



**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD
ON TUESDAY, 9 JUNE 2020 AT 1400 HOURS AS AN ON-LINE MEETING**

PRESENT:- Deputy Lord Mayor (Councillor Yvonne Mosquito) in the Chair.

Councillors

Muhammad Afzal	Fred Grindrod	Zhor Malik
Mohammed Aikhlaq	Paulette Hamilton	Karen McCarthy
Alex Aitken	Roger Harmer	Saddak Miah
Safia Akhtar	Kath Hartley	Gareth Moore
Deirdre Alden	Adam Higgs	Simon Morrall
Robert Alden	Charlotte Hodivala	Brett O'Reilly
Olly Armstrong	Jon Hunt	John O'Shea
David Barrie	Mahmood Hussain	David Pears
Baber Baz	Shabrana Hussain	Robert Pocock
Matt Bennett	Timothy Huxtable	Julien Pritchard
Kate Booth	Mohammed Idrees	Hendrina Quinnen
Sir Albert Bore	Zafar Iqbal	Carl Rice
Nicky Brennan	Ziaul Islam	Lou Robson
Marje Bridle	Morriam Jan	Kath Scott
Mick Brown	Kerry Jenkins	Lucy Seymour-Smith
Tristan Chatfield	Meirion Jenkins	Shafique Shah
Zaker Choudhry	Julie Johnson	Mike Sharpe
Debbie Clancy	Brigid Jones	Sybil Spence
Liz Clements	Josh Jones	Ron Storer
Maureen Cornish	Nagina Kauser	Martin Straker Welds
John Cotton	Mariam Khan	Sharon Thompson
Phil Davis	Zaheer Khan	Paul Tilsley
Adrian Delaney	Narinder Kaur Kooner	Lisa Trickett
Diane Donaldson	Chaman Lal	Ian Ward
Barbara Dring	Mike Leddy	Mike Ward
Neil Eustace	Bruce Lines	Suzanne Webb
Peter Fowler	John Lines	Ken Wood
Jayne Francis	Mary Locke	Alex Yip
Eddie Freeman	Ewan Mackey	Waseem Zaffar
Peter Griffiths	Majid Mahmood	

NOTICE OF RECORDING

19342 The Deputy 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 except where there are confidential or exempt items.

The Deputy Lord Mayor reminded Members that they did not enjoy Parliamentary Privilege in relation to debates in the Chamber and Members should be careful in what they say during all debates that afternoon

The Deputy Lord Mayor requested that Members ensure that their video cameras are switched off unless called to speak and that their microphone is switched off when they are not speaking.

The Deputy Lord Mayor advised Members that If they wished to speak, to indicate in the chat function and wait to be invited to speak and to state their name at the start of every contribution.

DECLARATIONS OF INTEREST

19343 The Deputy Lord Mayor reminded Members that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

Any declarations would be recorded in the minutes of the meeting.

MINUTES

The Deputy Lord Mayor noted that Councillor Ziaul Islam has been omitted from being shown as voting in favour in the three votes in the minutes and the minutes have been amended accordingly.

It was moved by the Deputy Lord Mayor, seconded and –

19344 **RESOLVED:-**

That, subject to the above the Minutes of the Extraordinary meeting held on 28 April 2020 having been circulated to each Member of the Council, be taken as read and confirmed and signed.

LORD MAYOR'S ANNOUNCEMENTS

A. Death of Former Councillor Dilawar Khan

The Deputy Lord Mayor indicated that her first announcement was a sad one in that she had to inform the meeting that former Councillor Dilawar Khan, had died on 16 May following a year-long battle with lung cancer. Dilawar served as a Councillor for Sparkbrook Ward from June 2004 to May 2007.

The Deputy Lord Mayor indicated that tributes to Dilawar would be reserved until such time as meetings were able to be held in the Council Chamber and in the meantime she invited all to join her in extending sincere condolences to Dilwar's wife Shamim, and two sons, Afsar and Shafique.

It was moved by the Lord Mayor, seconded and:-

19345

RESOLVED:-

That this Council places on record its sorrow at the death of former Councillor Dilawar Khan and its appreciation of his devoted service to the residents of Birmingham. The Council extends its deepest sympathy to members of Dila's family in their sad bereavement.

B. Death of Former Councillor Donald Bradman Brown

The Deputy Lord Mayor indicated that her second announcement was also a sad one in that she had to inform the meeting that former Councillor and Honorary Alderman Donald Bradman Brown, known to his friends and colleagues as Don, who died on 21 May. Don served as a Councillor for Handsworth Ward from May 1995 to June 2004 and Lozells & East Handsworth Ward from June 2004 to May 2012, and was appointed an Honorary Alderman on 22 May 2012.

The Deputy Lord Mayor indicated that tributes to Don would be reserved until such time as meetings were able to be held in the Council Chamber and in the meantime she invited all to join her in extending sincere condolences to Don's children, four daughters and two sons.

It was moved by the Lord Mayor, seconded and:-

19346

RESOLVED:-

That this Council places on record its sorrow at the death of former Councillor Donald Bradman Brown and its appreciation of his devoted service to the residents of Birmingham.

The Council extends its deepest sympathy to members of Don's family in their sad bereavement."

PETITIONS

Petition Relating to City Council Functions Presented prior to the Meeting

The following petition was presented:-

(See document No. 1)

In accordance with the proposals by the persons presenting the petition, it was moved by the Deputy Lord Mayor, seconded and -

19347 **RESOLVED:-**

That the petition be received and referred to the relevant Chief Officer to examine and report as appropriate.

