environmental Protection Act 1990

<sup>21</sup> Pollution Prevention and Control Act 1999; Part IV Environment Act 1995; Part I Environmental Protection Act 1990; Clean Air Act 1993

<sup>22</sup> Section 278 Highways Act 1980







# Birmingham City Council

## Report to City Council

3 December 2024



<b>Title:</b>	<b>EXECUTIVE BUSINESS REPORT</b>
<b>Lead Member:</b>	Councillor John Cotton, Leader of the Council Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities
<b>Relevant Overview and Scrutiny Committee:</b>	Not Applicable
<b>Has this report been shared with the relevant Overview and Scrutiny Committee Chair?</b>	Not Applicable
<b>Report Author:</b>	Councillor John Cotton, Leader of the Council Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities <a href="mailto:john.cotton@birmingham.gov.uk">john.cotton@birmingham.gov.uk</a> <a href="mailto:nicky.brennan@birmingham.gov.uk">nicky.brennan@birmingham.gov.uk</a>
<b>Authorised by:</b>	Joanne Roney, Managing Director
<b>Is this a Key Decision?</b>	No
<b>Reason(s) why not included on the Forward Plan and confirm who has authorised it to be considered:</b>	Not Applicable
<b>Is this a Late Report?</b>	No
<b>Reason(s) why Late and confirm who has authorised it to be considered:</b>	Not Applicable
<b>Is this decision eligible for 'call in?'</b>	Not Applicable
<b>If 'call-in' has been dis-applied, please provide reason(s) and confirm who has authorised:</b>	Not Applicable

**Wards:** Not Applicable

**Does this report contain exempt or confidential information?** No

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

**Reasons why not included on the Notification and confirm who has authorised it to be considered:** Not Applicable

## **1 EXECUTIVE SUMMARY**

1.1 This Executive Business Report will provide an update on the ongoing work in two Cabinet Member portfolios over the past year:

1.1.1 Leader (pp. 3-13)

1.1.2 Social Justice, Community Safety and Equalities (pp. 14-27)

## **2 COMMISSIONERS' REVIEW**

2.1 Commissioners have no observations on this report.

## **3 RECOMMENDATIONS**

3.1 That the report be noted by the City Council.

## **4 KEY INFORMATION**

### **Context**

4.1 On 10<sup>th</sup> September 2019, Full Council accepted the recommendations of the Coordinating O&S Committee review in respect of changes to the Full Council agenda.

4.2 Recommendation 3 of the review requested that the Executive provide an update to Full Council on its work via the provision of an Executive Business Report ('EBR'). EBRs will be provided to Full Council four times per municipal year and will include details of progress made in relation to Council strategic outcomes and priorities linked to two Cabinet Member portfolios.

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## **5 Leader's Portfolio**

5.1 This report focuses on the Leader's Portfolio and covers key parts of his remit:

- Leadership of the Council and Cabinet, strategic liaison with the Corporate Leadership Team and with Best Value Commissioners
- Strategic Policies
- Localisation, including Shaping Birmingham's Future Together
- Financial Strategy
- Strategic Partnerships, External Affairs and Policy
- Communications
- West Midlands Combined Authority

## **6 Leadership of the City Council and Cabinet**

- 6.1 The primary focus for the political and corporate leadership has been working with Commissioners to address the areas laid out in the Intervention, including delivering financial sustainability. This has seen the Improvement and Recovery Plan agreed in April 2024, with more detail outlined further in this report. Further implementation stages will take place over the coming year.
- 6.2 Commissioners wrote to the Secretary of State at the Ministry of Housing, Communities, and Local Government (MHCLG) on 22 October 2024 regarding the progress being made and areas they want to see have focus ahead. The letter identifies that the Council must make financial savings and transform at a faster pace, with a firmer grip on how it operates and achieves best value. This will continue to be the focus for the leadership teams and officers across the Council going forward.
- 6.2.1 The Minister replied on 22 October 2024, acknowledging the progress made to date and outlining his commitment to resetting the relationship between local and central government and establishing partnerships built on mutual respect, genuine collaboration, and meaningful engagement.
- 6.3 While the primary focus is on the Council's recovery, work continues on promoting the City, developing partnerships with key stakeholders, shaping public policy, and seeking to secure further investment.
- 6.4 The leadership has engaged closely with the new West Midlands Mayor, Richard Parker, and have established excellent working relationships. The Deputy Leader, Cllr Sharon Thompson, was appointed the Deputy Mayor of the West Midlands in June 2024.
- 6.5 Similarly, the leadership has been responding to the election of the new Labour government and has had wide engagement with Ministers regarding Birmingham's challenges and opportunities.
- 6.6 In September, the corporate leadership team was strengthened with the arrival of the new Managing Director, Joanne Roney, as head of paid service. The new Managing Director comes with a huge range of local experience, including extensive service as a Chief Executive at Wakefield and Manchester. The new Managing Director is moving to strengthen the corporate leadership team through a restructure of remits and making permanent appointments to senior roles.

## **7 Strategic Priorities**

### **7.1 Improvement and Recovery Plan**

- 7.1.1 An Improvement and Recovery Plan was agreed in April 2024 by Cabinet and the Corporate Leadership Team. This sets out the overarching direction to support the Council to address the issues identified in the Statutory Intervention. This includes delivering a Council that:

7.1.2 Achieves financial sustainability to deliver a balanced budget, a sustainable medium-term financial plan, a resilient capital assets programme, and robust financial management. This includes the delivery of agreed savings, including asset sales and actions to resolve the Council's Equal Pay liability.

- Is well-run, by resetting the organisational culture at the Council to support the current and future workforce. This includes reducing the levels of duplication across operational functions, embedding effective governance and decision-making processes, and supporting the reimplementation and optimisation of Oracle.
- Has a workforce that feels valued and listened to.

7.1.3 Delivers good services, with a programme of service reviews to secure consistency, continuous improvement, value for money, and better outcomes for citizens.

7.1.4 Since April 2024, the Council has made progress on its improvement journey in notable areas such as:

- Approving a budget for FY24/25, with identified savings totalling £149.8m. This action is ensuring that the Council remains on track to balance its budget.
- Approving the Improvement and Recovery Plan in April 2024.
- Ensuring that the reimplementation of the Oracle programme is underway.
- Taking actions that seek to resolve the Council's Equal Pay liability. This includes making progress with a revised Job Evaluation Scheme, and settlement of the litigation. The target date for completion is April 2025.
- Developing a plan to improve the Procurement Operating Model, with a focus on strategic contract management to achieve best value.
- Developing a 'Birmingham Vision' to support the Council to deliver better outcomes for citizens.

7.1.5 Further stages of the Improvement and Recovery Plan will take place over the coming months, including the development of a refreshed Corporate Plan.

## 7.2 Birmingham Vision

7.2.1 The Birmingham Vision is under development as an outcome of the Improvement and Recovery Plan. This will set the direction for the City and the Council's work with partners, such as the West Midlands Combined Authority.

7.2.2 The development of the Birmingham Vision has included a broad stakeholder engagement process, involving over 1,500 citizens, 30 in-person meetings, and substantial discussions with some of the Council's key partners. The

Vision is intended to be shared and delivered with a range of partners across the City.

- 7.2.3 As a result of this activity, it is intended that The City Partnership Board will be refreshed and reinstated as an action-focused partnership to deliver this shared vision in collaboration with partners.

### 7.3 Corporate Plan

- 7.3.1 A refreshed Corporate Plan is currently being developed and is due to be agreed in the coming months. The Birmingham Vision is supporting the creation of the refreshed Corporate Plan, enabling the Council to take citizen and partner feedback into consideration.

- 7.3.2 The Corporate Plan will outline what the Council is seeking to achieve over the next three years, to ensure that appropriate action is taken to guide the Council out of the Best Value Intervention. Intervention.

## **8 Localisation, including Shaping Birmingham's Future Together (SBFT)**

- 8.1 In March 2024, the Leader set a new direction for the Authority to involve citizens and partners in decision-making activities at the Council, through the creation of Shaping Birmingham's Future Together.

- 8.2 This forum is intended to embed greater transparency and coproduction in decision-making processes, to support citizens in feeling heard and develop an understanding of how the Council operates to deliver services.

- 8.3 Shaping Birmingham's Future Together will also inform how the Council engages with citizens through the Birmingham Promise. The Birmingham Promise has been developed to help the Council achieve consistency within our approaches to partnership working, to strengthen our relationships with citizens and partners.

- 8.4 As a Council, it is crucial that we work with our partners and citizens to tackle ongoing challenges across the City. The Birmingham Promise intends to support the Council to establish a new civic relationship in the City, in order to ensure that citizen's voices are heard, and actions are taken to deliver improved outcomes for residents.

## **9 Financial Strategy**

- 9.1 The Leader's portfolio is responsible for the Financial Strategy for the Council. This includes the Council's strategic approach to the use of financial resources and budget.

- 9.2 For the 2025/26 to 2028/29 Medium-Term Financial Plan (MTFP) period, Cabinet has been clear in its intention to present a balanced budget for 2025/26 and 2026/27 for final approval in February 2025, as directed by Commissioners.

- 9.3 In order to set an MTFP and provide a stable and sustainable financial footing for the Council, a series of Medium-Term Financial Strategy (MTFS) Principles were agreed by Cabinet on 23 July 2024, to cover the period of 2025/26 to 2028/29.

Further details around the MTFFS Principles can be found in the report presented to Cabinet on 23 July 2024, titled 'Section 151 Officer Update on the Financial Position of the Council – July 2024 & General Fund Medium Term Financial Plan Update.

- 9.4 These principles guide the Council in setting realistic budgets, identifying potential risks, and implementing necessary adjustments to maintain financial health over a multi-year period. By adhering to MTFFS principles, the Council can align its financial resources with its strategic priorities, ensuring that long-term goals are achievable within the available means.
- 9.5 Tracking the MTFFS principles through to delivery is essential for maintaining financial discipline and accountability. Continuous monitoring and evaluation of financial performance against the MTFP enables timely identification of variances and prompts corrective actions, mitigating against potential financial risks.
- 9.6 This process ensures that savings targets and budgetary commitments are met, contributing to the overall financial stability and resilience of the Council. Effective tracking also fosters transparency, demonstrating to stakeholders that the Council is managing public funds responsibly and is committed to delivering value for money.
- 9.7 To ensure the MTFFS principles are effectively communicated and embedded within the Council, it is essential to adopt a structured and strategic approach. This begins with clear and consistent messaging from senior leadership, including the Managing Director and Section 151 Officer, emphasising the importance of the MTFFS principles in guiding all financial and operational decisions. These principles should be disseminated via regular S151 Updates to CLT and ECLT, and then through to DMTs, helping people to fully understand and adhere to these principles. Utilising internal communication channels such as the intranet, newsletters, and staff meetings will reinforce these messages.
- 9.8 Incorporating the MTFFS principles into the Council's performance management frameworks and decision-making processes will further embed them into daily operations. Providing regular updates and progress reports on the financial position of the Council and these principles will maintain transparency and accountability, ensuring all employees are aware of their role in achieving financial sustainability. By fostering a culture of collective responsibility, the Council can ensure that the MTFFS principles are not only understood but are actively applied in the pursuit of long-term financial health and strategic objectives.

## **10 Strategic Partnerships, External Affairs and Policy**

- 10.1 While the Council faces financial challenges, it nevertheless continues to build partnerships and engage with national policy networks. This activity seeks to influence policy and provide peer support to the benefit of the City and its citizens and provide learning opportunities to inform the Council's improvement journey.

## 10.2 The new Labour Government

10.2.1 The Council has established a positive and constructive working relationship with the new Government and will continue to work with Ministry of Housing, Communities and Local Government ministers and officials. Cabinet Members are building relationships with Ministers to re-establish Birmingham as a key player in the Local Government sector.

10.2.2 Minister for Local Government and English Devolution Jim McMahon MP has acknowledged the progress made at the Council, while stressing his keenness that the intervention moves as quickly as possible to a model based around a more equal partnership with the Council, so that it is increasingly able to lead its own recovery.

## 10.3 Think Tanks and Policy Networks

10.3.1 The Council seeks opportunities to work with think tanks to develop policy solutions and data analytics that can both influence the national debate and directly support service improvement. Recent examples include work with Nesta on early years services, work with Reform on devolution proposals, and work with Demos to map out the provision of employment support services in East Birmingham.

## 10.4 Core Cities Group

10.4.1 The Core Cities group (the eight largest English cities outside London plus Glasgow, Cardiff, and Belfast) is an influential network which pools resources to commission research and policy development, partner with policy experts in the public and the private sector and engage with government to provide the evidence base for policy on cities. The group was instrumental in driving the evolving policy of successive governments on devolution to the city regions and is currently engaging the new government on both economic growth and public service reform. The Council engages fully with the group at Leader, Chief Executive, and Policy Advisor levels. Birmingham hosted the Core Cities Cabinet in October 2024.

## 10.5 Local Government Association

10.5.1 The Council continues to engage in important national conferences such as the Local Government Association (LGA) conference and both the Labour Party and Conservative Party conferences, albeit with a much-reduced officer participation to limit costs. These conferences provide an opportunity to engage directly with government ministers, influential figures, and leaders within the Local Government sector. There was extensive engagement with the new Government front bench at the LGA and Labour Party conferences in September 2024 and October 2024, as well as valuable peer support for the Council's improvement challenges at the LGA event.

10.5.2 The Leader of the Council and the Leader of the Opposition both sit on the LGA's City Regions Board which focuses on the interests of urban areas. The

Council engages with the LGA on the improvement agenda and a range of policy priorities, where they can add to the sector's influence on government.

## 10.6 Partnership Working

10.6.1 Enabling effective partnerships with key stakeholders in the City is essential to the delivery of services, economic growth, and ability to make progress on wider ambitions for the City. This is integral to the Council's improvement journey and driven directly by the Leader of the Council.

10.6.2 Guidance on improving partnership working and the development of supportive infrastructure is underway to improve the Council's approach to partnership working.

10.6.3 In addition, mapping of the Council's Strategic Partnerships is underway alongside the development of a Stakeholder Relationship Management system. This should improve the Council's information on partner relationships, in order to strengthen partnerships and help the Council to be a better partner.

10.6.4 Examples of closer working relationships with individual organisations include the City's Universities, the Chambers of Commerce, and the Voluntary Sector. It is also recognised that the Council needs to strengthen its strategic relationships with developers and other businesses to ensure that the Council is fully supporting its mission to drive economic growth.

## 10.7 International Interactions

10.7.1 Birmingham is a global city and has the second largest city economy in the UK. The Council has 10 formal city relationships to support this status and global future of the City, and it is a member of city networks such as Eurocities which develops policy thinking across global cities.

10.7.2 An alliance of local partners including universities, Chamber of Commerce and WMCA supports work to position the city, engage with the UK Mission in Brussels and EU officials, and corral opportunities such as Horizon funding. The partnership, led by Birmingham City Council, helped the City to be shortlisted for the European Capital of Innovation.

10.7.3 The Council's international activity supports the success of the City's business community. An export support programme (and linked to the Department of Business and Trade) helps local small and medium sized enterprise (SMEs) on their trade and export path. It has seen a joint civic-business mission focused on the creative sector in Leipzig, Germany, on 7-9 November 2024. There is also international collaboration working with our universities, Chamber of Commerce and Connected Places Catapult, on innovation projects such as DIATOMIC (digital expertise) and 'innovation twins,' underpinned with a relationship with Ulsan, South Korea on these projects to support industrial symbiosis. There are also other international

projects with European partners, on policy on sustainable food systems and urban innovation

10.7.4 The City Council has welcomed international delegations to the City, with a number involving diplomatic connections and engagement with embassies and consuls to showcase Birmingham.

## **11 Communications**

11.1 The Corporate Communications team support the delivery of planned and proactive strategic internal and external communications activity, focused on key Corporate Plan priorities, and evidenced through high-quality insight. To deliver clear, consistent, and creative communications as one organisation.

### **11.2 Reset, Reshape, Restart**

11.2.1 Throughout communications, the team have noted that financial challenges are a Birmingham City Council issue rather than a Birmingham issue in order to remind people that the City is still open for business.

11.2.2 A social campaign was put together focused on milestones in the budget setting process, promoting the budget engagement survey and the fact that difficult decisions are being made, the way the council delivers services will change and the need for Reset, Reshape, Restart.

11.2.3 Following the budget proposals which were published on 19 February 2024, the Council began a series of consultations on Home to School Transport, Libraries, Day Centres, Flood Risk Strategy and Car Parking. These were promoted by comms throughout 2024.

### **11.3 Improvement and Recovery Plan**

11.3.1 The Internal Communications team focused on communicating the Improvement and Recovery Plan to colleagues across the Council. The team created a dedicated intranet pages for colleagues to find all IRP information in one central place on the City Council Portal.

11.3.2 The Internal Communications team have also worked with IRP colleagues to set up the Colleague Community and supported 16 priority projects including linking the strategic narrative linked to the IRP. Colleagues have worked closely with the Leaders office on joint internal communications as part of this process.

11.3.3 In addition to this, the team has supported the promotion of public consultations for areas such as Libraries.

### **11.4 Next 12 Months**

11.4.1 In the next 12 months, we are aware of three gold-level campaigns which the team will be supporting. However, the Corporate Communications team often react to events in the Council or within the City where needed.

- 11.4.2 Starting from December 2024 (STC), the communications team will start to communicate the next year's budget (25/26). This will include support on any consultation, if required, and also educating residents, and staff, on how the budget is set and what goes on behind the scenes. This will include videos explaining the process, infographics and updated information on the council's website, social media, and other channels. From learnings from last year and previous ones, the communications team will also ensure plain English is used to inform and educate residents better. Where required the team will also use translations.
- 11.4.3 The same will be replicated across internal communications, in addition to a Managing Director roadshow which will visit colleagues across Birmingham to build trust and inform colleagues on the future budget and what implications this may mean, setting the scene for further challenges to come.

## **12 West Midlands Combined Authority (WMCA)**

12.1 A key partner for the Council is the WMCA and Mayor of the West Midlands. The City Council worked with the previous Mayor, Andy Street on a range of areas and is continuing to do so with the recently elected Mayor, Richard Parker. Main areas of activities that have taken place to date, and are looking ahead, include the following points below.

### **12.2 WMCA devolution deal and integrated settlement**

- 12.2.1 The Council has been working closely with the WMCA and other local authorities on the development of the integrated settlement (formerly known as the single settlement) for the WMCA and is playing a full role in developing how it will operate.
- 12.2.2 The new funding arrangements were outlined in the Trailblazer Deeper Devolution deal published in March 2023 and were confirmed in the Budget 2024.
- 12.2.3 The integrated settlement fundamentally changes how money from government flows to the WMCA. Instead of many separate funds with different conditions and often competitive bidding arrangements, the WMCA will receive an allocation of funding to be deployed across a set of functions.
- 12.2.4 It should mean the ability to be able to advance local authority priorities more readily, including in Birmingham, and covers place-based approaches to support economic growth. The first year of the integrated settlement begins in April 2025 with further funding years due to be announced in the Spending Review.
- 12.2.5 Other elements of the devolution deal are also being progressed including developing plans for the Birmingham Knowledge Quarter (BKQ) part of the West Midlands Investment Zone and the East Birmingham North Solihull (EBNS) programme supported through a business rate retention growth zone

secured through the deal. The aim to deliver the best outcomes for the city and to influence the development of future regional and national policy.

### 12.3 West Midlands Partnership Plan

12.3.1 The City Council has been playing its role in the development of the partnership plan which sets out how WMCA and local authorities will work together, including the WMCA and reflects the changed circumstances including to deliver to the integrated settlement. The plan also involves developing a series of missions for the region to outline what the WMCA and local authorities are collectively seeking to achieve.

### 12.4 West Midlands Growth Plan

12.4.1 The Council is working with the WMCA in the development of the West Midlands growth plan. Government has asked Mayoral Combined Authorities to produce these plans. The growth plan will set out how the region supports economic growth and key industries and will build on strengths in the city and tools such as the investment zone and EBNS growth zone sites.

### 12.5 Further devolution

12.5.1 The Council is also working with the WMCA and other local authorities on a programme to engage the government on the next phase of devolution that will come through the Devolution White Paper and subsequent English Devolution Bill due to be taken forward in 2025.

12.5.2 The devolution programme is an opportunity to build on the integrated settlement to bring more powers and funding to the region as well as local authorities to support the pace of change and delivery of local priorities including reducing demand on public services. The work on devolution propositions also dovetails preparing for the coming Spending Review, also due early next year.

### 12.6 WMCA Programmes

12.6.1 The City Council is working with the WMCA on wider areas such as the Mayor's youth plan, housing, and bus reform plans.

### **13 Social Justice, Community Safety and Equalities Portfolio**

13.1 This report will break down the work undertaken within the Social Justice, Community Safety, and Equalities portfolio. This is outlined under the following headings to represent the following strategic priorities:

- Domestic Abuse
- Violence Against Women and Girls (VAWG)
- Serious Violence Duty
- Modern Slavery
- Criminal Exploitation of Young People
- Hate Crime Reduction
- Neighbourhood Safety Initiatives
- CCTV and Anti-Social Behaviour (ASB)
- Community Cohesion
- Refugees, Migration and City of Sanctuary 2024
- Bereavement Services and Register Office
- Equalities

### **14 Domestic Abuse**

#### **14.1 Birmingham's Domestic Abuse Prevention Strategy 2024+**

14.1.1 The Council's Domestic Abuse Prevention Strategy officially launched on 19th November 2024. Shared strategic priorities and values, as reported in 2023, were strongly endorsed by partners, providers, citizens, and survivors in two extensive public consultations. Workshops were held at the launch event to embed the key partnership values from the strategy, to reinforce the robust partnership response required to take a whole-system approach.

14.1.2 The strategy is underpinned by a live action plan, and work is underway to reshape the partnership governance to drive its delivery. This will involve an executive Board who maintain oversight of the implementation of the strategy, a cross-partnership Operational group who report to the Board and focus on whole system actions, and delivery groups focused on specific priorities.

#### **14.2 Commissioned services and Part 4 Duty**

14.2.1 Commissioned services have continued to see high levels of demand throughout 2024. The Domestic Abuse Hub received over 24,000 calls, as well as nearly 300 webchats and over 600 drop-ins over the past year. Across other commissioned services, 1,261 referrals were made, and of these 649 households received support.

14.2.2 Prior to the Domestic Abuse Act 2021, the Council used Part 4 grant from the Ministry of Housing, Communities, and Local Government to enhance support in safe accommodation. Due to financial challenges and the need to make savings, funding from Adult Social Care for safe accommodation has been replaced by fully utilising the Part 4 grant. Proposals for the use of the remaining part of the grant were taken to the market in October. Feedback on current needs and feasibility has helped to reshape the proposed models.

14.2.3 The aim will be to provide additional support for children and young people, support within non-commissioned safe accommodation, including our strong local “by and for” sector, and early intervention and prevention support in the community.

### 14.3 Staff Policy

14.3.1 The Council’s Human Resources policy and guidance on domestic abuse for employees is being updated to reflect our strategic values and improve support to survivors amongst our own staff.

14.3.2 The new policy and guidance includes:

- Up to date definitions of DA, in line with the DA Act 2021
- A survivor-centred organisational approach to DA, in line with Birmingham’s Domestic Abuse Prevention Strategy 2024+
- Examples of workplace adjustments managers must consider when an employee has disclosed DA, reflecting the range of working arrangements in use
- Clearer wording on safeguarding and record keeping procedures
- A zero-tolerance approach to perpetrators
- Guidance on why we take a gendered approach, and being aware of intersectional barriers colleagues may face
- Updated information on support options

14.3.3 Once approved by the Corporate Leadership Team and consulted on with the trade unions, the new policy and guidance will be formally launched in 2025.

