



**MEETING OF BIRMINGHAM  
CITY COUNCIL  
3 NOVEMBER 2015**

**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD  
ON TUESDAY 3 NOVEMBER 2015 AT 1400 HOURS IN THE COUNCIL  
CHAMBER, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:-** Lord Mayor (Councillor Ray Hassall) in the Chair.

**Councillors**

Muhammad Afzal	Jerry Evans	Karen McCarthy
Mohammed Aikhlaj	Mohammed Fazal	James McKay
Deirdre Alden	Mick Finnegan	Gareth Moore
John Alden	Matthew Gregson	Yvonne Mosquito
Robert Alden	Peter Griffiths	Brett O'Reilly
Nawaz Ali	Andrew Hardie	John O'Shea
Tahir Ali	Roger Harmer	David Pears
Sue Anderson	Kath Hartley	Eva Phillips
Gurdial Singh Atwal	Barry Henley	Robert Pocock
Mohammed Azim	Penny Holbrook	Victoria Quinn
David Barrie	Des Hughes	Hendrina Quinnen
Vivienne Barton	Jon Hunt	Chauhdry Rashid
Bob Beauchamp	Mahmood Hussain	Habib Rehman
Matt Bennett	Timothy Huxtable	Carl Rice
Steve Booton	Mohammed Idrees	Fergus Robinson
Sir Albert Bore	Zafar Iqbal	Gary Sambrook
Barry Bowles	Ziaul Islam	Shafique Shah
Randal Brew	Kerry Jenkins	Mike Sharpe
Marje Bridle	Meirion Jenkins	Sybil Spence
Mick Brown	Simon Jevon	Claire Spencer
Alex Buchanan	Brigid Jones	Stewart Stacey
Sam Burden	Carol Jones	Ron Storer
Tristan Chatfield	Josh Jones	Sharon Thompson
Zaker Choudhry	Nagina Kauser	Paul Tilsley
Debbie Clancy	Tony Kennedy	Karen Trench
John Clancy	Ansar Ali Khan	Lisa Trickett
Lynda Clinton	Changeese Khan	Margaret Waddington
Lyn Collin	Mariam Khan	Anita Ward
Maureen Cornish	Narinder Kaur Kooner	Ian Ward
John Cotton	Chaman Lal	Mike Ward
Ian Cruise	Mike Leddy	Elaine Williams
Basharat Dad	Bruce Lines	Fiona Williams

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Phil Davis  
Peter Douglas Osborn  
Barbara Dring  
Neil Eustace

John Lines  
Keith Linnecor  
Ewan Mackey  
Majid Mahmood

Ken Wood  
Alex Yip  
Waseem Zaffar

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### **NOTICE OF RECORDING**

18563 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the Press/Public may record and take photographs.

The whole of the meeting would be filmed except where they were confidential or exempt items.

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### **ELECTION OF THE DEPUTY LORD MAYOR**

It was moved by the Lord Mayor and -

18564 **RESOLVED:-**

That the election of the Deputy Lord Mayor be deferred to the December meeting as the Member who would take up the place of Deputy Lord Mayor, following the resignation of Councillor Shafique Shah, would be Councillor Mike Leddy who wished to stand for election as the Leader of the Council and it would, therefore, be appropriate to defer the appointment until the situation had been resolved.

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### **MINUTES**

It was moved by the Lord Mayor, seconded and –

18565 **RESOLVED:-**

That the Minutes of the Meeting of the City Council held on 15 September 2015, having been printed and a copy sent to each Member of the Council, be taken as read and confirmed and signed.

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### **LORD MAYOR'S ANNOUNCEMENTS**

#### **A. Death of Former Councillor Jean Cole**

The Lord Mayor referred to the death of former Councillor Jean Cole who served as a Councillor from 1976 to 1980 and from 1982 to 1986.

After a number of tributes had been paid by Members it was moved by the

Lord Mayor, seconded and

18566 **RESOLVED:-**

That this Council places on record its sorrow at the death of former Councillor Jean Cole and its appreciation of her devoted service to the residents of Birmingham; it extends its deepest sympathy to members of Jean's family in their sad bereavement.

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**B. MIPIM**

18567 The Lord Mayor informed the Chamber that the city had secured top billing in the 2015 Estate Gazette and MIPIM UK Awards last month when Birmingham won the coveted City of the Year title.

In addition Sir Albert Bore was awarded City Leader of the Year at the prestigious awards ceremony.

The Lord Mayor invited Members to join him in congratulating all who contributed to this great success for the city and Sir Albert Bore on his personal achievement, having served as Leader of this Council from 1999 to 2004 and from 2012 onwards.

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**PETITIONS**

**Petitions Relating to External Organisations Presented at the Meeting**

The following petitions were presented:-

(See document No 1)

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

18568 **RESOLVED:-**

That the petitions be received and referred to the relevant organisations.