Petitions Relating to City Council Functions 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 Deputy Lord Mayor, seconded and -

19348 **RESOLVED:-**

That the petitions be received and referred to the relevant Chief Officer(s) to examine and report as appropriate.

Petitions Update

The following Petitions Update had been made available electronically:-

(See document No. 3)

It was moved by the Deputy Lord Mayor, seconded and -

19349 **RESOLVED:-**

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

EXEMPTION FROM STANDING ORDERS

19350 **RESOLVED:-**

That, pursuant to discussions by Council Business Management Committee, Standing Orders be waived as follows:

- Reduce the time for item No. 7 (Question Time) to 50 minutes and not have questions from members of the public
 - Reduce the time to 25 minutes for item No. 9 (Late Reports not on The Forward Plan and those Authorised for Immediate Implementation)
 - No Motions be submitted by individual Councillors at the meeting
-

QUESTION TIME

19351 The Council proceeded to consider Oral Questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

Details of the questions asked are available for public inspection via the Webcast.

BIRMINGHAM CITY COUNCIL'S RESPONSE TO COVID-19

The following report of the Cabinet was submitted:-

(See document No 4)

The Leader, Councillor Ian Ward, presented the report and the recommendation was seconded.

A debate ensued.

The Leader, Councillor Ian Ward replied to the debate.

The recommendation having been moved and seconded was agreed.

It was therefore-

19352 **RESOLVED:-**

That the report be noted.

**LATE REPORTS NOT ON THE FORWARD PLAN AND THOSE
AUTHORISED FOR IMMEDIATE IMPLEMENTATION**

The following report of the Council Business Management Committee was submitted:-

(See document No 5)

The Leader, Councillor Ian Ward, presented the report and the recommendation was seconded.

A debate ensued.

The Leader, Councillor Ian Ward replied to the debate.

The recommendation having been moved and seconded was agreed.

It was therefore-

19353 **RESOLVED:-**

That the report be noted.

PROVISIONAL DATE OF THE NEXT MEETING

19354 The Deputy Lord Mayor asked Members to note that the provisional date of the next meeting of City Council is 14 July 2020.

CHRIS NAYLOR INTERIM CHIEF EXECUTIVE

19355 The Deputy Lord Mayor welcomed Chris Naylor the new Interim Chief Executive to the meeting which she acknowledged she should have done at the beginning.

The meeting ended at 1620 hours.

APPENDIX

Questions and replies in accordance with Council Rules of Procedure B4.4 F of the Constitution:-

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR ROBERT ALDEN**

A1 Gold Command Record Keeping

Question:

Who is acting as ‘loggist’ during the Gold Commander structure to ensure that, in line with guidance, all decisions are formally recorded in a timely way at the point they are taken?

Answer:

Logging is a fundamental part of our incident management.

All commanders maintain their decision log, in addition there is a master decision log for each Team/Cell which records the decision for the "authority" capturing actions/decision.

Our Information Processing Cell is responsible for this, assigning logging/loggist and running the information management processes within the emergency plan.

Information processing assign a loggist to each of the Strategic team main meetings for the Gold Commander (where the actual decisions are recorded in this incident response model), this applies across the whole response.

The log is the commanders/authorities, the actual loggist changes based on a rota, working within the framework for logging set.

The information processing commander is responsible for logging (with Resilience checking and supporting the process).

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR BOB BEAUCHAMP**

A2 Gold Command Record Keeping publication of decisions

Question:

National guidance, and best practice from elsewhere, clearly shows that good record keeping is an essential part of the Gold Command Structure in civil emergencies. Given the obvious need to record decisions at the point they are taken to avoid the need to rely on memory later on, why is it taking until the end of June to publish those decisions - taken since the end of March - that should already have been recorded?

Answer:

We remain firmly in response to a national emergency and expect this to continue for some time. However, the Council will soon be entering a 'hybrid' phase where critical responses will continue, albeit alongside recovery activity.

The decision logs, which have been maintained from the outset, contain a range of detailed and time sensitive information. These cannot be shared "as is" in their current format. They include, of necessity, personal data, vulnerability information, nationally restricted and other sensitive data/information.

We are committed to openness and transparency and are working towards publishing the details of the decisions taken and their resource implications, on the Council's website, by the end of June.

The volume of logs, together with spread of activity makes it difficult to pull together a single log that is, not only meaningful in terms of decisions taken, but which can be fully published. It is a resource intensive exercise and as many of the Officer teams are still actively involved in responding to this unprecedented emergency, it's a fine balance to ensure that all of the commitments required by the Strategic cells continue to be fulfilled and maintained, whilst also moving towards the period of recovery and business as usual.

To give you an indication of the work which has been undertaken, the command structure comprises of a Strategic Team and Tactical Team (including 5 Response Cells), Business Continuity Group and an Economic Recovery Group. In addition, there remain several working groups eg PPE, Feeding and Voluntary sector groups reporting into the various cells.

This approach has 9 commanders (with deputies) actively responding and controlling our response across all of BCC, in turn reporting to Silver then Gold commanders. The emergency response relies on subsidiarity and a response set by clearly defined objectives and priorities. For a significant period of time the full internal/external structures met daily - 7 days a week and has only recently been slightly reduced.

This structure generates, at all levels of our response, a significant number of decisions along with actions from those decisions.

All major incidents are demanding and while "normal" incidents may require a full response by the Council, this incident has seen all resources activated and actively tasked for a sustained

Meeting of City Council – 9 June 2020

period of months. Externally there also remains a mirror multi-agency command structure reporting direct to government, this influences the internal structure and the City Council response.

