

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

CORPORATE RESOURCES AND GOVERNANCE OVERVIEW AND SCRUTINY COMMITTEE

MONDAY, 18 JULY 2016 AT 14:30 HOURS
IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

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 APPOINTMENT OF CORPORATE RESOURCES AND GOVERNANCE OVERVIEW AND SCRUTINY COMMITTEE, CHAIR, DEPUTY CHAIR AND MEMBERS

(i) To note the resolution of the City Council appointing the Committee, Chair and Members to serve on the Committee for the period ending with the Annual Meeting of the City Council in 2017:-

Labour Group

Councillors Afzal, Aikhlaq (Chair), Bridle, A Ali Khan, C Khan, Lal, Mosquito and Quinnen.

Conservative Group

Councillors Brew, Mackey and Underwood.

Liberal Democrat Group

Councillor Hassall.

(ii) to elect a Deputy Chair for the purpose of substitution for the Chair, if absent, for the period ending with the Annual Meeting of the City Council in 2017.

3 **APOLOGIES**

To receive any apologies.

4 **DECLARATIONS OF INTERESTS**

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

5 - 6

5 **CORPORATE RESOURCES AND GOVERNANCE OVERVIEW AND SCRUTINY COMMITTEE - TERMS OF REFERENCE**

To note the Committee's terms of reference, as set out in the attached schedule.

7 - 16

6 **REPORT OF THE LEADER OF THE COUNCIL**

Report of the Leader of the Council

17 - 20

7 **CORPORATE RESOURCES AND GOVERNANCE O&S COMMITTEE: WORK PROGRAMME 2016/17**

Report of the Head of Scrutiny

8 **CORPORATE RESOURCES AND GOVERNANCE OVERVIEW AND SCRUTINY COMMITTEE - DATES OF MEETINGS**

To approve a schedule of dates for the Committee's meetings during 2016/2017.

(i) The Chairman proposes that the Committee meets on the following Wednesdays at 1030 hours in the Council House:-

2016	2017
7 September	4 January
5 October	1 February
2 November	1 March
14 December	5 April

(ii) The Committee is also requested to approve Wednesdays at 1030 hours as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of Executive decisions.

9 **REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**

To consider any request for call in/councillor call for action/petitions (if received).

21 - 32

9A **REQUEST FOR CALL IN: DISPOSAL OF LAND AT GREAT CHARLES STREET, BIRMINGHAM - PUBLIC**

To consider the "Request for Call-In". (The portfolio holder and the Lead Officer identified in the report have been summoned to attend the meeting).

The following documents are attached in respect of the public papers:-

(A) The public Executive decision record.

(B) The relevant form for the "Request for Call-In" lodged by Councillors Tahir Ali and Hendrina Quinnen.

(C) The public report considered by the Cabinet in reaching its decision.

(D) The criteria for "Call-In" against which the Council expects an Overview and Scrutiny Committee to judge any "Request for Call-In".

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.

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:-

Request for Call In - Disposal of Land at Great Charles Street, Birmingham - Exempt Paragraph 3

P R I V A T E A G E N D A

13 **REQUEST FOR CALL IN: DISPOSAL OF LAND AT GREAT CHARLES STREET, BIRMINGHAM - 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.

CORPORATE RESOURCES AND GOVERNANCE OVERVIEW AND SCRUTINY COMMITTEE

To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities relating to governance resources, performance (including customer services), finance, human resources, partnerships, transparency, regional working (including Combined Authority), inequality, public engagement, council wide efficiency, commissioning and procurement.

All Councillors, except Cabinet Members (and the Lord Mayor) can be members of an Overview and Scrutiny Committee. Chairs of these committees are appointed by the Full Council and Deputy Chairs are elected by each committee at its first meeting, for the purpose of substitution for the Chair if absent.

Good Overview and Scrutiny adds value to councils in many ways, for example it:

- Provides “critical friend” challenge to executive policy-makers and decision-makers;
- Enables the voice and concerns of the public and its communities to be heard;
- Is carried out by ‘independent minded members’ who lead and own the scrutiny process;
- drives improvement in public services.

7.1 General role

Overview and Scrutiny Committees **will**:

- (a) make reports and/or recommendations to the full Council, the Executive and/or other organisations in connection with the discharge of the functions specified in their terms of reference;
- (b) consider any matter covered in their terms of reference that may affect or be likely to have an effect on the citizens of Birmingham; and
 - (i) is relevant to the Council’s strategic objectives: and/or
 - (ii) is relevant to major issues faced by officers in managing a function of the Council; and
 - (iii) is likely to make a contribution to moving the Council forward and achieving key performance targets.
- (c) exercise the “request for call-in” and “call-in” any Executive decisions made but not yet implemented by the Executive.

Overview and Scrutiny Chairs should maintain regular engagement with Cabinet Members to enable flexibility to be built into the Overview and Scrutiny work programme, so as to respond to the council’s policy priorities in a timely way.

7.2 Specific functions

(a) Policy development and review

Overview and Scrutiny Committees **may**:

- (i) assist the Council and/or the Executive in the development of its budget and Policy Framework by appropriate analysis of policy and budget issues;
- (ii) conduct appropriate research, community and other consultation in the analysis of policy and budget issues and possible options;
- (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (iv) question Members of the Executive and/or Chief Officers about their views on issues and proposals affecting their areas of responsibility; and
- (v) liaise with other external organisations operating in the city, whether national, regional or local to ensure that the interests of local people are enhanced by collaborative working.

