

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE

TUESDAY, 23 JUNE 2015 AT 12:00 HOURS
IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING

The Chairman to advise the meeting to note that this meeting will be webcast for live and subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs. The whole of the meeting will be filmed except where there are confidential or exempt items.

2 APOLOGIES

Item Description

3 APPOINTMENT TO THE COMMITTEE

To note a resolution of the City Council appointing Councillor Mike Ward to the Committee for the remainder of the Municipal Year 2015/2016 in place of Councillor Paul Tilsley.

5 - 18

4 MINUTES

To note the public section of the Minutes of the last meeting.

19 - 24

5 UPDATE ON SUPPORT ARRANGEMENTS FOR COMMUNITY GOVERNANCE

To receive a verbal report of the Service Director, Neighbourhoods

25 - 28

6 **CITY COUNCIL APPOINTMENTS**

To recommend to City Council appointments to Committees, outside bodies and other office as set out in the report.

29 - 32

7 **COUNCIL AGENDA FOR THE NEXT MEETING**

To consider the Council agenda for the next meeting.

33 - 34

8 **PETITIONS UPDATE**

To update Committee on progress made in responding to Petitions presented to full Council

9 **DATE OF NEXT MEETING**

To note the date of the next meeting.

10 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

35 - 44

10 A **OTHER URGENT BUSINESS - TEMPORARY APPOINTMENT TO POSITION OF ACTING STRATEGIC DIRECTOR PLACE**

Report of the Chief Executive.

45 - 46

10 B **OTHER URGENT BUSINESS - REQUEST FOR THE USE OF THE COAT OF ARMS**

Report of Director of Legal and Democratic Service.

11 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

12 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

PRIVATE AGENDA

13 **MINUTES (PRIVATE)**

Item Description

14 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 26 MAY 2015
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**MINUTES OF A MEETING OF THE COUNCIL BUSINESS
MANAGEMENT COMMITTEE HELD ON TUESDAY 26 MAY
2015 AT 1200 HOURS,
IN COMMITTEE ROOM 2, THE COUNCIL HOUSE,
BIRMINGHAM**

PRESENT:

Councillor Sir Albert Bore in the Chair;

Councillors Robert Alden, Mohammed Idrees, Hendrina Quinnen,
Paul Tilsley, Anne Underwood and Ian Ward.

NOTICE OF RECORDING

- 2378 The Chair advised the meeting to note that members of the
press/public may record and take photographs except where there
are confidential or exempt items
-

APPOINTMENT OF COMMITTEE

- 2379 The resolution of the City Council passed at the Annual Meeting
on 19 May 2015 appointing the Council Business
Management Committee and Members for the Municipal Year
2015/2016 with Councillor Sir Albert Bore as Chair was noted.
-

ELECTION OF DEPUTY CHAIR

- 2380 **RESOLVED:-**

That Councillor Ian Ward be appointed as Deputy Chair for the
Municipal Year 2015/16.

APOLOGIES

2381 Apologies for non-attendance were submitted on behalf of
Councillor Seabright.

DECLARATIONS OF INTEREST

- 2382 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.
-

TERMS OF REFERENCE OF COUNCIL BUSINESS MANAGEMENT COMMITTEE

The following document was submitted:-

(See document No 1)

- 2383 **RESOLVED:-**

That the Terms of Reference be noted.

MINUTES

- 2384 The Minutes of the last meeting held on 11 May 2015 were confirmed and signed by the Chair.
-

COMMUNITY GOVERNANCE REVIEW: DECISION PROCESS

The following report of the Service Director, Neighbourhoods was submitted together with a revised appendix 1 tabled at the meeting:-

(See document No 2)

The Chair briefly outlined the purpose of the report.

Councillor Underwood pointed out that the titles for this item and agenda item 12, due to be considered later in the meeting, were the same and could cause confusion for members of the public who might wish to view the reports online.

In response to a question by Councillor R Alden, Mr R Connelly, Head of Electoral Services, outlined the changes to the revised ballot paper seeking whether or not a Sutton Coldfield Town Council should be established. He explained the different options

for holding the first election for Town Councillors if residents voted in favour of a Town Council.

2385

RESOLVED:-

- (i) That a consultative postal ballot to be held in the Sutton Coldfield Constituency during the period 25 June to 16 July 2015 be approved;
 - (ii) that approval be given to the distribution of the consultative ballot question and the frequently asked questions with the postal ballot papers;
 - (iii) that the Community Governance Review Group be delegated to bring forward a motion on the Sutton Coldfield Town Council proposal to City Council in September 2015.
-

APPOINTMENT OF SUB-COMMITTEES AND OTHER BODIES

The following report of the Director of Legal and Democratic Services was submitted:-

(See document No 3)

A. EDUCATION AWARDS (REVIEW) SUB-COMMITTEE

2386

RESOLVED:-

- (i) That an Education Awards (Review) Sub-Committee be appointed for the Municipal Year 2015/2016 with the following functions:-

To review and determine appeals against the decisions of the Strategic Director for People in respect of arrangements for the home to school transport of pupils; and

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2015/2016 with Councillor Seabright as Chair:

Councillor Martin Straker Welds	(Lab)
Councillor Chauhdry Rashid	(Lab)
Councillor Valerie Seabright	(Lab)
Councillor Matt Bennett	(Con)
Councillor Karen Trench	(Lib Dem)