We are however now refining our response in order to enter the next phase of the emergency. Although the state of emergency is expected to continue for some time, the Council will be entering a 'hybrid' phase to reflect its transition to recovery, with all aspects of service delivery and social / economic activity starting to step up as lock down measures are alleviated.

Wherever time allows, decisions will revert gradually to the original decision makers whether that be Council, Cabinet or any of its committees. Some decisions will however still need to be taken urgently and in these instances, Officers will, where possible, consult with and advise Members, but will need to retain the flexibility of urgent response where there is a genuine risk of serious harm, damage, disruption or risk to human life or welfare, essential services, the environment or national security.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR RON STORER**

A3 Athletics Stadium

Question:

What is the current estimated delivery date for final completion of the Commonwealth Games Athletics Stadium?

Answer:

The practical completion date for the legacy stadium is 1st April 2022. This is in advance of the date for exclusive use of the site by the B2022 Organising Committee, for their delivery of the additional overlay required to get the stadium “games ready”.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR ADAM HIGGS**

A4 Athletes Village

Question:

What is the current estimated delivery date for final completion of the Commonwealth Games Athletes Village?

Answer:

The revised baseline Practical Completion date is 31 March 2022 for the Games Time Accommodation. As at the end of May 2020, a detailed analysis of the impact of COVID-19 is being undertaken in collaboration with partners.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MORRIAM JAN

A5 Costs Claim Against A34 Group

Question:

The Council recently saw off, comfortably (regrettably), the judicial review attempt lodged by the A34 Safety Action Group without any appearances in person at court. The council lodged a substantial claim for costs. This has to be paid by the residents who wanted to challenge the A34 project in court – and who lodged their claim without any legal advice or support. Would the leader instruct that this claim for costs (set at £4,000 by the court) should be withdrawn, given that it appears to suggest the council is happy to levy substantial financial penalties on residents who exercise their rights to challenge its actions in court?

Answer:

The Council had no option but to incur legal costs to defend the Judicial Review claim after proceedings were issued by the claimants in the High Court. The claimants chose to issue proceedings despite the Council's detailed response to the claimant's letter before action, in which the Council set out the reasons why the proposed judicial review was without merit. In doing so, the claimants were aware that the Judicial Review claim was being made entirely at their own risk.

The High Court made the Order for costs having considered the arguments put forward by all parties. The finding of the High Court that the Judicial Review claim was 'totally without merit' confirms that the Council was put to unnecessary time and cost in having to spend public money to defend the Judicial Review proceedings, and the citizens of Birmingham would not expect public money to be written off in such circumstances.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
BABER BAZ**

A6 In-House Legal Team Costs Against the A34 Action Group

Question:

How does the leader justify the claim for costs submitted by the council's in-house legal team against the A34 Safety Action Group when, surely, it was part of the process of consultation to ensure the council had robust legal advice and support for the A34 Transport project, given the extent of the opposition to it and the thousands of signatures submitted by members of the public?

Answer:

The costs claim in respect of the in-house Legal team relates to the time and cost incurred in the preparation and submission of the Council's response to the Judicial Review claim after proceedings were issued in the High Court by the claimants.

The finding of the High Court that the Judicial Review claim was 'totally without merit' confirms that the Council acted properly throughout all stages of the scheme but was put to further unnecessary expense in having to defend the Judicial Review proceedings.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
JON HUNT**

A7 UBI

Question:

The Leader will be aware of proposals to encourage local authorities to seek to be pilot projects for Universal Basic Income. There are a number of ways such schemes can be established, some of them merely making use of the resources deployed already for welfare and income support. Would the Leader support a proposal for such a pilot project in Birmingham?

Answer:

There are clearly merits to some form of basic income proposal, particularly given the times we are living in. As with every policy its impact will be determined largely by how it is implemented. As you have acknowledged in your question there is not one set way of implementing Universal Basic Income (UBI) and as you will know, many places that have conducted a trial have not made it available to everyone, so in fact it is more a 'basic income', as opposed to being 'universal'. On that basis I have asked the Council's Economy and Skills Overview & Scrutiny Committee to review UBI in more detail. I understand the Committee will be considering how to integrate this work into its existing work programme at its next meeting in July.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
ZAKER CHOUDHRY**

A8 Carbon Neutrality

Question:

Could the Leader indicate whether he continues to support the all-party objective to achieve carbon neutrality by 2030, stating whether he is aware of the current contracting proposals for the Tyseley incineration plant?

Answer:

I am of course aware of the current proposals for the Tyseley incinerator.

I support the motion passed by Council at its meeting on 11th June 2019 and it is replicated below for the avoidance of doubt. I also await with interest the report of the Climate Task Force.

This Council notes that:

- The Climate Crisis is an existential threat that requires us to change the way we invest in, grow and sustain our cities and regions.
- The Intergovernmental Panel on Climate Change (IPCC) report published in October 2018 set out the devastating consequences for the planet if it warmed more than 1.5C – with increased extreme weather with heatwaves and floods driving mass migration and global insecurity; the catastrophic social and ecological impacts worsening for every degree of warming.
- The impact of climate change will not just be felt in far-away lands or coastal areas, the impact on Birmingham residents of increased extreme weather events, including flooding, droughts and heatwave is likely to be profound, with increasing risks to both life and property. Given our global footprint and the diversity of the city the climate crisis will hit at the heart of families and communities within the city.
- Given the planet is currently heading for 3-4C warming, keeping to 1.5C requires a radical shift across energy, land, industrial, urban and other systems to reduce emissions, unprecedented in history for the breadth, depth and speed of change required.
- All governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown and in recognising this local government should not wait for national government to change their policies. It is important for the residents of Birmingham, the Region and the UK that cities commit to zero carbon as quickly as possible.
- Birmingham and the West Midlands, as the birthplace of the Industrial Revolution and a global player in the development of green technology, is ideally placed — and has a moral responsibility to lead a new Green

Industrial Revolution that delivers clean and inclusive growth.