(b) Scrutiny

Overview and Scrutiny Committees **may**:

- (i) review and scrutinise the Executive decisions made by and performance of the Executive and/or Chief Officers in relation to decisions taken by them or in relation to their areas of responsibility/department;
- (ii) review and scrutinise the performance of the council in relation to its policy objectives, performance targets and/or particular service areas – including the areas of responsibility of the Regulatory and Non-Executive Committees, but not the actual decisions of the Regulatory and Non-Executive Committees;
- (iii) make recommendations to the Executive, Chairmen of Committees, Chief Officers and/or Council arising from the outcome of the scrutiny process;
- (iv) review and scrutinise the performance of other relevant public bodies in Birmingham (including Health Authorities) and to invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance;
- (v) question and gather evidence from any person (with their consent);
- (vi) establish short life working groups to carry out specific time limited enquiries as agreed with the five Overview and Scrutiny Committee Chairs and subject to available resources.

Report
from:

Cllr John Clancy, Leader of the Council

Date:

18 July 2016

Report to:

Corporate Resources and Governance
Overview & Scrutiny Committee

The Leader's Portfolio Update July 2016

1. SUMMARY

1.1. This report provides an update on key areas of my portfolio for the year ahead as background for the meeting on 18 July.

1.2. This report covers:

- Delivering the priorities for the year approved at Full Council in March 2016.
- Improvement Panel and next phase of Future Council.
- Evolution of Devolution: Cabinet Committee Local Leadership.
- West Midlands Combined Authority – including lead on economy brief.
- Bereavement Services.

2. VISION PRIORITIES AND APPROACH FOR THE YEAR AHEAD

2.1 Council in March 2016 approved the vision, priorities and approach, set out in the Council Business Plan 2016+ (<http://www.birmingham.gov.uk/councilplan>), based around six key outcomes. These are:

- A strong economy
- Safety and opportunity for all children
- A great future for young people
- Thriving local communities
- A healthy happy population
- A modern council

I am currently working with the Cabinet to reflect on these and will update Overview and Scrutiny on progress at the meeting.

2.2 There are some key priorities for the City set out in the Plan.

- Decent homes. We will set out bold new plans to provide more affordable new homes and support everyone in the city to secure a decent place to live.

- A focus on investment and assets. In the future we will need to make better use of our own assets and secure resources from local economic growth. This will include exploring ideas such as “Brummie Bonds” and working with the West Midlands Pension Fund (WMPF) to use its assets to support the West Midlands Strategic Economic Plan.
- A City for Young People, Learning and Skills. We will continue to renew our focus on the “young city” and our offer to children and young people. We will begin a campaign to make Birmingham a Free School Meal city – through business sponsorship and forms of investment such as social enterprise and social impact bonds.
- Transforming public transport and reducing congestion. Transport is a vital part of our investment plans because it enables businesses to connect to markets and skills and people to connect to jobs. The long term vision for Birmingham Connected will be integrated with plans for the whole metropolitan area and, through Midlands Connect the wider Midlands region. We will put in place detailed plans and funding for the High Speed Two Growth Strategy which will regenerate areas around the new stations and connect HS2 to the whole region.

2.3 Key Immediate organisational priorities are:

- Keeping the Children’s and Education Improvement Plans on track. This remains our number one priority. We will also ensure that these plans are part of a longer term vision for these services within the overall Future Council agenda.
- Successfully concluding the work of the Independent Improvement Panel. To achieve our vision we must restore independence and pride to our municipal governance, for example through our devolution deal. To do that, we must be free of government intervention and in charge of our own destiny.
- Creating strong strategic partnerships. There are many excellent examples of partnerships between the City Council and others that are delivering services and projects, but at a corporate level we need to do much more to put in place effective new partnership arrangements in line with the vision and strategic principles.
- Holding to a realistic budget and planning framework for the next four years. This is essential to give us the security to move forward with confidence and the credibility to deliver on improvement.

3. IMPROVEMENT PANEL AND PHASE 2 FUTURE COUNCIL

- ### 3.1
- Over the last year, we have made significant progress in addressing the recommendations of the Kerslake review and the Improvement Panel has recognised this as a solid foundation from which we will continue to deliver change. The Panel paused their regular meetings over the summer and will return in the autumn to

assess our further progress. Further detail is available at <http://birminghamnewsroom.com/biip-documents/>

- 3.2 We will need to maintain the pace of improvement and change against the activities set out in our 'gap analysis' shared with the Birmingham Independent Improvement Panel in March 2016. This analysis responds to the latest observations of the Panel:

3.2.1 *Political leadership* - *members should lead the council, while officers should focus on the running of it. His open and collaborative approach to partnership has been received very positively by partners citywide. This approach is starting to bed in across the political leadership of the council, including enhanced cross-party working and more cross-cutting work by cabinet members.*

This new leadership approach will see cabinet members focused on a collective vision and shared priorities with partners, while all three group leaders will be seen together frequently at key events and platforms, adopting a more systematic approach to cross-party working. Partners will feel words have translated into action.

To achieve this, we must ensure our systems can support and embed a new way of working – for example, we are reviewing and changing the way members are involved in internal and external structures. Monthly meetings between the Chief Executive and three group leaders started in March 2016. Members will be supported through a new member induction programme, peer mentoring and bespoke training.

