MEETING OF BIRMINGHAM CITY COUNCIL
14 JUNE 2016

MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD ON TUESDAY 14 JUNE 2016 AT 1400 HOURS IN THE COUNCIL CHAMBER, COUNCIL HOUSE, BIRMINGHAM

PRESENT:- Lord Mayor (Councillor Carl Rice) in the Chair.

Councillors

Muhammad Afzal
Mohammed Aikhlaq
Deirdre Alden
John Alden
Robert Alden
Nawaz Ali
Tahir Ali
Gurdial Singh Atwal
Mohammed Azim
David Barrie
Bob Beauchamp
Matt Bennett
Kate Booth
Barry Bowles
Randal Brew
Marje Bridle
Mick Brown
Alex Buchanan
Sam Burden
Andy Cartwright
Tristan Chatfield
Zaker Choudhry
Debbie Clancy
John Clancy
Lynda Clinton
Lyn Collin
Maureen Cornish
John Cotton
Ian Cruise
Peter Douglas Osborn
Barbara Dring
Neil Eustace
Des Flood
Jayne Francis
Matthew Gregson
Paulette Hamilton
Andrew Hardie
Roger Harmer
Kath Hartley
Ray Hassall
Barry Henley
Penny Holbrook
Des Hughes
Jon Hunt
Mahmood Hussain
Shabrana Hussain
Timothy Huxtable
Mohammed Idrees
Zafar Iqbal
Ziaul Islam
Kerry Jenkins
Meirion Jenkins
Simon Jevon
Brigid Jones
Nagina Kauser
Tony Kennedy
Ansar Ali Khan
Changese Khan
Mariam Khan
Narinder Kaur Kooner
Chaman Lal
Mike Leddy
Bruce Lines
Mary Locke
Majid Mahmood
Karen McCarthy
James McKay
Gareth Moore
Yvonne Mosquito
Brett O'Reilly
John O'Shea
David Pears
Eva Phillips
Robert Pocock
Victoria Quinn
Hendrina Quinnen
Chauhdry Rashid
Habib Rehman
Gary Sambrook
Rob Sealey
Mike Sharpe
Claire Spencer
Stewart Stacey
Ron Storer
Martin Straker Welds
Sharon Thompson
Paul Tilsley
Karen Trench
Lisa Trickett
Anne Underwood
Margaret Waddington
Ian Ward
Mike Ward
Fiona Williams
Alex Yip
Waseem Zaffar

Mohammed Fazal Ewan Mackey

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NOTICE OF RECORDING

18694 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.

MINUTES

It was moved by the Lord Mayor, seconded and –

18695 **RESOLVED:-**

That the Minutes of the Extraordinary Meeting of the City Council held on 24 May 2016, having been printed and a copy sent to each Member of the Council, be taken as read and confirmed and signed.

It was moved by the Lord Mayor, seconded and –

18696 **RESOLVED:-**

That Subject to the above amendment, the Minutes of the Annual Meeting of the City Council held on 24 May 2016, having been printed and a copy sent to each Member of the Council, be taken as read and confirmed and signed.

LORD MAYOR'S ANNOUNCEMENTS

1 St Joseph's Catholic School

18697 The Lord Mayor indicated that in the public gallery today were staff and pupils of St Joseph's Catholic School who have had a tour of the Council House and are now joining us to watch the debate.

The Lord Mayor asked all in the Chamber to join him in welcoming them all to the Council meeting.

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2 Death of former Councillor John Trojnacki

The Lord Mayor referred to the recent death of former Councillor John Trojnacki who served as a Councillor from May 1991 to May 1995. The Lord Mayor continued that Richard served on a number of Committees and Sub-Committees of the Council as well as outside bodies.

After a number tributes had been paid by Members it was moved by the Lord Mayor, seconded and:-

18686 **RESOLVED**:-

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

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3 Terrorist Attack in Orlando

The Lord Mayor made reference to the terrorist atrocity in Orlando on Sunday in which 49 people were killed.

He continued that on behalf of the citizens of Birmingham he would be attending a vigil this Saturday afternoon (18 June) that Birmingham LGBT will be holding to honour the lives of the victims of this attack starting at 1pm at the Birmingham LGBT Centre and weather permitting head to the Pagoda Island.

The Lord Mayor indicated that he had written to President Obama and the Mayor of Orlando, Buddy Dyer to express his deep shock and sorrow at the appalling loss of life and asked that all in the Chamber join him in those sentiments.

18687 **RESOLVED**:-

That this Council places on record its sorrow for the loss life in the recent terrorist atrocity in Orlando Florida and it extends its deepest sympathy and condolences to members of the families affected and to the American people.

4 Queens Birthday Honours

18688 The Lord Mayor said that he had pleasure in congratulating those below mentioned in the Queen's Birthday Honours list for services to Birmingham or who live in Birmingham:-

Commander of the British Empire
Colin James Diamond

Order of the British Empire
Joel Blake
Adil Ray
Mrs Shaista Gohir
Sewa Singh Mandla
Professor Celia Moss

Member of the British Empire
Mohammed Ali
Mrs Deloris Collett

Mrs Sally Anne Evans
Lucan Gray
Simon Griffiths
Stephen Michael Harris
Mrs Jasprit Jeetly
Robert Pedley
John Dixon Phillips
Francis Edward Ursell

British Empire Medal
Ms Rehana Khan
Alan Charles Murdoch
Shaminder Singh Rai
Councillor Michael John Sharpe

The Lord mayor asked all those in the Chamber to join me in congratulating those honoured on their marvelous achievements.

PETITIONS

Petitions Relating to City Council Functions 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 -

18689 **RESOLVED**:-

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

Petitions Update

The following Petitions Update was submitted:-

(See document No 2)

It was moved by the Lord Mayor, seconded and -

18690 **RESOLVED**:-

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

QUESTION TIME

18691 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.

EXTENSION OF TIME LIMIT

It was moved by Councillor Anne Underwood and seconded –

"That the time limit for part B of Question Time be extended by 15 minutes."

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

It was accordingly –

18692 **RESOLVED**:-

That the time limit for part B of Question Time be extended by 15 minutes.

APPOINTMENTS BY THE COUNCIL

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

(See document No 3)

18693 **RESOLVED**:-

That New Frankley in Birmingham Parish Council Member Cllr Ian Bruckshaw and Sutton Coldfield Parish Council Member Cllr Derrick Griffin be appointed to the Standards Committee.