- Birmingham City Council has already made progress in addressing the issue of Climate Change, having adopted a target to cut Carbon Dioxide emissions by 60% by 2027 from a 1990 baseline and has already cut emissions by 33% (as of 2015).
- Unfortunately, current plans and actions are not enough. Transition in time requires a system change that drives decarbonisation whilst delivering justice and jobs.

This Council resolves:

- To declare a climate emergency.
- To aspire for the City to be net zero carbon by 2030 or as soon after as a just transition permits – making sure we take communities with us, protecting employment and without impoverishing deprived communities.
- To work with the WMCA and seek from the UK Government the powers and resources to help Birmingham deliver the 2030 net zero carbon ambition for a just transition.
- That the Council will lead by example and seek to be net zero carbon by 2030 – again ensuring that this is just - taking communities with us, protecting employment and without impoverishing deprived communities.
- To constitute a Climate Emergency Task Force to support the Council move from declaration to delivery drawing in cross sector, expertise, capacity and capability to capture the investment and economic opportunity arising from a low carbon future.
- To quickly set in place a process of engagement and collaborative action that enables the Task Force to bring forward to Full Council in January 2020 a plan that sets out how the aspiration for the City and the ambition of the Council to be net zero carbon by 2030 can be best achieved.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
MIKE WARD**

A9 Old Horns Site, Queslett Future Review

Question:

Following the withdrawal of the proposal to sell the Old Horns Site, Queslett, at Cabinet, could the Leader indicate what the process will be for reviewing the future of this site, including proposals for discussions with the Friends of Queslett Nature Reserve?

Answer:

This matter is still under review. I have arranged a socially distanced visit to the site with the relevant officer and will advise in due course.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR EDUCATION, SKILLS
AND CULTURE FROM COUNCILLOR PETER FOWLER**

B Libraries Reopening

Question:

What plans are the Council putting in place for the reopening of libraries once allowed?

Answer:

The government's current guidance states that libraries in England will be able to reopen no earlier than 4 July.

The council is considering different options for the reopening of libraries once this is allowed. Any proposals are subject to further discussion with staff, HR and trades union colleagues as well as the completion of robust risk assessments. An individual approach will need to be taken for each library as each building will have different factors to consider in relation to social distancing and other measures. We will take every appropriate precaution to support our staff and members of the public and ensure they are as safe possible when working in or visiting our libraries.

Current considerations include a phased reopening approach for libraries which would initially focus on a click and collect service. This would be a mainly self-service operation that could operate from The Library of Birmingham foyer and any suitable community library sites. This would allow for a safe and controlled reopening of library buildings and ensure that building modifications and safe working practices that respect social distancing can be introduced. Opening hours are likely to be limited to allow for staggered shifts for staff and customers to travel outside of rush hour. Adaptations to the buildings are being considered such as screens on counters, barriers, sanitisers etc.

The library service to housebound customers will resume as soon as it can, in accordance with government guidance. Birmingham libraries' extremely well used online library service will continue to be accessible and maintained on an ongoing basis.

I am extremely grateful to Birmingham libraries staff for their hard work and the innovative approaches they've introduced in recent months. There has been a great response to our online reading and learning sessions. Work has focussed on the most vulnerable people with book deliveries to homeless hostels being introduced amongst other new initiatives. These deliveries will continue as lockdown restrictions ease. I am pleased that library membership has increased in Birmingham and hope this will continue.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR ROBERT ALDEN**

C1 Inreach borrowing

Question:

In the last 5 years how much has the Council borrowed from Inreach and what was the total interest paid by the Council for this?

Answer:

Council-related companies may have significant cash balances which require investment for a period before they are needed. They offer these balances to the Council and we accept to borrow from them as they are at a competitive rate. A loan agreement is then established for those monies for the term on a loan by loan basis.

	Over last 5 years		
‘Lending’ Company	Total ‘lending’ (£)	Maximum ‘lent’ in any one transaction (£)	Total Interest paid to Company (£)
InReach (Birmingham) Limited	1,064,000	468,000	5,318

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR DAVID PEARS

C2 Borrowing from Council Owned Companies

Question:

Which Council owned companies has the Council borrowed money from in the last 5 years, and how much interest has been paid to each?

Answer:

Council-related companies may have significant cash balances which require investment for a period before they are needed. They offer these balances to the Council and we accept to borrow from them as they are at a competitive rate. A loan agreement is then established for those monies for the term on a loan by loan basis.

	Over last 5 years		
‘Lending’ Company	Total ‘lending’ (£)	Maximum ‘lent’ in any one transaction (£)	Total Interest paid to Company (£)
InReach (Birmingham) Limited	1,064,000	468,000	5,318
Acivico Limited	13,000,000	13,000,000	17,602
Birmingham Children’s Trust CIC (1)	492,500,000	20,000,000	357,417
PETPS (Birmingham) Pension Funding Scottish Limited Partnership (2)	17,200,000	17,200,000	520,808

- 1) The Children’s Trust deposits and draw-downs are for cash flow (timing) management purposes. The monthly contract sum payments are deposited and then drawn down as the trust incurs expenditure on its day to day activities.
- 2) In 2017, as part of an asset backed funding structure in respect of NEC Limited Pension Fund, BCC set up wholly owned companies PETPS (Birmingham) Capital Limited and PETPS (Birmingham) General Partner Limited which established this Partnership. The Partnership was capitalised with £17.2m cash, which has been loaned back to the Council. Payments are made by the Council to the Partnership under the terms of the loan. This arrangement relates to the management of the NEC Ltd Pension Fund and was not specifically intended to meet the Council’s borrowing requirements.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR DAVID BARRIE**

C3 Building Costs

Question:

For each of Council's administrative office buildings, what is the average total running cost per month, and what has this been during April and May this year following lockdown?