B. MISCELLANEOUS APPEALS SUB-COMMITTEE

2387

RESOLVED:-

- (i) That a Miscellaneous Appeals Sub-Committee be appointed for the Municipal Year 2015/2016 with the following functions:-

1. To consider any appeal under the Rules and Regulations for the Operation of the Retail Markets.
2. To consider any other appeal(s) that are not covered by any of the other Committees or Sub-Committees of the City Council; and

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2015/2016 with Councillor Alex Buchanan as Chair:

Councillor Nawaz Ali	(Lab)
Councillor Alex Buchanan	(Lab)
Councillor Marje Bridle	(Lab)
Councillor Timothy Huxtable	(Con)
Vacancy	(Lib Dem)

C. ELECTION MATTERS MEMBERS FORUM

2388

RESOLVED:-

- (i) That an Election Matters Members Forum be appointed for the Municipal Year 2015/2016 with the following functions:

To recommend further improvements to the Elections Office and/or the Elections processes;

To be consulted over relevant consultation papers relating to the Elections process;

To discuss issues that the Returning Officer may wish to raise with the Members Forum; and

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2015/2016 with Councillor Sir Albert Bore as Chair:

Councillor Sir Albert Bore	(Lab)
Councillor Ian Ward	(Lab)
Councillor Valerie Seabright	(Lab)
Councillor James McKay	(Lab)
Councillor Robert Alden	(Con)
Councillor Timothy Huxtable	(Con)
Councillor Paul Tilsley	(Lib Dem)

D. LORD MAYOR'S ADVISORY GROUP

2389

RESOLVED:-

- (i) That a Lord Mayor's Advisory Group be appointed for the Municipal Year 2015/2016 with the following purpose:

To act as a sounding board to the Lord Mayor at the request of the Lord Mayor on Civic and Mayoral matters;

To provide guidance on protocol matters as necessary;

To review Civic functions as necessary; and

To advise on the appropriateness of Parlour arrangements.

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2015/2016 with Councillor Anita Ward as Chair:

Councillor Shafique Shah	(Lab)
Councillor Mike Leddy	(Lab)
Councillor John Lines	(Con)
Councillor Anita Ward	(Lab)
Councillor Valerie Seabright	(Lab)
Councillor Anne Underwood	(Con)
Councillor Mike Ward	(Lib Dem)

**E. CHIEF OFFICER AND DEPUTY CHIEF OFFICER
APPOINTMENTS, DISMISSALS AND SERVICE
CONDITIONS SUB-COMMITTEE**

2390

RESOLVED:-

- (i) That a Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee be appointed for the Municipal Year 2015/2016 with the following functions:
1. To consider and determine the form of the employment contracts and other Terms and Conditions (including related structural issues) for the Chief and Deputy Chief Officer Posts as defined in the Constitution of the City Council.
 2. To be responsible for making appointments to all posts falling within 1 above and to recommend to the Council the appointment of the Chief Executive.
 3. To deal with all termination and disciplinary arrangements relating to Chief Officer and Deputy Chief Officer posts (including early retirement and the award of added years).
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2015/2016 with Councillor Sir Albert Bore as Chair:
- Councillor Sir Albert Bore (Lab)
Councillor (Lab) to be appointed dependent on the Directorate to which the Post relates
- Councillor (Lab) to be appointed dependent on the Directorate to which the Post relates
- Councillor Robert Alden (Con)
Councillor Paul Tilsley (Lib Dem)

F. PERSONNEL APPEALS (DISMISSALS) SUB-COMMITTEE

Members were advised that, following the local elections, the proportionality for the Sub-Committee had changed to 7 Lab: 2 Con: 1 Lib Dem.

The Chair expressed concern and requested an explanation as to why there was a backlog of cases due to be considered by the Sub-Committee.

Councillor Underwood recognised the difficulties sometimes encountered in setting up meetings and pointed out that many experienced officers, who had been the 'glue', had left the Council.

2391

RESOLVED:-

- (i) That a Personnel Appeals (Dismissals) Sub-Committee be appointed for the Municipal Year 2015/2016 with the following functions:
1. To consider, with Delegated Power the appeals relating to the Dismissal of Council managed employees.

(the process to be followed by appellants shall be as laid down on the People Solutions website and in accordance with City Council's policy with no appeals being submitted direct to this body without first exhausting the prescribed HR process).
 2. In hearing an appeal, the Sub-Committee shall not have the power to award financial compensation to any appellant.
 3. The Sub-Committee shall have the right to determine whether appeals shall be dealt with, where appropriate, by means of written representations.
 4. All meetings of the above Sub-Committee must be chaired by one of the three appointed Chairs of the Sub-Committee and a Quorum for the full Sub-Committee or an individual Panel hearing an appeal shall be 3. No appeal may be heard in the absence of a Quorum.
 5. To authorise the Chair of the Sub-Committee or any Member thereof to give evidence at any Employment Tribunal should they be required to do so.
 6. To recommend to the Council Business Management Committee and oversee any appropriate training and guidance being given to Members and Officers, as necessary, on how to manage Personnel Appeals.
 7. To recommend to the Council Business Management Committee any appropriate or desirable improvements for dealing with the effective and efficient administration of future Personnel Appeals arising from case hearings.
 8. To make any other recommendations to the Council Business Management Committee.
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2015/2016:

Councillor Lynda Clinton (Lab)
Councillor Peter Griffiths (Lab)

Councillor Valerie Seabright (Lab)
Councillor Hendrina Quinnen (Lab)
Councillor Mahmood Hussain (Lab)
Councillor Mike Leddy (Lab)
Councillor Des Hughes (Lab) (advised directly after meeting
and included here for
completeness)
Councillor Maureen Cornish (Con)
Councillor Gary Sambrook (Con)
Councillor Mike Ward (Lib Dem)

Councillors Mike Leddy, Hendrina Quinnen and Valerie
Seabright appointed as Chairs

**ORDER OF 'NOTICES OF MOTION' AT FUTURE CITY
COUNCIL MEETING**

The following schedule was submitted:-

(See document No 4)

Members were advised that the deadline for submitting notices of
motion was 26 June 2015 for the meeting of the City Council
scheduled to take place on 7 July 2015.

2392

RESOLVED:-

That, subject to the above-mentioned amendment, the Order of
'Notices of Motion' at City Council for 2015/2016 as set out on the
schedule be agreed.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 5)

Members agreed that it might be necessary to extend the length
of time for the item entitled 'Refreshing the Partnership: Service
Birmingham, Birmingham City Council and Capita' should the
early part of the agenda take less time than scheduled. It was
noted that Councillor Waseem Zaffar would be moving the
motion thereon.

2393

RESOLVED:-

That the draft agenda be noted.

**SUPPORT ARRANGEMENTS FOR COMMUNITY
GOVERNANCE**

The following joint report of the Service Director, Localisation and Director of Legal and Democratic Services was submitted:-

(See document No 6)

2394

RESOLVED:-

- (i) That the report be noted;
 - (ii) that it be noted that there was confidential information relating to staffing matters documented in a private report (exempt paragraph 3) due to be considered on the private agenda later in the meeting.
-

COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2015/2016

The Chair suggested and it was agreed that a meeting be held at the end of July 2015 rather than on 25 August 2015.

Councillor R Alden advised that he would be unable to attend the meeting scheduled to take place on 23 June 2015 and the Chair agreed that a substitute member be permitted to attend.

2395

RESOLVED:-

- (i) That the following dates for Council Business Management Committee meetings in 2015/2016 be agreed:-

To be held on Tuesdays at 1200 hours unless otherwise

stated.

<u>2015</u>	<u>2016</u>
23 June	19 January
20 October	16 February
17 December	22 March
15 December	9 May (Monday)

- (ii) that a meeting be held at the end of July 2015 rather than on 25 August 2015.

(Nb The 28 July was subsequently agreed)

AUTHORITY TO CHAIR AND OFFICERS

2396

RESOLVED:-

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

EXCLUSION OF THE PUBLIC

2397

RESOLVED:-

That, in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting:-

Agenda Item etc

**Paragraph of Exempt
Information Under Revised
Schedule 12A of the Local
Government Act 1972**

Support Arrangements for Community Governance	3
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Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	Service Director Localisation and Director of Legal and Democratic Services.
Date of Decision:	23 June 2015
SUBJECT:	SUPPORT ARRANGEMENTS FOR COMMUNITY GOVERNANCE - UPDATE

1. Purpose of report:
<p>1.1 To update Council Business Management Committee on the arrangements for the support, administration and management of community governance at the District, Ward and Neighbourhood level.</p> <p>1.2 To approve the proposed arrangements for the administration and management of District Committee and Ward Committee / Forum meetings.</p>

2. Recommendations :
<p>2.1 To approve the arrangements for the administration and management of District Committee and Ward Committee / Forum meetings.</p> <p>2.2 To approve the standard agenda templates for District Committee Meeting and Ward Committee / Forum meetings.</p> <p>2.3 To approve further development of the Ward Action Planner / Tracker (Appendix 1 attached).</p> <p>2.4 To note that the Community Governance Review group will receive a report setting out guidance for District Committees and Ward Committees / Forums prior to submission to Cabinet for agreement.</p>

Lead Contact Officer(s):	<p>Ifor Jones, Service Director, Localisation</p> <p>David Tatlow, Director of Legal and Democratic Services</p>
Telephone No:	<p>0121 303 4505</p> <p>0121 303 2151</p>
E-mail address:	<p>ifor_jones@birmingham.gov.uk</p> <p>David.tatlow@birmingham.gov.uk</p>

3. Relevant background/chronology of key events.

- 3.1 On 26 May 2014 a public report was presented to Council Business Management (CBM) Committee advising Committee of the need to provide appropriate and cost effective support for the new arrangements at District Committee and Ward Committees / Forums following changes to the constitution at the Council's AGM in May 2015.

In addition, a private report was taken to the 26 May CBM meeting regarding staffing matters relating to the proposed support arrangements. Detailed work is now being progressed to implement the approach agreed. CBM requested an update report on the new arrangements at the 23 June 2015 CBM meeting.

