



**MEETING OF BIRMINGHAM  
CITY COUNCIL, TUESDAY,  
5 DECEMBER 2023**

**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD  
ON TUESDAY, 5 DECEMBER 2023 AT 1400 HOURS IN THE COUNCIL  
CHAMBER, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT**:- Lord Mayor (Councillor Chaman Lal) in the Chair.

**Councillors**

Alex Aitken  
Gurdial Singh Atwal  
David Barker  
Matt Bennett  
Bushra Bi  
Kerry Brewer  
Mick Brown  
Liz Clements  
Jack Deakin  
Barbara Dring  
Ray Goodwin  
Fred Grindrod  
Kath Hartley  
Jon Hunt  
Timothy Huxtable  
Katherine Iroh  
Kerry Jenkins  
Jane Jones  
Mariam Khan  
Bruce Lines  
Majid Mahmood  
Saddak Miah  
Richard Parkin  
Miranda Perks  
Hendrina Quinnen  
Kath Scott  
Ron Storer  
Sharon Thompson  
Penny Wagg  
Alex Yip

Deirdre Alden  
Raqeeb Aziz  
David Barrie  
Jilly Bermingham  
Sir Albert Bore  
Marje Bridle  
Zaker Choudhry  
Maureen Cornish  
Adrian Delaney  
Jayne Francis  
Rob Grant  
Roger Harmer  
Adam Higgs  
Mahmood Hussain  
Mohammed Idrees  
Ziaul Islam  
Meirion Jenkins  
Amar Khan  
Izzy Knowles  
Mary Locke  
Lee Marsham  
Gareth Moore  
Rick Payne  
Rob Pocock  
Lauren Rainbow  
Rinkal Shergill  
Saima Suleman  
Paul Tilsley  
Ian Ward  
Waseem Zaffar

Robert Alden  
Shabina Bano  
Baber Baz  
Marcus Bernasconi  
Nicky Brennan  
Martin Brooks  
Debbie Clancy  
John Cotton  
Diane Donaldson  
Sam Forsyth  
Colin Green  
Deborah Harries  
Des Hughes  
Shabrana Hussain  
Zafar Iqbal  
Morriam Jan  
Brigid Jones  
Ayoub Khan  
Kirsten Kurt-Elli  
Basharat Mahmood  
Karen McCarthy  
Yvonne Mosquito  
David Pears  
Julien Pritchard  
Darius Sandhu  
Sybil Spence  
Jamie Tennant  
Lisa Trickett  
Ken Wood

**NOTICE OF RECORDING**

200 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's Public-I website and that members of the press/public may record and take photographs except where there were confidential or exempt items.

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**DECLARATIONS OF INTERESTS**

201 The 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 the meeting.

There were no declarations of interests made by Members.

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**MINUTES**

It was moved by the Lord Mayor, seconded and –

202 **RESOLVED:**

That the Minutes of the extraordinary City Council meetings held on 12 October 2023 (1400), 12 October 2023 (1700), and the meeting held on 7 November 2023 be taken as read and confirmed and signed.

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**LORD MAYOR'S ANNOUNCEMENTS**

There were no announcements from the Lord Mayor.

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**PETITIONS**

**Petitions Relating to City Council Functions Presented at the Meeting**

The following petitions were presented:-

(See document No. 1, 'Additional Meeting Documents')

In accordance with the proposals by the Members presenting the petitions, it was moved by the Lord Mayor, seconded and:-

203 **RESOLVED:-**

That the petitions were received and referred to the relevant Chief Officer(s).

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### **Petitions Update**

A Petitions Update had been made available

electronically:-

(See document No. 2, 'Additional Meeting Documents')

It was moved by the Lord Mayor, seconded and

204 **RESOLVED:-**

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

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### **QUESTION TIME**

205 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.

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### **APPOINTMENT OF INTERIM CITY SOLICITOR AND MONITORING OFFICER**

The Lord Mayor addressed the Council and it was-

206 **RESOLVED:-**

That City Council noted the Commissioners appointment of Marie Rosenthal as Interim City Solicitor and Monitoring Officer from 8 November 2023.

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### **APPOINTMENTS BY THE COUNCIL**

Councillor John Cotton addressed the Council and it was-

207 **RESOLVED:-**

That the appointments be made to serve on the Committees and other bodies set out below:-

Councillor Mariam Khan would shortly be departing to take maternity leave. When she did depart (likely to be

January 2024), Councillor Rob Pocock would then undertake the role of Interim Cabinet Member for Health and Social Care until she returned

Councillor Kath Scott to be appointed to the Health and Adult Social Care Overview and Scrutiny Committee. This was to replace Councillor Rob Pocock.

Councillor Sam Forsyth to be appointed to the Birmingham Civic Society (Outside Bodies appointment).

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### **THE BIRMINGHAM CITY COUNCIL EQUAL PAY PROGRAMME UPDATE**

A report of Councillor John Cotton, Leader of the Council was submitted:-

(See document No. 3, agenda item 8)

Councillor John Cotton moved the recommendation which was seconded from the floor.

A debate ensued.

Councillors Julien Pritchard, Richard Parkin, Morriam Jan, Alex Yip, Robert Alden, Liz Clements, Paul Tilsley and Gareth Moore spoke during the debate.

The Lord Mayor invited Councillor John Cotton to sum up.

It was therefore-

208

#### **RESOLVED:-**

1.) That City Council agreed to note the report.

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### **EXECUTIVE BUSINESS REPORT**

A report of Councillors Mariam Khan and Nicky Brennan was submitted:-

(See document No. 4, agenda item 10).

Councillor Mariam Khan moved the recommendation which was seconded by Councillor Nicky Brennan.

A debate ensued.

Councillors Roger Harmer, Matt Bennett, Katherine Iroh, Gareth Moore and Marcus Bernasconi spoke during the debate.

Councillor Gareth Moore declared a non-pecuniary interest as he was a trustee of Birmingham Citizens Advice and Birmingham LGBT.

The Lord Mayor invited Councillor Mariam Khan to sum up.

It was therefore-

209 **RESOLVED:-**

1.) That City Council noted the report.

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### **ADJOURNMENT**

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

**RESOLVED:-**

That the Council be adjourned until 1715 hours on this day.

The Council then adjourned at 1645 hours.

At 1715 hours the Council resumed at the point where the meeting had been adjourned.

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### **DECISIONS NOT ON THE FORWARD PLAN AND THOSE AUTHORISED FOR IMMEDIATE IMPLEMENTATION**

A report of Councillor John Cotton was submitted:-

(See document No. 5, agenda item 11).

Councillor John Cotton moved the recommendation which was seconded from the floor.

The Lord Mayor invited Councillor John Cotton to sum up.

It was therefore-

211 **RESOLVED:-**

1.) That City Council noted the report.

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### **MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**

The Council proceeded to consider the Motions of which notice had been given in accordance with Council Rules of Procedure (B4.4 G of the Constitution).

**A. Councillors Nicky Brennan and Rinkal Shergill had given notice of the following Notice of Motion:-**

(See document No. 6, agenda item 12)

Councillor Nicky Brennan moved the Motion which was seconded by Councillor Rinkal Shergill.

In accordance with Council Rules of Procedure, Councillors Deirdre Alden and Gareth Moore gave notice of the following amendment to the Motion:-

(See document No. 7, 'Amendments – City Council')

Councillor Deirdre Alden moved the amendment which was seconded by Councillor Gareth Moore.

In accordance with Council Rules of Procedure, Councillors Julien Pritchard and Rob Grant gave notice of the following amendment to the Motion:-

(See document No. 8, 'Amendments – City Council')

Councillor Julien Pritchard moved the amendment which was seconded by Councillor Rob Grant.

In accordance with Council Rules of Procedure, Councillors Jon Hunt and Morriam Jan gave notice of the following amendment to the Motion:-

(See document No. 9, 'Amendments – City Council')

Councillor Jon Hunt moved the amendment which was seconded by Councillor Morriam Jan.

A debate ensued.

Councillors David Barker, Sharon Thompson, Jilly Bermingham, Ziaul Islam, Sam Forsyth and Robert Alden, spoke during the debate.

The Lord Mayor invited Councillor Nicky Brennan to sum up.

The amendment to the Motion in the names of Councillors Deirdre Alden and Gareth Moore having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The amendment to the Motion in the names of Councillors Julien Pritchard and Rob Grant having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The amendment to the Motion in the names of Councillors Jon Hunt and Morriam Jan having been

moved and seconded was put to the vote and by a show of hands was declared to be lost.

The Motion as amended having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

**RESOLVED:-**

**“This council notes:**

Councillors represent their community and it is important that they reflect the diversity within their communities, particularly those with protected characteristics as set out in the Equality Act 2010.