Answer:

Please see below both the average monthly running costs and the impact of lockdown on these averages for April and May for the 7 Central Administrative Buildings. Please note the averages are based on 2019/20 data as a benchmark.

Building	Average Monthly Running Cost 2019/20	Forecast Average Monthly Running Cost April/May 2020
Council House	£147,143	£117,501
Council House Extension	£64,371	£37,992
10 Woodcock Street	£216,923	£167,558
1 Lancaster Circus	£228,743	£172,049
Lifford House	£52,672	£39,839
Sutton New Road	£32,712	£26,449
New Aston House	£27,426	£21,754

Note:

1. Level of building utilisation is estimated
2. Occupancy / consumption rates impact both fixed annual and variable costs
3. The majority of the contracted internal trading costs such as Cleaning and Security are assumed to continue to be incurred (whether currently received or not), except where there are reductions on agency staffing costs.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR EWAN MACKEY**

C5 Income and Expenditure - Parks

Question:

For each of the last 3 full financial years what is the gross income and gross expenditure for each of the council's strategic parks (split by park)

Answer:

	2017/18		2018/19		2019/20 (Draft)	
Strategic Park	Expenditure	Income	Expenditure	Income	Expenditure	Income
	£'000	£'000	£'000	£'000	£'000	£'000
Sutton Park	471	(436)	335	(564)	490	(432)
Lickey Hills Country Park	185	(57)	178	(71)	208	(52)
Cannon Hill Park	1,240	(621)	715	(94)	869	(121)
Kings Heath Park	481	(131)	439	(24)	539	(57)
Handsworth Park	290	(3)	262	(11)	329	(14)
Totals	2,667	(1,248)	1,929	(764)	2,435	(676)

Note:

The financial information identifies the costs and income that are directly costed to these specific facilities.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR ADAM HIGGS**

D1 Easements Report

Question:

When you were consulted on the use of social care easements, did you ask for and receive the formal written report that documented the evidence taken into consideration or just have a verbal briefing?

Answer:

I had a verbal briefing, and received a briefing note from our Legal Head of Law setting out a summary of the Care Act Easements.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR SIMON MORRALL**

D2 Easements Implementation

Question:

Between the decision of 14 April 2020 to enact social care easements, and 20 April when service users who happened to check the Council website were first able to learn about the change, were any changes actually implemented?

Answer:

There was **no change** to the services received by existing service users as a result of this decision, and we committed to completing all assessment processes in full once the emergency period was over. Since the easement was cancelled the Social Work teams have been working with Citizens that the easement impacted upon to ensure all their needs are met.

The only easement agreed by the Acting Director during this time was not to provide hard copies of assessments/support plans, and in recognition of the limited options of residential and Nursing Home availability due to pressures in the care system and NHS service was to limit the choices Citizens had when choosing a home.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR ADRIAN DELANEY**

D3 Easements Report Sharing

Question:

On what date did you first receive a copy of the formal written report into the issue of social care easements that other councillors have been asking for since April?

Answer:

The report was first shared with me on 29th May.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR PETER FOWLER**

D4 Easements Communication

Question:

Guidance on use of social care easements states that the decision ‘should be communicated to all providers, service users, carers and local MPs. The accessibility of communication to service users and carers should be considered.’ Your answer to written questions in May says that communication was limited to posting on the Council’s website on 20 April, a week after the decision was taken. How well do you think this complies with the guidance quoted?

Answer:

The Government guidance issued on 6 April 2020 was the guidance in place at the time the decision was taken to utilise the easement. It provided that the decision to use care act easements should be communicated to all providers, service users and carers and that the accessibility of communication to service users and carers should be considered.

The easement implemented was to streamline processes. There was no change to services to those service users already in receipt of them and therefore notification of the decision on the website was believed at that time to be the most expedient way of ensuring compliance with the Regulations.

The guidance was further updated on 20th May and that is the guidance I believe you are referring to that in which reference is made to local MPs.

By that time, the decision to utilise the easement regarding streamlining of processes had been reviewed and reversed. Contrary to expectations, the level of demand had not been sustained. In particular, the high volume of immediate hospital discharges that were required to create capacity within acute settings for COVID patients had been successfully managed enabling the successful reinstatement of Care Act duties.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR RON STORER**

D5 Infection Control Fund

Question:

How has the Council allocated - or planned to allocate - Birmingham's share of the Government's Infection Control Fund for Care Homes?