There are a number of resource constraints on the support that can be provided through the district teams and democratic services for the support that can be provided for the operation of district and ward governance arrangements. This means developing different and smarter ways of working at an officer and member level as well as exploring with partners and community organisations how greater cooperation and joint resourcing of community governance can be shared, building for example on recent initiatives taken forward in Erdington. However, there will be a need for an element of support to ensure the functions and responsibilities of the districts and wards can be properly discharged. The new arrangements will be managed by four area teams coordinated by a small city hub team.

3.2 District Committees

District Committees will agree a programme of bi-monthly meetings, alternating if possible with Ward Committee / Forum meetings. These meetings will be supported by the Council's democratic services officers in the Council House or, as may be necessary, at some other central Birmingham location (to be determined by the Chief Executive or the Lead Officer for District Committees). Business should be conducted in public, except for those few reports, which require private consideration for stated, appropriate reasons.

As decision-making meetings, members of the public may only speak at the invitation of the Chair (Executive Member) or Vice Chair (in the absence of the Chair). Committee rooms should be arranged so as to promote discussions amongst members of the Committee, rather than between the Committee and the public. These Committee meetings will be video streamed. A major function of the new business for District Committee will be exercising a neighbourhood challenge, which will require a similar approach, albeit light touch, to that used for conducting overview and scrutiny hearings with expert witnesses and panel questioning through the chair. In undertaking a neighbourhood challenge involving a number of different services, the executive member may wish, in consultation with members on the district committee, to consider asking a partner representative to lead the neighbourhood challenge. District Conventions will be held annually in a suitable venue within the district area to explore with partners and the wider community needs, priorities and opportunities for the district community plan.

To streamline costs of support and administration each executive member will be supported by a member of the area team in developing a forward plan that will enable the responsibilities and function of the district committee to be effectively discharged across the municipal cycle. This will include the key responsibilities around shaping effective community governance within the district (district and ward committee / forums, local partnerships and community engagement), community planning and neighbourhood challenge.

The co-option of up to five non-voting members on to the District Committee will continue.

This option was introduced in 2012 and there have been mixed views expressed on how productive this has been by both partners and members around the relevance of the engagement given that much of the business at district committee during this time has been focussed on the detail and budgets relating to localised services. This has limited the opportunities for co-optees' active engagement and participation in meetings. However, with the different remit for District Committees adopted for 2015 onwards e.g. in exercising the neighbourhood challenge function and taking forward community planning the opportunities for a more active and dynamic input of co-optees will be strengthened.

The area teams will support the executive member in mapping local partners in their area to build up a registry of active partners drawn from different public services and relevant local private sector and resident, voluntary and community sector agencies. This will enable the district to shape a more effective way of working with partners, for example by using the co-optee system more flexibly, bringing in a relevant partner for particular items, by establishing task and finish working groups on particular issues e.g. health or employment and skills and creating a standing panel of partners to invite to district conventions.

Ward Committee / Forums

The service provided by the Council's democratic services has been withdrawn for 2015/16. This includes pre agenda meetings, publicity for meetings, booking and payment for local venues, placing reports on Democracy, inviting speakers and attendees. This means that a new model of servicing and facilitating ward meetings has to be developed for the 2015/16 cycle of meetings. As with district committees the area teams will work with ward committee / forum chairs to develop a forward plan of business, drawing on the areas of defined activity defined by the constitutional remit of the ward committees / forums. Local venues that are accessible, offer Wi -fi and are affordable will be booked by the area teams and set up for the meeting.

Standard Agenda Template

- Recorded actions from previous sessions – not detailed notes including report backs on issues of local concern
- Referrals from and to District Committees / Forums, Cabinet / Cabinet Member, Overview and Scrutiny / Petitions
- Issues for and referrals to Planning Committee

- Petitions received and forwarded
- Presentation to Ward on matters of local relevance – updated live on to the Action Tracker
- Issues of local concern – these will be short issues of concern managed through the Chair on place matters raised and recorded for onward referral to the appropriate agency within the Council or relevant partners¹.
- Consultation on Neighbourhood Forum Grants and Local Investment Fund
- Ward priorities for Community Plans and Neighbourhood Challenge – to refer to District Committee
- Matters of special interest to the Ward – culture, community life, voluntary and active citizenship

A ward action planner / tracker is being developed to go live from September 2015 (appendix 1 attached.)

This will act as one stop tool incorporating:

- a forward plan of items
- standard agenda template
- tool for tracking issues and actions raised.

The tracker will be an online facility on the Council's website enabling documents to be downloaded. The tracker will be completed at the meeting by a member of the area team or a link officer working with the chair. The planner / tracker will be displayed on screen at the meeting. It will enable tracked actions from previous meetings to be closed down, recording of decisions on referrals to the ward to and from planning, district committees, overview & scrutiny, cabinet and council.

Invited speakers will be asked to provide brief presentations or short briefing notes and these will be loaded onto the action planner / tracker. No formal committee reports will be required as no formal decisions will be required. Agreed actions in relation to referrals to and from ward will be recorded on the tracker.

As a member of the area team and/or ward link officer will be present at the meeting, with the action tracker many issues can be recorded for referral across the organisation or to partners limiting the need to call a range of different officers to the meetings. A standard will be set for responses to the tracking referrals binding for Council directorates. There will be facility for calling officers or partners to provide an information briefing or presentations to the ward of relevance to the exercise of its specified remit.

