

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 8 FEBRUARY 2021
--

**MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT
COMMITTEE HELD ON MONDAY 8 FEBRUARY 2021 AT 1400 HOURS,
AS AN ON-LINE MEETING**

PRESENT: Councillor Ian Ward in the Chair;

Councillors Robert Alden, Fred Grindrod, Shabrana Hussain, Brigid Jones, Gareth Moore, Carl Rice, Martin Straker Welds and Mike Ward.

NOTICE OF RECORDING

- 3068 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.

DECLARATIONS OF INTEREST

- 3069 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

- 3070 No apologies were submitted.

MINUTES

- 3071 That the Minutes of the last meeting held on 18 January 2021 were confirmed and signed by the Chair.

REMOTE MEETINGS

The following report of the City Solicitor was submitted:-

(See document No 1)

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

Councillor Brigid Jones supported the recommendations particularly if the Country was likely to move in and out of lockdowns in the future. Virtual meeting also allowed more engagement by Councillors who would normally not be able to attend meeting because of childcare issues and had resource and environmental benefits of reducing travel.

Councillor Robert Alden was supportive of recommendations to overcome the short-term situation that the Council may find itself in if the Covid situation continued beyond May. However, as a long-term way of working there were some caveats. He was concerned that engagement via virtual meetings could be reduced as those present could do something else while being in the meeting. People's behaviour was different in on-line meetings. He also queried how the 6 month attendance rule could be administered if a person living away from Birmingham could still join meetings. He queried the cost of Hybrid meetings.

In agreeing with some of the issues raised by Councillor Alden, Councillor Mike Ward indicated he was broadly in favour of the recommendations noting that the report indicated that there was support for on-line meeting from Members. However, he felt that the support only came from the Members who had replied to the survey and were likely to be technologically knowledgeable and there may be a larger opposition to it than first thought. Councillor Mike Ward, in noting that on-line meetings had been taking place for 10 months, commented that because they had been seen as a short term need the length of Council meetings had been reduced by the removal of 'Motions from Individual Members' agenda item. He asked that, given the length of time on-line meetings had been used and the likelihood that they would continue for the foreseeable future, Motions be reintroduced to City Council agendas.

The Chair indicated that the agenda for the next meeting of City Council to be consider later in the meeting had a finishing time of 1915 hours which was the normal finishing time. He indicated that it was his intention to allow that to happen to see what it was like and have an item on the next agenda for this Committee that would allow a discussion on whether it was appropriate to extend the time of virtual City Council meetings and if so to reintroduce the motions agenda item.

Councillor Gareth Moore agreed with the comments made by Councillor Robert Alden. He went on to note that on-line meetings had been good whilst the current Covid restrictions were in place but questioned the suitability, going forward, of hybrid meetings. He was concerned that, for Regulatory meetings such as Planning Committee and Licensing Sub-Committees, what the legal position would be if the decisions were challenged because it was felt that members were not actively engaged in the decision making as, whilst people were logged in, it was hard to tell if they were concentrating on the matters before them. Councillor Moore indicated that there were issues now of people dropping out of meetings for technical reasons which would be an unnecessary

risk if on-line meetings continued in a hybrid form when face to face meetings were possible and he felt these issues should be considered.

Councillor Carl Rice highlighted the benefit of keeping work and home life separate and a balanced and measured approach to it should be taken in any future plans.

Councillor Fred Grindrod in supporting the recommendation felt that it should not be assumed that face to face Council meetings could be held safely in the near future and the regulations should be extended. He noted the success of the Council's move to on-line meetings and the benefits they had provided. He felt that the Council should not lose sight of the need for such working methods as there may be other pandemics in the future.

Suzanne Dodd, City Solicitor, advised that there would be no additional costs for Hybrid meetings as much of the technology was already in place. Training would have to be given to Chairs on how to Chair such a meeting. She continued that if a meeting became inquorate because a Member had dropped out of the meeting then the meeting would have to adjourn in till such time as Member could re-join the meeting.

The Chair proposed that the recommendations be amended to lobby Central Government to extend the regulations beyond 7 May 2021 and then in addition lobby the Government to undertake consultation nationally on whether the arrangements within the regulations should be made permanent or not. He felt that this would allow the views of local authorities to be sought including those made by various Members at the meeting. In response to a further comment from Councillor Robert Alden he indicated that if such consultation did take place there would be consultation across the Council.

3072

RESOLVED:-

- i) The Leader and City Solicitor be asked to add their voices to the calls for the regulations to be extended, to allow physical, remote and hybrid meetings to continue (with provisions for this clearly set out in the Constitution); and
- (ii) that Central Government be asked to undertake consultation nationally on whether the arrangements within the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020 should be made permanent or not.

PROVISIONAL CITY COUNCIL AND COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2021/2022

The following report of the City Solicitor was submitted:-

(See document No 2)

Phil Wright, Committee Manager, made introductory comments relating to the report and highlighted that the proposed meeting of Council Business Management Committee on the 1 June 2021 was after the Spring Bank Holiday so an alternative date of the 28 May had been suggested.

Councillors Robert Alden and Gareth Moore indicated that the 28 May 2021 date for Council Business Management Committee would not be convenient for them and they would prefer the Tuesday. It was agreed to have the meeting on Tuesday 1 June 2021.

In response to a comment from Councillor Fred Grindrod that on the 13 July there was a one-day international cricket match at Edgbaston, the Chair suggested, and it was agreed, that the City Council meeting proposed for that day be held on 6 July 2021.

