

BIRMINGHAM CITY COUNCIL

**COUNCIL
BUSINESS
MANAGEMENT
COMMITTEE
18 DECEMBER
2023**

**MINUTES OF A MEETING OF THE COUNCIL BUSINESS
MANAGEMENT COMMITTEE HELD ON MONDAY 18 DECEMBER
2023 AT 1400 HOURS IN COMMITTEE ROOM 6, COUNCIL
HOUSE, VICTORIA SQUARE, BIRMINGHAM**

PRESENT: - Councillor John Cotton in the Chair;

Councillors Robert Alden, Baber Baz, Sir Albert Bore,
Des Hughes, Brigid Jones, Gareth Moore, Sharon
Thompson and Chaman Lal.

NOTICE OF RECORDING

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

DECLARATION OF INTERESTS

246 No declarations of interests were made.

APOLOGIES

247 Apologies were received from Councillor Miranda Perks.

MINUTES

248 The minutes of the meeting held on 20 November 2023 were confirmed
and signed by the Chair.

COMMISSIONER’S REVIEW AND COMMENTS ON AGENDA

249 The Committee noted the comments submitted by Commissioners in relation to agenda item 8 ‘Amendments to the Constitution’. The comments submitted by Commissioners were included in a document which was available for public view as part of the agenda pack for this meeting.

PETITIONS UPDATE

The following report of the Interim City Solicitor and Monitoring Officer was submitted:-

(See document No 1)

Ben Patel-Sadler, Senior Committee Manager made introductory comments relating to the report.

The Committee expressed a view that the number of outstanding petitions was unacceptable. Members noted that Councillors were held to account in terms of ensuring that petitions submitted by themselves on behalf of their residents were responded to and discharged in a timely fashion.

Because some petitions were not being responded to and subsequently discharged within the agreed timescales outlined in the report, the Committee agreed that the Strategic Director for City Operations be invited to the next meeting to provide assurance to Members in relation to how petitions would be responded to and discharged within the agreed timescales moving forwards.

It was-

250 **RESOLVED:-**

That the Committee:

- 1.) Noted the Petitions Update report.
 - 2.) Agreed that Committee Services contact the Strategic Director for City Operations to invite them to the next meeting in January 2024.
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INDEPENDENT MEMBERS (INDEPENDENT REMUNERATION PANEL) APPOINTMENT

The following report of the Interim City Solicitor and Monitoring Officer was submitted:-

(See document No 2)

Robert Connelly, Assistant Director (Governance), made introductory comments relating to the report.

Members noted that there was a proposal to be made at City Council to appoint the three named individuals to the Independent Remuneration Panel. There was currently one vacancy.

It was-

251

RESOLVED:-

1.) That the Council's Business Management Committee recommended to City Council the appointments as outlined in the report.

AMENDMENTS TO THE CONSTITUTION

The following report of the Interim City Solicitor and Monitoring Officer was submitted:-

(See document No 3)

Christian Scade, Head of Scrutiny and Committee Services made introductory comments relating to the report.

The Interim City Solicitor informed the Committee that there had been a great deal of activity in relation to reviewing the constitutional arrangements associated with the Audit Committee.

The Committee noted that the proposed amendments to the constitution relating to the Audit Committee would be submitted for Council consideration and approval at the 9 January 2024 meeting.

Members noted that the Audit Committee had been sighted on the proposed amendments. The proposed amendments looked at how the Audit Committee and Scrutiny would work better together moving forwards.

The Committee further noted that a cross-party group would be set up to oversee the work related to the amending of the constitution.

Members acknowledged the work that had been completed by Professor Colin Copus which related to meetings of the City Council. This work would be analysed as the review of the constitution took

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place to determine how improvements could be made in relation to meetings of the City Council.

Members noted that all Scrutiny Committees were currently working on their work programmes to align them to the current stabilisation plan. This work was taking place throughout January 2024.