3.2.2 *Managerial leadership* - *The Corporate Leadership Team (CLT) now has the right people in place and a clear sense of purpose, urgency, focus and direction needed to drive forward the required improvement. However, while there has been progress in breaking down silos, there is still room for improvement in operating as a strategic corporate unit. Staff feedback suggests the wider workforce does not yet see CLT as a unified team.*

CLT will have a clear vision to guide the workforce, and a grip on performance across all service areas. Reducing red tape will help staff feel it is easier for them to work effectively and efficiently. CLT and senior officers will be working together as an extended leadership team. CLT members will consistently and visibly demonstrate the organisation's values and behaviours.

The team will use its time together effectively to focus on key strategic and corporate issues. It will also work on improving its visibility and work collaboratively with the wider senior leadership group, including sharing best practice. CLT has taken collective ownership of monitoring the council's performance.

3.2.3 Strategic planning, performance and financial management - *For the first time, the council has prepared and consulted on a four-year business and financial plan, agreeing a 2020 vision that informs the plan. Our proposed plan for 2016/17 has a much sharper focus on a targeted set of priorities and measures agreed with portfolio holders. Business cases have been developed for savings proposed.*

By the summer, a new operating model will be agreed and staff will understand how it operates, what their roles are and how they can help amend it to improve how we work. CLT will monitor and manage performance, with accountability to portfolio holders. The council will be on track to achieve its 2016/17 savings, while sound planning for 2017/18 savings will be in place.

To achieve this, we will focus on developing our new operating model, identified as a top priority by CLT, which will hold monthly performance meetings. A more radical overhaul of the business plan will take place in 2017/18, with portfolio holders, service areas and key stakeholders engaged throughout the spring and summer.

3.2.4 City partnerships - *The Leader's open approach to partnerships and recognition of their role in the success of the city has been positively received, although there is still a perception that there has not been a significant shift in the wider council's behaviour and approach to partnering. However, a recent LGA peer review found growing confidence in council leadership of the education system and evidence of improving relationships with schools, while there has also been positive feedback from key public sector partners such as acute health trusts and police. The council also showed leadership without being the lead in establishing the West Midlands Combined Authority. There is evidence that more effective partnership working is leading to better outcomes for the city, including a two per cent reduction in the number of young people not in education, employment or training.*

We aim for the majority of our partners to confirm a positive change in the way council members and officers engage with them.

To achieve this, we need to address behaviour and our approach to partners, which in turn links in with the way we promote and implement our values and behaviours throughout the council. The council is committed to being an active and supportive partner, engaging with them to develop a city vision which is more resident and community driven.

3.2.5 Local leadership - *The council is actively working on a sustainable new model for local leadership at ward level, with councillors responding very positively to the opportunity to further develop their role in relation to the communities they represent. Sutton Coldfield Town Council was established on March 1. The*

Neighbourhood Challenge approaches have resulted in innovative new ways of holding public services to account.

More councillors will feel able to play an enhanced community leadership role, including engaging with other community leaders to shape effective public service delivery and all public spending in their areas. More cross-party working will take place at local level. We will also have a model for devolution which focuses on getting basic services right, while a community cohesion strategy for the city will have been agreed with partners.

A clear plan has been agreed for local leadership up to 2022, working across neighbourhood, city and regional levels, identifying key milestones along the way and how these will be delivered. This new approach to local leadership has been one of our early successes.

3.2.6 Organisational culture - *Cultural change is not a stand-alone work programme for the council and fits into several other strands of what we are doing, including political and managerial leadership, partnerships and local leadership. We recognise we have not yet made the progress in organisational development that we need to, with staff and partner feedback revealing a perception that this change has been slow. There is also a need for members and officers to develop more effective ways of working together. On a positive note, the council placed 28th on Stonewall's 2016 Index of the Top 100 Most Inclusive Employers, up from 59th place in 2015.*

The council's values and behaviours will be visible and referenced as part of its core business, experienced across the organisation at all levels and by partners. We will pursue greater clarity about the roles of members and officers and the most effective ways of interaction. Positive behaviours will be recognised and negative ones challenged promptly, while staff will feel more trusted and better empowered.

The first phase of a campaign promoting the council's values and behaviours was launched across the organisation in February 2016. Recommendations from the wider senior leaders' group on 'quick wins' that would allow them to work more effectively are now being implemented, including cutting red tape and making changes to delegations.

3.2.7 Communications and transparency - *Some good progress has been made in improving corporate communications over the past year, including LGA support for an independent communications review. A new internal communications strategy is now in place with new channels being set up to ensure better staff engagement and have been well received. There is a shared ambition from the Leader and Chief Executive for the council to be 'transparent by default'.*

The council will have a new, improved website soon. Priorities set out in the business plan will be used to drive a new communications and campaigns plan for 2016/17. All social media and digital communications channels will have been reviewed and a new strategy put in place. There will be greater control and consistency across all communications channels and resources, resulting in increased reach and focusing on two-way engagement, internally and externally.

