

BIRMINGHAM CITY COUNCIL
COUNCIL BUSINESS MANAGEMENT COMMITTEE

WEDNESDAY, 30 JUNE 2021 AT 13:00 HOURS
IN BMI MAIN HALL, 9 MARGARET STREET, BIRMINGHAM, B3 3BS

A G E N D A

1 NOTICE OF RECORDING

Chair to advise meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 APOLOGIES

To receive any apologies.

1 - 10

4 MINUTES

To confirm and sign the Minutes of the last Meeting.

11 - 12

5 DISPENSATION FOR NON-ATTENDANCE OF COUNCILLORS AT COUNCIL MEETINGS

Report of City Solicitor

13 - 22

6 PETITIONS UPDATE

Report of the City Solicitor.

23 - 26

7 REQUEST FOR THE USE OF THE COAT OF ARMS

Report of the City Solicitor.

- 27 - 28**
- 8 **ORDER OF NOTICES OF MOTION AT FUTURE CITY COUNCIL MEETINGS**
- To agree the order in which Notices of Motion will be considered at City Council meetings.
- 29 - 32**
- 9 **CITY COUNCIL AND CBM FORWARD PLAN**
- To inform members of forthcoming items for City Council and Council Business Management Committee meeting agendas.
- 33 - 34**
- 10 **COUNCIL AGENDA FOR THE NEXT MEETING**
- To consider the Council agenda for the next meeting.
- For information the order of Notices of Motion at this meeting will be Labour and Conservative.
- 11 **OTHER URGENT BUSINESS**
- To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.
- 12 **AUTHORITY TO CHAIR AND OFFICERS**
- Chair to move:-
- 'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 7 JUNE 2021
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**MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT
COMMITTEE HELD ON MONDAY 7 JUNE 2021 AT 1300 HOURS,
IN THE COUNCIL CHAMBER, COUNCIL HOUSE, BIRMINGHAM**

PRESENT: Councillor Ian Ward in the Chair;

Councillors Robert Alden, Fred Grindrod, Brigid Jones, Saddak Miah, Gareth Moore, Carl Rice and Mike Ward.

NOTICE OF RECORDING

- 3114 The Chairman advised that the meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs at the meeting except where there are confidential or exempt items.

APPOINTMENT OF COMMITTEE

- 3115 The resolution of the City Council passed at the annual meeting on 25 May 2021 appointing the Council Business Management Committee and Chair for the Municipal Year 2021/2022 as follows was noted:-

Labour

Councillor Fred Grindrod
Councillor Brigid Jones
Councillor Saddak Miah
Councillor Carl Rice
Councillor Martin Straker Welds
Councillor Ian Ward (Chair)

Conservative

Councillor Robert Alden
Councillor Gareth Moore

Liberal Democrat

Councillor Mike Ward

ELECTION OF DEPUTY CHAIR

3116

RESOLVED:-

That Councillor Brigid Jones be appointed as Deputy Chair for the Municipal Year 2021/22.

DECLARATIONS OF INTEREST

3117

Members were reminded that they must declare all relevant pecuniary and non pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.

APOLOGIES

3118

An apology was submitted on behalf of Councillor Martin Straker Welds for his inability to attend the meeting. The Chair also noted that Councillor Fred Grindrod would be late attending the meeting.

TERMS OF REFERENCE OF COUNCIL BUSINESS MANAGEMENT COMMITTEE

The following document was submitted:-

(See document No 1)

3119

RESOLVED:-

That the Terms of Reference be noted.

MINUTES

3120

That the Minutes of the last meeting held on 10 May 2021 were confirmed and signed by the Chair.

**PROPOSAL FOR ESTABLISHING A SPECIFIC COUNCIL HOUSE
COMPLEX DEVELOPMENT PROJECT**

The following report of the Director Digital and Customer Services was submitted:-

(See document No 2)

Peter Bishop, Director Digital and Customer Services, made introductory comments relating to the report.

The Chair confirmed that the Council House would not be renamed England House going forward.

Councillor Brigid Jones made supportive comments relating to the report

The Chair made referred to the terms of reference which set out the membership of the Committee and, whilst he was not anticipating voting to occur, there was the potential for a tie. He proposed that an additional bullet point be added under the heading approach to read 'In the event of any votes taken, and in the event of a tie, the Chair will have the casting vote'.

It was-

3121

RESOLVED:-

That a steering committee is established to provide strategic steer and support, effective cross-party agreement and ambition from partners to this important project with the Membership and Terms of Reference, as amended in the forgoing preamble, set out in the report.

LATE REPORTS NOT ON THE FORWARD PLAN

The following report of the City Solicitor was submitted:-

(See document No 3)

Suzanne Dodd, City Solicitor, made introductory comments relating to the report.

The Chair proposed that it should not go on to full Council and Councillor Robert Alden, in noting that when the Executive was introduced the idea was that this report should go onto Full Council, felt that it should.

The City Solicitor confirmed that the Constitution indicated that it should go on to the full Council but undertook to reconsider whether it should or not in the future.

It was-

3122

RESOLVED:-

That, the report be noted and a report be submitted to the next Full City Council meeting.

APPOINTMENT OF SUB-COMMITTEES AND OTHER BODIES

The following report of the City Solicitor was submitted:-

(See document No 4)

Emma Williamson, Head of Scrutiny, made introductory comments relating to the report and noted that the Commonwealth Games Member Advisory Board terms of reference had changed so that it was open to all Councillors and it did not need to be appointed.

The Chair noted that names would be submitted in due course.

Councillor Mike Ward noted that on all bodies Members of his group would remain as last year.

(NB Names were submitted after the meeting and added here for ease of reference.)