### 14.4 Inform Women Transform Lives

14.4.1 The Inform Women Transform Lives campaign has so far reached over 4.7 million people across Birmingham. Throughout the campaign period, we have seen increased contact to our Domestic Abuse Hub compared to previous years. It has been extremely well-received, with recognition from the Information Commissioner’s Office and the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

14.4.2 UNESCO invited and paid for Cllr Brennan to speak at their conference in Ghana, celebrating the Universal Day of Information at the beginning of

October 2024. This was a brilliant opportunity to showcase Birmingham's work and to make connections with other cities tackling this issue.

## **15 Violence Against Women and Girls (VAWG)**

- 15.1 The VAWG Strategy was presented to the Birmingham Community Safety Partnership, aligning with the Domestic Abuse Prevention Strategy. A set of recommendations will be implemented by the Community Safety VAWG working group to further the strategy.

## **16 Serious Violence Duty**

- 16.1 Following the Serious Violence Duty (SVD) introduced in January 2023, the Birmingham Violence Reduction Board (BVRB) was established. The BVRB oversees the Birmingham Reducing Serious Violence Strategy, and the Birmingham Delivery Plan (2023-2026) aligns with the Regional Reducing Violence Strategy. The BVRB launched the Circle of Friends project, targeting peer influence and helping young people choose non-violent paths, distancing them from gang involvement.

## **17 Modern Slavery**

- 17.1 The Council's first Modern Slavery Strategy for the period 2025-2030 has been developed. The strategy focuses on 5 main areas of work, Prepare, Prevent, Protect, Pursue and Partnership. Our strategy will be supplemented by a yearly delivery plan, which will highlight priorities for each year to ensure clear objectives, continuous progress, and accountability.
- 17.2 A Modern Slavery Champion model has been reviewed and will be reintroduced, in a new, more sustainable form, as a part of the work under the strategy. This will happen as soon as the decision on how the council discharges its First Responder duty to the National Referral Mechanism System is made.

## **18 Criminal Exploitation of Young People**

- 18.1 The Youth Inspector Programme, funded by the Community Safety team, empowers young people in Newtown, Lozells, and Handsworth to share experiences of serious youth violence and exploitation. Similar programmes are planned for other city areas. Partnerships continue to support prosecution efforts against criminal activities like county lines.

## **19 Hate Crime Reduction**

- 19.1 The Birmingham Hate Crime Partnership continues to develop and work on implementing a delivery plan, with neighbourhood-specific actions. Following the success of a 10-point safety plan in the city's Gay Quarter, similar frameworks are being expanded. Collaborations with national bodies (e.g., Community Security Trust, TellMAMA) support efforts to combat antisemitism and Islamophobia.

- 19.2 Together, CSP & Cohesion have drafted a localised Hate Crime Awareness leaflet that can be distributed amongst members of the public and professionals to increase Hate Crime Awareness and support organisations available. This leaflet is currently being finalised by Design and Print and will be ready to distribute early December 2024.
- 19.3 Community Safety & Cohesion colleagues have been actively disseminating information and promoting Hate Crime reporting centres, working closely with the West Midlands Police Anti-Social Behaviour and Hate Crime officers via the Proud Rainbow City Partnership (PRCP) and the Faith Covenant membership. This consists of Voluntary, Community, Faith & Statutory sector partners, including the Crown Prosecution Service and West Midlands Police, to work together to further shape and influence approaches towards reduction.
- 19.4 The Community Safety and Cohesion Team are working on developing a Birmingham-specific Active Bystander Training Programme, to roll out across the City to those with a wider reach into our communities.
- 19.5 Work is underway locally amongst partners to increase hate crime reporting centres across Birmingham and to increase awareness on identifying and reporting Hate Crime. Community Safety Intervention Officers (CSIO's) regularly check in with third party hate crime reporting centres, engaging with staff to ensure they and the public feel safe and supported when accessing reporting centres from a safety standpoint. Cohesion colleagues also remain in regular contact with centres as part of their engagement work, as some centres are members of the various partnerships that Cohesion support and oversee.
- 19.6 Local Hate Crime reporting centres in Birmingham are:
- Aston University Students' Union
  - BID Services, Deaf Cultural Centre
  - Birmingham Chinese Community Centre
  - Birmingham LGBT Wellbeing Centre
  - Bournville Village Trust
- 19.7 Cerebral Palsy Midlands
- Disability Resource Centre
  - Family Action
  - Khidmat Centre
  - Loft Birmingham
  - Weoley Castle Community Centre (Midland Mencap)
  - South and City College (all campuses)
  - Sufi Abdullah Foundation, Sparkhill

## **20 Neighbourhood Safety Initiatives**

- 20.1 The Operation Eternity initiative addresses anti-social behaviour (ASB) in high-incidence areas, in partnership with West Midlands Police. The Council's Community Safety team has deployed intervention officers across hotspots, including Welsh House Farm, Fox Hollies Park, and the city centre.
- 20.2 Local Community Safety Partnerships (LCSPs) have been consolidated from six to five as a result of savings proposals, with each developing a crime reduction-focused delivery plan monitored in monthly meetings.

## **21 CCTV and Anti-Social Behaviour (ASB) Measures**

- 21.1 CCTV resources continue to be shared with other City Council departments. Relocation of the CCTV control room to Priestly Wharf provides opportunities to improve monitoring capabilities and wider partnership working.
- 21.2 An integrated ASB provides a coordinated response. A city-wide operational group, in partnership with West Midlands Police, addresses organised crime with a focus on reducing ASB in affected neighbourhoods. These efforts reflect Birmingham's commitment to safety, equality, and cohesive community development across the city.

## **22 Community Cohesion**

- 22.1 In February 2024, the Cohesion Team moved from the Strategy, Equality & Partnerships (SEP) to Community Safety & Resilience (CS&R) within City Operations to strengthen alignment with community safety efforts.

### **22.2 Birmingham Armed Forces Covenant Partnership**

22.2.1 The Cohesion Team collaborates with the Armed Forces Covenant, which includes representatives from tri-services, cadets, and reservists, to support veterans by improving access to services and raising the profile of covenant work. The updated Covenant Guide, currently being distributed in libraries and veteran support venues, will soon have a second edition. The partnership is also, career support, and healthcare access for veterans, guided by a recent "Veterans Deep Dive" health and wellbeing report. Plans include the development of Active Bystander training and fostering connections between cadets and local businesses, alongside opportunities such as the 2027 Invictus Games.

### **22.3 Proud Rainbow City Partnership (PRCP)**

22.3.1 The PRCP works to make Birmingham an inclusive and thriving city for LGBTQ+ residents. Building on the success of a 10-point action plan, the partnership focuses on areas such as employment equality, inclusive health services, and safety measures. Initiatives have included new bystander training, expanded third-party reporting centres, and events during LGBTQ+ History Month, with contributions from members such as Mind Mental Health

and the University of Birmingham. The PRCP continues to support key projects, including cross-partner initiatives with Birmingham Pride and Birmingham Mela.

#### 22.4 Birmingham Faith Covenant Partnership (BCFP)

22.4.1 The BFCP collaborates with various faith organisations, statutory bodies, and the voluntary sector to address city-wide priorities through an inclusive approach. Current projects include a Faith Directory for accessible services and the Birmingham Faith Climate Action Partnership (BiFCAP), which secured funding for community-led climate work. A Faith Safety & Justice subgroup has also been created, with an upcoming Crown Prosecution Service seminar on issues such as hate crime, domestic abuse, and community safety.

#### 22.5 Cross-Partnership Initiatives

22.5.1 These partnerships work together on key issues, such as providing support for LGBTQ+ veterans in the Armed Forces Guide, promoting the Faith Safety & Justice seminar locally tailored Active Bystander training. Shared resources are mobilised quickly during incidents; for example, the Faith Directory facilitated rapid communication with mosques during recent city unrest.

#### 22.6 Recent Events and Community Response

22.6.1 During the summer 2024 riots, the team conducted extensive outreach with Muslim community leaders, holding reassurance visits, disseminating security resources, and working with partners to restore calm. The government's Community Recovery Fund will soon support further initiatives aimed at rebuilding social trust.

22.6.2 The team successfully organised large community events, including the Windrush Festival 2024, a milestone celebration of Black communities, and the Remembering Srebrenica memorial attended by over 500 community members.

#### 22.7 Next Steps

22.7.1 Cohesion will continue supporting these partnerships and will coordinate with CS&R on upcoming projects, including training and recovery fund initiatives, to promote cohesion and resilience city-wide.

#### 22.8 Prevent

22.8.1 In the past 12 months the Home Office has moved towards a regional Prevent delivery model and the number of local authority areas that receive funding has significantly reduced. Funding continues to be provided to the areas where the threat from terrorism and radicalisation is highest. Birmingham City Council is within the 20 areas facing a higher relative threat and has continued to receive dedicated Prevent funding for posts, projects, and

engagement to help go above and beyond the statutory requirements of the Prevent Duty.

22.8.2 In 23/24 the Home Office undertook an annual benchmark assessment to help ensure that local authorities are delivering their statutory Prevent Duty. Birmingham City Council was assessed to be exceeding its delivery in seven of the right benchmarks:

- Multi-agency partnership group
- Local risk assessment process
- Partnership plan
- Referral pathway
- Channel panel
- Training programme
- Reducing permissive environments

22.8.3 We are meeting our obligations in the eighth benchmark for Communications and Engagement.

22.8.4 During 23/24 the Prevent team managed eight Home Office-funded projects that delivered a range of activities in high-priority parts of the City in order to build resilience against radicalisation. In total, 508 workshops were delivered, reaching 10,002 participants:

- KIKIT Pathways: engagement in faith settings, mentoring, digital resilience workshops;
- Small Steps: Awareness raising of extreme right-wing threats;
- Sociological: workshops and mentoring for young people on extremism, radicalisation, gangs;
- Aston Villa Foundation: sports engagement in high-risk settings and locations;
- Dolphin: workshops and events for women;
- Himaya Haven: workshops and support for families impacted by radicalisation;
- Connect Futures: educational workshops around managing impact of international conflicts;
- Groundswell: educational workshops on Islamist and Right-wing extremism.

22.8.5 Despite concerns in local communities around the escalation of the Middle East conflict following the Hamas Terrorist attack on 7th October 2023, there has not been a local spike in Prevent referrals linked to the Middle East conflict, nor has there been a raised local terrorist threat. The Prevent team

have worked tirelessly to help ensure that citizen's rights to peaceful protest and freedom of expression are maintained, whilst extremist influences and support for proscribed groups like Hamas are challenged. Activity has included but is not limited to:

- Regular formal engagement with representatives from all communities;
- Community engagement, focus groups, coffee mornings with marginalised groups;
- Support and proactive guidance for all educational settings in the city;

22.8.6 Partnership approach to reducing permissive environments (e.g. conducting due diligence and tackling sensitive issues around venue hire, speakers, fundraising).

## 22.9 Next 12 Months

22.9.1 Threat and performance outcomes will be communicated to the highest threat local authorities by the end of November, with bids for posts and projects commencing in January 2025. It is anticipated that Birmingham City Council will receive a similar amount of funding as 24/25. Therefore, there should not be any additional budgetary risks. Plans are in place to embed resilience in BCT in the event that the Home Office no longer fund the BCT Prevent Lead Post. Going forward, all Prevent referrals will be sent simultaneously to CT Police and BCT, rather than BCT in the first instance.

## 23 **Refugees, Migration and City of Sanctuary 2024**

### 23.1 Arrivals

23.1.1 Birmingham continues to welcome new arrivals to the city as part of our ongoing commitment to the following resettlement schemes:

- Homes 4 Ukraine – c.1177 individuals (more than 685 families) have been displaced to Birmingham since the beginning of the scheme in 2022. To date, 462 families remain in Birmingham.
- Afghan Resettlement (includes the Afghan Relocation & Assistance Policy, the Afghan Citizens Resettlement Scheme and the Afghan Find Your Own Pathway) – c. 625 individuals since the scheme began in 2021.

23.2 Asylum Dispersal and newly granted refugees: The supported asylum-seeking population in the City over the past year has remained at circa 2100. Towards the end of 2024 we have seen a significant rise in exits from the asylum system with a positive decision and we expect this trajectory to continue. From January to October 2024, a total of 710 cases (898 individuals) have been granted refugee status, many of whom chose to remain in Birmingham.

23.2.1 A new Communities for Afghans (CfA) project was launched by MHCLG in January 2024 as a six-month pilot to resettle 100 families nationally via a

community sponsorship scheme. At this stage, we are unsure of the number of families that will settle in Birmingham via this scheme.

### 23.3 Integration

23.3.1 Refugees who arrived in Birmingham via the Afghan, Syrian (2015-2020 arrivals period) or UKRS (2021 arrivals period) schemes can access four integration support services: tenancy sustainment, employability, participation, and mental health. These services will be recommissioned in 2025 using external grant funding. Those still within their first 12 months of settlement also receive dedicated support via the Arrivals, Accommodation and Orientation service. The Council also commissions 8 active grant-funded projects, providing further integration support for all people who arrived through a resettlement programme.

23.3.2 Support for Ukrainian guests continues through two contracts: one offering arrival orientation and accommodation support, and another offering tenancy and family support. In summer 2024, a review of the small grants programme identified new areas of need, which resulted in a change of focus for additional activity. This included services that offer ESOL specifically for employment, dedicated services for young people, and an intergenerational cultural project. Evidence is showing more and better cohesion and integration between communities, particularly noticeable in ESOL activities.

23.3.3 Birmingham uses external grant funding to offer its Ukraine guests a financial 'move on' package of support to exit from their hosted arrangements. Since January 2023, 173 families have secured accommodation in the private rented sector, receiving support to pay for rent deposits, guarantor insurances, and purchase of essential furniture. Of these, 75 families moved into private rented properties during 2024. The package has also supported 27 families to move into one of the 40 Homes for Ukraine LAHF allocated temporary properties during 2024.

23.3.4 Asylum seekers with a positive refugee decision in Birmingham can access support via a Move-on Service delivered by the Refugee & Migrant Centre which assists with benefits, registration with GPs, education, and housing support. Home Office supported asylum seekers living in Birmingham who are still waiting for an asylum decision can access specialised support via commissioned Sanctuary Grant activities. From January 24 the sanctuary grant scheme has enabled voluntary and community sector groups to enhance and/or extend their reach into these groups by providing health & wellbeing, education and activities based on identified needs across the City.

23.3.5 Birmingham launched the first ever Migrant Advice Portal and this year has extended this service into an accessible APP for mobile phones. This AI powered digital platform assists sanctuary seekers to access language specific information, advice and guidance about universal and targeted

support services close to where they live – ensuring that help and advice is easily accessible.

23.3.6 The ESOL Hub (Birmingham Adult Education Service) and the Migrant Advice Portal are two portals commissioned by Resettlement & Migration team to provide a one-stop-shop for ESOL and Advice in the city to improve access to, and quality of services. Over the last year the ESOL hub has been enhanced to include a volunteer portal that encourages individuals who are interested in teaching ESOL to register their interest.

#### 23.4 Partnerships, Strategy and Policy

23.4.1 The City of Sanctuary Partnership Board meets on a quarterly basis with a focus on the strategic work and priorities of the Council and its key stakeholders, and how these meet the City of Sanctuary objectives. The City of Sanctuary Policy and Strategy was updated and approved in October 2024 following a wide consultation and will be implemented and monitored through the Partnership Board.

23.4.2 The Council supports the work of the City of Sanctuary Voluntary Committee, assisting the Committee to embed and expand successful schemes such as Schools of Sanctuary, and to help establish new ‘streams of sanctuary’ such as Universities of Sanctuary. During 2024, we supported University of Birmingham to become University of Sanctuary.

23.4.3 The Council’s Resettlement and Migration commissioning team continues to host the Birmingham Migration Forum (BMF) on a quarterly basis, providing a space to present and discuss key issues facing commissioners and the voluntary sector, and to inform the direction of future work. We have also we have established a number of new partnership forums via our commissioned grant activities across resettlement Homes for Ukraine and asylum workstreams, which continue to inform and shape our strategies going forward.

### **24 Bereavement Services and Register Office**

#### 24.1 Improving Cemeteries and Crematoria

24.1.1 The project to replace the cremators and refurbish the chapel at Yardley Crematorium was completed in December 2023. The feedback from Funeral Directors and families has been very positive.

24.1.2 The project to extend Kings Norton Cemetery has commenced and is in the investigation and design phase. The initial ecological surveys have indicated that there are a number of habitats that are likely to support protected species and additional habitat surveys have been requested, which has delayed progress. It is anticipated that works will commence in 2025.

#### 24.2 Improving Customer Satisfaction with the Services

24.2.1 Bereavement Services monitors the percentage of short notice burials carried out within 1 day after booking (excluding funerals delayed through family or funeral director choice) and consistently achieves over 98% of short notice burials within this timescale and feedback from stakeholders is very positive.

24.2.2 Due to additional drainage that was installed last year and following discussion with the Church of England Diocesan office, Bereavement Services have been able to develop additional grave areas at Handsworth Cemetery which will be available to purchase in reserve from November 2024 onwards.

24.2.3 Improvements to Lodge Hill Crematorium chapel have commenced, with roofing and flooring works recently completed. Further improvement works are scheduled, including redecoration of the chapel once all roofing work is complete.

#### 24.3 Ensuring the workforce better represents the make-up of Birmingham's communities

24.3.1 Bereavement Services are introducing new posts within the structure as part of their future operating model. This includes four new Cemetery Maintenance Operative posts, to prioritise maintenance and improvement tasks across cemeteries and crematoria. Continuous reviewal of job descriptions is taking place when vacancies arise to ensure diversity and inclusion across the applicant pool as much as possible.

#### 24.4 Engaging Community Groups

24.4.1 Regular engagement is ongoing with community groups including Friends of Brandwood End Cemetery, Friends of Handsworth Cemetery and the Friends of Key Hill and Warstone Lane Cemeteries. Recent engagement has taken place with community members seeking to set up a new Friends of Yardley Cemetery group, and they are being supported in developing this proposal.

24.4.2 The Cabinet Member for Social Justice Community Safety and Equalities chairs the Muslim Bereavement Steering Group which meets regularly to ensure issues of concern to Muslim communities are raised and addressed as appropriate. This group is crucial in maintaining a positive relationship with a main user of our burial services.

#### 24.5 Extend the partnership working with the Bereavement Roundtable

24.5.1 The Bereavement Roundtable meets regularly to discuss matters to improve the bereavement process for all sectors of the community.

24.5.2 In addition, due to the changes in Death Certification Legislation in September 2024, representatives from Bereavement and Registration Services have been working with the NHS University Hospitals of Birmingham NHS Foundation Trust and the Birmingham and Solihull Coroner's Service to ease the transition following the reforms which require

all non-coronial deaths to be investigated by the Medical Examiner prior to registration.

#### 24.6 Ensuring there are better long-term plans in place for Bereavement Services

24.6.1 The future operating model for Bereavement Services has been reviewed and a formal consultation process is due to commence in November 2024. A future Capital agenda 2023 – 2027 is also in place, and a planned programme of general maintenance works to be carried out across the city cemeteries that will improve the overall presentation of sites has also been developed.

24.6.2 A future travel plan is due to be carried out for Sutton New Hall Cemetery and the surrounding area. This will look at potential options for increasing public transport to the area and for the effective management of traffic, not just for the cemetery but also with various planned future developments in the local area.

24.6.3 Bereavement Services will also be considering more efficient use of technology and IT systems to better serve staff and customers in providing services. One of the options that is to be introduced over the coming months is to provide a view of availability of appointments directly to families, which will enable them to plan services that suit their personal requirements when liaising with funeral directors.

### **25 Equalities**

#### 25.1 Staffing and Equality Impact Assessments

25.1.1 Two Grade 5 Equality Impact Officers are being recruited to lead on the completion of EIAs. These posts were originally due to sit within Insight, Policy, and Strategy, but will now sit within the Governance Team in Public Health. Temporary resource is in place to assist colleagues in completing EIAs until the end of January 2025.

25.1.2 A new EIA portal has been created with colleagues in the Digital Foundry, building on improvements made since December 2023 to the temporary platform. This was launched on 23 September 2024. The new portal offers opportunities for collaboration and offers further detail in relation to seeking impact on people from certain protected characteristics and explores further the mitigation elements.

25.1.3 Eight online briefing sessions are in place between the Council and Birmingham Children's Trust to support colleagues in completing EIAs. These have been well received with positive feedback.

#### 25.2 Equity, Diversity, Inclusion and Belonging (EDI&B) Achievements

25.2.1 The Council has been awarded Level 2(Employer) and Level 3 (Leader) of the Government's flagship Disability Confident Framework. The Council has improved the support given to disabled existing and potential employees requiring reasonable adjustments, including mandatory disability training

delivered to all People Services staff involved in case work and recruitment, ensuring reasonable adjustments are part of the monthly 'Beyond Disability' and consciously inclusive recruitment training programmes, and delivering a cross-council user group set up with staff with People Services and Trade Union representation.

25.2.2 People Services have trained over 2,900 staff on a range of EDI&B topics as well as refreshing the suite of EDI&B eLearning modules available, to make them more relevant to our statutory public duty and workforce challenges. This includes training on disability and intersectionality

25.2.3 Colleagues have focused upon improving the relationships with our Staff Networks, including activities such as a CLT engagement and collaboration event.

25.2.4 2022 and 2023 pay gap reports have been produced, with 2023 covering gender and race for the first time. This demonstrated a significant reduction in the pay gap since 2018, when statutory reporting was first introduced.

25.2.5 Work has been ongoing with the resourcing team to review and revise the recruitment process to support more inclusivity and fairness in recruitment. This has included the introduction of Consciously Inclusive Recruitment training, which has been delivered to CLT, ECLT, members, and Grade 7 officers. This is now part of the Learning and Development core offer. New job description and person specification templates have been designed that meet the Government's Disability Confident Standard and remove other biases in place. The template was reviewed by an external subject matter expert to ensure that this is bias free.

25.2.6 The Council has also created the Global Majority Apprenticeship. This is delivered as a cohort of individuals with management responsibility from Grade 4 and above, which was advertised and targeted to employees that have identified from Black, Asian and minority ethnic groups. 16 people were enrolled on the first cohort commencing in late 2023, several of whom have secured promotions since commencing this apprenticeship. Colleagues are in the process of reviewing the approach for a second cohort.

25.2.7 Colleagues have also designed a comprehensive workforce diversity and inclusion dashboard to capture and support monitoring reports of workforce data to identify progress against Workforce Equality Indicators. The team have worked with staff networks to ensure that this captures accurate data. This activity has increased disclosure rates for staff disability from 2% to 8.35, and LGNTQ+ disclosure by 0.3%.