4. EVOLUTION OF DEVOLUTION: CABINET COMMITTEE LOCAL LEADERSHIP

- 4.1 Cabinet approved the establishment of the Cabinet committee and the appointment of four Councillors as Assistant Leaders on 28th June 2016.
- 4.2 The establishment of the Cabinet Committee and the Assistant Leader posts and the initiation of this work programme for the next phase of devolution provide an opportunity to develop a genuinely radical agenda for change.
- 4.3 Our ambition is to put Birmingham at the vanguard of reform and new ideas on local governance and community leadership, building on the tremendous diversity and vibrancy of our civil society and its social enterprises, community and voluntary organisations and restoring the reputation for good governance that once characterised the city.
- 4.4 It is a vision based on the idea of dispersed leadership in which everyone in the city can aspire to make a difference. It is a vision based on a new sense of pride and purpose and the unique character of Birmingham's public life expressed through innovation, invention and true leadership. It is a vision based on devolution from central government with new powers to act along with our West Midlands partners but also the empowerment of local communities and individuals in the city.
- 4.5 An early part of the work programme of the Committee will be to set out a clear scheme of outcomes that will guide the Committee's work. This will also be used to assess the progress with this way of working, including the effectiveness of the Assistant Leader role. Outcomes will be drawn from existing service improvement targets for local services, public priorities in terms of how they can influence and get involved in local democracy and objectives for specific policy areas within the Policy Review (see below). More details on this will be reported to an early meeting of the Committee.
- 4.6 Both the Cabinet Committee and the Assistant Leaders will play a central, leading role in taking this agenda forward. This will divide into two areas of work: the ongoing functions of the committee and a policy review designed to take forward the next stages of the evolution of devolution, starting in 2016-18 but continuing beyond 2018.

4.7 The Policy Review will be taken forward throughout the next phase and we will not put an artificial deadline on its completion. However work on specific areas of policy within the Review will be completed within the current municipal year or the year after. All significant policy proposals will be reported to Cabinet for approval. The review will be in three parts:

- Area working – looking at what will replace the districts model
- A Better Deal for Neighbourhoods – looking at how we can improve local services and enable stronger community engagement
- Every Place Matters – looking at how we can spread the benefits of devolution and economic growth to the whole city and regenerate areas of the city in need of change.

5. COMBINED AUTHORITY UPDATE

5.1 Following the formal Parliamentary approval of the Combined Authority on 17 June 2016, the AGM of the Combined Authority took place on 29 June 2016 (<https://westmidlandscombinedauthority.org.uk/media/1223/wmca-agm-docpackpublic1.pdf>). The AGM received the annual 2016/17 budget and the constitution for approval. The draft Mayoral (elections) order and the draft Mayoral WMCA (functions) Scheme were also considered by the AGM for consent and approval. The key statutory post holders are in place and consultation on the Mayoral West Midlands Combined Authority (WMCA) Functions Scheme (<https://westmidlandscombinedauthority.org.uk/mayoral-wmca-consultation/>) started on 4th July as part of the process of implementing the devolution deal and providing for a Mayor in May 2017.

5.2 The WMCA has also launched an Investment Prospectus <https://westmidlandscombinedauthority.org.uk/media/1227/wmca-forum-for-growth-prospectus.pdf>.

5.3 I have the Economic Growth portfolio on the WMCA, which covers the delivery of the strategic economic plans, access to finance for business, the collective investment fund, the combined authority growth company, international trade and exports, digital strategy, arts and cultural activity.

5.4 The next steps for the WMCA are set out below:

July - Aug 2016	Consultation on the Scheme proposals (27 June - 22 Aug 2016)
Sept 2016	The consultation responses are collated and submitted to the Secretary of State and DCLG.

Sept - Oct 2016	<ol style="list-style-type: none"> 1. Mayoral Combined Authority 'functions' Order is drafted based on the Mayoral Combined Authority 'functions' Scheme 2. The Mayoral Combined Authority 'functions' Order is presented to Constituent Councils for consent to lay the Mayoral Combined Authority 'functions' Order in Parliament.
Nov 2016	The Mayoral (elections) Order is in place at least six months before the election of an Mayor
Nov 2016 - Feb 2017	Any further Orders required (Buses Bill etc.) are required to be in place by February 2017 to allow sufficient time for Mayoral candidates to be fully aware of the powers of the elected Mayor and to prepare a Manifesto
May 2017	First Mayoral election

6. BEREAVEMENT SERVICES

6.1 Various initiatives and projects are underway in Bereavement Services which will drive the Service forward and meet community needs as follows:

- To ensure that the burial needs of residents on the North of the city, there are two projects in progress. The development of phases 2 and 3 of Sutton New Hall cemetery is due to commence in mid -July. Phase 2 will accommodate graves for the Muslim Community and Phase 3 will accommodate other communities. This is an 18 month project which will provide an additional 1,200 graves to serve the burial needs of residents in the north of the city for 18 years. In conjunction with this development a project is currently underway to provide new burial sections for Muslim and other communities in Handsworth Cemetery.
- Following requests from community leaders un-coffined burials will be introduced at Handsworth Cemetery from 11th July.
- Officers are working with representatives of various communities including Chinese, Jewish and Hindu. Initiatives include the provision of above ground mausolia, a separate burial section for the Jewish community and facilities for mourners to pay their respects to Hindu families in private.

6.2 Coroner's and Mortuary Update:

- The service is recruiting to three new posts. Post holders are expected to take up their positions by late summer.
- A feasibility exercise into the provision of a portal system that will enable hospitals and GPs to enter details of death notifications direct onto the Coroner's Civica IT system is currently taking place. This will prevent duplication and free up time for officers to carry out other essential tasks.
- Officers are working on securing prudential borrowing to replace the ventilation system in the Mortuary that is required to be replaced.

