MEETING OF BIRMINGHAM CITY COUNCIL TUESDAY, 15 MARCH 2022

MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD ON TUESDAY 15 MARCH 2022 AT 1400 HOURS IN THE HOLTE SUITE, VILLA PARK, TRINITY ROAD, ASTON, BIRMINGHAM

PRESENT:- Lord Mayor (Councillor Muhammad Afzal) in the Chair.

Councillors

Akhlaq Ahmed
Mohammed Aikhlaq
Alex Aitken
Safia Akhtar
Deirdre Alden
Robert Alden
Tahir Ali
Gurdial Singh Atwal
Mohammed Azim
David Barrie
Baber Baz
Matt Bennett
Kate Booth
Sir Albert Bore
Nicky Brennan
Marje Bridle
Mick Brown
Tristan Chatfield
Zaker Choudhry
Debbie Clancy
Liz Clements
Maureen Cornish
John Cotton
Phil Davis
Diane Donaldson
Barbara Dring
Peter Fowler
Peter Griffiths
Fred Grindrod
Paulette Hamilton
Roger Harmer
Deborah Harries
Adam Higgs
Charlotte Hodivala
Jon Hunt
Mahmood Hussain
Shabrana Hussain
Timothy Huxtable
Mohammed Idrees
Zafar Iqbal
Katherine Iroh
Ziaul Islam
Morriam Jan
Kerry Jenkins
Meirion Jenkins
Nagina Kauser
Mariam Khan
Zaheer Khan
Narinder Kaur Kooner
Chaman Lal
Mike Leddy
Bruce Lines
Mary Locke
Ewan Mackey
Majid Mahmood
Zhor Malik
Karen McCarthy
Saddak Miah
Gareth Moore
Simon Morrall
Yvonne Mosquito
Brett O'Reilly
John O'Shea
David Pears
Robert Pocock
Julien Pritchard
Hendrina Quinnen
Carl Rice
Darius Sandhu
Kath Scott
Shafique Shah
Mike Sharpe
Sybil Spence
Dominic Stanford
Martin Straker Welds
Saima Suleman
Sharon Thompson
Paul Tilsley
Ian Ward
Mike Ward
Ken Wood
Waseem Zaffar

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NOTICE OF RECORDING

19622 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 except where there are confidential or exempt items.

The Lord Mayor reminded Members that they did not enjoy Parliamentary Privilege in relation to debates in the Chamber and Members should be careful in what they say during all debates that afternoon.

DECLARATIONS OF INTERESTS

19623 The Lord Mayor reminded members that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. The Lord Mayor continued that the Scrutiny Business Report and the first Motion related to exempt accommodation and he asked Members to declare any interests they had in those two items and not participate in the debate or vote in them.

No declaration of interests were made.

MINUTES

It was moved by the Lord Mayor, seconded and –

19624 **RESOLVED:-**

That the Minutes of the meeting held on 22 February 2022 having been circulated to each Member of the Council, be taken as read and confirmed and signed.

LORD MAYOR'S ANNOUNCEMENTS

A. Retiring Councillors

19625 The Lord Mayor indicated that he wished to take the opportunity to acknowledge and thank all those cross-party Councillors who were not standing for election in May. The Lord Mayor thanked them for their service and dedication to the Council and their constituents over the years noting it had been a pleasure and privilege to work with you all.

(During the meeting reference was made to individual retiring Councillors who were thanked for their work.)

B. Councillor Paulette Hamilton

19626 The Lord Mayor congratulated Councillor Paulette Hamilton (MP) on becoming Birmingham's first female and black MP. That was a huge achievement for Councillor Hamilton and he wished Councillor Hamilton well on her new journey at Westminster.

C. Ukraine

19627 The Lord Mayor indicated that Members would have seen the horrific events unfold in the Ukraine since the war started just over two weeks ago. He continued that he was sure that all would join him in recognising the terrible hardship and impact on the people of Ukraine.

The Lord Mayor noted that while those present sat in the comfort of this Chamber and enjoyed the benefits of our democracy, the people of Ukraine were fighting on the streets daily to keep theirs.

The Lord Mayor wished to place on record that the Council would do all it could in support of and in solidarity with the people of Ukraine.

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 -

19628 **RESOLVED**:-

That the petitions be received and referred to the relevant Chief Officer(s) to examine and report as appropriate.

Petitions Update

The following Petitions Update had been made available electronically:-

(See document No. 2)

It was moved by the Lord Mayor, seconded and -

19629 **RESOLVED**:-

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

QUESTION TIME

19630 The Council proceeded to consider Oral Questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

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

APPOINTMENTS BY THE COUNCIL

Before going on to the appointments schedule the Lord Mayor invited the Leader, Councillor Ian Ward to update the Council on the position relating to the Cabinet Member for Health and Social Care following Councillor Hamilton's election to Parliament.

The Leader, Councillor Ian Ward indicated that he was delighted that Councillor Pauline Hamilton had been elected the MP for the Erdington Constituency and he knew she would continue the good work of the late Jack Dromey. Councillor Ian Ward continued, that as mentioned by the Lord Mayor earlier Councillor Hamilton was the first black MP in the City which was quite an achievement. Councillor Ian Ward continued that Councillor Hamilton's new role meant that she could not continue as Cabinet Member for Health and Social Care but would continue attending the Health and Wellbeing Board and the Birmingham and Solihull Integrated Care Board. Councillor Ward thanked Councillor Hamilton for all her work helping the most vulnerable people in the City particularly during the Covid pandemic. He continued that due to the short period to the local elections in early May he was not intending to fill the Cabinet Member vacancy and the work of the portfolio would be shared between the Deputy Leader and himself.

The following schedule was submitted:-

(See document No 3)

Following nominations from Councillors Gareth Moore and Mike Ward it was-

19631 **RESOLVED:-**

(i) That the appointments be made to serve on the Committees and other bodies set out below:-

Education and Children's Social Care Overview and Scrutiny Committee

Councillor Simon Morrall (Con) to replace Councillor Saddak Miah (Lab) for the period ending with the Annual Meeting of City Council in May 2022.

Trust and Charities Committee

Councillor Zhor Malik to remain on the Committee as a Conservative Member for the period ending with the Annual Meeting of City Council in May 2022.

Council Business Management Committee

Councillor Jon Hunt (Lib Dem) to replace Councillor Mike Ward (Lib Dem) for the period ending with the Annual Meeting of City Council in May 2022.

(ii) That it be noted that Justine Lomas has replaced Adam Hardy as the Roman Catholic diocese representative on the Education and Children's Social Care Overview and Scrutiny Committee.

EXECUTIVE BUSINESS REPORT

The following report of the Cabinet was submitted:-

(See document No. 4)

The Leader, Councillor Ian Ward and Councillor Tristan Chatfield moved the recommendation which was seconded.