A. MISCELLANEOUS APPEALS SUB-COMMITTEE

3123

RESOLVED:-

- (i) That a Miscellaneous Appeals Sub-Committee be appointed for the Municipal Year 2021/2022 with a quorum of 3 and with the following functions:-
 - 1. To consider any appeal under the Rules and Regulations for the Operation of the Retail Markets.
 - 2. To consider any other appeal(s) that are not covered by any of the other Committees or Sub-Committees of the City Council; and
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2021/2022 with Councillor Marje Bridle as Chair:

Councillor Marje Bridle	(Lab)
Councillor Mike Leddy	(Lab)
Councillor Shafique Shah	(Lab)
Councillor Gareth Moore	(Con)
Councillor Neil Eustace	(Lib Dem)

B. ELECTION MATTERS MEMBERS FORUM

3124

RESOLVED:-

- (i) That for the Municipal Year 2021/2022 the Election Matters Members Forum be outside of proportionality requirements;
- (ii) that an Election Matters Members Forum be appointed for the Municipal Year 2021/2022 with a quorum of 3 and with the following functions:
 - To recommend further improvements to the Elections Office and/or the Elections processes;
 - To be consulted over relevant consultation papers relating to the Elections process;
 - To discuss issues that the Returning Officer may wish to raise with the Members Forum; and
- (iii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2021/2022 with Councillor Ian Ward as Chair:

Councillor Brigid Jones	(Lab)
Councillor Saddak Miah	(Lab)
Councillor Ian Ward	(Lab)
Councillor Martin Straker Welds	(Lab)
Councillor Robert Alden	(Con)
Councillor Timothy Huxtable	(Con)
Councillor Jon Hunt	(Lib Dem)

C. CHIEF OFFICER AND DEPUTY CHIEF OFFICER APPOINTMENTS, DISMISSALS AND SERVICE CONDITIONS SUB-COMMITTEE

3125

RESOLVED:-

- (i) That a Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee be appointed for the Municipal Year 2021/2022 with Quorum is 3 Members to include the Leader of the Main Opposition Party or their nominee and with the following functions:
 - 1. To consider and determine the form of the employment contracts and other Terms and Conditions (including related structural issues) for the Chief and Deputy Chief Officer Posts as defined in the Constitution of the City Council.

2. To be responsible for making appointments to all posts falling within 1 above and to recommend to the Council the appointment of the Chief Executive.
 3. To deal with all termination and disciplinary arrangements relating to Chief Officer and Deputy Chief Officer posts (including early retirement and the award of added years).
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2021/2022 with Councillor Ian Ward as Chair:
- Councillor Ian Ward (Lab)
Councillor Brigid Jones (Lab)
Councillor (Lab) to be appointed dependent on the Directorate to which the Post relates
Councillor Robert Alden (Con)
Councillor Jon Hunt (Lib Dem)
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D. PERSONNEL APPEALS (DISMISSALS) SUB-COMMITTEE

3126

RESOLVED:-

- (i) That a Personnel Appeals (Dismissals) Sub-Committee be appointed for the period ending with the first meeting of Council Business Management Committee in the Municipal Year 2021/2022 with the following functions:
1. To consider, with Delegated Power the appeals relating to the Dismissal of Council managed employees.

(the process to be followed by appellants shall be as laid down on the People Solutions website and in accordance with City Council's policy with no appeals being submitted direct to this body without first exhausting the prescribed HR process).
 2. In hearing an appeal, the Sub-Committee shall not have the power to award financial compensation to any appellant.
 3. The Sub-Committee shall have the right to determine whether appeals shall be dealt with, where appropriate, by means of written representations.
 4. All meetings of the above Sub-Committee must be chaired by one of the three appointed Chairs of the Sub-Committee and a Quorum for the full Sub-Committee or an individual Panel hearing an appeal shall be 3. No appeal may be heard in the absence of a Quorum.

5. To authorise the Chair of the Sub-Committee or any Member thereof to give evidence at any Employment Tribunal should they be required to do so.
 6. To recommend to the Council Business Management Committee and oversee any appropriate training and guidance being given to Members and Officers, as necessary, on how to manage Personnel Appeals.
 7. To recommend to the Council Business Management Committee any appropriate or desirable improvements for dealing with the effective and efficient administration of future Personnel Appeals arising from case hearings.
 8. To make any other recommendations to the Council Business Management Committee.
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the period ending with the first meeting of Council Business Management Committee in the Municipal Year 2021/2022:

Cllr Mohammed Aikhlaq (Lab)
Cllr Mahmmod Hussain (Lab)
Cllr Mohammed Idrees (Lab)
Cllr Julie Johnson (Lab)
Cllr Mariam Khan (Lab)
Cllr Mary Locke (Lab)
Cllr Sybil Spence (Lab)
Cllr Gary Sambrook (Con)
Cllr Darius Sandhu (Con)
Cllr Ken Wood (Con)
Cllr Mike Ward (Lib Dem)

Councillors Mary Locke, Mariam Khan and Mahmood Hussain appointed as Chairs

E. COMMONWEALTH GAMES MEMBER ADVISORY BOARD

3127 Appointments no longer required.

F. COUNCIL HOUSE CROSS PARTY STEERING COMMITTEE

3128 **RESOLVED:-**

That it be noted that a Council House Cross Party Steering Committee has been appointed for the Municipal Year 2021/2022 with the following Membership:-

Deputy Leader (Chair)
Leader of The Conservative Group or nominee
Leader of the Liberal Democrat Group or nominee
Cabinet Member for Education, Skills and Culture
Chief Executive/s Birmingham Museums Trust or nominee
Assistant Director Communities, Culture
Director, Inclusive Growth/Assistant Director
Other key representatives of external organisations as required

G. CIVIC/CEREMONIAL CROSS PARTY WORKING GROUP

3129

RESOLVED:-

That it be noted the above Working Group was appointed recently to develop criteria for the bestowing Honorary Freeman of the City titles and Freedom of the City privileges and to develop a criteria for considering requests for the use of the Coat of Arms, with the following members:-

Cllr Ian Ward (Lab)
Cllr Carl Rice (Lab)
Cllr Yvonne Mosquito (Lab)
Cllr Robert Alden (Con)
Cllr Paul Tilsley (Lib Dem)

ORDER OF “NOTICES OF MOTION” AT FUTURE CITY COUNCIL MEETINGS

The following schedule was submitted:-

(See document No 5)

It was noted that some of the dates appeared wrong. The Chair requested that the dates be checked and recirculated if necessary.