¹ There may be potential to explore as some wards have how this section can work alongside or as part of a Neighbourhood Tasking process. Where practicable report backs will come to the next ward meeting with expectation that they will be closed down within 12 weeks. It should be noted that in some instances a close down may be an answer that the issue cannot be fully resolved with a clear reason stated. Partners engagement in this process will be on a voluntary basis.

Signatures of approval to submit the report to Committee:

Signed:

Title:

Dated:

List of Background Documents used to compile this Report:

List of Appendices accompanying this Report (if any):

1. Ward Action Tracker

6

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of: Date of Decision:	DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES 23 JUNE 2015
SUBJECT:	CITY COUNCIL APPOINTMENTS
Wards affected:	All

1. Purpose of report:

- 1.1 To recommend to City Council appointments to committees, outside bodies and other offices as set out in the report.

2. Decision(s) recommended:

- 2.1 That nominations detailed in the report be submitted to the next meeting of City Council.

Contact Officer:	Phil Wright
Telephone No: E-mail address:	0121 675 0216 Phil_wright@birmingham.gov.uk

Signature:

Chief

Officer(s):

...

Dated:

...

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List of Background Documents used to compile this Report:
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Nil

3. Relevant background/chronology of key events:

- 3.1 The Committee is requested to recommend to City Council the appointments to committees, outside bodies and other offices as set out below:-

Standards Committee

New Frankley in Birmingham Parish Council Members

Councillor Eric Carter
Councillor Gareth Griffiths

ITA Overview and Scrutiny Joint Committee

Birmingham to nominate to West Midlands Joint Committee 1 Labour representative and 1 Lib Democrat representative to serve on ITA Overview and Scrutiny Joint Committee, along with a named substitute for each.

Member		Substitute
Cllr	(Labour)	Cllr
Cllr	(Liberal Democrat)	Cllr

Reminder: Members must declare all relevant pecuniary and/or non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

CITY COUNCIL

Tuesday, 7 July 2015
at 1400 hours in The
Council Chamber,
Council House,
Birmingham

A G E N D A

1 NOTICE OF RECORDING

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs.

The whole of the meeting will be filmed except where there are confidential or exempt items.

Attached 2 MINUTES

To confirm and authorise the signing of the Minutes of the Annual Meeting of the Council held on 9 June 2015.

(1400-1410) **3 LORD MAYOR'S ANNOUNCEMENTS**

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

(1410-1425) **4 PETITIONS (15 minutes)**

To receive and deal with petitions in accordance with Standing Order 8.

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

(1425-1555) **5 QUESTION TIME (90 minutes)**

To deal with oral questions in accordance with Standing Order 9(B)

- A. Questions from Members of the Public to any Cabinet member or District Committee Chairman (20 minutes)
- B. Questions from any Councillor to a Committee Chairman or Lead Member of a Joint Board (20 minutes)
- C. Questions from Councillors other than Cabinet members to a Cabinet member (25 minutes)
- D. Questions from Councillors other than Cabinet members to the Leader or Deputy Leader (25 minutes)

Attached **6 APPOINTMENTS BY THE COUNCIL (5 minutes)**

(1555-1600)

To make appointments to, or removals from, committees, outside bodies or other offices which fall to be determined by the Council as set out on the attached schedule.

7 EXEMPTION FROM STANDING ORDERS

Councillor Valerie Seabright to move an exemption from Standing Orders.

Attached **8 REPORT OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE (15 Minutes)**

(1600-1615)

Statement of Licensing Policy

Councillor Barbara Dring to move the following Motion:

“ ”

(1615-1630 break)

Attached **9 REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEES (60 minutes)**

(1630-1730)

Homeless Health

To consider a report of the Health and Social Care Overview and Scrutiny Committee together with a commentary from the Executive.

Councillor Susan Barnett to move the following Motion:

“ ”

Attached 10 MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS
(90 minutes)

(1730-1900) To consider the attached Motions of which notice has been given
in accordance with Standing Order 4(A).

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES
Date of Decision:	23 JUNE 2015
SUBJECT:	PETITIONS UPDATE
Wards affected:	ALL

1. Purpose of report:

To update Committee on progress made in responding to petitions presented to full Council

2. Decision(s) recommended:

2.1 The Committee note this quarterly report.

Contact Officer:	Phil Wright
Telephone No:	0121 675 0216
E-mail address:	Phil_Wright@birmingham.gov.uk

Signature:

Chief Officer(s):

Dated:

List of Appendices:

None

List of Background Documents used to compile this Report:

Public Petition Records

3. Relevant background/chronology of key events:

- 3.1 The current protocol for responding to petitions presented to City Council was agreed by this Committee in May 2007 and is set out below: -

Protocol

1. Petition presented at City Council.
 2. Petition referred to the appropriate Chief Officer for response within 3 working days.
 3. Chief Officer to write to the Councillor presenting the petition and the first named petitioner to acknowledge receipt within 14 days of the City Council.
 4. Progress of investigation into petition to be notified by the relevant Chief Officer to Committee Manager for inclusion in the monthly Petitions Update by no later than 10 working days before the next City Council.
 5. Final response to petition included in Petitions Update by the Committee Manager.
 6. Chief Officer to notify the Councillor who presented the petition and the first named petitioner of the outcome within 14 days of the relevant City Council meeting discharging the same.
- 3.2 It should be noted that the protocol applies only to petitions sent internally and not to those which are referred to outside bodies for action.