Answer:

Birmingham City Council has recently received the Conditions of Grant in relation to the £600m infection control fund which is designed to support care providers with the following measures in care homes:

1. Ensuring that staff who are isolating in line with government guidance receive their normal wages while doing so. This includes staff with suspected symptoms of Covid 19 awaiting a test, or any staff member for a period following a positive test;
2. Ensuring, so far as possible, that members of staff work in only one care home. This includes staff who work for one provider across several homes or staff that work on a part time basis for multiple employers and includes agency staff;
3. Limiting or cohorting staff to individual groups of residents or floors/wings, including segregation of COVID-19 positive residents;
4. To support active recruitment of additional staff if they are needed to enable staff to work in only one care home or to work only with an assigned group of residents or only in specified areas of a care home, including by using and paying for staff who have chosen to temporarily return to practice, including those returning through the NHS returners programme;
5. Steps to limit the use of public transport by members of staff. Where they do not have their own private vehicles this could include encouraging walking and cycling to and from work and supporting this with the provision of changing facilities and rooms and secure bike storage or use of local taxi firms;
6. Providing accommodation for staff who proactively choose to stay separately from their families in order to limit social interaction outside work. This may be provision on site or in partnership with local hotels.

The Council and our partners published our Care Homes Support Plan on 29 May 2020, which sets out how our local system is supporting care homes and how the fund will be used. Our Plan is available on our website at:

[https://www.birmingham.gov.uk/downloads/file/16356/minister of state for care response - birmingham](https://www.birmingham.gov.uk/downloads/file/16356/minister%20of%20state%20for%20care%20response%20-%20birmingham)

Meeting of City Council – 9 June 2020

We are currently making the necessary administrative arrangements to comply with the Conditions of Grant and to seek assurances from providers about how they will be using the funds on the above measures.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR CHARLOTTE HODIVALA

D6 Easements and Health and Wellbeing Board

Question:

The guidance on the use of social care easements states that the Health and Wellbeing Board should be ‘kept informed’ of any plans to implement easements and their use. The report eventually shared with councillors last week refers to the fact that it was shared with you as Chair of that Board in order to cover that requirement. Do you believe that in briefing you alone, the requirement to keep the Health and Wellbeing Board ‘informed’ was complied with, and if so, do you believe you should have done more yourself to communicate with that rest of the Board?

Answer:

The decision to implement the Easements was taken by the Acting Director Adult Social Care, based on the advice of the Principal Social Worker. The easements were also discussed with representatives from all NHS organisations many of who are members of the HWBB. There was no other HWBB during this time apart from the emergency meeting held on 23rd April to respond to rising concerns in our communities around the health inequalities being vocalised by our Black, Asian and Minority Ethnic (BAME) populations during the current Coronavirus-19 epidemic.

The decision was shared with all local elected members and members for parliament.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR RON STORER**

E1 Street Cleaning

Question:

Since January 2019 up to May 2020, how many street cleaners per month were out in each Ward?

Answer:

The street cleansing model is frequency based with numbers of staff allocated to achieve those tasks, this varies from Ward to Ward. There is no cover within the structure, so the numbers allocated do vary on a day by day basis.

Working practices were changed from mid-March due to the effects of the Covid 19 pandemic. Street Cleansing staff have been utilised on collection services on some days to maintain that service. Due to a reduction in operational need in the city centre staff have also been redeployed to other Wards to carry out street cleansing operations.

The only way to fully respond to this question is to go back through all of the operational day books and check the numbers of staff in and where they have been working. This analysis has started but it has not been possible to complete it before the deadline. Once completed the information will be shared.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR DAVID PEARS**

E2 Parks Cleaning

Question:

Since January 2019 up to May 2020 how often was each BCC park been cleaned per month?

Answer:

The grounds maintenance programme of works (Bills of Quantities) sets out the frequency of litter picking for each individual park across the City.

Dependant on the popularity (visitor usage) of the site they are either litter picked daily (eg Sutton Park), three time a week, or once per week on less well used/more informal natural sites.

In addition play areas are inspected and litter picked either daily or three times a week dependant on how well used or targets for vandalism they are.

Public toilets and visitor centre are cleaned daily.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR ADRIAN DELANEY**

E3 Parks Cleaning

Question:

For the last 2 years, by month, how many Fixed Penalty notices have been issued to individuals for littering or dog fouling in Council Parks?

Answer:

Both litter and dog fouling patrols are undertaken in the city's parks in response to complaints from the public. In the last 2 years 130 patrols were undertaken, only 2 FPNs have been issued both for dog fouling. This is due to the officers being obvious to park users and therefore offending rarely occurs when they are present.

All dog walkers seen during the patrols are engaged to advise that it is an offence to fail to clean up after their dog and "poop scoops" are given out.

WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND PARKS FROM COUNCILLOR ROBERT ALDEN

E4 Bin emptying

Question:

For the last 2 years, by month up until the end of May 2020, how much has been spent in each month on emptying public litter bins on highways and in parks etc.?

Answer:

In relation to parks

(POPI) Period	2018/19	2019/20	2020/21	
28 days	£	£	£	
1 April	104,197	112,560	115,038	
2	104,197	112,559	133,787	
3	104,197	112,560	121,288	
4	104,197	112,559		
5	104,197	112,560		
6	104,197	112,559		
7	104,197	112,560		
8	95,996	103,077		
9 Nov	76,698	79,548		reduced litter in winter
10 Dec	76,697	79,547		reduced litter in winter
11	76,697	79,547		reduced litter in winter
12	76,698	79,548		reduced litter in winter
13 March	95,174	79,547		reduced litter in winter
Total	1,227,337	1,288,732	345,114	

- GM contract management is based on computer generated system POPI periods, which are 4 weeks (28 days) in duration, resulting in 13 operational periods per annum, which do not equate to calendar months.

Meeting of City Council – 9 June 2020

- Parks Litter management includes emptying of litter bins, but also litter picking and the wider site management including litter left by the bins, the general park and play areas etc.
- Data does not exist specifically for the emptying of litter bins only.