3130

RESOLVED:-

That subject to the dates being checked for accuracy, the Order of ‘Notices of Motion’ at City Council for 2021/202 as set out on the schedule be agreed.

(NB a revised schedule was circulated to the Committee after the meeting)

CITY COUNCIL AND CBM FORWARD PLAN

The following City Council and CBM Forward Plan was submitted:-

(See document No 6)

Councillor Robert Alden, in noting that it was almost a year to the Commonwealth Games, suggested that an update report be submitted to City Council.

The Chair undertook to incorporate a Commonwealth Games update into a forthcoming Executive Business report to City Council.

It was-

3131

RESOLVED:-

That the City Council and CBM Forward Plan be noted.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 7)

The Chair suggested that it might be appropriate to consider the action to be taken if the Covid restrictions were not lifted on 21 June 2021. He proposed that it be assumed that the Council meeting would go ahead on the 22 June but after the announcement on 14 June of the Government's intentions Group Leaders discuss the issue further.

Councillor Robert Alden agreed with that approach and noted that a Councillor briefing for those that wished to understand the health and safety discussion around seating arrangements etc should be arranged.

The City Solicitor commented that the agenda send out for the 22 June Council meeting was 14 June and the 50 person limit in the Lyttleton Theatre was based on 1m social distancing. She was happy to take Members to the Theatre if they so wished.

Emma Williamson, Head of Scrutiny, note that the Scrutiny Inquiry – Council Assets report was no longer to be submitted to the Council Meeting in June.

3132

RESOLVED:-

That, subject to the above amendments, the draft agenda be noted.

COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2021/2022

3133

RESOLVED:-

That the following dates for Council Business Management Committee meetings in 2021/2022 be agreed:-

To be held on Mondays at 1400 hours unless otherwise stated.

<u>2021</u>	<u>2022</u>
30 June (Wednesday at 1300 hours)	17 January
31 August (Tuesday)	7 February
18 October	28 February
22 November	9 May
20 December	

OTHER URGENT BUSINESS

3134

There was no other urgent business.

AUTHORITY TO CHAIR AND OFFICERS

3135

RESOLVED:-

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

The meeting ended at 1321 hours.

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CHAIR

Birmingham City Council

Council Business Management Committee

30 June 2021



Subject: Dispensation for Non-Attendance of Councillors at Council Meetings

Report of: Suzanne Dodd, City Solicitor

Report author: Emma Williamson, Head of Scrutiny Services
emma.williamson@birmingham.gov.uk

Does the report contain confidential or exempt information? ☐ Yes ☒ No

1 Executive Summary

- 1.1 This report provides details of a recommendation that the Council Business Management Committee, on behalf of the Council, approve a period of absence from meetings by Councillors pursuant to section 85 of the Local Government Act 1972.

2 Recommendations

- 2.1 That Council Business Management Committee approves the non-attendance of all Councillors at Council meetings from 01 April 2021 until 30 September 2021 for coronavirus related reasons, pursuant to S85 Local Government Act 1072.

3 Background

- 3.1 Section 85(i) of the Local Government Act 1972 states “if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the Authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period cease to be a Member of the authority”.
- 3.2 Attendance in an official capacity at a meeting of a committee or sub-committee of the Council or at any meeting of a joint committee or other such body discharging functions of the Council or at any meeting as a representative of the Council is deemed to be a ‘meeting of the Council’ (section 85(ii)).
- 3.3 If after six months from the date of a member’s last attendance to attend any meeting, the Council has not approved the absence then the member as a result of the operation of law ceases to be a member of the Council from that date. The six

months runs from the date of the member's last attendance and approval must be given within that six month period.

- 3.4 Once approval has been given **and it can be for no more than 6 months** prospectively or retrospectively or a combination of both – this statutory six months period begins to run from the end of the period for which approval has been given.

4 Recommended Proposal

- 4.1 The Council is again changing how it conducts its business in response to the coronavirus pandemic. Attendance at remote meetings is no longer permitted for elected members (ended on 7 May 2021), and at the same time, attendance at some meetings is being restricted to facilitate social distancing and to reduce travel for members.
- 4.2 Therefore, it is proposed that dispensations be granted as set out in Section 2. If the dispensation is not granted, then either the Councillors must attend council meetings (which may require meetings to be held in order to allow councillors to meet the six month requirement) or be automatically disqualified as a Councillor.
- 4.3 If the pandemic continues to have a significant impact, then a further report requesting dispensation may be presented to CBM before expiry of the six month period.

Birmingham City Council

Council Business Management Committee

30 June 2021



Subject: Petitions Update
Report of: Suzanne Dodd, City Solicitor
Report author: Phil Wright
Group Team Manager
0121 303 0216
phil.wright@birmingham.gov.uk

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

- 1.1 To update Committee on progress made in responding to petitions presented to full Council

2 Recommendations

- 2.1 The Committee note this quarterly report.

3 Protocol

- 3.1 The current protocol for responding to petitions presented to City Council was agreed by this Committee in May 2007 and is set out below:
1. Petition presented at City Council.
 2. Petition referred to the appropriate Director for response within 3 working days.
 3. Director to write to the Council or presenting the petition and the first named petitioner to acknowledge receipt within 14 days of the City Council.

4. Progress of investigation into petition to be notified by the relevant Director to Committee Manager for inclusion in the monthly Petitions Update by no later than 10 working days before the next City Council.

5. Final response to petition included in Petitions Update by the Committee Manager.

6. Director to notify the Councillor who presented the petition and the first named petitioner of the outcome within 14 days of the relevant City Council meeting discharging the same.