A debate ensued during which Councillor Waseem Zaffar, in response to comments from previous speakers indicated that no Clean Air Zone money was been used on the refurbishment of a fountain and there had been no adverse reaction from residents to the capping of the island at Perry Barr although he acknowledged there had been objections to the demolition of the Perry Barr flyover .

Councillor Tristan Chatfield and the Leader, Councillor Ian Ward replied to the debate.

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

It was therefore-

19632 **RESOLVED**:-

That the report be noted.

ADJOURNMENT

It was moved by the Lord Mayor, seconded and

19633 **RESOLVED**:-

That the Council be adjourned until 1640 hours on this day.

The Council then adjourned at 1610 hours.

At 1645 hours the Council resumed at the point where the meeting had been adjourned.

SCRUTINY BUSINESS REPORT

The following report of the Interim Head of Scrutiny and Committee Services was submitted:-

(See document No. 5)

Councillor Carl Rice moved the recommendation which was seconded by Councillor Mariam Khan.

A debate ensued.

Councillor Carl Rice replied to the debate.

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

It was therefore-

19634 **RESOLVED**:-

That the report be noted.

COUNCIL-OWNED ASSETS

The following report of the Economy and Skills Overview and Scrutiny Committee together with an Executive Commentary was submitted:-

(See document No. 6)

Councillor Saima Suleman moved the Motion which was seconded by Councillor Simon Morrall.

A debate ensued.

Councillor Saima Suleman 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-

19635 **RESOLVED**:-

That the recommendations R01 to R06 be approved, and that the Executive be requested to pursue their implementation with an initial assessment brought to Overview & Scrutiny no later than 30 September 2022.

MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

The Council proceeded to consider the Motions of which notice had been given in accordance with Council Rules of Procedure (B4.4 G of the Constitution).

POINT OF ORDER

19636 Councillor Gareth Moore indicated that he wished to raise appoint of order under B4.4 J I of the constitution indicating he was concerned that a number of Labour Members in the past had not declared a conflict of interest in respect of exempt accommodation and had taken part in Council proceedings including voting. He continued that such interests related to themselves, their partner or other close relative living with them. Councillor Moore suggested that the City Solicitor would wish Members were protected and declare any financial interests they have before taking part in the item. He therefore moved that a roll call of all Members present to enable everyone to confirm whether or not they had a financial interest in exempt accommodation. The Motion was seconded.

ADJOURNMENT

Councillor Fred Grindrod proposed a 5 minute adjournment which was seconded

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

Here upon a poll being demanded the voting was as follows:-

For the Motion (48)

Akhlaq Ahmed	Barbara Dring	Mary Locke
Mohammed Aikhlaq	Peter Griffiths	Majid Mahmood
Alex Aitken	Fred Grindrod	Karen McCarthy
Tahir Ali	Paulette Hamilton	Saddak Miah
Gurdial Singh Atwal	Mahmood Hussain	Yvonne Mosquito
Mohammed Azim	Shabrana Hussain	Brett O'Reilly
Kate Booth	Mohammed Idrees	John O'Shea
Sir Albert Bore	Zafar Iqbal	Robert Pocock
Nicky Brennan	Ziaul Islam	Carl Rice
Marje Bridle	Kerry Jenkins	Kath Scott
Mick Brown	Nagina Kauser	Shafique Shah
Tristan Chatfield	Mariam Khan	Mike Sharpe
Liz Clements	Zaheer Khan	Martin Straker Welds
John Cotton	Narinder Kaur Kooner	Saima Suleman
Phil Davis	Chaman Lal	Sharon Thompson
Diane Donaldson	Mike Leddy	Ian Ward

Against the Motion (20)

Deirdre Alden	Adam Higgs	Gareth Moore
Robert Alden	Charlotte Hodivala	Simon Morrall
David Barrie	Timothy Huxtable	David Pears
Matt Bennett	Meirion Jenkins	Darius Sandhu
Debbie Clancy	Bruce Lines	Dominic Stanford
Maureen Cornish	Ewan Mackey	Ken Wood
Peter Fowler	Zhor Malik	

Abstentions (9)

Baber Baz	Deborah Harries	Julien Pritchard
Zaker Choudhry	Jon Hunt	Paul Tilsley
Roger Harmer	Morriam Jan	Mike Ward

19637 **RESOLVED**:-

That the Council be adjourned for 5 minutes.

The Council then adjourned at 1800 hours.

At 1822 hours the Council resumed at the point where the meeting had been adjourned.

Councillor Morriam Jan did not return to the meeting after the adjournment.

EXTEND THE TIME OF THE MEETING

19638 A Motion that the time of the meeting be extended by 30 minutes was proposed and seconded.

The motion that time of the meeting be extended by 30 minutes having been moved and seconded was put to the vote and on a show of hands was declared to be lost.

The Lord Mayor indicated that the Point of Order to undertake a roll call was not accepted and reminded Members that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting in particular for the item relating to exempt accommodation and if a pecuniary interest was declared not to take part in the debate or vote. He emphasised that if a interest was known and not declared then that was a Code of Conduct issue.

Councillor Sharon Thompson indicated that she had become aware that the Conservative Group were making allegations that she had an interest in exempt accommodation and she confirmed that she did not. Councillor Thompson explained that she was on an Housing association that did not have any exempt accommodation and she could provide the City Solicitor with the relevant information from the Chief executive of the Housing Association if required.

A. Councillors Mariam Khan and Liz Clements have given notice of the following motion.

(See document No. 7)

Councillor Mariam Khan moved the Motion which was seconded by Councillor Liz Clements.

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

(See document No. 8)

Councillor Roger Harmer in moving the amendment indicated that he wished to remove the word 'directly' in the first bullet point. The amended amendment was seconded by Councillor Jon Hunt.

In accordance with Council Rules of Procedure, Councillors Robert Alden and Ewan Mackey gave notice of the following amendment to the Motion:-

(See document No. 9)

Councillor Robert Alden in moving the amendment declared an interest in that he was the Deputy Chair of the Local Government Association. The amendment was seconded by Councillor Ewan Mackey.

A debate ensued. Following a speech from the Leader, Councillor Ian Ward in which he suggested that there was nothing new in the Conservative amendment, Councillor Robert Alden queried if the Leader could clarify if the council was going to object to new providers setting up in Birmingham and whether the Constitution was going to be changed.

Councillor Mariam Khan replied to the debate.

