

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.