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

The following petitions were presented:-

(See document No 2)

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

18569 **RESOLVED:-**

That the petitions be received and referred to the relevant Chief Officers.

**Petitions Update**

The following Petitions Update was submitted:-

(See document No 3)

It was moved by the Lord Mayor, seconded and -

18570 **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**

18571 The Council proceeded to consider Oral Questions in accordance with Standing Order 9 (B).

Details of the questions asked are available for public inspection via the webcast.

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**APPOINTMENTS BY THE COUNCIL**

18572 No appointments were received.

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**EXEMPTION FROM STANDING ORDERS**

It was moved by Councillor Sharon Thompson, seconded and

18573 **RESOLVED:-**

- (i) That, pursuant to a CBM discussion, Standing Orders be waived as follows:
    - Allocate 10 Minutes for item 9 (Report of the Council Business Management Committee – Supplementary Report of the Independent Remuneration Panel);
  - (ii) that it was further moved by Councillor Sharon Thompson, seconded and agreed as follows:
    - Extend the time for item 10 (Motions for Debate from Individual Members) from 90 minutes to two hours.
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**SUPPLEMENTARY REPORT OF THE INDEPENDENT REMUNERATION PANEL**

The following report of the Council Business Management Committee was submitted:-

(See document No 4)

Councillor Sir Albert Bore moved the Motion which was seconded.

A debate ensued to which Councillor Sir Albert Bore replied.

The Motion was put to the vote and by a show of hands was declared to be carried.

It was therefore –

18574 **RESOLVED:-**

That the recommendations made by the Independent Remuneration Panel on page 3 of the supplementary report be accepted and back dated to apply from 19 May 2015.

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**ADJOURNMENT**

It was moved by the Lord Mayor, seconded and

18575 **RESOLVED:-**

That the Council be adjourned until 1615 hours on this day.

The Council then adjourned at 1555 hours.

At 1625 hours the Council resumed at the point where the meeting had been adjourned.

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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 Standing Order 4(A).

**A. Councillors Randal Brew and Debbie Clancy have given notice of the following Motion:-**

(See document No 5)

Councillor Randal Brew moved the Motion which was seconded by Councillor Debbie Clancy.

A debate ensued during which it was suggested that the date to change the current system should be 2017-18.

Councillor Randal Brew replied to the debate and indicated that he was willing to amend the date to change the current system from 2016-17 to 2017-18.

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

Here upon a poll being demanded the voting, with names listed in seat number order, was as follows:-

(See document No 6)

Councillors Gurdial Singh Atwal, Mahmood Hussain and Mike Leddy indicated that they wished to be included as having voted against the Motion as amended.

Therefore, the total results referred to in the interleave should read:-

Yes – 38 (For the Motion as Amended);

No – 61 (Against the Motion as Amended);

Abstain – 0 (Abstentions).

It was therefore -

18576 **RESOLVED:-**

That the Motion, as amended in the pre-amble, was declared to be lost.

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**B. Councillors Karen Trench and Jon Hunt have given notice of the following Motion:-**

(See document No 7)

Councillor Karen Trench moved the Motion which was seconded by Councillor Jon Hunt.

In accordance with Council Standing Orders, Councillors Barbara Dring and Alex Buchanan gave notice of the following amendment to the Motion:-

(See document No 8)

Councillor Barbara Dring moved the amendment which was seconded by Councillor Alex Buchanan.

In accordance with Council Standing Orders, Councillors Gareth Moore and Alex Yip gave notice of the following amendment to the Motion:-

(See document No 9)

Councillor Gareth Moore moved the amendment which was seconded by Councillor Alex Yip.

A debate ensued.

Councillor Karen Trench replied to the debate.

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

Here upon a poll being demanded the voting, with names listed in seat number order, was as follows:-

(See document No 10)

Councillor Mike Leddy indicated that he wished to be included as having voted in favour of the Motion as amended.

Councillor Deirdre Alden indicated that she wished to be included as having voted against the Motion as amended.

Therefore, the total results referred to in the interleave should read:-

Yes – 76 (For the Motion as Amended)

No – 20 (Against the Motion as Amended)

Abstain – 2 (Abstentions)

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

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.

It was therefore -

18577 **RESOLVED:-**

Council notes with concern the growing number of Fixed Odds Betting Terminals (FOBTs) in betting shops, allowing gamblers to bet, by debit card, sums of up to £100 a time.

Council also notes estimates by the Campaign for Fairer Gambling that £152.5 million a year is spent on those machines in Birmingham annually by means of cash or debit withdrawals, resulting in losses of £29.1 million. Further that based on the number of betting shop licences, there are in the region of 650 of these machines in operation in the city and 27,000 players, of whom some 5,953 are estimated to be “at risk” by the Gambling Commission.

