



**MINUTES OF THE MEETING OF
BIRMINGHAM CITY COUNCIL HELD
ON TUESDAY 15 SEPTEMBER 2015 AT
1400 HOURS IN THE COUNCIL CHAMBER,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT:- Lord Mayor (Councillor Ray Hassall) in the Chair.

Councillors

Muhammad Afzal	Mohammed Fazal	Karen McCarthy
Uzma Ahmed	Mick Finnegan	James McKay
Mohammed Aikhlaq	Eddie Freeman	Gareth Moore
Deirdre Alden	Matthew Gregson	Yvonne Mosquito
John Alden	Peter Griffiths	Brett O'Reilly
Robert Alden	Paulette Hamilton	John O'Shea
Nawaz Ali	Andrew Hardie	David Pears
Tahir Ali	Roger Harmer	Eva Phillips
Gurdial Singh Atwal	Kath Hartley	Robert Pocock
Mohammed Azim	Penny Holbrook	Victoria Quinn
Caroline Badley	Des Hughes	Hendrina Quinnen
Susan Barnett	Jon Hunt	Habib Rehman
Vivienne Barton	Mahmood Hussain	Fergus Robinson
Matt Bennett	Timothy Huxtable	Gary Sambrook
Sir Albert Bore	Mohammed Idrees	Valerie Seabright
Barry Bowles	Zafar Iqbal	Rob Sealey
Randal Brew	Ziaul Islam	Shafique Shah
Marje Bridle	Kerry Jenkins	Sybil Spence
Mick Brown	Meirion Jenkins	Claire Spencer
Alex Buchanan	Simon Jevon	Stewart Stacey
Sam Burden	Brigid Jones	Ron Storer
Andy Cartwright	Carol Jones	Martin Straker-Welds
Tristan Chatfield	Josh Jones	Sharon Thompson
Zaker Choudhry	Nagina Kauser	Paul Tilsley
Debbie Clancy	Tony Kennedy	Karen Trench
John Clancy	Ansar Ali Khan	Lisa Trickett
Lyn Collin	Changese Khan	Anne Underwood
Maureen Cornish	Mariam Khan	Anita Ward
John Cotton	Narinder Kooner	Ian Ward
Ian Cruise	Chaman Lal	Mike Ward

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Basharat Dad	Mike Leddy	Fiona Williams
Phil Davis	Bruce Lines	Ken Wood
Peter Douglas Osborn	Keith Linnecor	Alex Yip
Barbara Dring	Majid Mahmood	Waseem Zaffar
Neil Eustace		

NOTICE OF RECORDING

18546 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the Press/Public may record and take photographs.

The whole of the meeting would be filmed except where they were confidential or exempt items.

MINUTES

It was moved by the Lord Mayor, seconded and –

18547 **RESOLVED:-**

That the Minutes of the Meeting of the City Council held on 7 July 2015, having been printed and a copy sent to each Member of the Council, be taken as read and confirmed and signed.

LORD MAYOR'S ANNOUNCEMENTS

A. Deaths

The Lord Mayor referred to the following deaths:-

- Former Councillor Fazal Elahi, who served as a Councillor from 1992 to 2000
- Former Lady Mayoress Molly Martineau who served alongside her husband, Councillor Dennis Martineau from 1986 to 1987.
- Sir Adrian Cadbury, who was made a Freeman of the City in June 1982.

After a number tributes for each person had been paid by Members it was moved by the Lord Mayor, seconded and

18548 **RESOLVED:-**

That this Council places on record its sorrow at the deaths of former Councillor Fazal Elahi, former Lady Mayoress Molly Martineau and Freeman of the City Sir Adrian Cadbury and its appreciation of their devoted service

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to the residents of Birmingham; it extends its deepest sympathy to members of their families in their sad bereavement.

B. Macmillan Coffee Morning

The Lord Mayor reminded the Chamber that the annual Macmillan Cancer Support coffee morning takes place nationally on 25 September 2015. He continued that once again Honorary Alderman Dorothy Hargreaves was organising this year's event between 1100 and 1400 hours in the Lord Mayor's Suite on Friday 25 September 2015 and he urged all present to go along, have a coffee and some cake, and help to support this great cause.

PETITIONS

Petition Relating to City Council Functions Presented before the Meeting

The following petition had been submitted to the Chief Executive prior to the commencement of the meeting in accordance with Standing Order 8:-

(See document No. 1)

It was moved by the Lord Mayor, seconded and

18549 **RESOLVED:-**

That the petition presented before the meeting be received and referred to the relevant Chief Officer.

