

BIRMINGHAM CITY COUNCIL

SUSTAINABILITY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 18 JANUARY 2023 AT 14:00 HOURS
IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 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 - 10**
- 4 **ACTION NOTES AND ACTION TRACKER**
- Item Description
- 11 - 16**
- 5 **CIVIL PARKING ENFORCEMENT SERVICES**
- Kevin Hicks, Assistant Director, Highways & Infrastructure and Stacey Ryans, Parking Services Manager
- 17 - 28**
- 6 **FOOTWAY CROSSINGS POLICY**
- Kevin Hicks, Assistant Director, Highways & Infrastructure and Kamyar Tavassoli, Highways Services Manager.
- 29 - 42**
- 7 **WORK PROGRAMME**
- That the Committee considers its work programme, attached at Appendix 1, and agrees any amendments required.
- 8 **DATE AND TIME OF NEXT MEETING**
- To note the date and time of the next meeting.
- 9 **REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**
- To consider any request for call in/councillor call for action/petitions (if received).
- 10 **OTHER URGENT BUSINESS**
- To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.
- 11 **AUTHORITY TO CHAIR AND OFFICERS**
- Chair to move:-
- 'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

BIRMINGHAM CITY COUNCIL

SUSTAINABILITY AND TRANSPORT O&S COMMITTEE

1400 hours on 16th November, Committee Room 6, Council House

Present:

Councillor Chaman Lal (Chair)

Councillors Alex Aitken, David Barker, Martin Brooks, Colin Green, Timothy Huxtable, Richard Parkin and Miranda Perks

Also Present:

Kevin Hicks, Assistant Director, Highways & Infrastructure

Domenic De Bechi, PFI Contract Manager

Muhammad Khan, Traffic Manager – Major Projects

Christian Scade, Head of Scrutiny and Committee Services

Baseema Begum, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised those present that the meeting would be webcast for live and subsequent broadcast via the Council's Youtube site and that Members of the press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

None.

3. DECLARATIONS OF INTERESTS

None.

4. SUSTAINABILITY & TRANSPORT O&S COMMITTEE ACTION NOTES

The action notes of the meeting held on 19th October were approved and the action tracker noted. The action notes from the meeting held on 21st September were previously agreed.

Cllr Brooks highlighted the Council's commitment to reaching Net Zero Carbon and highlighted the need to receive a timescale on when an update would be forthcoming.

5. STREET WORKS PERMIT SCHEME

(See Item No.5)

The Chair welcomed Kevin Hicks, Assistant Director, Highways & Infrastructure and Muhammad Khan, Traffic Manager (Major Projects) for this item.

Kevin Hicks gave a brief introduction to the item outlining that this scheme related to the statutory duty to manage the highway network under the Traffic Management Act 2004 (Part 3).

This was in essence an agreement on how utility companies (gas, water, electric) access the public highway to undertake works as they are required to give notice to the local authority.

The scheme gives control to the Council on how this is done ensuring that utility companies have met the necessary requirements to carry out the work in the way the agreement sets out and that disruption to the road network is kept to a minimum. This is currently done by network inspectors through the PFI contract to ensure that the utility companies keep to the conditions of the agreement. A new system is now being introduced and a report was presented to Cabinet last April giving detail of the process to do so. As part of this some services being delivered by the current interim PFI provider will be returning to the Council. This will give the Council greater control.

Muhammad Khan then took the Committee through the presentation circulated giving further detail about the Permit scheme and its benefits.

Members then held a discussion and in response to queries raised the following points were made: -

- The new Streetworks Permit scheme is due to commence in January 2023. There will also be a 4-week statutory consultation period with utility providers.
- The new Permit scheme will give the Council more control. There will be more resource for inspections and enforcement action to ensure that following works the area is cleared promptly.
- A key driver of the Permit scheme has been understanding the amount of road space being occupied for works and the impact on adjacent roads and diversion routes. The new system will be able to calculate a diversion route that informs the permit required. This will allow for road closures and diversion routes to be plotted on the new system so that if another permit request is received for a road being used as a diversion, then this would give the authority for it to be refused.
- In certain key locations and depending on the nature of the works in the majority of cases officers will request that advance warning notices of works are put up highlighting disruption for a significant period of time (rather than several short-term closures) and this will continue. If these conditions are not met in the future, then a Fixed Penalty Notice (FPN) will be issued.

