



**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD
ON TUESDAY, 2 NOVEMBER 2021 AT 1330 HOURS IN THE REP
STUDIO THEATRE, CENTENARY SQUARE, BROAD STREET,
BIRMINGHAM**

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

Councillors

Akhlaq Ahmed	Roger Harmer	Karen McCarthy
Deirdre Alden	Deborah Harries	Gareth Moore
Robert Alden	Adam Higgs	Simon Morrall
Mohammed Azim	Charlotte Hodivala	Yvonne Mosquito
Baber Baz	Jon Hunt	John O'Shea
Matt Bennett	Mahmood Hussain	David Pears
Kate Booth	Timothy Huxtable	Robert Pocock
Sir Albert Bore	Mohammed Idrees	Julien Pritchard
Nicky Brennan	Katherine Iroh	Carl Rice
Marje Bridle	Ziaul Islam	Darius Sandhu
Mick Brown	Morriam Jan	Shafique Shah
Tristan Chatfield	Meirion Jenkins	Sybil Spence
Zaker Choudhry	Brigid Jones	Dominic Stanford
Debbie Clancy	Nagina Kauser	Ron Storer
Liz Clements	Mariam Khan	Martin Straker Welds
Maureen Cornish	Narinder Kaur Kooner	Saima Suleman
Phil Davis	Chaman Lal	Sharon Thompson
Adrian Delaney	Bruce Lines	Paul Tilsley
Diane Donaldson	Mary Locke	Lisa Trickett
Peter Fowler	Ewan Mackey	Ian Ward
Eddie Freeman	Majid Mahmood	Mike Ward
Fred Grindrod	Zhor Malik	Ken Wood
Paulette Hamilton		

NOTICE OF RECORDING

- 19539 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the Press/Public may record and take photographs except where there are confidential or exempt items.

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

DECLARATIONS OF INTERESTS

- 19540 The Lord Mayor reminded members that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting.

No Interests were declared.

MINUTES

It was moved by the Lord Mayor, seconded and –

- 19541 **RESOLVED:-**

That the Minutes of the meeting held on 14 September 2021 having been circulated to each Member of the Council, be taken as read and confirmed and signed.

LORD MAYOR'S ANNOUNCEMENTS

A. Death of former Councillor, Honorary Alderman Andrew Howell

The Lord Mayor indicated that his announcements today were sad ones, as he must inform the meeting of the deaths of some of our former colleagues.

First, with deep sorrow, the Lord Mayor announced the death of former Councillor, Honorary Alderman Andrew Howell, known to all as Andy, who passed away on 6 October following a short illness.

The Lord Mayor noted that Andy served as a Councillor from May 1991 to May 2003. He served as Deputy Leader of the Council from 1999 to 2003 and became an Honorary Alderman in May 2003.

The Lord Mayor noted that Andy leaves behind his wife Kate and son Keiran and asked all to join him in extending to them our deepest condolences.

It was moved by the Lord Mayor, seconded and:-

19542 **RESOLVED:-**

That this Council places on record its sorrow at the death of former Councillor, Honorary Alderman Andrew Howell and its appreciation of his devoted service to the residents of Birmingham. The Council extends its deepest sympathy to members of Andy's family in their sad bereavement.

Members and officers stood for a minute's silence, following which a number of tributes were made by Members.

B. Death of former Councillor Dorothy Hargreaves

The Lord Mayor indicated that he was saddened to announce the death of former Councillor Dorothy Hargreaves, who passed away on 15 October. Dorothy served on the Council from 2006 to 2014, during which time she served on numerous Committees.

The Lord Mayor asked all to join him in extending our deepest condolences to members of Dorothy's family.

It was moved by the Lord Mayor, seconded and:-

19543 **RESOLVED:-**

That this Council places on record its sorrow at the death of former Councillor Dorothy Hargreaves and its appreciation of her devoted service to the residents of Birmingham. The Council extends its deepest sympathy to members of Dorothy's family in their sad bereavement.

Members and officers stood for a minute's silence, following which a number of tributes were made by Members.

C. Death of former Councillor Dilawar Khan

The Lord Mayor indicated that Members would now continue paying tribute to former colleagues lost during coronavirus restrictions, by remembering former Councillor Dilawar Khan, whose passing was announced at the Council meeting in June last year.

The Lord Mayor indicated that Dilawar served as a Councillor for Sparkbrook Ward from June 2004 to May 2007 and passed away on 16 May 2020 following a long illness. He leaves behind his wife Shamim, and two sons, Afsar and Shafique, and The Lord Mayor asked all to join him in extending to them our deepest condolences.

It was moved by the Lord Mayor, seconded and:-

19544 **RESOLVED:-**

That this Council places on record its sorrow at the death of former Councillor Dilawar Khan and its appreciation of his devoted service to the residents of Birmingham. The Council extends its deepest sympathy to members of Dilawar's family in their sad bereavement.

Members and officers stood for a minute's silence, following which a number of tributes were made by Members.

D. Poppy Appeal

19545 The Lord Mayor advised that today the annual Poppy Appeal was launched.

The Lord Mayor noted that Birmingham was one of only 5 cities to have a City Poppy Day; so he was pleased to meet with some of our serving military personnel at New Street Station this morning, and have the opportunity thank the volunteers, both military and civilian.

PETITIONS

Petitions Relating to City Council Functions Presented at the Meeting

The following petitions were presented:-

(See document No. 1)

In accordance with the proposals by the Members presenting the petitions, it was moved by the Lord Mayor, seconded and -

19546 **RESOLVED:-**

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

Petitions Update

The following Petitions Update had been made available electronically:-

(See document No. 2)

It was moved by the Lord Mayor, seconded and -

19547 **RESOLVED:-**

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

QUESTION TIME

19548 The Council proceeded to consider Oral Questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

During the section relating to questions to Cabinet Members, Councillor Jon Hunt raised a Point of Order in that Councillor Zaker Choudhry had been listed to ask a question but had not been called to do so and he noted that this was the second meeting in a row that a Liberal Democrat Member had not been allowed to ask a question. The Lord Mayor indicated that there were more members wishing to ask a question than time allowed, and he was trying to call Members in accordance with proportionality. Councillor Jon Hunt requested that the matter be discussed outside the meeting.

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

APPOINTMENTS BY THE COUNCIL

Following nominations from Councillors Martin Straker Welds and Mike Ward it was-

19549 **RESOLVED:-**

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

Sustainability and Transport Overview and Scrutiny Committee

Councillor to replace Councillor Mike Leddy (Lab) to replace Mick Brown (Lab) on the Committee for the period ending with the Annual Meeting of City Council in May 2022

Licensing and Public Protection Committee

Councillor Mike Ward (Lib Dem) to fill the vacancy created by the death of Councillor Neil Eustace (Lib Dem) for the period ending with the Annual Meeting of City Council in May 2022.

Licensing Sub Committee C

Councillor Mike Ward (Lib Dem) to fill the vacancy created by the death of Councillor Neil Eustace (Lib Dem) for the period ending with the Annual Meeting of City Council in May 2022.

Standards Committee

Councillor Mike Ward (Lib Dem) to fill the vacancy created by the death of Councillor Neil Eustace (Lib Dem) for the period ending with the Annual Meeting of City Council in May 2022.

Warwickshire County Cricket Club Safety Advisory Group

Councillor Paul Tilsley (Lib Dem) to fill the vacancy created by the death of Councillor Neil Eustace (Lib Dem) for the period ending with the Annual Meeting of City Council in May 2022

EXECUTIVE BUSINESS REPORT

The following report from the Cabinet was submitted:-

(See document No. 3)

Councillor Paulette Hamilton moved the recommendation which was seconded by Councillor Sharon Thompson.

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

(See document No. 4)

Councillor Maureen Cornish moved the amendment which was seconded by Councillor Peter Fowler.

A debate ensued.

Councillor Paulette Hamilton replied to the debate during which Councillor Robert Alden raised a point of order in that the Cabinet Member may wish to clarify her comments as a request to include an item on the crisis in

SEND services on the September City Council agenda had been made but then refused. Then a letter had been sent to the Lord Mayor requisitioning an Extraordinary Meeting of City Council which was also refused as was a second such request. There had been several attempts to raise the issue and the Cabinet Member was incorrect to indicate that there had not been.

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

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

For the amendment (30)

Deirdre Alden	Roger Harmer	Gareth Moore
Robert Alden	Deborah Harries	Simon Morrall
Baber Baz	Adam Higgs	David Pears
Matt Bennett	Charlotte Hodivala	Julien Pritchard
Zaker Choudhry	Jon Hunt	Darius Sandhu
Debbie Clancy	Timothy Huxtable	Dominic Stanford
Maureen Cornish	Morriam Jan	Ron Storer
Adrian Delaney	Meirion Jenkins	Paul Tilsley
Peter Fowler	Bruce Lines	Mike Ward
Eddie Freeman	Ewan Mackey	Ken Wood

Against the amendment (36)

Akhlaq Ahmed	Paulette Hamilton	Zhor Malik
Mohammed Azim	Mahmood Hussain	Karen McCarthy
Kate Booth	Mohammed Idrees	John O'Shea
Sir Albert Bore	Katherine Iroh	Robert Pocock
Nicky Brennan	Ziaul Islam	Shafique Shah
Marje Bridle	Brigid Jones	Mike Sharpe
Mick Brown	Nagina Kauser	Sybil Spence
Tristan Chatfield	Mariam Khan	Martin Straker Welds
Liz Clements	Narinder Kaur Kooner	Saima Suleman
Phil Davis	Chaman Lal	Sharon Thompson
Diane Donaldson	Mary Locke	Lisa Trickett
Fred Grindrod	Majid Mahmood	Ian Ward

Abstentions (0)

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

It was therefore-

19550 **RESOLVED:-**

That the report be noted.