The amendment as amended to the Motion in the names of Councillors Roger Harmer and Jon Hunt having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The amendment to the Motion in the names of Councillors Robert Alden and Ewan Mackey 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 was as follows:-

For the amendment (18)

Deirdre Alden	Peter Fowler	Gareth Moore
Robert Alden	Adam Higgs	Simon Morrall
David Barrie	Timothy Huxtable	David Pears
Matt Bennett	Bruce Lines	Darius Sandhu
Debbie Clancy	Ewan Mackey	Dominic Stanford
Maureen Cornish	Zhor Malik	Ken Wood

Against the amendment (45)

Akhlaq Ahmed	Diane Donaldson	Majid Mahmood
Mohammed Aikhlaq	Barbara Dring	Karen McCarthy
Alex Aitken	Fred Grindrod	Saddak Miah
Tahir Ali	Mahmood Hussain	Yvonne Mosquito
Gurdial Singh Atwal	Shabrana Hussain	Brett O'Reilly
Mohammed Azim	Mohammed Idrees	John O'Shea
Kate Booth	Zafar Iqbal	Robert Pocock
Sir Albert Bore	Ziaul Islam	Carl Rice
Nicky Brennan	Kerry Jenkins	Kath Scott
Marje Bridle	Nagina Kauser	Shafique Shah
Mick Brown	Mariam Khan	Mike Sharpe
Tristan Chatfield	Zaheer Khan	Martin Straker Welds
Liz Clements	Chaman Lal	Saima Suleman
John Cotton	Mike Leddy	Sharon Thompson
Phil Davis	Mary Locke	Ian Ward

Abstentions (7)

Baber Baz	Deborah Harries	Julien Pritchard
Zaker Choudhry	Jon Hunt	Paul Tilsley
Roger Harmer		

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-

19639 **RESOLVED**:-

This council notes that:

- Birmingham is experiencing a dramatic growth in exempt supported accommodation.
- There are now more than 21,000 exempt units in the city - representing a 20 per cent increase in the last 12 months.
- When delivered well, exempt supported accommodation can play a vital role in supporting people at risk of homelessness and other vulnerable groups, such as those with support needs or disabilities.
- However, in recent years there has been a worrying rise in unscrupulous agencies exploiting gaps in the national regulatory regime to claim higher Housing Benefit levels while providing minimal or no levels of support.
- This has led to a worrying growth of poorly managed, unsafe exempt accommodation, delivering inadequate support, and safeguarding, particularly for people who experience homelessness and have multiple

support needs. This often has extremely serious consequences for vulnerable people (including care leavers, victims of domestic abuse and ex-offenders), communities, neighbourhoods, policing, and Local Authority services.

- Currently, local authorities have limited powers to enforce standards where homes are unsafe or poorly managed because registered providers are not subject to houses in multiple occupation (HMO) licensing rules, while the Regulator is constrained by the current reactive focus of consumer regulation.
- Together with Birmingham communities, MPs and responsible providers, this council has led national calls for a tougher regulatory framework to ensure that all homes funded in this way are safe, well-managed, and provide good quality and effective support.
- Further the council welcomes and supports the Birmingham Mail campaign calling on the Government to take urgent action on exempt housing.

Council now resolves to continue lobbying Government, alongside partners at community, local government, and parliamentary level, to secure:

- A review of the current funding model for locally delivered supported housing.
- A government national accreditation requirement supported with additional regulation.
- Greater powers for local authorities to control provision and growth based on each council's Needs assessment.
- Alignment of existing planning and HMO licencing powers to capture supported housing provision.
- Strengthened definitions within current regulations relating to provision of care, support, and supervision.
- Greater enforcement powers to tackle providers who do not effectively manage ASB.

The current system is in urgent need of reform and we believe the Government must act now to ensure that all homes funded in this way are safe, well-managed, and provide good quality and effective support.

This Council further notes that:

- The dramatic growth in exempt supported accommodation is related to the chronic shortage of socially rented housing in Birmingham, that sees thousands of our residents living for months on end in temporary accommodation.
- That this shortage of socially rented housing is likely to continue to worsen year on year, given the way ‘right to buy’ currently operates.

It therefore also resolves to lobby Government to increase the delivery of new socially rented accommodation to 100,000 units a year from just 6,600 in 2019/20.

Furthermore there should be clear lines of accountability for the welfare of residents of exempt accommodation, ensuring that major agencies such as the probation service, the council or NHS have power to inspect and intervene and can, in turn, be held to account for the welfare of current or recent clients.

Councillor Morriam Jan returned to the meeting.

Councillors Deirdre Alden and Debbie Clancy have given notice of the following motion.

(See document No. 10)

The Lord Mayor in noting that there was no further time left for consideration of the item asked motion be formally moved and seconded, and the amendment be formally moved and seconded without speaches.

19640 Councillor Deirdre Alden formally moved the Motion which was formally seconded by Councillor Debbie Clancy.

In accordance with Council Rules of Procedure, Councillors Timothy Huxtable and Ewan Mackey gave notice of the following amendment to the Motion:-

(See document No. 11)

Councillor Timothy Huxtable formally moved the amendment which was formally seconded by Councillor Ewan Mackey.

In accordance with Council Rules of Procedure, Councillors Adam Higgs and Zhor Malik gave notice of the following amendment to the Motion:-

(See document No. 12)

Councillor Adam Higgs formally moved the amendment which was formally seconded by Councillor Zhor Malik.

In accordance with Council Rules of Procedure, Councillors Peter Fowler and Bruce Lines gave notice of the following amendment to the Motion:-

(See document No. 13)

Councillor Peter Fowler formally moved the amendment which was formally seconded by Councillor Bruce Lines.

In accordance with Council Rules of Procedure, Councillors Matt Bennett and Simon Morrall gave notice of the following amendment to the Motion:-

(See document No. 14)

Councillor Matt Bennett formally moved the amendment which was formally seconded by Councillor Simon Morrall.

In accordance with Council Rules of Procedure, Councillors Morriam Jan and Zaker Choudhry gave notice of the following amendment to the Motion:-

(See document No. 15)

Councillor Morriam Jan formally moved the amendment which was formally seconded by Councillor Zaker Choudhry.

The amendment to the Motion in the names of Councillors Timothy Huxtable and Ewan Mackey having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The amendment to the Motion in the names of Councillors Adam Higgs and Zhor Malik having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The amendment to the Motion in the names of Councillors Peter Fowler and Bruce Lines having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The amendment to the Motion in the names of Councillors Matt Bennett and Simon Morrall having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The amendment to the Motion in the names of Councillors Morriam Jan and Zaker Choudhry having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The Motion 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 was as follows:-

For the Motion (27)

Deirdre Alden	Roger Harmer	Zhor Malik
Robert Alden	Deborah Harries	Gareth Moore
David Barrie	Adam Higgs	Simon Morrall
Baber Baz	Jon Hunt	David Pears
Matt Bennett	Timothy Huxtable	Julien Pritchard
Zaker Choudhry	Morriam Jan	Darius Sandhu
Debbie Clancy	Meirion Jenkins	Dominic Stanford
Maureen Cornish	Bruce Lines	Paul Tilsley
Peter Fowler	Ewan Mackey	Ken Wood

Against the Motion (44)

Akhlaq Ahmed	Barbara Dring	Majid Mahmood
Mohammed Aikhlaq	Fred Grindrod	Karen McCarthy
Alex Aitken	Mahmood Hussain	Saddak Miah
Tahir Ali	Shabrana Hussain	Yvonne Mosquito
Gurdial Singh Atwal	Mohammed Idrees	Brett O'Reilly
Mohammed Azim	Zafar Iqbal	John O'Shea
Kate Booth	Ziaul Islam	Robert Pocock
Sir Albert Bore	Kerry Jenkins	Carl Rice
Nicky Brennan	Nagina Kauser	Kath Scott
Marje Bridle	Mariam Khan	Shafique Shah
Mick Brown	Zaheer Khan	Mike Sharpe
Tristan Chatfield	Narinder Kaur Kooner	Martin Straker Welds
Liz Clements	Chaman Lal	Saima Suleman
John Cotton	Mike Leddy	Sharon Thompson
Phil Davis	Mary Locke	Ian Ward
Diane Donaldson		

Abstentions (0)

The meeting ended at 1938 hours.