- Where road closures or road works impact on cycling and walking routes the most appropriate and suitable diversion route is sought. However, with segregated cycle routes for temporary schemes it is not a simple case of providing the same amenity on an alternative route. In terms of maintaining pedestrian access the Council works with all parties to ensure that a walkway is adjacent, and a complete diversion is only put in place as a last resort.
- Wherever possible works already happening are married up with other work going on. However, there are a high number of last-minute requests for works as the current structure demonstrates. The Council does talk to neighbouring authorities on issues that cross over local authority areas. There are exemptions on what the Local Authority can control and do under legislation. The Council does monitor and control works happening where it can such as cold weather and emergency works.
- Works undertaken on behalf of the Council by contractors will still need to apply for a permit (but will not be liable for a charge) and will be subject to the same standard and accountability as other applying for permits.
- It was confirmed that the Council holds a basic subscription to the One.Network scheme. This will change in the future as the Permit module is switched on and the capacity is increased so that residents have the visibility to see the detail of what is planned in the future.
- Alongside using the One.Network system that provides live information the Council also has access to a GIS system hosted by Transport for West Midlands (TfWM) that co-ordinates a central list of planned major works and also captures a 12 month forward view of works coming up. This helps as a reference tool when applications are received and helps to co-ordinate and plan. However, major works requests will have a 'provisional advance authorisation' which is a 3-month advance permit, and this is for any work with requires a road closure, Traffic Regulation Order (TRO) or has a duration of 11 days or more.
- It is expected that there will be less signage once the scheme is in operation as the permit will give the relevant detail of duration of works or road closure. Additionally, part of the role of the Network Inspectors is to keep an eye on the activity or reports received of lack of activity by Members and these will be monitored closely. Any overrun on duration of works will result in an overrun charge to be paid by the contractor.
- Impact on roads by works on the public highway depends on the quality of the road to begin with. The Council can't control the number of works undertaken by utility providers for example customer internet connections. This is also the case with new scheme repairs and emergency work. Investment work on the highway undertaken by the Council ahead of the implementation of the new Permit scheme is imperative. Time will be taken to speak to utility providers beforehand so that the Council can be as proactive as possible to keep greater control and oversight of works on the public highway.
- There is a commitment to ensure that Members are notified of works on key routes and advanced long running works planned in their respective wards. Additionally, there is an email address for Members to report any non-dangerous issues.

- The aim of the scheme is to be cost-neutral and not to generate additional revenue for the Council. Money generated from the Permit scheme will be re-invested into the service. Any surplus is reviewed on a 12 monthly basis and the permit charges will be reviewed every 3 years.

RESOLVED: -

1. The report was noted.
2. That the Cabinet report from April is circulated.
3. Kevin Hicks to inform the Committee of when the Street Works Permit Scheme will be going live.

6. RE-PROCUREMENT OF THE HIGHWAYS PFI CONTRACT

(See Item No. 6)

The order of the agenda was changed with Item 6 taken first.

Domenic De Bechi, PFI Contract Manager and Kevin Hicks, Assistant Director, Highways and Infrastructure were present for this item.

Kevin Hicks briefly outlined the background of the PFI contract historically and the next steps in the re-procurement process.

Domenic De Bechi highlighted the key points from his presentation and following a discussion with Members and in response to queries raised the following points were made: -

- There is no gap between the interim and new contract as the current contract has been extended so the crossover will be seamless. The report to cabinet gives further details of the process.
- Customer service is being looked at as part of the re-procurement process. Work is underway with the Council's Customer Services Team in this area to ensure that it is made more efficient so that residents and councillors see one joined-up service as part of the re-procured contract.
- The Council public highway asset inventory has been updated to include any previous gaps that were overlooked initially, and a more comprehensive inventory was made available to bidders going into the current procurement process.
- In the re-procurement of the contract, it is accepted that changes would need to be made. As part of the dialogue with potential contractors it has been made clear what the Council can accept and afford to keep the highway safe as well as what contractors would accept.
- It was noted that the initial first 5 years of core investment to take the road network to a standard that should be maintained for the duration of the contract was not completed. Therefore, the original level envisaged at the start of the original contract in 2010 was never reached. It is anticipated that the remainder of the PFI credits will be used to get the city's roads up to the best level possible however the lost period of time cannot be made up.
- The re-procurement of the contract will reflect an emphasis on sustainability and climate change in line with the Council's policy. This includes noting

contractors' green credentials as well as what they are proposing as part of the contract and how it will be delivered in a sustainable way. Bidders will need to clarify their processes and include innovative ways of delivery as part of their submission. This includes providing a carbon management plan. There is an emphasis on social value (20% of the overall evaluation score), and this is clearly outlined for bidders.