WEST MIDLANDS COMBINED AUTHORITY - OVERVIEW & SCRUTINY COMMITTEE

The following report from the Vice-Chair of the WMCA's Overview & Scrutiny Committee was submitted:-

(See document No. 5)

Councillor Lisa Trickett moved the recommendation which was seconded.

A debate ensued.

Councillor Lisa Trickett replied to the debate.

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

It was therefore-

19551 **RESOLVED:-**

That the report be noted.

ADJOURNMENT

It was moved by the Lord Mayor, seconded and

19552 **RESOLVED:-**

That the Council be adjourned until 1650 hours on this day.

The Council then adjourned at 1632 hours.

At 1655 hours the Council resumed at the point where the meeting had been adjourned.

AMENDMENTS TO THE CONSTITUTION

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

(See document No. 6)

The Leader Councillor Ian Ward moved the motion which was seconded and as there was no debate made brief closing comments.

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

It was therefore-

19553 **RESOLVED:-**

That Council agrees the proposed amendments set out in the report and the appendices, and that the City Solicitor be authorised to implement the changes with effect from 3 November 2021.

SUICIDE PREVENTION UPDATE

The following report from the report of the Cabinet Member for Health & Social Care was submitted:-

(See document No. 7)

Councillor Paulette Hamilton moved the motion which was seconded.

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

(See document No. 8)

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

A debate ensued.

Councillor Paulette Hamilton replied to the debate.

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

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

It was therefore-

19554

RESOLVED:-

That Council notes the progress being made as set out in this report, and asks Members of the Council to undertake the ZSA Suicide Awareness E-Learning. This training can be accessed via learning pool and is available for all (search 'zero suicide alliance'). This will equip Members with information and training in respect of Suicide Prevention so that they can better support themselves, their constituents, and their colleagues.

The Council notes the delays in progress on some actions within this plan due to the need to Public Health resources to be diverted to the pandemic response. However, the Council also notes the profound impact that the pandemic has had on mental health, particular as a result of increased social isolation created by lockdown and home working.

The Council therefore calls for the plan to be formally updated to take more fully into account the impact of the pandemic and what actions may need to be amended or added as a result.

MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

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

A. Councillor Peter Fowler and Darius Sandhu have given notice of the following motion.

(See document No. 9)

Councillor Peter Fowler moved the Motion

Councillor Brigid Jones as a point of clarification on the business grant situation explained that when the council became aware that someone had 'slipped through the net' then they had been paid through the Additional Restrictions Grant (ARG) and she indicated that she had not been made aware of the particular case and invited Members to advise the council of such cases.

Councillor Darius Sandhu seconded the Motion. Councillor Brigid Jones as a further point of clarification explained that for the vast majority of Business Grant schemes money had been returned to Central Government, as stated, because Central Government had asked for it back. This followed distribution against a strict criterion which had been exhausted and although the Council had asked to keep the money the Government had said no.

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

(See document No. 10)

Councillor Roger Harmer moved the amendment which was seconded by Councillor Mike Ward.

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

(See document No. 11)

Councillor Gareth Moore moved the amendment which was seconded by Councillor Simon Morrall.

In accordance with Council Rules of Procedure, Councillors Saima Suleman and Ian Ward gave notice of the following amendment to the Motion:-

(See document No. 12)

Councillor Saima Suleman moved the amendment which was seconded by Councillor Ian Ward.

There been no further debate Councillor Peter Fowler replied to the debate.

The first amendment to the Motion in the names of Councillors Roger Harmer and Mike Ward having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

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

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

For the amendment (21)

Deirdre Alden	Eddie Freeman	Gareth Moore
Robert Alden	Adam Higgs	Simon Morrall
Matt Bennett	Charlotte Hodivala	David Pears
Debbie Clancy	Timothy Huxtable	Darius Sandhu
Maureen Cornish	Meirion Jenkins	Dominic Stanford
Adrian Delaney	Bruce Lines	Ron Storer
Peter Fowler	Ewan Mackey	Ken Wood

Against the amendment (36)

Akhlaq Ahmed	Mahmood Hussain	Karen McCarthy
Mohammed Azim	Mohammed Idrees	Yvonne Mosquito
Kate Booth	Katherine Iroh	John O'Shea
Sir Albert Bore	Ziaul Islam	Robert Pocock
Nicky Brennan	Brigid Jones	Carl Rice
Marje Bridle	Nagina Kauser	Shafique Shah
Mick Brown	Mariam Khan	Sybil Spence
Tristan Chatfield	Narinder Kaur Kooner	Martin Straker Welds
Phil Davis	Chaman Lal	Saima Suleman
Diane Donaldson	Mary Locke	Sharon Thompson
Fred Grindrod	Majid Mahmood	Lisa Trickett
Paulette Hamilton	Zhor Malik	Ian Ward

Abstentions (9)

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

The third amendment to the Motion in the names of Councillors Saima Suleman and Ian Ward having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore-

19555 **RESOLVED:-**

This Council believes that Local High Streets and independent businesses are the life blood of communities, supporting not only the local economy but also helping to address issues from crime and antisocial behaviour to social isolation. Long term decline from online and out of town competition has been exacerbated by the COVID pandemic and from over a decade of austerity.

In recognition of the challenges, the council's long-term commitment to enhancing local centres was set out in the Urban Centres Framework (2020). Alongside the city centre, our network of local centres, high streets and parades offer communities a focal point to shop, socialise, live and work.

The Birmingham City Council Plan 2018-2022 sets out the vision for Birmingham to be an entrepreneurial city to work and invest in, as well as a great and fulfilling city to live in. Within this context, local centre high streets are social and economic engines that benefit the city and wider city-region; they are places people call home and may increasingly be places that

people work in rather than travel from for work; they are places where people mix, socialise and share experiences; and they are places that deserve a renewed sense of purpose as local community awareness of 'what's on their doorstep' has increased during the Covid-19 lockdowns.

Council therefore calls on the executive to –

- Continue to support local Christmas markets and events in local centres, showcasing the best of local businesses. This council has engaged with 21 areas across the city to deliver local events using the Welcome Back Fund. Two events have already been delivered (Acocks Green, Harborne) and a further 19 are expected prior to March 2022, with 11 of these held in December 2021.
- Continue to facilitate Christmas and other festive light displays, building on this year's additional displays across the city
- Continue to work with local Business Improvement Districts to support and promote initiatives in their areas, building on post-lockdown campaigns aimed at bringing shoppers back to local high streets
- Continue ongoing work to enable 'meanwhile use' of empty shop units
- Continue to work with BIDs and other business groups on a deep clean programme (pavement washing, graffiti removal) in 24 areas of the city

In addition, Council will continue ongoing work to commission a review that will inform the future development and social, cultural and economic curation of Birmingham's local centres. The review will establish the principles of what makes a vibrant, resilient local centre as we emerge from multiple Covid-19 lockdowns, and then present a model/framework for identifying and assessing opportunities to enhance local centres across the city in the next 1 to 5 years due to actual and anticipated shifts in working, social and consumption patterns.

The review will go on to provide practical outputs for delivering these opportunities across multiple local centres in Birmingham and how these can be sustained for the benefit of local communities and businesses.

This work is to be completed alongside a refresh of the Council's relationship with existing and emerging Business Improvement Districts in the city to ensure a consistent, transparent and positive relationship between BIDs and the Council.

B. Councillor Paul Tilsley and Jon Hunt have given notice of the following motion.

(See document No. 13)

Councillor Paul Tilsley moved the Motion which was seconded by Councillor Jon Hunt.

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

(See document No. 14)

Councillor Timothy Huxtable moved the amendment which was seconded by Councillor Bruce Lines.

In accordance with Council Rules of Procedure, Councillors Mariam Khan and Majid Mahmood gave notice of the following amendment to the Motion:-

(See document No. 15)

Councillor Mariam Khan moved the amendment which was seconded by Councillor Majid Mahmood.

There been no further debate Councillor Paul Tilsley replied to the debate.

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

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

For the amendment (29)

Deirdre Alden	Roger Harmer	Gareth Moore
Robert Alden	Deborah Harries	Simon Morrall
Baber Baz	Adam Higgs	David Pears
Matt Bennett	Charlotte Hodivala	Darius Sandhu
Zaker Choudhry	Jon Hunt	Dominic Stanford
Debbie Clancy	Timothy Huxtable	Ron Storer
Maureen Cornish	Morriam Jan	Paul Tilsley
Adrian Delaney	Meirion Jenkins	Mike Ward
Peter Fowler	Bruce Lines	Ken Wood
Eddie Freeman	Ewan Mackey	

Against the amendment (36)

Akhlaq Ahmed	Mahmood Hussain	Karen McCarthy
Mohammed Azim	Mohammed Idrees	Yvonne Mosquito
Kate Booth	Katherine Iroh	John O'Shea
Sir Albert Bore	Ziaul Islam	Robert Pocock
Nicky Brennan	Brigid Jones	Carl Rice
Marje Bridle	Nagina Kauser	Shafique Shah
Mick Brown	Mariam Khan	Sybil Spence
Tristan Chatfield	Narinder Kaur Kooner	Martin Straker Welds
Phil Davis	Chaman Lal	Saima Suleman
Diane Donaldson	Mary Locke	Sharon Thompson
Fred Grindrod	Majid Mahmood	Lisa Trickett
Paulette Hamilton	Zhor Malik	Ian Ward

Abstentions (1)

Julien Pritchard

The second amendment to the Motion in the names of Councillors Mariam Khan and Majid Mahmood having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

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

It was therefore-

19556

RESOLVED:-

This Council notes that:

- The Birmingham Transport Plan makes reference to antisocial parking on pavements or across dropped kerbs causing a serious hazard to pedestrians, especially those with sight loss, parents with pushchairs, wheelchair users, young children, those with movement disorders and other disabled people.
- Most pavements are not designed to take the full weight of vehicles, whether stationary or moving.
- Over time the pavement surface degrades and can subside which causes further issues for pedestrians as well as incurring costly repairs that could take up to six months to complete.
- Action to tackle antisocial pavement parking in the City is problematic because of the current legislation which can be confusing with limited legal remedies available to tackle nuisance parking.

