



**CITY COUNCIL  
26 FEBRUARY 2019**

**WRITTEN  
QUESTIONS TO  
CABINET MEMBERS**

**CITY COUNCIL – 26 FEBRUARY 2019**

**WRITTEN QUESTIONS**

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CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR DEBBIE CLANCY**

**“Representing Birmingham in the Midlands”**

**Question:**

**On how many occasions since 2012 has a Chair of Scrutiny withheld agreement for a Cabinet Report to be taken as a late/urgent item?**

**Answer:**

I am not aware of any Chair of Scrutiny withholding agreement for a Cabinet report to be taken as a late/urgent item.

CITY COUNCIL – 26 FEBRUARY 2019

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR RON STORER

**“Unite Hotel”**

**Question:**

**At a meeting of the Governance, Resources and Customer Services Overview and Scrutiny Committee on 4 April 2014, a call-in was considered regarding the sale of land at Jennings Road, Eastside to Unite the Union for the building of a hotel and conference centre. The public minutes of that meeting do not contain any declarations of interest – pecuniary or non-pecuniary – of any Councillor in attendance at that meeting. What interests were declared at that meeting and at the Cabinet meeting where the decision was taken and by whom, including whether those interests were declared as pecuniary or non-pecuniary?**

**Answer:**

At the Governance, Resources and Customer Services Overview and Scrutiny Committee on 4 April 2014, non-pecuniary interests were declared by Councillors Carl Rice, Ian Ward, Des Hughes, Ansar Ali Khan and Jess Phillips, as they were members of the Unite Trades Union. These are recorded on the private minutes.

At the Cabinet meeting on 17 March 2014, declarations of interest (non-pecuniary) were declared by Councillors Ian Ward, Stewart Stacey and John Cotton as members of Unite the Union.

**CITY COUNCIL – 26 FEBRUARY 2019**

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR PETER FOWLER**

**“Unite Hotel 2”**

**Question:**

**What was the total cash received by Birmingham City Council from Unite the Union for the sale of land at Jennings Road, broken down by date of receipt of deposit and any instalments or lump sum of the remaining balance?**

**Answer:**

The City Council have received a premium of £1.95m from Unite the Union.

A deposit of 10% (£195,000) was received on 12/03/2015.

The balance of £ 1,755,000 was received on 17<sup>th</sup> July 2015.

There are no further instalments or lump sum remaining as the balance has been paid in full on the 17<sup>th</sup> July 2015.

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR ADAM HIGGS**

**“Unite Hotel 3”**

**Question:**

**What ground rent is paid by Unite the Union for the land leased to them by the Council at Jennings Road Eastside?**

**Answer:**

There is no ground rental payable by Unite the Union for the lease of the land. The Union paid a premium of £1.95m for the lease in July 2015.

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR ADRIAN DELANEY**

**“PBL Ground Rent”**

**Question:**

**How much does Performance Birmingham Ltd pay in ground rent for the lease of Town Hall and Symphony Hall?**

**Answer:**

PBL currently pay a basic rent of £46,176.00 per annum with additional service charge contribution of £483,062.44 per annum and cover the cost of utilities in the sum of £230,563.76 per annum. Service charge and utility costs are variable.



CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR GARY SAMBROOK**

**“Dispensation for conflicts of interests”**

**Question:**

**On what date was dispensation given by the Independent Chair of Standards Committee for Members of Cabinet to be able to vote on the waste dispute item at both the 15 January and 12 February Cabinet Meetings given pecuniary interests of some members who have received sponsorship from Unite the Union?**

**Answer:**

In respect of the Cabinet meeting on 15<sup>th</sup> January no dispensation was sought.

In respect of the Cabinet meeting on 12<sup>th</sup> February the dispensation was given on 11<sup>th</sup> February 2019 due to additional options arising from developing ACAS negotiations.

CITY COUNCIL – 26 FEBRUARY 2019

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR TIM HUXTABLE

**“Previous Written Questions”**

Question:

Written Questions A18 and A24 to Full Council on 5 February 2019 were not answered in time for the meeting but a written response was promised in due course. Are you now able to answer both those questions?

Answer:

Yes. Answers below.

CITY COUNCIL – 5 FEBRUARY 2019

WRITTEN QUESTION TO THE LEADER FROM COUNCILLOR TIM  
HUXTABLE

**“2012 Cabinet Decision”**

Question:

In response to question D11, we were told decisions contained within the 26 March 2012 Cabinet Report ‘Fleet and Waste Management – Future Operating Model and Service Redesign’ were impacted by subsequent changes within fleet and waste. Some of the decisions in that Cabinet report related to wider workforce issues and not specifically fleet and waste. Can you confirm that they were fully implemented?

Answer:

Since 2012, Bulky Waste has been reviewed, Clinical Waste has been redefined, Refuse Collection working patterns have been changed and savings have been implemented. The only remaining outstanding action was the implementation of the Future Operating Model (FOM). A new FOM was partially implemented in 2017 and currently this is being developed to align with the Street Scene Service within Neighbourhoods.