- Although a bid contract cannot state that the service provider must align with other Council policies and projects to ensure value for money it can set out an expectation to emphasise the need for the service provider to work jointly and take note of other works that the Council is undertaking. However, the onus is on the service provider to undertake this. A good example of this is bringing forward works to the A34 and A45 Sprint schemes that is being delivered by the West Midlands Combined Authority to ensure efficiency.
- Many of the capital projects funded in the city by government monies such as the Low Traffic Neighbourhoods scheme do not have revenue funding attached for ongoing maintenance costs. It is imperative therefore that through the delivery of such projects the capital funding is used wisely to reduce down as much as possible the need for ongoing maintenance costs. This can include decluttering the adjacent area and taking out infrastructure no longer needed and using the maintenance costs of these items to offset the costs of maintaining new infrastructure. The emphasis is on ensuring that new projects are cost-neutral in terms of future revenue implications. The Transport and Highways Board has oversight of all schemes to ensure that any revenue costs are accounted for through the policy contingency fund that was agreed by Cabinet for capital growth projects in 2012. Additionally, the costs of maintaining any items put on the public highway that are over and above the standard specified by the Council would need to be covered by the developer.

RESOLVED: -

1. The report was noted.

7. WORK PROGRAMME

(See Item No. 7)

Christian Scade, Head of Scrutiny and Committee Services talked through the work programme. In discussion with Members, it was agreed that: -

- Local ward members would be invited to the visit by the Committee to University Rail Station.
- Briefings on the City of Nature Policy and Road Safety Strategy would be programmed for the April meeting.
- Scrutiny officers would check cabinet member and officer availability for a private briefing on the Waste Disposal Procurement contract, if possible, in February.
- An item on active travel would require further clarification on aims and objectives to be shared with officers for a future meeting.

RESOLVED: -

1. The report was noted.

2. Cllr Huxtable requested further information on: -
 - a. the use of the Highways LIB fund of £669k; and
 - b. the progress made on the CAZ surplus funding for ward measures.
3. The visit to University station will take place on 14th December in place of the formal committee meeting that was scheduled for 21st December.

8. DATE AND TIME OF NEXT MEETING

The next meeting will be a visit to University Rail station in place of a formal meeting. A calendar invitation will be issued to members. A support officer from the Council's Transport and Connectivity service will be in attendance.

RESOLVED: -

1. The visit to University station will take place on 14th December at 1pm.
2. Ward Councillors to be invited to join the visit.
3. Members will be sent further details relating to the visit.

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

None.

10. OTHER URGENT BUSINESS

None.

11. AUTHORITY TO CHAIR AND OFFICERS

Agreed.

RESOLVED: -

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

The meeting ended at 15:52 hours.