3.2 It should be noted that the protocol applies only to petitions sent internally and not to those which are referred to outside bodies for action.

4 Action Taken

4.1 In accordance with minute No. 2044 of this Committee the petition schedule has been split into City Council related petitions (currently 29) and those which are the responsibility of external organisations (currently 66).

4.2 Of the outstanding City Council related petitions 2 were presented in 2019.

4.3 Since May 2005, 2234 out of a total of 2263 City Council related petitions received have been discharged – 98%.

4.4 Of the 51 petitions presented in the last six months 28 have been discharged – 55%.

5 Appendices

5.1 The current City Council Petition Schedule is at appendix 1.

PETITIONS RELATING TO CITY COUNCIL FUNCTIONS PRESENTED TO CITY COUNCIL

<u>DATE OF RECEIPT/ PRESENTED BY CATEGORY</u>	<u>DESCRIPTION/SENT TO</u>	<u>RESPONSE</u>
2163 Councillor Bruce Lines 10.09.2019 COMM	From residents of Loftus Close, Weoley Castle, Birmingham, B29 5PG objecting to the proposed plans to construct a roadway from Loftus Close into the proposed housing development site off Long Nuke Road – <i>Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 24.10.2019 Current Planning Application. 13.03.2020 Current Planning Application. 02.07.2020 Current Planning Application. 20.11.2020 This planning application is still ongoing with no decision date as yet. 31.12.2020
2173 Councillor Neil Eustace 05.11.2019 COMM	From residents of Yardley East Ward objecting to the development of 117 properties in Barrows Lane, Yardley, B26 1SA – <i>Head of Planning Management</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 03.01.2020 Current Planning Application. 13.03.2020 Current Planning Application. 02.07.2020 Current Planning Application. 20.11.2020 Officers have re-consulted on layout and final house types on this planning application. 31.12.2020
2186 Councillor Fred Grindrod 04.02.2020 COMM	From residents of Selly Oak objecting to Planning Application No 2020/00376/PA and calling upon the Council not to approve any plans for Elliot Road in Selly Oak that include student halls of residence – <i>Acting Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 14.02.20 Current Planning Application. 13.03.2020 Current Planning Application. 02.07.2020 Current Planning Application. 20.11.2020 Amended plans have been submitted last month, so officers have re-consulted on these new details. 31.12.2020

2198 Mr D Hussain 09.06.2020 COMM	From residents of Kenilworth Road and Tewkesbury Road objecting to HMOs being created on the streets and calling on the Council and all relevant authorities to stop HMO's from operating on the streets with immediate effect – <i>Acting Director of Inclusive Growth</i>	Referred to Enforcement Team for investigation. 02.07.2020 Enforcement cases are still open, and Investigation is ongoing. 31.12.2020
2205 Councillor Roger Harmer 14.07.2020 COMM	From residents of Grayland Close and surrounding local residential streets objecting to the introduction of Social Housing, houses in multiple occupation at No. 12 Grayland Close – <i>Acting Director of Inclusive Growth</i>	Referred to Enforcement Team for investigation and response. 03.09.2020 Enforcement case is still open, and Investigation is ongoing. 20.01.2021
2242 Councillor Chaman Lal 01.12.2020 COMM	From residents of Soho Road, calling upon Birmingham City Council to move the HMO/Hostel in Soho Road, Handsworth on the grounds of children and parents' safety as it is located next to 2 primary schools, a nursery and a girl's high school - <i>Acting Director of Inclusive Growth</i>	This relates to a live Enforcement Case and has been passed onto the Senior Enforcement Officer. 15.12.2020
2245 Councillors Roger Harmer, Rob Pocock, Julien Pritchard and Robert Alden 01.12.2020 EXEC	From residents of Birmingham calling upon Birmingham City Council to produce a plan, based on environmental best practice, to (1) End the burning of mixed waste at the council's Tyseley incinerator, so that the City of Birmingham can conform to the targets of Zero Carbon emissions by 2030 and Clean Air in the city; (2) Introduce separated collections of household waste (including food and textiles) so it can be beneficially re-used, recycled, composted or digested; (3) Involve citizens in co-designing the most suitable schemes, and then in making the change - <i>Acting Director of Neighbourhoods</i>	Petition referred to Officers in Street Scene to investigate. 24.12.2020 Officers have been asked to provide an update. 11.03.2021 Officers have been asked to provide an update. 11.05.2021 Officers have been asked to provide an update. 22.06.2021
2249 Mr Mohammed Shakeel 12.01.2021 COMM	From residents of Moseley Ward calling upon Birmingham City Council to revoke the HMO licence of the property at 80 Springfield Road, Moseley, B13 9NP due to the constant anti-social behaviour of the tenants residing in the property and to review further applications - <i>Acting Director of Inclusive Growth</i>	Referred to Enforcement Team for investigation and response. 12.02.2021

2251 Councillor Shabrana Hussain 12.01.2021 EXEC	From residents of Gough Road, calling upon Birmingham City Council to provide wheelie bins in their road - <i>Acting Director of Neighbourhoods</i>	Petition referred to officers in Street Scene to investigate. 20.01.2021 Acknowledgement has been sent to the Councillor. Response is still being worked on. 11.03.2021 Waiting for a copy of the response that has been sent to the Councillor. 11.05.2021 Officers have been asked to provide an update. 22.06.2021
2253 Councillor Robert Alden 12.01.2021 COMM	From residents of Erdington Ward objecting to Planning Application 2020/09673/PA – Abbeyrose Nursing Home demolition - <i>Acting Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 12.02.2021
2254 Councillor Chaman Lal 12.01.2021 COMM	From residents of Soho and Jewellery Quarter Ward objecting to Planning Application No 2020/03506/PA – Former Henry's Restaurant - <i>Acting Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 20.01.2021
2257 Councillor Olly Armstrong 02.02.2021 EXEC	From the Unite Community who provide food for the vulnerable are asking the Leader of the Council and Birmingham City Council to learn from the motion that Liverpool Council has put in on access to food as a human right and asking us if we will debate and pass a motion to make access to food a human right.	Awaiting receipt of petition.
2258 Councillor Olly Armstrong 02.02.2021 EXEC	From the Food Justice Network who provide food for the vulnerable are asking the Leader of the Council and Birmingham City Council to learn from the motion that Liverpool Council has put in on access to food as a human right and asking us if we will debate and pass a motion to make access to food a human right.	Awaiting receipt of petition.