## **26 RISK MANAGEMENT**

26.1 Not Applicable

**27 CONSULTATION**

27.1 Not Applicable

**28 MEMBER ENGAGEMENT**

**Ward Councillor(s)**

28.1 Not Applicable

**Overview and Scrutiny**

28.2 Not Applicable

**Other**

28.3 Not Applicable

**29 IMPACT AND IMPLICATIONS**

**Finance and Best Value**

29.1 Not Applicable

**Legal**

29.2 Not Applicable

**Equalities**

29.3 Not Applicable

**Procurement**

29.4 Not Applicable

**People Services**

29.5 Not Applicable

**Climate Change, Nature, and Net Zero**

29.6 Not Applicable

**Corporate Parenting**

29.7 Not Applicable

**Other**

29.8 Not Applicable

**30 APPENDICES**

30.1 Not Applicable

**31 BACKGROUND PAPERS**

31.1 Not Applicable



# Birmingham City Council

## Report to City Council

3 December 2024



<b>Title:</b>	<b>UPDATE ON EQUAL PAY: PAY AND GRADING – REPORT FROM EMPLOYMENT COMMITTEE</b>
<b>Lead Member:</b>	Councillor John Cotton, Leader of the Council
<b>Relevant Overview and Scrutiny Committee:</b>	Not Applicable
<b>Has this report been shared with the relevant Overview and Scrutiny Committee Chair?</b>	Not Applicable
<b>Report Author:</b>	Alan Downton, Equal Pay Programme Lead People Services Directorate 07849718682 Alan.Downton@birmingham.gov.uk
<b>Authorised by:</b>	Katy Fox, Director of People Services People Services Directorate
<b>Is this a Key Decision?</b>	No
<b>Reason(s) why not included on the Forward Plan and confirm who has authorised it to be considered:</b>	Not Applicable
<b>Is this a Late Report?</b>	Not Applicable
<b>Reason(s) why Late and confirm who has authorised it to be considered:</b>	Not Applicable
<b>Is this decision eligible for ‘call in?’</b>	Not Applicable
<b>If ‘call-in’ has been dis-applied, please provide reason(s) and confirm who has authorised:</b>	Not Applicable
<b>Wards:</b>	All Wards

**Does this report contain exempt or confidential information?**

No

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

**Reasons why not included on the Notification and confirm who has authorised it to be considered:** Not Applicable

## **1 EXECUTIVE SUMMARY**

- 1.1 The Equal Pay Programme is one of 16 programmes in the Improvement and Recovery Plan (IRP), which will deliver a new Pay and Grading structure by April 2025. This will implement an up to date fair and equitable pay and grading structure across the council and council-controlled bodies ensuring that all colleagues are paid fairly and equitably.
- 1.2 A review of the current pay and grading structure is an essential component in the effective delivery of the overall Equal Pay programme. The existing scheme is 16 years old and has not been reviewed during that time in light of legislative changes, or changes to the operating model and outcomes for the Council.
- 1.3 This report updates Council on the recent approval by the Employment Committee of 31 October 2024, to a new Scheme and its agreement to consult trade unions on the introduction of a revised, refreshed pay structure and supporting processes consistent with best practice and the relevant provisions of the Equality Act 2010.
- 1.4 The Employment Committee considered a number of potential options which were assessed against best practice design principles and deliverability and approved the recommended option detailed in the Report.

## **2 COMMISSIONERS' REVIEW**

- 2.1 Commissioners support the recommendations contained in this report.

## **3 RECOMMENDATIONS**

### **That City Council:**

- 3.1 Notes the decision made by Employment Committee on 31 October 2024 to proceed with consultation on the proposal.

## **4 KEY INFORMATION**

### **Context**

- 4.1 At the current rate of delivery of completed job evaluations, there will be a delay against the agreed delivery date of 1 April 2025, which is being addressed. The proposed Pay and Grading framework is a solution that enables Birmingham City Council to achieve the deadline whilst having a positive impact for most colleagues.

### **Proposal and Reasons for Recommendations**

- 4.2 The current pay and grading framework is outdated. A core set of design principles to address the issues were reviewed and agreed. Based on these criteria, a refreshed framework was designed.

## **Other Options Considered**

- 4.3 Alternative options which were assessed against the design principles and a number were rejected on the grounds of practicality given the likelihood of contention. The recommended option is the most positive.

## **5 RISK MANAGEMENT**

- 5.1 The programme is subject to full programme management protocols and controls and is staffed by a dedicated team of Programme planners and PMO specialists. The programme protocols include detailed procedures for planning, risk and issues management, change management, decision management, dependency management and resource management. No new risks or issues have emerged that would impact on the ability to implement a refreshed pay and grading framework by 1 April 2025.

## **6 CONSULTATION**

- 6.1 It must be noted that Birmingham City Council has procedural responsibilities in relation to consultation regarding this decision and that these involve a specific process as set out in the consultation protocol between the Council and the recognised trade unions.
- 6.2 Formal Consultation with our three recognised Trade Unions (GMB, UNISON and Unite the Union) officially commenced on 6 November 2024.
- 6.3 The purpose of the Consultation is to obtain a collective agreement with our three recognised trade unions (GMB, UNISON and Unite the Union) that supports the proposal and the recommended option for implementation.
- 6.4 A Joint Working Group (JWG) – Pay and Grading takes place once each week to facilitate the Consultation process, share information and data and provide a forum for open dialogue. The first Joint Working Group was held on 6 November 2024.

## **7 MEMBER ENGAGEMENT**

### **Ward Councillor(s)**

- 7.1 Not Applicable

### **Overview and Scrutiny**

- 7.2 Not Applicable

### **Other**

- 7.3 Not Applicable

## **8 IMPACT AND IMPLICATIONS**

### **Finance and Best Value**

- 8.1 Financial advice was set out and considered by Members in the private Report to Employment Committee of 31 October 2024.

### **Legal**

- 8.2 The full legal advice was set out and considered by Members in the private Report to Employment Committee of 31 October 2024.

### **Equalities**

- 8.3 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, and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.4 A full Equality Impact Assessment was completed on 3 October 2024 to establish the impact of the proposal upon colleagues who share relevant protected characteristics and colleagues who do not share it. An impact can be described as either be positive or negative, and direct or indirect.
- 8.5 The full assessment summary concluded that the evidence supports the method described in the proposal and that the proposal could proceed on that basis.

### **Procurement**

- 8.6 Not Applicable

### **People Services**

- 8.7 Work is ongoing within People Services and currently on track to deliver the supporting processes and system requirements to implement the refreshed pay and grading framework on 1 April 2025.
- 8.8 Principles have been established to guide the development of and delivery of communication materials. A detailed Engagement and Communications Plan is in place and will be delivered at the appropriate time.
- 8.9 By adopting an engagement-led approach, we will help our colleagues to feel that they are valued and acknowledge that we are being transparent about our objectives. Building confidence and trust.

**Climate Change, Nature and Net Zero**

8.10 Not Applicable.

**Corporate Parenting**

8.11 Not Applicable.

**Other**

8.12 Not Applicable.

**9 APPENDICES**

9.1 Not Applicable.

**10 BACKGROUND PAPERS**

10.1 Not Applicable.

# Birmingham City Council

## Council

3 December 2024



<b>Title:</b>	<b>SCRUTINY INQUIRY – ROAD SAFETY</b>
<b>Lead Member:</b>	Councillor David Barker, Chair of Inquiry and Deputy Chair, Sustainability and Transport Overview and Scrutiny Committee
<b>Relevant Overview and Scrutiny Committee:</b>	Not Applicable
<b>Has this report been shared with the relevant Overview and Scrutiny Committee Chair?</b>	Not Applicable
<b>Report Author:</b>	Amelia Wiltshire, Overview and Scrutiny Manager Council Management - Legal and Governance amelia.murray@birmingham.gov.uk
<b>Authorised by:</b>	Christian Scade, Head of Scrutiny and Committee Services Council Management - Legal and Governance
<b>Is this a Key Decision?</b>	No
<b>Reason(s) why not included on the Forward Plan and confirm who has authorised it to be considered:</b>	Not Applicable
<b>Is this a Late Report?</b>	No
<b>Reason(s) why Late and confirm who has authorised it to be considered:</b>	Not Applicable
<b>Is this decision eligible for ‘call in?’</b>	No
<b>If ‘call-in’ has been dis-applied, please provide reason(s) and confirm who has authorised:</b>	Not Applicable
<b>Wards:</b>	Not Applicable

**Does this report contain exempt or confidential information?**

No

## **1 EXECUTIVE SUMMARY**

- 1.1 This report sets out the key findings and recommendations from the Scrutiny Inquiry – Road Safety. The Inquiry considered the following question: How can the Council deliver better road safety outcomes while also meeting its budget challenges and moving towards financial recovery?
- 1.2 The Scrutiny Inquiry identified five themes from the evidence set out in Appendix A: Scale and Nature; Strategy and Policy; Physical Infrastructure; Parking; Other enforcement activity (Council and Police). Based on this evidence, the inquiry group has proposed 16 recommendations.

## **2 COMMISSIONERS' REVIEW**

- 2.1 Commissioners have no observations on this report.

## **3 RECOMMENDATIONS**

### **That the Council:**

- 3.1 Approve recommendations R01 to R16, set out in Appendix A, and request that the Executive pursue their implementation.

## **4 KEY INFORMATION**

### **Context**

- 4.1 Making our city's roads safer has been and always will be a priority for communities across the city. The impact of fatalities and serious injuries for survivors and their families cannot be easily described. Committee members felt that the level of public concern demonstrated when meeting or speaking with constituents or expressed in local media articles meant that this was a vital issue for the committee to explore, and hence, they agreed to undertake this Inquiry. In the months before this Inquiry commenced, there had been several tragic incidents on our city's streets where pedestrians, cyclists as well as drivers, had been killed or seriously injured. More have taken place since.
- 4.2 This Scrutiny Inquiry was established in February 2024 by the Sustainability and Transport Overview and Scrutiny Committee. Evidence gathering took place between April and August 2024. In total, the inquiry considered evidence from 13 separate organisations using a combination of face to face sessions (including at committee meetings as well as informally), written submissions and a survey. It is important to note that some of the evidence considered had previously been shared for the Active Travel Inquiry, which was agreed by Council in July 2024. The report attached as Appendix A provides a summary of the evidence considered.
- 4.3 The Sustainability and Transport Overview and Scrutiny Committee will track the implementation of these recommendations and their impact through reports to the Committee.

## **5 MEMBER ENGAGEMENT**

### **Ward Councillor(s)**

5.1 Not Applicable.

### **Overview and Scrutiny**

5.2 Not Applicable.

### **Other**

5.3 Not Applicable.

## **6 IMPACT AND IMPLICATIONS**

### **Finance and Best Value**

6.1 The Inquiry is very aware of the current financial position of the Council, and this was a key consideration when it determined its proposed recommendations, as set out in Appendix A. In line with the guidance for Overview and Scrutiny Inquiries in the Council, the proposed recommendations arising from this Inquiry do not have direct financial implications. Any future actions which might require additional resources or funding will be subject to the Council's financial approval framework as set out in the constitution

6.2 Consultation with the Executive in advance of finalising these recommendations also took place to assist with this. The view from the Inquiry is that these recommendations can be implemented within existing resources and so, are affordable as well as necessary (in light of their review of the evidence provided to them). If implemented, the Inquiry's recommendations will contribute towards, and drive improvements in, services, delivering both on efficiency and effectiveness and will demonstrate value for money.

6.3 The Sustainability and Transport Overview and Scrutiny Committee will continue to consider financial and best value implications as part of its monitoring of the progress of these recommendations.

### **Legal**

6.4 The proposed recommendations arising from this Inquiry, as set out in Appendix A, will contribute towards the Council's discharging the following legal duties as set out in Appendix B. Specifically, this relates to:

6.4.1 Section 39, Road Traffic Act 1988

6.4.2 Road Traffic Act 1991

6.4.3 Traffic Management Act 2004

6.4.4 Road Traffic Regulation Act 1984

6.4.5 Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022; Civil Enforcement Officers (Wearing of Uniforms) (England) Regulations 2007 and Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

6.4.6 Anti-Social Behaviour, Crime and Policing Act 2014

6.5 The Sustainability and Transport Overview and Scrutiny Committee will continue to consider legal implications as part of its monitoring of the progress of these recommendations.

### **Equalities**

6.6 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; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.7 There are no equalities implications directly arising from the recommendations, as set out in Appendix A. However, the Inquiry anticipates equality impact assessments are undertaken in relation to specific recommendations as they are progressed, and as appropriate. The Sustainability and Transport Overview and Scrutiny Committee will continue to consider equalities implications as part of its monitoring of this progress.

### **Procurement**

6.8 There are no procurement implications directly arising from the recommendations in this report.

### **People Services**

6.9 There are no staffing related implications directly arising from the recommendations in this report.

### **Climate Change, Nature and Net Zero**

6.10 There are no anticipated Climate Change, Nature and Net Zero implications directly arising from the recommendations, as set out in Appendix A. However, the Inquiry anticipates that the combined impact of these proposed recommendations may contribute towards improvement in air quality (increases in active travel mobility significantly lower carbon footprints)

6.11 The Inquiry anticipates Environmental Sustainability Assessments (ESAs) are undertaken in relation to specific recommendations as they are progressed, and as appropriate. The Sustainability and Transport Overview and Scrutiny

Committee will continue to consider equalities implications as part of its monitoring of this progress.

### **Corporate Parenting**

- 6.12 There are no corporate parenting implications arising from the recommendations in this report.

### **Other**

- 6.13 There are no other implications arising from the recommendations in this report.

## **7 APPENDICES**

- 7.1 Appendix A – Scrutiny Inquiry - Road Safety, 3 December 2024  
7.2 Appendix B – Executive Commentary

## **8 BACKGROUND PAPERS**

- 8.1 Birmingham Transport Plan  
8.2 Local Transport Plan  
8.3 Regional Road Safety Strategy 2023-2030  
8.4 Regional Road Safety Strategy action plan  
8.5 Road Harm Reduction Strategy Consultation  
8.6 Scrutiny Inquiry - Active Travel, July 2024  
8.7 West Midlands Police and Crime Plan 2021- 2025  
8.8 Sustainability and Transport Overview and Scrutiny Committee’s Work Programme 2023-2024

# Road Safety

## An Overview and Scrutiny Report December 2024



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Reports that have been submitted to Council can be downloaded from [www.birmingham.gov.uk/scrutiny](http://www.birmingham.gov.uk/scrutiny)

# Chair's Foreword

**Councillor David Barker, Chair of Inquiry and Deputy Chair of Sustainability and Transport Overview and Scrutiny Committee**



Road safety is an issue that unites communities across the city, in that every corner of Birmingham faces fears of yet another incident. Many neighbourhoods are haunted by incidents on our roads where lives were lost or changed. This drives many councillors like me to run for elected office. It dominated my election in 2022, and since then I can scarcely recall a week without one incident or another appearing in the news or brought to my attention. What this inquiry seeks to address is how the Council can do better to make our streets and roads safer.

This inquiry began in part to scrutinise the parking enforcement service run by the Council. While it always included a broader look at what the Council does and can do better, a central issue reported by councillors across the city is the lack of adequate parking enforcement in their wards. As shown through evidence gathering, illegal or poor parking, particularly around schools, can have a severe impact on road safety. We are enormously grateful to all the community groups and members who gave up their time to give evidence to this inquiry, and who also continue to campaign extensively across the city for safer streets.

Throughout the inquiry we have gathered a significant amount of evidence, much of which helps us all to understand how individual aspects of prevention and enforcement delivered by the Council are falling short and must be improved. This inquiry contains many findings and recommendations that recognise how no one road safety measure can solve the problem in isolation of the others. The Council too must deliver solutions with its partner organisations to achieve its goal of Vision Zero. I am incredibly grateful for the time given by the West Midlands Combined Authority, West Midlands Police, and Office of the Police and Crime Commissioner to share their views on how we can all do better together.

This inquiry is all about finding solutions through collaboration. On that note, I would like to thank my three colleagues, who worked hard on this inquiry and shaped its findings and recommendations: Cllr Richard Parkin, who reminded us of the importance of individual responsibility on the road; Cllr Izzy Knowles, who kept a focus on partnership working; and Cllr Waseem Zaffar, whose wealth of experience as a former Cabinet Member ensured we never lost sight of Birmingham City Council's role.

Partner agencies and campaign groups praised the Council's transport policy team for its ambition and the quality of their work. Too often the Council looks outside of itself when searching for improvements, but, as the findings and recommendations demonstrate, there is an enormous amount of progress that can be made through bold, ambitious, and brave leadership within the Council. Previous inquiries, such as the 2024 Active Travel Inquiry, have noted that the Council often struggles to manage and deliver projects. In the summer of this year, the Executive declared a road safety emergency. Now is the time to follow words with actions and demonstrate to the residents of Birmingham how this Council will make changes to deliver safer streets and roads for all of us.

The role of scrutiny is to provide challenge, to criticise constructively, and reflect the insights and concerns of the residents we serve. Birmingham City Council has been criticised for weak scrutiny in a report by the Centre for Governance and Scrutiny. Road safety is a subject that has always been important to the public but has grown even more so in recent years in this city. It merits the strongest inquiry findings and recommendations possible. The whole inquiry group has worked hard together to provide the most challenging recommendations we can. We have put these forward because we believe the Council, its leadership, and Council staff can achieve all that we recommend. The level of our challenge reflects the level of hope and belief we have in them.

We have been particularly fortunate to be supported throughout this inquiry by some incredibly diligent and passionate Council officers, particularly Amelia Wiltshire and Baseema Begum. We have also seen throughout this inquiry how many members of Council staff work tirelessly to make Birmingham's streets safer. We hope this inquiry provides practical steps to support their work reducing road harm. We owe it to those we were elected to represent to deliver real change that means an inquiry like this will never be needed again.

### **Councillor Lee Marsham, Chair of Sustainability and Transport Overview and Scrutiny Committee**

As Councillors embedded in our communities, we will all be aware of the desire of our residents to see improved pedestrian and road safety in our great city. But the background is one of repeated tragedies. In recent months, too many pedestrians and cyclists, both adults and children, have died or been seriously injured on our streets. We need to stop these tragedies by working together.



That is why the Sustainability and Transport Overview and Scrutiny Committee set up this inquiry on road safety, which complements our previous Active Travel Inquiry. This inquiry was agreed by Council in July 2024 and contained 13 realistic recommendations to speed up delivery of active travel schemes, which in turn helps improve pedestrian and road safety and to encourage more walking and cycling.

I wish to praise all the members of the Task and Finish Group, led by the Committee's Deputy Chair, Councillor David Barker, alongside cross-party members Councillors Izzy Knowles, Richard Parkin and Waseem Zaffar. As part of their work, we held two public sessions where the full committee contributed to the evidence gathering. This has meant that all committee members have played their part, including Councillors Raqeeb Aziz, Colin Green, Timothy Huxtable and Lauren Rainbow. Combined, we have made well-meaning yet deliverable recommendations which will help save lives and tackle the many issues highlighted from the evidence.

To everyone who has contributed to this inquiry, from outside bodies and other Councils, community witnesses who provided written and/ or oral evidence, to all elected members for their contributions, the hardworking Council officers and scrutiny team, thank you for your efforts.

Finally, thank you in advance for taking the time to read the report in full, which I believe can and will make a difference if implemented

# Summary of Recommendations

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
<b>Scale and Nature</b>			
<b>R01</b>	<b>Recommendation:</b> Council asks the Cabinet Member for Environment and Transport to engage with the West Midlands Police and Crime Commissioner and West Midlands Police to understand how the Council can support activities to tackle driving without insurance offences.	Cabinet Member for Environment and Transport	March 2025 (3 months)
<b>R02</b>	<b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport with the Leader of the Council, Deputy Leader, Mayor for West Midlands and all Birmingham MPs to write a letter and continue to lobby the Department for Transport to request funding for a London quality public transport and active travel network so there are alternatives to driving.	Cabinet Member for Environment and Transport	January 2025 (1 month)

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
<b>Strategy and Policy</b>			
<b>R03</b>	<b>Recommendation:</b> Council asks the Leader of the Council and Executive, to share the action plan for the Road Safety Emergency with a report to Council. This action plan should clearly set out how it commits to deliver, including what will happen, timescales and how any council activity will be funded. It should also be clear on how it will demonstrate how it is making a difference.	Leader of the Council/ Cabinet Member for Environment and Transport	March 2025 (3 months)
<b>R04</b>	<b>Recommendation:</b> Council seeks assurances from the Leader that the current Cabinet Member portfolio arrangements enable the Council to deliver on the Road Safety Emergency.	Leader of the Council/ Cabinet Member for the Environment and Transport/ Cabinet Member for Social Justice, Community Safety and Equalities	June 2025 (6 months)
<b>R05</b>	<b>Recommendation:</b> Council to ask the Deputy Leader to provide assurances that the Council's adopted policies are sufficient to tackle car dependency by supporting the transformation of the city through improving the quality and scale of public transport and active travel provision, whilst systemically reducing road harm risk. This should also consider the level of population density needed to sustain integrated public transport and active travel networks.	Deputy Leader	December 2025 (12 months)

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
<b>Physical Infrastructure</b>			
<b>R06</b>	<p><b>Recommendation:</b> Council seeks assurances from the Cabinet Member for Environment and Transport that the cost recovery model in place for schemes delivers value for money with a report to the Sustainability and Transport Overview and Scrutiny Committee. This report should outline how alternative options (such as a set fee for each scheme) have been considered and why they have been rejected.</p>	Cabinet Member for Environment and Transport	March 2025 (3 months)
<b>R07</b>	<p><b>Recommendation:</b> Council requests that the Cabinet Member for Environment and Transport ensures all ward members have a plain-speaking guide to support them to utilise effectively their Environment &amp; Transport Neighbourhood Fund allocation. This guide should provide information on evidence based 'what works'. It should also be regularly reviewed and updated when new ideas are tested.</p>	Cabinet Member for Environment and Transport	March 2025 (3 months)

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
<b>Parking</b>			
<b>R08</b>	<p><b>Recommendation:</b> Council requests that the Cabinet Member for Environment and Transport commits as part of the current Parking Enforcement service review:</p> <ul style="list-style-type: none"> <li>• That the review is completed by end March 2025 to enable its recommendations to be implemented as soon as possible for Birmingham.</li> <li>• Leads to a fully data led service (including use of information</li> </ul>	Cabinet Member for Environment and Transport	March 2025 (3 months)

	<p>provided through third party evidence)</p> <ul style="list-style-type: none"> <li>• Contract tender developed</li> <li>• Agrees to publish information to the public on a quarterly basis to understand what activity is taking place and whether it is making a difference.</li> <li>• Is satisfied that the current maximum parking charges cover the costs of running the service and considers appropriate next steps if this is not the case.</li> <li>• Reintroduces the Annual Parking report.</li> </ul>		
<b>R09</b>	<p><b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport to outline the approach to the Sustainability and Transport Overview and Scrutiny Committee to tackle pavement parking across the city and the plan to achieve this. This should cover but not exclusively:</p> <ul style="list-style-type: none"> <li>• How the current Traffic Regulation Order can be better utilised.</li> <li>• How to tackle anti-social parking caused by businesses (including their third party delivery services).</li> </ul> <p>Further, activity to address this including its impact should be included in the Annual Parking report.</p>	Cabinet Member for Environment and Transport	June 2025 (6 months)
<b>R10</b>	<p><b>Recommendation:</b> Council requests the Leader, Cabinet Member for Environment and Transport and the Cabinet Member for Digital, Culture, Heritage and Tourism to:</p> <ol style="list-style-type: none"> <li>1. explore how to improve the existing reporting system to make it easier for people to</li> </ol>	Cabinet Member for Environment and Transport/ Cabinet Member for Digital, Culture, Heritage and Tourism	June 2025 (6 months)

	<p>report parking issues to the Council. This new system should include the following:</p> <ul style="list-style-type: none"> <li>• Enables people to provide third party evidence</li> <li>• Provides feedback on action taken</li> <li>• Be user experience tested</li> <li>• Launched with a communications plan to inform and upskill residents so they can use it effectively</li> <li>• Integrated with council systems to minimise service interface</li> </ul> <p>and;</p> <p>2. Explore with West Midlands Police and the other Local Authorities within the West Midlands Combined Authority if they can adopt a single reporting system. This will make it easier for all residents by sending the complaint to the right authority for them.</p>	<p>Cabinet Member for Environment and Transport</p>	<p>June 2025 (6 months)</p>
<p><b>R11</b></p>	<p><b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport to urgently write a letter to the Department for Transport to request Councils are supported through legislation to be able to make more use of third party reporting for enforcement, as police forces are able to. This letter should be cosigned by all Birmingham MPs, the Police and Crime Commissioner and the Mayor for the West Midlands.</p>	<p>Cabinet Member for Environment and Transport</p>	<p>January 2025 (1 month)</p>

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
<b>Other Enforcement Activity (Council and West Midlands Police)</b>			
R12	<b>Recommendation:</b> Council requests that an implementation plan setting out how it intends to reduce speed limits across the city is provided to the Sustainability and Transport Overview and Scrutiny Committee. This plan should include how it will engage and inform ward members.	Cabinet Member for Environment and Transport	March 2025 (3 months)
R13	<b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport with the Leader of the Council, Deputy Leader, Mayor for West Midlands, West Midlands Police and Crime Commissioner and all Birmingham MPs to urgently write a letter to the Department for Transport asking that they introduce legislation for the police and councils to retain funds received from speeding fines in the region.	Cabinet Member for Environment and Transport	January 2025 (1 month)
R14	<b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport to urgently write a cross-party letter to the Department for Transport to request an increase in the maximum charges for Moving Traffic contraventions. This letter should be cosigned by all Birmingham MPs, the Police and Crime Commissioner and the Mayor for the West Midlands.	Cabinet Member for Environment and Transport	January 2025 (1 month)
R15	<b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport to urgently write a letter to the Police and Crime Commissioner and Chief Constable asking them to expand the remit and resources of traffic officers to work closely with neighbourhood police teams, and local councils, to gather intelligence to target individuals who: routinely	Cabinet Member for Environment and Transport	January 2025 (1 month)

	break speed limits; use illegal modifications of engines and exhausts and tinted windows; and remove number plates to escape detection.		
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Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
<b>Tracking</b>			
R16	<b>Recommendation:</b> Council agrees that the Executive Member reports on progress towards achievement of these recommendations no later than June 2025	Cabinet Member for Environment and Transport	June 2025 (6 months)

# 1 Introduction

## 1.1 Background

- 1.1.1 The Sustainability and Transport Overview and Scrutiny Committee decided to undertake an Inquiry into Road Safety on 20 July 2023.
- 1.1.2 As the Committee had also agreed to undertake an Inquiry into Active Travel, the Committee agreed that this Inquiry would commence following the conclusion of the Active Travel Inquiry. A [Terms of Reference](#) were, therefore, agreed in February 2024<sup>1</sup>.
- 1.1.3 A cross-party Inquiry Task and Finish Group was established comprising:
- [Councillor David Barker](#), Deputy Chair of the Sustainability and Transport Overview and Scrutiny Committee and Chair of the Inquiry
  - [Councillor Izzy Knowles](#)
  - [Councillor Richard Parkin](#)
  - [Councillor Waseem Zaffar](#)
- 1.1.4 The key question the Inquiry Task and Finish Group asked was:  
**“How can the Council deliver better road safety outcomes while also meeting its budget challenges and moving towards financial recovery?”**
- 1.1.5 In seeking to answer this the Task and Finish Group considered the following lines of inquiry:
- What is an acceptable level of compliance with the rules of the road? What enforcement activity is required to achieve this?
  - What are the roles and responsibilities for individual organisations and their services? How are the Council and partner organisations currently working together?
  - What is the financial modelling for Council enforcement activity?
  - How are the Council using data and information to deliver a better service? How does the Council use information from citizens to inform their service?
  - What does an effective cross-Council enforcement (including reporting) approach look like? What are the key measures which make a difference? What

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<sup>1</sup> [Sustainability and Transport Overview and Scrutiny Committee's Work Programme, Appendix 1, Page 16-19, February 2024](#)

is their cost base? What can we learn from other Local Authorities and their partner organisations to deliver better outcomes on enforcement?