The work of the Co-Operative Party in developing a Declaration for councils aimed at increasing diversity in local government. The steps taken to encourage people from historically under-represented groups to stand for council, such as bringing in paid maternity and paternity leave for councillors. Everyone’s Battle Everyone’s Business sets out the Council’s vision for a city council that better reflects our city’s diversity.

**This council believes:**

Diversity in representation makes for good decision making.

**This council resolves:**

To adopt The Co-Operative Party’s Diverse Councils Declaration to increase diversity in our local government:

This Council commits to being a Diverse Council. We agree to:

1. Provide a clear public commitment to improving diversity in democracy.
2. Demonstrate an open and welcoming culture to all, promoting the highest standards of behaviour and conduct.
3. Set out a local Diverse Council Action Plan ahead of the next local elections. Including:
  - Encourage political groups to work with each other and local party associations to encourage recruitment of candidates from under-represented groups.
  - Encourage and enable people from under-represented groups to stand for office through the provision of activities such as mentoring and shadowing programmes and information and learning events for people interested in standing as official candidates.

- Proactive engagement and involvement with local community groups and partner organisations supporting and representing under-represented groups.
- Ensure that all members and candidates complete a candidates' and councillors' survey distributed at election time.
- Encourage political groups to set targets for candidates from under-represented groups at the next local elections.

4. Work towards the standards for member support and development as set out in the LGA Councillor Development Charter and/or Charter Plus.

5. Demonstrate a commitment to a duty of care for councillors by:

- providing access to counselling services for all councillors having regard for the safety and wellbeing of councillors whenever they are performing their role as councillors.
- taking a zero-tolerance approach to bullying and harassment of members including through social networks.

6. Provide flexibility in council business by:

- regularly reviewing and staggering meeting times
- encouraging and supporting remote attendance at meetings
- agreeing recess periods to support councillors with caring or work commitments.
- Write to & lobby Government for the powers to run formal council meetings remotely or as hybrid meetings and allow councillors to vote & attend virtually.

7. Ensure that all members take up the allowances and salaries to which they are entitled, particularly any reimbursement for costs of care, so that all members receive fair remuneration for their work and that the role of member is not limited to those who can afford it.

8. Ensure that the council adopts a parental leave policy setting out members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.

9. Ensure that councillors from under-represented groups are represented whenever possible in high profile, high influence roles.

10. Support Disability Rights UK's campaign to reinstate the Access to Elected Office Fund.

11. Write to & lobby Government asking for the Access to Elected Office Fund to be reinstated and to ensure it includes Council



elections.”

**B. Councillors Alex Yip and Meirion Jenkins had given notice of the following Notice of Motion:-**

(See document No. 10, agenda item 12)

Councillor Alex Yip moved the Motion which was seconded by Councillor Meirion Jenkins.

In accordance with Council Rules of Procedure, Councillors Julien Pritchard and Rob Grant gave notice of the following amendment to the Motion:-

(See document No. 11, ‘Amendments – City Council’)

Councillor Julien Pritchard moved the amendment which was seconded by Councillor Rob Grant.

In accordance with Council Rules of Procedure, Councillors Ayoub Khan and Paul Tilsley gave notice of the following amendment to the Motion:-

(See document No. 12, ‘Amendments – City Council’)

Councillor Ayoub Khan moved the amendment which was seconded by Councillor Paul Tilsley.

The Lord Mayor invited Councillor Alex Yip to sum up.

The amendment to the Motion in the names of Councillors Julien Pritchard and Rob Grant having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The amendment to the Motion in the names of Councillors Ayoub Khan and Paul Tilsley having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

Names were called and the Chamber doors were locked.

Here upon a poll being demanded the voting was as follows:-

**For the amendment (31)**

Robert Alden	Rick Payne	Timothy Huxtable
Adrian Delaney	Bruce Lines	Debbie Clancy
Alex Yip	Richard Parkin	Deirdre Alden
Darius Sandhu	Adam Higgs	David Barrie
Ken Wood	Kerry Brewer	Gareth Moore
David Pears	Ron Storer	Meirion Jenkins
Rob Grant	Julien Pritchard	Deborah Harries
Penny Wagg	Izzy Knowles	Paul Tilsley

Zaker Choudhry	Jon Hunt	Ayoub Khan
Morriam Jan	Roger Harmer	Baber Baz
Colin Green		

### **Against the amendment (45)**

John Cotton	Shabrana Hussain	Sharon Thompson
Sybil Spence	David Barker	Mohammed Idrees
Mariam Khan	Marje Bridle	Rob Pocock
Liz Clements	Basharat Mahmood	Fred Grindrod
Jayne Francis	Jamie Tennant	Mary Locke
Majid Mahmood	Diane Donaldson	Brigid Jones
Lisa Trickett	Karen McCarthy	Ian Ward
Kath Scott	Waseem Zaffar	Jack Deakin
Kirsten Kurt-Elli	Des Hughes	Rinkal Shergill
Marcus Bernasconi	Nicky Brennan	Sam Forsyth
Sir Albert Bore	Lee Marsham	Shabina Bano
Hendrina Quinnen	Ray Goodwin	Mahmood Hussain
Ziaul Islam	Lauren Rainbow	Kath Hartley
Zafar Iqbal	Jilly Bermingham	Miranda Perks
Kerry Jenkins	Raqeeb Aziz	Gurdial Singh Atwal

### **Abstentions (0)**

The amendment to the Motion in the names of Councillors Ayoub Khan and Paul Tilsley was lost.

The Motion as amended having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

Names were called and the Chamber doors were locked.

Here upon a poll being demanded the voting was as follows:-

### **For the Motion as amended (31)**

Robert Alden	Rick Payne	Timothy Huxtable
Adrian Delaney	Bruce Lines	Debbie Clancy
Alex Yip	Richard Parkin	Deirdre Alden
Darius Sandhu	Adam Higgs	David Barrie
Ken Wood	Kerry Brewer	Gareth Moore
David Pears	Ron Storer	Meirion Jenkins
Rob Grant	Julien Pritchard	Deborah Harries
Penny Wagg	Izzy Knowles	Paul Tilsley
Zaker Choudhry	Jon Hunt	Ayoub Khan
Morriam Jan	Roger Harmer	Baber Baz

Colin Green

**Against the Motion as amended (45)**

John Cotton	Shabrana Hussain	Sharon Thompson
Sybil Spence	David Barker	Mohammed Idrees
Mariam Khan	Marje Bridle	Rob Pocock
Liz Clements	Basharat Mahmood	Fred Grindrod
Jayne Francis	Jamie Tennant	Mary Locke
Majid Mahmood	Diane Donaldson	Brigid Jones
Lisa Trickett	Karen McCarthy	Ian Ward
Kath Scott	Waseem Zaffar	Jack Deakin
Kirsten Kurt-Elli	Des Hughes	Rinkal Shergill
Marcus Bernasconi	Nicky Brennan	Sam Forsyth
Sir Albert Bore	Lee Marsham	Shabina Bano
Hendrina Quinnen	Ray Goodwin	Mahmood Hussain
Ziaul Islam	Lauren Rainbow	Kath Hartley
Zafar Iqbal	Jilly Bermingham	Miranda Perks
Kerry Jenkins	Raqeeb Aziz	Gurdial Singh Atwal

**Abstentions (0)**

It was therefore-

**RESOLVED:-**

The Motion was lost.

The meeting ended at 1908 hours



**CITY COUNCIL  
5 DECEMBER 2023**

**WRITTEN  
QUESTIONS TO  
CABINET MEMBERS  
AND CHAIRS**

**CITY COUNCIL – 5 DECEMBER 2023**

**WRITTEN QUESTIONS**

**A To the Leader of the Council**

**1. Equal Pay meetings**

From Councillor Adam Higgs

**2. Lancaster Circus**

From Councillor Bruce Lines

**3. MARS scheme development costs**

From Councillor Rick Payne

**4. MARS scheme applicants**

From Councillor Ron Storer

**5. MARS scheme budgeted costs**

From Councillor Timothy Huxtable

**6. Gaza Amendment**

From Councillor Richard Parkin

**7. Vehicle Hire**

From Councillor Meirion Jenkins

**8. Wage Bill**

From Councillor Gareth Moore

**9. Interims**

From Councillor Matt Bennett

**10. Workforce Breakdown**

From Councillor Debbie Clancy

**11. Druids Health Masterplan**

From Councillor Julien Pritchard

**12. Greaves Hall**

From Councillor Rob Grant

**B To the Deputy Leader of the Council**

**NONE SUBMITTED**

**C To the Cabinet Member for Children Young People and Families**

**Family Learning**

From Councillor Robert Alden

**D To the Cabinet Member for Digital, Culture, Heritage & Tourism**

**1. Community Libraries Condition Surveys**

From Councillor Robert Alden

**2. Community Libraries Maintenance**

From Councillor Gareth Moore

**E To the Cabinet Member for Environment**

**1. MHRC costs**

From Councillor Meirion Jenkins

**2. MOVED AND REDIRECTED TO J4**

**3. MOVED AND REDIRECTED TO K**

**4. Waste Vehicle Replacement Programme**

From Councillor Adam Higgs

**5. Waste Fleet**

From Councillor Ron Storer

**6. Montague Street closure**

From Councillor Ewan Mackey

**7. Missed Bin Collections**

From Councillor Julien Pritchard

8. **Lifford Lane tip**  
From Councillor Rob Grant
9. **Perry Barr tip**  
From Councillor Morriam Jan
10. **Recycling Truck**  
From Councillor Izzy Knowles
11. **Cannon Hill Car Park Surplus**  
From Councillor Matt Bennett
12. **Cannon Hill Car Park payments to MAC**  
From Councillor Deirdre Alden