Council supports measures to bring these machines in line with the rules for fruit machines, which restrict maximum bets per spin to £2.

This Council believes that the increase in FOBTs is causing significant problems and believes that the Government should either use the existing legislative framework, or introduce legislation to outlaw B2 casino games in betting shops.

It calls for Local Authorities to be given effective powers to protect the local amenity and wellbeing of communities by

- (1) limiting the proliferation of betting shops; and
- (2) reducing the maximum stakes and slowing down the speed of play.

This Council notes that the Gambling Commission has this year amended its guidance to Local Authorities, and has changed its Licence Conditions and Codes of Practice for operators. These new provisions will allow for a Local Area Profile to be created to map gambling-related risks in Birmingham, and can include the following categories:

- Mental health prevalence
- Significant ethnic groups
- Significant life stages (e.g. children or emerging adults)
- Financial and debt problems
- Housing instability
- Alcohol consumption
- Employment and income

This Council therefore requests:

1. That the Chief Executive writes to Tracey Crouch MP, the Minister responsible for gambling, recommending a reduction in the maximum bet per spin on FOBTs from £100 to £2.
  2. That the Chief Executive writes to Sir Robin Wales, the Mayor of the London Borough of Newham, to re-affirm this Council's support for Newham's proposal under the Sustainable Communities Act, which calls upon the Government to reduce the maximum bet per spin on FOBTs to £2. In doing so, Council notes with regret that the Government rejected Newham's proposal on 16 July 2015 and further requests that the Chief Executive confirms Birmingham City Council's support for any appeal that Newham intends to make against the Government's decision.
  3. That the Chief Executive instructs officers to put together a Local Area Profile map for Birmingham to assist with tackling the proliferation of betting shops and other gambling premises, and that this be done so that it can be included within the City Council's Statement of Gambling Principles as soon as possible.
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**C. Councillors Sir Albert Bore and Ian Ward have given notice of the following Motion:-**

(See document No 11)

Councillor Sir Albert Bore moved the Motion which was seconded by Councillor Ian Ward.

In accordance with Council Standing Orders, Councillors Robert Alden and Gary Sambrook gave notice of the following amendment to the Motion:-

(See document No 12)

Councillor Robert Alden moved the amendment which was seconded by Councillor Gary Sambrook.

A debate ensued.

Councillor Ian Cruise declared an interest as a member of the Prison Officers' Association.

Councillor Jon Hunt declared an interest as a member of a union that was not affiliated to the Labour Party.

Councillor Kerry Jenkins declared an interest as a member and employee of Unite.

Councillor Deirdre Alden raised a point of order regarding the declaration by Councillor Kerry Jenkins and the Director of Legal and Democratic Services advised thereon.

Councillor Sir Albert Bore replied to the debate.

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

Here upon a poll being demanded the voting, with names listed in seat number order, was as follows:-

(See document No 13)

Councillor Mike Leddy indicated that he wished to be included as having voted against the amendment.

Therefore, the total results referred to in the interleave should read:-

Yes – 24 (For the Amendment)

No – 70 (Against the Amendment)

Abstain – 4 (Abstentions)

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

Here upon a poll being demanded the voting, with names listed in seat number order, was as follows:-

(See document No 14)

Councillors Mike Leddy, Majid Mahmood and Anita Ward indicated that they wished to be included as having voted for the Motion.

Councillor Meirion Jenkins indicated that he wished to be included as having voted against the Motion.

Therefore, the total results referred to in the interleave should read:-

Yes – 67 (For the Motion)

No – 26 (Against the Motion)

Abstain – 5 (Abstentions)

It was therefore -

18578

**RESOLVED:-**

This Council recognises the positive contribution that trade unions and trade union members make in our workplaces. The Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

The Trade Union Bill proposed by Government will give Government wide ranging powers to impose changes on how this Council works with unions to manage relations in the workplace. Plans include:

- preventing public sector employers from running “check off” systems to deduct union subscriptions from the payroll;
- requiring all public sector employers to publish detailed annual reports recording how many union officials are employed by the authority, what proportion of the pay bill is allocated in total to union facilities and how much the public authority spends on specific union activities;
- controlling the amount of money each or any public authority can invest in collective bargaining and social partnership forums, on union health and safety reps and even union learning reps who work with employers to raise skills and training opportunities;
- revising contracts of employment and collective agreements which have been agreed by the public authority with their staff and unions;

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- intervening to cap the amount of money each authority can spend on facility time.

The Council is surprised and disappointed that we are to lose the autonomy to take our own decisions around these important areas for employee engagement, particularly given the Government's rhetorical commitments to the localism agenda. We call on the Government to think again on these plans.

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The meeting ended at 1843 hours.