

**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, 22 NOVEMBER 2016 AT 14:00 HOURS**  
**IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

**A G E N D A**

**1     NOTICE OF RECORDING**

Chairman to advise meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

**2     APOLOGIES**

To receive any apologies.

**3 - 6**

**3     MINUTES**

To confirm and sign the Minutes of the last meeting.

**7 - 10**

**4     THE LORD MAYORALTY FORMULA**

Report of the Acting City Solicitor.

**11 - 16**

**5     COUNCIL AS TRUSTEE AGENDA AND COUNCIL AGENDA FOR THE NEXT MEETING**

To consider the Council as Trustee agenda and Council agenda for the next meeting.

For information the order of Notices of Motion at this meeting will be Conservative, Liberal Democrat and Labour.

**6     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.

## 7 **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'.

# BIRMINGHAM CITY COUNCIL

<b>COUNCIL BUSINESS MANAGEMENT COMMITTEE 18 OCTOBER 2016</b>
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## **MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON TUESDAY 18 OCTOBER 2016 AT 1400 HOURS, IN COMMITTEE ROOM 2, THE COUNCIL HOUSE, BIRMINGHAM**

### **PRESENT:**

Councillors Robert Alden, John Clancy, Mohammed Idrees, Gareth Moore, Ian Ward and Mike Ward.

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### **ABSENCE OF THE CHAIR**

2538 In the absence of the Chair Councillor Ian Ward as Vice-Chair assumed the Chair.

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### **NOTICE OF RECORDING**

2539 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.

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### **APPOINTMENT TO THE COMMITTEE**

2540 The resolution of the City Council appointing Councillor Gareth Moore to the Council Business Management Committee for the remainder of the Municipal Year 2016/2017 in place of Councillor Anne Underwood was noted

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### **APOLOGIES**

2541 No apologies were received.

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### **MINUTES**

2542 The Minutes of the last meeting held on 31 August 2016 were confirmed and signed by the Chair.

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**OVERSEAS TRAVEL AND INWARD DELEGATIONS FROM ABROAD**

The following report of the Strategic Director for Change and Support Services was submitted:-

(See document No 1)

Mike Murray, International Education and Development Manager made introductory comments relating to the report and responded appropriately to Members comments and questions.

Councillor John Clancy attended the meeting at 1403 but did not assume the Chair.

Members highlighted the continuing need to make visits to promote Birmingham in light of the 'Brexit'. It was suggested that substance allowances should not be paid as people would have had to pay for food whether they were on a trip or not. Officers noted that comment. The use of new technology such as Skype should be explored further.

2543

**RESOLVED:-**

- (i) That approved Member and officer overseas travel be noted;
- (ii) that the details of inward delegations from abroad be noted; and
- (iii) that it be noted that with effect from 19 January 2016 authority for foreign travel by City Council Members and officers will only be granted when 4weeks' notice has been given. Visits proposed with less than 4 weeks, notice will be refused unless under EXCEPTIONAL CIRCUMSTANCES which will require written documentation and an extremely robust reason for travel.

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**FUTURE COUNCIL WORKFORCE SAVINGS**

The following report of the Chief Executive was submitted:-

(See document No 2)

Claire Ward, Assistant Director Workforce Strategy, made introductory comments relating to the report and responded to comments and questions from Members relating to the consultation, the ability to make some of the proposed savings and DBS checks.

Councillor Ian Ward commended the work undertaken by officers in relation to the proposals in the report and asked that the Committee's thanks to officers. Councillor John Clancy noted the role of the Deputy Leader in the work undertaken.

