

# Birmingham City Council

## Sustainability and Transport Overview and Scrutiny Committee

7 March 2023



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**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.
  - Agrees, subject to further input from the Chair and Deputy Chair, the issues that the Committee will consider in 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 agreed to meet in May 2024 to replace the cancelled Committee in October 2023. This is critical to ensure it can cover the topics it has identified.

4.4 Appendix 1 outlines the proposed work programme for 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 \(April 2024\)](#) may assist Members in identifying future topics.
- 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, and the inquiry group has considered its key findings and recommendations. The Inquiry will be reported to Council in either June or July 2024.
- 5.3 The preparation of its final report had 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 late 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, April

## **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*
May	Annual Flood Risk Management Plan  <b>CGFS Independent Governance Review recommendation 5:</b> 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	Review the plan and work undertaken to mitigate against flooding within the city over the past 12 months  Consider the Flood Risk management plan for 24-25 and specifically, the impact of the budget challenge and financial recovery programme.	Committee Meeting single item: 2pm Venue: Committee Room 6, Council House	Hannah Hogan, Flood Risk Manager	None	As the October session had to be cancelled due to clash with Extraordinary Council meeting, the Committee will hold a further meeting in May.  This is an annual report. Latest report to the Committee is <a href="#">here</a> .
May	Highways and Highways PFI  <b>CGFS Independent Governance Review recommendation 5:</b> 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 Venue: Committee Room 6, 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.

\*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
Management of Highways Network	To be confirmed but to include: Review how programme of roadworks is co-ordinated.	To be confirmed	This topic was highlighted by Cllrs Huxtable and Parkin. It had initiated following concerns about Cadent roadworks however, this is a broader request. The Committee are interested in exploring opportunities for efficiencies.

### Scrutiny Method Options:

Committee meeting - single item

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)