- Workload continues to increase – to date this year the number of death referrals received by the Coroner is close to 10% up on last year and 25% ahead of the same date in 2014.
- The performance of the Service when compared against other Coroner’s Areas in the 2015 Ministry of Justice returns was excellent with the average time to inquest nationally taking 20 weeks against 12 weeks for Birmingham and Solihull.

Contact Officer:

Kevin Hubery – Head of Strategic Leadership

Telephone:

0121 303 4821

E-Mail:

Kevin.hubery@birmingham.gov.uk

Contact Officer:

Alison Harwood - Acting Director Regulation & Enforcement

Telephone:

0121 303 0201

E-Mail:

alison.harwood@birmingham.gov.uk



Corporate Resources and Governance O&S Committee: Work Programme 2016/17

Chair: Cllr Mohammed Aikhlaq

Committee Members: Cllrs: Muhammed Afzal, Randal Brew, Marje Bridle, Ray Hassall, Ansar Ali Khan, Changese Khan, Chaman Lal, Ewan Mackey, Yvonne Mosquito, Hendrina Quinnen, Anne Underwood

Committee Support: Scrutiny Team: Emma Williamson (464 6870), Iram Choudry (303 8263)
Committee Manager: Victoria Williams (303 7037)

1 Meeting Schedule

Date	Item	Officer contact
15 June 2016 10am Committee Room 1	<i>Informal:</i> Work Programme Discussion <i>Outcome:</i> to determine the work programme priorities for the year	Emma Williamson/Iram Choudry, Scrutiny Office
18 July 2016 2.30pm Committee Room 2	1) Report of the Leader of the Council <ul style="list-style-type: none"> Priorities for the year in relation to corporate leadership; Improvement Panel and next phase of Future Council; Evolution of Devolution: Cabinet Committee Local Leadership and Local Innovation Fund; West Midlands Combined Authority update; Update on Bereavement Services 	Ceri Saunders, Head of Cabinet Office / Tony Smith, Policy Executive
	2) Work Programme	Scrutiny Office
	3) Call In: Disposal of Land at Great Charles Street, Birmingham	Basit Ali, Birmingham Property Services
7 th September 2016 10.30am Committee Room 2	Deputy Leader: <ul style="list-style-type: none"> Priorities for the year in relation to finance, performance, HR and other corporate matters; Financial Monitoring: 2015/16 year outturn and latest monitoring report; and to discuss with the Committee their input into budget setting <i>Tracking:</i> Customer Journey including update on website and on-line forms <i>Tracking:</i> Refreshing the Partnership – Service Birmingham Member Development 	Rebecca Grant, Cabinet Support Officer Jon Warlow, Strategic Director, Finance and Governance Chris Gibbs, Service Director, Customer Services Nigel Kletz, Assistant Director, Procurement/Tony Lubman, Chief Executive, Service Birmingham Shauna Posaner, AD Organisational Development



Date	Item	Officer contact
5 th October 2016 10.30am Committee Room 2	1) Cabinet Member for Value for Money and Efficiency <ul style="list-style-type: none"> • Priorities for the year • Update on Commissioning and Procurement Strategy • Update on business charter, including outcome of consultation • To explore how the City Council engages local supplier and businesses through our contractors • <i>Tracking:</i> Council Commissioning and Third Sector Organisations 	Jon Lawton, Cabinet Support Officer
	2) Cabinet Member for Transparency, Openness and Equality <ul style="list-style-type: none"> • Priorities for the year in relation to transparency and openness • <i>Tracking:</i> Citizen Engagement – to include update on community engagement strategy 	Marcia Wynter, Cabinet Support Officer
2 nd November 2016 10.30am Committee Room 2		
14 th December 2016 10.30am Committee Room 2	Deputy Leader – Budget Consultation	Rebecca Grant, Cabinet Support Officer/Jon Warlow, Strategic Director, Finance and Governance
	Financial monitoring: Latest Revenue Monitoring	
	Briefing on Council Tax	Chris Gibbs, Service Director, Customer Services
4 th January 2017 10.30am Committee Room 2	Leader <ul style="list-style-type: none"> • Update on priorities 	Ceri Saunders, Head of Cabinet Office / Tony Smith, Policy Executive
1 st February 2017 10.30am Committee Room 2		
1 st March 2017 10.30am Committee Room 2	Deputy Leader	Rebecca Grant, Cabinet Support Officer
	Financial monitoring: Latest Revenue Monitoring Report	Jon Warlow, Strategic Director, Finance and Governance
5 th April 2017 10.30am Committee Room 2		



2 To be Scheduled

- Cabinet Member for Value for Money and Efficiency / Cabinet Member for Transparency, Openness and Equality – second attendance to be scheduled;
- Centenary Square Public Realm Improvement Scheme: programme of milestones to be received and a series of information reports to the Committee to be agreed;
- Update on Future Council Programme;
- Update on Council's Highway Maintenance and Management Services contract with Amey;
- *Tracking*: Are Ward Committees fit for purpose?
- Briefing on the transition to universal credit

3 Further Suggestion for Future Work

3.1 Governance:

- To look at how districts work with a parish /town council – who does what; how councillors work and how are enquiries handled
- Partnership working