- What are the legislative tools available to the Local Authority, and how are they currently being used? How do these tools differ from those available to other partner organisations?
- How can the Council build support within neighbourhoods and communities for enforcement?

## **1.2 Outcomes**

1.2.1 The specific outcomes for this inquiry are:

- Outcome 1: Safer roads for pedestrians, cyclists and motorists.
- Outcome 2: Service transformation for Highways
- Outcome 3: Contribute towards the Council's financial recovery programme
- Outcome 4: Build trust and confidence in Birmingham citizens to effectively address road safety issues

## **1.3 Why the Committee decided to look at Road Safety**

1.3.1 Making our city's roads safer has been and always will be a priority for communities across the city. The impact of fatalities and serious injuries for survivors and their families cannot be easily described. Committee members felt that the level of public concern demonstrated when meeting or speaking with constituents or expressed in local media articles meant that this was a vital issue for the committee to explore. In the months before this Inquiry commenced, there had been several tragic incidents on our city's streets where pedestrians, cyclists, as well as drivers, had been killed or seriously injured. More have taken place since.

## **1.4 Partnership Scrutiny**

1.4.1 The Inquiry recognises that an effective citywide approach to make Birmingham's roads safer will only be achieved through organisations and the community working together. Organisations such as West Midlands Combined Authority, West Midlands Police, West Midlands Fire Service and West Midlands Ambulance Service have a critical role to play. As such, the Inquiry has welcomed evidence from external organisations and is grateful for their valuable contributions.

1.4.2 Overview and Scrutiny Inquiries report their key findings and make recommendations to Council for the Executive to take forward. As Council can only agree recommendations which the Council can action, this Inquiry will not be making

recommendations to external organisations. Nevertheless, the Inquiry encourages all organisations involved in tackling road safety to review this report and seek to support its recommendations, where possible.

## 1.5 Evidence Gathering

- 1.5.1 Evidence gathering mainly took place between April and August 2024. A schedule of the Inquiry's activities is summarised in Appendix C. The activities were:
- Call for Evidence (Members) – responses were invited by email
  - Call for Evidence (Community) – Be Heard survey (open 9 July 2024 – 6 August 2024)
  - Two evidence gathering sessions – these were held informally with community members (April) and West Midlands Combined Authority and West Midlands Police (June).
  - Two committee meetings – these were held in public involving the Cabinet Member for Environment and Transport and Birmingham City Council officers in July and August.
- 1.5.2 Some evidence previously provided to the Active Travel Inquiry was also relevant and was reconsidered for this Inquiry<sup>2</sup>. This was relevant for 20s Plenty for Birmingham; City of Wolverhampton Council; London Borough of Waltham Forest; Transport for West Midlands; Sustrans; Pushbikes and Birmingham Living Streets.
- 1.5.3 Details of all organisations who provided evidence to the inquiry, either in person or in writing, is set out in Appendices C and D.
- 1.5.4 The Inquiry received one response from Members contributing to this inquiry. This information has been referred to within the report.
- 1.5.5 The Inquiry received 212 responses from community organisations. Appendix A sets out the results from this survey. The Inquiry Group would like to thank everyone who took the time to respond. Responses were submitted from over 60 identified community organisations and groupings within approximately 27 different neighbourhoods (Birchfield; Boldmere; Bournville; Brandwood; Castle Vale; Cotteridge; Edgbaston; Erdington; Great Barr; Gravelly Hill; Hall Green North; Handsworth; Handsworth Wood; Jewellery Quarter; Kings Heath; Moseley; Nechells; Perry Barr; Quinton; Selly Oak; Small Heath; Soho; Sparkhill; Sutton Coldfield; Tyseley; Ward End and Winson Green).

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<sup>2</sup> The Active Travel Inquiry reported to Council in July 2024. The final report can be accessed [here](#).

## 1.6 Statutory and Legal Responsibilities

1.6.1 Appendix B sets out the relevant legislation for the Council as regards road safety. Specifically, this report relates to:

- [Section 39, Road Traffic Act \(1988\)](#)
- [Section 16, Traffic Management Act \(2004\)](#)

1.6.2 While not a statutory or legal responsibility, the [Public Health Outcomes Framework](#) includes indicators on unintended road related injury prevention<sup>3</sup>.

## 1.7 Strategic Framework – local and regional

1.7.1 As well as the statutory and legal duties for the Council, activities to contribute towards making the city's roads safer fall within the following strategic framework:

- [Regional Road Safety Strategy 2023-2030](#) – this strategy covers the West Midlands and its 7 Local Authority areas after its former strategy (2019-2028) was refreshed and updated. It was developed by the West Midlands Combined Authority (WMCA). An [action plan](#) to deliver this strategy was launched on 6 November which is based on the Safe System approach. It focuses on Safe Speeds; Safe Vehicles; Safe Road and Roadsides, and Safe Road Use.
- [West Midlands Police and Crime Plan 2021-2025](#) – again, this plan covers the West Midlands region. It seeks to support the regional road safety strategy above as well as set out the commitments for the Police and Crime Commissioner to be delivered through West Midlands Police. A new Police and Crime Plan is currently under development.
- Birmingham Road Harm Reduction Strategy – a new citywide strategy is in development to reduce road harm risk and aligned to the regional road safety strategy and Birmingham Transport Plan.
- [Birmingham Transport Plan](#) – this plan contains a set of principles to guide investment in transport so that it is able to serve a future Birmingham that is home to more people and that is a better environment in which to live and work for everyone irrespective of age, disability or income. It complements the region's [Local Transport Plan](#).

Specifically for road safety, the measures in the Birmingham Transport Plan are designed to:

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<sup>3</sup> The Public Health outcomes framework concentrates on increased healthy life expectancy, reduced differences in life expectancy and healthy life expectancy between communities. Included in Part B – Wider determinants of Health is the indicator, B10- Killed and seriously injured (KSIs) casualties on England's roads.

- Eliminate road danger particularly in residential areas
- Connect people with new job and training opportunities
- Reconnect communities by prioritising people over cars
- Revitalise the city centre and local centres

## 2 Key Findings

### 2.1 Scale and Nature

- 2.1.1 There are significant concerns about the safety of all road users within the city. This is demonstrated from the information directly provided to the inquiry from community organisations across the city in the survey findings (as set out in Appendix A).

“The speeds some people reach on my local roads...are highly dangerous”

“The situation is dire and needs urgent attention, and co-operation with the police. People drive and park in deeply dangerous ways, and people are being killed by it. The entitlement of drivers and their general disregard for pedestrian and cyclist safety is genuinely scary”.

“I have 3 small children. We live a 5 minute walk away from school. They like to take their bikes or scooters. It is extremely difficult to get them to school in a calm, safe manor (*sic*). Often cars don't slow down around the school because they're in a rush to find a space. Every day I see unsafe parking on double yellows and cars blocking the very few drop curbs. It needs to change. We need safer roads around the school which in my opinion means closing the road to vehicles at appropriate times to allow children to feel safe”.

- 2.1.2 Reviewing local media coverage in recent years and months further reinforces the concerns of the community, as well as highlighting the impact road fatalities has had on families living in our city. In February 2024, the Birmingham Mail front page headline was ‘Stop the Fatal Road Carnage’ and ‘Call for Action as death toll soars since start of 2023<sup>4</sup>. In July 2024, three people were killed and four people injured on the city's roads in less than one single week. So far in 2024, 14 people have been killed on our city's roads<sup>5</sup>.

- 2.1.3 The Inquiry was advised that between 2019-2022 (excluding 2020<sup>6</sup>), 40% of fatalities associated with Road Traffic Collision in the West Midlands occurred in Birmingham. This is broadly proportionate with the comparative size and population of Birmingham compared to the other Local Authorities within the region. During this same time frame,

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<sup>4</sup> Birmingham Mail, 27 February 2024 accessed via Hold the Front Page

<https://www.holdthefrontpage.co.uk/2024/news/city-daily-highlights-road-safety-crisis/>

<sup>5</sup> As of 31 October 2024 and based on STATS19 data provided by West Midlands Police. This compares with 18 (2023) and 23 (2022). STATS19 also indicates that there were 417 killed and seriously injured (KSIs) through total road traffic collisions in 2023 compared with 449 in 2022 and 399 in 2021.

<sup>6</sup> As the year of pandemic restrictions inevitably led to significant fewer journeys, this year is not considered as representative for comparison purposes.

there was an 8% reduction in killed and seriously injured (pedestrians) and 5.5% reduction (cyclists) across the West Midlands<sup>7</sup>.

2.1.4 The West Midlands Combined Authority indicated that a more detailed ‘deep dive’ as regards vulnerable road users may be helpful to inform future activity<sup>8</sup>.

2.1.5 The Inquiry Group were advised that the four main causes of road deaths, ‘the fatal four’ are linked to<sup>9</sup>:

- Distraction – for example, the use of mobile phones while driving
- Speeding
- Impairment – for example, driving while under the influence of alcohol or drugs
- Seatbelt compliance – i.e. driving without a seatbelt.

2.1.6 This supports the key issues highlighted by community organisations to the inquiry, both in the face-to-face evidence gathering session as well as through the survey<sup>10</sup>. The range of issues raised included:

- Speeding – feedback included that people were exceeding the speed limit, as well as the actual limits on some roads were too high
- Dangerous or inconsiderate parking – both on the road and on the pavement
- People using mobile phones while driving
- Congestion around schools

2.1.7 Community evidence also referred to dissatisfaction with how well organisations are currently tackling these issues<sup>11</sup>. For example:

- Lack of enforcement to tackle parking
- People driving without insurance

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<sup>7</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024. It is also important to note that the absolute number for cyclists is low and so any percentage change can seem disproportionately significant.

<sup>8</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>9</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024. For further reference, see [Department of Transport, reported road casualties Great Britain, fatal 4 factsheet, 2023](#). However, as this is STATS19 data, Council officers raised subsequent concerns that because of the way this data is collected and compiled, it is likely to be variable dependent on the person recording the data. As such, whilst this data provides a valuable resource, conclusions drawn from this data should be treated cautiously.

<sup>10</sup>Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

<sup>11</sup> Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

- 2.1.8 The Inquiry Group heard about links between driving without insurance and committing other offences<sup>12</sup>. At a national level, the Motor Insurers' Bureau (MIB) advised that 'every 20 minutes someone in the UK is hit by an uninsured or hit-and-run driver and, tragically, each day at least one person suffers injuries so severe they need life-long care'<sup>13</sup>. The inquiry was concerned to learn that 5 out of the top 15 postcodes nationally for uninsured drivers are in Birmingham<sup>14</sup>. West Midlands Police highlighted two current operations: [Operation Tutelage](#) – a joint operation between the Police and [Motor Insurers' Bureau \(MIB\)](#) to increase levels of compliance; and [Operation Scaldis](#) to remove unsafe vehicles from our roads. There were 123 vehicles were removed in 2022.
- 2.1.9 When someone dies or is injured on the city's roads, survivors and bereaved families are the ones most directly affected. However, it indirectly affects everyone within the city too. The total societal cost of killed and seriously injured casualties in the West Midlands for 2023 was £444 million. Road deaths and serious injuries in Birmingham during 2023 account for approximately £205 million of the regional costs (almost 50%). The costs are calculated annually based on estimated real costs for lost output, medical and ambulance, police, insurance and damage to property. Currently every fatality is estimated to cost £2.4 million, and when a person is seriously injured, £271,000<sup>15</sup>.
- 2.1.10 The Inquiry was advised that there is a correlation between miles travelled by vehicles and the numbers of killed and seriously injured (KSIs) road users. For example, the number reduced in 2020 (year of pandemic) but rose again as the number of vehicle journeys increased again<sup>16</sup>. West Midlands Combined Authority and West Midlands Police highlighted that supporting people to make choices to use other modes of transport (for example, to walk, cycle or use public transport) will make roads safer<sup>17</sup>. Community evidence indicates that the city's current public transport network

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<sup>12</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>13</sup> Motor Insurers' Bureau (MIB) Uninsured driving crackdown takes over 3, 700 cars off the road, 28 December 2023 <https://www.mib.org.uk/media-centre/news/2023/december/uninsured-driving-crackdown-takes-over-3-700-cars-off-the-road/>

<sup>14</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024 but updated on 11 November 2024 to reflect [latest figures](#).

<sup>15</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024. Updated 8 November 2024.

<sup>16</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>17</sup> This is also reflected in the Committee's recent Active Travel Inquiry. This Inquiry was reported to Council in July 2024. The final report can be accessed [here](#).

(compared to other UK cities) did not enable people to always have a realistic choice from driving<sup>18</sup>.

- 2.1.11 The community evidence also indicated that if people do not feel safe using other transport options, they are less likely to choose them over their own vehicle. From the community survey, 70.8% felt either unsafe or very unsafe walking in their neighbourhood. This rose even higher when people were driving (71.7%) and cycling (86.8%)<sup>19</sup>.
- 2.1.12 The Inquiry Group felt that these feelings are not only about road safety but may be influenced by fears of other crime and anti-social behaviour as well as the overall feel of their neighbourhood<sup>20</sup>. One of the community members at the face-to-face session described how Coventry Road (A45) 'is like a motorway now'. As a result, she felt uncomfortable walking near it or letting her children walk near it<sup>21</sup>.
- 2.1.13 **Key Finding 1:** Despite reductions over the years 2019-2022, incidents of road harm caused by KSIs (Killed or Seriously Injured) remain at an alarming and unacceptable level. This is not an inevitability for cities like Birmingham. Communities are concerned and our road safety crisis has become increasingly more prominent in the local media.
- 2.1.14 **Key Finding 2:** The main four causes of road harm are likely to be distraction, speeding, impairment and seatbelt non-compliance.
- 2.1.15 **Key Finding 3:** Road harm, including KSIs, carries an enormous financial burden to the public, with road casualties costing approximately £205 million in Birmingham annually.
- 2.1.16 **Key Finding 4:** Birmingham has four of the top 15 postcodes for driving uninsured. National evidence shows a correlation between drivers with no insurance and increased risks for road safety.
- 2.1.17 **Key Finding 5:** Unsafe roads contribute to more people feeling unsafe to walk, to cycle, or use public transport, and instead opt to drive.
- 2.1.18 **Key Finding 6:** Residents often feel they must use private vehicles due to limited public transport infrastructure. Birmingham lacks a fully integrated, city-wide mass transit public transport and active travel network compared to London. Furthermore, how safe people feel is also an important factor in choosing to use public transport. Improving safety and perceptions of safety is equally important.

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<sup>18</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

<sup>19</sup> Inquiry Survey, Appendix A

<sup>20</sup> Note that the survey did not ask people to identify other reasons why they may feel safe/ unsafe in their neighbourhood.

<sup>21</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

2.1.19 **Key Finding 7:** Reducing the number of individual vehicle journeys and speeds improves road safety. Other partner organisations such as the West Midlands Combined Authority and West Midlands Police also recognise this. People need to have other choices through reallocation of road space. This Council needs to rapidly increase and improve its delivery of pedestrianisation and segregated cycling infrastructure to meet its targets (this was also raised by the Active Travel Inquiry agreed by Council in July 2024). The Council needs to ensure this change of pace and delivery considers the needs of all Birmingham’s communities and citizens, in particular, people with disabilities and long-term health conditions through its Equality Impact Assessments.

2.1.20 **Key Finding 8:** Some journeys, particularly over longer distances, may require people to use a car. All drivers have a personal responsibility to not drive dangerously.

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R01	<b>Recommendation:</b> Council asks the Cabinet Member for Environment and Transport to engage with the West Midlands Police and Crime Commissioner and West Midlands Police to understand how the Council can support activities to tackle driving without insurance offences.	Cabinet Member for Environment and Transport	March 2025 (3 months)
R02	<b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport with the Leader of the Council, Deputy Leader, Mayor for West Midlands and all Birmingham MPs to write a letter and continue to lobby the Department for Transport to request funding for a London quality public transport and active travel network so there are alternatives to driving.	Leader of the Council/ Cabinet Member for Environment and Transport	January 2025 (1 month)

## 2.2 Strategy & Policy

### Road Harm Reduction Strategy

- 2.2.1 At the time of writing, it is anticipated that a new Road Harm Reduction Strategy for Birmingham is shortly to be adopted. The current [Road Safety Strategy](#) has not been refreshed since 2016 and no longer aligns as it should with relevant regional and local strategies. This includes the West Midlands regional refreshed road safety strategy and the Birmingham Transport Plan. A new Road Harm Reduction Strategy is a welcome step. It ensures both strategic and delivery activity will, in the future, fit together and pull in the same direction, thereby maximising its impact.
- 2.2.2 This new strategy is intended to enable the Council to discharge its statutory duties under the [Road Traffic Act 1988](#) to promote road safety and to take appropriate measures to prevent collisions.
- 2.2.3 The ambition of the proposed strategy is to end death and serious injuries for users of Birmingham’s roads, in line with the ‘Vision Zero’ concept, which aspires to eliminate all traffic fatalities and serious injuries. It follows ‘Safe System’ principles and adopts the globally successful ‘Healthy Streets’ to gradually transform Birmingham’s streets<sup>22</sup>.



Diagram 1: Healthy Streets Indicators

- 2.2.4 The [Healthy Streets](#) approach includes 10 evidence-based Healthy Streets Indicators, each describing an aspect of the human experience of being on streets. These ten must be prioritised and balanced to improve social, economic and environmental sustainability through how our streets are designed and managed (Diagram 1). This

<sup>22</sup> [Road Harm Reduction Strategy consultation](#), accessed 8 November 2024. This is the Birmingham City Council consultation on the proposed new strategy, which was open from 8 January 2024 until 5 April 2024.

approach can be applied to any streets, anywhere in the world. It builds improvements on existing conditions rather than seeking a fixed end goal. Taking this approach requires incremental changes in all aspects of the decision-making processes related to streets and transport<sup>23</sup>.

- 2.2.5 The proposed Road Harm Reduction Strategy aligns with the Birmingham Transport Plan Delivery Plan spatial framework of corridors, neighbourhoods and centres.

### **Road Safety Emergency**

- 2.2.6 In July 2024, the Council declared a [Road Safety Emergency](#) in response to calls from the community. When providing evidence to the Inquiry, the Cabinet Member for Environment and Transport, Councillor Majid Mahmood, emphasised how any response to this emergency ‘...needs to be done in partnership to make an impact...’<sup>24</sup>. Both Cllr Majid Mahmood and the Cabinet Member for Social Justice, Community Safety and Equalities, Councillor Nicky Brennan, collectively [wrote to the Chief Constable on 26 July 2024](#) to request a Road Safety Gold meeting was set up, which would enable a multi-agency response to be coordinated. This letter also requested additional mobile speed enforcement vehicles to be deployed and additional road traffic policing units.

- 2.2.7 The Inquiry Group was advised that the first Gold meeting had taken place involving senior officers from West Midlands Police and Birmingham City Council. As a result, positive developments had already taken place including<sup>25</sup>:

- Timely information sharing between the Police and the Council to ensure Council activity can have greatest impact – this has included a proposal for debriefs between Police and Council officers within 7 days following any fatality as well as intelligence to support the deployment of civil parking enforcement officers and highways maintenance staff from KIER. A further discussion on other ways to achieve better information sharing has also been scheduled.
- West Midlands Police have increased staff resources dedicated to road safety.

- 2.2.8 While the Inquiry Group welcomed the declaration of this commitment and the information provided on activity to date in its August’s committee meeting, the Inquiry

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<sup>23</sup> [Healthy Streets](#) is an evidence-based approach to creating fairer, sustainable and attractive urban spaces. Every decision we make about our built environment, however small, is an opportunity to deliver better places for people to live in and thereby improve their health. The Healthy Streets Approach is a human-centred framework for embedding public health in transport, public realm and planning.

<sup>24</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>25</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

Group felt it needed further information on what it will tangibly mean and expressed concerns how it will be delivered upon without firm resource commitments.

### **Community Role**

- 2.2.9 The Inquiry Group heard how there was a greater role community stakeholders can play around the development of strategy and policy as well as operational interventions. The Inquiry Group heard examples from Better Streets for Birmingham about how it was working with Birmingham City Council. This was in addition to other examples highlighted by community organisations to the Active Travel Inquiry. There were also examples provided by the Sheldon Traffic Action Group (STAG) about how the Council was not working with them.
- 2.2.10 The Inquiry Group heard how these community organisations felt there were unexplored opportunities for the community to work alongside statutory services to achieve common goals around safer roads. They described how ‘communities need to see ownership of what isn’t working and inspiration on what we can do even if it is a long journey (such as asking for legislation change)’. When asked to give a score out of 10 for how empowered they felt to make a change, the average score was 3 and no score was higher than 5. They asked what more could be done, how can we work better together to prevent issues happening in the first place and how can community capacity be strengthened<sup>26</sup>.
- 2.2.11 The Inquiry Group was advised that people needed to have more information on what works and will make a difference. Another suggestion referred to professionals ‘in the room’ engaging with residents in engagement activities, so the Council and communities can map solutions together<sup>27</sup>.
- 2.2.12 The session with community members also referred to the challenges of securing a consensus within different neighbourhoods and communities and acknowledging that this may not be possible. There was discussion that attention is often with those who do not like change and too little work with the majority in favour of intervention: “We need to put in infrastructure and enforcement rather than asking nicely”<sup>28</sup>. The Low Traffic Neighbourhoods were cited as examples which have led to frustrations.
- 2.2.13 Community members at this session also highlighted that there was a ‘disconnect (in the Council) between ambition and delivery. The volume of change needed has to be approached more decisively’<sup>29</sup>. Similar points had been made in the Active Travel

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<sup>26</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

<sup>27</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

<sup>28</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

<sup>29</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

Inquiry<sup>30</sup>. They requested more transparency and accountability to hold the Council to account.