SUSTAINABILITY AND TRANSPORT O&S COMMITTEE
ACTION TRACKER 2022-23

Date	Agenda Item	Action	Update
19 th October	Cabinet Member for Environment – Portfolio Overview	A private member briefing on the Waste Disposal Procurement contract to be arranged to include how it fits into the Council’s commitment on the Route to Zero plan and Net Zero strategy and other relevant legislative changes that the Council will need to put in line with Environment Act.	Response received stating that advice received from Legal and Procurement states that as there is a live procurement in progress no additional information to that already presented can be provided to Scrutiny members even if held in private at this stage. Officers are following up on a future date when an update will be possible.
19 th October	Cabinet Member for Environment – Portfolio Overview	WiSH24 guidance (working on and around highways) to be shared with committee.	Darren Share to provide. Awaiting information - 5/1/23 (follow up with Anita Niles, Support Officer)
16 th November	Street Works Permit Scheme	Report to Cabinet in April giving further details on finance to be circulated.	Email request sent to officers. Followed up 5/1/23
16 th November	Street Works Permit Scheme	Officer to confirm to Members the actual start date of the Street Works Permit scheme system.	Email request sent to officers. Followed up 5/1/23
16 th November	Work Programme	Written briefing detailing the progress made on the CAZ surplus funding for ward measures and further details on the use of the Highways LIB fund.	Details on the Highways LIB fund circulated on 16 th December. Awaiting a response on the CAZ surplus funding for ward measures – followed up 5/1/23
16 th November	Work Programme	Briefings on the City of Nature and Road Safety Strategy at the April meeting were agreed.	Work programme updated.
14 th December	Visit to University Station	Presentation given by WMRE to be updated with correct funding figures and further details on an actual anticipated opening date to be provided.	Response being prepared by WMRE and will be shared shortly.

Birmingham City Council

Sustainability & Transport Overview and Scrutiny Committee

18th January 2023



Subject: Civil Parking Enforcement Services (P129_2023)
Report of: Kevin Hicks, Assistant Director, Highways and Infrastructure
Report author: Stacey Ryans, Parking Services Manager

1 Purpose

- 1.1 The provision of parking/camera enforcement services (including vehicle removals and Traffic Regulation Order (TRO) support).

2 Recommendations

- 2.1 We are currently working on the tender strategy for the provision of parking/camera enforcement services (including vehicle removals and Traffic Regulation Order support). The next step will be to seek approval of the tender strategy in February/March 2023.

3 Any Finance Implications

- 3.1 Based on historical spend the estimated annual value is £3m (£15M for 5 years) and will be funded as part of the costs of enforcement from income generated from enforcement activities. The contract cost consists of a fixed element for core services and a variable element for flexibility of deployed hours for Civil Enforcement Officers depending upon increasing/decreasing levels of parking infringements.

4 Any Legal Implications

- 4.1 The authority for the Council to undertake Civil Parking Enforcement is provided in the Statutory Instrument No. 2883 entitled the Road Traffic (Permitted Parking Area and Special Parking Area) (City of Birmingham) Order 2001 made under the provisions for the Road Traffic Act 1991; superseded by Part 6 Traffic Management Act (TMA) 2004 (TMA).

- 4.2 The powers to undertake bus lane enforcement are provided through the Road Traffic Regulation Act 1984 Sections 1,2, 4 and 9 (as amended) and the Traffic Management Act 2004.
- 4.3 Powers to undertake aspects of the vehicle removal function are provided through the Refuse Disposal (Amenity) Act 1978, the Road Traffic Regulation Act 1984, the Removal and Disposal of Vehicles Regulations 1986, the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008 and the Clean Neighbourhoods and Environment Act 2005.
- 4.4 Traffic Regulation Orders (TROs) are implemented by virtue of the Road Traffic Regulation Act 1984.

5 Any Equalities Implications

- 5.1 Stage 1 Equalities Analysis Report (EAR) was carried out based on the current service provision. The EAR did not identify any adverse equalities implications within the service which is subject of procurement and therefore it was not necessary to progress to a Stage 2.

6 Appendices



Parking/Camera Enforcement Services Tender Update – Sustainability & Transport O&S Committee 18th January 2023

Current position:-

- ❑ Current contract – Civil Parking Enforcement Services (P129) has been extended until 31st January 2024. In the meantime, work is under way as follows:-
 - ❑ Progressing on the new procurement tender strategy;
 - ❑ Reviewing and updating the service specification which will include the enforcement of moving traffic, pending approval of our application to be submitted to the DfT by 15th February 2023.



Next Steps:-

☐ To seek approval of the tender strategy in February/March 2023.

☐ Indicative Implementation Time Plan:-

Tender Strategy Approval	February/March 2023
Invitation To Tender (ITT) Issued	March/April 2023
ITT Return	April/May 2023
Evaluation Period	June/ July 2023
DPR Approval (Award)	September 2023
Contract Award	October 2023
Mobilisation period	November 2023 – January 2024
Contract Start	1 st February 2024

Birmingham City Council

Sustainability & Transport Overview and Scrutiny Committee

DATE



Subject: Highways and Infrastructure: Footway Crossing Policy and Information for Applicants

Report of: Mark Wiltshire, Interim Managing Director City Operations

Report author: Kamyar Tavassoli, Highways Services Manager

1 Purpose

- 1.1 To seek approval to the adoption of the proposed Footway Crossing Policy.