APPENDIX

Questions and replies in accordance with Council Rules of Procedure B4.4 F of the Constitution:-

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MIKE WARD

A1 Russian Business Contracts

Question:

Following the illegal Russian invasion of Ukraine, could the Leader set out what has been done to ensure the Council has no contracts or investments with Russian linked businesses?

Answer:

The Council has undertaken an initial review of the Council's contracts and we have no direct contracts with companies from either Russia or Belarus, It is noted that with such an international supply chain that some of our suppliers may have sub contracts which stretch into commercial arrangements where there may be links, and with this in mind we have conducted a direct survey with our contracted suppliers seeking more information on what if any exposure there is to Russian or Belarus contracts beyond our main suppliers.

WM Energy are in no way supplied by Gazprom, or any other Russian energy suppliers.

We are continuing to pursue information around indirect exposure through the supply chain, but the overall position we have been able to establish so far is as follows:

- A trawl has been undertaken of all direct exposure to Gazprom on the part of BCC and key trading Group Companies (including Paradise Circus, InReach, Propco, Acivico, BCT).
- It has been identified that direct exposure is limited to five LA schools who have sourced gas supplies from Gazprom this financial year, to a total value of £51k between April 2021 and February 2022.

Through our investment partners we are currently actively reviewing our investment holdings, working with Fund Managers to assess our exposure and actions taken in response to the developing events in Ukraine, together with the increasing sanctions imposed on Russia. Fund investments in this area represent a small and reducing element of the Fund portfolio with actions having already been taken to reduce exposure, including some exclusions.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR ROGER HARMER

A2 Local Listing

Question:

Please can I have an update on the application for a local listing for 1-5 Shirley Road, Acocks Green B27 7XU. This is an important example of an original Burton's store designed and built for the company nearly 100 years ago, with many original features, including fine art deco first floor windows. When the application for a Conservation Area for Acocks Green was turned down, we were told that local listing provided an alternative way of protecting important local buildings and Historic England has recently indicated that they think the building should be locally listed, but we still await a response from the Council.

Answer:

We have received the information sent to us by the Acocks Green Focus Group on the 15th February 2022, requesting that the former Burtons store at 1-5 Shirley Road is added to the Birmingham Local List of Buildings of Historic and Architectural Interest.

The Principal Conservation Officer will be visiting the site in the next few weeks to carry out an assessment of its significance and will let the Acocks Green Focus Group know the outcome. If it is considered to be worthy of adding to the local list we shall take a report to planning committee recommending its inclusion.

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

A3 Trip to Pakistan

Question:

Other than the Lord Mayor, please list any other Councillors who joined him on the recent trip to Pakistan.

Answer:

Two Councillors did visit Pakistan along with the Lord Mayor but they did this in a personal capacity, in their own time and at their own cost.

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

A4 Total Cost

Question:

What was the total cost to the Council of the recent trip to Pakistan by the Lord Mayor and others?

Answer:

The total cost to the Council was £9,3178.54 including flights and accommodation for the delegation to Pakistan.

The costs above relate to the Lord and Lady Mayoress and officers. The Council did not cover the costs of the 2 Councillors that also travelled with the Lord Mayor.

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

A5 Consultations

Question:

How many responses in total have been received across how many consultations carried out by the Council this financial year?

Answer:

The Council uses an online platform called Be Heard to conduct consultations and surveys. Between the 1/04/2021 and 14/03/2022 a total of 127 public consultations/surveys were conducted through the Be Heard platform and a total of 15,649 responses have been received.

This figure represents the total number of responses to both consultations and surveys. A further breakdown between the two requires a manual audit and this has not been possible within the constraints of responding to this question.

The figure provided excludes responses to consultations and surveys that are not conducted through Be Heard. A figure for these is not available.

Additionally, some consultations/surveys logged in the Be Heard system are either conducted offline or link to external platforms and so, similarly, response figures for these are not available.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR KEN WOOD

A6 Chief Executive's Delivery Unit

Question:

What is the total budgeted annual cost of the Chief Executive's Delivery Unit?

Answer:

£750,272

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR DAVID PEARS

A7 Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

74%

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MAUREEN CORNISH

A8 Designated Green Space

Question:

Please list all formerly designated green space, public open space, playing fields that are not yet developed but that are sat within the Housing Revenue Account.

Answer:

On the 26th March 2019 and 6th March 2020 Cabinet approved reports that set out a programme of appropriations into the HRA from the general fund of land which included unattached school playing fields, former allotment sites and some pubic open space, where the holding departments considered their current use to be surplus.

Since the Cabinet approvals, a number of sites have been withdrawn from the programme and retained as per their original use. The following sites are land currently held in the HRA.

- Boleyn Road, Frankley
- Trescott Road, Allens Cross
- Comet Park site, Bromford and Hodgehill
- Dawberry Field Road, Brandwood and Kings Heath
- The Pines School site, Bromford and Hodgehill
- Bellefield POS, North Edgbaston

WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM COUNCILLOR DAVID PEARS

B Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

100%

WRITTEN QUESTION TO THE CABINET MEMBER FOR EDUCATION, SKILLS AND CULTURE FROM COUNCILLOR DEBORAH HARRIES

C1 School Days Lost to Covid

Question:

Could the Cabinet Member confirm the number of children who were absent from school due to Covid in the run up to the February Half Term break?

Answer:

Schools report COVID absence to the DfE through its attendance return. Up to half-term schools were asked to complete this return each day and they are now asked to complete it each week.

Data Birmingham schools submitted to the DfE for Wednesday 16th February indicated that 1.3% of pupils were absent for COVID reasons. This compared to 2.3% of pupils reported by schools to be absent for COVID reasons in England on the same day.

