

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 29 MAY 2018
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MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON TUESDAY 29 MAY 2018 AT 1400 HOURS, IN COMMITTEE ROOM 6, THE COUNCIL HOUSE, BIRMINGHAM

PRESENT:

Councillor Brigid Jones in the Chair;

Councillors Robert Alden, Gareth Moore, Martin Straker Welds and Mike Ward.

ABSENCE OF THE CHAIR

2743 In the absence the Chair, Councillor Brigid Jones assumed the Chair.

NOTICE OF RECORDING

2744 The Chair advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

APPOINTMENT OF COMMITTEE

2745 The resolution of the City Council passed at the Annual Meeting on 22 May 2018 appointing the Council Business Management Committee and Members for the Municipal Year 2018/2019 with Councillor Ian Ward as Chair was noted.

ELECTION OF DEPUTY CHAIR

2746 **RESOLVED:-**

That Councillor Brigid Jones be appointed as Deputy Chair for the Municipal Year 2018/19.

APOLOGIES

2747 Apologies for non-attendance were submitted on behalf of Councillors Kerry Jenkins and Ian ward.

DECLARATIONS OF INTEREST

- 2748 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.

No declarations of interest were made.

TERMS OF REFERENCE OF COUNCIL BUSINESS MANAGEMENT COMMITTEE

The following document was submitted:-

(See document No 1)

- 2749 **RESOLVED:-**

That the Terms of Reference be noted.

MINUTES

- 2750 With reference to the preamble to minute No. 2735, Councillor Robert Alden emphasised that he had not advocated the use of the Birmingham Flag instead of the Coat of Arms as he was not a supporter of the flag which did not get any use, and would prefer the Coat of Arms to be used by the Council. He requested the minute be amended to reflect this.

That, subject to the above amendment, the Minutes of the last meeting held on 8 May 2018 were confirmed and signed by the Chair.

DISSOLUTION OF THE WEST MIDLANDS JOINT COMMITTEE

The following report of the City Solicitor was submitted:-

(See document No 2)

Councillor Robert Alden made reference to paragraph 2.1 and noted that current representation on the West Midlands Joint Committee was the Leader of the Council as voting Member with the Deputy Leader of the Council as substitute voting Member. He was an observer Member and requested that the same political balance be on the West Midlands Shareholders Airport Committee.

The Chair indicated that she had no issues with that and officers undertook to confirm if that was possible.

2751

RESOLVED:-

That the Council Business Management Committee recommends to City Council that:

Council agrees to dissolve the West Midlands Joint Committee (the “Committee”). On the dissolution, the powers and functions of the Committee will be determined in a manner agreed by each constituent local authority (as set out in Appendix 1 to this report).

Council agrees to the establishment of a new Joint Executive Committee with the other six Councils within the West Midlands for the purpose of airport decisions, known as the West Midlands Shareholders Airport Committee, as set out in Appendix 2 to this report.

Council agrees the following appointments:

- The appointment of Cllr ----- as voting member on West Midlands Shareholders Airport Committee
- The appointment of Cllr..... and Cllr..... as observers to attend each year one of the scheduled meetings of the West Midlands Shareholders Airport Committee

AMENDMENTS TO THE MEMBER’S ALLOWANCE SCHEME

The following report of the report of the City Solicitor was submitted:-

(See document No 3)

Emma Williamson, Head of Scrutiny, made introductory comments relating to the report.

The Chair made reference to shared parental leave and requested that provision for that to be made in the members’ scheme based on the employee scheme. She continued by seeking clarification as to the mechanics of Council Business Management Committee giving dispensation as the scheme should be in line with the rights of employees.

During further debate it was noted that Council Business Management Committee would consider each case but additional wording should be added to indicate that the presumption was that an extension to the time would be made. It was agreed that the wording relating to shared parental leave should be taken from the staff policy.

It was agreed that the matter be deferred and a further report be submitted to the next meeting.

2752

RESOLVED:-

That consideration of the report be deferred and a further report incorporating the changes made in the foregoing preamble be submitted to the next meeting.

APPOINTMENT OF SUB-COMMITTEES AND OTHER BODIES

The following report of the City Solicitor was submitted:-

(See document No 4)

A. EDUCATION AWARDS (REVIEW) SUB-COMMITTEE

2753

RESOLVED:-

- (i) That an Education Awards (Review) Sub-Committee be appointed for the Municipal Year 2018/2019 with a quorum of 3 and with the following functions:-

To review and determine appeals against the decisions of the Interim Corporate Director Children and Young People in respect of arrangements for the home to school transport of pupils; and

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2018/2019 with Councillor Diane Donaldson as Chair:

Councillor Diane Donaldson	(Lab)
Councillor Alex Aitken	(Lab)
Councillor Chauhdry Rashid	(Lab)
Councillor Matt Bennett	(Con)
Councillor Mike Ward	(Lib Dem)