CITY COUNCIL – 5 FEBRUARY 2019

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR PETER FOWLER

“2012 Cabinet Decision 2”

Question:

With reference to the response to Question D11 from January Council, given this was now 6 years ago and you have confirmed that at least some of the recommendations were not taken forward following the change in Administration shortly after, they would no longer be private and confidential. Can all recommendations decided on in the private report of March 2012 but not implemented now please be published, along with any others that, due to the passage of time are no longer classified as confidential?

Answer:

The only recommendation not fully implemented from the 2012 Cabinet report was the implementation of the Future Operating Model. This was partially implemented in 2017.

CITY COUNCIL – 26 FEBRUARY 2019

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR ROBERT ALDEN

“Use of Reserves”

Question:

At the January Cabinet meeting you said you had seen a copy of a letter from the Secretary of State expressing support for *your* policy of developing a budget that does not rely on reserves. That letter was in response to a letter from Liam Byrne MP who wrote to James Brokenshire asking why the Government had blocked the council from accessing its reserves, a claim he repeated in another letter from him and 6 other Birmingham MPs to yourself objecting to your changes to the Enablement Service. Can you confirm if there is a ministerial block on the City’s use of reserves or if, as you have repeatedly claimed yourself, that it is your own choice to not rely on reserves in recognition of the unsustainability of the approach you have taken in the previous 3 years?

Answer:

The letter I was referring to is the Secretary of State’s letter to myself and John Crabtree, Chair of the Birmingham Improvement Panel dated 12 September 2018.

CITY COUNCIL – 26 FEBRUARY 2019

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR SIMON MORRALL

“Dispensation for pecuniary interest”

Question:

Can you provide a copy of the (dated) request for dispensation to Chair of Standards, along with a copy of the (dated) dispensation granted by the Chair of Standards for any pecuniary interests during consideration of the waste management dispute at any of the Cabinet meetings or the Scrutiny call-in meeting where it has been discussed?

Answer:

Dispensations are published on CMIS.

I am advised that the monitoring officer does not propose to provide a copy of the request for dispensation; a Members Register of Interest is a public document and the disclosable pecuniary is set out in that document.

CITY COUNCIL – 26 FEBRUARY 2019

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR CHARLOTTE HODIVALA

**“Partner Contributions to Commonwealth Games”**

**Question:**

**How much of the c£30m partner contributions to the 25% local share of the commonwealth games has currently been formally committed, broken down by individual partner, the amount they have committed and the date this was formally approved by their respective decision making board?**

**Answer:**

£45m has to date been provisionally committed by the West Midland Combined Authority and the GBS LEP respectively subject to the City Council meeting funding conditions. Discussions remain ongoing with a range of partners including Universities, regional LEPs and the Midlands Engine to secure the remaining £30m contributions in line with indicative estimates provided at the time of the successful bid for the Games.

The 25% local contribution to the overall cost of the Games assumes that the partner contributions are not received until 2021/22 and 2022/23.

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR DAVID BARRIE**

**“Games Tax”**

**Question:**

**The Council is reportedly still exploring options for additional taxes such as a hotel tax, workplace parking levy and an airport tax to fund the Commonwealth Games. If any of these taxes were levied which element of the 25% local contribution would they fund? i.e. revenue or capital and the money already committed by the council or any potential shortfall in partner contributions?**

**Answer:**

Partner funding commitments almost exclusively relate to capital expenditure., The Council remains committed to securing the full amount of partner contributions that were promised at the time of the successful bid for the Commonwealth Games, but it is acknowledged that there is a risk that some bodies may not honour their commitments and if this occurred, there would be a capital funding shortfall. Any gap created would be filled either by seeking alternative sources of funding or through prudential borrowing.

Additional sources of funding such as hotel tax, a workplace parking levy and/or an airport tax are actively being sought. In the first instance, any funding raised from these alternative sources would be used to offset any shortfall in partner contributions, with any remaining additional funding used to reduce the Council’s current assumed revenue contribution to the games.

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR MEIRION JENKINS**

**“European Fund Managers”**

**Question:**

**What work is the Council doing to attract European Fund Managers, given the well paid employment opportunities this would bring, to relocate to Birmingham post Brexit?**

**Answer:**

Despite the complexity of Brexit, the UK is still a hub for investment management expertise and an attractive centre for fund management activity in Europe.

London is the centre for fund management activity, however there is an upward trend in the level of investment interest in Birmingham, driven by infrastructure investment and large scale regeneration.

By continuing to promote the City on an international stage, including MIPIM and through investment missions to the Far East, we are showcasing the opportunities for overseas funds to view the City as a credible place to relocate and do business.

We are also working with the West Midlands Growth Company on their regional inward investment strategy, actively engaging with foreign and UK owned companies within the business and professional sector to promote the City as a place to relocate.



