Birmingham City Council

Economy, Skills and Culture Overview and Scrutiny Committee

15 October 2025

Title:	**REQUESTS FOR CALL- IN: DISPOSAL OF SURPLUS PROPERTIES (September 2025) AND APPROVAL FOR DISPOSAL OF JQ ASSETS (CAFÉ BLOCK)**
Lead Member:	Councillor Sharon Thompson, Deputy Leader and Cabinet Member for Economy and Skills
Relevant Overview and Scrutiny Committee:	Not Applicable
Has this report been shared with the relevant Overview and Scrutiny Committee Chair?	Not Applicable
Report Author:	Amelia Wiltshire, Overview and Scrutiny Manager Legal and Governance (Council Management), Strategy, Insight and Governance Directorate amelia.wiltshire@birmingham.gov.uk
Authorised by:	Anthony Cox, Director of Law and Governance (Monitoring Officer) Legal and Governance (Council Management), Strategy, Insight and Governance Directorate
Is this a Key Decision?	The 'Request for Call' in relates to two Key Decisions: Forward Plan References: 015560/2025 and 015563/2025
Reason(s) why not included on the Forward Plan and confirm who has authorised it to be considered:	Not applicable
Is this a Late Report?	No
Reason(s) why Late and confirm who has authorised it to be considered:	Not applicable

Is this decision eligible for 'call in?'	Not applicable
If 'call-in' has been dis-applied, please provide reason(s) and confirm who has authorised:	Not applicable

Wards:	Alum Rock, Bartley Green, Birchfield, Brandwood, Bromford & Hodge Hill, Castle Vale, Druids Heath & Monyhull, Edgbaston, Glebe Farm & Tile Cross, Handsworth, Harborne, Heartlands, Holyhead, Kings Norton North, Ladywood, Nechells, North Edgbaston, Quinton, Shard End, Sheldon, Small Heath, Soho & Jewellery Quarter, South Yardley, Sutton Trinity, Tyseley & Hay Mills, Weoley & Selly Oak; Soho and Jewellery Quarter

Does this report contain exempt or confidential information?	Yes

Exempt Information: Appendices DB and G2, G3 and G4 of the report are exempt from disclosure by virtue of the following paragraphs of schedule 12A to the Local Government Act, 1972 as amended:

Appendix DB:

Paragraph 2 – Information which is likely to reveal the identity of an individual

Paragraph 3 - Information relating to the financial or business affairs of a particular person (including the authority holding that information).

Appendix G2, G3 and G4:

Paragraph 1 – Information relating to an individual and Paragraph 3 - Information relating to the financial or business affairs of a particular person (including the authority holding that information). Paragraph 3 - Information relating to the financial or business affairs of a particular person (including the authority holding that information).

1 EXECUTIVE SUMMARY

1.1 This report outlines a 'Request for a Call-In' for two separate decisions made by the Cabinet Committee – Property on 23 September 2025. These decisions are:

1.1.1 Disposal of Surplus Properties (September 2025) (Appendix B)

1.1.2 Approval for disposal of JQ Assets (Café Block) (Appendix E)

1.2 **Disposal of Surplus Properties (September 2025)**: The Request for a Call-In was received from Councillor Martin Brooks and Councillor Sam Forsythe. (Appendix C). The Director of Law and Governance (Monitoring Officer), in consultation with the Chair of Corporate and Finance Overview and Scrutiny Committee, determined that the request could be considered in relation to Call-in Criteria 2, 3, 4, 5, 6, and 7 by the Economy, Skills and Culture Overview & Scrutiny Committee. The Cabinet Report is attached at Appendix D.

1.3 **Approval for disposal of JQ Assets (Café Block):** The Request for a Call In was received from Councillor Ken Wood and Councillor Alex Yip. (Appendix F). The Director of Law and Governance (Monitoring Officer), in consultation with the Chair of Corporate and Finance Overview and Scrutiny Committee, determined that the request could be considered in relation to Call-in Criteria 4 by the Economy, Skills and Culture Overview & Scrutiny Committee. The Cabinet Report is attached at Appendix G.

2 COMMISSIONERS' REVIEW

2.1 Commissioner comments in relation to both decisions are set out in Section 2 of each of the respective Cabinet reports (Appendix D and G).

3 RECOMMENDATIONS

That the Committee:

3.1 Considers whether to Call-In the Disposal of Surplus Properties (September 2025) decision and refer back to Cabinet for reconsideration.

3.2 Considers whether to Call In the Approval for disposal of JQ Assets (Café Block) decision and refer back to Cabinet for reconsideration.

4 KEY INFORMATION

Context

4.1 The Council's Constitution sets out that a 'request to call in' an Executive decision can be made by at least two Councillors who are not members of the Cabinet. Once a request is submitted, the relevant Overview and Scrutiny Committee must meet to consider it within 15 clear working days after the decision had been published.

4.2 **Surplus Disposal Properties (September 2025)**: The Director of Law and Governance (Monitoring Officer), in consultation with the Chair of the Corporate & Finance Overview & Scrutiny Committee, has determined that this call-in request is valid on the basis of Call-In Criteria 2, 3, 4, 5, 6 and 7:

4.2.1 The decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;

4.2.2 The decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the Full Council or the Executive);

4.2.3 The Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;

4.2.4 The Executive appears to have overlooked some relevant consideration in arriving at its decision;

4.2.5 The decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;

4.2.6 There is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.

4.3 **Approval for disposal of JQ Assets (Café Block):** The Director of Law and Governance (Monitoring Officer), in consultation with the Chair of the Corporate & Finance Overview & Scrutiny Committee, has determined that this call-in request is valid on the basis of Call-In Criterion 4:

4.3.1 The Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision

4.4 As a result, the Economy, Skills and Culture Overview and Scrutiny Committee is authorised to hear both requests to call-in.