B. MISCELLANEOUS APPEALS SUB-COMMITTEE

2754

RESOLVED:-

- (i) That a Miscellaneous Appeals Sub-Committee be appointed for the Municipal Year 2018/2019 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 2018/2019 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)

C. ELECTION MATTERS MEMBERS FORUM

2755

RESOLVED:-

- (i) That for the Municipal Year 2018/2019 the Election Matters Members Forum be outside of proportionality requirements;
- (ii) that an Election Matters Members Forum be appointed for the Municipal Year 2018/2019 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 2018/2019 with Councillor Ian Ward as Chair:

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

D. LORD MAYOR'S ADVISORY GROUP

2756

RESOLVED:-

- (i) That a Lord Mayor's Advisory Group be appointed for the Municipal Year 2018/2019 with a quorum of 3 and with the following purpose:
 - To act as a sounding board to the Lord Mayor at the request of the Lord Mayor on Civic and Mayoral matters;
 - To provide guidance on protocol matters as necessary;
 - To review Civic functions as necessary; and
 - To advise on the appropriateness of Parlour arrangements.
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2018/2019 with Councillor Shafique Shah as Chair:

Councillor John Lines	(Con)
Councillor Carl Rice	(Lab)
Councillor Shafique Shah	(Lab)
Councillor Mike Leddy	(Lab)

Councillor Martin Straker Welds	(Lab)
Councillor Gareth Moore	(Con)
Councillor Mike Ward	(Lib Dem)

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

2757

RESOLVED:-

- (i) That a Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee be appointed for the Municipal Year 2018/2019 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 2018/2019 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)

F. PERSONNEL APPEALS (DISMISSALS) SUB-COMMITTEE

2758

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 2019/2020 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 2019/2020:

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

Councillors Mike Leddy, Mariam Khan and Mahmood Hussain appointed as Chairs

G. COMMONWEALTH GAMES MEMBER ADVISORY BOARD

2759

RESOLVED:-

- (i) That a Commonwealth Games Member Advisory Board be appointed for the Municipal Year 2018/2019 with the Terms of Reference as agreed by the Board and to make recommendations to Cabinet.
- (ii) that the following Councillors be appointed to serve on the Advisory Board for the Municipal Year 2018/2019

Cllr Ian Ward	(Lab)
Cllr Brigid Jones	(Lab)
Cllr Waseem Zaffar	(Lab)
Cllr Peter Griffiths	(Lab)
Cllr Lucy Seymour-Smith	(Lab)
Cllr Debbie Clancy	(Con)
Cllr Alex Yip	(Con)
Cllr Jon Hunt	(Lib Dem)

H. COUNCIL HOUSE CROSS PARTY WORKING GROUP

2760

RESOLVED:-

- (i) That a Council House Cross Party Working Group be appointed for the Municipal Year 2018/2019 to act as a review group in relation to the proposed works to the Council House complex.
- (ii) that the following Councillors be appointed to serve on the Working Group for the Municipal Year 2018/2019

Cllr Ian Ward	(Lab)
Cllr Brigid Jones	(Lab)
Cllr Nagina Kauser	(Lab)
Cllr Robert Alden	(Con)
Cllr Paul Tilsley	(Lib Dem)

REQUEST FOR THE USE OF THE COAT OF ARMS

The following report of the City Solicitor was submitted:-

(See document No 5)

The Committee was advised that the applicant had not responded to requests to confirm if they were being paid in respect of the tours and how the Coat of Arms would be used on social media. In light of that information the Committee agreed to defer consideration of the report until such time as the information was forthcoming.

2761

RESOLVED:-

That consideration of the report be deferred until such time as the information requested was provided.

ORDER OF 'NOTICES OF MOTION' AT FUTURE CITY COUNCIL MEETINGS

The following schedule was submitted:-

(See document No 6)

2762

RESOLVED:-

That the Order of 'Notices of Motion' at City Council for 2018/2019 as set out on the schedule be agreed.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 7)

It was noted that reference to Assistant Leaders and District Committee Chairman should be removed. Councillor Diane Donaldson should read Councillor Martin Straker Welds.

It was further noted that agenda item 10 relating to Amendments to the Members' Allowance Scheme should be deleted in light of the decision made earlier in the meeting.

2763

RESOLVED:-

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

COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2018/2019

2764

RESOLVED:-

That the following dates for Council Business Management Committee meetings in 2018/2019 be agreed:-

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

<u>2018</u>	<u>2019</u>
25 June	21 January
28 August (Tuesday)	11 February
22 October	18 March
19 November	7 May (Tuesday)
17 December	

OTHER URGENT BUSINESS

2765 There was no other urgent business.

AUTHORITY TO CHAIR AND OFFICERS

2766 **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 1427 hours.

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CHAIR