2 Recommendations

- 2.1 Cabinet approves the adoption of the proposed Footway Crossing Policy and Information for Applicants for the provision of footway crossings within the city.
- 2.2 Authorises the Assistant Director - Highways and Infrastructure to exercise all powers and obligations relating to operational and enforcement activities in respect of footway crossings under the Highways Act 1980 and the New Roads and Street Works Act 1991.

3 Any Finance Implications

- 3.1 The policy sets out the elements which make up the cost of construction of the footway crossing. An application and admin fee is charged in all cases and other costs including statutory undertakers inspection fees and apparatus costs, on street parking controls etc are charged as appropriate. The applicant is charged the actual cost of the construction of the footway crossing (full cost recovery basis) and an administration fee which would cover the Council's direct costs for the provision of the service. Fees are reviewed annually and set by Cabinet in February as part of the budget report.

- 3.2 The policy also details circumstances where costs can be refunded. Application fees are non-refundable and other costs are only refundable where the work has not been undertaken.
- 3.3 The Council offers applicants with a disability 50% discount towards the cost of construction of a compliant standard 2.75m wide footway crossing. The cost of this discount is covered from existing approved City Operations revenue budgets.
- 3.4 Where programmed footway reconstruction or other resurfacing works are undertaken, existing compliant footway crossings in poor condition will be resurfaced at no cost to the householder and householders who do not currently have a vehicle crossing will be given the opportunity to have one standard crossing constructed during the works at a reduced cost provided the requirements stipulated in this policy are met.
- 3.5 Preparation of the updated Footway Crossing Policy has been carried out using existing Highways and Infrastructure staff resources whose costs are funded from existing approved City Operations revenue budgets.

4 Any Legal Implications

- 4.1 Alterations to the Highway during installation of the footway crossings are carried out under Section 184 of the Highways Act 1980, and enforcement powers are contained in other provisions of the Highways Act 1980. Other related regulations, directives and general guidance is contained in the Town and Country Planning Act 1990; Road Traffic Act 1974; Road Traffic Regulation Act 1984; Traffic Management Act 2004.

5 Any Equalities Implications

- 5.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- 5.1.1 eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - 5.1.2 advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - 5.1.3 foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.2 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.

- 5.3 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.

6 Appendices

- 6.1 Footway Crossing & Information for Applicants Presentation

Footway Crossing Policy & Information for Applicants

Kamyar Tavassoli

Highways Services Manager

18th January 2022



Statutory Requirements for Footway Crossing

If residents wish to drive across the footway to gain access to park on their property, they are required under **Section 184 of the Highways Act 1980** to have an authorised vehicle access crossing constructed by the local authority known as a **footway crossing**.



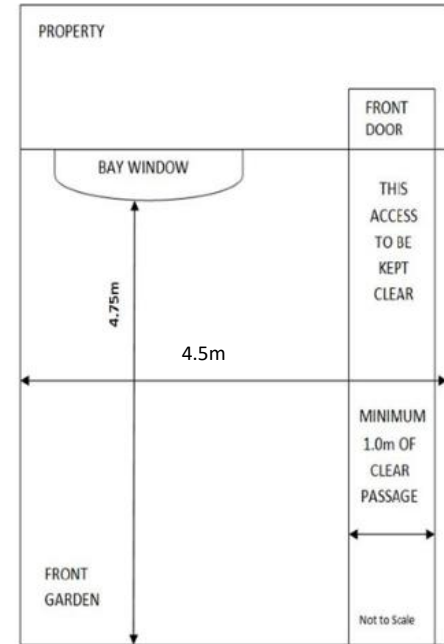
Issues to Consider

In setting the minimum requirements for a footway crossing application, the Council needs to consider the following;

- Safe entry to and exit from premises;
- Passage of vehicular traffic on the highway network;
- Safe pedestrian passage including prevention of obstruction;
- Environmental issues e.g trees & green spaces.