- A key part of the Council's green, post-Covid recovery is to encourage more residents to choose active travel, such as walking, so it is vital pavements remain accessible for everyone.
- In many neighbourhoods, there has been considerable disruption to pavement integrity with heavy HGV's driving on and off in order to deliver commercial skips.
- Skips that are placed on private drives do not incur the £30 charge levied for placing a skip on the highway, in spite of the risk of damage to the pavement as skips on private land do not have to be licensed.

This Council resolves to:

- Encourage local members to identify streets within their ward where nuisance or antisocial parking occurs and to report them to the relevant council officers.
- Work with the West Midlands Police to take into account any new powers that the Government makes available to local authorities as a result of the national consultation on managing pavement parking.
- Encourage residents to report instances of parking across dropped kerbs to the Council so that Traffic Wardens are able to take appropriate enforcement actions, and continue to support the regular patrols that are undertaken by the Traffic Wardens.

The meeting ended at 1907 hours.

APPENDIX

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

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR DARIUS SANDHU

A1 Directors/Trustees – Social Housing

Question:

Please provide a record of all Councillors or Council employees who are Directors or Trustees of social housing organisations. In each case please specify the name of the company and whether these are council appointed or declared interests

Answer:

As previously advised, although staff are encouraged to share such information, it is not a contractual requirement and is therefore not recorded in a central database.

Information on interests of Elected Members is available on the website and Council appointments are also available on the website under the CMIS system.

If Councillor Huxtable has a specific query about a specific officer, Elected Member or housing organisation, please let me know and I will ask officers to provide the necessary information.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR DOMINIC STANFORD**

A2 A10 September – Press

Question:

Your answer to Question A10 from September 2021 stated why the press office might seek to secure a retraction or deletion from the press. The question was how many times, with you as Leader, has this happened. Please answer this question

Answer:

As previously noted, the press office may advise reporters as to any factual or legal inaccuracies/concerns, as happens across all administrations, councils and governments. Any decision about the removal, amendment or clarification of a news article is entirely a matter for the news organisation's editorial leadership and therefore the answer to the question is 'none'.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR EDDIE FREEMAN**

A3 S106 Ward Summaries

Question:

Please provide a copy of the last 3 S106 6 monthly summaries sent to Ward members for *all* wards.

Answer:

Please find attached the last 3 S106 summaries.

(NB: 3 Zip files containing the summaries are saved in

Council Regulatory Team folder - City Council/Questions/Written Questions/2021-2022/2 November 2021/Answers 02112021)

Due to the pandemic the summaries were not produced for a period but they are now back on track.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR BOB BEAUCHAMP**

**A4 Follow up to A22 from September Questions - Report of Joint Officer
and Cabinet Member, DPS Strategy and Award, 24 December 2019”**

Question:

**Please provide an answer to question A22 from September Questions, which was
promised by the end of September, so that it may be published here in full.**

Answer:

The decision referred to, dealing with the Home to School contract award, was an officer decision taken on 23 December 2019 and received all necessary internal approvals. A Cabinet Member/Chief Officer decision taken on 16 August 2019 gives delegated authority for that officer decision. Unfortunately, it was incorrectly referenced in the March 2021 Cabinet report.

The Cabinet Member/Chief Officer decision taken on 16th August 2019 was correctly posted.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
JON HUNT**

A5 Investment in Green Infrastructure

Question:

It is understood up to 660,000 jobs will be at serious risk if the UK continues to fall behind other countries in the amount it invests in green infrastructure and jobs, according to a recent report by the TUC. Could the Leader outline the council's plans to improve investment in this area to secure local jobs?

Answer:

Our Future City Plan outlines a template for major change in our city. One of the themes within the document is City of Nature, this seeks to take a biophilic design approach, putting nature back at the very heart of the City. Residents, visitors and workers will be able to access safe and diverse green and open spaces within walking distance of their homes and workplaces. Whilst the focus of Our Future City Plan is the City Centre, the work of the Future Parks Accelerator is reviewing how we provide greenspace across the city, one of the outputs of the FPA will be a 25 year green space strategy for the city, providing the basis for investment in greenspaces, as well identifying alternative sources of funding to sustain parks.

The Covid 19 Economic Recovery Strategy places a great emphasis on green recovery and growth. The Ward End and Cole Valley Skills Hub is part of a wider masterplan for the area, the proposed green skills hub will consist of training and community facilities in existing facilities. The programme will expand skills and training opportunities, encompassing sector specific pathways, including digital and low carbon. The project is moving to the design stage and provides a specific example of green skills initiatives.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MORRIAM JAN

A6 Welcome Back Fund

Question:

In response to written question A27 on 14 September 2021, regarding Vacant Retail Spaces and the initiatives being taken to encourage business back into the City, the Leader responded saying ‘.. the Welcome Back Fund will also deliver deep cleaning and graffiti removal projects to ensure the City Centre remains a welcoming place to visit and shop ..’

Could the Leader give a full explanation confirming if the deep cleaning and graffiti removal projects mentioned above are in addition to the enhanced service now offered by the Council following the appointment of three new deep cleaning crews and new graffiti removal teams as part of the ‘Love your Streets’ project or is this a separate initiative, and if so how long will the project run and how much funding has been allocated to this function?

Answer:

The Welcome Back Fund encouraged areas to consider how they could be visually improved to draw footfall back to ‘the high street’ following multiple Covid-19 lockdowns. After consultation with BIDs and local centres, deep cleaning and graffiti removal was identified as a priority to enable this. The Council allocated £276,000 of Welcome Back Fund money towards a deep cleaning and graffiti removal project; following a tender process, work is now underway and the external supplier is delivering a programme of works across 24 locations in the city, to be completed by March 2022.

The Welcome Back Fund project is in addition to Love Your Streets.

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**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
DEBORAH HARRIES**

A7 Safety and Security

Question:

In light of the tragic death of Sir David Amess MP, what measures will be put in place to ensure members' safety and security?

Answer:

This is currently under consideration by the Members Development Steering Group which will report back shortly as what further measures can be introduced to support members. There will also be wider consultation with all Members to reflect individual circumstances.

In the meantime, steps have been taken to remind members of the current measures already in place which includes the following:

- Training provided on Lone Working and Personal Safety, Social Media and Cyber Security.
- Provision of personal alarms as required
- Simplified procedures for the reporting of incidents to the police
- Provision to enable members to withhold personal data.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR JULIEN PRITCHARD**

A8 Druids Heath Regeneration

Question:

What is the month by month plan for the Druids Heath regeneration, including any upcoming cabinet member or cabinet decisions?

Answer:

The Druids Heath Regeneration Project is anticipated to cover a time span up to 2030 and includes a number of workstreams, such as stakeholder engagement; capacity building; procurement; design; funding and investment strategy and delivery.

Following a reset of the project in 2021, a refreshed project board has been established to manage the project, and a report is proposed to be submitted to Cabinet on 14th December to seek approval to commence a wider master planning and investment strategy for the area. As a response to the community for a more holistic approach to the regeneration of Druids Heath to include housing, community, economic, social and sustainable opportunities.

The scale and stage of the project is such that the current project plan identifies key milestone dates. Subject to the approval of Cabinet to the proposed report, these milestones will then be broken down into a more detailed live programme document to provide month by month activities that will be regularly reviewed and updated.

The details of the full programme of regeneration activities will not be known until the conclusion of the master planning and investment strategy in 2022.

Workstream	Milestone	Actual Commencement	Target Commencement	Target Completion
Stakeholder engagement	Appointment of Pioneer Group	October 2021	-	Ongoing
	Planning for Real		*subject to master planning programme	*subject to master planning programme
Procurement	Design team and Professional services procurement.		December 2021	February 2022
	Developer partner procurement		December 2023	September 2024

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Workstream	Milestone	Actual Commencement	Target Commencement	Target Completion
	*subject to master planning and investment strategy			
Master planning and option viability	Appointment of full professional team		December 2021	February 2022
	Master planning		January 2022	May 2022
	Production of Option Investment Strategy		March 2022	May 2022
	Full Business Case Cabinet approval to regeneration approach			Spring 2022
Rehousing and Clearance	Current Rehousing for Vacant possession of Saxelby House and Kingswood House	April 2019		March 2022
		April 2020		March 2022
	Current Rehousing for Vacant possession of Barratts house (delayed start)	July 2021		August 2022
	Commence rehousing Hillcroft, and Brookpiece houses. *subject to resident consultation		Hillcroft: April 2022 Brookpiece: April 2023	March 2023 March 2024
Delivery	Identification of Early wins Development sites			November 2021
	Phased Construction programme *subject to outcome of master planning and investment strategy		2024	2030

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
ZAKER CHOUDHRY**

A9 Smishing

Question:

Reports of text message scams, referred to as ‘smishing’, have increased by almost 700 per cent in the first six months of 2021 with three times as many parcel scams as banking scams. Could the Cabinet Member explain what measures are being taken to protect our local citizens from this scam, explaining the role of trading standards in tackling this problem?