3.2 Commissioning/Procurement:

- A new ICT and digital strategy is being developed (for Cabinet in September); there may be areas for the City Council to consider, e.g. citizen engagement in ICT;
- The Service Birmingham contract ends in 4.5 years so the Council needs to consider what comes next;
- The Business Charter for Social Responsibility: looking at social value;
- Consideration of the Commissioning and Procurement Strategy including local engagement / how the City Council engages local supplier and businesses through our contractors
- City Council resolution asking Committee to look at impact of TTIP;
- Delegations to officers – the changes made to constitution in recent months increased the delegations and the Committee may wish to consider the governance arrangements;

4 Other Meetings

Call in Meetings

18th July 2016

Disposal of Land at Great Charles Street, Birmingham



Petitions

None scheduled

Councillor Call for Action requests

None scheduled

Details

Status:	Decision Subject To Call In
Title:	Great Charles Street Car Parks - Development Agreement
Reference:	001899/2016
Details:	Report of the Director of Property.
Implementation Date (not before Meeting Date):	Tue 28 Jun 2016
Purpose:	To allow Officers to vary the existing development agreement in accordance with the new terms agreed between parties.
Key Portfolio:	Leader
Include Item on Forward Plan / Key Decision:	Yes
Reason for Key Decision:	

Decision

Urgent Decision - Not in Forward Plan:	No
Is Private:	No
Decision Outcome:	Cabinet on 28 June 2016 noted the report. THE DEADLINE FOR CALL IN IS 1600 HOURS ON 4 JULY 2016. A request for call in was submitted by Councillors Tahir Ali and Hendrina Quinnen at 1240 hours on 4 July 2016 and was scheduled for consideration by the Corporate Resources and Governance O&S Committee at its meeting on 18 July 2016.

Miscellaneous

Reg 10
Reg 11

Decision Criteria

This Decision does not contain any decision criteria records.

Wards

This Decision does not contain any Ward records.
--

Topics

This Decision does not contain any Topic records
--

Overview and Scrutiny

Corporate Resources Overview and Scrutiny Committee - NO MEETINGS



Appendix 2: Request for Call In – Pro-forma

To:

Committee Services, Room 315, Council House.

E-Mail: LESCommitteeServicesAll@birmingham.gov.uk (marked "For the attention of Dave Smith")

Date: 6th July 2016

Please arrange for a meeting of the

Corporate Resources and Governance

O&S Committee

to be called to discuss the following executive decision:

Title: Disposal of Land at Great Charles Street, Birmingham

Taken By: Cabinet

On: 28th June 2016

Reason for request:

(a) Is the Executive decision within existing policy?

1. the decision appears to be contrary to the Budget or one of the 'policy framework' plans or strategies; ☒
2. the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees; ☐
3. the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive); ☐

(b) Is the Executive decision well-founded?

4. the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision; ☐
5. the Executive appears to have overlooked some relevant consideration in arriving at its decision; ☒
6. the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do; ☐
7. the decision appears to be particularly "novel" and therefore likely to set an important precedent; ☒
8. there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council. ☒



(c) Has the Executive decision been properly taken?

9. the decision appears to give rise to significant legal, financial or propriety issues;



10. the notification of the decision does not appear to have been in accordance with council procedures;



(d) Does the Executive decision particularly affect a District?

11. the decision appears to give rise to significant issues in relation to a particular District.



Councillor

(Signed)

Tahir Ali

(Print Name)

Councillor

(Signed)

Hendrina Quinnen

(Print Name)

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	DIRECTOR OF PROPERTY
Date of Decision:	28 JUNE 2016
SUBJECT:	DISPOSAL OF LAND AT GREAT CHARLES STREET, BIRMINGHAM
Key Decision: YES	Relevant Forward Plan Ref: 001899/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	THE LEADER OF THE COUNCIL – CLLR JOHN CLANCY
Relevant O&S Chairman:	CLLR MOHAMMED AIKHLAQ - CORPORATE RESOURCES AND GOVERNANCE O&S COMMITTEE
Wards affected:	LADYWOOD

1. Purpose of report:
1.1 This report updates Members on the disposal of land at Great Charles Street, Birmingham.
1.2 To inform Cabinet, following negotiations, of the revised terms that will, subject to the grant of planning consent, bring the site forward for comprehensive development. The terms of the transaction are set out in the report on the private agenda.
1.3 The site is shown edged black on the plan attached as Appendix 1 of this report.

2. Decision(s) recommended:
That Cabinet:
2.1 Notes this report

Lead Contact Officer(s):	Basit Ali
	Birmingham Property Services
Telephone No:	0121 464 6771
E-mail address:	basit.ali@birmingham.gov.uk