**F To the Cabinet Member for Finance and Resources**

1. **Not told the truth**  
From Councillor Debbie Clancy
2. **Blame Game**  
From Councillor Kerry Brewer
3. **Advice**  
From Councillor Adrian Delaney
4. **MOVED AND REDIRECTED TO E11**
5. **2022 Spend Controls**  
From Councillor David Barrie
6. **Recurrent savings**  
From Councillor Ewan Mackey
7. **Savills**  
From Councillor Ken Wood
8. **Council CAZ payments**  
From Councillor Meirion Jenkins



9. **Bin Costs**

From Councillor Ron Storer

10. **MOVED AND REDIRECTED TO E12**

11. **Corporate Vehicle Hire**

From Councillor David Pears

12. **Northgate Vehicle Hire**

From Councillor Adam Higgs

13. **Vehicle Hire Contract emissions standards**

From Councillor Bruce Lines

14. **Northgate Vehicle Hire (West Midlands) Ltd**

From Councillor Timothy Huxtable

15. **Budget Smoothing Reserve**

From Councillor Robert Alden

16. **Ward Forums**

From Councillor Morriam Jan

**G To the Cabinet Member for Health and Social Care**

**NONE SUBMITTED**

**H To the Cabinet Member for Housing and Homelessness**

1. **Maladministration**

From Councillor Robert Alden

2. **Council Properties**

From Councillor Julien Pritchard

3. **MOVED AND REDIRECTED TO A12**

4. **Families in temporary accommodation**

From Councillor Roger Harmer

**I To the Cabinet Member for Social Justice, Community Safety and Equalities**

**City's cemeteries**

From Councillor Richard Parkin

**J To the Cabinet Member for Transport**

**1. Car Parking spaces**

From Councillor Adam Higgs

**2. Average Speed Enforcement Cameras**

From Councillor Roger Harmer

**3. Chantry Road resurfacing**

From Councillor Izzy Knowles

**4. Emissions Inventory**

From Councillor Robert Alden

**K To the Chair of the Licensing and Public Protection Committee**

**Environmental Crime FPNs**

From Councillor Kerry Brewer

CITY COUNCIL – 5 December 2023

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

**“Equal Pay meetings”**

**Question:**

**The email to you of 3 February 2023 from the former Director of Peoples Services on the JE Strategy Paper, which set out the potential £800m equal pay liability said "It is likely that we will need a further session (s) and more dedicated time to share further detail behind some of the numbers and approach' - please list the dates and attendance of each of these 'further sessions'.**

**Answer:**

Cabinet Members have been briefed regularly on the issue of Equal Pay and the Councils potential liabilities.

Since entering our posts in May, myself and Deputy Leader Sharon Thompson have worked tirelessly to unearth the issues facing Birmingham City Council.

On coming into office as Leader, officers were rapidly asked to carry out detailed and fresh analysis.

Once we knew the precise scale of the liability, we made it public as soon as possible as part of our commitment to openness and transparency.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR BRUCE LINES**

**“Lancaster Circus”**

**Question:**

**In December 2021, Cabinet agreed to the sale of Lancaster Circus, subject to vacant possession. However, it is only now, nearly two years later that funding for the relocation of the CCTV Control Centre has been approved. Can the Leader confirm if the originally agreed sale from 2021 is still proceeding on the original terms agreed or if the terms or sale price has changed during the delay provide details of this?**

**Answer:**

The sale is still proceeding in accordance with the original contract parameters and the relocation of the Control Centre is still on track for completion in Spring 2024, which is in line with the most recent Cabinet approval in respect of this move and the associated Lancaster Circus decommissioning.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR RICK PAYNE**

**“MARS scheme development costs”**

**Question:**

**How much in total, including officer time, was spent on the development and administration of the abandoned MARS scheme?**

**Answer:**

Answer: **3,006.80** hours, or 412 days (at 7.3 hrs per day) of officer time was spent on the development and administration of the abandoned MARS scheme.

**Project Group A – 14 Officers**

1x Assistant Director  
3x People Partners  
1x PMO  
2x ER Lead  
3x People Operations Officers  
2x Comms Lead  
1x Finance Lead  
1x Legal Lead

21 July 2023 to 21 Aug 2023 (pre-launch) = 5hrs per week, 4.2 weeks, 14 x (5 x 4.2)  
= **294** hrs

21 Aug 2023 to 17 Nov 2023 (post-launch & running) = 10hrs per week, 13 weeks,  
14 x (10 x 13) = **1,820** hrs

**Project Group B – 3 Officers**

2x People Performance Officer  
1x Data Lead  
1x Pensions Lead

21 July 2023 to 21 Aug 2023 (pre-launch) = 3hrs per week, 4.2 weeks, 3 x (3 x 4.2)  
= **37.8** hrs

21 Aug 2023 to 17 Nov 2023 (post-launch & running) = 15hrs per week, 13 weeks, 4  
x (15 x 13) = **780** hrs

**Project Group C – 5 Officers**

1x PMO  
2x Comms lead  
2x People Performance Officer

17 Nov 2023 to 24 Nov 2023 = 15hrs, 1 week, 5 x (1 x 15) = **75 hrs**

**Note:**

Various meetings, with various level of Officer took place between January 2023 and pre-launch of 21 July 2023. The number of hours is unknown.

CITY COUNCIL – 5 December 2023

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

**“MARS scheme applicants”**

**Question:**

**Please provide a breakdown for the c1000 applicants for the MARS scheme by protected characteristic.**

**Answer:**

<b>Gender</b>	<b>Applicants</b>	<b>Sexual Orientation</b>	<b>Applicants</b>	<b>Gender Identity</b>	<b>Applicants</b>
Female	502	Asexual and/or Aromantic	3	Female	137
Male	521	Bisexual	4	Prefer Not to answer	6
Unknown	33	Gay	12	Unknown	805
<b>Grand Total</b>	<b>1056</b>	Heterosexual	569	Male	105
		Lesbian	4	Third Gender	3
		Other	5	<b>Grand Total</b>	<b>1056</b>
		Pansexual	1		
<b>Age</b>	<b>Applicants</b>	Prefer not to answer	69		
>70	36	Unknown	389		
20-24	5	<b>Grand Total</b>	<b>1056</b>		
25-29	8			<b>Disability</b>	<b>Applicants</b>
30-34	22			No	935
35-39	37			Yes	88
40-44	55			Unknown	33
45-49	61			<b>Grand Total</b>	<b>1056</b>
50-54	90	<b>Religion</b>	<b>Applicants</b>		
55-59	248	Buddhism	4		
60-64	290	Christianity	349		
65-69	171	Hinduism	17		
Unknown	33	Islam	44		
<b>Grand Total</b>	<b>1056</b>	Judaism	2		
		None	143		
		Not stated	4		
		Other	18		
<b>Ethnic Group</b>	<b>Applicants</b>	Prefer not to say	56		
Mixed	18	Sikhism	30		
Other	13	Unknown	389		
Unknown	191	<b>Grand Total</b>	<b>1056</b>		
White	618				
Asian	118				
Black	98				
<b>Grand Total</b>	<b>1056</b>				

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR TIMOTHY HUXTABLE**

**“MARS scheme budgeted costs”**

**Question:**

**What was the total budgeted or predicted cost of all payments for the MARS scheme at the point it was approved for launch and what was the projected total cost at the point it was cancelled?**

**Answer:**

The MARS scheme had a recurring savings target of £4m. At the start of the scheme, we estimated that it would require around 80-100 staff exits to deliver this level of saving and could result in one-off exit costs of around £4m. Thus, a request was made to provisionally allocate £4m from reserves for this.