EXEMPTION FROM STANDING ORDERS

It was moved by Councillor Sharon Thompson:-

"That, pursuant to a CBM discussion, Standing Orders be waived as follows:

- Allocate 60 Minutes for item 8 (Children's Social Care)
- Allocate 55 Minutes for item 9 (Birmingham Cultural Strategy)

CBM is also recommending that the meeting finish at 1940 hours"

Councillor Robert Alden indicated that he understood CBM had allocated 90 Minutes to item 8 and proposed that amendment.

The Motion having been amended was seconded and it was-

18694 **RESOLVED**:-

That, pursuant to a CBM discussion and the amendments proposed, Standing Orders be waived as follows:

That, pursuant to a CBM discussion, Standing Orders be waived as follows:

- Allocate 90 Minutes for item 8 (Children's Social Care)
- Allocate 55 Minutes for item 9 (Birmingham Cultural Strategy)

and that it be recommended that the meeting finish at 2010 hours

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LENGTH OF MEETING

Councillor Robert Alden proposed and Councillor John Clancy seconded and it was-

18695 **RESOLVED**:-

That Standing Order 13 (Length of Council Meetings) be suspended and the meeting be extended by 70 minutes to 2010 hours.

CHILDREN'S SOCIAL CARE: IMPROVEMENT & CHALLENGES

The following report of the Improvement Quartet was submitted:-

(See document No 4)

Councillor Brigid Jones moved the motion which was seconded by Councillor John Clancy.

In accordance with Council Standing Orders, Councillors Jon Hunt and Roger Harmer gave notice of the following amendment to the Motion:-

(See document No 5)

Councillor Jon Hunt moved the amendment which was seconded by Councillor Roger Harmer.

In accordance with Council Standing Orders, Councillors Matt Bennett and Debbie Clancy gave notice of the following amendment to the Motion:-

(See document No 6)

Councillor Matt Bennett moved the amendment which was seconded by Councillor Debbie Clancy.

A debate ensued.

Councillor Brigid 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.

The second 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 7)

Councillor Kate Booth indicated that they wished to be included as having voted against the amendment.

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

Yes – 30 (For the Amendment);

No – 65 (Against the Amendment);

Abstain – 0 (Abstentions).

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 -

18696 **RESOLVED**:-

The Council welcomes and notes the progress in children's social care and proposed next steps, including the intention to explore and develop a voluntary trust arrangement for children's services.

This Council believes the level of accountability of the Trust to Council should be defined broadly so that all Councillors continue to exercise their corporate parenting responsibilities. Accountability should ensure that senior managers report to the relevant Scrutiny Committee.

ADJOURNMENT

It was moved by the Lord Mayor, seconded and

18697 **RESOLVED:-**

That the Council be adjourned until 1735 hours on this day.

The Council then adjourned at 1715 hours.

At 1735 hours the Council resumed at the point where the meeting had been adjourned.

BIRMINGHAM CULTURAL STRATEGY

The following report of the Deputy Leader was submitted:-

(See document No 8)

Councillor Ian Ward moved the motion which was seconded .

A debate ensued.

Councillor Ian Ward replied to the debate.

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

It was therefore –

18698 **RESOLVED**:-

That the City Council adopts the attached partnership strategy for Culture, and undertakes to integrate its principles and actions into service planning for the period, leading the process where indicated.

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).

Councillors Neil Eustace and Paul Tilsley have given notice of the following Motion:-

(See document No 9)

Councillor Neil Eustace in moving the Motion indicated that he wished to remove the words '- and of other forms of anti-social behaviour on the highways -'. The amended motion was seconded by Councillor Paul Tilsley.

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

(See document No 10)

Councillor Gareth Moore moved the amendment which was seconded by Councillor Anne Underwood.

A debate ensued.

Councillor Neil Eustace 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.

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 -

18699 **RESOLVED:-**

This Council

- notes concerns about damage to grass verges raised by residents and Councillors of all parties;

- notes initiatives taken by the Executive to test new ways of tackling the problem;

- believes there needs to be a thorough investigation of the scope of the Council's powers to prevent parking on grass verges;

- calls for an examination of a range of solutions to the problem;

- calls for a full assessment of the costs of damage caused by verge parking and of the level of public concern.

- Calls for the current criteria for grass verge protection schemes to be reviewed so that more roads can be considered suitable.

This Council proposes that a scrutiny review of the subject would assist the Executive in devising a way forward; such a review should include examination of the impact of delays in dropped kerb installation and charges for this service.

The meeting ended at 1915 hours.

APPENDIX

Questions and replies in accordance with Standing Order 12(A).

WRITTEN QUESTION TO THE LEADER FROM COUNCILLOR GARETH MOORE

A1 Ward Committees

Question:

Does the Leader agree that Ward/Forum meetings are vital for local residents to engage with and should continue to be held?

Answer:

I believe that regular engagement meetings with citizens in wards and neighbourhoods are vital to democracy in the city, and different wards will call them different things. I know the new devolution cabinet committee will address and explore these matters and look forward to the discussion and debate there and elsewhere.

WRITTEN QUESTION TO THE LEADER FROM COUNCILLOR KEN WOOD

A2 You still keep me Hanging On

Question:

In response to my written question in April enquiring how long one should expect to wait on a response to a written query to a Cabinet Member, you replied that it depended on the nature of the enquiry, but that I should forward copies of the letters to yourself and you would make enquiries.

Copies of the letters were sent to you on the 22nd April 2016 and to date, I have received neither a response nor even an acknowledgment.
My question is therefore what is the maximum amount of time a Councillor should have to wait for an answer to queries sent to the Leader of the Council?

Answer:

I have received copies of two letters that you sent to the former Cabinet Member for Development, Transport and the Economy, in relation to Transport matters.

I understand that Cllr Ali had responded to you, to his satisfaction, on the matter concerning Victoria Square, and that officers in Transportation Projects responded to you about Perhsore Road, offering you the opportunity of a site visit. This offer is still available if you would like officers to arrange it.

If you are not content, I suggest you put your questions to Cllr Stewart Stacey, the Cabinet Member for Transport & Roads.

WRITTEN QUESTION TO THE LEADER FROM COUNCILLOR BOB BEAUCHAMP

A3 Meetings

Question:

How many meetings (including dates) has the Leader held with staff from channel 4 since becoming leader of the council?

Answer:

None.