Answer:

“Smishing” or text fraud, where a scammer is trying to obtain personal details from the recipient is a national problem and is overseen by the Police and Action Fraud. Many of these scam texts have evolved and now are suggesting they are from delivery companies as the public’s shopping habits become more online and as the public become more aware of the bank scam texts through the warnings provided by the enforcement authorities.

Regular updates are provided to local Trading Standards Services, who warn residents through corporate and trading standards social media pages, such as Twitter, of the current text scam being circulated. This provides a timely and current reminder of the scam texts to delete. BCC’s Trading Standards Service also run regular #scamaware messages and #scamawareness weeks as a reminder to residents to be on the lookout for scam texts and circulate messages from organisations such as “friends against scams”. BCC’s Trading Standards can be followed on Twitter @bhamts .

The City Council’s service work closely with the national scam team who have been able to intercept post scams, where vulnerable residents have responded. In this instance officers visit the individual and contact family’s to advise and support these individuals to prevent further scams of this kind.

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE
COUNCIL FROM COUNCILLOR DEBBIE CLANCY**

B1 Complaints System

Question:

What are the costs of the new members complaints system, including a breakdown of amount spent on implementation, training, and operation?

Answer:

The November 2020 Overview & Scrutiny Report identified and examined 3 key areas to improve the experience of those using council services:

- Understanding current performance for the call-centre and Cllr enquiries and identify areas for improvement
- Explore service delivery in 3 areas to look at root causes and identify areas for improvement
- To investigate how member's enquiries are responded to; with a view of creating a new protocol

As a result, Birmingham City Council undertook a review of the end-to-end complaints and enquiries process (across all Directorates and with Members of the Council), identified issues and challenges with the current process and recommended solutions for potential improvements.

The outcome of this review was documented within "Complaints Process Review Recommendation Report" and agreed with the Council's Leadership Team in December 2020 to be implemented.

The total additional budget required to implement the revised complaints process and technical amendments to the existing system required a total of £1,334,795.00 broken down as follows:

Additional operational resources £1,194,545

Project Management Costs £89,000

Technology Costs £8,500

Training £20,000

Communication and engagement £10,000

Contingency £12,750 (Partly used for further training, customer satisfaction measure amendments and additional system development days)

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

B2 SEND Data Breaches

Question:

Please provide a copy of the report of lessons learnt from each of the SEND and Home to School Transport data breaches in the last 6 years?

Answer:

The current GDPR arrangements were introduced during 2018. The council's automated system on reporting breaches in accordance with GDPR was introduced in 2019. It is therefore only possible to give information on data breaches since GDPR was introduced.

Year	SEND	Travel Assist
2018 (from May)	2	4
2019 (from June)	1	2
2020	5	6
2021	4	13

Following consideration by the Data Protection Officer, none of the reported data breaches were considered to be of such high risk that they met the threshold for referral to the ICO.

ICO guidance sets out that in the event of any security incident, such as a data breach, the data controller (the Council) should investigate whether the breach was the result of human error or a systemic issue, and make recommendations for how such an occurrence can be prevented.

BCC has adopted a lessons learned approach in line with this guidance, and seeks to learn lessons from each individual case where a breach has occurred. As part of the assessment of the nature of a breach, we would consider whether preparing a lesson learned report is an appropriate response on a case by case basis.

Some examples of remedial actions include:

- Refresher data protection training being provided
- Ensuring that e-mails containing sensitive data are encrypted
- Support to officer concerned in terms of taking care when carrying sensitive data
- Complete all mandatory data protection training modules immediately
- Ensure new staff are fully aware of correct procedures in relation to file transfer

There is one report on lessons learnt which relates to the two data breaches this summer in Travel Assist. This is attached. The report indicates the reasons for not referring to the ICO, which is a test applied in all reported data breach cases, and action taken by the service.

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE
COUNCIL FROM COUNCILLOR ALEX YIP**

B3 Business Grants

Question:

How much of the different grants provided by Government to support businesses during the Covid Pandemic has not yet been distributed to Businesses (broken down by grant type and date of allocation to the council) Please include within this an indication of how much of this unpaid money is expected to be paid out still and how much has been, or is expected to be, returned to government?

Answer:

Business grant schemes with nationally set criteria

The table details below the various grant scheme payments administered by the Council where eligibility criteria and payment amounts were set by national government. For these schemes, the Council had no discretion to increase payment amounts to businesses, with all unspent monies having to be returned to the Department for Business, Energy & Industrial Strategy (BEIS) at the end of the payment period.

Grant Scheme	Grant Allocation	Spend	Returned funds	Date funds received
Small Business Grant Fund	231,576,000.00	140,124,651.00	-5,160,619.00	01/04/2020
Retail Hospitality and Leisure Grant Fund		76,670,900.00		01/04/2020
Local Authority Discretionary Grant Fund		9,619,830.00		01/04/2020
Christmas Support Scheme Wet Led Pubs	256,000.00	221,000.00	-35,000.00	18/12/2020

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Local Restrictions Support Grant (Open)	5,341,208.00	3,797,256.60	-1,543,951.40	13/11/2020
Local Restrictions Support Grant (Sector)	26,259,427.00	93,946.20		13/11/2020
Local Restrictions Support Grant (Closed)		4,979,644.64		18/12/2020
Local Restrictions Support Grant (Closed) Addendum: Tier 4		2,296,827.98		05/02/2021
Local Restrictions Support Grant (Closed) Addendum (November)		13,213,767.86	-5,675,240.32	05/02/2021
Local Restrictions Support Grant (Closed) Addendum: 5 January onwards- first six week payment	28,889,541.00	19,271,185.02	-9,618,355.98	15/01/2021
Closed Business Lockdown Payment	57,762,000.00	38,439,667.42	-19,322,332.58	15/01/2021
Local Restrictions Support Grant (Closed January 2021 onwards) 16 Feb - 31 Mar 2nd 6 week payment	30,265,233.00	20,576,776.70	-9,688,456.30	05/03/2021
Restart Grant Scheme	55,262,457.00	51,646,771.00	-3,615,686.00	06/04/2021

The Government mandated that:

- all of the earlier LRSG's had a closing date of 14th May 2021, with the exception of the Wet-led Pub grant which had a closing date of 31st March 2021;
- the closing date for the last LRSG was 30th June 2021; and

- 31st July 2021 was the last day for the Restart grants

The funds allocated to local authorities through these schemes were estimated amounts, based on current property descriptions on the Rating List – regardless of whether the current business in that property actually qualified for the grant. Estimates did not take into account the types of businesses operating in a particular sector or property, which businesses were trading on each qualifying date, any retrospective changes in occupation that we had not previously been made aware of, or any reliefs applied (e.g. vacant premises) that were no longer applicable. It was not expected that local authorities would spend 100% of their grant allocations, but that they would carry out an assessment against nationally set criteria and process payments only where businesses were found eligible, with all unspent funds returned to BEIS.

Business grant schemes with discretionary criteria

The Council was also provided with a discretionary fund to make payments where businesses did not meet the criteria for the LRSG. The Council spent 100% of its discretionary grant allocation in two rounds of grants:

- In Summer 2020, 1,700 businesses were supported with £10.4 million grants (received by the Council on 1st April 2020).
- Additional Restrictions Grants (ARG) scheme – initial funding received on 13th November 2020, and secondary funding received on 15th January 2021. Under the ARG scheme, Birmingham City Council made payments totalling £32,979,132, with grants allocated to 11,647 businesses.

As the Council had spent 100% of its discretionary grant allocation, it was awarded a top-up payment of an additional £7,012,510 (on 1st August 2021) under the ARG scheme. This funding is still being distributed, with two schemes currently in operation:

- ARG Discretionary Restart Fund – a sector specific one-off grant of £5,000 for businesses did not qualify for a Restart Grant.
- ARG Business Recovery Scheme – to provide Small to Medium-sized Enterprises (SMEs) with grant funding of between £5,000 to £50,000 towards projects which will drive business recovery and safeguard existing jobs.

Over 620 applications have been received and nearly £1.6 million has been spent or committed. We envisage that 100% of the additional £7,012,510 will be spent, meaning that no funds will be returned to the Government.

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM
COUNCILLOR ZAKER CHOUDHRY**

B4 Member Enquiries

Question:

Could the Deputy Leader of the Council give a clear explanation as to why there has been, in some cases, such an excessive delay in responding to member enquiries by Birmingham Feedback especially as they are not appearing to keep to their promised deadlines?

Answer:

The revised complaint and enquiry process has been fully live since the end of May 2021 and so we are five months into embedding a single system, dedicated teams embedded in each directorate, and a refreshed policy, as per the request from Scrutiny and members.

There are a handful of vacancies remaining which we are in the process of finalising recruitment for, and post launch we have seen at least a 28% increase in the volume of cases on top of inherited backlogs across most of the pre existing Directorate complaint teams. The complaint and enquiry teams are working hard to address the backlogs and improve performance. The Cabinet Member has been challenging officers on performance on a regular basis and this is a priority for improvement.

**WRITTEN QUESTION TO THE DEPUTY LEADER FROM COUNCILLOR
SIMON MORRALL**

B5 Social Housing

Question:

How much money has the Council paid to all the housing providers who the social housing regulator has raised concerns about the over last five years broken down by year?

Answer:

The information attached relates to Housing Benefit payments for the past five years including this financial year to 24th October 2021.

