

Birmingham City Council

Sustainability and Transport Overview and Scrutiny Committee

14 June 2023



Subject: **Developing the Overview and Scrutiny Committee Work Programme (Sustainability and Transport)**

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1 Purpose

- 1.1 This report provides information for the Sustainability and Transport Overview and Scrutiny Committee to consider in developing their work programme for 2023-24. It identifies potential issues for the Committee to explore and sets out the range of scrutiny methods which could be adopted.
- 1.2 The report refers to the relevant Cabinet Member Priorities and forthcoming decisions; issues recommended to be carried forward from the 2022-23 Overview and Scrutiny work programme, which are specific to this Committee's remit; and tailored high level summary from the City Observatory and Programmes, Performance and Improvement Division.

2 Recommendations

- 2.1 That the Committee:
 - Notes the information set out in Appendices 1-3 and identifies a menu of topics for the Committee to explore over the coming year.
 - Confirms, subject to further input from the Chair and Deputy Chair outside of the meeting, items for the Committee meeting in July
 - Agrees the issues that the Committee will consider during September – October 2023, the proposed aims and objectives and the preferred method of scrutiny.
 - Notes that a draft work programme will be presented to the Committee meeting in July for consideration and approval

- Notes, subject to further input from the Chair and Deputy Chair outside of the meeting, its proposed work programme will be submitted to Co-ordinating O&S to enable work to be planned and co-ordinated throughout the year.

3 Background

- 3.1 The [statutory guidance for local government overview and scrutiny](#) sets out the role it can play in holding an authority's decision makers to account. This makes it fundamentally important to the successful functioning of local democracy.
- 3.2 Effective Overview and Scrutiny should:
- Provide constructive 'critical friend' challenge
 - Amplify the voices and concerns of the public
 - Be led by independent people who take responsibility for their role
 - Drive improvements in public services
- 3.3 The role and functions of Overview and Scrutiny Committees are outlined in [The City Council's Constitution | Birmingham City Council](#) They will:
- Make reports and/or recommendations to the full Council, the Executive and/or other organisations in connection with the discharge of the functions specified in their terms of reference.
 - Consider any matter covered in their terms of reference that may affect or be likely to have an effect on the citizens of Birmingham; relevant to the Council's strategic objectives; relevant to major issues faced by officers in managing a function of the Council; and likely to make contribution to moving the Council forward and achieving key performance targets.
- 3.4 Effective scrutiny needs to add value. A well planned and timely work programme enables Overview and Scrutiny Committees to be involved at the right time and in the right way, and ensure their involvement is meaningful and can influence the outcome.

4 Developing the Work Programme 2023-24

- 4.1 The document on developing flexible and effective scrutiny, which is considered as a separate agenda item at this meeting, describes a revised approach to work programme development. It proposes that the Committees identifies a 'menu' of issues (including policy development, policy review, issues of accountability and statutory functions) at the start of the year. The Committee should then regularly review the 'menu' and decide which issues need to be examined further, and how that work would be undertaken. Scrutiny activities should be thorough and undertaken in a timely manner.
- 4.2 There are a range of ways to undertake scrutiny. This new approach will enable flexible scrutiny and outlines a shift from monthly formal meetings to a

combination of approaches. The Committee will choose the most effective scrutiny method to achieve the desired aims and objectives.

4.3 Based on Statutory Guidance published in 2019, different scrutiny methods include (but are not limited to):

- A single item, or items, on a committee agenda – these fit more closely the “overview” aspect of the Scrutiny function and has limited opportunity for effective scrutiny. It is most appropriate for specific issues where the committee wants to maintain a watching brief.
- A single item meeting, either as the committee or a more limited number of Members. It has the capacity to enhance the previous option by taking evidence from a number of witnesses
- A task and finish day - provided that these are properly focused, they ensure Councillors can swiftly reach conclusions and make recommendations and are effective even for complex topics.
- A task and finish review – this is an enhancement of the previous option being held over four or six meetings spread over a limited number of months.

4.4 Appendix 1 outlines the outstanding items from the Overview and Scrutiny work programmes 2022-23, which relate to the remit of this Committee.

4.5 Appendix 2 sets out the current Cabinet Member priorities and pending decisions, which relate to the remit of this Committee.

4.6 Appendix 3 provides a high-level summary of:

- The strategic and organisational context, including the Corporate Plan 2022-26, city and citizen outcome indicators and a summary of external factors impacting on the remit of the committee.
- A summary of key performance indicators and delivery milestones against Corporate Plan priorities, and directorate priorities for 2023/24 relevant to the remit of this Committee
- Transformation and improvement activity relevant to the remit of this committee.

4.7 Altogether this information suggests potential topics for the Committee to consider when determining a work programme for 2023-24. The Committee is advised to consider where it can best add value through scrutiny.

4.8 Members often have a number of topics suggested to them and are therefore required to **prioritise** matters for consideration. The Scrutiny Framework sets out the following factors could be considered:

- Public interest: concerns of local people should influence the issues chosen;
- Ability to change: priority should be given to issues that the Committee can realistically influence;

- Performance: priority should be given to areas in which the Council and Partners are not performing well;
- Extent: priority should be given to issues that are relevant to all or a large part of the city;
- Replication: work programme must take account of what else is happening to avoid duplication.

4.9 Overview and Scrutiny Chairs are advised to maintain regular engagement with Cabinet Members to enable flexibility to be built into the Overview and Scrutiny work programme, so as to respond to the Council's policy priorities in a timely way.

5 Any Finance Implications

5.1 There are no financial implications arising from the recommendations set out in this report.

6 Any Legal Implications

6.1 There are no legal implications arising from the recommendations set out in this report.

7 Any Equalities Implications

7.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 The protected characteristics and groups outlined in the Equality Act are: Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion and Belief; Sex, and Sexual Orientation.

7.3 The Committee should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering: How policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; Whether the impact on particular groups is fair and proportionate; Whether there is equality of access to services and fair representation of all groups within Birmingham; Whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

- 7.4 The Committee should ensure that equalities comments, and any recommendations, are based on evidence. This should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

8 Appendices

- 8.1 Appendix 1: Work Programme Mapping
Appendix 2: Cabinet Member Priorities and Forthcoming Decisions
Appendix 3: Corporate Priorities, Performance and City Outcomes

9 Background Papers

- 9.1 [Birmingham City Council Constitution](#)
9.2 Birmingham City Council Overview and Scrutiny Framework April 2021