Following launch of the scheme, there were over 900 expressions of interest of which around 377 applications were being considered for approval/provisionally accepted at an estimated cost of over £9.3m. Some of these applications were from posts funded by ring fenced grants/funds such as the HRA and Public health grant and any savings and costs would have accrued to the relevant grant or ring fenced fund. Approximately 282 of these provisionally agreed posts were deemed to be general fund funded and thus the estimated cost to the general fund would have been around £7.9m



CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR RICHARD PARKIN**

**“Gaza Amendment”**

**Question:**

**At the November Council meeting, you stated that you would vote against our amendment to the motion on Gaza due to the inclusion of calls to discourage protest on remembrance weekend. I offered to withdraw this line from the amendment in an attempt to get cross-party support for the condemnation of the terrorist group Hamas, but you then said there were more reasons why you couldn't vote for it but you just didn't have time to state them. Now that you do have time, please explain exactly which other elements of our amendment you objected to and why? Was it calling Hamas terrorists, condemning the barbaric attacks of 7 October, calling for Hamas to surrender and release hostages, discouraging racist, antisemitic or violent protest, or was it supporting national and international efforts to get more aid into Palestine?**

**Answer:**

Councillor Parkin you will recall, as indeed the public record of the meeting shows clearly, that I made it clear that:

- I utterly condemn the attack carried out by the terrorists of Hamas on 7 October
- That there can be no peace in the region whilst Hamas is in power
- That the hostages should be released immediately
- That I am against racist, antisemitic and violent protest
- That I support national and international efforts to get more aid into Palestine.

That you would try and use this opportunity to suggest publicly that I did not make this clear in the meeting is insulting and falls below the standards of debate we should all seek to uphold, whatever our political differences, in this Council Chamber.

For the sake of absolute clarity:

I had no issue with points 2, 3, 4, 6, 9, 10 and 11 of your amendment.

As you identified, we had an issue with point 5, which you offered to withdraw.

We had a further issue with point 7 of your amendment which opposed **any** protest at places of public transport or education establishments. The right to protest is a fundamental right in any democracy.

We have seen in recent months a huge number of peaceful, non-disruptive protests at railway stations opposing the government plans to close ticket offices across the country. These protests helped to raise a groundswell of opinion against the proposals, which ultimately helped to persuade the government to drop its plans. This therefore will save jobs, and important local services that our residents rely on. Your amendment would put such further action at risk.

Likewise, a draconian law banning all protest at education establishments could put an end to the work that councillors do to petition and raise awareness outside schools, such as around dangerous parking and speeding, or for university staff to raise awareness at their own universities.

By backing your amendment, including point 7, we would be putting the fundamental right to protest at risk.

This is why we voted down your amendment.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR MEIRION JENKINS**

**“Vehicle Hire”**

**Question:**

**A recent FOI from the Taxpayers Alliance revealed that since 2022 the council has spent a total of £2.1m hiring vehicles that were not compliant with the emissions standards of the Clean Air Zone. Please provide a breakdown of this figure by council department and vehicle type.**

**Answer:**

This information is available however will take some significant time to process in order to be meaningful. A full response will follow as soon as that work is complete.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR GARETH MOORE**

**“Wage Bill”**

**Question:**

**What is the current total wage bill for the council, split between the general fund, HRA, and DSG?**

**Answer:**

Please see below gross wage bill. We are unable to confirm the split of general fund, HRA and DSG.

Please see below gross wage bill. We are unable to confirm the split of general fund, HRA and DSG.

<b>Months</b>	<b>BCC BU</b>	<b>Schools and Academies BU</b>	<b>Grand Total</b>
Apr-23	25,010,420.55	24,173,123.55	49,183,544.10
May-23	25,121,462.30	24,241,584.10	49,363,046.40
Jun-23	25,298,285.63	24,258,727.67	49,557,013.30
Jul-23	24,961,583.56	24,204,246.45	49,165,830.01
Aug-23	24,744,249.29	24,182,212.60	48,926,461.89
Sep-23	25,012,926.40	23,996,847.08	49,009,773.48
Oct-23	24,778,724.24	24,078,872.40	48,857,596.64
Nov-23	36,192,788.38	29,044,427.98	65,237,216.36
<b>Grand Total</b>	<b>211,120,440.35</b>	<b>198,180,041.83</b>	<b>409,300,482.18</b>

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR MATT BENNETT**

**“Interims”**

**Question:**

**For each Council department please provide the current total number, and total cost of a) interims and b) agency staff?**

**Answer:**

For each Council department please provide the current total number, and total cost of a) interims and b) agency staff?

Area	Interims		Agency		Combined	
	Count	Cost	Count	Cost	Count	Cost
ASC	10	£89,809	347	£1,079,996	357	£1,169,805
C&F	173	£1,142,874	105	£135,318	278	£1,278,192
CH	17	£143,972	139	£336,954	156	£480,926
CO	6	£22,533	742	£1,607,018	748	£1,629,552
CM	195	£1,512,920	578	£974,155	773	£2,487,075
PPS	23	£180,230	14	£31,370	37	£211,599
SEP	27	£110,775	5	£17,038	32	£127,813
<b>Council</b>	<b>451</b>	<b>£3,203,113</b>	<b>1930</b>	<b>£4,181,848</b>	<b>2381</b>	<b>£7,384,962</b>

# A10

CITY COUNCIL – 5 December 2023

## WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR DEBBIE CLANCY

### “Workforce Breakdown”

#### Question:

**Please provide a breakdown, by individual service area, of the number of posts by grade and the number of these posts currently vacant.**

#### Answer:



Councillor Question -  
Workforce Breakdown

Please note the following:-

- We only record agency workers in Oracle if they require, HR, Finance, or line manager access, due to licensing constraints & turnover rates. Therefore, there will be a number of posts showing as vacant in Oracle that are actually filled by agency staff.
- As agency staff are not always recorded in Oracle, if a “vacancy” is due to be filled by an offline agency worker we may never receive a request to create the post in the first place.
- Our position data relies heavily on line managers getting in touch when posts are no longer required, unfortunately these requests are rarely received and positions are usually only ever cleansed when a service is re-designed.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR JULIEN PRITCHARD**

**“Druids Heath Masterplan”**

**Question:**

**When will the draft Druids Heath Masterplan be released?**

**Answer:**

I believe that Councillor Jayne Francis, Cabinet Member for Housing and Homelessness provided you with a full response on 28 November 2023 which explained the importance of being able to provide an accurate and clear message to the whole community when we communicate.

Any proposed masterplan will need to be agreed across all areas of the Council first - this is to avoid lots of uncertainty and change further down the line. There has been some delay but there is a need to brief Commissioners and seek their agreement following the s.114 intervention and meet with Senior Officers over the coming weeks.

Once this meeting has taken place, we will be able to launch the draft masterplan options to the wider community and stakeholders.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR ROB GRANT**

**“Greaves Hall”**

**Question:**

**What are the Council’s current plans for Greaves Hall, Greaves Square B38 9LX? Is the Council planning to bring it back into use, or sell it off?**

**Answer:**

Terms have been agreed for the letting of the available space at Greaves Hall and a lease to formalise the agreement between the Council and The Children’s Trust (as the prospective tenant) is in the process of being drafted.



**B**

**PLEASE NOTE NO WRITTEN QUESTIONS WERE SUBMITTED FOR THE  
DEPUTY LEADER**

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR ROBERT ALDEN**

**“Family Learning”**

**Question:**

**In each year since 2018 what was the budgeted and actual spend on family learning programmes, including the funding source for this?**

Answer:

The table below sets out the spend on Family Learning by Birmingham Adult Education Service (BAES) via the Adult Education Budget each academic year since 2018.

There is no specific budget allocation for Family Learning within the Adult Education Budget Grant. It is a responsive offer, based on planning with stakeholders such as schools, nurseries or community partners. For example, during the 2020/21 and 2021/22 academic years there was a drop in spend (and expressed demand) due to COVID and the lockdowns. This is the model for all providers, both nationally and historically.

Academic Year	Total Family Learning spend	Source of funding
2018/19	£637,867	External Adult Education Grant from Education, Skills Funding Authority
2019/20	£575,884	West Midlands Combined Authority
2020/21	£415,865	West Midlands Combined Authority
2021/22	£394,443	West Midlands Combined Authority
2022/23	£627,142	West Midlands Combined Authority
2023/24	£332,146 (as at 30 November 2023)	West Midlands Combined Authority

# D1

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM FROM COUNCILLOR ROBERT ALDEN**

**“Community Libraries Condition Surveys”**

**Question:**

**Please provide the latest condition survey\status for each of the council's  
community libraries.**

**Answer:**

The most recent condition surveys, carried out via ACIVICO are held by Corporate Landlord. Copies have been requested and will be provided as soon as available.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR DIGITAL, CULTURE,  
HERITAGE AND TOURISM FROM COUNCILLOR GARETH MOORE**

**“Community Libraries Maintenance”**

**Question:**

**In each year since 2018 what was the budgeted vs actual spend on maintenance for community libraries, including year to date (with projected spend up to March 24) and what is the current planned spend in each future year of the MTFP?**

**Answer:**

Previous budgeted vs actual spend on maintenance for community libraries is currently not available.