(NB: See Excel sheets document in Council Regulatory Team folder - City Council/Questions/Written Questions/2021-2022/2 November 2021/Answers 02112021/B5 summary of payments 010416-241021 LATEST)

It is worth noting not all of these payments will be supported/exempt accommodation. They are the Housing Benefit payments made to each RSL. These include supported and non-supported (general needs) accommodation which the relevant RSL may have.

The regulator may have stated concerns or issued judgements but the regulator has not removed the registered provider status. Whilst there maybe concerns around their governance or financial management, the Department of Work & Pensions' Housing Benefit regulations still mean the Council has to treat them as registered providers. The Benefit Service undertakes a review of any specific cases of concern. It has reclaimed Housing Benefit overpayments from some of these landlords where it has been proved:

- that insufficient care support or supervision is being provided;
- the citizen no longer requires the support;
- where inappropriate or potentially fraudulent claims have been made; or
- where the Council has not correctly notified of changes of circumstances.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR EDUCATION, SKILLS
AND CULTURE FROM COUNCILLOR JULIEN PRITCHARD**

C1 Secondary Schools – B30

Question:

What secondary schools are considered in catchment for postcode B30 3NX? And how long does it take to travel to these by public and active transport?

Answer:

Schools in Birmingham offer places in accordance with their admission arrangements and oversubscription criteria which are published on the council's website at www.birmingham.gov.uk/schooladmissions

Most schools include a distance criterion as part of their admission arrangements and do not operate fixed catchment areas.

Distances are measured in a straight line from a child's home address to an agreed point at the school using Ordnance Survey coordinates. Families wishing to find out the distance from their home to Birmingham schools for school admission purposes should contact Children's Services on 0121 303 1888 rather than rely on any distance measurements available online.

For the purpose of responding to this question, distances have been measured from one address within the central area of postcode B30 3NX to the 11 nearest secondary schools. It is important to note that the distances to schools will vary within postcode areas as they are measured from individual addresses.

As the schools do not operate fixed catchment areas, the table provides information on whether a place would have been offered from one address within the central area of postcode B30 3NX for September 2021 under the distance criterion, where relevant.

Public and active transport routes and approximate times were obtained from the National Express West Midlands Journey Planner <https://nxbus.co.uk/west-midlands/plan-your-journey>

School	Distance from an address within B30 3NX	Would a place have been offered under distance criterion when places for Sept 2021 were offered in March 2021?	Public and active transport
Kings Heath Boys' School	1831m	Yes. All applicants were offered places.	About 20 minutes (9 minute walk, no 18 bus then 4 minute walk)
Wheelers Lane Technology College	2162m	No. Last child offered a place lived 1928 metres from the school.	About 22 minutes (9 minute walk, no 18 bus then 8 minute walk)
King Edward VI Camp Hill School for Girls (grammar school)	2295m	N/A (all places offered to children who scored highly enough in the selective test)	About 18 minutes (10 minute walk, no 35 bus)
King Edward VI Camp Hill School for Boys (grammar school)	2295m	N/A (all places offered to children who scored highly enough in the selective test)	About 18 minutes (10 minute walk, no 35 bus)
Bishop Challoner Catholic College	2563m	N/A (all places offered to applicants applying under the faith criteria)	About 24 minutes (10 minute walk, no 35 bus, 4 minute walk)
Swanshurst School	2652m	Yes. Last child offered a place lived 2700m from the school.	About 32 minutes (9 minute walk, no 18 bus, 1 minute walk, no 2 bus, 5 minute walk)
Ark Kings Academy	2709m	Yes. All applicants were offered places.	About 21 minutes (10 minute walk, no 35 bus, 4 minute walk)
King's Norton Girls' School	2781m	No. Last child offered a place lived 2073m from the school.	About 28 minutes (10 minute walk, no 18 bus, 7 minute walk)
King's Norton Boys' School	3088m	No. Last child offered a place lived 2900m from the school.	About 23 minutes (10 minute walk, no 18 bus, 1 minute walk)
Selly Park Girls' School	3224m	Yes. Last child offered a place lived 5101m from the school.	About 35 minutes (10 minute walk, no 18 bus, no 45 bus, 1 minute walk)
St Thomas Aquinas Catholic School	3387m	Yes. All applicants were offered places.	About 30 minutes (10 minute walk, no 18 bus, no 49 bus, 1 minute walk)

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

D1 Inner Circle Consulting Ltd

Question:

Please provide details of the following three contracts

- **INDEPENDENT CHAIR CWG CAPITAL&EXEC BOARD, value £185k, signed on 4 September 2020**
- **PROG ADVICE&SUPPORT FULL BUSINESS CASES- value £1.2m, signed 12 March 2021**
- **BUSINESS CASES AND SUPPORT JAMIE OUNAN - value £500k, signed, 12 April 2021**

Awarded to INNER CIRCLE CONSULTING LTD

In each case please provide details of

- **The Procurement route followed**
- **A copy of any decision reports or briefing notes**
- **Which senior officers and/or cabinet members signed off the decision**
- **Which senior officers and/or cabinet members were consulted on the decision**
- **What outcomes were achieved against each contract, compared to stated objectives?**
- **Details of any declared officer/member interests in respect of this company and/or these decisions?**

Answer:

There has been insufficient time to compile all the information requested, specifically in respect of - *What outcomes were achieved against each contract, compared to stated objectives?* This is due to needing to assess whether any information may require redaction due to commercial confidentiality. Once this assessment has been completed and is legally compliant the relevant information will be circulated to all Members.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR BRUCE LINES**

D2 Inner Circle

Question:

Has Birmingham Council ever hired Inner Circle Consulting Ltd? if so, please attach copies of all decisions procuring them and details of spend?

Answer:

Yes.

There has been insufficient time to compile all the information requested. Once this assessment has been completed and is legally compliant the relevant information will be circulated to all Members.

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

D3 Council Posts

Question:

Broken down by job grade, how many Council posts are a) essential and b) casual car users under the allowance scheme?

Answer:

Below is information which indicates the number of BCC Corporate employees who have claimed car mileage since April 2021 broken down by grade. Please note that we no longer have essential or casual users, all the employees on this report will have been an Approved Car User at 45p per mile.

Row Labels	Count of Pers.No.
APTC	1
CASUAL9	9
COR	3
EP	1
EPSPA1	11
EPSPA3	1
GR1	3
GR2	101
GR3	112
GR4	253
GR5	117
GR6	27
GR7	4
LAH	4
MEMBER	3
SAI	1
SEPSPA3	1
SPOT	4
SSEPSPA2	1
SSEPSPA3	2
UPS	26
YC	3
Grand Total	688

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR CHARLOTTE HODIVALA**

D4 Council Posts

Question:

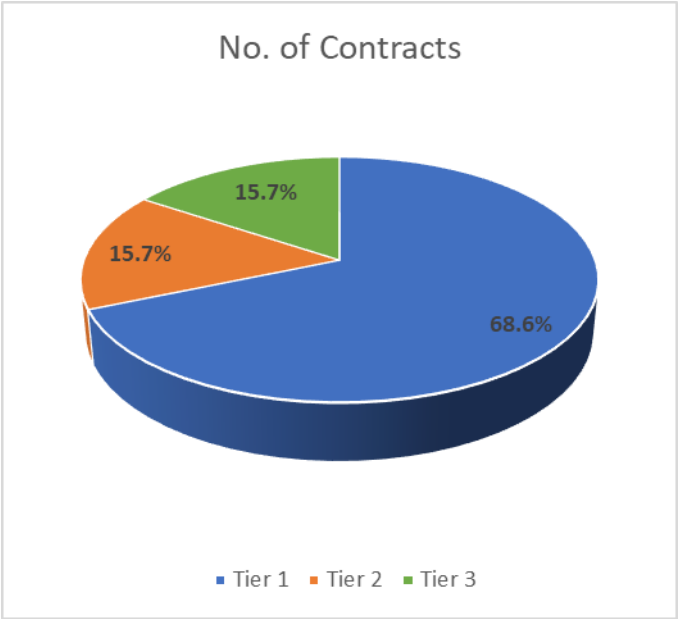
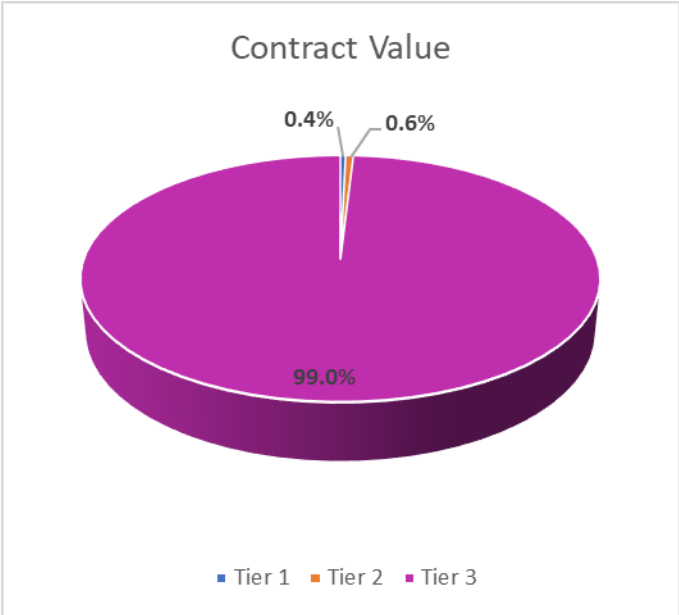
How many contracts fall below the 20% minimum social value that has just been introduced within the Business Charter for Social Responsibility?

Answer:

The revised social value policy changes the 3 tier application to a 2 tier system where the middle, light touch tier is replaced with the higher, full consideration application.