2544

**RESOLVED:-**

That the Chief Executive be delegated authority to:

- (i) Finalise negotiations with the trade unions with a view to securing a collective agreement on a set of changed terms and conditions as outlined in Appendix D of this report. If agreement is reached then it is recommended to proceed with implementing the revised contract and policy amendments as outlined in Appendix D of this report.
  - (ii) If a collective agreement cannot be secured it is proposed to proceed to implement the proposals outlined in Appendix E of this report. Implementation will need to be by means of a process of voluntary offer and then if necessary dismissal and reengagement.
  - (iii) In either instance on completion of the consultation and review of JNC pay and grading, bring a further report to CBM making recommendations.
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### **PROPOSED CHANGES TO THE CONSTITUTION**

The following report of the Interim City Solicitor was submitted:-

(See document No 3)

During the debate it was noted that Assistant Leaders should not allowed to ask questions of Cabinet Members or other Assistant Leaders, nor should they be able to ask questions of the Leader and Deputy Leader. The proposed changes to the Constitution should reflect that.

It was-

2545

#### **RESOLVED:-**

- (i) That the Committee notes the proposed changes to the City Council's Constitution set out in paragraph 3 and in the appendix, as revised by the amendments proposed in the forgoing preamble, to this report; and
  - (ii) that the Committee notes and approves inclusion of this report and appendix, as revised by the amendments proposed in the forgoing preamble, in the full agenda for the full Council meeting on 1 November 2016.
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### **PETITIONS UPDATE**

The following report of the Interim City Solicitor was submitted:-

(See document No 4)

2546

#### **RESOLVED:-**

That report be noted.

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**COUNCIL AGENDA FOR THE NEXT MEETING**

The following draft agenda was submitted:-

(See document No 5)

It was agreed to increase the time for agenda item No 10 to 35 Minutes.

2547

**RESOLVED:-**

That, subject to the above, the draft agenda be noted.

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**OTHER URGENT BUSINESS**

The Chair was of the opinion that the following item should be considered as matter of urgency in view of the need to expedite consideration thereof and to instruct officers if necessary:-

**Appointments to Outside Bodies**

2548

Kate Charlton, Interim City Solicitor, explained that following an issue at Cabinet concerning appointments to outside bodies it was proposed that a review of appointments be undertaken and whether City Council or Cabinet should make such appointments.

During the debate reference was made to the role of Districts Committees and Members at Ward level in making appointments to organisations in those communities. It was emphasised that consistency in appointments across the city was important. Any such review could also look at the length of the terms of office to ensure that they appropriate.

It was-

**RESOLVED:-**

That a review of appointments to outside organisations be undertaken.

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**AUTHORITY TO CHAIR AND OFFICERS**

2549

**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.

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The meeting ended at 1444 hours.

## BIRMINGHAM CITY COUNCIL

### PUBLIC REPORT

<b>Report to:</b>	<b>COUNCIL BUSINESS MANAGEMENT COMMITTEE</b>
<b>Report of:</b>	<b>ACTING CITY SOLICITOR</b>
<b>Date of Meeting:</b>	<b>22 NOVEMBER 2016</b>
<b>Relevant Forward Plan Ref:</b>	<b>N/A</b>
<b>Subject:</b>	<b>THE LORD MAYORALTY FORMULA</b>

<b>1. Purpose of report:</b>
To remind the Committee of the present formula for the Lord Mayoralty and advise of the latest “roll forward” position for the Lord Mayoralty in 2017/18.

<b>2. Decision(s) recommended:</b>
That it be noted that, in accordance with the formula set out in the Appendix to the report, the Conservative Group is entitled to put forward one of its members to be the Lord Mayor for 2017/18.

<b>Contact Officer:</b>	<b>Phil Wright</b>
<b>Telephone no:</b> <b>e-mail address:</b>	675 0216 Phil.wright@birmingham.gov.uk

### **3. Brief Summary of Report:**

#### **May 2014 rolling forward**

- 3.1 The Appendix to this report shows the working of the formula from May 2014 onwards. In particular, it shows the recent rolling forward of the formula to reflect the election of a Labour Group Member as Lord Mayor for the current year; and the strengths of the 3 Party Groups at the time of the May 2016 Annual Council Meeting.
- 3.2 Under this formula the Conservative Group now has the lowest score and will therefore be entitled to put forward one of their members to be the Lord Mayor for 2017/18.