The future composition of the Audit Committee in relation to the appointing of its Chair would be discussed moving forwards and then determined at the 2024 Annual City Council meeting in May. Conversations took place at the meeting in relation to which Group the Chair of the Committee might come from in the future.

A detailed discussion between Members took place in relation to which Members should sit on the Audit Committee in the future. Particularly, comments related to the suitability of a Member(s) of the Finance and Resources Overview and Scrutiny Committee being appointed to the Audit Committee and how any conflicts of interest could be managed.

Members noted that at some local authorities, the Chair of the Audit Committee was not appointed from any political group – they were an independent person.

Further discussions took place in relation to exempt information shared with Members. A variety of viewpoints were expressed ranging from Members being provided with any information they requested or whether instead requests should be made by Members to view any exempt information which was submitted to a Committee(s) on which they were not appointed to.

The making available of exempt information via the committee management information system (cmis) could not be specific in terms of sharing exempt items with only a select group of Members. Any cmis user with exempt information access could view an exempt report(s)/appendices even though that information might not be related to the Committees on which they were appointed.

Following the conclusion of the above discussions. Members agreed that the working group would consider a report on this matter where the views of Councillors would be heard and recorded. The working group would also be considering the timing of Committee meetings due to some concerns which had been raised around Member availability to attend daytime meetings.

Members were assured that any historic exempt information would be collated and made available for viewing should it be requested.

It was-

252

RESOLVED:-

That Council Business Management Committee:

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- 1.) Noted the proposed amendments to the Terms of Reference for Audit Committee (Part B14 of the Constitution), set out in Appendix 1 and agreed that these be presented to Full Council on 9 January 2024 for approval.
- 2.) Noted the timeline for delivering a comprehensive review of the Council's Constitution, set out in Section 5.
- 3.) Agreed to re-establish a cross-party working group, consisting of 5 Members (3 Labour, 1 Conservative and 1 Liberal Democrat) to support the Monitoring Officers review of the constitution.
- 4.) Agreed that Councillor John Cotton should Chair the Constitution Working Group.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 4)

The Committee agreed that an extraordinary meeting of the City Council would be convened at 1315 on 9 January 2024 in relation to the retention of Honorary Alderman status. The meeting would conclude at 1345 to allow for preparations for the 1400 meeting to be made.

During the ensuing discussion on the Council agenda the following was agreed/noted:-

Group Whips should ensure that Members remain seated for all agenda items wherever possible.

That the Scrutiny Business report be scheduled for consideration at the 6 February 2024 meeting. The remaining time gained from deferring this item was allocated to the 'Constitution Review' and 'Route to Zero Annual Report' respectively.

The Independent Remuneration Panel report would be considered under the 'City Council Appointments' agenda item so that a standalone agenda item was not required.

The Committee agreed to the following timings for the 9 January Council meeting:

Scrutiny Inquiry on Children and Young People's Mental Health: Is Birmingham meeting young people's mental health needs?: 35 minutes.

Route to Net Zero Annual Report 2023: 30 minutes.

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Lead Member Report: West Midlands Fire and Rescue Authority: 15 minutes

Amendments to the Constitution: 20 minutes.

253

RESOLVED:-

That the agenda for the meeting of the Council on 9 January 2024 be noted taking account of the timings as outlined above.

CITY COUNCIL AND CBMC FORWARD PLAN

Because of the number of items scheduled for consideration at the 16 April 2024 meeting, the Committee agreed that there would be no Notices of Motion agenda item at this meeting.

Members agreed to discharge the Motions which had been actioned.

254

The Committee noted the City Council and CBMC Forward Plan.

(See document No 5)

COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2024

255

The Committee noted the Council Business Management Committee dates for 2024:

To be held on Mondays at 1400 hours except where specified as follows:-

2024:

22 January

12 February

2 April

7 May

OTHER URGENT BUSINESS

256

There was no urgent business.

AUTHORITY TO CHAIR AND OFFICERS

257

RESOLVED:-

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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 15:07