WRITTEN QUESTION TO THE LEADER FROM COUNCILLOR GARY SAMBROOK

A4 In/Out

Question:

Given the recent announcement about postal votes being sent to ineligible people for the European referendum, how many people have wrongly been sent a postal vote in Birmingham?

Answer:

The responsibility for planning and delivering the referendum (and all other polls) lies with the Electoral Registration Officer (ERO) and the Counting Officer and not the City Council. Whilst the posts of ERO and CO are currently held by the Chief Executive, Mark Rogers, these are statutory appointments and are independent of the Council.

As such I passed the question to the ERO/CO to respond directly to you, which I believe he did on Friday 10 June 2016.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR JON HUNT

A5 Reduce Number of Play Areas

Question:

Could the Leader indicate what steps are being taken to implement item SN13 of the budget and business plan (Reduce number of play areas)?

Answer:

SN13 is being reviewed, and consultation will be held over the summer with local Members prior to any final decision being taken.

WRITTEN QUESTION TO THE LEADER FROM COUNCILLOR ROBERT ALDEN

A6 Children's Services

Question:

Please list all meetings, e-mail correspondence, phone calls or letters the Council has had with the Department for Education or Number 10 since the Leader took control which relates to the establishment of a trust for children's service, including who attended such meetings or received correspondence?

Answer:

The report on this matter to full Council details the history of such discussions. More recently there was:

- A stocktake with DfE on 24 February 2016 and again on 12 April 2016
- A meeting with DfE on 23 May 2016
- A stocktake with DfE on 8 June 2016.

Attendees at some or all of these meetings included the Children's Commissioner, DfE officials, the Chief Executive, myself as Cabinet Member, the Leader of the Council, the Strategic Director for People, senior BCC managers, our Improvement Partner, Essex Children's Services and staff from Deloitte.

There have also been several informal conversations since Trusts were first suggested in the Le Grande review in 2014.

WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM COUNCILLOR JON HUNT

B Permanent Recognition - Distinguished heroes

Question:

The Council has honoured Brummies who gained the Victoria Cross or George Cross in the First World War at a recent event at the Hall of Memory.

What arrangements are to be made for permanent recognition of the City's other holders of these two awards for our most distinguished heroes?

Answer:

The commemorative paving stones for the Victoria Cross recipients during the First World War was a national initiative by the Department of Communities and Local Government (DCLG) last year and the city received 10 names of those who were born in Birmingham.

I am not aware of any Government plans to similarly recognise the city's other Victoria Cross recipients.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR LYN COLLIN

C1 Response

Question:

At the last City Council a written question was submitted (Q PRU) and you advised that officers would be providing me with the detailed figures required for a full response. Despite my chasing you on this no response has been received. There has now been more than sufficient time to provide this information. Could you please do so now for the public record?

Answer:

The total number of pupils currently in the PRU is 500.

- 125 have been in between 0 to 6 months
- 130, 6 to 12 months
- 167, 13 to 24 months
- 59, 25 to 36 months
- 19, 37months or greater.

There are currently 26 pupils with statements or EHC plans. Of those

- 7 pupils had a statement or EHC plan before arrival at the setting
- 21 had a statement or EHC issued whilst on roll at COBS

Of the 21 statements/EHC plans issued

- 9 were requested by the PRU
- 8 by the parent
- 4 by the previous school they had attended prior to exclusion.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR ALEX YIP

C2 Response

Question:

At the last City Council a written question was submitted (Q Young People) and you advised that officers would be providing me with the detailed figures required for a full response. Despite my chasing you on this no response has been received. There has now been more than sufficient time to provide this information. Could you please do so now for the public record?

Answer:

Officers are already engaging with elected members, schools and key partners to discuss the development of a strategic approach to how Social, Emotional and Mental Health needs can be met in **all** educational settings across Birmingham City.

There are 780 children and young people with statements or EHC plans whose primary needs related to social, emotional, mental health issues. Of those 78-

- 75 are in mainstream schools
- 6 in resource bases
- 438 in special schools
- 30 in the PRU
- 241 in independent/non-maintained special schools
- 4 in elective home education and
- 13 without a school place

The number of pupils in attending Birmingham Special schools are as follows

- 119 in hunters Hill Technology College
- 110 in Lindsworth School
- 31 in Selly Oak Trust School
- 83 in Skilts School
- 70 in Springfield House School and
- 16 in other LA specials

(Please note
The data provided is based upon figures as at November 2015 which was undertaken in preparation for the Sufficiency forecast. This included pupils identified with a primary need of SEMH (BESD) during the full 14/15 academic year.)

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR RANDAL BREW

C3 Response

Question:

At the last City Council a written question was submitted (Q External Support) and you advised that officers would be providing me with the detailed figures required for a full response. Despite my chasing you on this no response has been received. There has now been more than sufficient time to provide this information. Could you please do so now for the public record?

Answer:

Associates to support Improvement Plans 2016/17
Total paid £28296.12 Gross (Net of VAT £23580.10)

The purpose of the Improvement Plans and Associates is to support the Local Authority to become one of the best performing for SEND in the country; that addresses the needs of children quickly, provides suitable education and ensures the right children have access to the most specialist support. We want to avoid stressful and expensive processes to resolve disputes between parents and the Local Authority when less formal procedures such as mediation could be used.

This requires a whole system approach, with a realistic and sustainable way forward. There is a need for stronger partnership working in this area and generalising good practice to achieve better outcomes for all.

The Service requires strengthening to improve performance, particularly with regard to completion of Transfers from SEN Statements to Education Health and Care Plans, Appeals to Tribunals, children without a school place as well as improving quality assurance and customer service.

The Associates are from a private company and are specialists in the area of delivering SEN improvements in Local Government. They are supporting SENAR focusing on performance management and quality assurance.

They are also supporting the delivery of the Education Plan via a number of other connected priority SEND projects linked to current challenges. These are Information Sharing Strategy for SENAR & SENDIASS, Pathways to Specialist Provision, Refreshing the Special Education Development Plan and High Needs Funding Allocation System for Pupils with SEND.