### **4. Relevant background/chronology of key events:**

1. The present formula was first adopted in 1993 by the former General Purposes Committee. Its purpose is to ensure that, over a period of years, the Lord Mayoralty is allocated to the various Party Groups in proportion to their numerical strength (i.e. number of Councillors) over that same period.
2. It is “rolled forward” each year, to take account of -
  - the numerical strength of each of the 3 Party Groups at the date of the Annual Council Meeting. This is achieved by subtracting each Group’s proportion of Councillors (of the total of 120) from that Groups previous “score”; and
  - the choice of Lord Mayor for the year in question. This is achieved by adding 1 to the “score” of the Party Group to which the Member elected as Lord Mayor belongs.
3. After rolling forward the formula as above, the Party Group with the lowest score is the Group which is entitled, according to the formula, to put forward one of its members to be the Lord Mayor for the year beginning in the following May.
4. The formula is of course no more than an informal means of allocating the Lord Mayoralty between the various Party Groups. It is not in any sense binding on the full Council. Whatever the formula may provide, a Councillor can only become Lord Mayor by being nominated and elected at the Annual Council Meeting.
5. The formula has however been followed in every year, bar two, since 1993. The two exceptions have been –
  - when the Labour Group voluntarily surrendered their entitlement to the Lord Mayoralty for 1998/99 and it was taken by the Liberal Democrat Group (who had the second lowest score at the time); and
  - when the nominee of the Conservative Group for 2001/02 was rejected at the Annual Council Meeting in May 2001 and instead a Liberal Democrat Group Member was elected as Lord Mayor.

#### **List of background documents:**

Report to former General Purposes Committee in January 1993.



## APPENDIX

### **THE LORD MAYORALTY 2017/2018 – WORKING OF FORMULA FROM MAY 2014 ONWARDS**

	<b><u>LAB</u></b>	<b><u>CON</u></b>	<b><u>LIB DEM</u></b>
<b>May 2014 scores</b> Following City Council AGM	1.27	1.21	0.85
ADD 1 to Lib Dem (LM for 2015/16)	1.27	1.21	1.85
SUBTRACT to reflect Group Strengths at May 2015	0.66	0.25	0.09
<b>May 2015 scores</b> Following City Council AGM	0.61	0.96	1.76
ADD 1 to Lab (LM for 2016/17)	1.61	0.96	1.76
SUBTRACT to reflect Group Strengths at May 2016	0.67	0.24	0.08
<b>May 2016 scores</b> Following City Council AGM	0.94	0.72	1.68

The **Conservative** Group is therefore entitled, under the formula, to the Lord Mayoralty for 2017/18.

#### **Notes:**

Under the formula, it is the Group with the lowest score in May which is entitled to the Lord Mayoralty for the year beginning in the following May.



**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**

**COUNCIL AS TRUSTEE**

**Tuesday 6 December 2016 at 1345  
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](http://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 Meeting of the Council as Trustee held on 13 September 2016.

**Attached     3     ON THE FORMATION OF THE YOUNG ACTIVE TRAVEL CHARITABLE TRUST**

(1400-1415)     To consider a report of the Trust and Charities Committee.

**Councillor Habib Rehman to move the following Motion**

“That Full Council sitting as ‘Council as Trustee’:

A.     Grove Park – disposal by long lease of land to Birmingham City Council

- i) Approves the disposal of part of the land held in Trust at Grove Park to Birmingham City Council to regularise the use of the land as a care centre for the elderly;
- ii) and to submit to the Charity Commission an application for a Scheme/Order allowing the Trust the necessary additional powers to undertake the disposal to a connected person if required.
- iii) Approves the disposal of that land to Birmingham City Council on a long lease for 150 years on terms to be agreed by the Director of Property from a date to be agreed at a peppercorn rent subject to a premium payment to the Trust of a minimum of £750,000.