In Waste Management for highways we do not separate out the specific costs of emptying litter bins from other street cleansing duties. The information provided below is from the general ledger which shows costs specifically attributed to street cleansing as a whole for the months requested

Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18
895,856.05	815,293.77	1,029,164.95	882,923.26	740,923.59	847,243.93
Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19
954,494.57	847,225.12	680,737.28	830,282.69	600,544.95	973,434.73

Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19
909,740.01	885,132.29	826,204.19	864,363.95	862,885.69	834,963.09
Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20
836,333.49	827,327.63	868,120.68	1,080,200.57	709,820.49	971,669.20

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR NEIL EUSTACE**

E5 Household Recycling Centres

Question:

As feared, the reopening of the HRC's has led to long queues and long delays of several hours and some neighbourhoods are reporting increases in fly-tipping apparently from people who cannot be bothered to wait in the queue. Would the Cabinet Member reconsider the rationing of access in the way Manchester has, using car registration numbers or postcodes to specify which days to attend?

Answer:

Yesterday we launched a site booking system. Below is the press release in which we made this announcement and we believe this will be warmly received as it has been demanded as a solution by many people, is based on proven technology and will bring some certainty to visiting our HRCs during these times of limited visitor numbers.

Booking system introduced at Household Recycling Centres

Book a slot in advance or you will be turned away – that's the message as a new system for accessing Birmingham's Household Recycling Centres (HRCs) is launched.

A new online booking system has been introduced to access Birmingham's network of HRCs in recognition of the fact COVID-19 social distancing measures are set to remain in place for the foreseeable future.

Since reopening after government guidance that trips to HRCs were permissible during the ongoing lockdown, lengthy queues and wait times have been experienced in Birmingham.

It was anticipated there would be an initial surge as people sought to dispose of waste created during the pandemic-enforced closure, but wait times have remained in excess of two hours. Safe working practice on the sites mean the number of cars that can enter the sites at any one time will be restricted for the immediate future.

The new [website booking system](#), based on one operated successfully in Leeds, is now open and residents who use the website system can reserve slots for later this week from Thursday (June 11) onwards.

From June 11, only those with a booking, linked to the registration plate of their vehicle, will be permitted access to the HRCs, with no exceptions. Additionally, each vehicle will be restricted to one booking per week.

As this booking system is being introduced as an emergency queue mitigation measure, it will only be available online. Anyone who does not have access to the internet is advised to ask friends or family to help arrange bookings for them.

Meeting of City Council – 9 June 2020

And in a further update to help residents manage their waste, the opening hours at all sites are being extended to the normal summer hours from June 11, as follows:

Weekdays (Monday to Friday)

Tyseley, Perry Barr, Kings Norton & Sutton Coldfield HRCs: 8am-8pm

Weekends (Saturday and Sunday)

Tyseley, Perry Barr, Kings Norton: Saturday and Sunday: 8am-6pm

Sutton Coldfield: 8am-4pm

As a result of the ongoing restricted access, vans are still not permitted at any site, but the situation is being reviewed regularly and access for such vehicles will be granted in due course on a pre-booked basis. Charges will apply to businesses, as per before the lockdown.

Please note that the Castle Bromwich HRC is still closed due to roadworks in the nearby area, with an update on its re-opening date expected soon – and once open, it will also be part of the new pre-booking system.

Cllr John O'Shea, Cabinet Member for Street Scene and Parks at Birmingham City Council, said: "We were clear from the outset that people should only visit our HRCs if it was absolutely essential and had hoped that queues would reduce the longer the HRCs were open - but that has not been the case.

"We know clean streets and waste management are important issues for the people of the city, so we have reviewed what is possible and have identified a proven scheme that will bring certainty for those who are planning a trip to our HRCs.

"Nobody wants to have to wait up to five hours to dispose of their waste and this booking system will help us end that frustration, triggered by the unprecedented circumstances we face as a result of the pandemic.

"We've also listened to those residents and businesses around the sites and we hope that this will significantly reduce the impact on them too.

"I'd still urge people to think before booking – is their trip absolutely essential? As with the re-opening of fast food outlets, other shops and the relaxation of travel restrictions, we know that there is a surge in demand for anything new or re-opened during this crisis, so I would ask people to be patient as I don't expect the slots to remain empty for long.

"The key message for everyone is clear – if you do not have a booking to visit our HRCs from June 11, please do not turn up and hope to get in. You will be turned away.

"More broadly, I hope the people of Birmingham continue to follow the advice and guidance which restricts the spread of coronavirus so we can get back to normal at our HRCs and other aspects of daily life as quickly as possible."

Mark Powell, General Manager at Veolia, said: "We understand the pandemic has presented some challenges in the way people dispose of their waste and recycling across the HRC sites and continue to work with Birmingham City Council to explore alternative ways to improve access to our services.

Meeting of City Council – 9 June 2020

“Residents’ patience is appreciated whilst we adapt to make these changes. We have listened to the public and have been working behind the scenes on implementing an online booking system with the aim that it will reduce the waiting time considerably.

“We would like to remind visitors to observe social distancing when on-site to help keep the city and our teams safe during these unprecedented times.”

ENDS

For more media information contact Kris Kowalewski on press.office@birmingham.gov.uk

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR PAUL TILSLEY**

E6 Tyseley Incinerator – Zero Carbon 2030

Question:

It has been suggested that the Council intends to make a contract to keep the Tyseley incinerator operating until at least 2034. This would seem to conflict with the all-party resolution to make the Council carbon-zero by 2030. Could the Cabinet Member state whether he supports the ambition of the City's young climate change activists that the City should end its dependency on incineration for waste disposal, meeting its promise to achieve zero carbon by 2030?