Independent investigation of complaint and follow up 2015/16

Total paid £5,204.88 Gross (Net of VAT £4,337.40)
The purpose was to investigate allegations against Birmingham City Council regarding inappropriate changes to statutory assessment timescales relating to Education, Health and Care (EHC) plans. Four complaints were investigated (3 relating to EHC process and 1 to Transfer Review process).
No evidence of deliberate manipulation of dates and timelines within the statutory assessment process was found. There was some evidence confusion between the two teams (SENAR and PSS) responsible for the new EHC and transfer review processes and evidence that statutory timelines had not been met with unacceptable delays in receiving an EHC Plan.
Learning from each complaint was acted on and capacity issues have been addressed with additional staff in post funded by the SEN Reforms Grant to support the process.
Performance in timeliness of new EHC Plans has improved since the allegations were made, and since December 2015 has been consistently above 90% on time.
A significant number of transfer reviews remain outstanding, and recommendations from the investigation have been included in Improvement Plans.

Consultant Support re Sustainable approach to commissioning Alternative Provision 2015/16 Total paid £13,692.18 Gross (Net of VAT £11,410.15)

This work is part of our approach to Sustaining Inclusion, to promote inclusion positively alongside our other equal opportunities work to protect and champion our vulnerable children. The work of the consultant has contributed to developing the strategic partnership and leadership across the system and developing a shared understanding of the complex factors impacting on this.
Over the past 2 years exclusions have been rising in Birmingham and they have been higher than average across England and higher than our statistical neighbours for a number of years. This has resulted in a reactive response to growing need with equity issues and increased spend on alternative provision that is not sustainable.

The realities for schools are that pupils with better behaviour tend to have better academic outcomes and some pupils are difficult to engage/re-engage. External pressures on schools include curriculum changes, OfSTED inspections and the market place.

The realities for pupils who are excluded include alienation, further disengagement and poorer outcomes. There are risks of negative peer grouping and wider safeguarding and community risks.

The Consultant is a specialist who has worked for national and local government for over 17 years, focusing on policy and provision for children and young people with SEND with a particular interest in the area of social, emotional and behavioural difficulties. He has carried out reviews of behaviour support and provision in a broad range of Local Authorities across the UK.

The Consultant support in Birmingham has resulted in a feasibility study, options appraisal and engagement with partners and stakeholders to develop a sustainable approach to commissioning of Alternative Provision.

Information on High Needs spending on children with behaviour, emotional and social difficulties in each Secondary Network and Primary Consortia Group has been identified and shared with Head Teachers. Secondary Head Teachers are now substantially involved in planning the use of this resource.
The work has contributed to a reduction in secondary exclusions in Spring Term 2016.

Additional support for development of Post 16 provision
2015/16 Total paid £11,040.00 Gross (Net of VAT £9,200.00)

This work was part of the Post 16 Opportunities partnership which has been established to develop Post 16 SEN provision. This is a new additional responsibility for Local Authorities, following national policy changes. We want young people to have access to a good range of mainstream and specialist post 16 provision, so they can participate and achieve meaningful occupation in the future

The Interim manager provided additional capacity to lead 4 projects including supporting and improving the offer from General and Further Education Colleges and extending the work of SEN Support Services to this group.
Access to Education now include support for colleges as part of their service. This work also contributed to the development of a Post 16 booklet for young people, providing information about opportunities and pathways to support the transition process.

External consultant to Review Complex Cases Panel arrangements
Total Paid £10,324.20 Gross(Net of VAT £8,603.50)
Jointly funded with NHS

There are a small number of children and young people with the most complex needs who require placements jointly funded across the Local Authority (education and social care) and Health. We want these children to be placed in suitable provision quickly. This requires good understanding of the pathways for children, including the resources available to prevent crises and placement breakdown. The range of suitable provision is limited, and providers often demand high costs. The Local Authority has to work together with the NHS to ensure we get the best value for money and that provision is monitored to improve progress and outcomes for children.

The current complex case panel meets fortnightly and includes education, social care and health commissioners. The panel also includes education officers, health clinicians and social care senior managers. The purpose of the panel is to approve and review placements for children and young people with complex needs where placements are funded jointly across EHC.

The purpose of work of the Consultant was to review the current arrangements to support improvements in the operation of the panel including the pathway for cases coming to panel and greater integration of processes.
The Review report has been completed and shared with key stakeholder with recommendations picked up in Service Plans. The recommendations supported the development of more transparent and efficient funding arrangements and a Joint Funding Agreement has been drawn up for 2016/17 allowing passing of

money from NHS to the Council on an annual pooled basis rather than for each individual child.

External Consultant to review funding of complex cases
2014/15 Total Paid £8692

There are a small number of children and young people with the most complex needs who require jointly funded placements across the Local Authority (education and social care) and Health. These placements are often very costly and we want to make sure that the arrangements are suitable and provide value for money. This external consultant was already working for the Children's commissioning team to support work on permanency planning and extended this activity to review and audit the 10 most expensive placements. The product included a resource allocation system for the social care contribution to joint funding for placements. Recommendations also fed into the wider review of the Complex Cases panel arrangements outlined above.

Additional Information

The services for children with complex needs have had access to external support available across the Education Service, People Directorate or the whole Council. For example support via Future Council from model savings in Travel Assist and Continuing Professional Development such as 360 degree feedback and coaching.

In addition specialist external support has been commissioned to support engagement and co-production with families such as a specialist private company commissioned to develop videos with young people and families to promote and engage stakeholders in the Local Offer (£2750 in 2014/15) and Parent Trainers to deliver workshops for parents (£3337 in 2014/15, £10,757 in 2015/16). This has been funded by the SEN Reforms Additional Burdens Grant from the DfE. Services for Children with Complex Needs deliver traded services, to build capacity for early intervention and SEN Support in schools for example. This includes the use of Associate Educational Psychologists commissioned via Services for Education and Associate Teachers via Schools. This allows the services to be flexible in the offer they provide. There is no cost to the council for this, as it is funded from traded income.

The Virtual School for Children in Care and LACES commission a range of projects and tutors to support children in care with their education, funded from Pupil Premium Plus funding.

Disabled Children's Social Care commission interpreters and escorts in order to carry out their social work assessments and contact with family members for children in care for example.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR ROB SEALEY

C4 Response

Question:

What is the council's policy on charging for home to school transport for the following ages:

16-17 years old
18 years old and upwards?

Answer:

Service users who access Post 16 education provision are assessed for transport assistance in-line with the Council's current Post 16 Transport Policy. To be eligible for assistance applicants must meet the following minimum criteria:

(1) You must be a resident of Birmingham
(2) You must be attending a course at a school, further education college or institution or 16-19 Academy consisting of at least 450 guided learning hours per year
(3) You must have a Statement of Special Educational Needs or Education Health and Care Plan
(4) You must be aged 16-18 years, or have started the relevant course before you turned 19 and continuing to attend it.