2263 Councillor Roger Harmer 23.02.2021 EXEC	From residents of Acocks Green area requesting Birmingham City Council to re-instate the litter bins recently removed from the streets in Acocks Green - <i>Acting Director of Neighbourhoods</i>	Petition sent to the Street Scene Team for Investigation and Report. 11/03/2021 Waiting for a copy of the response that has been sent to the Councillor. 11.05.2021 Officers have been asked to provide an update. 22.06.2021
2264 Councillor Robert Alden 13.04.2021 EXEC	From residents of Erdington Ward calling upon Birmingham City Council for support of a levelling up fund bid for Erdington High Street to correct, update and expand – <i>Acting Director of Inclusive Growth</i>	Referred to Assistant Director Transport and Connectivity for investigation and response. 25.05.2021
2266 Councillor Robert Alden 13.04.2021 EXEC	From residents of Kingstanding area – calling upon Birmingham City Council to repair all the potholes on the Bandywood Estate, in particular Bandywood Road, Lambeth Road and Dormington Road - <i>Acting Director of Inclusive Growth</i>	Referred to Highways (Kier Highways) for investigation and response. 25.05.2021
2268 Councillor Robert Alden 13.04.2021 COMM	From residents of Great Barr objecting to Planning Application No 2020/10217/PA, re the proposed building of 59 dwellings on the land south/west of Booths Lane and surrounding roads - <i>Acting Director of Inclusive Growth</i>	This relates to current planning application (2020/10217/PA) and has been passed onto the Planning Officer to take into consideration when making a decision. 25.05.2021
2269 Councillor Robert Alden 13.04.2021 EXEC	From residents of Erdington Ward calling upon Birmingham City Council to repair all the potholes along the whole of Tyburn Road as the road has now become dangerous – <i>Acting Director of Inclusive Growth</i>	Referred to Highways (Kier Highways) for investigation and response. 25.05.2021
2270 Councillor Paulette Hamilton 13.04.2021 EXEC	From residents of Station Road, Handsworth requesting the City Council to take control of 'exempt' properties in the road and stop any further properties becoming 'exempt' accommodation in the future – <i>Acting Director of Neighbourhoods</i>	Petition referred to SEA Inspection Team to respond. 22.06.2021

2271 Councillor Neil Eustace 13.04.2021 EXEC	From residents of Queens Road, calling upon Birmingham City Council to repair the road surface and get it to be relayed as the road is dangerous – <i>Acting Director of Inclusive Growth</i>	Referred to Highways (Kier Highways) for investigation and response. 25.05.2021
2272 Councillor Jayne Francis 13.04.2021 EXEC	Residents of Edgbaston calling upon Birmingham City Council to introduce a one-way road system along Nursery Road, Harborne – <i>Acting Director of Inclusive Growth</i>	Referred to Local Engineer for investigation and response. 25.05.2021
2273 Councillor Roger Harmer 13.04.2021 COMM	Residents of Westfield Road, Acocks Green objecting to a Planning Application re: the conversion of a family home at No 18 Westfield Road into 4 self-contained flats - <i>Acting Director of Inclusive Growth</i>	This relates to current planning application (2021/02081/PA) and has been passed onto the Planning Officer to take into consideration when making a decision. 25.05.2021
2277 Councillor Simon Morrall 13.04.2021 EXEC See also petition No.2248	From residents of -----Frankley Great Park Ward urging Birmingham City Council to install waste and dog bins alongside the lanes and Great Park duck pond within the Ward RE: Big B45 clean up in the Spring - <i>Acting Director of Neighbourhoods</i>	Awaiting receipt of petition.
2279 Councillor Shabrana Hussain 13.04.2021 EXEC	From residents of Runcorn Road calling upon Birmingham City Council to change Runcorn Road into one-way road in the direction from the Bridge to the Ladypool Road – <i>Acting Director of Inclusive Growth</i>	Awaiting receipt of petition.
2281 Councillor Julie Johnson 13.04.2021 EXEC	From residents of Selly Oak calling upon Birmingham City Council to make Selly Oak Park and surrounding areas safe as a sexual assault of a woman in Selly Oak Park took place on Wednesday 31 March and other such incidents have happened since –	Awaiting receipt of petition.
2282 Councillor Waseem Zaffar 13.04.2021 EXEC	From residents of Horizon Estate, Lozells calling upon Birmingham City Council to review and improve the street lighting within their neighbourhood – <i>Acting Director of Inclusive Growth</i>	Referred to Highways (Kier Highways) for investigation and response. 25.05.2021