WRITTEN QUESTION TO THE CABINET MEMBER FOR EDUCATION, SKILLS AND CULTURE FROM COUNCILLOR DARIUS SANDHU

C2 Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

38.4%

WRITTEN QUESTION TO THE CABINET MEMBER FOR EDUCATION, SKILLS AND CULTURE FROM COUNCILLOR SIMON MORRALL

C3 School Crossing Patrols

Question:

How many school crossing patrols were operating across the City in each year since 2012, including current year?

Answer:

2012 - 160
2013 - 140
2014 - 118
2015 - 161
2016 - 143
2017 - 137
2018 - 153
2019 - 144
2020 - 137
2021 - 117
2022 - 114

The figures provided above are an annual average as the exact number of crossing patrol staff employed fluctuates from month to month.

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR ROGER HARMER

D1 Council Investments

Question:

Can we have an assurance that the Council has no investments in the Russian economy and no fuel contracts that rely on Gazprom?

Answer:

The Council has undertaken an initial review of the Council's contracts and we have no direct contracts with companies from either Russia or Belarus, It is noted that with such an international supply chain that some of our suppliers may have sub contracts which stretch into commercial arrangements where there may be links, and with this in mind we have conducted a direct survey with our contracted suppliers seeking more information on what if any exposure there is to Russian or Belarus contracts beyond our main suppliers.

WM Energy are in no way supplied by Gazprom, or any other Russian energy suppliers.

We are continuing to pursue information around indirect exposure through the supply chain, but the overall position we have been able to establish so far is as follows:

- A trawl has been undertaken of all direct exposure to Gazprom on the part of BCC and key trading Group Companies (including Paradise Circus, InReach, Propco, Acivico, BCT).
- It has been identified that direct exposure is limited to five LA schools who have sourced gas supplies from Gazprom this financial year, to a total value of £51k between April 2021 and February 2022.

Through our investment partners we are currently actively reviewing our investment holdings, working with Fund Managers to assess our exposure and actions taken in response to the developing events in Ukraine, together with the increasing sanctions imposed on Russia. Fund investments in this area represent a small and reducing element of the Fund portfolio with actions having already been taken to reduce exposure, including some exclusions.

Within our Treasury Management activities, we have no direct Financial Instruments with Russian institutions. Where the Council invests in treasury funds we have approached fund managers who confirm those funds have no direct or indirect financial instruments with Russian institutions.

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR DOMINIC STANFORD

D2 Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

Capital Finance

Cityserve - No vehicles

Birmingham City Laboratories – 100% CAZ compliant (all hire vehicles)

Civic Cleaning – 100% CAZ compliant (all hire vehicles)

Civic Catering – 0% CAZ compliant. The service only uses 3 vans in total and a Business Case is being prepared to replace these three vans with one CAZ compliant hire vehicle.

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR MATT BENNETT

D3 Payment – Ashley Community and Housing 1

Question:

How much has the Council paid to Ashley Community and Housing Ltd since 2016?

Answer:

£ 312,750

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR DARIUS SANDHU

D4 Payment – Ashley Community and Housing 2

Question:

How much has the Council paid to Ashley Community and Housing Ltd since 1 September 2021?

Answer:

£ 104,250

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR GARETH MOORE

D5 Payment – Ashley Community and Housing 4

Question:

The 2020/21 Q4 Details of Contract Awarded report on the open data site, shows a contract with Ashley Community and Housing Ltd expiring in June 2021, and it does not appear on more recent reports. However the Cabinet Report on 14 December 2021 - AFGHAN CITIZENS RESETTLEMENT SCHEME AND AFGHAN RELOCATION & ASSISTANCE POLICY – BIRMINGHAM PLEDGE – states that a contract is still in place with ACH (paragraph 3.7 of the report). Can you please clarify if a new contract or contract extension has been signed (and if so when and by whom) or if the Council is continuing its relations with ACH outside of a formal contract?

Answer:

ACH are contracted to deliver Employability Support for adults under the Syrian Vulnerable Persons Resettlement Scheme, awarded on 1 July 2019 for 2 plus 1 years. In March 2021, the Social Justice Board chaired by the Assistant Director of Adult Social Care agreed to implement the plus 1 which had been previously agreed. The current contract will expire on 30 June 2022 and has an annual value of £143,244pa. Following approval at the Social Justice Board a contract extension was issued by the relevant Senior Commissioning Officer. The extension dated 12 May 21 was agreed based on satisfactory performance in the first 2 years of the contract.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR DAVID PEARS

E Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the Council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

1. Number of vehicles fully compliant with the clean air zone standards (CAZ) = 48 (85%)

2. Number of vehicles not compliant with the clean air zone standard but have a temporary exemption = 9 (15%)

3. Number of vehicles not compliant with clean air zone and do not have an exemption = 0

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND NEIGHBOURHOODS FROM COUNCILLOR DEIRDRE ALDEN

F1 Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

Capital Investment and Repairs are not directly responsible for any council fleet, however, the Contractors have provided the following information:

Wates Living Space

92.3% compliant but as of 1st April 2022 Wates will no longer be in contract.

Fortem

95% compliant and a plan is in place that by September 2022 all of Fortem's fleet will be fully compliant.

Equans

96.3% compliant. All of the vehicles which Equans have ordered and secured for the direct delivery of the East and West contracts will be 100% compliant and they have a vehicle replacement programme underway for the North contract.

Housing Management have a fleet of 66 vehicles that are linked to our estate service team and all of are 100% compliant.

Housing Solutions and Support Services have 1 vehicle that is linked to our temporary accommodation service team and it is 100% compliant.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND NEIGHBOURHOODS FROM COUNCILLOR ALEX YIP

F2 Supported Accommodation

Question:

How many Council owned properties are leased to supported accommodation providers?

Answer:

We are not aware of any BCC properties/stock being leased to supported housing providers.

WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL INCLUSION, COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR TIMOTHY HUXTABLE

G1 Complaints – ASB Team

Question:

How many complaints have there been to Council ASB Teams relating to

a) HMO's

b) Exempt Accommodation

Answer:

a) HMO's

The Community Safety Partnership has received 31 complaints, of which 30 have been investigated and closed and 1 is still open.

b) Exempt Accommodation

The pilot inspection team received 574 ASB related complaints to date since the pilot started in November 2020.

The Community Safety Partnership received 570 complaints: 352 ASB only, 70 related to Serious Organised Crime and 148 that have been reported as ASB and Serious Organised Crime.

WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL INCLUSION, COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR DAVID BARRIE

G2 Waiting Time

Question:

For each year since 2012, including year to date, what has been the average waiting time for an appointment to register a birth?

Answer:

It is not possible to capture meaningful information for average waiting times, as the process is affected by a number of variables that are beyond the City Council's direct control. These include parental choice, the need to provide urgent appointments in some cases and whether parents attend their booked appointments or not.