2.2.14 **Key Finding 9:** Failure to make in-roads to prevent road harm has led to increased pressure on the Council and partners to deal with incidents. While a proposed new Road Harm Reduction Strategy is in the pipeline, the current strategy has not been updated since 2016. The Road Safety Emergency is welcomed but there remains a lack of understanding about what this means and how this changes partner and Council operations.

2.2.15 **Key Finding 10:** There is a disconnect between policy and delivery: transport policy by Birmingham City Council is praised by all partners, whereas our delivery of projects is criticised in equal measure. This was also raised in the Active Travel Inquiry agreed by Council in July 2024.

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<sup>30</sup> This Inquiry was reported to Council in July 2024. The final report can be accessed [here](#).

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R03	<p><b>Recommendation:</b> Council asks the Leader of the Council and Executive, to share the action plan for the Road Safety Emergency with a report to council. This action plan should clearly set out how it commits to deliver including what will happen, timescales and how any council activity will be funded. It should also be clear on how it will demonstrate how it is making a difference.</p>	Leader of the Council/ Cabinet Member for Environment and Transport	March 2025 (3 months)
R04	<p><b>Recommendation:</b> Council seeks assurances from the Leader that the current Cabinet Member portfolio arrangements enable the Council to deliver on the Road Safety Emergency.</p>	Leader of the Council / Cabinet Member for the Environment and Transport/ Cabinet Member for Social Justice, Community Safety and Equalities	June 2025 (6 months)
R05	<p><b>Recommendation:</b> Council to ask the Deputy Leader to provide assurances that the Council's adopted policies are sufficient to tackle car dependency by supporting the transformation of the city through improving the quality and scale of public transport and active travel provision, whilst systemically reducing road harm risk. This should also consider the level of population density needed to sustain integrated public transport and active travel networks.</p>	Deputy Leader	December 2025 (12 months)

## 2.3 Physical Infrastructure

- 2.3.1 The community session highlighted that they felt that the city had a ‘car centric’ approach. Roads seem to be designed for the benefit of cars only, rather than people. They also felt that the available budget to tackle road safety is very small. Sheldon Traffic Action Group suggested that monies generated from fines (for example, speeding) should be ringfenced and reinvested into local areas for road safety physical measures.<sup>31</sup>
- 2.3.2 In response to this, the Inquiry Group welcomed the suggestion from Lea Forest Primary Academy how the Council needs to consider places holistically, and this included highlighting the value of investment to support different travel options<sup>32</sup>. They suggested ‘road condition and collision study considering broader issues than just the road itself’. For example, the street lighting or foliage as well – all of which may have an impact on safety for road users.
- 2.3.3 Lea Forest Primary Academy also highlighted concerns about how road improvements are assessed. For example, the assessment criteria are based on the number of killed or serious injured people. There is a question whether this criteria effectively captures the level and nature of the risk. They stressed how 560 children attend their school and inferred that information such as this should also be considered<sup>33</sup>.
- 2.3.4 Officers from the Council’s Place, Prosperity and Sustainability Directorate advised that the potential for traditional engineering solutions had been reached as a city<sup>34</sup>. This supported the need to explore other ways to make roads safer within Birmingham. The Birmingham Transport Plan and proposed Road Harm Reduction Strategy are in response to this.
- 2.3.5 At the evidence session with community groups, there were concerns raised about how long it took to implement schemes (both schemes designed to address road safety directly, as well as schemes with other benefits such as Active Travel). The Inquiry Group were aware through evidence provided to the Active Travel Inquiry and through their own ward work, as well as from other Members, that the delivery of schemes, including local ward based schemes, is not always timely<sup>35</sup>.
- 2.3.6 These schemes are delivered through two Council directorates – City Operations (Highways and Infrastructure) and Place, Prosperity and Sustainability (PPS)

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<sup>31</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

<sup>32</sup> Letter from Lea Forest Primary Academy dated 17 May 2024. This letter was submitted to the Inquiry by Councillor Marj Bridle as part of the Member evidence gathering (see 1.5.1 and Appendix C).

<sup>33</sup> Letter from Lea Forest Primary Academy dated 17 May 2024.

<sup>34</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>35</sup> This Inquiry was reported to Council in July 2024. The final report can be accessed [here](#).

(Transport and Connectivity). However, the Inquiry Group felt it is difficult to know who is accountable for the delivery of a scheme. The visibility and transparency of all schemes to councillors and the public is important.

- 2.3.7 Officers from the Council's Place, Prosperity and Sustainability directorate (PPS) advised, if implemented, the relevant recommendations from the Active Travel Inquiry will make a difference to the delivery timeframe of schemes and accountability<sup>36</sup>.
- 2.3.8 The Inquiry Group also raised concerns whether the current delivery model for schemes generates delays in the pace of delivery. For example, there are no penalties for delays in delivering schemes as well as the governance pathways.
- 2.3.9 The Cabinet Member for Environment and Transport highlighted opportunities for ward members to access funds for schemes in their local wards through the new Environment and Transport Neighbourhood Fund (ETNF)<sup>37</sup>. Schemes that aim to make a positive contribution towards road harm reduction, active travel, air quality improvements, reductions to carbon emissions and climate change mitigations may be supported through this fund.
- 2.3.10 This new fund replaces the former Ward Minor Transport Measures (WMTM) and incorporates Brum Breathes fund and additional budget from net surplus revenues from the Clean Air Zone. The Inquiry Group heard that some wards had not accessed the WMTM budget, as ward plans had not been in place<sup>38</sup>. However, the Inquiry Group was concerned that the overall level of funding in place for the ETNF is not on par with the total available funding to individual wards through the previous schemes. They also felt that wards which had been proactive and had developed approved schemes through the Brum Breathes fund would be penalised<sup>39</sup>.
- 2.3.11 The types of measures that might be supported through the ETNF could include, but are not limited to, the following: minor junction re-design, traffic reduction measures, active travel improvements, school streets, parking controls or restrictions, verge protection measures, green infrastructure (planting, trees, parklets, but not high-maintenance floral displays), provision of parking facilities for those with disabilities and mobility difficulties such as advisory disabled bay markings, de-cluttering of street

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<sup>36</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>37</sup> This fund was approved by Cabinet on 25 June 2024 (Transportation & Highways Delivery Programme 2024/25 to 2029/30 - Annual Programme Update). In both 2024/25 and 2025/26, the total funding available through this scheme will be £20,000 per annum (single member ward) and £40,000 per annum (two member wards).

<sup>38</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>39</sup> As the ETNF includes an element of unused funding from the Brum Breathes Fund the allocation of funding to wards, up to the end of March 2026, will be on a pro-rata basis.

In practice this will mean that any ward with an approved application to the Brum Breathes Fund (up to the end of August 2024) will have that funding allocation deducted from any allocation they may have received from the ETNF.

infrastructure and road markings, inclusive streetscapes (dropped kerbs, crossing enhancements, benches, etc) and air quality monitors. Officers from PPS suggested that there may be cost efficiencies through economies of scale for the ETNF fund. For example, if multiple wards wanted to invest in schemes requiring new kerbing, the Council will be able to secure cheaper unit costs if this is purchased together rather than by individual scheme<sup>40</sup>. This will require coordination throughout the programme to achieve.

### **Speed Limits**

- 2.3.12 There is a link between reducing area speed limits and reducing the numbers of people killed or seriously injured on roads<sup>41</sup>. The Council's Place, Prosperity and Sustainability directorate advised that a key area for future delivery will be to reduce remaining 40mph speed limits to 30mph to provide city wide consistency. A business case for £600,000 has been approved to support this work, and consultation on new Traffic Regulation Orders (TROs) to deliver it, commenced in November. Subject to the consultation outcome, works for some of the approved schemes could start in early 2025.
- 2.3.13 The Cabinet Member for Environment and Transport, Councillor Majid Mahmood, also advised he had sent a letter to Government requesting 20mph zone for the whole of Birmingham; he is currently awaiting a response. He highlighted that the recent introduction of this zone in Wales had highlighted there would be cost implications for the Council in implementing this<sup>42</sup>.
- 2.3.14 **Key Finding 11:** Birmingham's roads have been designed around motor vehicles. Residents who contributed to the inquiry felt there is more the Council can do with the design of roads to prevent road harm incidents.
- 2.3.15 **Key Finding 12:** The pace of scheme delivery may be undermined by the current delivery model. The Inquiry Group felt that this was due to the cost recovery business model in place as well as the governance pathways.
- 2.3.16 **Key Finding 13:** Members struggle to have clarity on who is responsible for schemes. This is particularly problematic to understand when delays in delivery occur; who is accountable and what are the actions to be taken. This Inquiry recognises that the Council has already made recommendations through the recent Active Travel Inquiry

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<sup>40</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>41</sup> [Safe Systems – Safe Speeds factsheet](#), BRAKE (accessed 9 November 2024)

<sup>42</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

to address this, however what this Inquiry has learned reiterates the need for this to be addressed.

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R06	<p><b>Recommendation:</b> Council seeks assurances from the Cabinet Member for Environment and Transport that the cost recovery model in place for schemes delivers value for money with a report to the Sustainability and Transport Overview and Scrutiny Committee. This report should outline how alternative options (such as a set fee for each scheme) have been considered and why they have been rejected.</p>	Cabinet Member for Environment and Transport	March 2025 (3 months)
R07	<p><b>Recommendation:</b> Council requests that the Cabinet Member for Environment and Transport ensures all ward members have a plain-speaking guide to support them to utilise effectively their Environment &amp; Transport Neighbourhood Fund allocation. This guide should provide information on evidence based 'what works'. It should also be regularly reviewed and updated when new ideas are tested.</p>	Cabinet Member for Environment and Transport	March 2025 (3 months)

## 2.4 Parking

2.4.1 The Royal Society for the Prevention of Accidents (RoSPA) provides data on various types of parking controls and their implications on road safety<sup>43</sup>. While this summary was produced in 2012, it still indicates that on-street parking may be linked with an increased number of incidents for all road users. West Midlands Police and West Midlands Combined Authority supported this view when they met with the Inquiry Group<sup>44</sup>.

2.4.2 The inquiry group session with community members as well as the survey responses highlighted the level of concern with illegal and poor parking<sup>45</sup>.

“Parking on corners is frequently an issue as a clear view of the road to left and right can be obscured”.

“My biggest concern is the parking of cars on pavements with no consideration for parents with prams and pushchairs and more importantly people with mobility problems who use wheelchairs or scooters. Parking on pavements should be made illegal across the whole of Birmingham. These inconsiderate drivers are forcing the young and the vulnerable onto the cities (*sic*) roads which is unsafe”.

“...the scale of terrible, inconsiderate and dangerous parking is unbelievable and seems to be growing”.

2.4.3 From a resident perspective, the Inquiry was advised that there is confusion about which organisation deals with enforcement of which type of parking, as well as frustrations about how to report the issue and the response. 80.7% of survey respondents were either unsatisfied or very unsatisfied with the level of parking enforcement in their neighbourhood<sup>46</sup>.

2.4.4 Better Streets for Birmingham highlighted that the Council does not have the resources to tackle everything on road safety and should focus on what is achievable. They highlighted pavement parking as an example of this<sup>47</sup>. West Midlands Police questioned whether it would be possible to meet expectations for parking enforcement.

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<sup>43</sup> The Royal Society for the Prevention of Accidents (RoSPA) hosts a Road Safety Observatory which aims to provide information on road safety to anyone working in the sector and members of the public. Their factsheet on parking can be accessed [here](#).

<sup>44</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>45</sup> Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

<sup>46</sup> Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

<sup>47</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

Officers from the Council's Highways and Infrastructure service also shared these concerns<sup>48</sup>.

- 2.4.5 Through the different evidence sessions with the Council and the Police, a discussion point focused on 'how can we help people to understand the difference in enforcement roles between Council and Police, so people are going to the right organisation the first time'. However, the feedback from the evidence session with community organisations suggested that residents want things to be done without having to understand which organisation is responsible<sup>49</sup>.

## Legislation

- 2.4.6 The Inquiry Group received information from officers in Highways and Infrastructure on the relevant legislation they can use to tackle parking (set out in Appendix B). Key points from the Inquiry Group are:

- Council and use of Third Party evidence – more use of third party evidence would be welcomed by the community members the inquiry group spoke to<sup>50</sup>. It could potentially enable more extensive coverage of the city and deliver better levels of service and satisfaction for residents (subject to effective resource levels to process the information). The current legislation does not allow the Council to use third party evidence to issue a Penalty Charge Notice (PCN), although it does enable the Council to use it for intelligence purposes<sup>51</sup>.
- Police and use of Third Party evidence – the powers available to the Police do allow them to use Third Party evidence for enforcement. This inconsistency, although rooted in legislation, frustrates residents. The Office for the West Midlands Police and Crime Commissioner highlighted how they had secured funding through the Safer Streets funding, round 5 to support third party reporting mechanisms.
- Evidence required for a PCN<sup>52</sup> – a Civil Enforcement Officer (CEO) is required to gather information including vehicle registration number, make and model of

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<sup>48</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024 and Evidence Gathering session, Work Programme at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

<sup>49</sup> This point was raised at all of the evidence gathering sessions outlined in Appendix C.

<sup>50</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

<sup>51</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

<sup>52</sup> "The cost of PCNs for parking contraventions in England (outside London) has not been increased for a number of years. The current costs are £70 or £50 (depending on the offence), reduced to £35 or £25 if paid within 14 days. Compared to the [road danger of the parking activity](#), this is a very low cost. It also means there are locations where parking illegally and paying the charge are similar to the cost of paid for legal parking."

vehicle, details of the contravention, location and time (to provide evidence that the vehicle was parked in contravention). Set observation periods by the CEO may also be required before the PCN can be issued. This information can only be recorded on devices that have been officially certified to be used to collect evidence that may result in PCNs being issued. This certification helps ensure that the evidence gathered is legally robust and can withstand scrutiny if challenged via appeals to the Traffic Penalty Tribunal (TPT).

- 2.4.7 The Inquiry Group also noted that the legislation underpinning pavement and verge parking enforcement is different for Greater London than for the rest of England, including Birmingham<sup>53</sup>. Outside of Greater London, pavement parking is generally not prohibited unless specific Traffic Regulation Orders (TROs) are in place. The previous Government consulted upon options to amend legislation to provide additional powers for Local Authorities outside Greater London in 2019<sup>54</sup>. Officers from Highways and Infrastructure are monitoring current Government intent with regards to this subject.
- 2.4.8 The Inquiry Group was advised that a relevant and overarching Traffic Regulation Order is in place to prohibit parking on pavements and verges<sup>55</sup>. However, adequate signage would need to be provided and maintained on specific streets to make the Order enforceable. This would incur costs and the approach would not generate the funding required to resource associated enforcement<sup>56</sup>. There was some concern from the Inquiry Group that measures to tackle issues such as this were not more consistently known amongst ward councillors and officers, and this may mean opportunities are being missed.
- 2.4.9 The only other relevant legislation which has been used by Local Authorities is section 72 of the 1835 Highways Act. This section deals with the prohibition of allowing animals and carriages to travel on footways. It has been accepted by magistrates as

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<sup>53</sup> [Section 15, Greater London Council \(General Powers\) Act 1974](#) prohibits vehicles from parking on footways, grass verges, and other parts of the highway that are not designated carriageways. This provision is geographically specific to Greater London and grants Local Authorities in that area the powers to regulate and enforce restrictions on parking in these non-carriageway areas.

<sup>54</sup> This consultation took place in 2020. The Department for Transport consulted on the DfT is seeking your views on whether its ongoing work to improve the TRO process, under which local authorities can already prohibit pavement parking, is sufficient and proportionate to tackle pavement parking where it is a problem; or whether legislative change to allow local authorities with civil parking enforcement (CPE) power enforce against 'unnecessary obstruction of the pavement) or legislative change to introduce a London-style pavement parking prohibition throughout England would provide better tools for local authorities. (These options had been identified through the department's review of pavement parking and echoed by the Transport Committee). They were also interested in understanding any other alternative proposals you may have for managing pavement parking

<sup>55</sup> Where specific parking restrictions are in place, these cover the entire extent of the public highway, including verges and footway. This means that Civil Enforcement Officers are able to issue Penalty Charge Notices for vehicles parked in contravention, including on the footway. In this regard, permit parking controls are particularly effective, offering a degree of self-enforcement and providing a revenue stream to fund formal enforcement activity.

<sup>56</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

meaning that a parked vehicle can only have got on the footway by travelling across it and is therefore guilty of an offence. The very age and nature of this legislation reinforces the idea that the legislation is not meeting the needs of today.

- 2.4.10 It would still be required (to use section 72, 1835 Highways Act) to have evidence to identify the driver at the time the offence occurs, which may be challenging to resource adequately through both the Police and Council. The Cabinet Member for Environment and Transport highlighted he was keen to support a regional request to Government for the West Midlands to receive similar powers to London and [Scotland](#), which may be a more achievable approach<sup>57</sup>.

### **Council's Parking Service Review**

- 2.4.11 The Inquiry Group was advised that the Council Parking Service is undergoing a full and detailed service review. This will lead to a new service specification and procurement of a new enforcement contract. (The current contract expires on 31 January 2026). The review commenced in July 2024 and is scheduled to conclude by end March 2025.
- 2.4.12 This independent review will provide an initial baseline of the service, as well as further advice regarding future service strategy and direction. The aim of the review is to assess all areas across the service to:
- Develop a new operating model and future enforcement contract which aligns with and supports the Council's strategic ambition and policies. It should also provide the Council with the flexibility to change direction, as and when required.
  - Ensure the future enforcement contract promotes coherency across services to further drive efficiencies and savings.
  - Ensure the service is robust, operates efficiently with streamlined processes and demonstrates value for money.
  - Benchmark fees and charges for On- and Off-Street parking, ensuring they are in line with the market and Council policies<sup>58</sup>.
  - Ensure the service is data and information led, responsive to customer, stakeholder and Council demand and can make information led decisions.
  - Set out a strategic asset management plan and future digital technology strategy road map.

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<sup>57</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>58</sup> Officers confirmed that a benchmarking exercise is being undertaken with Leeds.

- 2.4.13 Officers from the Council’s Highways and Infrastructure service advised that they would like to carry out more parking enforcement<sup>59</sup>. Their intention had been initially to tender a new 5-10 year enforcement contract. However, they had reviewed this decision and instead, decided to tender a 2 year extension (at a cost of £4.35m per annum); this would enable this root and branch service review. The review will inform a new long-term contract from 2026, which will be fit for purpose to meet the policy and direction the Council needs to go in.
- 2.4.14 Parking reports are made to the Council via a web form. These reports are then collated and details shared with the current enforcement provider, NSL, to action. Where reports are received outside of working hours, there may be a delay in passing the details to NSL.
- 2.4.15 The Inquiry Group heard that an Annual Parking report will be reintroduced. Data has now started to be collected this year to inform it<sup>60</sup>.

### **Reporting illegal and antisocial parking**

- 2.4.16 45.8% of the survey respondents had reported parking issues to Birmingham City Council. 65.1% were either unsatisfied or very unsatisfied with the level of service after reporting to the Council. While the actual percentage should be treated with some caution (the numbers of respondents reporting levels of satisfaction exceeded the number of respondents who had actually reported to the Council), the further comments provided by respondents indicate areas for the Council to explore and are summarised in 2.4.20<sup>61</sup>. This was further reinforced by the feedback from the community evidence session.

“Parking action is not swift and flexible enough to respond”.

“No response at all. Submitted multiple reports a month over a year and received not a single response back. Described several scenarios ranging from obstructive parking preventing access for my wheelchair, to abuse shouted at me by business owner who parks their vehicles on double yellows repeatedly. Appalling that there was no response at all”.

“When I reported a car which was on double yellow lines and partly blocking the pavement. The Council replied with a thank you for contacting us, and I heard nothing since. The Council seems very good at the first contact, i.e. sending out a

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<sup>59</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

<sup>60</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>61</sup> Inquiry Survey, Appendix A

communication to say we have received a report but absolutely terrible at actually doing anything. You never hear from them again. I have absolutely no idea if my report actually led to the car being prosecuted?”

- 2.4.17 As well as confusion over which organisation to report to, the Inquiry Group found there are multiple platforms for people to use to report related issues including the Council (phone/ website) for parking enforced by the Council<sup>62</sup>; Nextbase (used by West Midlands Police) for parking enforced by the Police and Fix My Street (for parking enforced by the Council)<sup>63</sup>. Each platform has a different user experience. A significant majority of the survey respondents had not used either Nextbase or Fix My Street to report issues<sup>64</sup>.
- 2.4.18 The Inquiry Group was concerned that multiple platforms added extra confusion to reporting issues to residents. Community members at the evidence gathering session also agreed. The Inquiry Group was also concerned about how effectively these platforms integrated with Council systems. Without this, it will be more challenging to respond to the issues residents are raising.
- 2.4.19 While the Council’s reporting system has been used more by survey respondents than the other platforms highlighted, the satisfaction levels for the Council compared to other options are lower. Nextbase, in particular, was highlighted for its feedback loop<sup>65</sup>. West Midlands Police described Nextbase as ‘easy to use, accessible and intuitive. It provided clear reporting lines and timelines with reported results’. The Council’s Highways and Infrastructure service agreed that more work could be carried out to improve the user experience for residents, and this is part of the service review (set out in 2.4.11-2.4.13). They intended to learn from other Local Authorities to find out if, and how, they could deliver better. They recognised that this would require a multi-service approach<sup>66</sup>.
- 2.4.20 In summary, the areas highlighted by the community evidence gathering session and survey for the Council to improve include<sup>67</sup>:

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<sup>62</sup> Enforcement requests are currently received from members of the public through various reporting channels such as the Online web form for reporting illegal parking ([www.birmingham.gov.uk/reportparking](http://www.birmingham.gov.uk/reportparking)), telephone calls and emails. The service also receives requests through Member Enquiries.

<sup>63</sup> Nextbase is national dashcam reporting portal. West Midlands Police’s investigation of reports via this portal is called [Operation Snap](#). Nextbase does not send reports to the council. Fix My Street is a third party website which sends reports to local councils on a variety of issues including parking enforced by the council. It does not send reports to the Police.

<sup>64</sup> Inquiry Survey, Appendix A

<sup>65</sup> Inquiry Evidence Gathering session with community members, 16 April 2024

<sup>66</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>67</sup> Inquiry Evidence Gathering session with community members, 16 April 2024 and Inquiry Survey Appendix A

- Website could be improved to make it easier to make a report. The menus are too long and it doesn't feel worth investing the time in.
- It takes too long for parking reports to be processed and for the complainant to see any action (if at all).
- There is no feedback to complainants about what action has been taken.

### How are parking complaints responded to by the Council?

2.4.21 In the first quarter of 2024/25, 1222 enforcement requests were logged with our enforcement contractor following the requests received from members of the public. (There were also an additional 54 enforcement requests received from ward members) A breakdown of how these requests were reported to the Council is set out in Table 1<sup>68</sup>:

Reported Via	No. of Requests	% Split
Online Web Form	817	66.9%
Phone call	164	13.4%
FixMyStreet	92	7.5%
Email	149	12.2%

Table 1: Parking Enforcement Requests to Birmingham City Council

2.4.22 A summary of the Council process is outlined as follows<sup>69</sup>:

1. Each enforcement request is assessed. This includes reviewing the details provided within the request (and any photos, if provided) to determine whether the vehicle(s) reported are parking in contravention.
2. If it is considered as a potential parking violation, the request is logged internally and then emailed to NSL (enforcement contractor) for action. The nature of the instruction for action to the contractor may vary according to the nature of the request and the potential violation. Examples of instructions could be for a one-off visit, or alternatively multiple follow up visits to be planned over a set period.