Minimum Dimensional Requirements

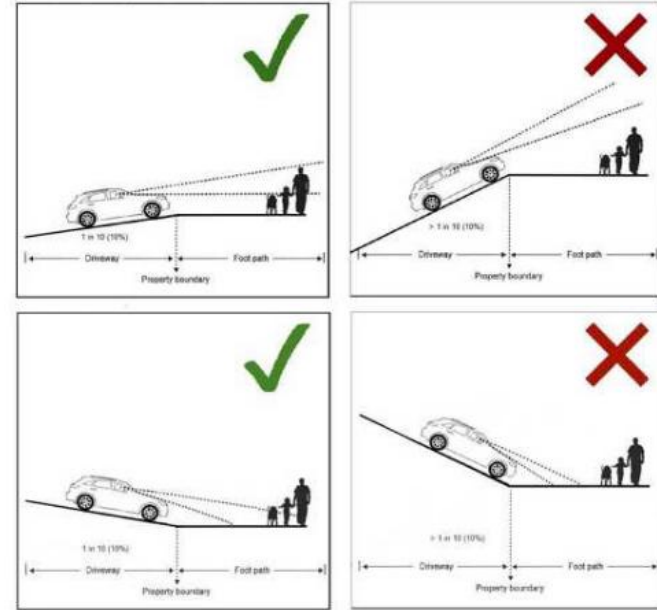
- Footway crossing installations will only be allowed where the frontage depth is a minimum of 4.75m and width is at least 4.5m wide allowing parking at right angles to the carriageway only.
- Parallel parking is not permitted.



Plan – Min. dimensional requirements

Footway Crossing Gradient

- On safety grounds, a footway crossing will not be allowed where the parking area within 5m of the rear of footway is of greater gradient than 1 in 10 (10%).



Planning Permission Requirements

- Planning permission is also required to build a footway crossing if the application is for;
 - A flat or flats, maisonette, a house multiple occupancy with more than 6 rooms or any other building that is not a dwelling house;
 - A listed building;
 - A property served by a classified road;
 - A property within conservation area;
 - where a grass verge that is not part of the highway that has to be crossed.

The Policy provides;

- The fee structure for the works including;
 - Breakdown of charges
 - Discount for disabled applicants
 - Where programmed footway/ resurfacing reconstruction are undertaken, householders without a vehicle crossing will be given the opportunity to have one standard crossing constructed during the works at a reduced cost
- Approach to obstructions e.g trees, street lighting columns, road signs, traffic signals, road humps etc.;
- A detailed assessment process for the trees affected by the footway crossing works;
- Approach to enforcement.

Enforcement Issues

- A crossing is deemed unauthorised where it is either:
 - a) of unknown construction (constructed without consent); or
 - b) not constructed (i.e. residents are driving over the existing pavement).

The policy sets out the approach to the overall enforcement and contains a risk matrix and scoring system to assist in prioritisation of formal enforcement action against unauthorised footway crossings.



Sustainability & Transport O&S Committee: Work Programme 2022/23

Chair:	Cllr Chaman Lal
Deputy Chair:	Cllr David Barker
Committee Members:	Cllrs Alex Aitken, David Barker, Martin Brooks, Colin Green, Timothy Huxtable, Richard Parkin and Miranda Perks
Officer Support:	Amelia Murray, Overview & Scrutiny Manager (07825 979253) Scrutiny Officer: Baseema Begum (303 1668) Committee Manager: Louisa Nisbett (303 9844)

1 Terms of Reference

- 1.1 As per City Council on 24th May 2022 the Committee's Terms of Reference is 'to fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities relating to sustainability; air pollution; transport strategy and highways. The Committee shall undertake the authority's statutory functions in relation to the scrutiny of flood risk management (Flood and Water Management Act 2010)'.
- 1.2 This report provides details of the proposed scrutiny work programme for 2022/23

2 Recommendation

- 2.1 That the Committee considers its work programme, attached at Appendix 1, and considers whether any amendments are required.

3 Background

- 3.1 *"Scrutiny is based on the principle that someone who makes a decision...should not be the only one to review or challenge it. Overview is founded on the belief that an open, inclusive, member-led approach to policy review...results in better policies in the long run."* (Jessica Crowe, former Executive Director, Centre for Governance and Scrutiny).
- 3.2 Developing an effective work programme is the bedrock of an effective scrutiny function. Done well, it can help lay the foundations for targeted, inclusive and timely work on issues of local importance, where scrutiny can add value. Done poorly, scrutiny can end up wasting time and resources on issues where the impact of any scrutiny work done is likely to be minimal.