For financial year 2022/23 the maintenance budget for community libraries totalled £759k against an actual spend of £2.1m.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER ENVIRONMENT FROM  
COUNCILLOR MEIRION JENKINS**

**“MHRC costs”**

**Question:**

**In answer to question E1 at November Council on the cost of MHRCs you said that costs will vary depending on the number of staff employed on the MHRC, whether they are full-time or agency, and the tonnage collected. Given you must know on any given day how many staff are employed, whether they are permanent or agency and, the tonnage collected, can you please provide an average monthly cost, or a month-by-month breakdown**

**Answer:**

The average total monthly cost of the service is approximately £94,000.

This includes vehicle hire costs and costs for current staffing levels for the MHRC, based upon 16 full-time employees. Agency staff are used to cover holidays/sickness as required.

This does not include fuel costs, or the cost for waste disposal or the processing of recyclates.

# E2

**PLEASE NOTE WRITTEN QUESTION E2 – CABINET MEMBER FOR THE ENVIRONMENT - HAS NOW BEEN REDIRECTED TO J4 – CABINET MEMBER FOR TRANSPORT**

**E3**

**PLEASE NOTE WRITTEN QUESTION E2 – CABINET MEMBER FOR THE ENVIRONMENT - HAS NOW BEEN REDIRECTED TO K – CHAIR OF LICENSING AND PUBLIC PROTECTION COMMITTEE**

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER ENVIRONMENT FROM  
COUNCILLOR ADAM HIGGS**

**“Waste Vehicle Replacement Programme”**

**Question:**

**The next phase of the council's Waste Vehicle Replacement programme was originally scheduled on the Forward Plan for April 2023, can you please provide an update on when this plan will now be coming forward?**

**Answer:**

It was originally anticipated that Defra’s announcement on Simpler Recycling and the inclusion of the six key materials and universal food waste collections for England would be available in late 2022 or early 2023 and this would allow informed decisions to be made about the vehicle replacement programme.

This advice was delayed until very recently and we are currently reviewing that advice alongside the spend control process and Commissioners’ involvement.



CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER ENVIRONMENT FROM  
COUNCILLOR RON STORER**

**“Waste Fleet”**

**Question:**

**Please provide a breakdown of the council's waste fleet (including both waste collections and street cleaning), detailing the age of each vehicle and its emissions standard**

**Answer:**

This information is available, however it will take significant time to process in order to be meaningful. A full response will follow as soon as that work is complete.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER ENVIRONMENT FROM  
COUNCILLOR EWAN MACKAY**

**“Montague Street closure”**

**Question:**

**When Montague Street closed, a number of items were sent for disposal.  
Please provide a breakdown of the total number of each of the following that  
were disposed of:**

- **Wheelie Bins**
- **Recycling Pods**
- **Spare lids for wheelie bins**
- **Spare wheel for wheelie bins**

**Answer:**

- **Wheelie Bins**  
None, these were moved to the new site
- **Recycling Pods**  
None, these were moved to the new site
- **Spare lids for wheelie bins**  
Circa 100 lids due to damage
- **Spare wheel for wheelie bins**  
None, these were moved to new site

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER ENVIRONMENT FROM  
COUNCILLOR JULIEN PRITCHARD**

**“Missed Bin Collections”**

**Question:**

**Can you outline the number of bin collections missed due to staff sickness by ward during October and November?**

**Answer:**

Data relating to the reasons for dropped bin collections is not recorded at a ward level. We record information at a depot level and the reasons that are recorded include “absence” rather than “sickness”.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER ENVIRONMENT FROM  
COUNCILLOR ROB GRANT**

**“Lifford Lane tip”**

**Question:**

**When will the Council be releasing information on alternative provision for Lifford Lane tip? And when will it be letting residents know when the tip will be closing?**

**Answer:**

As you may recall, I gave a detailed verbal reply on this topic at the November meeting of City Council. Lifford Lane is in need of works and its redevelopment was detailed in a waste contract report that went to the council’s Cabinet in April and June of this year. We subsequently secured planning consent for a scheme.

It was made clear in the days following the planning approval that there would be full engagement with all relevant stakeholders before work commenced, and that the work would not begin until well into 2024 at the very earliest.

The Section 114 announcement (which restricts all but non-essential council spend) means we are taking stock of this programme, a point that has been confirmed in several public meetings, including last month’s previously-mentioned City Council meeting.

That period of review and reflection will inform subsequent timescales.

Any site chosen for a contingency would be subject to the usual range of permissions, including – where relevant – planning and from organisations such as the Environment Agency.

In addition, we will of course have to give full consideration to any guidance about the viability of any contingency facility that we receive from our team of Commissioners. As per the clearly stated vision of the Commissioners, any decisions will be based on ensuring that best value is delivered.

As and when we have more details on the Lifford Lane HRC project, they will be communicated widely, as I have pledged in the past.

CITY COUNCIL – 05 DECEMBER 2023

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

**“Perry Barr tip”**

**Question:**

**“When will Perry Barr tip site be open again to the residents and what is the hold back, as previously we were aware of Veolia who sub contacted this went bankrupt and then was replaced, can you advise to when this will be open to the public?”**

Answer:

Following the second main contractor going into administration in September, the decision was taken by Veolia to complete the remaining works rather than seek to appoint another contractor in order to finish the redevelopment at Perry Barr at the earliest opportunity. Following this decision, a project team has been formed and commenced re-engagement with subcontractors to complete the works.

Since its formation, the project team have been working on a new programme to complete the redevelopment which has recently been hampered by inclement weather conditions and difficulties in re-acquiring critical materials and subcontractors.

A new programme has now been developed which includes a new date for the completion of the household recycling centre (HRC) on 30 January 2024 and the completion of the redevelopment by 31 March 2024. In light of the new programme, I am now pleased to inform you the HRC will be open to the public on 31 January with residents able to book appointments via the booking system from 26 January 2024.

# E10

CITY COUNCIL – 05 DECEMBER 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT FROM  
COUNCILLOR IZZY KNOWLES

**“Recycling truck”**

**Question:**

**“Can you please advise how many times the recycling truck has gone out accompanying the MHRC? Please exclude dates occasions when it has gone out due to driver shortage?”**

Answer:

This information is not recorded.

CITY COUNCIL – 5 December 2023

## WRITTEN QUESTION TO THE CABINET MEMBER FOR THE ENVIRONMENT FROM COUNCILLOR MATT BENNETT

### “Cannon Hill Car Park Surplus”

#### Question:

In 2017 Cabinet agreed a "50% share of operating surplus (i.e. before capital financing costs)" from the car park at Cannon Hill to be paid to the MAC. The answer given in response to Question E15 at full council does not appear to show the Mac getting the full 50% share of the operating surplus. Please provide a detailed breakdown of the calculation used to arrive at this figure and confirmation of whether the full 50% agreed was paid in each of the years due?

#### Answer:

It is noted the report to Cabinet that introduced car parking charges at Cannon Hill Park (dated 28th April 2017) stated the income arrangement between BCC and MAC would be "50% share of operating surplus (i.e. before capital financing costs) paid to the MAC".

However, the car park agreement between BCC and MAC dated 22nd September 2020 supersedes the above statement. The car park agreement states, "Fee payable in each financial year is 50% of total income net of any operational costs (including capital borrowing costs spread over the economic life of the assets)".

The £137k is 50% of the net income share for 2022-23 and this was paid to MAC; the Council's 50% share of the net income is captured in the £229k revenue spend on the park and car park.

<b>2022-23</b>	<b>£000s</b>
Gross revenue from car parking charges	(422)
Repayments of loans (prudential borrowing)	56
Infrastructure spend	0
Revenue spend on the park including	229
- grounds maintenance	
- capital borrowing	
- business rates (accrual)	
- cash collection and banking	
- price update (signage, adverts)	
- pay & display machine maintenance contract	
- pay & display machine monitoring software	

<ul style="list-style-type: none"> <li>- lighting maintenance/repairs</li> <li>- BCC admin costs</li> <li>- TRO amendment costs for EV charging installation</li> </ul>	
Revenue spend on MAC (50% net income share)	(137)

We can confirm 50% of total income net any operational costs (including capital borrowing) has been paid to MAC annually since car park charges were introduced in 2017.



CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR THE ENVIRONMENT  
FROM COUNCILLOR DEIRDRE ALDEN**

**“Cannon Hill Car Park payments to MAC”**

**Question:**

In 2017 Cabinet agreed a "50% share of operating surplus (i.e. before capital financing costs)" from the car park at Cannon Hill to be paid to the MAC. In each month since payments first fell due, please provide details of

- a) Date payment made
- b) Number of times the MAC had to chase payment before it was paid

**Answer:**

In line with car park agreement between BCC and MAC, income share payments to MAC are paid annually:

Financial year	Date payment made to MAC	Number of chases made by MAC	Notes
2017-18	16.07.2018 <i>Access to SAP is currently unavailable to confirm date</i>	1	Confusion over VAT invoicing delayed payment
2018-19	<i>Access to SAP is currently unavailable to confirm date</i>	6	Discrepancy between MAC account PO raised against, and invoice received from
2019-20	25.03.2021 <i>Access to SAP is currently unavailable to confirm date</i>	2	PO was delayed whilst car park agreement signed. PO then cancelled by Procurement without our knowledge adding further delay
2020-21	29.03.2022 <i>Access to SAP is currently unavailable to confirm date</i>	2	MAC Finance advised MAC Board wanted to wait until planned meeting with BCC takes place in November 2021 before issuing invoice. Invoice received 11.01.2022
2021-22	27.09.2022	2	Invoice received 20.07.2022

2022-23	31.03.2023  05.09.2023	3	Following transition to new Oracle system, delay in establishing new account for MAC. Part payment agreed to accommodate delay. Invoice 1 received 28.03.2023 Invoice 2 received 31.08.2023
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CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR DEBBIE CLANCY**

**“Not told the truth”**

**Question:**

**In a Birmingham Mail Article on 8 November 2023, you said 'we thought we had a strategy in place to deal with the equal pay risks. We had a memorandum of understanding in place with Unions, a job evaluation scheme was agreed, we thought the risks were understood and being dealt with.' However, it was reported in the same publication on 11 November 2021 that the council had been warned it faced another equal pay crisis and that GMB had told its members not to sign the MOU you referred to in your Nov 23 interview. In April 2022 a number of your fellow councillors, including the current Deputy Leader, publicly stated their support for GMB's claim, and in July 22 a further Birmingham Mail article reported calls for Labour Councillors to follow through on their promises and urgently intervene to settle equal pay. Why is it that, when the Birmingham Mail knew that equal pay risks put the council in a precarious position, and the MOU was not effectively dealing with that risk, you, as Deputy Leader and then as Cabinet Member for resources, did not?**

**Answer:**

The Council's Equal Pay strategy is and was based on the advice of our professionals and advisors, rather than newspaper articles.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR KERRY BREWER**

**“Blame Game”**

**Question:**

**The Member/Officer Relations Protocol contained in section C5 of the constitution states, under 'Constructive Criticism and Redress' paragraph vi, that "Members should not raise matters relating to the conduct or capabilities of an Officer at meetings held in public or before the Press as officers have no means of responding in public." How do you believe that your interview with the Birmingham Mail, published on 8 November, aligns with this requirement, given that the cohort of officers you could be referring to is very small and therefore the individuals potentially identifiable?**

**Answer:**

**Refer to F3.**

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR ADRIAN DELANEY**

**“Advice”**

**Question:**

**Ahead of your interview with the Birmingham Mail, published on 8 November 2023, did you seek any advice from legal or communications professionals within the council on your approach, particularly given the impact your comments could have on the defensibility of future equal pay claims, and on any potential misconduct hearings?**

**Answer:**

**Yes.**

# F4

**PLEASE NOTE WRITTEN QUESTION F4 – CABINET MEMBER FOR  
FINANCE AND RESOURCES - HAS NOW BEEN REDIRECTED TO E11 –  
CABINET MEMBER FOR THE ENVIRONMENT**

CITY COUNCIL – 5 December 2023

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

### “2022 Spend Controls”

#### Question:

**In August 2022, 3 spend control panels were put in place to address overspends in the 2022/23 financial year. These panels covered workforce, procurement, and property and facilities management. Please provide a breakdown of the recurrent savings identified and fully implemented by each of these panels.**

#### Answer:

#### **Workforce**

The Corporate Workforce Panel ran until April 2023. Its purpose was to oversee workforce decisions being taken by directorates to ensure compliance with recruitment and additional pay processes and to also provide a challenge. It was not specifically designed to identify and track savings which continued to be tracked and implemented within directorates.

#### **Property**

In November 2021 we introduced a Spend Control Board to review all property spend relating to repairs and maintenance and projects. The process was implemented through our CAFM (Computer Aided Facilities Management) database meaning we were able to flag all work which did not meet our ‘allowable works criteria’ and review them to see if they could proceed or not. Only H&S works were permitted.

#### Allowable works included:

- Any remedial works directly from statutory maintenance testing jobs.
- Anything with an immediate or secondary H&S risk regardless of value, such as:
  - Fire Alarms not working
  - Sprinklers not working

- Emergency Lighting not working
- RCD Not working
- Lift Not working
- No hot water (not including replacement boilers etc).
- Any other M&E that has H&S risks and is not working
- Any works to “make safe”.
- Anything with wording of “repair”, “fix”, “broken” or similar where value is under £1000.
- Immediate leak fixes / i.e. patching to roofs

From November 2021 to February 2023 the value of jobs reviewed by the board was £12,258,920.64 of which £2,415,226 was rejected and therefore cancelled. This equates to around 20% of the value of all works that were reviewed.

Type	Total
Value of Rejected Jobs	£ 2,415,226.45
Value of Accepted Jobs	£ 9,843,694.19
<b>Total Value of Jobs reviewed within Spend Control</b>	<b>£ 12,258,920.64</b>

### **Procurement Spend Control Board for 2021/22**

The tracking of recurrent savings from the contacted spend via spend controls established in November 2021 is not captured and cannot be provided.

The spend controls only permitted certain areas of spend to be considered, e.g. essential spend, then where spend didn't fit those criteria there would have been a drop off against that spend without the procurement spend control board having applications made.

For context, the establishment of the board in November 2021 required Directorates to sign off spend below £25k. In December 2022 to March 2023 the Board took decisions on all spend over £500.

A high-level summary of approvals in this time:

#### November 2021 to 8 December 2022

2161 applications

- 1,499 Directorate approved (spend = less than £25k) ~£11.6m
- 662 for consideration by spend control board
- 301 of which declared as non-general fund, e.g. capital / grant / external funded = value ~£76m



- 155 of which contractually committed, e.g. requests for software licence renewals or spend committed ahead of the spend controls starting to value of ~£105m
- 192 approved by board ~£64.4m

#### December 2022 to end March 2023

##### 327 Valid applications

- 24 of which declared as non-general fund, e.g. capital / grant / external funded = value ~£1.6m
- 136 of which contractually committed, e.g. requests for software licence renewals or spend committed ahead of the spend controls starting of which value ~£4.7m
- 101 applications approved ~£45m
- 66 Not approved / deferred spend ~£66m

# F6

CITY COUNCIL – 5 December 2023

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

### “Recurrent savings”

#### Question:

In each year since 15/16, as a total and percentage, how much of the savings identified in that year's financial plan were fully met on a *recurrent* basis?

#### Answer:

Please see below table. Please note that this information is not yet available for 2022/23 as it is dependent on the final 2022/23 outturn report which is expected to come to Cabinet in January 2024.

Year	Planned Savings £m	Savings Delivered £m	Delivery %
2016/17	88.2	32.4	37%
2017/18	70.9	48.3	68%
2018/19	52.9	42.8	81%
2019/20	46.2	38.7	84%
2020/21	22.1	16.0	73%
2021/22	33.1	29.9	91%

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR KEN WOOD**

**“Savills”**

**Question:**

**Since 29 January 2018, how much in total has the council paid to Savills Commercial Ltd? Please provide a breakdown by financial year**

Answer:

<u>Period</u>	<u>Spend</u>
29.01.2018 - 31.03.2019	£199,712
01.04.2019 - 31.03.2020	£464,832
01.04.2020 - 31.03.2021	£170,066
01.04.2021 - 31.03.2022	£99,800
01.04.2022 - 31.03.2023	£31,530
01.04.2023 - 29.11.2023	£7,788
	<b><u>£973,728</u></b>

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR MEIRION JENKINS**

**“Council CAZ payments”**

**Question:**

**In each month since the launch of the Clean Air Zone, please provide a breakdown of charges and FPNS incurred by the council, including:**

- Total number and amount of charges paid**
- Total number and amount of FPNS issued against council**
- Total number of FPNS not paid within the discount period**
- Total number of FPNS not paid by the deadline**
- Total number of FPNS challenged by the council**
- Total number of FPNS overturned on appeal**

**Answer:**

For clarification, Penalty Charge Notices (Pcns) are issued in respect of the Clean Air Zone, not Fixed Penalty Notices (FPNs), however, it is not possible to provide a response to your question for the following reasons:-