4 Action Taken

- 4.1 In accordance with minute No. 2044 of this Committee the petition schedule has been split into City Council related petitions (currently 46) and those which are the responsibility of external organisations (currently 34).
- 4.2 Of the outstanding City Council related petitions, 5 were presented in 2014 and 41 were presented in 2015.
- 4.3 Since May 2005, 1709 out of a total of 1755 petitions received have been discharged – 97%.

BIRMINGHAM CITY COUNCIL

Report to:	Council Business Management
<u>Report of:</u>	Chief Executive
Date:	23rd June 2015
Subject:	Temporary Appointment to position of Acting Strategic Director Place
Relevant Cabinet Member(s):	Deputy Leader
Corporate Priority Supported:	All - good governance, strong leadership and high quality services

1	Purpose of report
<p>This report outlines a proposal to make an internal temporary appointment to the post of Acting Strategic Director Place. This is to address the immediate capacity gap created by the existing post holder departing the Council on 3/07/2012 in the efficiencies of the Council.</p> <p>The report outlines the proposed approach to the interim recruitment and the steps being taken to ensure that more permanent arrangements for the leadership of Place that are aligned with the future council plan are developed and implemented over the next 12 months.</p>	
2	Decision(s) recommended
<p>The Committee agree:</p> <p>2.1 The immediate initiation of an internal recruitment process to appoint to an Acting Director of Place Directorate which is open to all existing appropriately experienced and qualified Council officers to apply. This appointment to be for a maximum of 12 months</p> <p>2.2 To note that following consultation with the Chair of the Committee in the interests of expediency and to ensure a smooth handover with the departing Strategic Director that the initial invitation to apply process has commenced</p> <p>2.3 To arrange a meeting of the Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee for 26/06/15 to undertake the selection process to appoint an Acting Director of Place Directorate</p> <p>2.4 Note that in the next three months the Chief Executive will bring a report to CBM outlining proposals for the future long term senior leadership requirements for the Place Directorate and how these can be best addressed.</p>	
3	Background
<p>3.1 The current post holder for the position of Strategic Director Place will be leaving the Council in early July 2015 in the efficiency of the services of the Council. In order to contribute to financial savings over the last 5 years the capacity of senior management within the Council has reduced. The diminution in the number of posts at JNC level at circa 30% has broadly reflected that of the wider workforce resizing. There has however been a particular shrinkage in the number of posts providing direct support to the Chief Executive, at present there are three Strategic Director posts. Each of these posts have large portfolios with accountability for the leadership of broad strategic</p>	

agendas, service delivery and partnerships.

Over the last 12 months it has become evident that there is a challenge in ensuring there is the necessary capacity of strategic leadership within the Council to address the combination of significant scale, complexity and pace of change required.

3.2. The Place Directorate provides many of the frontline services that touch the day to day lives of citizens, with a workforce of over 4,000, a gross budget of £626m, a capital budget of circa £160m and a portfolio of responsibilities which includes accountability for:

- Council Housing - 65,000 properties
- Adult Life Long Learning Services - 20,000 learners
- Highway Services - 2,500 kilometres of road
- Refuse Collection and Street Cleansing - approx 1m transactions per week
- Regulatory Services (Licensing, Public Protection)
- Bereavement Services - 19 cemeteries, 3 crematoria
- Markets (Wholesale and Retail)
- District Services (Libraries, Advice, Community, Youth)
- Sport and Leisure - 400,000 members
- Parks and Nature Conservation - approx 600
- Private Sector Housing - 70,000
- Community Safety and Equalities

3.3 Over the next 6 months in addition to contributing to the development of the Future Council Programme the Place Directorate has a number of significant business priorities that need to be addressed. These include delivering the Fleet & Waste Management Service Improvement Plan, completing the roll out of the Wheeled Bin Programme, implementing and embedding the new Community Governance arrangements, managing the Leisure Transformation Programme, addressing the effectiveness of the Highways Contract and to achieve the planned financial savings of £19.5m for 2015-16. To enable these agendas to be addressed there is a need for there to be clear strong strategic leadership of the Directorate. It is therefore proposed that to ensure there is no vacuum in leadership an immediate internal recruitment exercise is undertaken to make a temporary appointment to the post of Acting Strategic Director Place.

3.4 To ensure there is an effective handover between the departing Strategic Director and the new temporary appointee the initial invitation to apply has commenced with all JNC officers within the Council invited to consider making an application. Constitutionally this is a Chief Officer appointment which is made by the Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee. It is requested that CBM constitute a meeting of this Committee for 26/06/15 to undertake the selection and appointment of a temporary Acting Strategic Director Place. It is proposed that the interim appointment should be for a maximum of 12 months and less if practicable.

3.5 During the coming months the Future Council Programme proposals will develop and this will include a clearer understanding of the Target Operating Model for the Council. This will inform the decisions regarding the permanent appointment to a Strategic Director of Place or alternative options. Any permanent appointment will be made by the Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee

Job Purpose

The overarching purpose of the role is:

To provide strategic leadership, vision and direction for the Place Directorate as it goes through transition required by the Future Council Programme.