Petitions Relating to External Organisations presented at the Meeting

The following petitions were presented:-

(See document No. 2)

In accordance with the proposals by the members presenting the petitions, it was moved by the Lord Mayor, seconded and -

18550 **RESOLVED:-**

That the petitions be received and referred to the relevant Chief Officers.

Petitions Relating to City Council Functions Presented at the Meeting

The following petitions were presented:-

(See document No. 3)

In accordance with the proposals by the members presenting the petitions, it was moved by the Lord Mayor, seconded and -

18551 **RESOLVED:-**

That the petitions be received and referred to the relevant Chief Officers.

Petitions Update

The following Petitions Update was submitted:-

(See document No. 4)

It was moved by the Lord Mayor, seconded and -

18552 **RESOLVED:-**

That the Petitions Update be noted and those petitions for which a satisfactory response has been received, be discharged.

QUESTION TIME

18553 The Council proceeded to consider Oral Questions in accordance with Standing Order 9 (B).

Details of the questions asked are available for public inspection via an audio recording.

APPOINTMENTS BY THE COUNCIL

The following report was submitted:-

(See document No. 5)

Councillor Ian Ward proposed and it was seconded that Malcolm Cornish and Peter Kane be appointed to the Independent Remuneration Panel for the 3 year period 15 September 2015 to 14 September 2018 as Co-opted Members.

There being no further nominations it was –

18554 **RESOLVED:-**

That the following persons be appointed as set out below:-

<u>Body</u>	<u>Representative</u>
Independent Remuneration Panel	Subat Khan reappointed for a period of office from 15 September 2015 to 31st August 2016 as a citizen representative.

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Independent Remuneration Panel	Malcolm Cornish be appointed in place of Len Gregory for a 3 year period of office from 15 September 2015 to 14 September 2018 as a Co-opted Member.
Independent Remuneration Panel	Peter Kane be appointed in place of Jim Whorwood for a 3 year period of office from 15 September 2015 to 14 September 2018 as a Co-opted Member

EXEMPTION FROM STANDING ORDERS

It was moved by Councillor Valerie Seabright, seconded and

18555

RESOLVED:-

- (i) That, pursuant to a CBM discussion, Standing Orders be waived as follows:
 - Allocate 25 Minutes for item 8 (Report of the Community Governance Review Group).
 - Allocate 25 Minutes for item 9 (Report of the Leader).
 - Allocate 5 Minutes to item 10 (Report of Deputy Leader and Cabinet Member for Development, Transport and the Economy).
 - that the time allowed for item 11 (Report of Overview and Scrutiny) be reduced from 60 minutes to 55 minutes.
- (ii) that it be noted that Council Business Management Committee further recommend that, if necessary and subject to the appropriate motion being proposed and seconded by Leaders and Deputy Leaders (or their nominees) of Party Groups, the length of the meeting be extended by 35 minutes

COMMUNITY GOVERNANCE REVIEW – TAKING FORWARD THE PROPOSAL FOR A SUTTON COLDFIELD PARISH COUNCIL

The following report of the Community Governance Review Group was submitted:-

(See document No. 6)

Councillor Sir Albert Bore moved the motion which was seconded.

A debate ensued to which Councillor Sir Albert Bore replied.

The motion was put to the vote and by a show of hands was declared to be carried.

It was therefore –

18556 **RESOLVED:-**

That the recommendations set out in the report be agreed.

TOWARDS A COMBINED AUTHORITY

The following report of the Leader was submitted:-

(See document No. 7)

Councillor Sir Albert Bore moved the motion which was seconded.

In accordance with Council Standing Orders, Councillors Robert Alden and Councillor Ewan Mackey gave notice of the following amendment to the Motion:-

(See document No. 8)

Councillor Robert Alden moved the amendment which was seconded by Councillor Merion Jenkins in the absence of Councillor Ewan Mackey.

A debate ensued to which Councillor Sir Albert Bore replied.

The amendment having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The motion was put to the vote and by a show of hands was declared to be carried.