There are a limited number of historic instances in procurements over the threshold where less than 20% has been secured, this only happens in exceptional circumstances. It has not been possible to provide these in time for this response, however they will be circulated in due course.

A recent analysis of our current contracts (958 contracts) showed that only 0.4% of the contract values fall below the threshold of social value evaluation. However, this 0.4% represents 68.6% of the number of contracts. These contracts are not subject to social value assessment as the tendering and contract management resource would be disproportionate to the amount of social value obtained. The Social Value Act requires that the social value is proportionate to the size of the contract. The Council requires that all contracts, even those that are not subject to social value assessment, must apply the Living Wage policy which requires that all staff working on Council's contracts are paid the Real Living Wage according to the rules stipulated by the Living Wage Foundation. Additionally, contracts below the threshold are encouraged to support at least 1 project from the Match My Project portal [Match my project](#). The policy aims to obtain proportionate social value while keeping officer resource proportionate.



**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR TIMOTHY HUXTABLE**

D5 Apprenticeship Levy

Question:

How much apprenticeship levy has been unspent and returned to government, since its introduction?

Answer:

£5,123,581

The amount that has been return has been accumulated since the inception of the apprenticeship levy in 2017. Apprenticeship funds are taken out of our account 24months after they enter unless we utilise the full amount entered that month. To give an example of how it works. If we paid £12,000 annually, we would pay £1000 each month into the levy. An apprenticeship is paid for over the duration of apprenticeship. So, if an apprenticeship cost £12,000 and was for a duration of 2 years then we would pay £500 each month for the apprenticeship. To put into context, we pay £212,000 per month into the levy and an average apprenticeship costs about £10,000 over a duration over 2 years means we would pay about £416 per month for the apprenticeship. Meaning we would need to have 500 apprenticeships continuously on the go every month. When the levy was introduced, there wasn't the scope of apprenticeships available as there is now which limited the apprenticeships we initially accessed. Therefore, our initial uptake on the levy was slow but since the introduction of the Apprenticeship Pledge in 2020 we now have a strategic approach towards apprenticeships which has enabled us to utilise it as a succession planning, talent management and career development tool and continuously look to increase the number of apprenticeships starts each month by engaging with directorates to embed the principles of the Pledge.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR ADAM HIGGS**

D6 Apprenticeship Levy 2

Question:

By year since its introduction, please provide a breakdown of how the Apprenticeship Levy has been spent?

Answer:

Apprenticeship Data

We currently have 325 apprenticeships that are active, 157 apprenticeships that have completed, 96 apprenticeships that have withdrawn from the programme and 11 apprenticeships that are on a break in learning for various reasons.

Levy Data

Birmingham City Council to date 27th October 2021 has had a total levy amount of £5,326,002 since the levy started in 2017.

This is broken down to a yearly spend – see below table

Year	Spend
2017	£249,000
2018	£363,000
2019	£1,564,693
2020	£1,056,224
2021	£621,700

This brings the total to £3,854.617 which has been used from the levy funds.

Broken down into each level:

- Level 2: £336,400

- Level 3: £802,500
- Level 4: £769,000
- Level 5: £276,000
- Level 6: £720,900
- Level 7: £949,817

HR qualifications: 18 learners at a cost of £118,000

- 11 at Level 3 - £55,000
- 7 at Level 5 - £63,000

Social Care Qualifications: 82 learners at a cost of £ 425,500

- at Level 2 -£64,000
- 24 at Level 3 -£70,500
- 19 at Level 5 -£38,000
- 11 at Level 6 - £ 253,000

Teaching Qualifications and School Related qualifications: 63 learners at a cost of £341,500

- 4 at Level 2 -£8,000
- 35 at Level 3 -£140,500
- 12 at Level 4 -£72,000
- 12 at Level 6 -£121,000

Management qualifications: 127 learners at a cost of £1,577,524

- 4 at Level 3 - £20,000
- 37 at Level 4 - £196,000
- 19 at Level 5 - £135,000

- 16 Level 6 - £346,900
- 51 Level 7 - £879,624

Coaching Qualifications: 11 learners at a cost of £52,500

- 3 at Level 2 - £12,500
- 8 at Level 5 - £40,000

Accountancy and Account Related qualifications: 18 learners at a cost of £140,193

- 2 at Level 2 - £4,000
- 10 at Level 3 - £80,000
- 5 at Level 4 - £40,000
- 1 Level 7 - £16,193

IT and IT Related qualifications: 45 learners at a cost of £598,000

- 18 at Level 3 - £167,000
- 27 at Level 4 - £431,000

Housing qualifications: 9 learners which at a cost of £53,000

- 1 at Level 2 - £9,000
- 5 at Level 3 - £23,000
- 3 at Level 4 - £21,000

Business Administration and Customer Service-related qualifications: 72 learners at a cost of

- £235,000
- 47 at Level 2 - £112,000
- 25 at Level 3 - £123,000

Cooking qualifications: 19 learners at a cost of £74,900

- 2 at Level 2 - £6,900
- 17 at Level 3 - £68,000

Cleaning & Facilities Management qualifications: 82 learners at a cost of £124,000

- 80 at Level 2 - £120,000
- 2 at Level 3 - £4,000

Solicitor & Legal qualifications: 5 learners at a cost of £80,000

- 3 at Level 3 - £26,000
- 2 at Level 7 - £54,000
- 1 at Level 3 - £19,000 Laboratory technician
- 1 at Level 4 - £9,000 Commercial Procurement and Supply

The most popular qualifications were:

- Management qualifications with 127 learners at a cost of £1,577,524
- IT and IT Related qualifications with 45 learners at a cost of £598,000
- Social Care Qualifications with 82 learners at a cost of £ 425,500

Please see excel spreadsheet (attached in appendices) for a breakdown of all qualifications that were funded by the levy.



D6_Levy usage
report.xlsx

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR EDDIE FREEMAN**

D7 Outstanding Questions

Question:

In your answer to questions D1 and D7 at the September meeting, you promised details of both expiring contract and agency\interim staff used to cover suspended employees, would be circulated to Members ahead of the October meeting. Without a Council meeting in October, you have had additional time to complete this question. Please can you provide a full answer to both questions here rather than just circulating to Members, so that it is part of the public record

Answer:

I apologise but officers have advised that the detail required to collate and provide a complete response is taking longer than anticipated. I am assured by officers that this process is in hand and as soon as the information is collated I will ensure that it is shared with Elected Members.

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

D8 Contract Web services

Question:

In your answer to question D4 to September Council, you confirmed that a 3 month extension had been signed with Jadu for web services to cover the period 1 April 2021 – 30th June and a 4 year contract beginning on 1 July 2021. Please provide a copy of the decision record for both these contracts, including the date on which they were approved.

Answer:

The Jadu Web Services SCN was signed on 17th May 2021 and the Delegated Award was signed on 18th May 2021 under contract 4400008972, subsequently the contract was sealed on 20th May 2021.

We can confirm that there has been no break in the contract between 31st March 21 to the award date of 18th May 21 as support and maintenance was extending with JADU during the period.

The contract incorporates a comprehensive Data Processing Agreement which has strong provisions that protect resident's data according to both current DPA and GDPR regulations.

Decision records follow:-

City Council – 2 November 2021

BIRMINGHAM CITY COUNCIL

Delegated Award Report

Report to:	Director Digital and Customer Services
Report of:	Interim ICT Category Manager
Date of Decision:	17th May 2021
SUBJECT:	CONTRACT AWARD FOR JADU WEB SERVICES

1. Purpose of report:

- 1.1 To seek permission to award a contract for the provision of Web Services to Jadu Limited, for a 4 years period commencing 18th May 2021, for the estimated sum of £1.39M following the approval to enter into single contractor negotiations on 6th May 2021.

2. Decision(s) recommended:

That the Director Digital and Customer Services in conjunction with the Assistant Director, Development and Commercial, the Interim Chief Finance Officer (or their delegate) and the Acting City Solicitor (or their delegate):

- 2.1 Approves the award of a contract for the provision of Web Services to Jadu Limited Company) for a 4 years period commencing 18th May 2021 for the estimated sum of £1.39M.

Lead Contact Officer(s):	Sheraz Yaqub, Head of Online Service Delivery, Digital and Customer Services
Telephone No:	0121 675 9537
E-mail address:	Sheraz.Yaqub@birmingham.gov.uk

List of Appendices accompanying this Report (if any):

1. Single Contractor Negotiations Report, Jadu Web Services 23rd April 2021

3. Outcome of Negotiations

If this contract award is for a new service requirement please complete the following:

- 3.1 Approval to enter into single contractor negotiations was authorised on 6th May 2021 in the Single Contractor Negotiations Report (Jadu Web Services 23rd April 2021).
- 3.2 This contract has been included in the Planned Procurement Activities Report approved by Cabinet as part of the sounding out process on the 13th October 2020 for the value of £1.3M for the duration of 4 years.
- 3.2 After formal negotiations were completed with Jadu Limited, this report seeks approval to award a contract to Jadu Limited for the provision of Web Services.
- 3.3 The negotiation with Jadu was complex and took longer than anticipated, Jadu have completely changed their licence model for all customer and as such their equivalent G

Cloud pricing as a benchmark would have cost the Council £441,155 per annum excluding hosting.


- 3.4 The negotiations brought this back down to £249,555 excluding hosting, with the new negotiated cost the total contract value for 4 years including hosting is £1,384,179.
- 3.5 Jadu were unwilling to include break clause in years 3 and 4.
- 3.6 As the negotiations went beyond the expiry of the exiting contract with Jadu the Council were required by Jadu to place a temporary purchase order with Jadu on a pro-rated basis based upon the new contract pricing to keep the service running, this was for £20,499.25 and was approved by the Commercial Director.

