

BIRMINGHAM CITY COUNCIL

SUSTAINABILITY AND TRANSPORT O&S COMMITTEE

**1400 hours on 28th April 2022, Council House Extension, Margaret Street –
Actions**

Present:

Councillor Liz Clements (Chair)

Councillors Zaker Choudhry, Timothy Huxtable, Julie Johnson-White, Mike Leddy and Hendrina Quinnen.

Also Present:

Councillor Meirion Jenkins

Councillor Ian Ward

Satinder Sahota, (Interim) Director – Legal Services Monitoring Officer & City Solicitor

Phil Edwards, Assistant Director, Transport & Connectivity

Mel Jones, Head of Transport Planning & Network Strategy

Aoife O'Toole, Transport Planning & Investment Manager

Ceri Saunders, Acting Group Overview & Scrutiny Manager

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

Standing declarations noted. Councillor Leddy declared that as an elected Member for the Brandwood and Kings Heath ward that is covered as part of this report he has

checked his eligibility to participate in the meeting and has been advised that he can do so by the City Solicitor. All Councillors declared the ward that they represent.

4. REQUEST FOR CALL IN: ACTIVE TRAVEL FUND TRANCHE 2 – PACKAGE 2: KINGS HEATH PLACES FOR PEOPLE STRATEGY REPORT

(See Item No. 4)

Councillors Jenkins and Huxtable outlined the case for the call-in based on the following call-in criteria and made the following points: -

a. The Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision

The Low Traffic Neighbourhood (LTN) was introduced without consultation during the pandemic. There was nothing to say a LTN had to be introduced and subsequently a consultation has taken place with 56% of residents against its implementation and 36% for. A clear vote and feedback from residents demonstrates that they are against the implementation. Clarification needs to be sought from the Council on when residents are listened to if these are the results of the consultation and action is not being taken along these lines. Furthermore, what is the point of consultation if residents are not being heard? In addition, a key element missing from those consulted is the Kings Heath Business Improvement District (BID) who cover the area.

b. The Executive appears to have overlooked some relevant consideration in arriving at its decision

The Executive has failed to note that cars are displaced to neighbouring roads. The impact is being felt on adjacent streets and areas and these residents are disproportionately affected. An equalities impact has not been noted.

c. 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 by those affected by it

There is significant public opposition to the scheme with protests taking place/planned.

The Chair, Cllr Clements clarified that section 2.1 was the relevant part of the report with the decision to endorse the strategy the subject of the call-in.

The Chair then called on the Executive and officers to respond to the points made by Cllrs Jenkins and Huxtable: -

- The Leader, Cllr Ward stated that no actual decision was being taken to implement a LTN and any such decision would be subject to a future report to Cabinet.
- The purpose of this report was to demonstrate that the Council is listening to feedback from Kings Heath residents and responding to comments received as part of the extensive amount of consultation that has taken place.
- Cllr Ward further clarified that it would be a decision of the Cabinet to implement a LTN in Kings Heath however further consultation will be held first

and a subsequent report in the autumn will come forward with more detail. This will be the basis on which a decision is made on whether to go ahead or withdraw the scheme. This report will not turn over the decision already taken. It was up to Members if they wish to call-in that future report when it comes forward.

- Cllr Jenkins added that he felt a decision was not being taken due to the upcoming election and was concerned that this was the reason behind delaying the decision until the autumn in favour of implementing the LTN without reviewing it fully.
- Cllr Ward responded that the original report with a decision to go ahead with the pilot was not called-in and that a decision on whether a LTN should be implemented would be taken later in the year.
- The Chief Legal officer clarified that should the Strategy report be called-in and presented to a future cabinet meeting it was in theory possible for the Strategy to be re-endorsed, reviewed and/or scope for changes to be made to it.

The Chair then called on the officers present to respond and the following were amongst the points made: -

- It was highlighted that further consultation with the local community is taking place so that a decision can be taken later this year and that is the point of the strategy.
- Government guidance and funding was given to make changes to highway infrastructure to utilise more outside space and promote and offer more active travel options in the early days of the pandemic and meet demand.
- In order to meet the timescale, set-up and implement these schemes there was not adequate time to carry out a consultation in the normal sequence. However, engagement was carried out although not in the usual way. Residents were written to and online options were available.
- Emergency Traffic Regulation Orders (ETROs) were put in place for a period of 6 months meeting the statutory legal obligation.
- Government has made further funding available to expand and consolidate all schemes that had been introduced in this way. However, these are all open to discussion and engagement with all parties affected before anything is made permanent.
- Further engagement took place in 2021 however additional lockdowns meant that this was not conducted in the traditional way. Further work was undertaken in the autumn of 2021 and engagement with a number of stakeholders took place.
- The position currently is for a decision to be made as to whether the LTN is extended or removed and the response from residents is divided as highlighted in the responses received.
- The purpose of the Strategy report is to note that it is controversial subject.

The Chair then invited committee members to ask any questions and during the discussion, and in response to queries raised the following were among the points made: -

- Officers have made themselves available for residents queries and people have had the opportunity to get in touch.

- It was noted that residents may like what is happening in their road but not necessarily what is happening in the next road.
- As a result of the consultation a number of measures have been identified that were not originally planned and are part of the Birmingham Transport Plan (BTP). These schemes have been tailored to local areas specifically to address problems. The BTP promotes active travel in local neighbourhoods.
- Residents have specifically highlighted that there is too much traffic and most trips taken are under a mile. It should be noted that some elements of traffic displacement was not only due to the LTN but also other roadworks.
- Elected members and MPs are a conduit for the local community and their feedback has also been noted and this was particularly useful as a Member board was set up to give an oversight and take a wider view.
- Some one-way streets have been introduced as part of the LTN to make a route less attractive to motorists and potentially reduce the amount of traffic. An example of this is to include 20mph proposals to deal with increases in speeding by putting in traffic calming measures at the start.
- The consultation has enabled officers to understand from feedback why particular measures are more or less popular and the reasoning behind this rather than just looking at the for or against response. It is important to note this so that changes can be made to suit local people. However, this is on the basis that people are being asked and encouraged to change their travel behaviour in small ways to help tackle the climate change crisis.
- As new schemes are introduced there are lessons to be learnt and the Council is not taking a 'one stop' approach.
- Feedback from the Kings Heath (BID) has been neutral. Officers meet with BID representatives monthly.

The Chair then held a brief discussion with members of the Committee and the following comments were noted: -

- Cllrs Leddy, Johnson-White and Quinnen were not in favour of calling the decision in.
- Cllr Huxtable expressed that he would be supporting the call-in on the basis that feedback from the two consultations that have taken place show that there is not majority support for implementation. He felt that the report should be referred to Cabinet for revision.
- Cllr Choudhry felt that further consultation was needed and agreed that the Strategy needed reviewing with some elements being removed and in line with what residents want. On this basis he was in favour of calling-in the report.

The Chair, Cllr Clements then summed up the discussion clarifying that officers have listened carefully to residents' views and concerns and have taken on feedback from the Member board and consultation. This has included bringing in additional new elements and modifying plans. It was also noted that further consultation was planned.

RESOLVED: -

1. The Chair then called a vote with 4:2 in favour of the decision as set out in section 2.1 not to be 'called-in'.

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

None.

6. OTHER URGENT BUSINESS

None.

7. AUTHORITY TO CHAIRMAN 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 15:02 hours.