- A) We cannot identify individuals or organisations from the Clean Air Zone (CAZ) daily charges payment platform.
- b)-f) We are not able to identify Pcns issued against the Council, as we would need to conduct a search based on the individual addresses of the Departments in the format that has been registered with the DVLA. In order to do this, we would need to obtain the permission from the DVLA to conduct any search of the data they provide us with regarding the registered keeper details. This is because we are only authorised to use this data for the specific sole purpose of recovery of Penalty Charge Notices in accordance with the statutory process.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR RON STORER**

**“Bin Costs”**

**Question:**

**What is the cost to the council to purchase:**

- **Wheelie Bins**
- **Recycling Pods**
- **Spare lids for wheelie bins**
- **Spare wheel for wheelie bins**

**Answer:**

- **Wheelie Bins**  
180 residual - £18.00  
240 residual/recycling/multi - £19.30  
360 residual/paper/multi - £46.30
- **Recycling Pods**  
£7.69
- **Spare lids for wheelie bins**  
Due to current stock holdings this item has not needed to be repurchased for a long period of time. Current costs are circa £6.75
- **Spare wheel for wheelie bins**  
Due to current stock holdings this item has not needed to be repurchased for a long period of time. Current costs are circa £2.50

# F10

**PLEASE NOTE WRITTEN QUESTION F10 – CABINET MEMBER FOR  
FINANCE AND RESOURCES - HAS NOW BEEN REDIRECTED TO E12 –  
CABINET MEMBER FOR THE ENVIRONMENT**

CITY COUNCIL – 5 December 2023

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

**“Corporate Vehicle Hire”**

**Question:**

**The contracts register shows that the contract for Corporate Vehicle Hire (contract ID 4400008533) has been extended 5 times. Please provide a breakdown of these extensions, including:**

- a) The date the original contract was first signed**
- b) The date of each extension**
- c) The Cabinet Member(s) consulted on each extension**
- d) The value of each extension**
- e) The Public Contracts Regulations exemption relied upon to ensure each extension was lawful**
- f) The date the contract last went to market**
- g) Any changes made to the contract to comply with emissions standards of the council’s clean air zone**

**Answer:**

- a) Award report signed 20 July 2020. Award letter issued 10<sup>th</sup> August.
- b) The contract was awarded in August 2020 for a period of 4 years. There have been no contract extensions.
- c) PPAR approved 11<sup>th</sup> December 2018.
- d) See point b above.
- e) The contract was tendered using the ESPO Vehicle Hire framework.
- f) April 2019.
- g) The tender specification includes the following requirements.

All vehicles must be compliant with current emissions standards, i.e. minimum of Euro 6 for diesel and Euro 4 for petrol and must remain compliant with any future air quality and environmental standards.

Options for Ultra-Low Emission Vehicles should be available as alternatives.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR ADAM HIGGS**

**“Northgate Vehicle Hire”**

**Question:**

**The contract with Northgate Vehicle Hire (West Midlands) Limited, according to the Contracts Register, has a total; value of £2m. how much has been paid to Northgate Vehicle Hire (West Midlands Ltd) since this contract was first signed?**

**Answer:**

**£3,868,141.**



CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR BRUCE LINES**

**“Vehicle Hire Contract emissions standards”**

**Question:**

**What standards for emissions are within the contract with Northgate Vehicle Hire (West Midlands) Limited?**

**Answer:**

The tender specification includes the following requirements:

- All vehicles must be compliant with current emissions standards, i.e. minimum of Euro 6 for diesel and Euro 4 for petrol and must remain compliant with any future air quality and environmental standards.
- Options for Ultra-Low Emission Vehicles should be available as alternatives.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR TIMOTHY HUXTABLE**

**“Northgate Vehicle Hire (West Midlands) Ltd”**

**Question:**

**The contracts register (contract ID 4400008533) shows a contract with Northgate Vehicle Hire (West Midlands) Ltd. The register shows this contract, having been extended 5 times, started in October 2020 and ends in September 2024. According to Companies House Northgate Vehicle Hire (West Midlands Ltd) was dissolved on 25 November 2014. Can you please explain how the council holds a contract with a company that has not existed for 8 years.**

**Answer:**

This appears to be a data error on the Contract Register. The Council entered into a contract with Northgate Vehicle Hire Limited, whose registered office is at Northgate Centre, Lingfield Way, Darlington, County Durham, DL 14 PZ. We are looking to confirm this position direct with the supplier around the correct supplier name.

CITY COUNCIL – 5 December 2023

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

**“Budget Smoothing Reserve”**

**Question:**

**At Cabinet on 14 February 2023, it was stated that the budget smoothing reserve was only used when the council was ‘absolutely certain’ that the proposed saving would be delivered in full but that there would just be a delay in delivering it. Please provide a breakdown of all uses of the budget smoothing reserve since it was created in 2021, including detailing which budget proposal it was allocated against, the value of that saving, when it was originally planned to be delivered by, and when it was finally delivered in full (and on a recurrent basis) and a list of any proposed savings, where budget smoothing reserve was allocated but which were then still found to have been undeliverable and dropped or replaced.**

**Answer:**

This information could not be collated within the required timescales; however we will endeavour to issue a response as soon as possible.

# F16

CITY COUNCIL – 05 DECEMBER 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR MORRIAM JAN

**“Ward forums”**

**Question:**

**“We were advised that due to BCC finance we may only be able to hold our AB in a BCC building as cutbacks are being made. However, some of our residents work 6 days a week and finish in the evening and our Library closes at 5pm. Can we be advised if our ward forums will be affected?”**

**Answer:**

For Ward Forums we must demonstrate we are making every effort to use public premises at no cost, and that Surgeries are, wherever possible, to be held in libraries, community centres or leisure centres. Arranging or rearranging alternative venues for the remainder of the year could lead to a worsening of the financial position (officer time to rearrange, communications to residents, handling complaints from the public, etc at this late stage).

As such, spend has been approved to the end of the financial year for Ward Forums, and the method of delivery for 2024/25 is to be agreed.

**G**

**PLEASE NOTE NO WRITTEN QUESTIONS WERE SUBMITTED FOR THE  
CABINET MEMBER FOR HEALTH AND SOCIAL CARE**

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNES FROM COUNCILLOR ROBERT ALDEN**

**“Maladministration”**

**Question:**

**Between 1 April 2018 and 1 November 2023 how many cases of a) maladministration and b) severe maladministration have been found in Birmingham by the Housing Ombudsman?**

**Answer:**

**April 2023 – November 2023**

Maladministration	19
Severe Maladministration	6
Total	25

**2022-2023**

Maladministration	43
Severe Maladministration	3
Total	46

**2021-2022**

Maladministration	34
Severe Maladministration	7
Total	41

**2020-2021**

Maladministration	31
Severe Maladministration	1
Total	34

**2019-2020\***

Maladministration	4
Severe Maladministration	0
Total	4

**2018-2019\*\***

Maladministration	N/A
Severe Maladministration	N/A
Total	N/A

\*Figures for 2019-2020 are incomplete and cover only 1 January-31 March 2020

\*\*Figures for 2018-2019 are unavailable

Prior to March 2020, Housing Ombudsman casework was managed manually using paper files. During COVID lockdowns this was no longer possible and officers who had no access to these files had to create a new process to manage cases remotely. These figures are taken from the system created to monitor and manage cases from March 2020 onwards. Cases prior to this were managed via a database that is no longer supported and these records cannot currently be accessed. As such, records for 2019-2020 are incomplete and records for 2018-2019 are unavailable.

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNES FROM COUNCILLOR JULIEN PRITCHARD**

**“Council Properties”**

**Question:**

**How many council properties, total, and broken down by ward, and by month, have reported issues with damp and mould this year? How many of those are currently still outstanding? How many were not resolved within 30 days? And how this compares with previous years?**

**Answer:**

In the financial year 2022-23 Birmingham City Council received 8,579 reports of damp and mould, of which over 68% were remedied on the first visit.

In the period April 2023 to November 2023, the council have received 6,213 reports of damp and mould and, of these, 83% have been remedied on the first visit. There has been an average increase of 63% in reported damp and mould jobs compared to the same period in the year 2022-23 (April–November) and as we enter into the winter months, we expect demand to increase further. The increase in demand is directly attributable to the national scrutiny and visibility of damp and mould issues in the sector as well as customers being more empowered to report issues.

The increase in right first-time performance is due to the proactive work with contractors since April 2023, which provides customers with a more targeted and responsive service and enables capital expenditure to be utilised for longer term improvements in our customers’ homes.