2283 Councillor Nicky Brennan 13.04.2021 EXEC	From residents of Birmingham calling upon the Birmingham Civic Society to award the late, Former Leader of Birmingham City Council and first and only female Leader, Councillor Theresa Stewart with a Blue Plaque and to waive the 1 year waiting period – <i>Deputy Leader Cabinet Support</i>	
2284 Councillor John Lines 25.05.2021		Awaiting receipt of petition
2285 Councillor Robert Alden 25.05.2021 EXEC	From residents of Erdington Ward calling upon Birmingham City Council to save Pype Hayes Hall and to cancel the contract, retake ownership and make new arrangements to ensure restoration of the Hall - <i>Acting Director of Inclusive Growth</i>	Referred to Property Services, Inclusive Growth 22.06.2021
2286 Councillor Robert Alden 25.05.2021 COMM	From residents of Erdington Ward objecting to Planning Application 2021/03020/PA re 251 Holly Lane - <i>Acting Director of Inclusive Growth</i>	This relates to current planning application (2021/03020/PA) and has been passed onto the Planning Officer to take into consideration when making a decision. 22.06.2021
2287 Councillor Roger Harmer on behalf of Councillor Baber Baz 25.05.2021 EXEC	From residents of Lyttleton Road, Stechford calling upon Birmingham City Council to investigate and take action with regards to the anti-social behaviour at property No. 96 Lyttleton Road and also at 94 Lyttleton Road - <i>Acting Director of Inclusive Growth</i>	Referred to Enforcement Team for investigation and response. 22.06.2021
2288 Councillor Roger Harmer on behalf of Councillor Neil Eustace 25.05.2021 EXEC	From residents of Westacre Gardens, Yardley calling upon Birmingham City Council to resurface the road as they believe it is now dangerous for motorists due to all the ruts and potholes - <i>Acting Director of Inclusive Growth</i>	Referred to Highways (Kier) for investigation and response. 22.06.2021

2289 Councillor Timothy Huxtable 25.05.2021 COMM	From residents of Cole Valley Road, Hall Green objecting to Planning Application 2021/01206/PA – building of 10 dwelling houses rear of 11-35 Cole Valley Road, Hall Green - <i>Acting Director of Inclusive Growth</i>	This relates to current planning application (2021/01206/PA) and has been passed onto the Planning Officer to take into consideration when making a decision. 22.06.2021
2290 Nina Hayr 25.05.2021	From the residents of Friary Gardens, Friary Road, Larch Avenue, Oxhill Road and children and staff from St John Wall School calling upon Birmingham City Council to take action to stop bonfires at Uplands Allotments which cause nuisance and air pollution and are against the rules set by Birmingham City Council, the Committee and its plot holders - <i>Managing Director - City Operations</i>	Petition referred to the Allotments Officer to respond. 22.06.2021

CATEGORIES: **COMM** = Petitions relating to Committees functions **EXEC** = Petitions relating to the Executive functions

Birmingham City Council

Council Business Management Committee

30 June 2021



Subject: Request for the Use of the Coat of Arms
Report of: Suzanne Dodd, City Solicitor
Report author: Phil Wright
Group Team Manager
0121 303 0216
phil.wright@birmingham.gov.uk

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

- 1.1 To consider an application by Professor Paul Cadman on behalf of art4charity for the use of the Coat of Arms on a special edition Forward in Unity print (appendix 1) and social media.

2 Recommendations

- 2.1 The Committee is asked to determine the application.

3 Request for the Use of the Coat of Arms by art4charity

- 3.1 Professor Cadman states art4charity wishes to use the Coat of Arms on a special edition of Forward in Unity print and on social media.
- 3.2 Art4charity is project which from the outset was created, both to draw on the outstanding creative talent of the City, and to support the local organisations that work tirelessly to improve the lives of Birmingham residents that need them most. With the onset of the COVID-19 pandemic, the founders of the charity identified that Birmingham charities would require additional support from the community, and that creative individuals from across the region would welcome the opportunity to provide this support and showcase their skills to a broad audience. The Charity's primary project across 2020/21 has been *Forward in Unity*. Conceived as a direct visual response to the pandemic, the original artwork, painted by Gent

48, stands proudly on Meriden Street in Digbeth to this day. That artwork served as the basis for an enormous fundraising effort designed to raise money for The Lord Mayor of Birmingham's Charity, Acorns Children's Hospice, St Mary's Hospice and SIFA Fireside. The original prints were signed by 250 dignitaries from Birmingham and the surrounding areas, showcasing some of the region's most inspirational individuals. Among the notable people to have hand-signed a batch of artist proof prints are The Lord Mayor Muhammad Afzal, Sir David Thompson QPM DL LLB, Gary Newbon, Glynn Purnell and Joe Lycett.

- 3.3 The intention is to seek donations from the dignitaries in return for a print of the artwork, the Coat of Arms and a photograph of the dignitary signing the artwork as depicted in the appendix.
- 3.4 The Coat of Arms would also be seen on the Charities social media in course of promoting the prints.

4 Background in Respect of the Use of The Birmingham Coat of Arms

- 4.1 Section 73 of the West Midlands County Council Act 1980 provides that:

"If any person without the consent of the local authority uses in connection with any trade, business, calling or profession any part of the armorial bearings of that authority, or any emblem or device closely resembling any such part, in a manner calculated to lead to the belief that he displays the part, emblem or device with the approval of that local authority, he may at the suit of the local authority be restrained by an injunction from continuing to use that part, emblem or device."

- 4.2 The Coat of Arms is a dignity granted by Royal Charter and, as such, is not a property right. The Council cannot therefore license or authorise its use (by others) as such. All that the Council can do is to indicate whether it has any objection to its use. If the Council has no objection, then it would be safe to assume that it will not seek to restrain the use by way of an injunction.
- 4.3 The Committee's normal practice has been to indicate that the Council would object to the use of the Coat of Arms except on materials sponsored or produced by, or closely associated with, the Council or in other special circumstances.

