

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 9 MAY 2023

**MINUTES OF A MEETING OF THE COUNCIL BUSINESS
MANAGEMENT COMMITTEE A HELD ON TUESDAY 9 MAY 2023
AT 1500 HOURS IN COMMITTEE ROOM 6, COUNCIL HOUSE,
VICTORIA SQUARE, BIRMINGHAM**

PRESENT: - Councillor Ian Ward in the Chair;

Councillors Robert Alden, Baz Barber, Sir Albert Bore,
Fred Grindrod, Des Hughes, Brigid Jones, Mary Locke,
Gareth Moore

ALSO PRESENT: - Cllr Maureen Cornish – Lord Mayor
Janie Berry, City Solicitor and Monitoring Officer
Rob Connelly, Assistant Director Governance
Christian Scade, Head of Scrutiny and Committee
Services
Anne Kennedy, Head of the Lord Mayor's Office
Lloyd Broad, Head of European And International
Affairs (Online attendance)

DECLARATION OF INTERESTS

175 No declarations of interests were made.

APOLOGIES

176 No apologies were received.

MINUTES

177

The minutes of the meeting held on 13 March 2023 were confirmed and signed by the Chair.

REVIEW OF THE CITY COUNCIL'S CONSTITUTION

The following report of the City Solicitor was submitted:-

(See document No 1)

Janie Berry, City Solicitor, made introductory comments relating to the report.

During the ensuing discussion the following points were raised:

It would have been beneficial for documents to have gone to a constitution working group in advance of the meeting.

In response to concerns raised about updating the breach procedures set out in Part D2, which would enable waivers to be reported to the Section 151 Officer, rather than Cabinet, it was clarified that it was not normally the practice to report to Cabinet and that the Section 151 officer would look at them in a statutory capacity.

Regarding updates to the terms of reference for Overview and Scrutiny it was agreed to make reference to local events more specific and refer to 'local events held in parks'. The reference to "the needs of all children and young people, families and carers" was also clarified to read "the needs of all children and young people, families and carers (children's services)".

Regarding a request that the terms of reference for the Overview and Scrutiny Committees be added along with the relevant Cabinet Member for each step, it was suggested that this information could be made available to Overview and Scrutiny members but might be confusing to have this in the constitution.

Issues surrounding the presence of opposition members at the Group Company Governance Cabinet Committee were raised. It was highlighted that as this was a Cabinet Sub Committee, only Cabinet Members could be voting Members. However, it was clarified that one member from each opposition group could attend as observers. It was also agreed that the size of the Committee should be reduced from four to three Members with a quorum of two. The issue of attendance was also raised as some opposition groups had far fewer members than others. It was noted that opposition groups could be defined in the

Council Business Management Committee – 9 May 2023

same way as they were in the context of allocation of council resources and it was further agreed that the terms of reference should be amended to allow one Councillor from each of the main opposition groups to attend and observe.

The need for clarity was raised surrounding whether the observer members could receive exempt documents and it was also suggested that the Committee could do further research on how opposition groups were defined and supported in other councils.

Finally, the attention of the Committee was drawn to the proposed changes for Ward Forums which concerned the allocation of localised budgets.

It was-

178

RESOLVED:-

(i) That Council Business Management Committee note the proposed amendments to Parts A, B and D of the Constitution, set out in Appendix 1 and Appendix 2, and agree that these be presented to the Annual Council Meeting on 23 May 2023 for approval subject to the above amendments.

(ii) That the objection of Councillors Robert Alden and Councillor Gareth Moore to the proposed changes to the breach procedures, set out in Part D2 of the Constitution, be noted.

EDUCATION AND CHILDREN'S SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE - CO-OPTES AND VOTING RIGHTS

A verbal update was provided by the officers in attendance at the meeting in relation to co-optes and voting rights in the Education and Children's Social Care Overview and Scrutiny Committee.

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

During the ensuing discussion the following was agreed/noted:-

It was clarified that co-opted members could only vote on education matters and not procedure matters.

Regarding suggestions around the size and make-up of the committee, it was suggested that this remain the same as it was currently as too big a committee would be unwieldy.

It was-

179

RESOLVED:-

That the verbal update be noted and that no changes be made to the size of the committee for 2023/24.

PROPORTIONALITY

The following report of the City Solicitor was submitted:-

(See document No 2)

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

In response to questions, information was provided on the law in relation to political proportionality. It was highlighted that this was set out in more detail in sections 15-17 and Schedule 1 of the Local Government and Housing Act 1989, and the Local Government (Committees and Political Groups) Regulations 1990.

For 2023/2024 it was agreed that the Council Business Management Committee and the City Council Members on the Standards Committee continue to be excluded from proportionality.