- 3.3 As a result, the careful selection and prioritisation of work is essential if the scrutiny function is to be successful, add value and retain credibility.

4 Work Programme

- 4.1 Appendix 1 sets out the future work programme for this Committee. This provides information on the aims and objectives, together with lead officers and witnesses, for each item. The attached work programme also includes items to be programmed where dates are still to be confirmed, and any outstanding items including the tracking of previous recommendations.

5 Other Meetings

Call in Meetings

*None
scheduled*

Petitions

*None
scheduled*

Councillor Call for Action requests

*None
scheduled*

It is suggested that the Committee approve Wednesday at 1400 hours as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of Executive decisions.

6 Forward Plan for Cabinet Decisions

- 6.1 Since the implementation of the Local Government Act and the introduction of the Forward Plan, scrutiny members have found the Plan to be a useful tool in identifying potential agenda items.
- 6.2 The following decisions, extracted from the CMIS Forward Plan of Decisions, are likely to be relevant to the Sustainability and Transport O&S Committee's remit. The Panel may wish to consider whether any of these issues require further investigation or monitoring via scrutiny. The Forward Plan can be viewed in full via Forward Plans (cmis.uk.com).



Reference	Title	Portfolio	Proposed Date of Decision
010416/2022	NEC Masterplan	Leader	17 Jan 2023
009406/2022	Active Travel Fund Tranche 2 - Package 2: Kings Heath and Moseley Places for People Full Business Case	Transport	17 Jan 2023
010853/2023	Clean Air Zone revenues – update on revenues forecast and allocation of net surplus revenues	Transport	17 Jan 2023
008531/2021	Highways and Infrastructure: Footway Crossings Policy and Information for Applicants	Transport	14 Feb 2023
010414/2023	(B) Highway Maintenance and Management PFI Contract	Transport	14 Feb 2023
010701/2023	Hackney Carriage and Private Hire Licensing Policy	Transport	14 Feb 2023
007686/2020	Historic Environment Supplementary Planning Document	Leader	21 Mar 2023
010173/2022	Our Future City Plan 2040 – Draft Central Birmingham Framework	Leader	21 Mar 2023
010589/2022	Ladywood Regeneration Estate	Leader	21 Mar 2023
010712/2023	A457 Dudley Road Improvement Scheme – Revised Main Scheme Update Report	Transport	21 Mar 2023
010646/2023	Transportation & Highways Capital Programme 2023/24 to 2028/29	Transport	21 Mar 2023
007349/2020	Waste Vehicle Replacement Programme	Environment	25 Apr 2023
010635/2023	Paradise Phase 3	Leader	25 Apr 2023
010906/2023	Tyseley Energy Recovery Facility, Waste Transfer Stations & Household Waste Recycling Centres – Operate, Maintain & Renewal	Leader	25 Apr 2023
010756/2023	A45 Birmingham to Airport and Solihull Sprint Phase 2 – Full Business Case	Transport	25 Apr 2023
010763/2023	A34 Walsall to Birmingham Sprint Phase 2 – Full Business Case	Transport	25 Apr 2023



7 Legal Implications

7.1 There are no immediate legal implications arising from this report.

8 Financial Implications

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

9 Public Sector Equality Duty

9.1 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.

9.2 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.

9.3 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.

10 Use of Appendices

10.1 Appendix 1 – Work Programme for 2022/2023

APPENDIX 1

SUSTAINABILITY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE 2022-23 WORK PROGRAMME

Date of Meeting: Wednesday 21st September 2022

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Clean Air Zone	Update Report	Report providing overview of scheme to date, information on payment scheme and activities the revenue from the scheme is supporting	Phil Edwards, Assistant Director for Transport and Connectivity	Steve Arnold, Head of Clean Air Zone	None Required	

