

# BIRMINGHAM CITY COUNCIL

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

**Wednesday 12 May 2021 at 1400 hours**  
**in the Council Chamber, Council**  
**House, Victoria Square, Birmingham,**  
**B1 1BB**

### **Attendance:**

Councillor Brigid Jones, Deputy Leader - Chair  
Councillors Tristan Chatfield and Jon Hunt,

### **Also in Attendance:**

Alison Jarrett	Assistant Director - Development and Commercial, Finance & Governance
Georgina Dean	Solicitor, Legal Services
Mandeep Marwaha	Committee Services

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## 1 **NOTICE OF RECORDING/WEBCAST**

The Chairman advised and the meeting noted that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and members of the press/public could record and take photographs except where there were confidential or exempt items.

**The business of the meeting and all discussions in relation to individual reports was available for public inspection via the web-stream.**

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## **APOLOGIES**

- 2 An apology was submitted on behalf of Councillor Gareth Moore for his inability to attend the meeting.
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## **DECLARATIONS OF INTERESTS**

- 3 There were no declarations of interests made.
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## **PUBLIC NOTES OF THE LAST MEETING – 18 MARCH 2021**

- 4 The public notes of the last meeting were agreed and there were no matters arising.

**COMPANY UPDATE**

The following report of the Assistant Director, Commercial and Development was submitted:-

(See document No.1)

The Assistant Director Commercial and Development gave an overview of the latest changes made across the Council's portfolio of companies. Reference was made to point 3.2, amendments to the positions within the Council. Details around this was provided to members.

Key points noted;

- Birmingham Wheels had extended their accounting period.
- There was a change to the registered address and office location for Acivico Limited.

The companies who were eligible for Audit reports and reviews this year, received an unqualified rating. It was noted, the appendix attached to the private agenda contained commercially confidential information and gave detail around the impact of Covid.

The Chair referred to point 3.2 part 3 of the report, and queried who was the person with significant control and had withdrawn themselves from Birmingham Wheels.

In response, the Solicitor, Legal Services notified the Committee, Birmingham Wheels had previously stated an 'unknown person with significant control' on the Companies House. As a result, the Companies House wrote to Birmingham City Council asking for this information to be updated. This had now been updated to reflect, Birmingham City Council as the person with significant control.

No further comments were made by the members.

**RESOLVED: -**

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The Committee noted the information provided within the report and at private appendix 1 which contains commercially confidential details concerning associated companies.

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**NEW COMPANY CREATION**

The following report of the Assistant Director Inclusive Growth was submitted:-

(See document No.2)

The Assistant Director Commercial and Development informed members the detail of the new company would be shared during the private agenda as the information was commercially confidential and sensitive at this stage. She reminded members the gateway process of creating new companies i.e. presented to this committee as part of the consultation process. Any questions raised would be highlighted in the consultation section of the report as the decision goes forward.

Councillor Chatfield queried the legal reasons as to why the reasons for the creation of the company were not stated in public.

In response, the Assistant Director Commercial and Development informed members the creation of a new company would be made in anticipation of a decision by Cabinet in June 2021. The Cabinet report would indicate options however, not all the options would involve creating a company hence why discussions would take place in private. The company might be the recommended option that Cabinet take in June. Once Cabinet decide, swift action would need to take place hence the reason for this report to be shared with this committee first.

The Chair noted this would be revisited under the private agenda.

**RESOLVED: -**

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- (i) Members noted the information provided within the exempt Appendix 1 and set out any comments as part of the consultation process for addressing by the authors prior to the submission to Cabinet for decision.
  - (ii) Members noted that in this regard any conclusions or comments should be limited to the company creation and not the wider subject matter for which the creation of a new company is proposed.

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**FUTURE BOARD APPOINTMENTS**

A verbal update on this item was provided by the Assistant Director Commercial and Development.

Key points noted;

- The document had been circulated prior to the meeting and this was a continuation of a discussion from the previous meeting.
- At the last meeting, members requested to see the updated document, and this had been circulated for members to note.
- Currently, this document was not in public and the draft appendix would be shared at a future Cabinet meeting.
- There were gaps in the document however, this would be completed before presented to Cabinet in June.
- Currently, the document was private as it contained officers' names which had not been confirmed. However, the final appendix would be shared at the Cabinet report in June.

The Chair noted ongoing conversations around the appointments were taking place and these should continue outside of the meeting and ahead of the 2022 elections.

No further comments were made by the members.

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**RESOLVED: -**

The Committee noted the verbal update on future board appointments.

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**TRAINING UPDATE**

A verbal update on this item was provided by the Solicitor, Legal Services.

Directors, roles and responsibilities training - Contact had been made with the previous provider who delivered this training and they were pleased to deliver this again. In addition, subject to Covid restriction being lifted, an in-person session would be arranged in September.

Specific Public Sector Training – A possible training option being explored which is delivered by the Civil Service College and beneficial to Directors within the public sector. The Head of Law, Commercial, Procurement, Privacy & Information would explore costs associated with the training. Options of a possible training package would also be considered if available e.g. Trust & Charities Training.

At present, one to one sessions would be delivered individually to new Directors when required.

**Members response**

- Vital to have training offered to directors and appointees. Training should be kept up to date.
- The public sector training would be a good idea due to adherence to different rules and regulations.
- Health and Safety Training – Exploring options if this can be delivered at the same time as other trainings.
- Backlog of training – A couple of training sessions were indicated as more urgent than others (due to the nature of the companies) therefore, one to one session are being arranged. It was suggested training should be stepped up following the forced halt due to Covid.

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**RESOLVED: -**

The Committee noted the verbal update on training.

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**BIRMINGHAM CHILDREN'S TRUST – PEN PORTRAIT - PUBLIC**

The following report of the Chief Executive Birmingham Children's Trust was submitted:-

(See document No.3)

**RESOLVED:-**

- 9 Members noted the information provided in the report.
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**B: MUSIC (PERFORMANCE BIRMINGHAM) - PEN PORTRAIT - PUBLIC**

The following report of the Assistant Director Development & Commercial was submitted:-

(See document No.4)

**RESOLVED:-**

- 10 Members noted the information provided in the report.
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**DATE OF NEXT MEETING**

- 11 The next meeting is scheduled to take place on Thursday 12<sup>th</sup> July 2021 at 1400 hours.
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**OTHER URGENT BUSINESS**

- 12 There was no urgent business to consider.
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**EXCLUSION OF THE PUBLIC**

**RESOLVED:-**

- 13 That, in view of the sensitive nature of the discussion due to take place relating to Birmingham Children Trust, B: Music (Performances Birmingham), companies update (companies affected by Covid -19 and Brexit), future board appointments and the new company creation, the public be now excluded from the meeting.
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