To work with the Chief Executive, Strategic Directors, Departmental Leadership Teams, cabinet and other elected members to lead, plan, deliver and monitor the Council's place service priorities.

To support the leadership team, managers and staff within the Directorate to achieve all the Directorate priorities.

Recruitment

Applications will be sought by suitably experienced internal applicants. This will be an appointment Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee.

Financial Implications

Any costs associated with this appointment can be met from within the existing budget.

Legal Implications

The role falls within the scope of a non-statutory chief officer as defined by the Local Government and Housing Act (1989), and as such falls within the scope of The Council Business Management Committee.

Contact Officer(s)

Mark Rogers Chief Executive

Attachments

Job description & person specification: Strategic Director Place

Local Services

Job Description

Post: Strategic Director

Salary/Grade: JNC 8

1. Overall Role / Purpose

- 1.1 To work with the Leader , Executive, Chief Executive, other Strategic Directors, Partners and Directorate Leadership Teams to lead, deliver and monitor the Council's corporate service and partnership priorities.
- 1.2 To significantly contribute to defining the mission, aims and objectives of the Local Services Directorate and explore radical and innovative approaches to the delivery of localised services in Birmingham.
- 1.3 To lead and manage the work of the devolution programme, as defined by the administration, and provide visible leadership and management support to the newly formed Local Services Directorate and its relationships with other directorates and partners.
- 1.4 To bring together and manage a range of services, maintain consistent service delivery during a period of change and to set up a framework for reviewing the cost and effectiveness of services in the light of challenging budget reductions and changes to policy, legislation and customer demand / needs. Reviews should include the active involvement of citizens, staff and other key stakeholders and seek innovative ways to deliver traditional services.
- 1.5 In consultation with the Executive, Chief Executive/Strategic Directors and key partners to develop and rapidly deliver new radical models of service delivery, including directly delivery, commissioned and co-produced services that support devolution objectives and citizen empowerment (eg integrated services on the frontline, new suppliers / social enterprises, personalised budgets and multi channel services .

To challenge silo based thinking and approaches to service design and delivery.
- 1.6 To develop and support District Committees and related locality governance to deliver a range of programmes and projects for the benefit of the public. To support programmes of member training and development.
- 1.7 To lead, develop and support the leadership team, managers and staff within the Directorate to achieve all Directorate objectives and to maintain and support performance (PDR's , Absence) framework and staff engagement programmes. To specifically manage senior officers , support their development and monitor their personal performance.
- 1.8 To work closely with elected members and to advise on responses to national policies. To continue to raise the national and international profile of the City and Council Services.
- 1.9 To ensure equality of opportunity in all Council and partnership activities and support the introduction of new approaches to reduce disadvantage in the City.

- 1.10 To support the transfer / integration Public Health into City Council and partnership activities. To support the on-going development of Public Health policy and practice through the Local Services Directorate.
- 1.11 To support programmes that support jobs, investment and enterprise within the City.
- 1.12 To support and champion at a corporate level and through mainstream service responsibilities the Council's approach to safeguarding and corporate parenting in line with Council policies.
- 1.13 To ensure a proper and effective response to changes in all relevant legislation, internal audit , scrutiny reports and external inspections . To engage and work with Trade Unions in order to foster a positive employment culture.

2. **Specific Duties & Responsibilities**

- 2.1 To lead , manage and support the delivery and development of the following key services :

Strategic Functions

- Local services Performance and Standards
- Localisation Strategies
- Community Development & Neighbourhoods
- Crime & Disorder

Operation Services

- Parks Nature Conservation, Landscape Practice & Grounds Maintenance
- Bereavement Services
- Highways
- Strategic Sport & Events
- Customer Services
- Regulatory & Enforcement
- Markets
- Strategic Housing Services & HRA Self Financing Business Plan
- Strategic Library Services & Library of Birmingham

Local Services Teams in District Quadrants

- Sport & Leisure
- Neighbourhood Advice & Information Services
- District Engineers
- Community Libraries
- Ward Support & Community Chest
- Estate Management & Tenant Engagement
- Local Car Parks
- Schools Crossing Patrols
- Adult Education
- Community & Play
- Local Community Safety
- Community Arts
- Pest Control
- Local Regulatory & Enforcement Services
- Parks & Allotments
- Refuse Collection
- Recycling
- Street Cleansing

Local Services

Person Specification

Job Title: Strategic Director

Grade: JNC 8

CRITERIA	ESSENTIAL
Experience (Relevant work and other experience)	<p>Extensive knowledge and experience at a senior management level of managing and leading a range of diverse localised / frontline services.</p> <p>Extensive experience of one or more of the key service areas as outlined in J/D.</p> <p>Knowledge and experience of managing change and transforming services.</p> <p>Significant experience in the preparation and presentation of complex strategy and policy documents and reports. Able to convert complex concepts and language into meaningful and engaging presentations & messages.</p> <p>Extensive senior level experience of managing and influencing staff in diverse services.</p> <p>Successful involvement in preparing, managing and controlling substantial complex budgets. Experience of dealing with substantial reductions in budgets and resources.</p> <p>Successful track record of promoting, leading and implementing change programme improving outcomes, service quality and creating performance cultures that drive up standards and performance.</p> <p>Experience of building successful cross-sector partnerships working as both a contributor and in a leadership role.</p> <p>Achievement of equality opportunities in both employment and service delivery within large and complex organisations and a demonstration of personal leadership in the value of diversity.</p> <p>A detailed understanding of public sector provision, relevant statutory frameworks and the political, economic and social environment in which council services need to be delivered.</p> <p>Excellent understanding of political processes, working with members and experience of managing politically sensitive issues.</p>

2.2 To improve access to services and improve outcomes for citizens , communities and customers.

2.3 The above is an indicative list and the postholder will be required to manage other relevant and appropriate services or changes to the above services as the Directorate / BCC adapts to new conditions and priorities.

