

Birmingham City Council

Sustainability and Transport Overview and Scrutiny Committee

7 March 2023



Subject: Sustainability and Transport Overview and Scrutiny Committee's Work Programme

Report of: Christian Scade, Head of Scrutiny and Committee Services

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1 Purpose

- 1.1 This report sets out the proposed work programme for the Sustainability and Transport Overview and Scrutiny Committee for 2023-24. Following the findings and recommendations from the independent Governance Review of the Council, and specifically recommendation 5, the Committee has reframed its work programme to be aligned to the Council's improvement and recovery priorities. Appendix 1 outlines the topics identified, aims and objectives as well as the preferred method of scrutiny to achieve these objectives.
- 1.2 Appendix 1 also provides information on other topics, which had previously been identified by the Committee. In light of the reframing of this work programme, these topics will be deferred by the Committee for future consideration at the right time.
- 1.3 The report also provides a progress update on its two inquiries: Active Travel and Road Safety.

2 Recommendations

- 2.1 That the Committee:
 - Notes the information set out in Appendix 1 and identifies if any further topics need to be added which are aligned to the Council's improvement and recovery priorities.
 - Considers the request by Councillors Timothy Huxtable and Richard Parkin to include in the future work programme the impact of Cadent roadworks on

the city's highways network specifically, and more broadly on the management of the Highways network and co-ordination of roadworks.

- Agrees, subject to further input from the Chair and Deputy Chair, the issues that the Committee will consider during April – May 2024, the proposed aims and objectives and the preferred method of scrutiny.
- 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 Overview and Scrutiny Committee 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.

3.5 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 to 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.

Looking Ahead

- 3.6 Since June 2023, Overview and Scrutiny Committees have identified a ‘menu’ of issues (including policy development, policy review, issues of accountability and statutory functions). Each Committee has then regularly reviewed their ‘menu’ and decided which issues needed to be examined further, and how that work would be undertaken.

Scrutiny Methods

- 3.7 There are a range of ways to undertake scrutiny. The approach for 2023-24 enables 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 for each topic.
- 3.8 Scrutiny activities should be thorough and undertaken in a timely manner.
- 3.9 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 – this method fits more closely with the “overview” aspect of the Scrutiny function and provides 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.

Sustainability and Transport Overview and Scrutiny Committee

- 3.10 The Committee’s Terms of Reference is to fulfil its functions as they relate to any policies, services and activities concerning:
- Sustainable transportation policy and programmes, projects and initiatives
 - Strategic highways matters

- Maintenance of roads and streets, traffic management and car parks and enforcing rights of way
- Cooperation with the WMCA and Mayor in relation to the key route network
- An Air Quality strategy for Birmingham
- A financially and environmentally sustainable waste strategy
- A robust re-use and recycle strategy
- A strategy for sustainability, liveability and environmental improvements
- Citywide and national policy development to tackle the causes and consequences of climate change

3.11 The Committee is chaired by Cllr Lee Marsham, and its membership comprises Cllrs Saima Ahmed, David Barker, Martin Brooks, Timothy Huxtable, Colin Green, Richard Parkin and Waseem Zaffar

4 The Governance Review – Reframing the Work Programme 2023-24

4.1 The Co-ordinating Overview and Scrutiny Committee on 15 December 2023 acknowledged the recommendations in the Governance Review of Birmingham City Council agreed by Cabinet on 12 December 2023. Recommendation 5 stated the need to reframe scrutiny work programmes on the Council's improvement and recovery priorities, and that alignment of work programmes should focus on:

- a) Having an active part in the 2024/25 budget development process.
- b) The safe and effective delivery of key services supporting vulnerable people.
- c) Critical performance issues emerging "by exception".
- d) Equality and equity issues arising from the development of the 24/25 Budget, the Emergency Budget (to be identified by exception), and other priority scrutiny activity relating to the Budget.
- e) Culture, behaviour change and organisational development.

4.2 On 11 January 2024, the Sustainability and Transport Overview and Scrutiny Committee met informally to consider the developing Improvement and Recovery Plan and the findings and recommendations of the Governance Review. The Committee reconsidered its work programme for February – April and reframed it to ensure it aligns with the issues set out above.

4.3 The Committee also proposed to meet in May 2024 to replace the cancelled Committee in October 2023. This will be critical to ensure it can cover the topics it has identified.

4.4 Appendix 1 outlines the proposed work programme for April and May 2024. It also provides information on topics which have now been deferred by the Committee as a result of these discussions.