Final Deadline: Monday 12th September 2022

Publication: Monday 12th September 2022

Date of Meeting: Wednesday 19th October 2022

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Cabinet Member Portfolio Overview	Update Report	Provide a summary of Cabinet Member priorities for 2022-23 and identifying opportunities for O&S to add value. This will include an update on the Waste Disposal Incinerator Procurement.	Jon Lawton, Cabinet Support Officer	<p>Cabinet Member for Environment, Cllr Majid Mahmood</p> <p>Darren Share, Assistant Director, Street Scene</p> <p>Ellie Horwitch-Smith, Assistant Director, Route to Zero Carbon</p> <p>Eleanor Crook, Principal Portfolio Officer</p>		Specifically, in relation to the Waste Disposal Incinerator Procurement, the scope of this update may be limited due to commercial sensitivity.

Final Deadline: Monday 10th October 2022

Publication: Tuesday 11th October 2022

Date of Meeting: Wednesday 16th November 2022

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Street works Permit Scheme	Briefing	Provide an overview of proposed changes	Kevin Hicks, Assistant Director Highways and Infrastructure	None identified	None Required	
Re-procurement of Highways PFI Contract	Briefing	Provide a briefing on the current position and next steps	Kevin Hicks, Assistant Director Highways and Infrastructure	Domenic De Bechi, PFI Contract Manager	None Required	

Final Deadline: Monday 7th November 2022

Publication: Tuesday 8th November 2022

Date of Meeting: Wednesday 14th December 2022

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
University Station	Visit	Site visit to view the recent extension, which was partly funded through Clean Air Zone revenue, and to consider the development of train options within the city	Liam Brooker, West Midlands Rail Executive		University Station, Edgbaston	Arranged through the West Midlands Rail Executive

Date of Meeting: Wednesday 18th January 2023

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Civil Parking Enforcement Services	Briefing	Provide an overview of the current position and next steps of the tender strategy for the provision of parking/enforcement services	Kevin Hicks, Assistant Director Highways and Infrastructure	Stacey Ryans, Parking Services Manager	None	
Footway Crossings Policy	Briefing	Provide an overview of the policy due to be presented to Cabinet in December	Kevin Hicks, Assistant Director Highways and Infrastructure	Kamyar Tavassoli, Highways Services Manager	None	This was requested at the September Committee meeting

Final Deadline: Monday 9th January 2023

Publication: Tuesday 10th January 2023

Date of Meeting: Wednesday 15th February 2023

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Bus Services in Birmingham	Discussion	To understand current trends relating to use of buses, level of services including fares and reliability	TBC	Pete Bond, Steve Hayes and Jon Hayes, Transport for West Midlands Mark Heffernan, National Express	None	

Final Deadline: Monday 6th February 2023

Publication: Tuesday 7th February 2023

Date of Meeting: Wednesday 15th March 2023

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Cabinet Member Annual Report	Briefing	Provide an overview of progress towards portfolio priorities	Rose Horsfall, Cabinet Support Officer	Cllr Liz Clements, Cabinet Member Transportation	None Required	A formal invite will be sent
Annual Flood Risk Management Report	Briefing	Outline current priorities, delivery towards achieving these priorities and future risks	Hannah Hogan, Flood Risk Manager	To be confirmed	To be confirmed	

Final Deadline: Monday 6th March 2023

Publication: Tuesday 7th March 2023

Date of Meeting: Wednesday 19th April 2023

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
City of Nature	Briefing	Provide an overview of the progress of the Our Future Nature City Plan Outline the challenges moving forward and the steps being undertaken to address them	Humera Sultan	TBC	None identified at this time	
Development of a new Road Safety Strategy	Briefing	Aims and objectives to be developed	Mel Jones, Head of Transport Planning & Network Strategy	TBC		

Final Deadline: Monday 10th April 2023

Publication: Tuesday 11th April 2023

TO BE SCHEDULED:

The following items had been identified as topics for consideration to be included in the work programme and no dates have yet been set. The work programme is a live document, and additional items may be identified in future Overview and Scrutiny Committee meetings.

1. **Active Travel including cycling and Safer Travel to Schools**
2. **Environmental, Public Open Space and Transport Issues within City Council Masterplans (i.e., Smithfield) and Urban Regeneration Frameworks**
3. **Displacement of vehicles onto to the public highway from CPZs and parks**
4. **Waste Disposal Contract** (private briefing to be arranged)

