

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 17 NOVEMBER 2015

MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON TUESDAY 17 NOVEMBER 2015 AT 1200 HOURS, IN COMMITTEE ROOM 2, THE COUNCIL HOUSE, BIRMINGHAM

PRESENT:

Councillor Sir Albert Bore in the Chair;

Councillors Randal Brew (as a substitute for Councillor Robert Alden),
Mohammed Idrees, Anne Underwood, Ian Ward and Mike Ward.

NOTICE OF RECORDING

- 2434 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

APOLOGIES

- 2435 Apologies were submitted on behalf of Councillors Robert Alden, Hendrina Quinnen and Sharon Thompson.

MINUTES

- 2436 Councillor Mohammed Idrees advised that he was present at the last meeting.
- With that amendment, the Minutes of the last meeting held on 20 October 2015 were confirmed and signed by the Chair.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 1)

In the absence of Overview and Scrutiny reports for consideration at the next Council meeting, the Chair advised that, following discussions with appropriate officers, he proposed to bring forward three Executive reports as detailed on the draft agenda.

It was suggested that, in order to allow more time for debate, there should be only one person to move all three reports. The Chair undertook to consider the matter and provide details of the 'Mover(s)' for the Executive reports.

In response to a suggestion by Councillor Brew, the Chair considered that it was inappropriate to include a scrutiny driven item on the Council agenda.

It was agreed that an additional item be included on the agenda regarding the Leader of the Council and that 10 minutes be allocated thereto. The Chair undertook to liaise with the Director of Legal and Democratic Services regarding appropriate wording for the agenda.

It was-

2437

RESOLVED:-

That, subject to the comments made in the foregoing preamble and any further amendments agreed by the Chair, the draft agenda be noted.

REVIEW OF SACRE – INTERIM CONSTITUTION AND GOVERNANCE ARRANGEMENTS

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

(See document No 2)

A discussion ensued and it was agreed that the British Humanist Association be invited to nominate someone to serve on SACRE as a Group A representative and not simply as a co-optee.

It was agreed that, in consultation with the Chair, advice be sought regarding inviting other non-faith organisations to serve on SACRE.

In response to a question by Councillor Mike Ward, Ian Burgess, Head of Law (Education), explained the reasons for the proposed changes to the process regarding the appointment of members to SACRE, including councillors. A consultation would be carried out prior to a new constitution and governance process being introduced. The Director of Legal and Democratic Services advised that a further report would be submitted to the Committee in due course.

Ian Burgess advised that councillors would be consulted on the proposals and the process could be extended to include, for example, schools and union representatives and any other bodies with an interest in SACRE.

In referring to the SACRE interim recruitment process set out in the report now submitted, it was noted that other organisations did not have such a rigorous procedure in place.

In response to a question by Councillor Anne Underwood, Ian Burgess explained that there was a legal requirement for local authorities to have in place a SACRE.

The Chair pointed out that the new process would be similar to that adopted for the appointment of school governors.

Ian Burgess drew Members' attention to paragraph 1.2 of the report and pointed out that both the Peter Clarke and Ian Kershaw reports had identified issues of importance relating to the role of SACRE.

Councillor Anne Underwood suggested that the interim recruitment process for appointment to SACRE should be brought to the attention of all councillors.

2438

RESOLVED:-

- (i) That approval be given to the interim Constitution and governance arrangements attached as Appendices to this report, to be introduced from December 2015, alongside a full review and consultation process to be undertaken by the Assistant Director - Education and Skills.
- (ii) that the Assistant Director – Education and Skills be authorised to recommend, following a full review and consultation, a new Constitution and governance process which takes account of the recommendations from the Peter Clarke and Ian Kershaw reviews, and is robust and contributes to effective and improved governance of SACRE.
- (iii) that it be noted that a new process based on the recommendations from the Assistant Director – Education and Skills will be presented to this committee for approval in or before April 2016.
- (iv) that it be noted that the report from the Assistant Director – Education and Skills will make recommendations on how, and who should make decisions on appointments to SACRE in the future;
- (v) that it be recommended that consideration be given to inviting the British Humanist Association to nominate someone to serve on SACRE as a Group A representative and not simply as a co-optee;
- (vi) that, in consultation with the Chair, advice be sought regarding inviting other non-faith organisations to serve on SACRE.

THE LORD MAYORALTY FORMULA

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

(See document No 3)

2439

RESOLVED:-

That it be noted that, in accordance with the formula set out in the Appendix to the report, the Labour Group is entitled to put forward one of its members to be the Lord Mayor for 2016/17.

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:-

A. Community Governance Review – Draft Reorganisation Order

The following report of the Service Director Localisation was submitted:-

(See document No 4)

Ifor Jones, Service Director Localisation, introduced the report.

Councillor Anne Underwood gave a brief outline of the issues that had been identified at a meeting of the Sutton Coldfield Parish Council Steering Group held yesterday, 16 November 2015.

Ifor Jones sought legal advice regarding the use of cameras and recording equipment at meetings of the steering group. David Tatlow, Director of Legal and Democratic Services, undertook to circulate information to appropriate officers and Members.

In response to a question by Councillor Mike Ward, the Chair advised that interim arrangements were already in place regarding the boundary review and the impact it might have on Sutton Coldfield Wards with the implementation of a Parish Council. Councillor Anne Underwood added that the Boundary Commission was responsible for determining the boundaries of the Parish Council.

2440

RESOLVED:-

- (i) That, under the delegations made by City Council in September 2015, approval be given to the terms of the draft Reorganisation Order in relation to the community governance review;
- (ii) that the Service Director Localisation be authorised to consult with relevant local bodies on the terms of the Reorganisation Order;
- (iii) that a final draft of the Order be submitted to this Committee at its meeting scheduled to take place on 15 December 2015.

B. Political Governance Working Group

The Chair expressed concern that the current size of the Political Governance Working Group comprising 12 Members was too large.

He suggested and the Committee agreed that the number of Members serving on the Political Governance Working Group be reduced from 12 to 9. Therefore, proportionality would be 6 Labour: 2 Conservative: 1 Liberal Democrat.

Councillor Anne Underwood suggested and it was agreed that Councillor Randal Brew be permitted to serve on the Working Group as a substitute Member for Councillor Robert Alden.

The Chair undertook to provide details of Labour Members to serve on the Working Group.

2441

RESOLVED:-

- (i) That the Political Governance Working Group be reduced from 12 to 9 Members comprising 6 Labour: 2 Conservative: 1 Liberal Democrat;
- (ii) that the Chair provide details of Labour Members to serve on the Working Group; further that Councillors Anne Underwood and Robert Alden with Councillor Randal Brew as a substitute Member for Councillor Robert Alden and Councillor Jon Hunt be appointed to serve on the Working Group.

AUTHORITY TO CHAIR AND OFFICERS

2442

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.

The meeting ended at 1258 hours.

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CHAIR