Applicants who are awarded specialised transport, i.e. on a vehicle commissioned by the Council are required to make either a £300 or £600 annual contribution towards costs. The reduced annual rate of £300 is applied if the family of the applicant is in receipt of maximum working tax credits.

For those 'adults' who are neither children nor of sixth form age (therefore 19 or over), section 508F Education Act 1996 deals with the matter of provision of transport. Under that section the Council is not obliged to make any arrangements for the provision of transport for adult learners except where it considers necessary, however if the Council does make such provision it must be free of charge.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR TIMOTHY HUXTABLE

C5 Complaint

Question:

What are the figures regarding the work of the Disabled Children's Social Care team for each year in the period 2013-2016 and could this information be provided?

Requests for assessment
Assessments carried out within statutory timescales (45 days)
Stage 1 complaints upheld/dismissed
Stage 2 complaints upheld/dismissed
Stage 3 complaints upheld/ dismissed

Answer:

Requests for assessment and assessment timescales

The information about assessments for the Disabled Children's Services for the period 2013/2016 has been provided in the table below. It uses information which relates to the current assessment model, a Single Assessment, because the data is consistent and available since October 2013.
In terms of requests for assessment these are logged in line with the assessment information which is tabulated below.

- The row which gives *the total number of single assessments* is the number of assessments requested in the period.
- The row which gives *the single assessments within timescale* is the number that were completed within the timescale.
- There is a row which gives the indicator for *percentages within timescale.* The operational target is 85% within timescale.

DCSC	13/14	14/15	15/16
Single Assessments within Timescale	101	371	271
Total Number of Single Assessments for the year/period[1]	119	434	338
Percentage in timescale	84%	85%	80%

In terms of Complaints

The response for Complaints for the Disabled Children's Social Care Service within the period identified is as follows:

Stage 1 – Locally investigated
There have been 87 complainants with 126 aspects of complaint.
Of the 126 aspects there have been 40 aspects upheld; 69 not upheld and 17 partially upheld.

Stage 2 – Independently Investigated
There have been 16 complainants with 114 aspects of complaint. Of the 114 there have been 19 aspects upheld; 59 not upheld; 17 partially upheld and 19 inconclusive.

Stage 3 – Independently Reviewed
There have been 2 complainants with 18 elements of complaint. Of the 18 there have 2 aspects upheld; 13 not upheld; 1 partially upheld and 2 inconclusive

Please note: the period 13/14 is October 2013 – March 2014 . This is because Single Assessments were introduced in October 2013.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR MEIRION JENKINS

C6 Criteria

Question:

What criteria is used to allocate referrals related to children with SEND or other CiN to the Disabled Children's SC Service rather than Area SW teams?

Answer:

The Disabled Children's Social Care Eligibility Criteria is the key document which informs any decision about the level of social care packages or direct payments for disabled children and young people following an assessment (S.17 Children Act 1989).

The criteria for Disabled Children's Social Care is used to inform whether a disabled child's level of need is such that they should be within the DCSC rather than an Area Social Work team. Essentially, where a child has a significant and long-lasting disability and this is the primary reason for their needs, they will be supported through the Disabled Children's social care teams.

A) When a child is referred to the Child Information & Advice Service (CIAS) or to MASH information about that child's needs and any disability will inform whether the child should be allocated to an Area SW team or to the DCSC. This can involve discussion with managers for each service and a decision is made swiftly.

B) It is possible that a child's case can be allocated to one team for an assessment, and at the end of the assessment it is understood that the child's needs will be better met by being allocated within a different team. If that is decided the case is then transferred by discussion between team managers..

Referrals into Disabled Children's Social Care can come from a variety of sources including SENAR, Early Help, Early Support, Schools, Nursing or Health visiting or numerous other professionals.

Children with particular SEND needs who have an assessment for an EHC Plan can request advice from Social Care. This can be provided from either an Area Social Work Team or DCSC as appropriate.

The DCSC eligibility criteria are reviewed periodically with Area SW teams, SENAR and a range of other professionals. Children and families allocated to DCSC or area teams can also access Information Advice and Guidance and early help/ community support, including carers support, from Universal and targeted Services provided or commissioned by the Council.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR DAVID BARRIE

C7 Criteria 2

Question:

What criteria are used when deciding the level of Direct Payments or other social care packages for disabled children?

Answer:

The Disabled Children's Social Care Eligibility Criteria is the key document which informs any decision about the level of social care packages or direct payments for disabled children and young people.

The Eligibility Criteria when it was originally produced was widely consulted upon and included an appropriate Impact Assessment.

The process is as follows: A Social worker will complete an assessment of social care need in consultation with the child, family and with reference to the professionals who are involved with the child and family. If the social worker and the manager identify an appropriate unmet need the child's assessment along with the carers "Carers Assessment" papers are presented to a Multi-Agency Community Resources Panel which reviews the needs against the Eligibility Criteria.

At the Community Resources Panel a decision is made as to eligibility and the level of need against specific "exemplars". This process gives rise to a score which informs the level of need and the possible resources available to meet that need.

A range of resources are available for disabled children who meet the criteria or the family can request to receive a Direct Payment to meet the identified unmet social care needs.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR JOHN LINES

C8 Nonsuch

Question:

What were the number of exclusions at Nonsuch School both limited and permanent before 3rd January 2016, including how many were disabled?

Answer:

	Fixed term	Permanent	SEND
2013-14	3	1	4
2014-14	10	2	11
2015-16		2*	1

*1 overturned and child came back

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR ANNE UNDERWOOD

C9 Too Old for School

Question:

How many unaccompanied immigrants placed in Birmingham schools since 2012 have turned out to have been too old for school at the time of placing?

Answer:

"These immigrants" are asylum seekers and refugees, highly vulnerable children fleeing war and persecution and separated from their families.
We do not hold this data. However, the Head of Service who has managed the Citywide UASC service in the main since 2012 can only recall one recent case of a school raising concerns regarding the age of young person and their 'willingness/ concern'' to offer a school place.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR DEIRDRE ALDEN

C10 School Places

Question:

How many unaccompanied immigrants have been placed in Birmingham Schools since 2012?

Answer:

"These immigrants" are asylum seekers and refugees, highly vulnerable children fleeing war and persecution and separated from their families.

77 unaccompanied asylum seeking children (UASC) have been placed in Birmingham schools since 2012. This number is based on the child stating/ conveying/having evidence of a date of birth as being aged under 16 at the time the child was referred to children's service, i.e. of school age.