<sup>68</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024. Table 1 excludes requests from Members.

<sup>69</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

3. NSL will assign a Civil Enforcement Officer (CEO) to attend the location as soon as possible. If a CEO is close to the location, they may be assigned; alternatively, a NSL Customer Response vehicle may be allocated instead.
4. Data is then collated from each CEO visit. This confirmed the number of Penalty Charge Notices (PCNs) and the number of vehicles moved on.

2.4.23 The Inquiry Group was advised that where reports are received outside of working hours, there may be a delay in passing the details to NSL<sup>70</sup>.

### Enforcement

2.4.24 The Inquiry Group recognised that to be a Parking Enforcement Officer in Birmingham is an incredibly challenging job, and where staff have experienced physical violence and verbal abuse; this is unacceptable<sup>71</sup>.

2.4.25 Table 2 shows the number of occasions our enforcement contractor has carried out enforcement in the first quarter, in relation to the enforcement requests logged with them. The table splits the requests out by enforcement beat<sup>72</sup>:

Beats	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	A	B	C	D	E	F	Totals
Apr-24	22	0	1	30	3	0	17	1	17	7	1	1	1	25	10	182	194	117	228	177	144	1178
May-24	5	0	0	21	3	0	1	1	3	0	2	6	4	8	10	263	253	280	274	206	178	1518
Jun-24	0	2	0	5	20	2	18	1	0	2	6	24	4	10	27	316	364	265	319	147	188	1720
Totals	27	2	1	56	26	2	36	3	20	9	9	31	9	43	47	761	811	662	821	530	510	4416

Table 2: Number of Enforcement visits in Q1 (April – June 2024) per enforcement beat

2.4.26 Table 3 shows the volume of both requested enforcement checks and the Penalty Charges Notices (PCNs) issued for the first quarter of 2024/25. The table also shows the full year statistics for 2023/24<sup>73</sup>. Specific requests associated to illegal footway crossings are reported separately. These would usually lead to a single enforcement visit rather than repeated inclusion in forthcoming beats.

<sup>70</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>71</sup> <https://www.bbc.co.uk/news/uk-england-birmingham-66732741>

<sup>72</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024. Beats 1 to 15 are City Centre Beats, Beats A, E and F cover the North/East areas of the city and Beats B, C and D covers the South/West areas of the city.

<sup>73</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

	2024-25				2023-24			
	Requests	PCNs Issued	D-Kerb Req	D-Kerb PCNs	Requests	PCNs Issued	D-Kerb Req	D-Kerb PCNs
Apr	1178	763	92	41	1123	944	70	34
May	1518	1040	94	34	1080	956	69	31
Jun	1720	1135	78	27	1155	1058	90	30
Jul					1058	1110	78	35
Aug					1312	946	88	34
Sep					886	724	101	41
Oct					1161	911	114	50
Nov					1104	617	115	47
Dec					1144	793	106	46
Jan					1378	1275	92	33
Feb					1566	1203	70	26
Mar					1126	779	82	37
Totals	4416	2938	264	102	14093	11316	1075	444

Table 3: Total Enforcement visits and total Penalty Charge Notices per month

2.4.27 The graph (diagram 2) below shows the yearly volumes of all Civil Parking Enforcement (CPE) PCNs issued. Since Covid19, we are seeing a year-on-year uplift for PCNs being issued to vehicles parked in violation<sup>74</sup>.

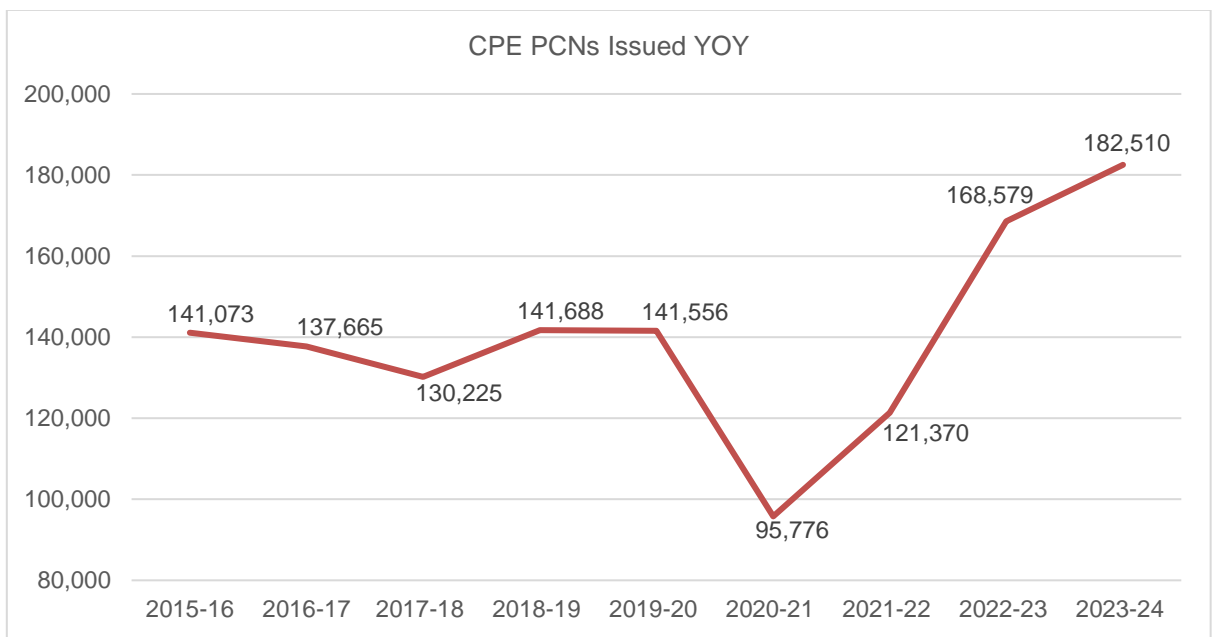


Diagram 2: Volume Penalty Charge Notices, year on year

2.4.28 The below data (table 4) shows the total volume of PCNs issued for parking violations by month for the first quarter of 2024/25 and the comparison vs last year, continuing to show an upward trend in CPE PCN volumes.

<sup>74</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024. The number of PCNs issued by CEO per hour have been on the increase Year On Year. There are multiple factors that will be impacting this including; continued illegal parking, pro-active deployment of CEOs to locations based on experience of issues, responding to enforcement requests. There has also been a steady increase in CEO hours deployed.

Parking PCNs by Year			2024/25 vs 2023/24		Cumulative	
Month	2024-2025	2023-2024				
April	18,522	15,720	2,802	17.82%		
May	17,445	16,659	786	4.72%	3,588	11.08%
June	17,971	14,865	3,106	20.89%	6,694	14.17%
<b>Totals</b>	<b>53,938</b>	<b>47,244</b>				

Table 4: Total number of Penalty Charge Notices for parking violations, 2024 vs 2023

- 2.4.29 During the first quarter of 2024/25, NSL attended 24 joint enforcement operations across the city at the request of West Midlands Police, with the aim of raising enforcement presence and visibility, obtaining compliance with the parking restrictions and reducing congestion in targeted areas. The Council is pro-actively engaging with West Midlands Police for their support in joining the Service for further joint operations.
- 2.4.30 West Midlands Combined Authority proposed that increased enforcement action around parking should be taken when poor parking was impacting upon the public transport network, due to its wider impact. For example, parked cars in bus lanes<sup>75</sup>.
- 2.4.31 **Key Finding 13:** The Inquiry Group feels that the Council is not able to provide a fully effective parking enforcement service. The community evidence gathering session and survey respondents demonstrate that residents lack confidence in our ability to enforce upon illegal parking. The Inquiry welcomes the service review underway, which has been urgently needed.
- 2.4.32 **Key Finding 14:** Specifically, residents tell us how difficult it is to report parking issues to the Council using the existing portal or an often engaged telephone line and deters people from using it. As a result, the Council does not have an accurate picture of its issues nor is it best able to deploy its resources on an intelligence led basis.
- 2.4.33 **Key Finding 15:** The Council cannot take direct enforcement action (for example, issue Penalty Charge Notices) based on third party evidence. This is not the case with West Midlands Police, and this is due to the current legislation. This limits the potential opportunities for the Council to take the action it can.
- 2.4.34 **Key Finding 16:** To be a Parking Enforcement Officer in Birmingham is an incredibly challenging job and where staff have experienced physical violence and verbal abuse, this is unacceptable. However, the service is poorly viewed by residents as inconsistent, particularly outside of working hours.

<sup>75</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

- 2.4.35 **Key Finding 17:** The Inquiry Group feel that the Parking Enforcement service could capture more data to improve its service delivery. Furthermore, while information has been provided for this Inquiry, performance information is not routinely available to Councillors and to the public.
- 2.4.36 **Key Finding 18:** There is an overlap between council and police powers. Residents are often not clear who they should report different issues to. As a result, the Inquiry is concerned issues are often passed back and forth between the agencies rather than dealt with.
- 2.4.37 **Key Finding 19:** The Council has a city-wide Traffic Regulation Order banning pavement parking. However, the inquiry is concerned that there is confusion amongst officers about whether this is in place and how it can be applied. In light of this, other measures may be put in place, potentially wasting resource.

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R08	<p>Recommendation Council requests that the Cabinet Member for Environment and Transport commits as part of the current Parking Enforcement service review:</p> <ul style="list-style-type: none"> <li>• That the review is completed by end March 2025 to enable its recommendations to be implemented as soon as possible for Birmingham.</li> <li>• Leads to a fully data led service (including use of information provided through third party evidence)</li> <li>• Contract tender developed</li> <li>• Agrees to publish information to the public on a quarterly basis to understand what activity is taking place and whether it is making a difference.</li> <li>• Is satisfied that the current maximum parking charges cover the costs of running the service and considers</li> </ul>	Cabinet Member for Environment and Transport	March 2025 (3 months)

	<p>appropriate next steps if this is not the case.</p> <ul style="list-style-type: none"> <li>Reintroduces the Annual Parking report.</li> </ul>		
<b>R09</b>	<p><b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport to outline the approach to the Sustainability and Transport Overview and Scrutiny Committee to tackle pavement parking across the city and the plan to achieve this. This should cover but not exclusively:</p> <ul style="list-style-type: none"> <li>How the current Traffic Regulation Order can be better utilised.</li> <li>How to tackle anti-social parking caused by businesses (including their third party delivery services).</li> </ul> <p>Further, activity to address this including its impact should be included in the Annual Parking report.</p>	Cabinet Member for Environment and Transport	June 2025 (6 months)
<b>R10</b>	<p><b>Recommendation:</b> Council requests the Leader, Cabinet Member for Environment and Transport and the Cabinet Member for Digital, Culture, Heritage and Tourism to:</p> <ol style="list-style-type: none"> <li>explore how to improve the existing new reporting system to make it easier for people to report parking issues to the Council. This new system should include the following: <ul style="list-style-type: none"> <li>Enables people to provide third party evidence</li> <li>Provides feedback on action taken</li> <li>Be user experience tested</li> </ul> </li> </ol>	Cabinet Member for Environment and Transport/ Cabinet Member for Digital, Culture, Heritage and Tourism	June 2025 (March 2025)

	<ul style="list-style-type: none"> <li>Launched with a communications plan to inform and upskill residents so they can use it effectively</li> <li>Integrated with council systems to minimise service interface, and:</li> </ul> <p>2. Explore with West Midlands Police and the other Local Authorities within the West Midlands Combined Authority if they can adopt a single reporting system. This will make it easier for all residents by sending the complaint to the right authority for them.</p>	Cabinet Member for Environment and Transport	June 2025 (6 months)
<b>R11</b>	<p><b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport to urgently write a letter to the Department for Transport to request Councils are supported through legislation to be able to make more use of third party reporting for enforcement, as police forces are able to. This letter should be cosigned by all Birmingham MPs, the Police and Crime Commissioner and the Mayor for the West Midlands.</p>	Cabinet Member for Environment and Transport	January 2025 (1 month)

## 2.5 Other Enforcement Activity (by Council or West Midlands Police)

- 2.5.1 From the Inquiry Group session with community members reinforced by the survey results, people felt that there was insufficient enforcement to meet the level of problems they were experiencing<sup>76</sup>.
- 2.5.2 West Midlands Police highlighted that there were variations in the enforcement approaches for different issues across the seven Local Authority areas. This presented challenges for them<sup>77</sup>.
- 2.5.3 West Midlands Police advised the Inquiry that the Chief Constable, Craig Guildford, had invested heavily in road safety, and is the only force in the country to reinvest so heavily in Roads Policing<sup>78</sup>. This included more resources including ANPR as well as increased numbers of staff. Three new camera vans to support speed enforcement operations have been purchased as a result of [Safer Streets 5 funding, which was successfully secured from the Home Office](#) by the West Midlands Police and Crime Commissioner, Simon Foster.

### Speed Camera Enforcement

- 2.5.4 The Inquiry Group was advised that speed camera enforcement comprises a range of options including static cameras, mobile enforcement vans and average speed cameras. Each location (and its problem) needs to be assessed to determine the best option. Legislation as well as guidance from the Department of Transport supports this assessment. The West Midlands Combined Authority (WMCA) highlighted that they had commissioned Agilysis to undertake a study of speed enforcement<sup>79</sup>. A regional working group including all seven Local Authorities and the Police has also been set up to explore the business case to enable the ongoing viability of Average Speed Enforcement (ASE) cameras across the region<sup>80</sup>.

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<sup>76</sup> Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

<sup>77</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>78</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>79</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>80</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

- 2.5.5 Council officers recognised that the current camera locations may not reflect where problems are being faced now. Addressing this issue is a component of the regional business case<sup>81</sup>.
- 2.5.6 10% of all speed enforcement cameras for the West Midlands are located in Birmingham<sup>82</sup>. The Inquiry Group was concerned that this means there are disproportionately fewer cameras in Birmingham compared to other areas. Average Speed Enforcement cameras are deployed at six locations across the city. The Inquiry Group has been advised that the level of enforcement linked to these cameras has increased significantly in recent months<sup>83</sup>.
- 2.5.7 The installation and maintenance costs related to enforcement cameras physically installed on the highway network (for example static or average speed cameras) are mostly picked up by the Council. The costs related to processing any enforcement are picked up by West Midlands Police. Therefore, any additional investment in capital costs for cameras by Local Authorities (for example, purchase and installation of new cameras) will lead to a corresponding increase in operational costs for West Midlands Police. However, there may be opportunities for West Midlands Police to mitigate this increase through economies of scale<sup>84</sup>.
- 2.5.8 The Inquiry Group learned that the current income from average speed cameras and speed awareness courses did not cover the Police's costs. (These costs related to the administration of these schemes). The Police are currently undertaking work to better understand these its costs. The West Midlands Police and Crime Commissioner has also written to the Government requesting that these fines be retained locally<sup>85</sup>.

### **Street Racing**

- 2.5.9 The Inquiry Group was advised that a section 222 Injunction is in place to tackle street racing across Birmingham<sup>86</sup>. This is supported by a joint operation – Operation

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<sup>81</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

<sup>82</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>83</sup> This linked to information provided initially at the Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024, and which was later updated in November 2024 by the Council to reflect the current position.

<sup>84</sup> Relevant information provided to the Sustainability and Transport Overview and Scrutiny Committee at their pre decision scrutiny session with Council officers on the Road Harm Reduction Strategy, 10 October 2024.

<sup>85</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>86</sup> Some of the worst street racing in the region takes place in Birmingham (A47 Nechells Parkway). Part of the reason street racing takes place here based on feedback from street racers is the design of the road - wide, straight dual carriageway with no active surveillance. This affects similar locations across the West Midlands. Prioritising

Hercules – between the Police and the Council. For individuals who have been identified as involved with street racing, they are offered an education course which is delivered by West Midlands Fire Service (WMFS) and 204 people had been on the course. The course is very resource intensive<sup>87</sup>.

2.5.10 A review of the street racing enforcement joint activity with West Midlands Police is planned.

### **Moving Traffic Offences**

2.5.11 In England and Wales, moving traffic offences are defined in law in Schedule 7 of the Traffic Management Act 2004 (as amended)<sup>88</sup>. They include:

- Stopping in a yellow box junction
- Banned right or left turns
- Illegal U-turns
- Going the wrong way in a one-way street
- Ignoring a Traffic Regulation Order (TRO)

2.5.12 Previously, moving traffic offences had only been enforceable by the Police in England (excepting London). From May 2022, the Government gave Local Authorities these powers under Part 6 of the Traffic Management Act. It also set out the level of fines that Local Authorities can issue for moving traffic offences, and the kinds of cameras that can be used to detect offences<sup>89</sup>. Local Authorities must apply to the Secretary of State requesting to be given enforcement powers<sup>90</sup>.

2.5.13 Derby became the first Local Authority to implement the new Moving Traffic Offences legislation across four pilot sites. In their first six months of operation, Derby focused on warning and signage. (Current guidance requires this long period of soft enforcement, which undermines the ability to recover the costs of the scheme). At the end of this six months, compliance had improved by 80%. However, their cost basis for the service did not factor in such high levels of compliance and subsequent level of income. The West Midlands Combined Authority (WMCA) felt that Birmingham had

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engineering measures on this route could have a significant impact on reducing incidences of street racing in Birmingham as a whole. Engineering measures have previously been used on locations in Central Birmingham for street racing, which prevented this issue reoccurring.

<sup>87</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

<sup>88</sup> <https://commonslibrary.parliament.uk/councils-in-england-to-get-new-powers-over-traffic-offences/>

<sup>89</sup> The existing level of fines which can be issued is low. The Council have requested that this is reviewed.

<sup>90</sup> <https://commonslibrary.parliament.uk/councils-in-england-to-get-new-powers-over-traffic-offences/>

taken a sensible approach to consider the lessons learnt from other Local Authorities in developing its own model<sup>91</sup>.

2.5.14 Birmingham’s own Moving Traffic Enforcement (MTE) camera trial is currently in the process of being developed<sup>92</sup>. The four trial sites are as follows:

- Newhall Street/ Great Charles Queensway – banned left and right turns
- Bristol Road (A38)/ Priory Road (B4217) – banned left and right turns
- Kingsbury Road/ Gravelly Hill (A5127) – banned right turn
- Corporation Street/ James Watt Queensway (B4114) – banned left turn.

2.5.15 It is intended to monitor the operation of the four trial sites for at least 12 months. This will enable the Council to review the financial implications of camera based moving traffic enforcement and to monitor any changes to guidance provided by the current Government before considering any further installations across the city. This will limit the Council’s exposure to financial risk.

2.5.16 **Key Finding 20:** Road safety issues and roads themselves cross council boundaries within the West Midlands Combined Authority (WMCA), but enforcement is not consistent across them, with the exception of West Midlands Police (WMP). This may cause additional confusion to residents.

2.5.17 **Key Finding 21:** The police currently run average speed camera enforcement at a loss. This may impact upon their capacity to expand their operations.

2.5.18 **Key Finding 22:** Birmingham has 10% of cameras but its roads represent approximately 50% of KSIs, and 40% of fatalities across the West Midlands. Altogether, this indicates that Birmingham needs to increase its enforcement camera capacity to bring it into line with neighbouring Local Authorities.

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R12	<b>Recommendation:</b> Council requests that an implementation plan setting out how it intends to reduce speed limits across the city is provided to the Sustainability and Transport Overview and Scrutiny Committee.	Cabinet Member for Environment and Transport	March 2025 (3 months)

<sup>91</sup> Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

<sup>92</sup> Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

	This plan should include how it will engage and inform ward members.		
<b>R13</b>	<b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport with the Leader of the Council, Deputy Leader, Mayor for West Midlands, West Midlands Police and Crime Commissioner and all Birmingham MPs to urgently write a letter to the Department for Transport asking that they introduce legislation for the police and councils to retain funds received from speeding fines in the region.	Cabinet Member for Environment and Transport	January 2025 (1 month)
<b>R14</b>	<b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport to urgently write a cross party letter to the Department for Transport to request an increase in the maximum charges for Moving Traffic contraventions. This letter should be cosigned by all Birmingham MPs, the Police and Crime Commissioner and the Mayor for the West Midlands.	Cabinet Member for Environment and Transport	January 2025 (1 month)
<b>R15</b>	<b>Recommendation:</b> Council requests the Cabinet Member for Environment and Transport to urgently write a letter to the Police and Crime Commissioner and Chief Constable asking them to expand the remit and resources of traffic officers to work closely with neighbourhood police teams, and local councils, to gather intelligence to target individuals who: routinely break speed limits; use illegal modifications of engines and exhausts and tinted windows; and remove number plates to escape detection.	Cabinet Member for Environment and Transport	January 2025 (1 month)

# Appendix A: Survey Results

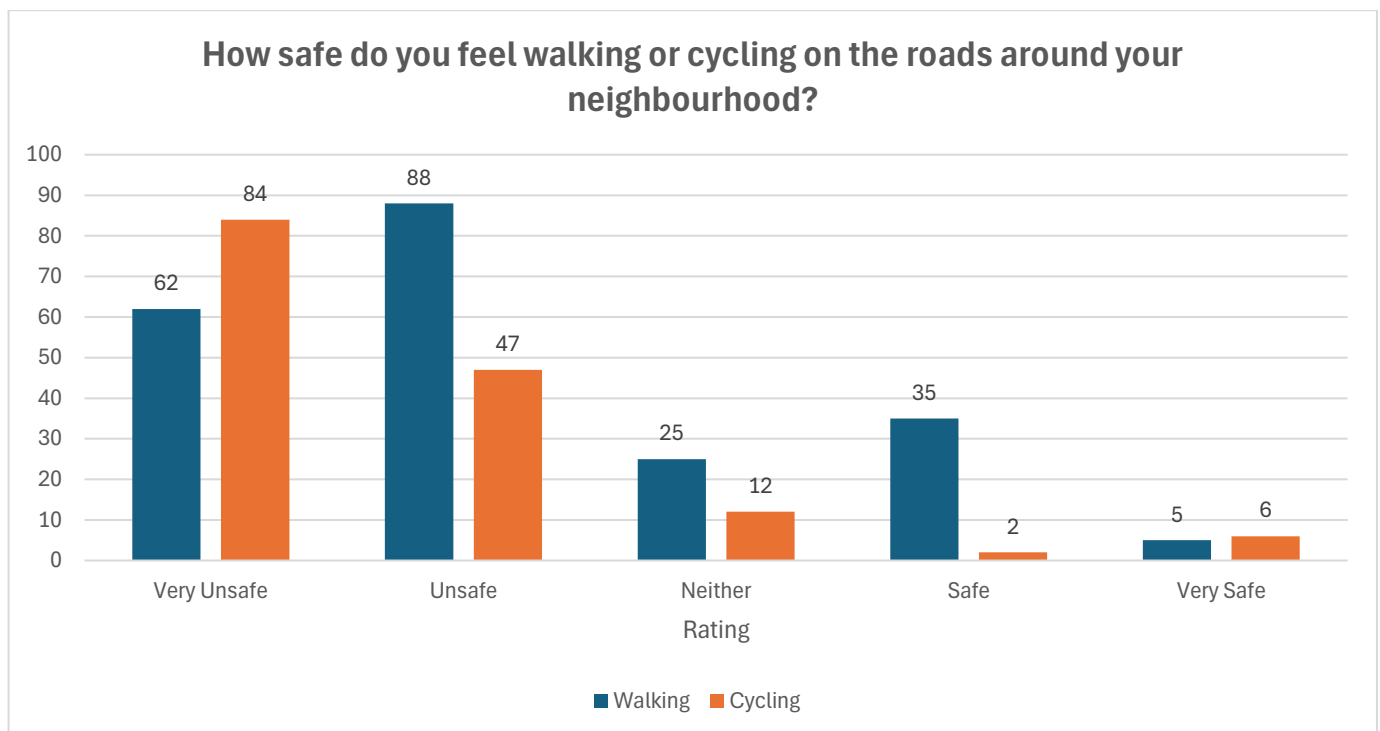
As part of this Inquiry, a survey was added to the Council’s consultation website (Be Heard) to gather the views of resident’s groups and community organisations about their experiences of road safety, reporting these issues and enforcement in their local neighbourhoods. The survey was open between 9 July – 6 August 2024.