It was therefore –

18557 **RESOLVED:-**

- 1 That the draft report of the Governance Review which has reviewed the proposed area and assessed the functional economy (Appendix 1) be noted;
 - 2 that the current draft scheme which is being considered by Councils who will form the Combined Authority (Appendix 2) be approved;
 - 3 that the Council Leader and the Chief Executive are authorised to agree the version of the scheme for the establishment of a CA which will be submitted to Government for consideration in October; and
 - 4 that it be noted that the final proposal to establish a West Midlands Combined Authority will be presented to Full Council in April 2016.
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**COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHUDLE -
ADOPTION**

The following report of the Deputy Leader and Cabinet Member for Development, Transport and the Economy was submitted:-

(See document No. 9)

Councillor Ian Ward moved the motion which was seconded.

A debate ensued to which Councillor Ian Ward replied.

The motion was put to the vote and by a show of hands was declared to be carried.

Here upon a poll being demanded the voting was as follows:-

For the Motion (67)

Uzma Ahmed	Paulette Hamilton	Karen McCarthy
Muhammad Afzal	Roger Harmer	James McKay
Nawaz Ali	Kath Hartley	Yvonne Mosquito
Tahir Ali	Penny Holbrook	Brett O'Reilly
Gurdial Singh Atwal	Des Hughes	John O'Shea
Mohammed Azim	Jon Hunt	Robert Pocock
Susan Barnett	Mahmood Hussain	Victoria Quinn
Sir Albert Bore	Mohammed Idrees	Hendrina Quinnen
Barry Bowles	Ziaul Islam	Valerie Seabright
Mick Brown	Zafar Iqbal	Shafique Shah
Alex Buchanan	Kerry Jenkins	Sybil Spence
Sam Burden	Brigid Jones	Claire Spencer
Andy Cartwright	Carol Jones	Stewart Stacey
Tristan Chatfield	Josh Jones	Martin Straker-Welds
John Clancy	Nagina Kauser	Sharon Thompson
John Cotton	Ansar Ali Khan	Lisa Trickett
Ian Cruise	Changese Khan	Anita Ward
Basharat Dad	Mariam Khan	Ian Ward
Barbara Dring	Narinder Kaur Kooner	Mike Ward
Neil Eustace	Chaman Lal	Fiona Williams
Mohammed Fazal	Mike Leddy	Waseem Zaffar
Mick Finnegan	Keith Linnecor	
Peter Griffiths	Majid Mahmood	

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Against the Motion (25)

Deirdre Alden	Peter Douglas Osborn	David Pears
John Alden	Eddie Freeman	Fergus Robinson
Robert Alden	Andrew Hardie	Gary Sambrook
Vivienne Barton	Timothy Huxtable	Rob Sealey
Randal Brew	Simon Jevon	Ron Storer
Matt Bennett	Merion Jenkins	Anne Underwood
Debbie Clancy	Bruce Lines	Ken Wood
Lyn Collin	Gareth Moore	Alex Yip
Maureen Cornish		

Abstentions (0)

It was therefore –

18558 **RESOLVED:-**

That the City Council:

- 1 Approves the adoption of the Community Infrastructure Charging Schedule.
 - 2 Approves to commence charging the Community Infrastructure Levy on Monday 4 January 2016.
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ADJOURNMENT

It was moved by the Lord Mayor, seconded and

18559 **RESOLVED:-**

That the Council be adjourned until 1700 hours on this day.

The Council then adjourned at 1643 hours.

At 1706 hours the Council resumed at the point where the meeting had been adjourned.

REPORT OVERVIEW AND SCRUTINY 2015/2016

The following report from Overview and Scrutiny was submitted:-

(See document No. 10)

Councillor Majid Mahmood moved the motion set out in the report which was seconded:-

A debate ensued to which Councillors Susan Barnett, Majid Mahmood, Victoria Quinn, Zafar Iqbal and Waseem Zaffar responded.

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The motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore –

18560

RESOLVED:-

That the City Council agrees the approach adopted by Overview and Scrutiny and the scrutiny work programme for the year 2015/16.

MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

The Council proceeded to consider the Motions of which notice had been given in accordance with Standing Order 4(A).

A. Councillors Karen Trench and Roger Harmer have given notice of the following Motion:-

(See document No. 11)

Councillor Karen Trench moved the motion which was seconded by Councillor Roger Harmer.

In accordance with Council Standing Orders, Councillors Lisa Trickett and Victoria Quinn gave notice of the following amendment to the Motion:-

(See document No. 12)

Councillor Lisa Trickett moved the amendment which was seconded by Councillor Victoria Quinn.

In accordance with Council Standing Orders, Councillors Deirdre Alden and Randal Brew gave notice of the following amendment to the Motion:-

(See document No. 13)

Councillor Deirdre Alden moved the amendment which was seconded by Councillor Randal Brew.