It was-

180

RESOLVED:-

(i) That the Committee note the report.

(ii) That the Committee approve Appendix 1 to the report (Proportionality Calculations for 2023-34).

(iii) That the Council Business Management Committee and the City Council Members on the Standards Committee continue to be excluded from proportionality.

CITY COUNCIL APPOINTMENTS

The following report of the City Solicitor was submitted:-

(See document No 3)

During the ensuing discussion the following was agreed/noted:-

Council Business Management Committee – 9 May 2023

A typographical error was observed that gave the Conservative group one extra place and the Liberal Democrat group one fewer than they should. This would be amended.

It was-

181

RESOLVED:-

(i) That the Committee notes the current appointments to committees, outside bodies and other offices for the municipal year 2022-23 (Appendix A).

(ii) That nominations be submitted to the next meeting of City Council of representatives to serve on the bodies detailed in Appendix B to the report, for the municipal year 2023-24, with the above amendment made.

DRAFT AGENDA FOR CITY COUNCIL ANNUAL MEETING - 23 MAY 2023

The following draft agenda was submitted:-

(See document No 3)

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

It was suggested that with regards to the Lord Mayor's Awards, information should be provided on who was receiving them and what they had done.

It was also highlighted that the Review of the Constitution needed to be considered ahead of City Council Appointments.

It was also agreed that an extraordinary meeting would be held on 18 May 2023 at 6pm in order to decide on the future status of an Honorary Alderman.

182

RESOLVED:-

(i) That an extraordinary meeting of the Council take place on 18 May 2023 at 6pm.

(ii) That the agenda for the meeting of the Council on 23 May 2023 be noted with the amendment that the Review of the Constitution item be listed before City Council Appointments.

OVERSEAS TRAVEL AND INWARD DELEGATIONS FROM ABROAD

The following report of the Strategic Director - Place, Prosperity and Sustainability. was submitted:-

(See document No 4)

Lloyd Broad, Head of European And International Affairs, made introductory comments relating to the report.

During the ensuing discussion the following was agreed/noted:-

The issue of council priorities was raised, particularly with regard to Carbon Dioxide emissions and their effect. It was agreed to remove any environmental/sustainability outcomes where the visit was undertaken using air travel, unless clear carbon offsetting arrangements could be demonstrated.

It was-

183

RESOLVED:-

- (i) That approved Member and officer overseas travel be noted.
- (ii) That the proposed upcoming forward travel proposals be noted.
- (iii) That the details of inward delegations from abroad be noted.
- (iv) That the Committee note that with effect from 19 January 2016 authority for foreign travel by City Council Members and officers will only be granted when 4 weeks' notice has been given. Visits proposed with less than 4 weeks' notice will be refused unless under EXCEPTIONAL CIRCUMSTANCES which will require written documentation and an extremely robust reason to travel.
- (v) That the Committee note that additional requirements to complete a COVID risk assessment prior to travel has to be conducted as part of the Authorisation to Travel process.

PETITIONS UPDATE

The following report of the City Solicitor was submitted:-

(See document No 5)

During the ensuing discussion the following was agreed/noted:-

Regarding Petition 2599. It was noted that this work had now been completed via a Scrutiny Task and Finish Group. The findings of which

Council Business Management Committee – 9 May 2023

had been made available to the relevant Cabinet member. It was also noted that this information had been shared with Councillor Yip who had been part of the Scrutiny Task and Finish Group.

Regarding Petition 2613, a response had been produced and needed to be sent out.

It was-

184

RESOLVED:-

(i) That the Committee note the progress made in relation to the responding to and discharging of petitions.

(ii) That the Committee determines if any additional measures are required to ensure the continuing progress relating to the responding and discharging of petitions is maintained.

CITY COUNCIL AND CBMC FORWARD PLAN

185

The Committee noted the City Council and CBMC Forward Plan.

(See document No 6)

COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2023

186

The Committee noted the Council Business Management Committee dates for 2023/24:

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

<u>2023</u>	<u>2024</u>
Tuesday 30 May	22 January
26 June	12 February
Tuesday 29 August	Tuesday 2 April
23 October	Tuesday 7 May
20 November	
18 December	

Council Business Management Committee – 9 May 2023

OTHER URGENT BUSINESS

Councillor Martin Brooks had requested that a motion come to the meeting of the Council on 11th July 2023, to raise awareness of hate and genocide, as this was the anniversary of the Srebrenica massacre.

It was:-

187

RESOLVED:-

That the motion referred to above would come to Full Council on 11 July 2023

AUTHORITY TO CHAIR AND OFFICERS

188

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 15:54