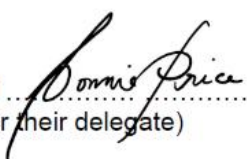
4. Financial Implications

- 4.1 Following negotiations with the Jadu Limited, it is estimated that spend over the contract period will be £1.39M. This will be funded from the Digital and Customer Services approved budget.

Recommendations Approved by:


Peter Bishop..... Date...18/05/21.....
Director of Digital and Customer Services


Alison Jarrett..... Date...18/5/21.....
Assistant Director, Development and Commercial (or their delegate)


Suzanne Dodd..... Date.....
City Solicitor (or their delegate)


Rebecca Hellard..... Date.....17/05/2021.....
Interim Chief Finance Officer



**BIRMINGHAM CITY COUNCIL
SINGLE CONTRACTOR NEGOTIATIONS REPORT**

Report to:	City Solicitor (or the Assistant Director, Legal) and the Chief Finance Officer (or the Assistant Director, Development & Commercial)
Report of:	Director, Digital and Customer Services
Date of Decision:	10th May 2021
SUBJECT:	Jadu – Web services Contract

1. Purpose and Decision(s) recommended:

That the City Solicitor (or the Assistant Director, Legal) and the Chief Finance Officer (or the Assistant Director, Development & Commercial):

- 1.1 Under Standing Order 2.5i, read with Regulation 32.2(b)(ii) of PCR 15, approves the commencement of single contractor negotiations and conclude the award of contract, by the Head of Online Service Delivery, with Jadu Limited for the provision of Website Services for the estimated sum of £1.3m over a period of 4 years, commencing 17th May 2021.

Lead Contact Officer:	Sheraz Yaqub, Head of Online Service Delivery, Digital and Customer Services
Telephone No:	0121 675 9537
E-mail address:	Sheraz.Yaqub@birmingham.gov.uk

2.	Relevant background/chronology of key events
2.1	Details of Requirement and Background
2.1.1	The Jadu contract currently delivers a number of digital solutions for Birmingham City Council.
2.1.2	The services it currently provides include an on-premise solution powering a number of websites operated by the Council which include Birmingham.gov.uk, Birmingham Children's Trust and the internal intranet. The content management system is designed to allow a fully developed platform to administer web sites on behalf of the Council including search, quality and chat capabilities to citizens and business in and outside of Birmingham. The Content Management system also has several microsites which have developed over time on behalf of the Council e.g. lord mayor's site, Adults safeguarding
2.1.3	The last 2 years has seen an increase in the usage of the Jadu Platform which has enhanced our digital capabilities. As part of the review of transactional services we have purchased additional cloud-based modules from Jadu which has enabled a simple "My Account" for customers allowing them to request services and track progress. Linked into this platform are a number of modules which allow us to create simple and complex forms with two-way line of business integration and simple case management. As part of the BRUM Account programme a full suite of online services has been developed integrating the local address database making it easier to identify customer addresses for the My Account and the request for service they are making. The solution also uses a world pay adaptor allowing customers to pay for services online for services like Green Waste, Council Tax, Business rates and council invoices.
2.1.4	The existing contract was due to end on the 6 th January 2021, however within the existing value of this contract there was the ability to extend the support period until 31 st March 2021.
2.1.5	Under the proposed new 4-year contract with Jadu, the intent is to look at the licencing model and usage and in addition move one further instance of the Jadu solution into hosting provided by Jadu
2.2	Benefits Appraisal:
	The following are the key benefits that result from the single contractor negotiations:
2.2.1	Continuity of service – the award of this contract will ensure operational continuity of the Councils Birmingham.gov.uk website, Birmingham Children's Trust and intranet website.

2.3 Options Appraisal

2.3.1 Alternative Options

- **Compete the service through an Open tender or Framework** – This is not an option. The service requirement can only be delivered by Jadu Limited due to the use of proprietary software used in the Councils website services.
- **Do nothing** – This is not an option. Doing nothing would leave the Council without a support and maintenance provider for the Council website service provision.

2.3.2 Future Options

The continued need for a new website service provider will be monitored and as such will implement contract/market reviews over shorter periods to keep up with changing technologies with a view to running a full market tender during the contract period.

2.4 Consultation

2.4.1 This contract had been included in the Planned Procurement Activities Report approved by Cabinet as part of the sounding out process on the 13th October 2020 for the value of £0.325m per annum.

2.4.2 Officers from Finance, Procurement and Legal and Governance have been involved in the preparation of this report.

3. Justification for Single Contractor Negotiations:

3.1 Jadu is an existing supplier where various projects and development work are on-going. The Council intends to enter into this contract under Standing Order 2.5i read with Regulation 32.2 (b) (ii) as competition is absent due to technical reasons. The Software used is proprietary - Jadu own the specific software used to provide the service and are the only organisation that can maintain, operate and upgrade the software.

4. Financial and Legal Implications
4.1 Financial Implications
4.1.1 The estimated cost of the services is £0.325m per annum (£1.3m over the 4-year period of the proposed contract. This has been estimated based on G Cloud pricing.
4.1.2 The financial negotiations will be undertaken within the following specific commercial and financial parameters: <ul style="list-style-type: none">• Pricing will be itemised and linked to usage via a licence model agreed with Jadu
4.1.3 The contract will be funded from the customer services budget which is due to be transferred to ICTD in due course.
4.1.4 The exact cost will be confirmed at Contract Award stage and recorded at the end of this report, including confirmation that cost remain within the budget envelope.
4.2 Legal Powers and Implications
4.2.1 Under S111 Local Government Act 1972 the Council has power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions and therefore has a general power to enter into contracts for the discharge of any of its functions
4.2.2 Regulation 32 (b) of the Public Contracts Regulations allows for the direct award of a contract where competition is absent for technical reasons. Jadu own the specific software used to provide the service and are the only organisation that can maintain, operate and upgrade the software.
5. Compliance Issues
5.1 There is no statutory duty to provide this service, however there is a need to provide digital solutions online, the technology facilitates self-service allowing the citizen to obtain information, advice and guidance at their convenience 24/7. The solution also allows customers to complete online requests for services 24/7 with updates on progress on when the service will be delivered allowing channel shift and having an alternative communication channel with the Council away from the traditional telephone channels.
6. Public Sector Equality Duty
6.1 Entering into single contractor negotiation and concluding the award of this contract does not revise, amend or review Council policies of functions and therefore an Equality Impact Needs Assessment is not required.

City Council – 2 November 2021

Formal authority to proceed with negotiations:

Signature



Date 10 May 2021

Rebecca Hellard

Interim Chief Finance Officer

Suzanne Dodd

City Solicitor.....11/05/2021.....



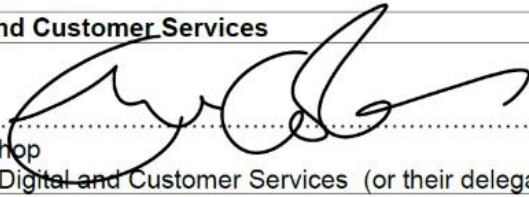
Digital and Customer Services

Date

pp.....13/05/21.....

Peter Bishop

Director, Digital and Customer Services (or their delegate)



Please note: that on conclusion of the negotiations the final contract value needs to be confirmed below and authorised by Finance Business Partner.

Formal approval to award a contract to Jadu Limited for the sum of: £1.3m

Signature.....

Rebecca Hellard

Interim Chief Finance Officer (or their delegate)



Date...17/05/2021.....

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR ALEX YIP**

D9 DPS Contracts

Question:

In September written questions (D14), you confirmed that an internal investigation was underway to understand why signed copies of the contract with North Birmingham Travel were not properly captured until June 2021 despite allegedly being agreed in January 2020. The variation to the contract, which was a requirement of safeguarding failings in council checks resulting from the audit was also late to be signed compared to other organisations. Please provide a copy of that investigation.

Answer:

The review was more informal between and across the necessary Directorates and Services areas, in particular Commissioning and Corporate Procurement Service than a formal investigation, and as such no formal review document exists.

In respect of the informal review and discussions it was more an issue of lack of clarity on respective roles and responsibilities as to uploading of contracts between the different Service areas.

Further work is ongoing as part of the Corporate Procurement Service Target Operating Model improvement plan to help better define “service offer” and respective roles and responsibilities with Service areas across the Council, which should further aid robust practice and help to avoid similar administrative errors.

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR MIKE WARD

D10 Levelling Up

Question:

There have been reports the Levelling Up Fund promised by Government has not been distributed to Local Authorities seven months on, could the Cabinet Member confirm whether Birmingham has received its allocated funding?

Answer:

Applications for the £4.8bn Levelling Up Fund were submitted in June 2021 as directed by the MHCLG (now Dept for Levelling Up, Housing and Communities), announcements on the success of bids was set for the date of the Spending Review, 27 October 2021.

Announcement in the 2021 Spending Review:

Birmingham	Dudley Road (A457 Dudley Road Improvement Scheme)	£19,941,000.00
Birmingham	Wheels Site Remediation	£17,145,000.00
Birmingham	Moseley Road Baths	£15,539,000.00

The Council's fourth bid, Erdington High St Regeneration Scheme bid for £13,025,813 was unsuccessful.

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

D11 Household Support Funds

Question:

It has been announced the Government will be putting £500m into new Household Support Funds which will be distributed by the Council to help local families who are struggling with living costs. Could the Cabinet Member provide details of this scheme and confirm how much of this funding has actually been allocated to the City?