The survey asked participants 18 questions. A total of 212 online responses were received. A further written response was also submitted. An individual response with their particular experiences was also received.

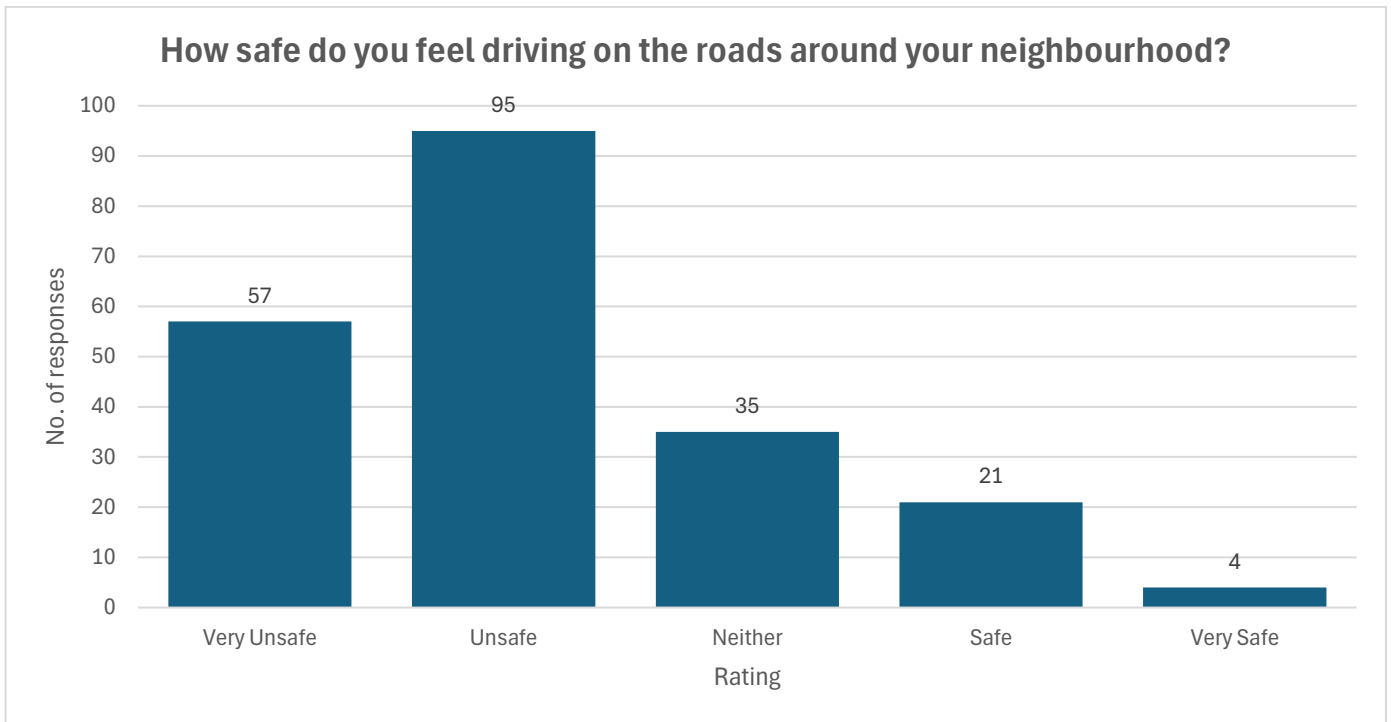
The first question asked respondents to provide details of their community/residents group to which there were 191 responses. These were from individuals as well as those submitted on behalf of community or residents’ groups. In some cases, more than 1 response was submitted by an organisation by separate individuals.

Respondents may have answered more than 1 question i.e. both walking and cycling for any of the categories. In some cases, there was no response and the recorded number of ‘no response’ is as recorded by the consultation database. Therefore, in some cases the numbers do not add up to the total number of completed online survey respondents of 212.

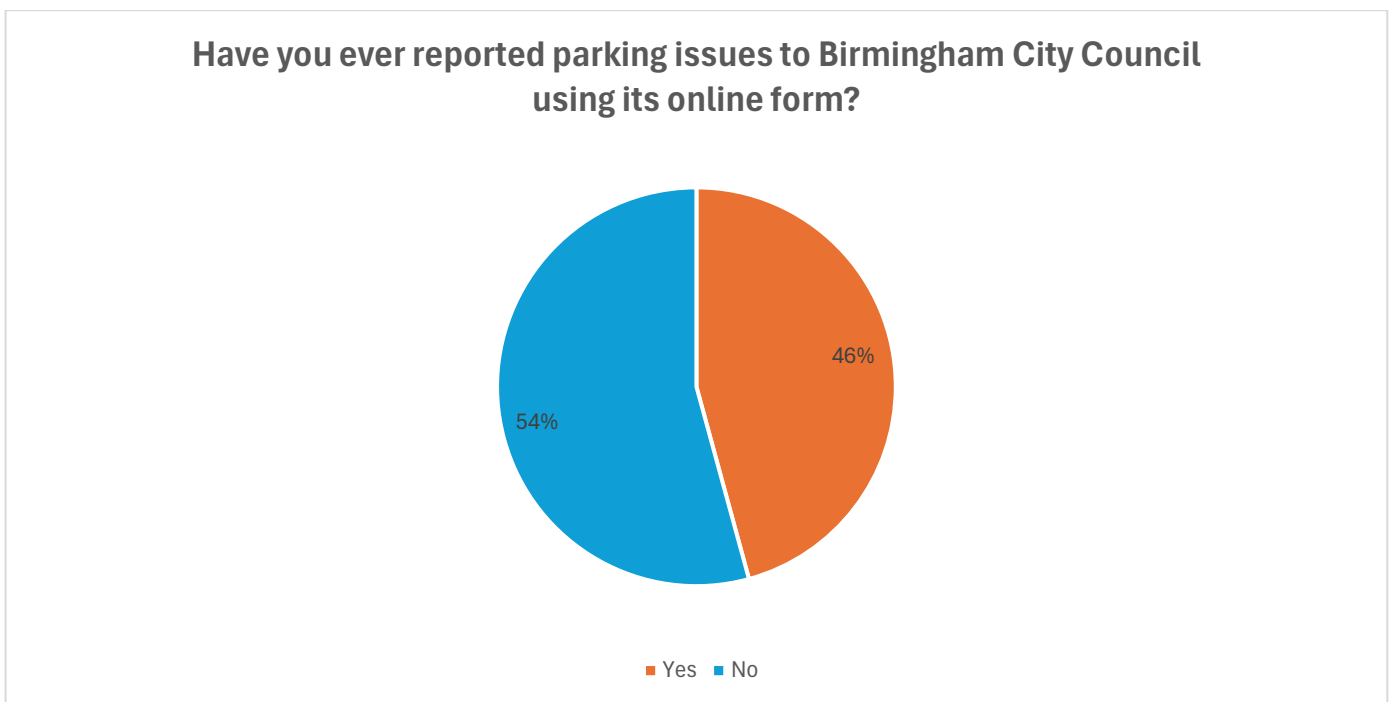
Q: How safe do you feel walking or cycling on the roads around your neighbourhood?



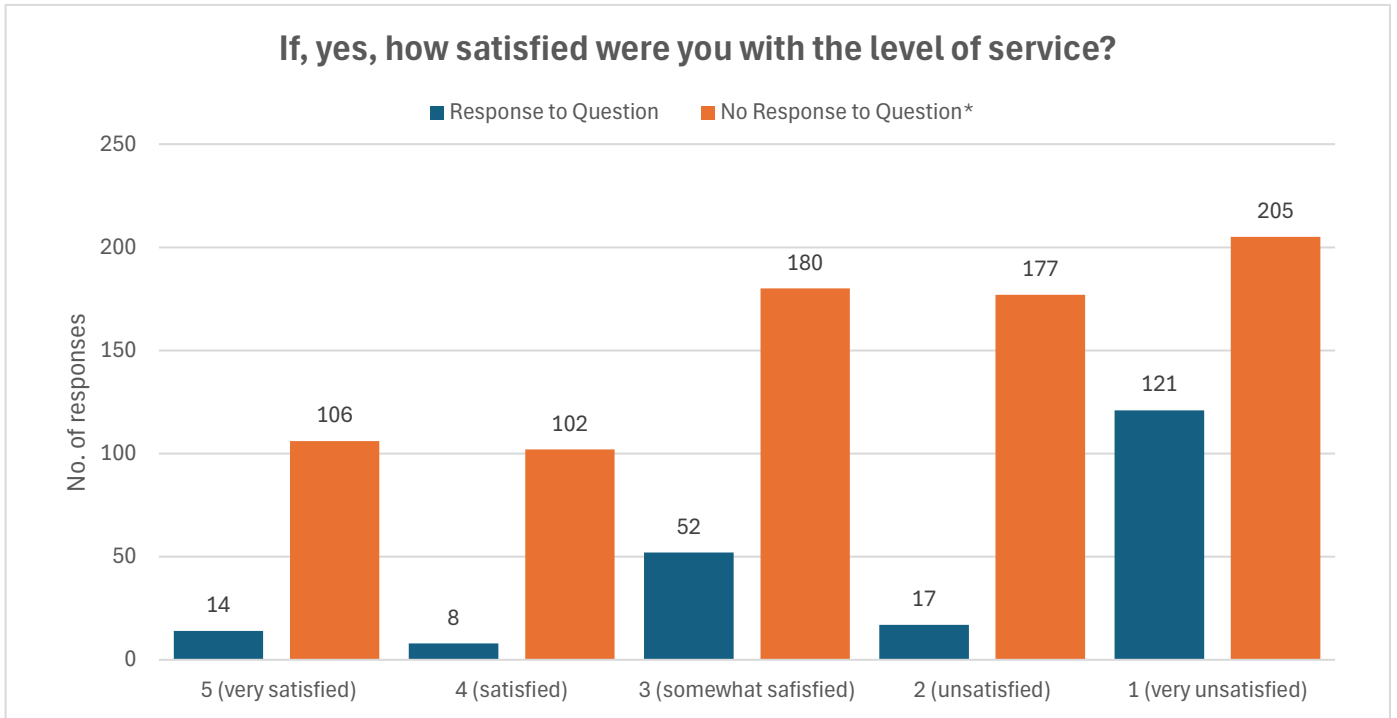
Q: How safe do you feel driving on the roads around your neighbourhood? Respondents were asked to rate on a scale from very unsafe, unsafe, neither, safe or very safe.



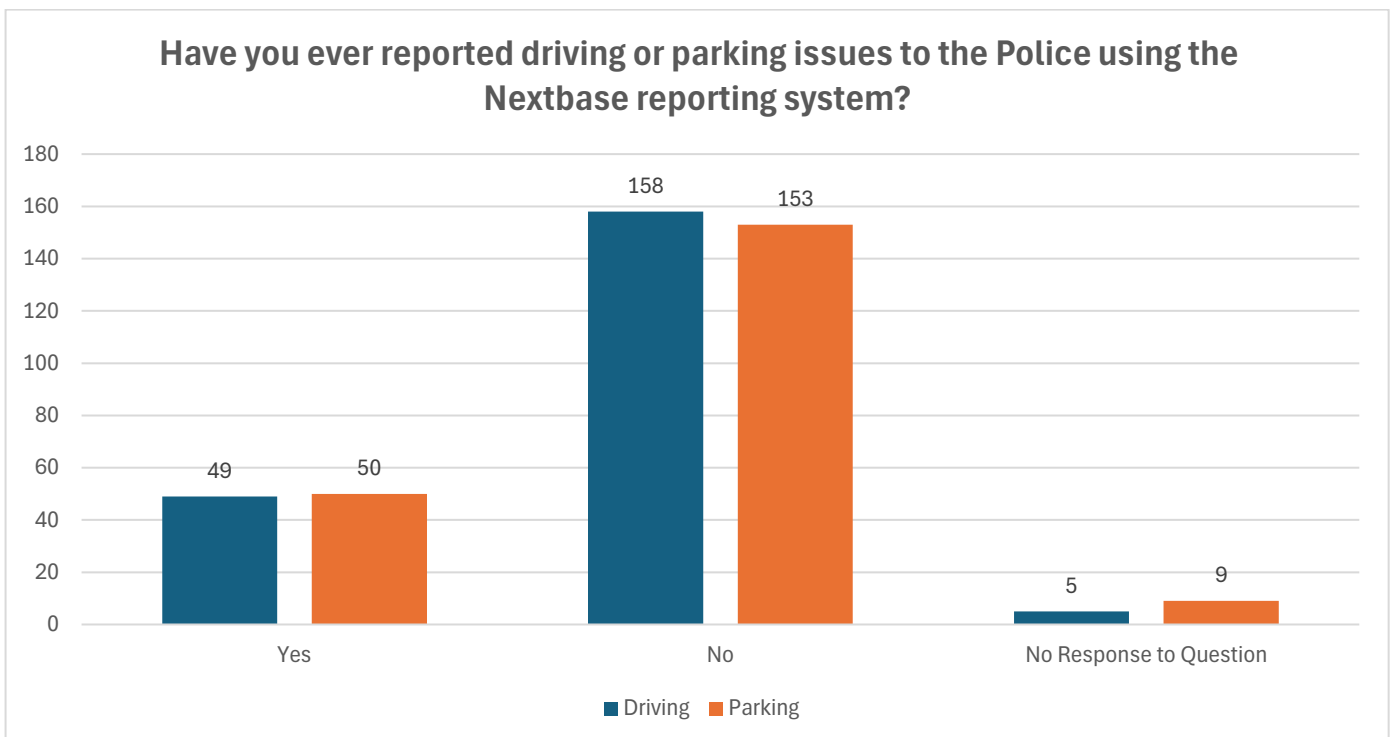
Q: Have you ever reported parking issues to Birmingham City Council using its online form?



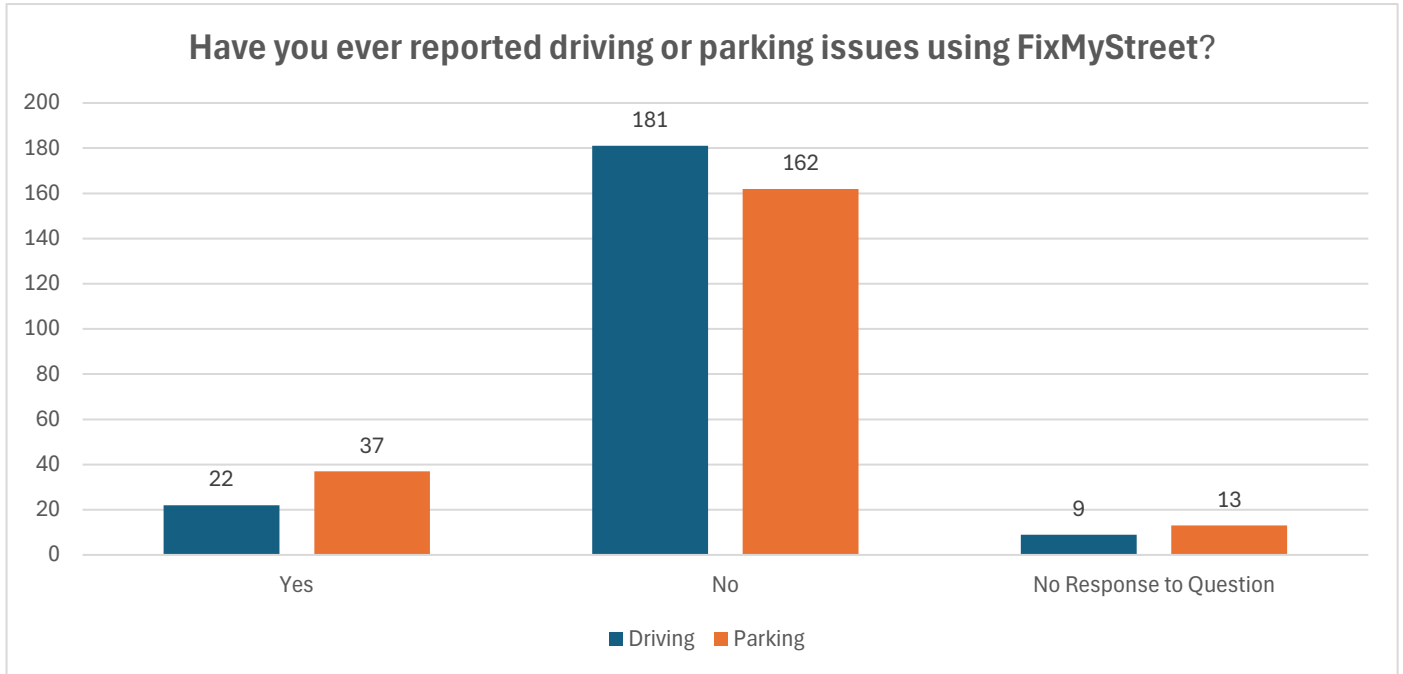
Q: If yes, how satisfied were you with the level of service? (Score 1-5; 1 is the lowest, 5 is the highest)



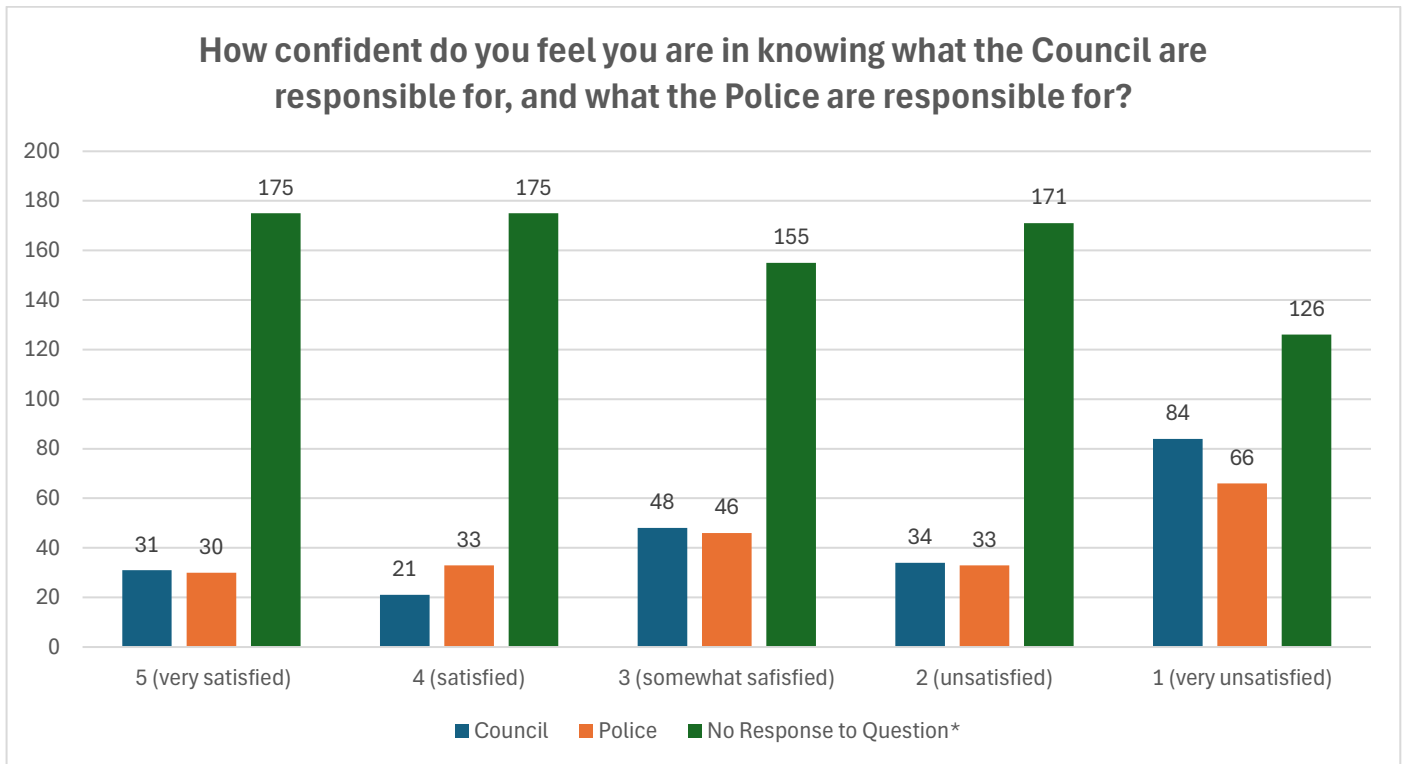
Q: Have you ever reported driving or parking issues to the Police using the Nextbase reporting system?



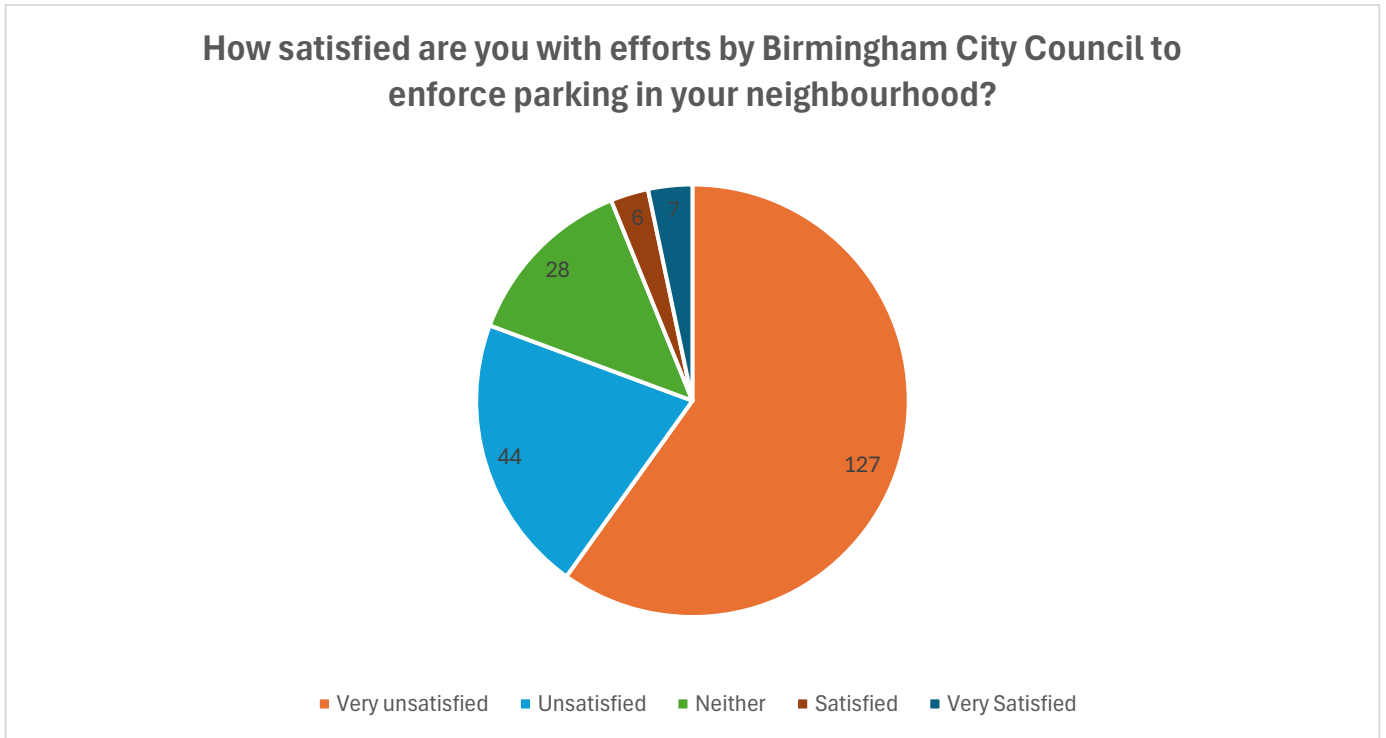
Q: Have you ever reported driving or parking issues using Fix My Street?