- 4.5 The Committee may decide to add further items to the work programme during the remainder of the year. When considering this, the Committee is advised to consider where it can best add value through scrutiny aligning to the Council's priorities and improvement journey, and how it can prioritise topics for consideration based on the Scrutiny Framework referred to in paragraph 3.5 above.
- 4.6 The Council's latest [Forward Plan February 2024](#) may assist Members in identifying future topics. The following reports are of particular relevance to this Overview and Scrutiny Committee:

Reference	Title	Portfolio	Proposed Date of Decision
011743/2024	Financial Plan 2024-2028	Finance & Resources	27 Feb 2024
012520/2024	Improvement and Recovery Plan	Deputy Leader	19 Mar 2024
012587/2024	BEAS Energy Efficient Grant (Department of Energy Security and Net Zero) Acceptance of management fee	Leader	19 Mar 2024
011821/2023	Transportation & Highways Delivery Programme 2024/25 to 2029/30 - Annual Programme Update	Transport	19 Mar 2024
010756/2023	A45 Birmingham to Airport and Solihull SPRINT Phase 2 – Full Business Case	Transport	19 Mar 2024
010763/2023	A34 Walsall to Birmingham Sprint Phase 2 – Full Business Case	Transport	19 Mar 2024
011969/2023	Transportation and Infrastructure Partnership Procurement Strategy Report	Finance & Resources	23 Apr 2024
007686/2020	Historic Environment Supplementary Planning Document	Leader	23 Apr 2024
010173/2022	Our Future City Plan 2040 – Draft Central Birmingham Framework	Leader	14 May 2024
012296/2024	Birmingham Local Plan – Preferred Options Consultation	Leader	14 May 2024
011429/2023	Southside Public Realm Improvement Scheme - Revised Financial Appraisal	Transport	14 May 2024
010635/2023	Paradise Phase 3	Leader	25 Jun 2024
011584/2023	Average Speed Enforcement: Revised Approach	Transport	25 Jun 2024

- 4.7 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 Inquiries

Active Travel

- 5.1 The cross party Task and Finish Group for this inquiry is chaired by Councillor Lee Marsham, and also includes Councillors Martin Brooks; Colin Green and Timothy Huxtable.
- 5.2 Evidence gathering for this inquiry has concluded. The inquiry group has considered its key findings and recommendations. A draft report will be shared with the inquiry group for its consideration later in March. It is the intention that this will be presented to the Committee in April to be agreed. The Executive response to this inquiry will be considered at a future Committee.
- 5.3 The preparation of its final report has been delayed. This is due to the impact of the extensive budget scrutiny process and activities arising from the Governance Review recommendations on scrutiny resources.

Road Safety

- 5.4 The cross party Task and Finish Group for this inquiry is chaired by Councillor David Barker, and also includes Councillors Richard Parkin and Waseem Zaffar from the Committee itself. Councillor Izzy Knowles has also been co-opted onto the group in the place of Councillor Colin Green.
- 5.5 The terms of reference for this inquiry were agreed by the Committee in February. Evidence gathering for this inquiry will commence in April once scrutiny resources can be released from the Active Travel inquiry. Further timelines will be reported to the Committee as the inquiry progresses.

6 Any Finance Implications

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

7 Any Legal Implications

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

8 Any Equalities Implications

- 8.1 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.

- 8.2 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.
- 8.3 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; and whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.
- 8.4 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.

9 Appendices

- 9.1 Appendix 1: Work Programme 2023-24, March
- 9.2 Appendix 2: Letter (dated 13 February 2024) from Councillors Timothy Huxtable and Richard Parkin regarding Highways disruption caused by Cadent

10 Background Papers

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

Sustainability and Transport Overview and Scrutiny Committee Work Programme 2023/24

Month	Item/Topic Link with Corporate Priorities	Aims and Objectives	Scrutiny Method	Cabinet Member/ Lead Officer	Other Witnesses	Additional Information and Outcome*
April	Budget Challenge and Financial Recovery CGFS Independent Governance Review recommendation 5: Equality and equity issues arising from the development of the 24/25 Budget, the Emergency Budget (to be identified by exception), and other priority scrutiny activity relating to the Budget	Track the progress on savings made to date. Consider the impact of savings on policy and service delivery. Consider how relevant services are mobilising to delivery budget savings for 24-25 and agree how the Committee will monitor these savings.	Committee Meeting single item: 2pm Venue: Committee Rooms 3 and 4, Council House	Cabinet Member for Environment, Cllr Majid Mahmood Cabinet Member for Transport, Cllr Liz Clements Paul Kitson Strategic Director, Place, Prosperity & sustainability Craig Cooper, Strategic Director, City Operations	Phil Edwards, Assistant Director, Transport & Connectivity Mark Shelswell Assistant Director, Highways & Infrastructure	Cabinet Members to be invited specifically to consider how this will impact on policy in service areas. This will be specific to the remit of this Committee. This will be a standard agenda across all Overview and Scrutiny Committees.
April	Highways and Highways PFI CGFS Independent Governance Review recommendation 5: Critical performance issues emerging “by exception”	Receive a progress update on the Highways PFI contract and arrangements for 24-25.	Committee meeting single item: 2pm, Committee Rooms 3 and 4, Council House	Mark Shelswell, Assistant Director, Highways and Infrastructure	Stephen Walton, Head of Highways PFI Procurement	The Committee has requested this report is provided monthly until further notice.