5 Appendices

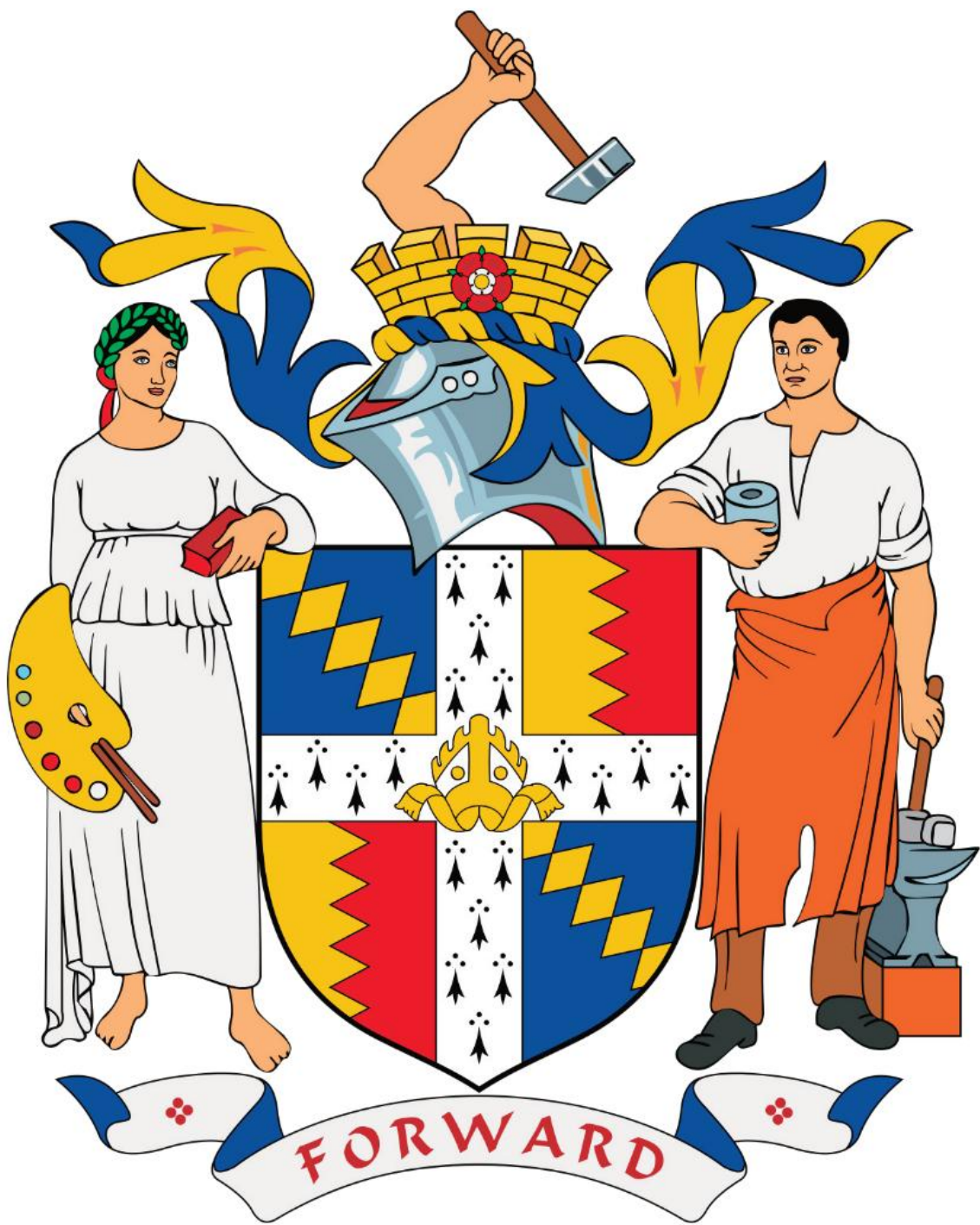
- 5.1 Appendix - Example of artwork



01/06/20

'Forward in Unity'

Digbeth, Birmingham • Lord Mayor of Birmingham's Charity • art4charity.co.uk



Birmingham Coat of Arms



Councillor Ian Ward – Leader, Birmingham City Council
Signed 'Forward in Unity' at St Philips Chambers • 21 August 2020

ORDER OF “NOTICES OF MOTION” AT FUTURE CITY COUNCIL MEETINGS

Members will recall that in previous years an informal arrangement in respect of alternating the order in which “Notices of Motion” (Motions for Debate from Individual Members) under Council Procedure Rules (Section B4 G of the Constitution) are considered at City Council Meetings has been in operation.

Due to the deferral of Motions from the June to the July City Council meeting the revised arrangements the Municipal Year 2021/2022 would be as follows:-

<u>Council Date</u>	<u>1st</u>	<u>2nd</u>	<u>Deadline*</u>
22 June 2021	Lab	Con	10 June 2021
20 July 2021	Lab	Con	8 July 2021
14 September 2021	Lib Dem	Lab	2 September 2021
2 November 2021	Con	Lib Dem	21 October 2021
7 December 2021	Lab	Con	25 November 2021
11 January 2022	Lib Dem	Lab	23 December 2021
1 February 2022	Con	Lib Dem	20 January 2022
22 February 2022	Budget Meeting (No Notices of Motion)		
15 March 2022	Lab	Con	3 March 2022
24 May 2022	Annual Meeting (No Notices of Motion)		

* Deadline for submission of Notices of Motion - 7 clear working days before City Council except for the December date which is earlier due Christmas.



CITY COUNCIL FORWARD PLAN 2021/22 – 30 June 2021

CBM	Item
07 June 2021	<i>Future of Council House Complex</i> <i>Reports not on the Forward Plan – Annual Report</i> <i>Appointments</i> <i>Order of Motions</i>
30 June 2021	Petitions Update Councillor Dispensations Request for use of coat of arms Order of Motions Revised
31 August 2021	Family Friendly Policies/New Ways of Working Update (provisional) – Tim Normanton, AD HR
18 October 2021	Petitions Update
2 November 2021	

City Council	Item
22 June 2021	<i>Reports not on the Forward Plan</i>
13 July 2021	Executive Business Report Lead Member report: Transport Delivery Committee
14 September 2021	Scrutiny Business Report Scrutiny Inquiry: Council Assets (tbc) Youth Justice Plan Lead Member report: WMCA Scrutiny
2 November 2021	Executive Business Report
7 December 2021	Scrutiny Business Report