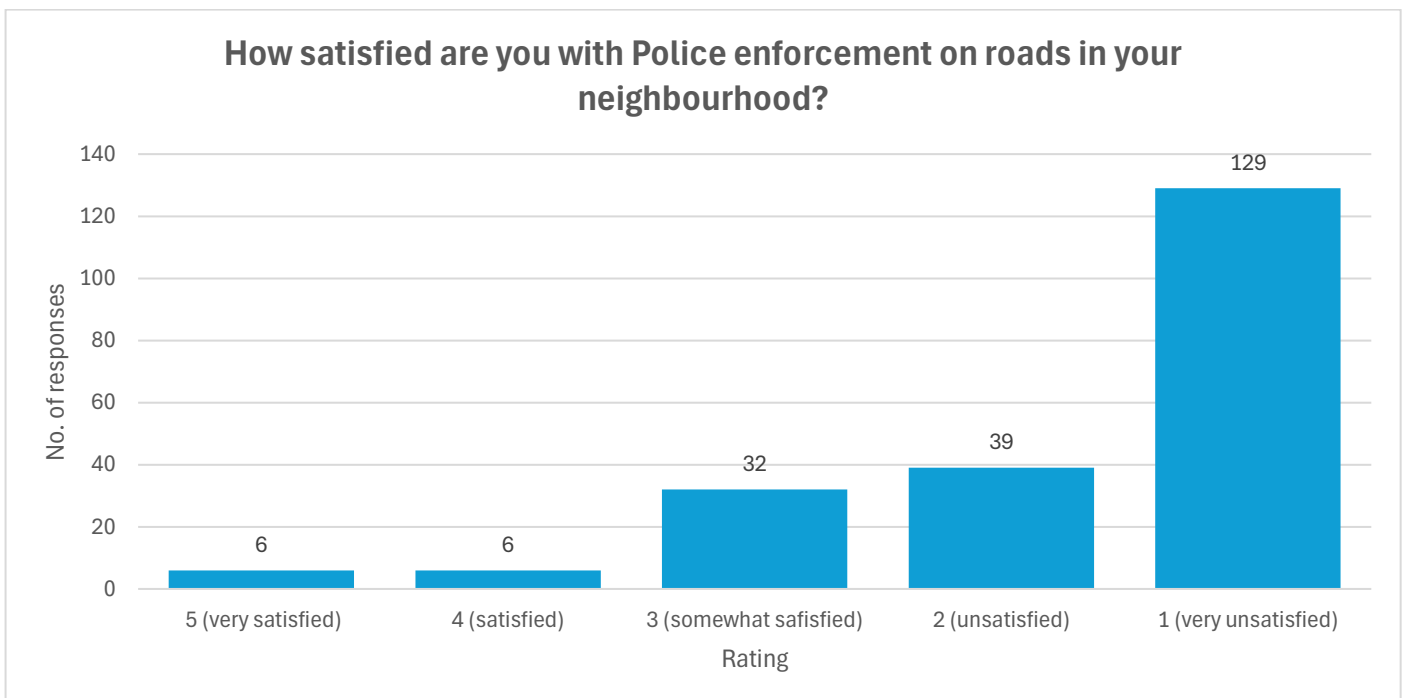
Q: How confident do you feel you are in knowing what the Council are responsible for, and what the Police are responsible for? (Score 1-5; 1 is the lowest, 5 is the highest)



Q: How satisfied are you with efforts by Birmingham City Council to enforce parking in your neighbourhood?



Q: How satisfied are you with Police enforcement on roads in your neighbourhood? (Score 1-5; 1 is the lowest, 5 is the highest)



# Appendix B: Legislation

## Road Traffic Act (1988)

Local authorities have a statutory duty under [section 39 of the 1988 Road Traffic Act](#) to “take steps both to reduce and prevent accidents”. Specifically, this relates to:

- Each local authority must prepare and carry out a programme of measures designed to promote road safety and may contribute towards the cost of measures for promoting road safety taken by other authorities or bodies
- Each local authority:
  - [a] must carry out studies into accidents arising out of the use of vehicles on roads or part of roads, other than trunk roads, within their area;
  - [b] must, in the light of those studies, take such measures as appear to the authority to be appropriate to prevent such accidents, including the dissemination of information and advice relating to the use of the roads, the giving of practical training to road users or any class or description of road users, the construction, improvement, maintenance or repair of roads for which they are the highway authority (in Scotland, local roads authority) and other measures taken in the exercise of their powers for controlling, protecting or assisting the movement of traffic on roads, and;
  - [c] in constructing new roads, must take such measures as appear to the authority to be appropriate to reduce the possibilities of such accidents when the roads come into use.

## [Traffic Management Act \(TMA 2004\)](#)

It is the duty of a local traffic authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives

- a) Securing the expeditious movement of traffic on the authority’s road network; and
- b) Facilitating the expeditious movement of traffic on road networks for which another authority of the traffic authority.

The TMA provides the Council specific tools to manage parking policies, implement measures like speed limits, coordinate street works and enforce moving traffic offences. Some examples of how the Council is currently utilising the TMA include civil parking enforcement, bus lane enforcement and the operation of a permit scheme to support the coordination of street works.

## [Road Traffic Regulation Act \(RTRA 1984\)](#)

Local Authorities are allowed to create Traffic Regulation Orders (TROs) to implement various traffic controls, including speed limits, parking restrictions, and road closures. Traffic Regulation Orders do require adequate signage to be provided on specific streets to make the Order enforceable.

Greater London has different legislation in place to control pavement and verge parking. Some areas have also used [section 72, Highways Act 1835](#) as a means of prosecuting parking on footways. (This is the only section of this Act still remaining due to repeals). The section deals with the prohibition of allowing animals and carriages to travel on the footway. It has been accepted by

magistrates as meaning that a parked vehicle can only have got onto the footway by travelling across it, and therefore, the driver is guilty of the offence.

### [New Road and Street Works Act \(NRSWRA 1991\)](#)

This Act provides a legislative framework for street works by statutory undertakers (utility companies) and works for road purposes. It is supported by relevant Regulations and Codes of Practice.

The legislation places an obligation on the highway authority to co-ordinate these works and oversee quality of workmanship through an inspection's regime. In 2023 BCC introduced a permit scheme under Part 3 of the Traffic Management Act 2004 whereby instead of informing a local authority about its intention to carry out works in its area, a statutory undertaker must book time on the highway by obtaining a permit from the local authority. An infringement of the permit scheme can result in the issuing of Fixed Penalty Notices.

### **Civil Parking Enforcement**

The Council's ability to enforce parking regulations are underpinned by a framework of legislative instruments, regulations and guidance. The [statutory guidance on civil enforcement of parking contraventions for English Local Authorities](#) provides a useful overview of the legislation and regulations relating to civil parking enforcement.

The Council's Parking Service use these powers to manage the city's considerable on and off-street parking assets, including enforcement of parking regulations, issuing penalties for non-compliance, and handling disputes or appeals relating to parking fines issued. These powers include:

- The [Traffic Management Act 2004 \(TMA\)](#) confers powers on Local Authorities to manage on and off-street parking. It includes provisions that allow Local Authorities to enforce parking by issuing Penalty Charge Notices (PCNs) to vehicles parked in contravention. [Part 6 of the TMA](#) is particularly relevant, as it covers civil enforcement of traffic contraventions which includes parking.
- The [Road Traffic Regulation Act 1984 \(RTRA 1984\)](#) provides a broad framework for traffic management and control, including the regulation of parking. It empowers Local Authorities to make Traffic Regulation Orders (TROs) to control parking and other aspects of road use.
- The [Road Traffic Act 1991](#) decriminalised certain parking offences and gave Local Authorities powers to undertake parking enforcement. The Act introduced the role of Civil Enforcement Officers (CEOs), who could issue PCNs for parking violations.
- [Civil Enforcement of Road Traffic Contraventions \(Approved Devices, Charging Guidelines and General Provisions\) \(England\) Regulations 2022](#) is the regulatory framework that ensures that devices used for enforcing road traffic contraventions, such as parking violations, bus lane enforcement or moving traffic offences, must meet specific standards in order to be approved (certified) for use.

- The [Civil Enforcement Officers \(Wearing of Uniforms\) \(England\) Regulations 2007](#) mandate that officers who are responsible for enforcing parking and other traffic regulations must wear a uniform when carrying out their duties.
- The [Civil Enforcement of Road Traffic Contraventions \(Representations and Appeals\) \(England\) Regulations 2022](#) provides additional details relating to the processes for representations and appeals made against PCNs issued under the TMA.

#### [Anti-Social Behaviour, Crime and Policing Act 2014](#)

This provides relevant tools including:

- Section 222 injunctions
- Public Space Protection Orders
- Community Protection Notices

## Appendix C: Inquiry Activities

Date	Session	Participants
26 March 2024	Launch of Member Call for Evidence - Survey	All ward members of Birmingham City Council
16 April 2024	Task and Finish Group Evidence Gathering Session – Community	<p>Matt MacDonald, Better Streets for Birmingham</p> <p>Colin Parker, Secretary, Sheldon Traffic Action Group (via Teams)</p> <p>Martin Price, Better Streets for Birmingham</p> <p>Shurunjeet Singh, Handsworth</p> <p>Tahmeena Suhail, Tyseley and Hay Mills</p> <p>Shivaji Shiva, Bournville</p>
6 June 2024	Task and Finish Group Evidence Gathering Session – West Midlands Combined Authority/ West Midlands Police	<p>Darren Divall, Regional Road Safety Manager, West Midlands Combined Authority (WMCA)</p> <p>Gareth Mason, Superintendent, West Midlands Police</p> <p>Alistair Robinson, West Midlands Combined Authority (WMCA)</p> <p>Esther Whittock, Road Safety Lead Officer of the Police and Crime Commissioner (West Midlands)</p>
13 June 2024	Sustainability & Transport Overview and Scrutiny Committee – Birmingham City Council	<p>Geraldine Collins, Head of Operations – Digital &amp; Customer Services, Birmingham City Council</p> <p>Philip Edwards, Assistant Director, Transport and Connectivity, Birmingham City Council</p> <p>Craig Evans, Parking Services Manager – Highways and Infrastructure, Birmingham City Council</p> <p>Wendy Griffiths, Director Centralised Services, Birmingham City Council</p> <p>Mel Jones, Head of Transport Planning, Transport and Connectivity, Birmingham City Council</p> <p>Pam Powis, Senior Service Manager Safer Places -Community Safety and Resilience, Birmingham City Council</p>

		Mark Shelswell, Assistant Director Highways and Infrastructure, Birmingham City Council
9 July 2024 – 6 August 2024	Community Call for Evidence - survey	A survey hosted on the Council's platform – Be Heard
22 August 2024	Sustainability & Transport Overview and Scrutiny Committee – Birmingham City Council	<p>Councillor Majid Mahmood, Cabinet Member for Environment and Transport</p> <p>Philip Edwards, Assistant Director, Transport and Connectivity, Birmingham City Council</p> <p>Craig Evans, Parking Services Manager, Highways and Infrastructure, Birmingham City Council</p> <p>Mel Jones, Head of Transport Planning, Transport and Connectivity, Birmingham City Council</p> <p>Mark Shelswell, Assistant Director, Highways and Infrastructure, Birmingham City Council</p>

# Appendix D: Contributors

Below is a list of all contributors to this inquiry. This is exclusive of the many community organisations who also provided information through the survey. As noted in 1.5.2, some organisations provided relevant information to the recent Active Travel Inquiry and where appropriate, this information was also considered for this Inquiry too.

## [20s Plenty for Birmingham](#)

20's Plenty for Us is a 'not for profit' organisation and now have over 250 local campaigns around the country. It campaigns for 20mph to become the default speed limit on residential and urban streets. The campaign advises that this can be done on most streets without the need for any physical calming, but they also accept that on some streets it may be appropriate to have a higher limit based on the road, vulnerable road users' provision, etc. Any limit above 20mph should be a considered decision based on local circumstances.

## [Active Travel England](#)

Active Travel England is the government's executive agency responsible for making walking, wheeling and cycling the preferred choice for everyone to get around in England.

## **Birmingham City Council: Place, Prosperity and Sustainability Directorate**

This directorate is responsible for services including Planning, Transport and Sustainability (including Route to Net Zero Carbon) Property and Investment, Development, Housing Development, Corporate Landlord and Place, Strategy and Performance.

## [Better Streets for Birmingham](#)

Better Streets for Birmingham campaigns for changes to our travel and planning infrastructure to improve the sustainability, efficiency and safety of our streets. By identifying, supporting and advocating for changes to our environment that enable car-free journeys, they aim to make active travel and public transport the default options for trips around our city.

### [Birmingham Living Streets](#)

This is a group of local people who want our streets to be fit for walking. They work with others towards common goals that improve walking conditions including having an input to the planning process to improve the built environment and lobbying authorities for greater consideration of 'active travel'.

### [Pushbikes](#)

Push Bikes campaigns for better cycling in Birmingham and Solihull.

### [Sustrans](#)

It works for and with communities, helping them come to life by walking, wheeling and cycling to create healthier places and happier lives for everyone.<sup>93</sup>

### [Transport for West Midlands](#)

Transport for West Midlands (TfWM) is part of the [West Midlands Combined Authority](#). It works with bus and train operators to make sure that public transport is:

- safe
- reliable
- affordable
- accessible for everyone

It owns and runs West Midlands Metro, which is the region's tram service. It also runs the Swift smartcard. This flexible, cashless ticket is the most used outside London. It does not run the buses or trains, but it works on these services with bus and train operators.

It is part of the West Midlands Rail Executive and [West Midlands Bus Alliance](#), and it is responsible for monitoring and improving road safety in the West Midlands. It also looks after the 23 busiest routes in the region. This is called the [Key Route Network](#). It manages the [Regional](#)

[Transport Coordination Centre for the West Midlands](#). The centre monitors our transport network.

### **London Borough of Waltham Forest Council**

The London Borough of Waltham Forest is an outer London borough formed in 1965 from the merger of the municipal boroughs of Leyton, Walthamstow and Chingford.

### **City of Wolverhampton Council**

City of Wolverhampton Council is the local authority for the city of Wolverhampton in the West Midlands, England. Wolverhampton has had an elected local authority since 1848, which has been reformed several times. Since 1974 the council has been a metropolitan borough council. It provides the majority of local government services in the city. The council has been a member of the West Midlands Combined Authority since 2016.

### [West Midlands Combined Authority](#)

The West Midlands Combined Authority (WMCA) is the combined authority for the West Midlands metropolitan county in the United Kingdom. It was established by statutory instrument under the Local Democracy, Economic Development and Construction Act 2009. It is a strategic authority with powers over transport, economic development and regeneration. The authority formally came into being on 17 June 2016. The government gives combined authorities the money and power to make decisions for their regions.

### **West Midlands Mayor's Cycling & Walking Commissioner**

Adam Tranter was the cycling and walking commissioner between 2021 and May 2024. His role was to work with Transport for West Midlands (TfWM), local council partners and the Department for Transport to steer the region's cycling and walking policies and plans.

### [West Midlands Police](#)

West Midlands Police is the police force responsible for policing the metropolitan county of West Midlands. The force covers an area of 348 square miles (900 km<sup>2</sup>) with 2.93 million inhabitants, including Birmingham.

## **Appendix B: Executive Summary**

On behalf of the executive, I extend my gratitude to the Chair, Deputy Chair, and members of the Sustainability and Transport Overview and Scrutiny Committee for their diligent work on this inquiry. I also wish to thank all those who have given their time to this inquiry through providing evidence, support and feedback.

My Cabinet colleagues and I have thoroughly reviewed the Inquiry's findings, considering both completed work and work that must be urgently progressed. I am pleased to report that we have successfully implemented several of the recommendations before the report was presented.

Road safety remains one of my top priorities which is why I declared a road safety emergency in July, leading to enhanced collaboration, including several Gold Command meetings between the Council, West Midlands Police, and the West Midlands Combined Authority. We have developed a dashboard tracking key activities, and I receive regular briefings on our progress. In response to this Inquiry, we will now publish a high-level version of this dashboard monthly, ensuring transparency and accountability in our efforts to improve road safety.

The forthcoming Road Harm Reduction Strategy, which the Committee has consistently supported, will be presented to Cabinet in the coming months. This strategy embraces the 'Vision Zero' approach, which is a globally recognised approach to road safety management, based on the belief that no death or serious injury is acceptable on our roads. It introduces the successful Healthy Streets Approach, which designs streets for people.

As the report has demonstrated, continued collaboration with our key partners is essential to advancing the accepted recommendations. Addressing this complex issue requires a coordinated, multi-agency response.

The Birmingham Transport Plan Delivery Plan outlines our medium-term strategy to transform transport in Birmingham, addressing critical concerns such as road safety. We remain committed to driving this plan forward.

I am encouraged by the alignment between the Executive and Scrutiny on the significance of this issue. I look forward to our continued constructive collaboration to enhance road safety for all communities in Birmingham.

**Councillor Majid Mahmood**

**Cabinet Member for Environment and Transport**



# Birmingham City Council

## Report to City Council

3 December 2024



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<b>Title:</b>	<b>MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS</b>
<b>Report Author:</b>	Ben Patel-Sadler, Senior Committee Manager Legal and Governance (Council Management) <a href="mailto:Ben.Patel-Sadler@birmingham.gov.uk">Ben.Patel-Sadler@birmingham.gov.uk</a>
<b>Authorised by:</b>	Marie Rosenthal, Interim City Solicitor and Monitoring Officer Legal and Governance (Council Management)
<b>Is this a Key Decision?</b>	Not Applicable
<b>If this is a Key Decision, is this decision listed on the Forward Plan?</b>	Not Applicable
<b>Reason(s) why not included on the Forward Plan:</b>	Not Applicable
<b>Is this a Late Report?</b>	No
<b>Reason(s) why Late:</b>	Not Applicable
<b>Is this decision eligible for 'call in?'</b>	Not Applicable
<b>If not eligible, please provide reason(s):</b>	Not Applicable
<b>Wards:</b>	Not Applicable

**Does this report contain exempt or confidential information?**

No

**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 RECOMMENDATIONS

- 1.1 To consider the following Motions of which notice has been given in accordance with Council Procedure Rules (section B4.4 G of the Constitution).

## 2 NOTICES OF MOTION

### A. Councillors Robert Alden and Darius Sandhu have given notice of the following Notice of Motion:-

“Council notes that

- Much of Birmingham’s public realm is plagued by ‘Street Scars’, where utility companies leave tarmac streaks through paving slabs and other important parts of the street scene
- Fines set out in legislation around Street Scars have been unchanged since 1991, where the fine for failing to implement a permanent reinstatement was set at £2,500
- The work done by Create Streets in analysing the root of these problems and outlining potential policy solutions, are being put into practice by other local authorities such as the London Borough of Southwark and Surrey County Council
- Taking proper care of the public realm is integral to the social and economic vitality of Birmingham and its district centres
- Despite spending tens of millions on high-profile public realm schemes in recent years, including Centenary Square and Victoria Square, evidence of street scarring is already apparent in many of these which has not be repaired within the statutory 6 month timeframe
- The Council began designing and consulting on its roadworks permit scheme in late 2016 and introduced it in 2021. When a permit scheme has been in operation for 12 months, the council can use powers under s74A of the New Roads and Street Works Act 1991, to introduce a Lane Rental Scheme which gives additional powers and tools to minimise disruption and improve the quality of roadworks. Whilst calls have been made for this to be implemented in Birmingham, no visible progress has been made on carrying out the necessary actions

Council believes that:

- The £2500 fine limit fine for failing to implement a permanent reinstatement, set more than 30 years ago, is woefully inadequate and a deterrent against street scarring

- More needs to be done both nationally and locally to protect the public realm from street scarring
- Lane rental schemes can encourage works on highways to be completed to the required standard first time, and with permanent high-quality reinstatements to reduce the need to return to the site

Council resolves to:

Write to Government to ask for updated legislation and regulation that includes:

- Increasing the fines that councils can impose to a level that serves as an effective deterrent and indexing this to inflation to ensure it remains so going forward
- A clearer definition of 'permanent reinstatement' that includes 'like for like' as defined by local authorities, rather than at the discretion of the company carry out the repairs
- Decreasing the time that permanent reinstatement has to be completed from 6 to 3 months
- Extending the considerate constructors scheme to street repairs and include very prompt like-for-like replacement

Ask the Executive to:

- Bring forward proposals for a Lane Rental Scheme to manage roadworks by March 2025
- Review other measures to promote high-quality reinstatement, including looking at other local authorities and working with Create Streets to ensure that adequate policies are in place such as clear street design codes covering the materials that should be used in different areas.
- Improve reporting processes for residents and council staff to highlight street repairs where permanent reinstatement has not been completed within the statutory timescales

**B. Councillors Morriam Jan and Izzy Knowles have given notice of the following Notice of Motion:-**

“Council notes that:

In the year 2022/23, 41% of Birmingham children were in relative poverty – over double the national average.

The rise in child poverty in Birmingham has been exacerbated by local and national factors, however certain pressures are more prevalent in Birmingham versus other areas of the country. These include housing shortages, larger families and poorer health outcomes.

The effects have been exacerbated by the council's recent financial problems have resulted in a 10% council tax increase, a further 10% rise planned, and a significant reduction in services. The impact is felt most by the poorest families.

The effects of poverty in childhood set a blueprint for that child's life. These effects impact health, wellbeing and outcomes.

The recent Birmingham Live report on child poverty set out practical moves that could reduce child poverty. Birmingham City Council, as the main provider of local services, can and should take a lead role in this.

It is incumbent on this council, even during times of significant financial strain, to do what it can to alleviate poverty and the causes of poverty.

With current restrictions in mind, this motion intends to be fully implementable, and focuses on three core improvements:

- Lobbying the government and other local politicians to bring about meaningful financial changes.
- Improving access to information so that families can more easily receive information on benefits and support.
- Exploring opportunities with third parties and partner organisations.

This council therefore resolves to:

- Agree an official position that the two-child benefit cap is disadvantageous to families, and disproportionately so in Birmingham where we have a much higher-than-average number of large families. 23.4% of families have more than 2 children in Birmingham versus the national average of 15%.
- Lobby WMCA Mayor Richard Parker to keep his pre-election pledge to request funding for free school meals for 66,000 West Midlands children, who are currently in poverty but not eligible for free school meals. School meals provide a vital source of nourishment for children, especially those in poverty. Schools provide an environment where children can eat at a table with cutlery: something that a growing number of children in poverty and/ or temporary accommodation, cannot experience outside of schools.

- Investigate the opportunity to recruit a child poverty commissioner who focuses on removing the obstacles that perpetuate child poverty. The commissioner will have full access to all corridors of power and will advise the council independently on practical ways to reduce child poverty.
- Prioritise families with school age children who must take up temporary accommodation, to ensure that the child remains within commuting distance of school, defined as one bus route or within walking distance, and ensure those families are receiving the maximum support available to them.

Develop user friendly and intuitive webpages, which can easily be used and viewed on mobile phones, to:

Promote the city's youth service offering. Allow the youth club offer to be viewed by geography, by need e.g. SEND, or by age bracket. Include links to community and partner organisations that offer youth clubs and add contact information so that new services can be included easily.

- A fact-file of each establishment and club to be included with photos and videos, age restrictions, accessibility, membership and ongoing costs, facilities and contact information.
- Promote the city's offer for care experienced children and care leavers and ensure that it is easy to find and use.
- Promote financial and practical support for families and people who are struggling, so that all support is in a space that is easy to find and use. Include links to local foodbanks, uniform banks and financial support."

### **3 IMPACT AND IMPLICATIONS**

#### **Finance**

3.1 There are none arising from this report.

#### **Legal**

3.2 There are none arising from this report.

#### **Equalities**

3.3 There are none arising from this report.

### **APPENDICES**

None.

**BACKGROUND PAPERS**

None.