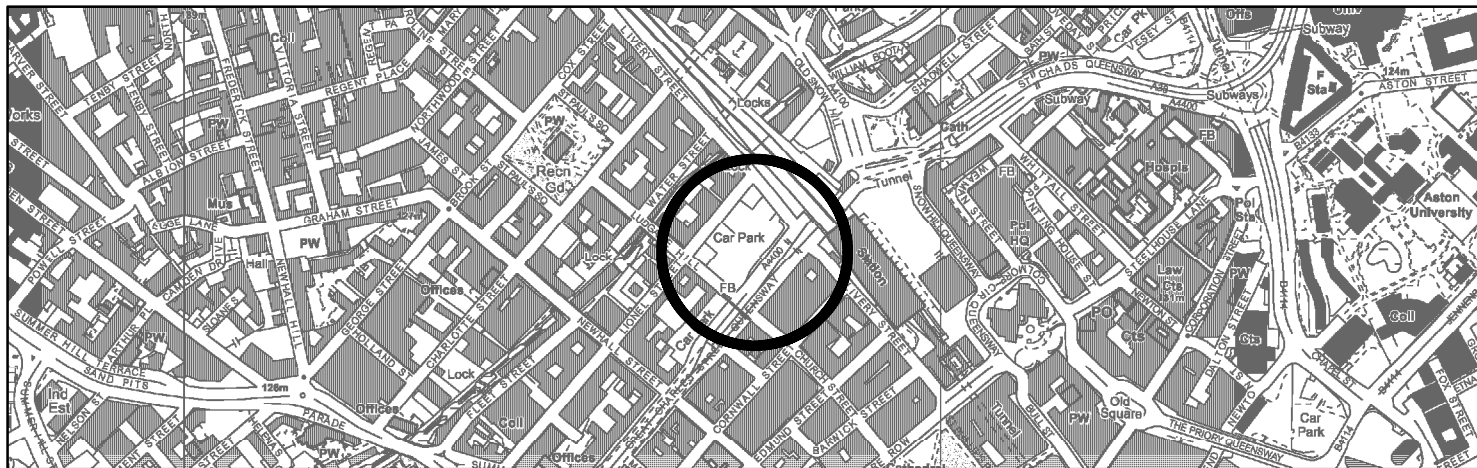
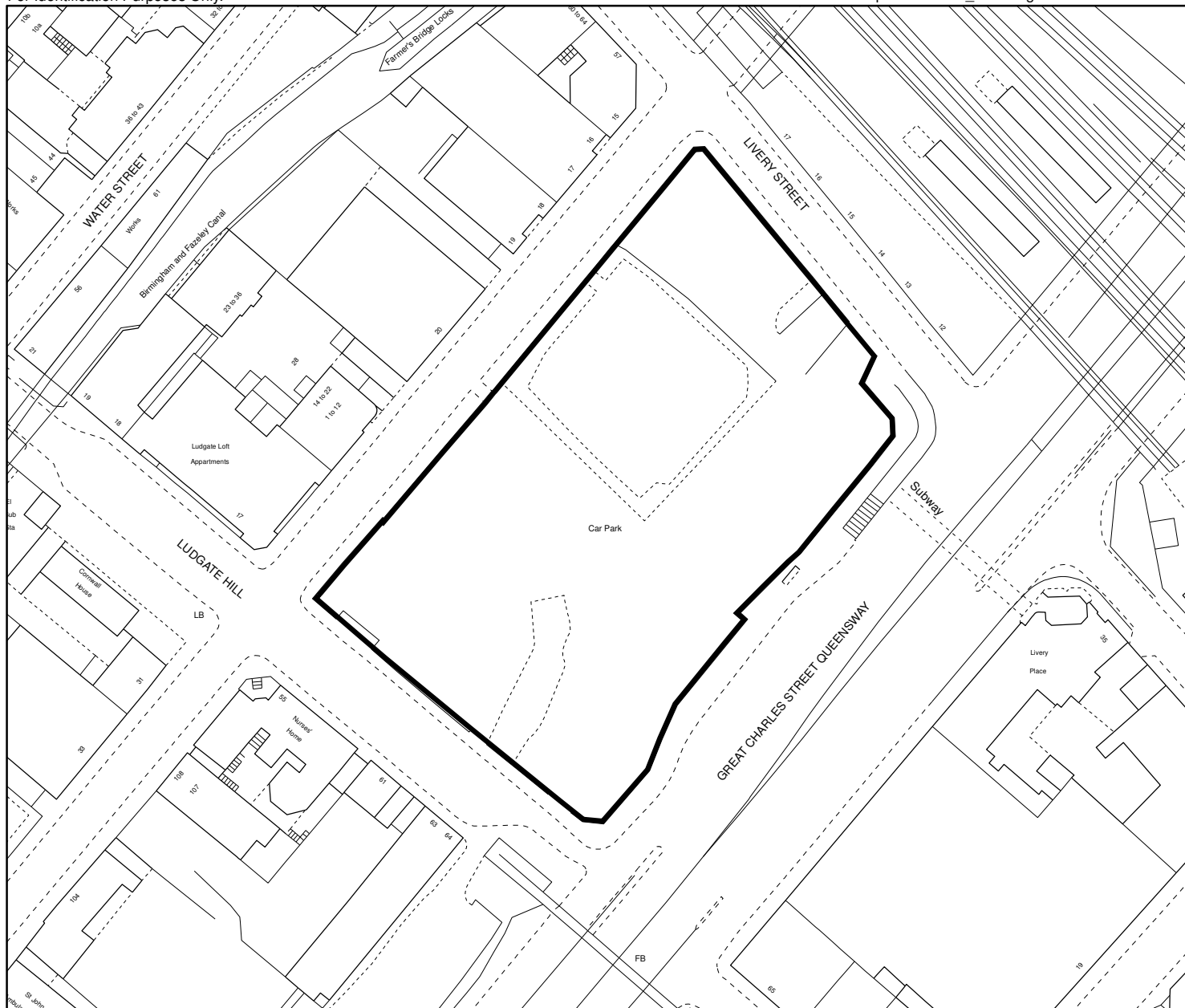
<p>3. Consultation</p> <p>3.1 <u>Internal</u></p> <p>3.1.1 Ladywood Ward members were consulted with no comments received. Senior officers in Birmingham Property Services, Legal and Democratic Services and City Finance have been involved in the preparation of this report.</p> <p>3.2 <u>External</u></p> <p>3.2.1 None</p>	
<p>4. Compliance Issues:</p> <p>4.1 <u>Are the recommended decisions consistent with the Council's policies, plans and strategies?</u></p> <p>4.1.1 The proposal contributes towards the strategic outcomes outlined in the 'Council Business Plan and Budget 2016+', specifically Succeed Economically, by supporting regeneration through investment and generating a premium, subject to planning consent.</p> <p>4.2 <u>Financial Implications</u></p> <p>4.2.1 The disposal of the site will attract a significant premium to the council which will be applied in accordance with the capital receipts policy as approved in the Council Business Plan and Budget 2016+. Details of the premiums are contained in the private report.</p> <p>4.2.2 The loss of revenue income to the City Council as a consequence of the development of the site has previously been reported to Cabinet and will be covered by Policy Contingency on completion of the sale. This loss of income is currently estimated at £0.357m and relates to car parking income (£0.3m) and advertising/letting income (£0.057). External support may also be required to complete the development lease up to a value of £50,000. Funding for this will be provided for in line with statute which states that up to 4% of the future capital receipt may be used to fund disposal costs.</p> <p>4.2.3 Car parking and advertising lettings income will continue to be collected by the Council until such time that the sale of the site is completed following grant of planning consent.</p> <p>4.3 <u>Legal Implications</u></p> <p>4.3.1 The Council has a duty to efficiently manage its assets and has the power to hold and dispose of land under Sections 120 and 123 of the Local Government Act 1972.</p> <p>4.4 <u>Public Sector Equality Duty</u></p> <p>4.4.1 An Equality Assessment (EA) was undertaken for this proposal, which confirms that a full EA is not required for the purposes of this report.</p>	