Therefore it was-

3073

RESOLVED:-

- (i) That the following provisional City Council dates for 2021/2022 agreed at the meeting of the Committee on 28 August 2018 and amended in the forgoing preamble be noted;

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

<u>2021</u>	<u>2022</u>
15 June	11 January
6 July	1 February
14 September	22 February
2 November	15 March
7 December	24 May (Annual meeting 1600 hrs)

and

- (ii) that the following dates for Council Business Management Committee meetings in 2021/2022 be agreed:

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

CITY COUNCIL AND CBM FORWARD PLAN

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

(See document No 6)

Emma Williamson, Head of Scrutiny, made introductory comments.

In response to a comment from Councillor Gareth Moore that some of the items on the City Council Resolutions – Tracker were dated, the Chair commented on the individual items and particularly noting some progress need to be made relating to the resolution relating to the GBM.

Suzanne Dodd, City Solicitor, advised that it was the intention to take a paper on the GMB resolution to the Group Leaders meeting and this Committee thereafter.

Emma Williamson noted that the Birmingham Suicide Prevention Strategy 2019-2024 had been put on hold as the Public Health team were engaged in Covid response work and undertook to get updates from officers.

3074

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)

Members of the Committee were content for the meeting to finish at 1915 hours.

The Chair indicated that he would wish to add an additional item to the agenda relating to the Chief Executive and following discussion it was agreed to:-

- Allocate 20 minutes to the item relating to the Chief Executive with the time for the budget finishing at 1855 hours.
- That there be a private agenda item relating to the Chief Executive item.
- Should the item relating to the Chief Executive not be required then authority be given to revert back to the original City Council agenda without the need to return to the Committee.

3075

RESOLVED:-

- (i) That, subject to the above changes, the draft agenda be noted;
 - (ii) that Standing Orders be waived so that, at the beginning of the debate on the Financial Plan 2021-2025 report, the time of the City Council meeting to 1855 hours is allocated for the whole debate, permit the Leader of the City Council to make a speech of up to 30 minutes, permit the other Group Leaders to make a speech of up to 30 minutes each, permit all other speakers in the debate to speak for up to 5 minutes and permit the Leader of the City Council to reply to the debate without time limit; and
 - (iii) that if the Chief Executive item is not required then the City Council agenda as originally submitted should be used.
-

APPOINTMENTS

Following nominations from Councillor Martin Straker Welds it was-

3076

RESOLVED:-

- (i) That Councillor Mohammed Idrees (Lab) appointed to the Planning Committee in place of Councillor Lou Robson (Lab) for the period ending with the next Annual Meeting of the Council;
 - (ii) that Councillor Mohammed Idrees (Lab) appointed to the Transport Delivery Committee of the West Midlands Combined Authority filling the vacancy for the period ending with the next Annual Meeting of the Council; and.
 - (iii) That Councillor Safia Akhtar (Lab) to replace Councillor Fred Grindrod (Lab) as substitute member on the West Midlands Police and Crime Panel for the period ending with the next Annual Meeting of the Council.
-

OTHER URGENT BUSINESS

The Chair was of the opinion that the following matter could be considered as a matter of urgency in view of need to expedite consideration thereof and instruct officer if necessary:-

Issues at Council Meetings

3077

The Chair made reference to an email that the City Solicitor had sent which contained a number of points he wished to seek the Committee's consensus to. The email made the following points as follows:-

1. Anyone who wishes to enter a Council meeting who is not using a council account would have to get permission from the City Solicitor before the meeting began in order to be allowed to enter the meeting from a non-council account.
2. That any amendments to voting at City Council must be made before the end of the item and once the item is closed and the decision declared by the Lord Mayor/Deputy Lord Mayor would be the decision.
3. As the City Council meeting is recorded and livestreamed everyone should be mindful of language used and accord due respect to other Members of the Council and officers.
4. At Overview and Scrutiny meetings where there is a request for call in when documents are shared the City Solicitor is suggesting if there are additional documents from either the Councillor requesting the Call-in or the Cabinet Member that they wish to share with the Committee they should be forwarded on to the Chair of the Overview and Scrutiny Committee who would discuss it with the scrutiny officers before circulation of the documents to Members.

Councillor Fred Grindrod felt that the use of non-council accounts should be the exception rather than the rule and highlighted the security implications of using non-council accounts. Councillors Robert Alden and Gareth Moore were of the opinion this would restrict people from joining meetings and note that during the meetings a member may have technical difficulties that would require them to use non-council equipment. The suggestion seemed to go against the flexibility put forward as a benefit of remote meetings.

In terms of voting Councillor Robert Alden sought clarification if at the next meeting the votes in the minutes could be amended if say a member raised an issue and the logic of extra papers going via the Chair Overview and Scrutiny Committees.

The Chair confirmed that the council account use suggestion was about ensuring people entering on a non-council account were who they said they were and they could advise their whip who would advise the appropriate officers.

Councillor Fred Grindrod emphasised that Members could log in to their council account on any device and why it was important to do so.

Emma Williamson, Head of Scrutiny, confirmed the issue of submission of additional documentation arose because of the need to ensure anything referred to in the meeting was available to the public via CMIS and allow members of the to understand what is been said. The Chair referred to a recent meeting from which the suggestion had come from.

The points made in the email from the City Solicitor were agreed and should be circulated to all Members.

AUTHORITY TO CHAIR AND OFFICERS

3078

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 1449 hours.

.....
CHAIR