Any UASC claiming to be a child and having no documentary evidence to support this, but appears to be aged between 16-18, a college rather than school place will be pursued for that young person. This will then be subject to the completion of the age assessment.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR BOB BEAUCHAMP

C11 Audit – Children In Need Cases

Question:

How many case file audits have been carried out on Children in Need cases in the last 12 months, broken down by month and tier of management undertaking audit?

Answer:

In January 2016 a new practice evaluation system was introduced to bring consistency to how we audit case work. 141 cases were audited between January and May. In addition the Principal social worker team under took an in-depth Child in Need evaluation of cases across the three areas (March-May, 2016). 85 cases were reviewed.

The findings of this have been used to inform changes to practice.
More detailed data about the case audits will be available by 22nd June.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR RON STORER

C12 Audits

Question:

Of the case file audits carried out, how many identified cases where management oversight\supervision did not comply with standards set out in BCC policies and procedures?

Answer:

Between January and May 2016 there were 141 case evaluations completed and this included feedback from 77 parents. Of the 141 cases evaluated, 67 cases were judged to "require improvement"; 61 judged to be "good" and 13 judged to be "inadequate".

Based on the practice evaluations completed to date:

- Thresholds are being applied appropriately in the majority of cases.
- Supervision is taking place and, in the main, at the required frequency, the quality of supervision and management oversight still needs to improve.
- The cases selected are Child In Need, children receiving child protection interventions and children in care

More detail about the number of cases with deficits in management oversight will be available by June 22nd.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR JOHN ALDEN

C13 Audits 2

Question:

Of these audits (referred to in the question from Councillor Bob Beauchamp) how many identified cases where management oversight/supervision did not comply with standards set out in BCC policies and procedures?

Answer:

Between January and May 2016 there were 141 case evaluations completed and this included feedback from 77 parents. Of the 141 cases evaluated, 67 cases were judged to "require improvement"; 61 judged to be "good" and 13 judged to be "inadequate".

Based on the practice evaluations completed to date:

- Thresholds are being applied appropriately in the majority of cases.
- Supervision is taking place and, in the main, at the required frequency, the quality of supervision and management oversight still needs to improve.
- The cases selected are Child In Need, children receiving child protection interventions and children in care

More detail about the number of cases with deficits in management oversight will be available by June 22nd.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR GARY SAMBROOK

C14 S47

Question:

Out of the children in need cases that have been opened, how many have become S47 cases?

Answer:

All referrals to Children's Social Care that result in an assessment are Child In Need cases initially. The number of Children in Need cases opened in the last year from June 2015 to June 2016 is 12,753.

Of those, there were 3389 that were S47 assessments initiated (26.5%) in the same period. Both figures have been checked against the DfE CIN census return.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR DEBBIE CLANCY

C15 Thresholds

Question:

Of these audits (referred to in the question from Councillor Matt Bennett), how many identified cases where thresholds have been incorrectly applied?

Answer:

Between January and May 2016 there were 141 case evaluations completed and this included feedback from 77 parents. Of the 141 cases evaluated, 67 cases were judged to "require improvement"; 61 judged to be "good" and 13 judged to be "inadequate".

Based on the practice evaluations completed to date:

- Thresholds are being applied appropriately in the majority of cases.
- Supervision is taking place and, in the main, at the required frequency, the quality of supervision and management oversight still needs to improve.
- The cases selected are Child In Need, children receiving child protection interventions and children in care

More detail about the number of cases where thresholds were not judged to be correct will be available by June 22nd.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR MATT BENNETT

C16 Mash referrals

Question:

How many case file audits have been carried out on MASH referral cases in the last 12 months, broken down by month and tier of management undertaking audit?

Answer:

A new management team took over responsibility for MASH in January 2016; a quality assurance framework has been put in place which includes regular multi agency audits. These audits are carried out by Assistant Director and Head of Service for MASH, Detective Chief Inspector with responsibility for Public Protection Unit and Head of Service, Safeguarding Children for Birmingham Community Healthcare trust.

The framework took effect in May and 10 cases were audited in the first month. These audits will take place each month

There is also a Front Door Reference Group – this is an independent multi-agency audit group reviewing approximately 10 cases a month. Eighty eight cases were reviewed in 2015/16 highlighting a slight improvement in the quality of referrals.

An independent MASH review – commissioned by Birmingham Safeguarding Children Board took place in January 2016. Two independent reviewers reviewed 21 cases and attended a number of multi-agency focus groups to gain an insight into MASH.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR ROBERT ALDEN

C17 Children in Care

Question:

How many children in need cases have been opened in the last 12 months?

Answer:

All referrals to Children's Social Care that result in an assessment are Child In Need cases initially. The number of Children in Need cases opened in the last year from June 2015 to June 2016 is 12,753.

Of those, there were 3389 that were S47 assessments initiated (26.5%) in the same period. Both figures have been checked against the DfE CIN census return.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR KEN WOOD

C18 Meetings

Question:

Please list all meetings the Cabinet Member has had internally/externally at which the establishment of trust for children's services was discussed.

Answer:

The report on this matter to full Council details the history of such discussions. More recently there was:

- A stocktake with DfE on 24 February 2016 and again on 12 April 2016
- A meeting with DfE on 23 May 2016
- A stocktake with DfE on 8 June 2016.

Attendees at some or all of these meetings included the Children's Commissioner, DfE officials, the Chief Executive, myself as Cabinet Member, the Leader of the Council, the Strategic Director for People, senior BCC managers, our Improvement Partner, Essex Children's Services and staff from Deloitte.
There have also been several informal conversations since Trusts were first suggested in the Le Grande review in 2014.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR MACKEY

C19 Complaint

Question:

A Local Government Ombudsman Complaint (13 010 519) was upheld and published in March 2014 as follows:

> **"A woman complains that the council delayed in assessing her son's needs. The son, who is 16 years old has autistic spectrum disorder with severe learning and communication difficulties that need specialist support. He has a statement of Special Educational Needs and lives Monday to Friday in term time at a residential school. His mother complains the council repeatedly failed to carry out a proper assessment of his needs, despite apologising for not doing so. She complains the situation has continued for more than a year and is ongoing. She says professionals at his school are not able to cope with him on a two-to-one basis but that the council has left her to cope alone with his unpredictable violent outbursts at weekends and in the school holidays".**

The Ombudsman upheld the complaint and found fault causing injustice One of the recommendations was that the Council:
"review its policies and procedures to ensure it

- **deals with cases like these holistically rather than seeing them as matters for one service area or another;**
- **prioritises such serious cases where there is a risk of harm or danger to family members; and**
- **Complies fully with legislative requirements."**

Can you please advise me of the details of this review ie when it took place, how long it took, who led the review, what information was considered and what the outcome was?