Given this, the City Council does collect data on the percentage of applications registered per year in the statutory time of 42 days. The figures since 2012 are as follows:

Year	Number of registrations	% registered within 42 days
2012	25,175	88.61
2013	23,636	95.56
2014	23,789	86.08
2015	22,708	87.03
2016	24,633	63.60
2017	23,663	87.77
2018	23,332	91.26
2019	22,203	95.21
2020	19,933	43.21
2021	20,569	64.16
2022 to date	4,077	23.9

When studying these figures, it is important to bear in mind that the registration of births was suspended by Central Government during the early stages of the pandemic, from 24 March 2020 until week commencing 15 June 2020.

WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL INCLUSION, COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR MATT BENNETT

G3 Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

For Regulation and Enforcement Division of City Operations the fleet position for my portfolio is as follows:-

Service Area	No of Vehicles	Number Compliant with CAZ
Bereavement Services	7	0

WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL INCLUSION, COMMUNITY SAFETY & EQUALITIES FROM COUNCILLOR BABER BAZ

G4 Autopsy Scanner

Question:

Could the Cabinet Member provide an update on the Autopsy Scanner?

Answer:

1,214 CTPMs (computed tomography post mortems – via I-gene) have been undertaken since the pilot commenced at the beginning of July 2019 up to February 2022, with 614 of these identifying the cause of death.

Following the pilot to undertake 250 CTPMs in the first year, it was agreed to increase this in the subsequent annual contracts to send 500 cases for CTPM per year. This is being let as an annual contract following the pilot, running from 1 July to 30 June. The intention is to let a longer contract in the next two years.

During the covid pandemic, the Coroner identified that CTPM was a good way of identifying COVID19 in patients who had not been swabbed during lifetime. CPTM continues to be used in other cases selected by the Coroner, where it is likely to provide assistance to confirming the cause of death. There have been no family requests for CTPM for cases not already selected by the Coroner for CTPM since April 2020.

Overall this method has a success rate of around 50%, in identifying a cause of death confirmed by a pathologist and obviate the need for an invasive post mortem.

However, Igene state around a 60-65% success rate on average, as they look at whether the radiologist report suggests the same or similar cause of death to the invasive result. From February 2022, the City Council is including this in its reporting and has found a success rate of 65%.

WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL INCLUSION, COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR JOHN LINES

G5 Payment – Ashley Community and Housing 5

Question:

Whilst we are aware that at least one Member of the Council Cabinet is a Director for Ashley Community and Housing Ltd, why, given the previous contract expired in June 2021, did the Council continue to use them when their latest Ofsted judgement 'requires improvement'?

Answer:

Officers would not have been aware of the Ofsted inspection rating but having checked can see that this inspection relates to ACH's apprentice scheme in Bristol (Head Office) and Newcastle.

WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND PARKS FROM COUNCILLOR BABER BAZ

H1 Mobile Household Recycling Centre

Question:

Could you provide the charts setting out the record of delivery of the mobile household recycling centre, one chart setting out, by day, which Wards have been visited, by depot, and the second chart setting out, by day, the tonnage collected by depot during January and February 2022?

Answer:

The attached table gives the daily location breakdown per depot during January and February 2022.


H1.xlsx

As advised previously, due to the size and complexity of the information, tonnage information is now only available in a monthly format. This is provided below.

Jan 22	Lifford	Redfern	Perry Barr	Montague Street
MHRC (Recycling)	2.42	0.38	0.64	0.68
MHRC (Residual)	54.04	20.48	27.98	20.12
Total	56.46	20.86	28.62	20.8

Feb 22	Lifford	Redfern	Perry Barr	Montague Street
MHRC (Recycling)	2.2	1.9	0.78	4.56
MHRC (Residual)	51.45	27.44	37.76	35.16
Total	53.65	29.34	38.54	39.72

WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND PARKS FROM COUNCILLOR DEBORAH HARRIES

H2 CCTV Monitoring

Question:

Could the Cabinet Member set out how many fly tipping monitoring cameras have been installed this year, explaining how prioritisation is undertaken?

Answer:

Eight cameras have been installed this year. Assessment of the potential use of cameras is carried out by the Council's Waste Enforcement Unit. This unit triages information and intelligence relating to fly-tipping reports from all sources, including residents, businesses, internal council teams, local representatives and external agency partners. The assessment also includes examination of requests for cameras as well as historic and current data collated on council systems relating to the volume, frequency and location of reported incidents of fly-tipping at a ward level and specific geographic locations where this is available.

Under the legal frameworks that control the use of cameras and surveillance by public bodies the Council is legally obliged to determine that there is a legal case for necessity and proportionality and that data privacy mitigations are in place before it uses cameras. Where this is established, prioritisation decisions and allocation of cameras is based on two criteria. The first is where cameras are required to support specific waste crime investigation and where the use of cameras has been approved by a Court. The second is where there is a localised but significant level of small-scale fly-tipping in a residential area and where there are no viable alternative options to tackle the problem. The initial prioritisation of cameras in 2022 is focused at streets that have been identified by the Council's street cleaning teams as having particularly high incidence and prevalence of small-scale rubbish dumping. Although this is the initial approach, camera use will not be restricted to only 'the worst affected areas' and this is because fly-tipping has an impact city-wide. This means that subject to an evidence base for camera use being identified, which may require further data gathering and involve site monitoring of a reported hotspot, camera use for across all wards will be considered.

WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND PARKS FROM COUNCILLOR ALEX YIP

H3 Missed Collections

Question:

Per month since April 2021, how many reported missed collections have there been?

Answer:

See below the combined number of missed residual and recycling collections, as reported by citizens out of a total average monthly collection of approximately 2.5 million collections. This data excludes collections of large containers at flats and apartments. There are no duplicates in this data, unless a household reported both the residual and recycling missed collection in the same week (which would be counted twice).

APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB
3564	3220	4989	6758	5477	4288	6836	7741	5370	6503	4947

WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND PARKS FROM COUNCILLOR ADRIAN DELANEY

H4 Complaints - Missed Collections

Question:

In each month since 2018, how many complaints have been received about missed assisted collections?

Answer:

From a total of approximately 54,000 assisted collections per month the table below shows the number of complaints recorded by the 'icase' complaint database as used by the Contact Centre and does not include any that may have been made directly to the service area.

	No. of Complaints				
Month	**2018**	**2019**	**2020**	**2021**	**2022**
January		44	53	58	43
February		51	56	56	60
March		57	38	45	
April		85	26	42	
May		80	25	34	
June	47	53	28	60	
July	54	44	33	35	
August	42	40	41	55	
September	46	45	50	48	
October	70	31	43	52	
November	75	22	46	54	
December	35	20	39	59	

There is no data available in the system prior to June 2018.

WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND PARKS FROM COUNCILLOR MAUREEN CORNISH

H5 Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

Waste Management

There are 318 fleet vehicles, of which 45% are compliant and 55% are non-compliant. The percentage of vehicles entering daily into the Clean Air Zone is approximately 17%.