April	<p>Customer Service Programme</p> <p>CGFS Independent Governance Review recommendation 5: Equality and equity issues arising from the development of the 24/25 Budget, the Emergency Budget (to be identified by exception), and other priority scrutiny activity relating to the Budget</p>	<p>Monitor the progress and impact of the recommendations from the Customers Services programme (as previously undertaken by Co-ordinating O&S Committee)</p> <p>Understand how the Customer Services programme has been impacted by budget savings. Consider if and how the impact of the budget savings can be mitigated to deliver better outcomes for citizens</p>	<p>Committee Meeting single item: 2pm</p> <p>Venue: Committee Rooms 3 and 4, Council House</p>	<p>Wendy Griffiths, Assistant Director Customer Services and Business Support</p> <p>Mark Shelswell, Assistant Director, Highways and Infrastructure</p>	None	<p>Aligned to Improvement and Recovery Plan (IRP) workstreams.</p> <p>Co-ordinating O&S Committee convened Task and Finish groups to identify, and monitor progress of, recommendations to improve customer services in 4 areas including Highways Repairs.</p> <p>A final Task and Finish group took place on 7 July 2023, and a report presented to Co-ordinating O&S in July. It was agreed that Sustainability and Transport O&S Committee takes forward this work for Highway Repairs in the future.</p>
April	Inquiry: Active Travel Report	Agree proposed key findings and recommendations to Executive	<p>Committee Meeting single item: 2pm</p> <p>Venue: Committee Rooms 3 and 4, Council House</p>	<p>Cllr Lee Marsham, Chair of Sustainability and Transport Overview and Scrutiny Committee</p> <p>Amelia Wiltshire, Overview and Scrutiny Manager</p>		Final report to be presented to the Committee. An Executive response will be provided to a future Committee.
April	Inquiry: Road Safety	Evidence gathering session	Vary – committee meeting single item/ informal session	Cllr David Barker, Deputy Chair of Sustainability and		Evidence gathering sessions to commence

				<p>Transport Overview and Scrutiny Committee</p> <p>Amelia Wiltshire, Overview and Scrutiny Manager</p>		
May	<p>Annual Flood Risk Management Plan</p> <p>CGFS Independent Governance Review recommendation 5: Equality and equity issues arising from the development of the 24/25 Budget, the Emergency Budget (to be identified by exception), and other priority scrutiny activity relating to the Budget</p>	<p>Review the plan and work undertaken to mitigate against flooding within the city over the past 12 months</p> <p>Consider the Flood Risk management plan for 24-25 and specifically, the impact of the budget challenge and financial recovery programme.</p>	<p>Committee Meeting single item: 2pm</p> <p>Venue: Committee Room 6, Council House</p>	Hannah Hogan, Flood Risk Manager	None	<p>As the October session had to be cancelled due to clash with Extraordinary Council meeting, the Committee will hold a further meeting in May.</p> <p>This is an annual report. Latest report to the Committee is here.</p>
May	<p>Highways and Highways PFI</p> <p>CGFS Independent Governance Review recommendation 5: Critical performance issues emerging “by exception”.</p>	<p>Receive a progress update on the Highways PFI contract and arrangements for 24-25.</p>	<p>Committee Meeting single item: 2pm</p> <p>Venue: Committee Room 6, Council House</p>	Mark Shelswell, Assistant Director, Highways and Infrastructure	Stephen Walton, Head of Highways PFI Procurement	<p>The Committee has requested this report is provided monthly until further notice.</p>

May	Inquiry: Road Safety	Evidence gathering session	Vary – committee meeting single item/ informal session	Cllr David Barker, Deputy Chair of Sustainability and Transport Overview and Scrutiny Committee Amelia Wiltshire, Overview and Scrutiny Manager		Evidence gathering sessions to continue
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*Outcome: This will be populated once the item/topic has been completed. It will highlight the added value and impact.

Menu of Options for Future Consideration

The following items had been identified as potential topics for future consideration. This approach enables the Overview and Scrutiny Committee to remain flexible and respond in a timely manner to emerging issues.

This is a live work programme work programme. New items may be added, or items removed during the course of the year. Proposed aims and objectives as well as scrutiny methodology may also be subject to change.