CBM	Item
20 December 2021	Petitions Update
17 January 2022	
7 February 2022	Provisional City Council and CBM dates for 2022/23 Meetings during Pre-Election Period
28 February 2021	Petitions Update Annual Report of the Independent Remuneration Panel Implementation of Real Living Wage – if required
9 May 2022	Proportionality City Council Appointments Annual Review of the City Council's Constitution

City Council	Item
	Lead Member report: West Midlands Police & Crime Panel
12 January 2022	Executive Business Report
1 February 2022	Scrutiny Business Report Lead Member report: West Midlands Fire Authority Annual Report from the Chair of Audit Committee to City Council
22 February 2022	BUDGET MEETING: Financial Plan 2021-2024
15 March 2022	Executive Business Report Annual Report of the Independent Remuneration Panel
24 May 2022	ANNUAL MEETING Including Appointment to the Roll of Honorary Alderman and Appointment of the Leader

Four Yearly or ad-hoc items:

Appointment to the Roll of Honorary Alderman (May 2022); Appointment of the Leader (May 2022)

Items to be scheduled / proposed:

Executive Business Report – June, Sept/Nov, January and April; Scrutiny Business Report – July, December, February; Lead Member reports: West Midlands Fire Authority (February); Transport Delivery Committee (July); WMCA Scrutiny (September); GBSLEP Scrutiny (November); West Midlands Police & Crime Panel (December)

Annual Standards Committee Report (Contact: Rob Connelly, Interim Assistant Director, Governance) (tbc)

* Pre-meeting of members to select Lord Mayor elect ** Annual Council Photograph

Appendix 1: City Council Resolutions – Tracker

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
5b	04 December 2018	<p>Women & Democracy:</p> <ul style="list-style-type: none"> That the attached Statement of Intent is agreed; That Cabinet Members and named officers are asked to implement the action plan included within the report in order to tackle the many barriers to women's representation in Local Government; Add the following to action plan: Noting the small proportion of women representing the new single member wards, to lobby the Boundary Commission for a further review of city wards to tackle this issue. 	Deputy Leader / Jonathan Tew, Assistant Chief Executive / City Solicitor	Action plan implementation underway [January 2019]
6g	15 January 2019	<p><i>Motion for Debate:</i> The Council therefore calls on the Executive to place into the public domain all documents relating to the GMB payment including, but not limited to:</p> <ul style="list-style-type: none"> A copy of the ACAS deal itself Copies of all delegated decision reports Copies of any briefings or correspondence with any cabinet member, previous or current, regarding the deal Copies of any correspondence between the Council and GMB in the run up to and after the Unite settlement regarding the proposed settlement and any objections GMB had to that Copies of any correspondence concerning the decision to exclude GMB from talks after the Unite settlement 	Leader / City Solicitor	<p>Motion will be monitored regarding release of documentation, earliest possible date Feb 2020</p> <p>Monitoring Officer reviewing the information</p> <p>[August 2020 update]</p>

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
		<ul style="list-style-type: none"> Copies of minutes from all meetings between the Council and any Union concerning implementation of the Nov 2017 settlement Full details of all costs involved, including the total payment itself and any legal costs Copies of any correspondence regarding how and why the deal should be kept secret and not included in usual processes such as the requirement to publish all spend over £500 The Council also calls for an immediate review into the use of delegated powers within the constitution 		
5a	14-Jan-2020	<p><i>Birmingham Suicide Prevention Strategy 2019-2024:</i></p> <p>That Council endorses the Birmingham Suicide Prevention Strategy and calls on elected members across all parties to support the delivery of the strategy moving forward.</p> <p>That the Action Plan that underpins this strategy is circulated to all Members and that updates on progress are published on an annual basis.</p>	Cabinet Member Health and Social Care / Justin Varney, Director of Public Health	An advisory group which meets bi-monthly are currently working on the action plan which will be circulated in the Summer. [February 2020 update]

Other Actions from City Council Meetings

Date	Agenda Item	To Respond	Request/Question	Action taken

BIRMINGHAM CITY COUNCIL

CITY COUNCIL

**Tuesday, 13 July 2022 at 1400
hours in the Lyttleton Theatre,
Birmingham Midland Institute,
Birmingham**

A G E N D A

1 NOTICE OF RECORDING

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast 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.

2 DECLARATION OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting

Attached

3 MINUTES

To confirm and authorise the signing of the Minutes of the meeting of the Council held on 22 June 2021.

4 LORD MAYOR'S ANNOUNCEMENTS

(1400-1410)

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

5 PETITIONS

(10 minutes allocated) (1410-1420)

To receive and deal with petitions in accordance with Council Rules of Procedure (B4.4 E of the Constitution).

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

6 QUESTION TIME

(70 minutes allocated) (1420-1530)

To deal with oral questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

- A. Questions from Members of the Public to any Cabinet Member or Ward Forum Chair (20 minutes)
- B. Questions from any Councillor to a Committee Chair, Lead Member of a Joint Board or Ward Forum Chair (10 minutes)
- C. Questions from Councillors other than Cabinet Members to a Cabinet Member (20 minutes)
- D. Questions from Councillors other than Cabinet Members to the Leader or Deputy Leader (20 minutes)

7 APPOINTMENTS BY THE COUNCIL

(5 minutes allocated) (1530-1535)

To make appointments to, or removals from, committees, outside bodies or other offices which fall to be determined by the Council.

Attached 8 EXECUTIVE BUSINESS REPORT

(45 minutes allocated) (1535-1620)

To consider a report of the.

Councillor ---- to move the following Motion:

“-----”

(break 1620 - 1650)

Attached 9 LEAD MEMBER REPORT - TRANSPORT DELIVERY COMMITTEE

(55 minutes allocated) (1650-1745)

To consider a report of the Lead Member Transport Delivery Committee.

Councillor Kath Hartley to move the following Motion:

“”

Attached 10 MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

(90 minutes allocated) (1745-1915)

To consider the attached Motions of which notice has been given in accordance with Council Rules of Procedure (B4.4 G of the Constitution).