There are 87 hired vehicles, of which 75% are compliant and 25% non-compliant. The percentage of vehicles entering daily into the Clean Air Zone is approximately 2%.

Parks

There are 95 owned vehicles, of which 96% (92 vehicles) are compliant and 3 are non-compliant. There are 14 hire vehicles all of which are compliant with the Clean Air Zone.

Waste Enforcement Unit

There are 14 vehicles, of which 36% are compliant and 64% non-compliant. The percentage of vehicles entering daily into the Clean Air Zone ranges from 0 to 7%.

A second phase of the fleet replacement programme which will increase the number of CAZ compliant vehicles has been prepared and will be presented to Cabinet for approval in due course.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR JON HUNT

I1 Clean Air Zone Appeals

Question:

Could the Cabinet Member provide details of the number of appeals that have been logged against Clean Air Zone Penalty Notices, including details of the number that have been paid and the number upheld by month since June 2021?

Answer:

As at the end of February 2022, 69,170 representations have been received for Clean Air zone Penalty Charge Notices (PCNs), representing 10.4% of those issued up to that point.

Of the representations that have been determined, 22,414 have been paid, breakdown as follows:

June	3,401
July	4,591
August	4,300
September	3,382
October	2,956
November	1,772
December	1,329
January	541
February	142

and 9,764 have been upheld where the cases have been closed, breakdown as follows:

June	1,877
July	2,140
August	2,824
September	1,505
October	786
November	287
December	190
January	118
February	37

The remaining cases are either pending or have been rejected and not yet paid.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR PAUL TILSLEY

I2 Pavement Replacement Schemes

Question:

Could the Cabinet Member give an explanation as to why current pavement replacement schemes throughout the City are taking so long to complete?

Answer:

Since September 2019 the council has invested approximately £70m in carriageways and footways. This is part of tackling the backlog of investment since the replacement of our highway maintenance and management services contractor.

The surfacing programme is being progressed as quickly as possible, whilst at the same time ensuring that work is done properly. We always look to complete works as quickly as possible to minimise disruption and cost.

So far, we have competed over 350 schemes. I have been clear that the process of improving our network is not a short-term matter and Cabinet has approved a total of £130m of investment in surfacing through to 2023.

It is relevant that there are considerable works being undertaken on the A34 and A45 corridors in support of the Commonwealth Games and the Bus Sprint initiative. These are important changes to our transport infrastructure, which we need to accommodate in our programming.

There are also a number of factors that may generally affect the duration of maintenance works:

i. Works need to be carefully planned, designed and undertaken in accordance with industry standards.
ii. There may be restrictions to avoid repairing busy roads when traffic volumes are high;
iii. Works may need to be co-ordinated with other works on the network to minimise disruption.

I would emphasise that in the main, we have received positive feedback on our schemes and trust you can support the continued investment we are making in the city's transport infrastructure.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR MORRIAM JAN

I3 Resurfacing Roads

Question:

Yet again it appears money is being spent on resurfacing the least problematic roads while other more urgent repairs are being left. This was a problem with the Amey contract. Could the Cabinet Member explain why it is now happening again under the current arrangements?

Answer:

Since September 2019 the council has invested approximately £70m in carriageways and footways. This is part of tackling the backlog of investment since the replacement of our highway maintenance and management services contractor. So far we have completed over 350 schemes, but I have been clear that the process of improving our network is not a short-term matter and Cabinet has approved a total of £130m of investment in surfacing through to 2023.

The selection criteria for which schemes are to be undertaken are based on a number of factors, as reported to Cabinet on 8 June and 14 December 2021:

- We use condition surveys to measure the condition of all carriageways and footways in the city and enable the worst to be prioritised;
- We look at feedback and complaints to ensure we have not missed any obvious areas of concern;
- Our engineers validate the prioritised list on site;
- We consult with members on the proposals; and
- After this, we engage with contractors to design and deliver the works.

If, in the interim, other urgent sections develop, we can also undertake such repairs utilising our maintenance contractor.

We plan to continue this investment to a similar level over the next 12-15 months in order to bring the network back to a good overall condition.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR PETER FOWLER

I4 Appeals Traffic Penalty Tribunal

Question:

Please provide a breakdown of appeals to the Traffic Penalty Tribunal relating to the Clean Air Zone since its introduction, including the number of referrals to the TPT, the number of tribunal hearings won by Council, number lost by Council, the number dropped/withdrawn by the Council ahead of hearing.

Answer:

Birmingham City Council's approach to the administration and enforcement of all penalty charge notices (PCNs), including those for the Clean Air Zone, is in line with the Road User Charging (Enforcement and Adjudication) Regulations 2001. This legislation sets out the process for a driver to challenge a PCN with the issuing authority. It sets out a process for a driver to submit an appeal to the Traffic Penalty Tribunal (TPT) against a decision made by the issuing authority to not uphold a challenge. The legislation also includes an opportunity for a driver to submit a 'witness statement', at the point an order for recovery is issued, explaining why someone disagrees that a PCN should have progressed to this point.

The Council's approach to the enforcement of the Clean Air Zone has been to be as 'fair and reasonable' as possible. The Council recognised that a scheme of this type is new to Birmingham and that drivers subject to the daily fee would need time to adjust. And the inclusion of a period of 'soft enforcement' after the launch of the scheme is consistent with this approach. As the scheme has started to mature and drivers are becoming more familiar with the scheme the average volume of PCNs issued per working day has reduced significantly from the peak in July 2021 (5,126) compared with the average volume issued per working day in December 2021 (2,555).

Up to the end of February 2022 the Council had received just over 69,000 representations or challenges against a Clean Air Zone PCN, which is around 10% of all PCNs issued up to the same point (i.e. c.690,000). Of those representations that have been determined (around three quarters) just over 9,700 had been upheld i.e. the PCN was cancelled. The remainder are either pending a review or have been rejected.

There have been just over 5,400 appeals received through TPT. In line with the numbers of PCNs issued since the introduction of the scheme the majority of these appeals relate to PCNs issued in the earlier part of the scheme and the Council has chosen to 'not contest' around 88% of these. It is worth noting that this volume of 'not contested' appeals also includes situations where additional information (such as new keeper details) have been provided and enable the Council to review an earlier decision. Just under 10% of these appeals are

'pending' and a further 1.5% of the appeals were closed on the basis that a payment of the penalty charge had been received. To date the Council has contested six appeals.

Because this type of scheme is still relatively new we are working closely with the other Clean Air Zone local authorities, the TPT and the Government's Joint Air Quality Unit (JAQU) on the approach to enforcement. We are especially keen to work with TPT to better understand its approach to the adjudication of appeals so as to ensure there is a consistent and fair approach for drivers and for issuing authorities.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR DEIRDRE ALDEN

I5 Assessment Cycle Lane Use

Question:

What assessment has been made of cycle use on the Bristol Road both before and after the installation of the cycle lane and what are the results of this assessment?