Answer:

I support that ambition but ending that dependency is entirely predicated on available technology. There is no mature, reliable technology available that provides an alternative to energy recovery as part of waste disposal. We must seek to minimise the use of this, just as we have reduced reliance on landfill over the years. Our current intention is to increase recycling and our proposed transitional contract will allow us to reduce our current tonnage that goes to Tyseley by about 70%.

Therefore, the Council has issued an OJEU notice for a **transitional** recycling and resource management contract (Transitional Contract). This OJEU notice is a fundamental part of the Council's solution for achieving the aims of the Climate Emergency declaration. The Transitional Contract:

1. will be a key component of the Council's aspiration "for the City to be net zero carbon by 2030 or **as soon after** as a just transition permits",
 2. will seek to move waste up the waste hierarchy – leading to a reduction in residual waste and increasing reuse, recycling, and composting.
 3. will give the Council a period of up to 10 years to develop and deliver the **long-term** recycling and resource management project. The ten year period will allow the waste, resource and energy market to evolve and create reliable technologies for treating waste. The Council will benefit from the market maturing and then being able to deliver a long term (and UK leading solution) for resource management. This will fully support Birmingham becoming a net zero carbon local authority.
- As part of the OJEU for the Transitional Contract, our Memorandum of Interest outlined our vision for Birmingham, which is to be a City where:
 1. Waste is reduced wherever possible by reducing the amount of waste that is created, pushing waste up the waste hierarchy
 2. Recycling and reuse is maximised, and the value of waste is realised by significantly increasing recycling of all our waste through circular economy principles
 3. Materials which cannot be reused or recycled shall be used for energy recovery through generating electricity locally
 4. No avoidable waste is sent to landfill
 5. We manage our waste in a sustainable way to make a positive contribution to Climate Change and help reduce carbon emissions
 6. Our citizens have access to modernised waste and recycling infrastructure

Meeting of City Council – 9 June 2020

7. Citizens who live and work here play their part in sharing the environment, economic and social benefits of viewing waste as a resource
8. The Birmingham Business Charter for Social Responsibility is used to boost the local economy through support to the local supply chain, creation of job opportunities and ensuring employees are paid a fair wage.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR ZAKER CHOUDHRY

F1 Birmingham City Centre Continuation of Bus Stop Social Distancing

Question:

What actions are being taken to ensure social distancing at the City Centre bus stops as lockdown eases?

Answer:

The City Council are working with TfWM to monitor bus interchanges, including the city centre, to identify any issues. Interventions include:

- signs and posters;
- floor stencils or vinyls;
- customer engagement (safer travel);
- enforcement working with safer travel police;
- changes to bus stop infrastructure, for example measures to widen the footway and provide alternative bus stop locations;

The above will all be supported by a comprehensive communications strategy.

Any work to manage or rationalise bus stopping patterns will be integrated into the wider management and coordination of public space (ie. queue management for reopening retail, spill-out space to support hospitality etc) and reflect wider aspirations for particular areas eg longer-term traffic reduction.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR BABER BAZ

F2 Emergency Birmingham Transport Plan

Question:

Could the Cabinet Member set out in what ways the Emergency Birmingham Transport Plan will support the safe use of public transport over the next few months?

Answer:

The Emergency Birmingham Transport Plan (EBTP) sets out the city's aspiration for a green, sustainable recovery. To achieve this, safe and efficient public transport services must be maintained in the short term for those who need them, and public transport must be enabled to regrow into an efficient, attractive mode of transport once it is safer for more people to travel this way.

Schemes for active/sustainable travel will include consideration of bus priority measures and potential public transport priority routes will be looked at alongside cycling when dual carriageways are reviewed for scheme development. Emergency active travel schemes will not be brought forward that are detrimental to bus movements.

Working with TfWM, the positioning and use of bus stops are being considered in the review of high street locations and changes to bus stop infrastructure e.g. widening footways and the provision of alternative bus stop locations are already being looked at.

Officers are also working with TfWM on interventions to address social distancing at bus stops. This includes signs and posters, floor stencils, a communication campaign and customer engagement.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR MORRIAM JAN

F3 A34 Perry Barr Diversions Planning

Question:

I have been advised of some of the diversions planned in Perry Barr during the implementation of the A34 project over the next 18 months. Could the Cabinet Member advise what delays to traffic are expected in Perry Barr in the weeks following the demolition of the Perry Barr flyover, sharing the findings of them modelling that I understand has been undertaken?

Answer:

Traffic modelling is underpinned by robust assumptions of anticipated traffic flow and driver behaviour. As the city starts to return to work after the lockdown, traffic patterns and flows are difficult to forecast with confidence and we will be monitoring these flows over the coming months to input to any future modelling work. Modelling of the first phase of traffic management has indicated that it will not generate a significant increase in journey times.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR JON HUNT

F4 A34 Traffic Diversions

Question:

Following the demolition of the Perry Barr flyover, the Council's contractors will need to create the new multi-lane traffic lights linking the One Stop Shopping Centre and the Aldridge Road. Could the Cabinet Member explain how traffic will be diverted during this period, perhaps supplying maps?

Answer:

The construction of the highway scheme at Perry Barr involves a sequence of over 30 different phases of temporary traffic management which are all aiming to maximise the flow of traffic while enabling the contractor to work within safe working areas.

Plans of the intended traffic management layouts will be released incrementally in advance of each phase to give people adequate notice of the works in a format that will be easy to understand. The first phase of traffic management has already been communicated in this way.