CITY COUNCIL – 26 FEBRUARY 2019

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM  
COUNCILLOR GARETH MOORE

“Bin Dispute”

Question:

**Does the Leader of the Council think it is helpful to the Council's defence to have Labour Groups on neighbouring local Councils hold meetings which include banners praising the ongoing bin disputes over the last two years, as shown on twitter over the last month?**

Answer:

Everyone is entitled to their own views. At the moment our focus is on resolving the dispute.

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS,  
WASTE AND RECYCLING FROM COUNCILLOR MAUREEN CORNISH**

**“External waste collection staff use of vehicles”**

**Question:**

**Your press statements on the Unite claims of a breach of the MOU state that all contractors have been using their own vehicles, staff and fuel. However there have been claims on social media of external waste collection crews being seen leaving the depots in BCC wagons. Are you able to categorically state that your press statements are accurate and that on no occasion during the current industrial dispute have external crews used BCC wagons (or if you need to correct your press statement on how many occasions has this happened?)**

**Answer:**

**I can confirm none of the contractor's staff have used any of BCC vehicles.**

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS,  
WASTE AND RECYCLING FROM COUNCILLOR DEBBIE CLANCY**

**“External waste collection staff- firms used”**

**Question:**

**Please list all external providers used by the council for any type of waste collection since 29 December 2018?**

**Answer:**

To date (22.02.19) only FCC Environmental has been used to collect household waste since 29<sup>th</sup> December 2018.

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR SIMON MORRALL**

**“Gardening Leave”**

**Question:**

**How many staff in JNC grade posts have taken ‘gardening leave’ in the last 6 years, broken down by the number whose leave lasted:**

- **0-3 Months**
- **3-6 Months**
- **6-12 Months**
- **12 Months +**

**Answer:**

This information is confidential as applicable to each individual and is therefore not recorded in a manner that can be disclosed.

**CITY COUNCIL – 26 FEBRUARY 2019**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR EDDIE FREEMAN**

**“Invoice to ESN Services Ltd”**

**Question:**

**A very late response to a Freedom of Information Request that appears on the Whatdotheyknow website shows an invoice for £13,747.75 was paid by the Council to ESN Service Ltd on 15 August 2018. I am unable to find details of that payment on the council’s open data site, which is supposed to detail all invoices over £500. Can you please provide details of the invoice, including what it was for and who authorised it?**

**Answer:**

**The payment was not to ESN Service Ltd but payment to ESN Solicitors Ltd. In this particular case the Solicitors are acting on behalf of a private individual and payment is subject to VAT because it is not a payment for services, therefore it is not included in the open data site.**

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE  
RESOURCES FROM COUNCILLOR BOB BEAUCHAMP**

**“Corporate Directors”**

**Question:**

**On what date did the roles of Corporate Director of Place and Chief Operating Officer become vacant?**

**Answer:**

Neither of these roles are vacant –

As part of the recent JNC restructure:

- The Corporate Director Place has been renamed to Director Neighbourhoods
- The Chief Operating Officer role has been deleted from the structure

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND  
RESOURCES FROM COUNCILLOR PETER FOWLER**

**“Lendlease”**

**Question:**

**Are Lendlease signatories to the Birmingham Business Charter for Social  
Responsibility?**

**Answer:** Yes, they were accredited on 8<sup>th</sup> January 2019.

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR RON STORER**

**“Parking”**

**Question:**

**What is the total income received to date for parking in Cannon Hill Park since charges were introduced?**

**Answer:**

Gross income to date i.e. before MAC profit share arrangements, excluding VAT & all running costs = £487,832 as at 19<sup>th</sup> February 2019. The ‘go-live’ date was 6<sup>th</sup> October 2017.



CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR CHARLOTTE HODIVALA**

**“Parking 1”**

**Question:**

**How much of the revenue from parking at Cannon Hill Park has been paid to the Mac since charges were introduced?**

**Answer:**

£45,877 (net of VAT) has been paid to date, being the 2017/18 profit share.

CITY COUNCIL – 26 FEBRUARY 2019

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR DAVID PEARS**

**“Parking 2”**

**Question:**

**What are the medium and long term financial forecasts and costs for the proposal to extend parking charges at Sutton Park (including all associated measures around the park such as TROs)?**

**Answer:**

Council officers are currently working on the different project design elements and associated costs and hope to have agreed costings by the middle of March. These costs will then inform the Full Business Case. The capital costs for the project will be covered through Prudential Borrowing, to be repaid over a term of between 10 -15 years.

Public consultation has yet to take place. This consultation will influence and inform the requirement for, and scale of, any TROs should they be required to supplement the existing traffic restrictions on surrounding roads.

Annual income will be included in the final business case and will be based on an overview of current parking income, visitor numbers and available car parking spaces.

**CITY COUNCIL – 26 FEBRUARY 2019**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR ADAM HIGGS**

**“Future Tenders”**

**Question:**

**The previous Cabinet Member for Finance and Resources stated at the Cabinet meeting of 18 September 2018 that they approved the Council exercising its right to exclude Amey LG from future council tenders. When was this implemented?**

**Answer:**

**The decision has not yet been implemented.**