Answer:

A number of actions were taken as a result of the Ombudsman finding for this complaint and another published complaint. These are listed as follows:

1. The DCSC Eligibility Criteria was revised and updated in August 2014 as a result of the Ombudsman findings and other consultations. This was led by the Head of Service, Christopher Bush, supported by the Commissioning Team, PSS Administration Team and Multi Agency Colleagues. The updated document was issued to comply with new legislation at that time. The eligibility criteria takes account of the Child/Young Person's needs, the Parent/carers needs and the family and environment needs. It is by using these categories that we intend to address the whole family circumstances in decisions which are made.

2. Prioritisation is a matter which is regularly addressed by the DCSC management team and the service has a requirement commitment to prioritise risk of harm or danger to family members.

3. An internal Audit by the long Arm Audit Service was commissioned during 2014 as a result of the Ombudsman (and one other complaint) findings. This led to a report and action plan which was reported within the fiscal year in March 2015. The action plan produced led to some follow up actions to improve the service response. BCC Audit Service completed a further review, reported in March 2016. Many of the actions identified in the report have been completed and progress has been made on actions where further work had been identified.

4. The work of the Disabled Children's Service was being developed in 2014 to take account of the Children and Families Act 2014. This required closer partnership working and the purpose of the Eligibility Criteria and the Short Break Criteria were each revised to offer support for disabled children within the context of their family. It is also now more commonly practised that partnership working with a range of services through Child in Need Plans will offer provision with responsibilities better shared and understood between agencies.

The intention of all of these actions listed was to ensure that the service was fully compliant with any relevant legislation.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR MAUREEN CORNISH

C20 Complaint

Question:

- **A Local Government Ombudsman Complaint (13 002 902) was upheld and published in March 2014 as follows:**

"Complaint from a mother about the support the council provides to enable her to care for her disabled daughter. She specially complains that the council:

- **failed to contact her for over four years;**
- **repeatedly failed to properly assess her daughter's needs;**
- **failed to properly assess her needs as her daughter's carer;**
- **delayed in investigating her complaints; and**
- **failed to carry out recommendations from the complaint process when it agreed to do so.**

The Ombudsman upheld the complaint and found fault causing injustice.

One of the recommendations was that the Council:

"review the way it assesses children with disabilities and their families and how these assessments relate to its Short Break and Eligibility Criteria."

Can you please advise me of the details of this review ie when it took place, how long it took, who led the review, what information was considered and what the outcome was?

Answer:

A number of actions were taken as a result of the Ombudsman finding for this Complaint. These are listed as follows:

5. An internal review of the Short Break Guidance was made. This was led by Senior Commissioning Officer and coordinated by the Commissioning Service with a contribution from the PSS Administration Service and the Disabled Children's Social Care Service. There is always a level of consultation annually for this document when it is reviewed. As a result of the learning from the Ombudsman complaint and other consultation information the document was revised and re-published in May 2014.

6. The DCSC Eligibility Criteria was revised and updated in August 2014 as a result of the Ombudsman findings and other consultations. This was led by the Head of Service, Head of Service Disabled Children's Social Care,

supported by the Commissioning Team, PSS Administration Team and Multi Agency Colleagues. The updated document was issued to comply with new legislation at that time.

7. An internal Audit by the long Arm Audit Service was commissioned during 2014 as a result of the Ombudsman (and one other complaint) findings. This led to a report and action plan which was reported within the fiscal year in March 2015. The action plan produced led to some follow up actions to improve the service response. BCC's Audit Service completed a further review, reported in March 2016. Many of the actions identified in the report have been completed and progress has been made on actions where further work had been identified.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR GARETH MOORE

C21 Audit – Children In Need Cases 2

Question:

Of these audits (referred to in the question from Councillor Bob Beauchamp) how many identified cases where thresholds have been incorrectly applied?

Answer:

Between January and May 2016 there were 141 case evaluations completed and this included feedback from 77 parents. Of the 141 cases evaluated, 67 cases were judged to "require improvement"; 61 judged to be "good" and 13 judged to be "inadequate".

Based on the practice evaluations completed to date:

- Thresholds are being applied appropriately in the majority of cases.
- Supervision is taking place and, in the main, at the required frequency, the quality of supervision and management oversight still needs to improve.
- The cases selected are Child In Need, children receiving child protection interventions and children in care

More detail about the number of cases where thresholds were not judged to be correct will be available by June 22nd.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, RECYCLING AND ENVIRONMENT FROM COUNCILLOR MIKE WARD

D1 Voluntary Community Clean-ups

Question:

The template questionnaire for councillors on "Local leadership - cleaner street plan" asks "what support" councillors need from waste service and other partners to tackle their top five cleaner streets issues.

The word "support" implies it will be supporting something else already in place.

Could the cabinet member inform the council if there is an implication that voluntary community clean-ups can replace the essential weekly street cleaning services that should be provided or the bulk collection services that used to be provided?

Answer:

Nothing is being implied.

The cleanliness of our city is something that we are **all** responsible for. The Council does not drop the litter that blights our parks, open spaces and streets. Community clean ups play a vital role in improving and maintaining the local environment of communities all over the city **but** they do so much more than that. They encourage local people and stakeholders to work together, form support networks and engage with the disadvantaged and marginalised. The end result is a local community that takes pride in its local environment and can make improvements that are sustainable.

So in answer to your question, no, voluntary community clean ups will not replace essential weekly street cleaning or bulky collection services but they are an essential part of a co-ordinated response to making and keeping our city clean.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, RECYCLING AND ENVIRONMENT FROM COUNCILLOR KAREN TRENCH

D2 Reusable Bulky Item Reaching Reuse Shop

Question:

Can the Cabinet Member inform the Council how a resident can ensure that their reusable bulky item, collected by the Council, reaches the reuse shop in Sutton Coldfield?