A debate ensued during which Councillor Sir Albert Bore noted that if the first amendment was carried he was agreeable for the second amendment if carried to be added to the end of the amended motion a a bullet point.

Councillor Karen Trench replied to the debate.

The first amendment having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The second amendment having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

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The Motion, as amended, having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

18561

RESOLVED:-

Council notes an increase in fly-tipping in the city in the last two years.

That Birmingham like any other part of the UK has seen an increase in fly tipping - 16% nationally against 15.26 % for Birmingham - with significant increases in other major cities over the last two years. Changes to rules on disposal of electric goods and housing turnover have been identified as being part of the cause.

This is not only a Birmingham problem, but this Council, in responding to residents' priority of clean streets, has invested in service improvement, redesign and review. Significant progress made on taking forward a zero tolerance approach to waste on our streets through the establishment of the Waste Enforcement Unit, which has taken unprecedented levels of enforcement action, with 309 investigations concluding in a Fixed Penalty Notice or prosecution file.

This Council supports residents' expectations of clean streets. It equally notes local members', residents' and businesses' shared responsibility in delivering this aspiration. Actions that promote a change in behaviour and new cultural approaches will be set out within the new Waste Strategy, which will build upon local knowledge and seek local solutions together with local stakeholders.

In order to accelerate this process, Council resolves to champion the delivery of cleaner street plans as part of the ward and district planning process.

- Introduce a policy to enable the Council to reclaim from landlords or managers of houses of multiple occupation the cost of removing fly tipping caused by their tenants and to fine them up to £5,000 in addition, a policy which Preston Council already operates.

B. Councillors James McKay and Sharon Thompson have given notice of the following Motion:-

(See document No. 14)

Councillor James McKay moved the Motion which was seconded by Councillor Sharon Thompson.

In accordance with Council Standing Orders, Councillors Claire Spencer and Waseem Zaffar gave notice of the following amendment to the Motion:-

(See document No. 15)

Councillor Claire Spencer moved the amendment which was seconded by Councillor Waseem Zaffar.

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In accordance with Council Standing Orders, Councillors Robert Alden and Matt Bennett gave notice of the following amendment to the Motion:-

(See document No. 16)

Councillor Robert Alden moved the amendment which was seconded by Councillor Matt Bennett.

In accordance with Council Standing Orders, Councillors Paul Tilsley and Jon Hunt gave notice of the following amendment to the Motion:-

(See document No. 17)

Councillor Paul Tilsley moved the amendment which was seconded by Councillor Jon Hunt.

A debate ensued.

Councillor James McKay replied to the debate.

The first amendment having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The second amendment having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The third amendment having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The Motion as amended having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore -

18562

RESOLVED:-

Council notes that:

In July 2015 a Motion to support Birmingham's designation as a 'City of Sanctuary', a grassroots movement to support those fleeing violence and persecution in their country of origin, passed with cross-party support.

Since then, the horrifying images and reports of the refugee crisis have led to calls for Britain, and Birmingham, to do all it can to help. The Prime Minister has since announced that Britain will accept 20,000 Syrian refugees over the next five years under the Vulnerable Persons Relocation Scheme, the same scheme to which the Leader of the Council referred in the Spring, when he indicated willingness to accept fifty Syrian refugees.

Council recognises the sheer scale of the humanitarian crisis, and is determined to make a real and practical contribution to the relief effort. Any effective response to the refugee crisis must be a shared effort between

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local government, national government, statutory agencies, and wider civil society. Any response must also be appropriately planned and resourced.

Council therefore resolves to:

- Play a full and active part in efforts, locally and nationally, to provide an effective response to the refugee crisis, including a shared city-wide approach to housing fifty Syrian refugees through a nationally-organised and nationally-supported resettlement scheme.
- Liaise with the West Midland's Strategic Migration Partnership to inform the Home Office of the city's intention to participate in the Vulnerable Persons Relocation Scheme, in order to facilitate the above.
- Engage fully with civil society in order to build on and realise the offers of assistance received from across the city.
- Further engage with the City of Sanctuary movement, in order to further develop of the city's response to all those seeking lawful sanctuary.

This Council urges HM Government to work with partner Governments to achieve a peaceful resolution of the factors in the Middle East that are causing people to flee their homes and countries to seek safe havens, and reduce the impact on Birmingham.

The meeting ended at 1858 hours.