5.	Relevant background/chronology of key events:
5.1	The site has been identified as part of the Snow Hill District Area of Transformation in the Big City Plan. This is an important regeneration site within the masterplan's boundary with the potential to deliver a high quality built environment on a key route between the Jewellery Quarter and the City Core. The development of the site assists in the delivery of a key objective of the Big City Plan to transform the pedestrian links between St Pauls Church and St Phillips Cathedral.
5.2	The site was marketed and Cabinet approved the selection of a developer. Subsequently, a Development Agreement between parties was completed in March 2013 to formalise the drawdown of the site in a 4 phase scheme which was under pinned by a major office building, a residential building and new open space.
5.3	The proposed development has not been able to progress due to the economic downturn, viability issues and lack of occupier(s) interest. However, keen to see the development of the site, officers have maintained constructive dialogue with the developer. The revised proposals from the developer now focus on the shift in demand from office led development to residential. The developer is now motivated to bring the site forward for development (subject to planning consent) for a scheme that is invigorated by city centre developments at Paradise Circus and Arena Central. Revised terms for the Development Lease have been agreed.
5.4	Steps have been taken to strengthen the terms in the Development Lease such that the developer is incentivised to bring forward development quickly.
5.5	Approval to the decisions recommended in the private report will allow the Council to complete the disposal of the site conditional on grant of planning consent (details are noted in the private report). The proposed scheme will extend to 2 phases comprising of new apartments, serviced apartments and a hotel.
6.	Evaluation of alternative option:
6.1	Not to proceed to completion of the disposal would mean that the opportunity to develop the site is delayed and the realisation of the premium to the Council is also delayed.
7.	Reasons for Decision(s):
7.1	Completion of this disposal will bring this strategic site forward for development.
7.2	Completion of the sale will generate a premium.

Signatures	<u>Date</u>
Leader of the Council – Cllr John Clancy
Peter Jones, Director of Property

List of Background Documents used to compile this Report:
1. Cabinet Report 31st July 2006 2. Cabinet Member for Regeneration Report 15th November 2006 3. Cabinet Member for Regeneration Report 6th September 2007 4. Cabinet Report 11th December 2011 - Disposal of land at Great Charles Street, Birmingham

List of Appendices accompanying this Report (if any):
1. Appendix 1 – Site plan



© Crown Copyright and database right 2015. Ordnance Survey 100021326.
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Peter Jones BSc, FRICS
Director of Property
Birmingham Property Services
PO Box 16255
Birmingham B2 2WT

Car Park at
Ludgate Hill / Great Charles Street
City Centre



Page 29 of 32

Scale (Main Map)

1:1,250

Drawn

Jon Wilson

Date

27/05/2016

O.S. Sheet: SP0687SE

Call-In Criteria

	<i>(a) Is the Executive decision within existing policy?</i>
1	<i>the decision appears to be contrary to the Budget or one of the 'policy framework' plans or strategies;</i>
2	<i>the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;</i>
3	<i>the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);</i>
	<i>(b) Is the Executive Decision well-founded?</i>
4	<i>the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;</i>
5	<i>the Executive appears to have overlooked some relevant consideration in arriving at its decision;</i>
6	<i>the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;</i>
7	<i>the decision appears to be particularly "novel" and therefore likely to set an important precedent;</i>
8	<i>there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.</i>
	<i>(c) Has the Executive decision been properly taken?</i>
9	<i>the decision appears to give rise to significant legal, financial or propriety issues;</i>
10	<i>the notification of the decision does not appear to have been in accordance with council procedures;</i>
	<i>(d) Does the Executive decision particularly affect a district?</i>
11	<i>the decision appears to give rise to significant issues in relation to a particular District.</i>