Answer:

The Council currently operates a Bulky Waste collection disposal service, not a collection service for items for reuse.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, RECYCLING AND ENVIRONMENT FROM COUNCILLOR ROGER HARMER

D3 Flytipping - successful prosecutions

Question:

Could the cabinet member report, by ward, how many incidents of flytipping have been submitted for prosecution this year, and in 2015, indicating how many prosecutions have been successful, giving the level of penalties imposed?

Answer:

In the 2015/16 financial year cases involving 64 defendants were submitted into the City Council's criminal proceedings vetting process with recommendation for criminal proceedings. From these, cases against 39 defendants were concluded in the courts during the year, and all the cases resulted in criminal conviction of the defendants. The sanctions imposed by the courts are determined based against statutory sentencing guidelines and comprised:

- Fines imposed against 36 offenders totalling £37,437. [Ranging from £30 to £20,000 with fines paid to central Government]
- Conditional discharge imposed against 1 offender
- Custodial sentences imposed against 2 offenders.

The breakdown, by the Ward affected by the offending, for the cases finalised at court is as follows:

WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, RECYCLING AND ENVIRONMENT FROM COUNCILLOR JON HUNT

D4 Flytipping on private land - Prosecute

Question:

Thank you for your lengthy answer to my question about flytipping on private land last month. Can you confirm that the council will prosecute those caught flytipping on other people's land?

Answer:

Yes. Where evidence is available, perpetrators of fly tipping **will** be prosecuted. This is a criminal activity. It carries a significant custodial sentence. The burden of proof is beyond reasonable doubt and those charged with investigating and initiating proceedings can only do so on credible tangible evidence. In many instances, this means being caught in the act. They cannot prosecute on hearsay evidence and/or presumption.

We all agree that flytipping is not acceptable and where evidence is available the Council will take strong action.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, RECYCLING AND ENVIRONMENT FROM COUNCILLOR ZAKER CHOUDHRY

D5 Improvement in levels of flytipping and clearance

Question:

Could the cabinet member inform the council whether there has been any improvement in levels of flytipping and of flytipping clearance by supplying details of monthly statistics for incidents and reports for the last 12 months?

Answer:

Fly-tipping incidents are reported to Defra under a statutory reporting scheme. The number of incidents reported to the council fluctuates and reporting of incidents is influenced by a range of factors; including the levels of tipping, but also factors such as the visibility of incidents which has a bearing on the likelihood of reporting.

However, improvements have been seen in the position with reductions over recent years in the numbers of incidents which have fallen from 16,186 in 2013/14 to 14,203 in 2014/15 and 12,348 in 2015/16. The monthly breakdown over the most recent twelve month Defra reporting period is as follows:

Defra reporting period	Incidents
May 2015	1059
June 2015	1192
July 2015	1202
August 2015	916
September 2015	834
October 2015	919
November 2015	973
December 2015	867
January 2016	1086
February 2016	1028
March 2016	1197
April 2016	1152
Total	10307

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMES FROM COUNCILLOR KAREN TRENCH

E Travellers - Council Transit Facilities and Support

Question:

A number of wards have had travellers visit over the last year. Several times it has been the same group moving from area to area. Each time there is disruption to the local community and costs incurred by the council. What transit facilities and support is the council providing for travellers who arrive in the city?

Answer:

There is a permanent travellers' site based at Tameside Drive, Castle Bromwich. The Place Directorate has responsibility for managing this housing site.

BCC has a dedicated Traveller Liaison Officer for all BCC-owned land. The officer advises travellers, on their arrival within the city, on a number of aspects including their position with regard to the legislation; schooling services and a number of welfare matters. Should the travellers request further assistance with schooling or welfare, the liaison officer has referral mechanisms in place to signpost to the relevant agencies.

In 2014 an assessment was undertaken to establish the level of need for permanent and transit provision which concluded that the city required 8 permanent pitches and 10-15 transit pitches. After an exhaustive search for suitable sites two were identified at Hubert Street/Aston Brook Street East, and at Rupert Street/Proctor Street.

The process for bringing these sites forward is to firstly allocate them in the Birmingham Development Plan and then obtain planning permission. The Birmingham Development Plan has been examined by an independent planning inspector who, following public consultation on the two sites, has recommended they be included in the plan. Adoption of the BDP is currently subject to a delay whilst DCLG consider an objection to an unrelated part of the plan.

Once the BDP is adopted (and the sites allocated) the process for bringing the sites forward for development will be to identify a development/site management partner with experience in this work area to work alongside the City Council in preparing the planning applications and delivering the sites and to prepare and submit a bid to the Homes and Communities Agency for funding to develop the sites.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPARENCY, OPENNESS AND EQUALITY FROM COUNCILLOR RON STORER

F1 Children's Trust

Question:

In your new role for Cabinet Member for Transparency, Openness and Equality will you be ensuring all records relating to previous discussions about a Children's Trust in Birmingham are made public?

Answer:

The report on this matter to full Council details the history of such discussions.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPARENCY, OPENNESS AND EQUALITY FROM COUNCILLOR ROBERT ALDEN

F2 Congestion Charges

Question:

The Council recently responded to a FOI saying they could not release paperwork in relation to congestion charges as it was still under consideration. In his role as Cabinet Member for Transparency, Openness and Equality, will he demand that the Council now release the paperwork?

Answer:

The issue of congestion charging was one of many options considered from an evaluation of appropriate measures to reduce reliance on car trips and improve air quality. These were identified through various processes of consultation such as online surveys, workshops, and public/business meetings. They were summarised in the executive summary of the Final Report on Council Business Plan and Budget 2016+ Consultation, dated 29th January 2016 and is accessible via http://www.birmingham.gov.uk/budgetviews.

It was an evaluation of congestion charging that was being proposed rather than suggesting the proposal was to implement the charge. Page 42 of the consultation booklet has a paragraph that mentions: "the congestion charge, one of the many options to be considered further under the proposal SN2 ***- The City Council will design and develop a modern transport network for the city in order to help develop attractive shopping areas, promote greener forms of transport and improve the environment*** - and was the subject of two questions during the first webcast. In response, the Leader said that while it was an option that was being considered, his view was that it would not work in Birmingham. Two online survey respondents suggested a congestion charge as an idea for saving money in this area."

Subsequently the Leader later confirmed that there would be no proposals for a congestion charge. This continues to be the position at the current time.
At the time of the original Freedom of Information request, the reason for withholding the paperwork was deemed consistent with the guidance set out in the Environmental Information Regulation Act. I am not in a position to demand the release of this paperwork, however, any further Freedom of Information requests would be considered on their merits in line with the relevant regulations.