Item/ Topic	Proposed Aims and Objectives	Proposed Scrutiny Method	Additional Information
Recycling and Waste Reduction	To be determined.	To be confirmed	No further information at this time
Route to Net Zero	Consider how the Council is supporting community leadership. Other aims and objectives to be determined.	To be confirmed	If this is an in-depth piece of work, to be scheduled following the completion of the Road Safety topic.
Public Transport	To be determined by the Committee	Committee Meeting	The intention is to consider information from multiple bus providers as well as the rail sector and WMCA. It may be followed by visits to public transport facilities

Scrutiny Method Options:

Committee meeting - single item

Sustainability and Transport Overview and Scrutiny Committee, March 2024 – Appendix 1

Committee meeting - single theme

Task and Finish Group (outline number of meetings)

On location

Other - (describe)

Corporate Priorities, Performance and Outcomes

Corporate Priorities 2022 – 26:

- | | |
|--|---|
| 1 Support inclusive economic growth | 11 Increase affordable, safe, green housing |
| 2 Tackle unemployment | 12 Tackle homelessness |
| 3 Attract inward investment and infrastructure | 13 Tackle health inequalities |
| 4 Maximise the benefits of the Commonwealth Games | 14 Encourage and enable physical activity and healthy living |
| 5 Tackle poverty and inequalities | 15 Champion mental health |
| 6 Empower citizens and enable citizen voice | 16 Improve outcomes for adults with disabilities and older people |
| 7 Promote and champion diversity, civic pride and culture | 17 Improve street cleanliness |
| 8 Support and enable all children and young people to thrive | 18 Improve air quality |
| 9 Make the city safer | 19 Continue on the Route to Zero |
| 10 Protect and safeguard vulnerable citizens | 20 Be a City of Nature |
| | 21 Delivering a Bold Best in Class Council |

Information on the Corporate Priorities, Performance and City Outcomes was reported to the Neighbourhoods Overview and Scrutiny Committee OSC in June 2023: [Document.ashx \(cmis.uk.com\)](https://cmis.uk.com/document/ashx)



APPENDIX 2

COUNCILLOR TIMOTHY HUXTABLE CONSERVATIVE, HALL GREEN SOUTH SHADOW CABINET MEMBER FOR TRANSPORT

76 DALBURY ROAD,
HALL GREEN,
BIRMINGHAM,
B28 ONF

Tel. No: 0121-303 2130

Email: timothy.huxtable@birmingham.gov.uk
timothy.huxtable@icloud.com

Councillor Lee Marsham
Chair, Sustainability and Transport
Overview and Scrutiny Committee
Birmingham City Council

Sent by email

13 February 2024

Dear Lee,

Highways Disruption caused by Cadent

We write following concerns raised by a large number of residents about disruption to Birmingham's Highway network caused by roadworks and in particular the performance of Cadent. We believe this should be an issue that the Sustainability and Transport Overview and Scrutiny Committee should look at in more detail and so formally request that it is added to the work programme. We also believe that as part of this work, Cadent should be invited before the committee to account for the steps they are taking to improve performance and minimise the impact of their work on residents.

You will be aware that this was an issue raised by Councillor Matt Bennett at the last Full Council meeting, where he highlighted problems caused in his ward of Edgbaston in recent months, including barriers and temporary lights going up on the key bus route of Harborne Road 5 days before any work started. In neighbouring Harborne, residents are currently facing significant disruption from works, whilst some of this is a response to a leak that needed urgently addressing, the management of the works appears to have been poor and it follows on from other work by Cadent in the area which has seen roads only recently relayed by the council dug up. Across parts of Sutton Coldfield too, we have seen Cadent recently returning to areas where work has only just been completed.

It is clear that this is an issue across the whole city and the council should be leveraging all its powers, including soft power, to hold Utilities to account for the time they spend carrying out work on the road network. Scrutiny has a key role in this.

Whilst we have specific concerns about the impact of recent work by Cadent, we believe that this could form part of a wider piece of work by Scrutiny on the management of our highways network and the coordination of roadworks. This could include investigating proposals previously put forward by our Group to follow up the work done to introduce a permit scheme in the city, with a Lane Rental Scheme for roadworks, that would further incentivise utility firms to reduce the amount of time that roadworks are in place. This work should also look at how we ensure that where necessary works are carried out, the highway or footway is returned to a suitably high quality, with matching materials to the surrounding road\path.

Yours Sincerely

The image shows two handwritten signatures in black ink. The signature on the left is 'Timothy Huxtable' and the signature on the right is 'Richard Parkin'. Both are written in a cursive, flowing style.

Councillors Timothy Huxtable and Richard Parkin