

# BIRMINGHAM CITY COUNCIL

## **CABINET COMMITTEE – GROUP COMPANY GOVERNANCE**

**Thursday 12 September 2019 at 1300  
hours, HMS Daring Room, Council  
House, Victoria Square, Birmingham B1  
1BB**

### **Attendance:**

Councillor Tristan Chatfield, (Chair for the meeting)  
Councillors: Jayne Francis and Gareth Moore

### **Also in Attendance:**

Connie Price	Head of Service – Legal
Georgina Dean	Solicitor – Legal
Richard Tibbatts	Contract Management, Corporate Procurement
Ian Benson	Interim Managing Director - Acivico Group
Marie Reynolds	Committee Services

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### **ELECTION OF CHAIR FOR THE MEETING**

- 1 As Councillor Brigid Jones (Deputy Leader) Chair was unable to attend the meeting Councillor Jayne Francis nominated Councillor Tristan Chatfield to Chair the meeting.

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### **APOLOGIES**

- 2 Apologies were submitted on behalf of Councillor Brigid Jones (Chair – Deputy Leader) and Councillor Jon Hunt for their inability to attend the meeting.

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### **CHANGE OF MEMBERSHIP OF THE COMMITTEE**

It was noted that since the last meeting there had been a change of membership - Councillor Gareth Moore (Conservative) replaced Councillor Debbie Clancy.

- 3 **RESOLVED:-**

The Committee noted the change of membership.

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**DECLARATIONS OF INTERESTS**

- 4 There were no declarations of interest.
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**PUBLIC NOTES OF THE LAST MEETING**

- 5 The public notes of the last meeting were agreed.
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**MEMBERSHIP AND GOVERNANCE OF THE COMMITTEE**

The following report of the City Solicitor was submitted to Cabinet on 25 June 2019 and was approved.

(See document No. 1)

- 6 **RESOLVED:-**

The Committee noted the information.

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**TRAINING UPDATE**

The following report of the City Solicitor, Finance and Governance was submitted:-

(See document No. 2)

Connie Price, Head of Legal Services, provided Members with an update on the current and proposed training activity provided to members and officers in relation to their duties and responsibilities as directors and trustees of companies and charitable organisations.

The following areas of proposed training were highlighted:-

- Second training session on Director Roles and Responsibilities – further details of dates and numbers of invitees to be circulated to Committee Members as soon as agreed.
- Basic Trust and Charity Law Training – scheduled for 24 October 2019 – invitations are due to be sent out imminently.
- High Profile Director Training – in the process of reviewing BCC's most 'high profile' companies with a view to provide additional, specifically tailored Director training. This would potentially involve training from a Commercial Director and a Health and Safety expert. It would be set at a higher level than the roles and responsibilities training and would aim to have a real life (but anonymised) case study to follow through. Further updates would be presented to the Committee when available.

A discussion ensued relating to training dates and the difficulties in getting all members to attend at one time. Councillor Chatfield suggested that the training dates could be set on the morning of the City Council meeting to ensure a reasonable turnout. Following a comment from Councillor Moore that members could struggle on that day, Connie agreed to look into matter.

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**RESOLVED:-**

The Committee noted the information.

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**COMPANY UPDATE**

The following report of the Corporate Director – Finance and Governance was submitted:-

(See document No. 3)

Richard Tibbetts, Head of Category, Strategic Services, referred to the details of the changes in the companies as set out in 3.2 of the report.

Further reference was made to 3.3 of the report which listed the 21 companies that had submitted the annual accounts.

It was noted that 3.4 of the report highlighted that further work was being undertaken to try and capture information on charities that were associated with maintained school within the City.

As part of the work undertaken by Birmingham Audit in their visits to schools, they were now asking whether there were any charities associated with the school. Only one additional charity had been identified at present and further information was being sought on the constitution, aims and members of the charity.

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**RESOLVED:-**

The Committee noted the report.

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**GROUP COMPANY GOVERNANCE – SECTION 24 RECOMMENDATIONS**

The following report of the Corporate Director – Finance and Governance was submitted:-

(See document No. 4)

Richard Tibbetts, Head of Category, Strategic Services introduced the report. He stated that as a new report was due shortly which may not include a risk and therefore this may be the last report submitted to this Committee.

The Chair stressed the importance of the continuation of regular company updates being presented to the Committee. Connie Price agreed that this would be the case confirming that the Assistant Director, Finance would report to this Committee on a regular basis.

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**RESOLVED:-**

The Committee noted the progress in delivering the necessary actions to mitigate the issue raised by the External Auditor.

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**GROUP COMPANY GOVERNANCE RISK REGISTER**

The following report of the Corporate Director – Finance and Governance was submitted:-

(See document No. 5)

Richard Tibbetts, Head of Category, Strategic Services referred to G-01 and G-02 detailed in Appendix 1 and the draft pro-forma detailed in Appendix 2 of the report.

Following a discussion relating to the suitability of the pro-forma, directors' attendance levels and the associated impact and issues, it was suggested that there was a more local reporting mechanism in place in order to capture the relevant information in a timely manner.

Richard agreed to feedback to Alison and Connie to further explore.

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**RESOLVED:-**

- a) The Committee considered the information provided;
  - b) It was agreed that the judgement on the risks were reasonable and it was assessed that the mitigating actions were sufficient to reduce the risks to the Council to an acceptable level.
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**DATE OF NEXT MEETING**

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The next meeting is scheduled to take place on Thursday, 7 November 2019 at 1400 hours in HMS Daring Room.

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**OTHER URGENT BUSINESS**

**ACIVICO**

The following report of the Corporate Director – Finance and Governance was submitted:-

(See document No. 6)

12      **RESOLVED:-**

The Committee noted the report.

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**EXCLUSION OF THE PUBLIC**

13      **RESOLVED:-**

That, in view of the sensitive nature of the discussion due to take place relating to Acivico Limited, the public be now excluded from the meeting.

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