4.5 It is for the Committee to decide whether or not to 'Call-In' the decision. The Council does not expect an Overview and Scrutiny Committee to call in an Executive decision unless one or more of the 'Call-In Criteria' applies (set out in Appendix A).

4.6 If the Committee decides to call-in a decision and refer back to Cabinet, the matter must be reconsidered at a meeting of the full Cabinet.

Proposal and Reasons for Recommendations

4.7 The recommendation is in line with the Request for Call-In procedure within the Council's Constitution.

Other Options Considered

4.8 None. Under the Council's Constitution, Overview and Scrutiny Committees are required to consider any eligible requests for call-in.

5 RISK MANAGEMENT

5.1 When considering the Request for Call-In for the decision: Disposal of Surplus Properties (September 2025), the Committee should consider the Risk Management information provided in Section 5 of the Cabinet report (Appendix D).

5.2 When considering the Request for Call-Ins for the decision: Approval for disposal of JQ Assets (Café Block), the Committee should consider the Risk Management information provided in Section 5 of the Cabinet reports (Appendix G).

6 CONSULTATION

6.1 When considering the Request for Call-In for the decision: Disposal of Surplus Properties (September 2025), the Committee should consider the consultation information referred with ward members in Section 6.1 of the Cabinet reports (Appendix D).

6.2 When considering the Request for Call-Ins for the decision: Approval for disposal of JQ Assets (Café Block), the Committee should consider the consultation information referred to in Section 6 of the Cabinet reports (Appendix G).

7 MEMBER ENGAGEMENT

Ward Councillor(s)

7.1 Not Applicable.

Overview and Scrutiny

7.2 Not Applicable

Other

7.3 Not Applicable

8 IMPACT AND IMPLICATIONS

Finance and Best Value

8.1 There are no finance and best value implications arising from the recommendations in this report.

8.2 Disposal of Surplus Properties: Section 7 of the Cabinet report (Appendix D) outlines the financial implications.

8.3 Approval of disposal of JQ Assets (Café Block): Section 8 of the Cabinet report (Appendix G) outlines the financial implications.

Legal

8.4 As set out in Part B, 11.9 of the Constitution, the purpose of this report is to discuss whether the Committee should or should not exercise its power of a Call-In. Specifically, it will formally discuss whether the Executive should reconsider its decision regarding the Disposal of Surplus Properties (September 2025) and Approval of disposal of JQ Assets (Café Block). Further information relating to the Call-In procedure and its criteria is set out in Appendix A.

8.5 Disposal of Surplus Properties: Section 7 of the Cabinet Report (Appendix XX) outlines the legal implications for this decision.

8.6 Approval of disposal of JQ Assets (Café Block): Section 8 of the Cabinet Report (Appendix XX) outlines the legal implications for this decision.

Equalities

8.7 There are no equalities implications arising from this report.

8.8 Disposal of Surplus Properties: Section 7 of the Cabinet Report (Appendix D) outlines the equalities implications for this decision.

8.9 Approval of disposal of JQ Assets (Café Block): Section 8 of the Cabinet Report (Appendix G) outlines the legal implications for this decision.

Procurement

8.10 There are no procurement implications arising from this report.

8.11 Disposal of Surplus Properties: Section 7 of the Cabinet Report (Appendix D) confirms there are no procurement implications for this decision.

8.12 Approval of disposal of JQ Assets (Café Block): Section 8 of the Cabinet Report (Appendix G) outlines the procurement implications for this decision.

People Services

8.13 There are no staffing implications arising from the recommendations in this report.

8.14 Disposal of Surplus Properties: Section 7 of the Cabinet Report (Appendix D) confirms there are no staffing implications for this decision.

8.15 Approval of disposal of JQ Assets (Café Block): Section 8 of the Cabinet Report (Appendix G) confirms there are no staffing implications for this decision.

Climate Change, Nature and Net Zero

8.16 There are no climate change, nature and net zero carbon implications arising from the recommendations in this report.

8.17 Disposal of Surplus Properties: Section 7 of the Cabinet Report (Appendix D) provides information on the climate change, nature and net zero implications for this decision.

8.18 Approval of disposal of JQ Assets (Café Block): Section 8 of the Cabinet Report (Appendix G) confirms there are no climate change, nature and net zero implications for this decision.

Corporate Parenting

8.19 There are no corporate parenting implications or opportunities arising from the recommendations in this report.

8.20 Disposal of Surplus Properties: Section 7 of the Cabinet Report (Appendix D) outlines the corporate parenting implications for this decision.

8.21 Approval of disposal of JQ Assets (Café Block): Section 8 of the Cabinet Report (Appendix G) confirms there are no corporate parenting implications for this decision.

9 APPENDICES

9.1 Appendix A – Call-In Procedure and Criteria Briefing Note

9.2 Appendix B – Executive Decision Record: Disposal of Surplus Properties

9.3 Appendix C – Request for Call-in: Disposal of Surplus Properties

9.4 Appendix D – Cabinet Report: Disposal of Surplus Properties including appendix DA; appendix DB (exempt); appendix DC; appendix DD and appendix DE.

9.5 Appendix E - Executive Decision Record: Approval of disposal of JQ Assets (Café Block)

9.6 Appendix F – Request for Call-in: Approval of disposal of JQ Assets (Café Block)

9.7 Appendix G – Cabinet Report: Approval of disposal of JQ Assets (Café Block) including appendix G1; appendix G2 (exempt); appendix G3 (exempt); appendix G4 (exempt) and appendix G5.

10 BACKGROUND PAPERS

10.1 Birmingham City Council Constitution