3. **Special Conditions**

- Observance of the **City Council's Equal Opportunities Policy** will be required.
- Any other duties commensurate with nature and grade of post.
- Standard working hours will be required including out of office hours working as required.

Skills & Ability e.g. written communication skills, dealing with the public etc.	<p>Ability to provide visible and supportive leadership, empowerment, enabling, motivating and developing the Directorate's staff and fostering a positive organisational climate.</p> <p>Ability to manage complex partnerships involving various stakeholders and support citizen empowerment.</p> <p>Ability to work in a pressurised political environment and manage competing priorities whilst delivering on a range of projects and adapting to change circumstances and priorities.</p> <p>Ability to operate effectively and openly within the democratic process, with the political acumen and skills to develop productive working relationships with Council Members.</p> <p>Ability to manage and monitor performance effectively and set clear objectives for the review of individual and service level performance.</p> <p>Ability to communicate effectively and build relationships with internal and external collaborators that command, respect, trust and confidence.</p> <p>Ability to think in a performance led way. Sharing what success looks and feels like, and building a vision of how everyone makes their contribution to shared objectives and goals within the Directorate and City Council.</p> <p>To be able to work effectively in teams settings and in matrix management arrangements.</p>	
Training	Evidence of on-going learning and personal development	
Education/Qualifications NB: Full regard must be paid to overseas qualification	Degree or equivalent .	
Other	Direct or in-direct evidence of contributing to development of public sector policy , practice and standards	

All staff are expected to **understand** and be **committed** to Equal Opportunities in employment and service delivery.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES
Date of Decision:	23 JUNE 2015
SUBJECT:	REQUEST FOR THE USE OF THE COAT OF ARMS
Wards affected:	All

1. Purpose of report:

- 1.1 To note that a request to the use of the Coat of Arms by Denis Ramplin, Director of Marketing and Communications, The Schools of King Edward VI in Birmingham has been agreed in consultation with the Chair.

2. Decision(s) recommended:

- 2.1 The Committee notes the action taken by the Director of Legal and Democratic Services in consultation with the Chair in not objecting to the use the Coat of Arms by Denis Ramplin, Director of Marketing & Communications, The Schools of King Edward VI on an owl artwork.

Contact Officer:	Phil Wright
Telephone No: E-mail address:	0121 675 0216 phil.wright@birmingham.gov.uk

Signature:

Chief Officer(s):

Dated: 18 June 2015

List of Background Documents used to compile this Report:

Email from email from Denis Ramplin, Director of Marketing & Communications, The Schools of King Edward VI.

List of Appendices:

None.

3. Relevant background/chronology of key events:

Request for the Use of the Coat of Arms by Denis Ramplin, Director of Marketing & Communications, The Schools of King Edward VI

- 3.1 The request was for the use of the Coat of Arms on an owl artwork as part of the 'The Big Hoot' public art event which has been organized by Birmingham Children's Hospital and Wild in Art to raise funds for the Hospital and is supported by the City Council. Schools of King Edward VI are the Educational sponsor for the event. A number of Owls will be placed across Birmingham for 10 weeks from 20 July 2015. The School's Owl has been designed by a pupil of the school with the School's crest on the front and the City's Coat of Arms on the rear and will be located at St Martin's Church.
- 3.2 The reason for seeking agreement for the request by means of action taken by the Director of Legal and Democratic Services in consultation with the Chair of Council Business Management Committee was because of the need to have a decision before this meeting of the Committee so that the necessary artwork could be commissioned to allow completion before the 20 July 2015.
- 3.3 The support of the City Council for the event was noted in reaching the decision.

BACKGROUND IN RESPECT OF THE USE OF THE BIRMINGHAM COAT OF ARMS

- 3.4 Section 73 of the West Midlands County Council Act 1980 provides that –
- Section 73 of the West Midlands County Council Act 1980 provides that –

“If any person without the consent of the local authority uses in connection with any trade, business, calling or profession any part of the armorial bearings of that authority, or any emblem or device closely resembling any such part, in a manner calculated to lead to the belief that he displays the part, emblem or device with the approval of that local authority, he may at the suit of the local authority be restrained by an injunction from continuing to use that part, emblem or device.”
 - The Coat of Arms is a dignity granted by Royal Charter and, as such, is not a property right. The Council cannot therefore license or authorise its use (by others) as such. All that the Council can do is to indicate whether it has any objection to its use. If the Council has no objection, then it would be safe to assume that it will not seek to restrain the use by way of an injunction.
 - The Committee's normal practice has been to indicate that the Council would object to the use of the Coat of Arms except on materials sponsored or produced by, or closely associated with, the Council or in other special circumstances.