Answer:

TfWM publish an annual bike life report that provides an overall assessment of cycling in the West Midlands covering infrastructure, behaviour, impact of cycling and new initiatives.

Specifically, on Bristol Road, a 1 week before survey was undertaken in 2017 at Bristol Road near to Eastern Road. That showed 2530 cyclists used the route (split 50:50 between the footway and cycling on the road). Three permanent cycle counters have been placed on the route, one near to Edgbaston Road, one at Priory Road and one at Kent Street. The most comparable one with the before survey is the one at Edgbaston Road, which shows that on average 3890 cyclists per week used the cycle route over the past 12 months (to end of February 2022).

We will continue to monitor and evaluate infrastructure changes as part of our ongoing work on the Local Cycling and Walking Infrastructure Plan, future phases of Birmingham Cycle Revolution and the Birmingham Transport Plan.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR DEBBIE CLANCY

I6 Faulty Street Lights

Question:

What has the total additional cost to the Council been for the 8000 faulty street lights with missing telecall ID, including costs of identifying the lamps, correcting the problem and additional energy costs from the requirement to leave them on all.

Answer:

There has been no additional cost to the Council associated with the identification and rectification of those lights with missing Telecell IDs. The work being undertaken to identify missing Telecell IDs is a process of updating lighting asset data on the system to give the Council greater control over the street lighting stock. This will have the overall long-term benefit of improving the streetlighting service and enhancing the Council's ability to make energy savings from its street lighting stock.

Birmingham City Council's streetlights are subject to an unmetered energy supply based on hours of darkness from a fixed point in the city. No additional energy costs have been incurred by the Council during the exercise to identify missing Telecell IDs.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR MEIRION JENKINS

I7 Claims

Question:

In each year since 2012, how many claims have been submitted for injury/damage caused on the highway or footpaths? Split between personal injury and damage to vehicles or property.

Answer:

The information requested is shown in the below table.

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Personal Injury Claims	607	571	625	516	361	281	314	304	231	278	47
Damage Claims	351	451	401	298	265	242	342	238	213	365	88

Please note that these are ‘claims submitted’ and not claims settled.

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

I8 Radio Interview

Question:

Please provide a full copy of the report cited in your BBC Radio WM interview on 22 February 2022, showing the percentage change in air quality at each of the air quality monitoring stations.

Answer:

The Clean Air Zone six-month report was finalised at the beginning of March 2022 and has been published on the Brum Breathes website:
https://www.brumbreathes.co.uk/downloads/download/42/clean-air-zone-six-month-report

The website is maintained by the Council's Environment Services team and is used to publish a range of air quality reports (birminghamairquality.co.uk).

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR DAVID PEARS

I9 Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, you said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that as the Cabinet Member responsible for Clean Air you have not already undertaken an assessment of the council's own fleet, and still more surprising that you did not feel able to ask your colleagues when the question was raised, nevertheless as you have made it clear that you are each responsible for the fleet within your own portfolios can you inform the public what percentage of any fleet operated within *your* service areas is compliant with the clean air zone?

Answer:

Within the services contained in the Transport and Environment portfolio (including fleet for commissioned services) 84% of vehicles are compliant with the Clean Air Zone. That level of compliance is anticipated to rise to 91% by the end of 2022.

WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE CHILDREN AND FAMILIES FROM COUNCILLOR EWAN MACKEY

J1 Council Fleet

Question:

In response to a written question on the percentage of Council fleet that is compliant with the clean air zone, the Cabinet Member for Transport and the Environment said "The operation of the Council's fleet is the responsibility of its respective directorates and services and, as such, is outside of the scope of the Transport and Environment portfolio. Therefore, I am unable to provide this information" It is surprising that the Cabinet Member responsible for Clean Air had not already undertaken an assessment of the council's own fleet, and still more surprising that he did not feel able to ask his colleagues when the question was raised, nevertheless as he has made it clear that you are each responsible for the fleet within your portfolios can you inform the public what percentage of any fleet operated within your service areas is compliant with the clean air zone?

Answer:

66.7%

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

J2 Weightmans Report

Question:

The Council has previously promised to published the full Weightmans report into failure in Home to School Transport once HR matters were concluded, given that now appears to be the case, please provide a full unredacted copy of the report.

Answer:

I have been provided the following response from our Interim City Solicitor and Monitoring Officer:

Relevant matters have not been concluded. In the meantime, the entire/unredacted report is protected by Legal Advice Privilege. Legal Advice Privilege applies to confidential communications between a solicitor and their client for the purpose of giving or receiving legal advice.

It is recognised that there is a fundamental need to provide assurances to the Members, however this has to be balanced against the legal position in relation to the Data Protection Act/GDPR and information covered by Legal Advice Privilege (in relation to ongoing sensitive proceedings). Therefore, the version of report provided to Members redacts all reference to third party personal and sensitive data covered by Legal Advice Privilege and this will remain the case for the time being based on legal advice.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND NEIGHBOURHOODS FROM COUNCILLOR ZAKER CHOUDHRY

J3 Temporary Accommodation

Question:

In response to a written question on 18 January 2021, the Cabinet Member confirmed there were 6865 children living in temporary accommodation while 5618 children were housed in self-contained accommodation. Could you provide details on how these figures have changed since January last year and confirm many children are currently being affected by their families having to live in temporary accommodation in the City?

Answer:

There are 6711 children living in in temporary accommodation now while 6274 children are housed in self-contained accommodation.

This is a reduction of 164 children accommodated in temporary accommodation and an increase of 1106 children in self-contained accommodation.

Housing Solutions and Support staff work closely with Birmingham Children's Trust Early Help team to ensure a coordinated support offer is made available. From April 2021 – February 2022, over 4000 letters have been sent offering EH to families living in Temporary Accommodation. In this same time Housing Solutions and Support enabled 1006 families to move out of temporary accommodation.

The redesign investment into Housing Solutions and Support is designed to further prevent homelessness. Prevention for families was successful for 262 families (588 children) in the period April 2021 – February 2022. Increased resources for prevention and the newly created Accommodation Finding Team – working with private landlords, is designed to raise levels of prevention for families in order to avoid the need for temporary accommodation.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND NEIGHBOURHOODS FROM COUNCILLOR PETER FOWLER

J4 Housing Application

Question:

What is the current average number of weeks taken to assess a housing application?

Answer:

The average number of weeks taken to assess a housing application is 7 weeks.

The target is to review applications within 6 weeks of receipt, 83% of applications are currently within that target figure. In 2022 so far, the average number of applications received per week is 515 (with some weeks being over 600) and a rate of circa 160 more assessments being made than applications being received, on this basis the service is currently circa 2 months from all applications being assessed within target (subject to rate of applications received).