B. Highbury Trust – grant of lease to Acivico for the occupation of Highbury

- i) Approves that a lease be granted to Birmingham City Council to regularise the use of the premises known as 'Highbury' as a wedding/conference centre;
- ii) Approves the disposal of that land to Birmingham City Council on a lease of no more than three years on terms to be agreed by the Director of Property from a date to be agreed at a market rent

C. Elford Estate – lease of School Playing Field

- i) Approves the variation of the lease of land at Elford already used as a school playing field to enable assignments to take place including the assignment from South Staffordshire County Council to The Small Schools Multi Academy Trust on condition that it continues to be used as a school playing field.
- ii) Approves the grant of a lease expiring 14<sup>th</sup> May 2089 to The Small Schools Multi Academy Trust on terms to be agreed, subject to the same restrictions on use.

D. Selly Oak Park – surrender and renewal of existing leases at 187 Harborne Lane

- i) Approves accepting the surrender of the existing lease and grant two new leases on the same land, each for 125 years; the additional building and the change of use to permit uses as described in C2 and C2A of the Town and Country Planning (Use Classes); all other terms to be agreed by the Director of Property.

That the Director of Property be authorised to negotiate terms and conditions of any disposal and that City Solicitor and Monitoring Officer be authorised to prepare, negotiate, execute, seal and complete all necessary documentation, including the making of applications to the Charity Commission for any purposes required to give effect to the above decisions and also to place any formal advertisements required under either s123(a) of the Local Government Act 1972 or the various statutes as may relate to the charitable status of the land."

**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, 6 December 2016 at 1400  
hours in The Council Chamber,  
Council House, Birmingham**

**A G E N D A**

**1     NOTICE OF RECORDING**

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**Attached     2     MINUTES**

To confirm and authorise the signing of the Minutes of the Meeting of the Council held on 1 November 2016.

(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, Assistant Leader, District Committee Chairman or Ward Forum Chairman (20 minutes)

B. Questions from any Councillor to a Committee Chairman, Lead Member of a Joint Board or Ward Forum Chairman (20 minutes)

C. Questions from Councillors other than Cabinet Members and Assistant Leaders to a Cabinet member or Assistant Leader (25 minutes)

D. Questions from Councillors other than Cabinet Members and Assistant Leaders to the Leader or Deputy Leader (25 minutes)

**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.

**7     EXEMPTION FROM STANDING ORDERS**

Councillor Sharon Thompson. to move an exemption from Standing Orders.

**Attached     8     CHILDREN'S SOCIAL CARE AND EDUCATION - PROGRESS REPORT (30 minutes)**

(1600-1630)     To consider a report of the Executive.

**Councillor Brigid Jones to move the following Motion:**

“ ”  
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(break 1630 -1700)

**Attached     9     MAYORAL ORDER (30 minutes)**

(1700-1730)     To consider a report of the.

**Councillor     to move the following Motion:**

“ ”  
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**Attached     10     FUTURE COUNCIL WORK – REVIEW AND NEXT STEPS (15 minutes)**

(1730-1745)     To consider a report of the.

**Councillor     to move the following Motion:**

“ ”  
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**Attached     11     STATEMENT OF LICENSING POLICY – CUMULATIVE IMPACT AREAS (15 minutes)**

(1745-1800)     To consider a report of the Licensing and Public Protection Committee.

**Councillor Barbara Dring to move the following Motion:**

“ ”  
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**Attached     12     REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEES (60 minutes may be reduced to 45 minutes)**

(1800-1845)

**Sustainability and Transformation Plans**

To consider a report of the Health, Wellbeing and the Environment Overview and Scrutiny Committee together with a commentary from the Executive.

**Councillor John Cotton to move the following Motion:**

“ ”  
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**Attached**

**13**

**MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**  
**(90 minutes may be reduced to 60 minutes)**

(1845-1945)

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