The Council have continued to add to the measures implemented following the tragic death of Awaab Ishak to provide additional assurances that damp and mould is being managed appropriately. These measures include:

- Developing a new damp and mould policy in line with the recommendations from the Ombudsman and, as part of our continued improvements to customer service, bolstering tenant visits, where officers are trained to recognise damp and mould and will support tenants to report.
- Being part of a consultation group with DLUHC to discuss and feedback on the principles for future legislation.



- Writing to all Elected Members encouraging the reporting process for any citizen experiencing damp and mould.
- Writing to Registered Providers to reinforce our expectations around how damp and mould should be managed.
- Contributing to the Cost-of-Living Taskforce, supporting citizens with food, fuel and warmth - including the implementation of warm welcome spaces across the city.
- Auditing all live reports of damp and mould and implementing proactive surveys to our most vulnerable properties to identify permanent solutions.
- More robust monitoring of damp and mould reports in a timely and efficient way, analysing issues by area and archetype as well as proactively working with colleagues in Housing Management to signpost and provide support to our most vulnerable customers.
- Investigating opportunities for technical solution pilots in selected properties using sensors and humidity units.
- Being successful in securing grant funding from West Midlands Combined Authority to the value of £2.1m to tackle specific properties with damp and mould issues by March 2024 subject to approvals and legal agreements.

Our Asset Management Strategy is due to go to Cabinet in January 2024 and prioritises safe, warm and sustainable homes over the next 7-10 years, with improved energy efficiency and focus on innovation and retrofit to some of our older and most inefficient homes.

# H3

**PLEASE NOTE WRITTEN QUESTION H3 – CABINET MEMBER FOR  
HOUSING AND HOMELESSNESS - HAS NOW BEEN REDIRECTED TO  
A12 – LEADER OF THE COUNCIL**

CITY COUNCIL – 05 DECEMBER 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR ROGER HARMER**

**“Families in temporary accommodation”**

**Question:**

**“In the last set of written questions, I asked about the number of families in temporary accommodation and was concerned to see a rise in the number of families in this situation. Can you please provide this data again, but break down the data by the number of individuals and of that number, how many are children?”**

Answer:

As of 1 November 2023, there were 17,259 people recorded as occupying temporary accommodation through Birmingham City Council. Of these 8,564 were children. Temporary accommodation consisted of 4,840 households, of which 4,351 contained children. The table below sets out each month’s data from January 2022.

Since 1 April 2023, the number of people in B&B temporary accommodation has reduced from 3,223 to 2,701, the number of children has reduced from 1,744 to 1,423 and the number of households has reduced from 764 to 669. The B&B numbers are also within the TA figures.

Month	All People in TA	Children In TA	Households in TA	Households with Children in TA
01/01/2022	15490	8315	3847	3334
01/02/2022	15819	8488	3927	3413
01/03/2022	16330	8784	4017	3504
01/04/2022	16649	8942	4072	3552
01/05/2022	16883	9047	4099	3581
01/06/2022	16983	9087	4151	3627
01/07/2022	16630	8811	4173	3654
01/08/2022	16393	8612	4199	3674
01/09/2022	16384	8537	4281	3742
01/10/2022	16247	8392	4309	3773
01/11/2022	16552	8546	4362	3835
01/12/2022	16555	8505	4398	3880
01/01/2023	16790	8583	4416	3895
01/02/2023	16708	8487	4467	3949
01/03/2023	16900	8560	4507	4003
01/04/2023	16753	8497	4530	4038
01/05/2023	16601	8357	4548	4056
01/06/2023	16889	8440	4632	4144
01/07/2023	17009	8476	4681	4192
01/08/2023	17168	8541	4743	4252

01/09/2023	17177	8538	4809	4323
01/10/2023	17082	8460	4792	4309
01/11/2023	17259	8564	4840	4351

CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL JUSTICE,  
COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR RICHARD  
PARKIN**

**“City’s cemeteries”**

**Question:**

**How much income has been generated at each of the city’s cemeteries in each of the past three financial years? And does the council have a forecast of how much income will be generated in this financial year and any subsequent years?**

**Answer:**

The income generated by the city’s cemeteries over the last three years is:

	2020/21	2021/22	2022/23
*** Cemeteries	(7,600,499.46 )	(6,709,160.35 )	(5,543,153.59 )

The budgeted forecast for income for cemeteries in 2023/24 is £6,097,782

**CITY COUNCIL – 5 December 2023**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT FROM  
COUNCILLOR ADAM HIGGS**

**“Car Parking spaces”**

**Question:**

**In answer to question F10 at November Council, your colleague kindly provided a copy of the income data for all council-owned car parks (on-street and off-street) using this same list and for the same time periods, can you please provide a breakdown of the number of car parking spaces available in each location in each of those years.**

**Answer:**

The requested information is provided in the attached table.



J1 - BCC Council  
Owned Car Parking S

CITY COUNCIL – 05 DECEMBER 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT FROM  
COUNCILLOR ROGER HARMER

**“Average Speed Enforcement Cameras”**

**Question:**

**“What sites will be prioritised as new Average Speed Enforcement cameras from April 2024?”**

Answer:

The Council, along with the other West Midlands District Authorities, is working with the West Midlands Combined Authority and West Midlands Police on a new regional agreement for Average Speed Enforcement covering existing sites and roll-out of new locations. This will include criteria for enforcement locations which is yet to be determined. We cannot therefore say at the present time which locations will be prioritised.

CITY COUNCIL – 05 DECEMBER 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT FROM  
COUNCILLOR IZZY KNOWLES

**“Chantry Road resurfacing”**

**Question:**

**“At July's full council I submitted a petition from residents in Chantry Road, Moseley concerning the condition of the road, a national cycle route and asking for the road to be re-surfaced. Please could you respond to the petition and update us when Chantry Road is likely to be resurfaced?”**

Answer:

The petition on Chantry Road, Moseley was responded to on 30 November 2023. The petition response at that time was:

*Chantry Road was last inspected on 16 July 2023 indicating 2 areas of localised failure that would be repaired in accordance with our overall maintenance strategy within the next 12 weeks. The footways are generally of fair condition and are not considered safety critical. However, we will continue to inspect and undertake routine works where necessary to ensure that the road remains in a safe and serviceable state.*

Further to that response, three localised defects were repaired in July and August 2023 and an inspection made on the 12 October 2023 indicated that the road had no further safety defects requiring immediate intervention.

We are, however, aware of the general deterioration in the condition of the road and Chantry Road will be monitored and considered for resurfacing in a future programme of works.



CITY COUNCIL – 5 December 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT FROM  
COUNCILLOR ROBERT ALDEN**

**“Emissions Inventory”**

**Question:**

**Please provide a copy of the council's city-wide emissions inventory**

**Answer:**

We publish an annual report on our carbon emissions, the next of which is scheduled to be presented to full Council in January 2024.

With regards to an air pollution emissions inventory, historically this was available and contained both road emissions and pollution emissions from permitted sites but unfortunately this has not been maintained due to lack of resources.

A limited inventory was built for the CAZ modelling which was road focussed but this has also not been maintained as it was designed for a discrete project.

**WRITTEN QUESTION TO THE CHAIR OF LICENSING AND PUBLIC PROTECTION COMMITTEE FROM COUNCILLOR KERRY BREWER**

**“Environmental Crime FPNs”**

**Question:**

**What was the reason for the 4-month delay in increasing FPNs for fly tipping following the statutory instrument in July, and why has the council only chosen to increase the FPN to the maximum limit for a limited number of offenses (domestic fly-tipping, the domestic duty of care, and littering FPNs remain below the government limit)**

**Answer:**

A report was ready for the September Licensing and Public Protection Committee (LPPC) but at the last moment, could not go forward due to the S114 notice being issued. There was insufficient time between the S114 notice and committee to obtain legal advice on the impact of the S114 notice on the committee’s powers and to establish if the S151 officer had to sign off on the report too. The report was deferred to the next in-person LPPC meeting in November 2023.

The report asked Committee to consider the tariffs that are to be set as well as the proportionality of the penalties to be applied. Proportionality is a general principle in law that is underpinned by the need for fairness and justice. All actions should not be more or less severe than is necessary and that competing interests in this regard should be carefully balanced. Committee were therefore asked to consider the ability of people to pay, the sum of the penalty set against the severity of the offence, and the average cost of FPNs compared to court imposed penalties.

**Matters considered include:**

- If the FPN level outstrips the average court fine, then no one would pay the FPN tariff, and the council would be unable to effectively prosecute all the offences.
- The receipts for the FPNs support the enforcement activity on the street. If the receipts go down then there would be less enforcement.
- The council does receive the FPN receipts but does not receive the court fines.
- The purpose of the FPN is to change people’s behaviours and not unduly criminalise people.
- The decision must be compliant with the Regulatory Services Enforcement Policy.

After a robust discussion the decision on the tariffs to be set was determined by committee members.