Answer:

The indicative allocation to Birmingham is £12.791m, which represents around 2.6% of the national allocation for the Household Support Fund. The grant will cover the period from 6 October 2021 to 31 March 2022. The grant will be paid to Birmingham in arrears, once it has completed the necessary statement on grant usage and management information for Government.

The grant can be used for the following purposes:

- Supporting households in need with food and utility bills
- Supporting households with essential costs
- In exceptional cases of genuine emergency, it can additionally be used to support housing costs where existing housing support schemes do not meet this exceptional need.
- Scheme administration costs

The grant guidance indicates that at least 50% of the grant must be spent on families with children, that is those aged under 19 as at 31 March 2022 or those aged 19 or over in respect of whom a child-related benefit is paid or free school meals are provided during the grant period.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR JON HUNT

E1 Adult Social Care

Question:

It has been reported nearly 300,000 people are on council “waiting lists” for adult social care services in England because of funding pressures and delays in assessments from social workers. Could the Cabinet Member give details of how the social care levy has been deployed to tackle unmet need in social care in Birmingham?

Answer:

The Council uses funds from the Adult Social Care levy, Better Care Fund and Council general funds to meet four main objectives:

1. Assessing, supporting and providing care to those who have a statutory social care need;
2. Promoting community assets which foster prevention and independence;
3. Encouraging a stable and sustainable care market; and
4. Ensuring flow from hospital into social care after discharge.

The first three of these objectives ensure that all need is met either through statutory or community support. The approach ensures we intervene early and support citizens before their needs result in them becoming reliant on the paid for services. By focussing, with partners and internal functions, on information and advice, social prescribing and signposting, we are ensuring that any contact that identifies possible need is directed to our front door for a primary conversation.

Each 1% increase in the Council Tax Precept raises just under £4m, while the annual increase in the Adult Social Care expenditure budget has been between £20m and £30m a year for the last 3 years, showing the direct use of the precept on the four objectives above.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND
NEIGHBOURHOODS FROM COUNCILLOR MEIRION JENKINS**

F1 Private Rented Sector

Question:

For each Ward, what is the percentage of housing in the private rented sector?

Answer:

The best available information is set out in the table below. The national average is 19%.

Ward	Percentage of private rented accommodation
Acocks Green	26.0
Alum Rock	24.00
Balsall Heath West	23.59
Billesley	15.46
Bordesley Green	28.67
Brandwood & Kings Heath	21.24
Bournville & Cotteridge	19.05
Castle Vale	12.77
Edgbaston	25.51
Frankley Great Park	10.27
Glebe Farm & Tile Cross	17.59
Hall Green North	20.37
Handsworth	27.07
Harborne	29.77
Highters Heath	15.33
Kings Norton North	12.03
Kingstanding	17.74
Ladywood	38.63

Ward	Percentage of private rented accommodation
Allens Cross	12.28
Aston	25.67
Bartley Green	11.09
Birchfield	25.52
Bordesley & Highgate	31.82
Bournbrook & Selly Park	49.28
Bromford & Hodge Hill	15.66
Druids Heath & Monyhull	11.98
Erdington	25.16
Garretts Green	12.44
Gravelly Hill	34.13
Hall Green South	19.0
Handsworth Wood	23.87
Heartlands	25.36
Holyhead	34.26
Kings Norton South	10.07
Longbridge & West Heath	14.44
Lozells	20.15

City Council – 2 November 2021

Ward	Percentage of private rented accommodation
Moseley	35.54
Newtown	12.63
Northfield	15.45
Perry Barr	21.61
Pype Hayes	17.05
Rubery & Rednal	14.62
Sheldon	14.65
Soho & Jewellery Quarter	40.11
Sparkbrook & Balsall Heath	29.27
Stirchley	25.64
Sutton Four Oaks	13.56
Sutton Reddicap	14.05
Sutton Trinity	22.39
Sutton Walmley & Minworth	13.12
Tyseley & Hay Mills	27.09
Weoley & Selly Oak	19.64
Yardley West & Stechford	21.33

Ward	Percentage of private rented accommodation
Nechells	9.13
North Edgbaston	47.47
Oscott	18.97
Perry Common	14.10
Quinton	16.40
Shard End	10.29
Small Heath	30.66
South Yardley	22.98
Sparkhill	34.77
Stockland Green	28.97
Sutton Mere Green	11.65
Sutton Roughley	11.94
Sutton Vesey	14.99
Sutton Wylde Green	14.87
Ward End	25.24
Yardley East	15.29

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND
NEIGHBOURHOODS FROM COUNCILLOR JON HUNT**

F2 Selective Licensing

Question:

The Council's consultation on extending selective licensing to 25 wards, launched last week, explicitly states that selective licensing will not be applied to HMOs. Given that HMOs are associated with many of the antisocial behaviour complaints in the private rented sector, could the Cabinet Member explain why they are being exempt from selective licensing?

Answer:

HMOs that fulfil the requirements for mandatory licensing will continue to require a licence and hence will not be covered by any proposed Selective Licensing Scheme as they are specifically excluded. However, properties that are HMOs but do not fulfil the requirements for a mandatory licensing scheme will be captured by the Selective Licensing Scheme unless exempt and supported accommodation.

It is accepted that the wording in the evidence report is ambiguous on this matter and we will be adding clarification to the BeHeard website on this and at any consultation event.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND
NEIGHBOURHOODS FROM COUNCILLOR BOB BEAUCHAMP**

F3 Complaints – Reliant Housing

Question:

On what date did the Council first receive a complaint about Reliance Housing?

Answer:

The first complaint was received by an Exempt Accommodation Officer on 18 September 2020. The complaint related to ASB and rubbish. This was investigated and resolved.

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

F4 Number of Complaints – Reliant Housing

Question:

How many complaints has the Council received about Reliance Housing since 2012, by year?

Answer: The council only started collating data about specific non-commissioned providers at the start of the current oversight pilot in November 2020. Since then the number of complaints received about reliance are detailed below. It should however be acknowledged that this particular provider has the largest number of units in the city at approx. 7580 units

2020/2021 133 Complaints

2021 – date 167 complaints

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND
NEIGHBOURHOODS FROM COUNCILLOR MAUREEN CORNISH**

F5 Referrals

Question:

How many referrals has the Council made to the Regulator of Social Housing regarding Reliance Housing?

Answer:

Whilst no formal referrals have been made on specific cases, general concerns in regard to the issues about large providers like Reliance have been raised and discussed with the regulator of social housing. Following the evaluation of the pilot we will be providing the regulator along with DLUHC the evidence gathered during the course of the pilot.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND
NEIGHBOURHOODS FROM COUNCILLOR TIMOTHY HUXTABLE**

F6 Action Taken

Question:

What action has the Council taken against Reliance Housing since 2012?

Under the current regulatory regime, the council is limited in regard to formal action it can take against Exempt providers. The only powers exist within the loose Housing Benefit regulations. However, during the course of the pilot which brought together a range of council services, we have undertaken targeted review and inspection activity for Reliance which has identified:

- 77 Individual reviews completed (a review can be property based or person based and will be a review of the support and/or residency)
- 18 individual reviews currently ongoing.

Of the 77 completed reviews relating to 371 individual residents, Housing Benefit Overpayments of £300,435.80 have been identified and recovered.

The pilot has enabled us to undertake 300 joint visits to Reliance properties with officers from Community Safety Team and Adult Social Care when complaints have been received.

Specifically, in relation to the Community Safety element of the pilot, the Community Safety team have concluded 103 investigations into properties that are connected to Reliance, which have resulted in various different outcomes, including but not exhaustive to, advice being given, Community Protection Warnings (CPWs) issued, eviction of tenants (through joint working with the Registered Provider and their agents).

Our inspection team, in responding to complaints, have worked with Reliance Social Housing to improve property standards where hazards have been identified. Where anti-social behaviour has been a problem we have reiterated the Consumer Standards to be adhered to and resolved the vast majority of these complaints through informal intervention.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND
NEIGHBOURHOODS FROM COUNCILLOR JULIEN PRITCHARD**

F7 Housing Repairs

Question:

What percentage of council housing repairs are being completed within the contracted 30 day timescale in 2021, broken down by month, by ward, and by contractor? And how does this compare with the previous 3 years?

Answer:

The attached excel document shows the percentage of housing repairs completed within the contracted 30 day timescale for 2019, 2020 and 2021.

Where the ward information is not held in our system the performance for those wards has been listed as not recorded. Some wards are shared by more than one contractor with the majority of the ward being covered by one contractor and a smaller area being covered by another contractor resulting in less repairs for this contractor over the period and sometimes resulting in no repairs being carried out by that contractor in the area for several months.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND
NEIGHBOURHOODS FROM COUNCILLOR MATT BENNETT**

F8 Exempt accommodation referrals

Question:

Please list all Exempt Accommodation Providers the Council has placed in or referred to any individual since 2018 including the total number of individuals for each provider?

Answer:

The current list of providers referred to by Council staff are below, this list was created prior to the recent work on quality standards coming instead through ongoing working experience of staff engaged with providers over a number of years:

Acorn Progression
Amber Housing
Aspect Housing
Birmingham Supported Accommodation
Claremont
Enable Housing
Expectations/Aston Hotel
Haadi Housing
Harmony Housing
M and M Housing
MK Housing
Provident
Restart Housing
St Anne's Hostel
Townsend Gardens

There is not a data set stating the number of referrals into exempt accommodation, nor a breakdown by provider.

The level of activity through the council in working with single homeless people (the group most likely to go into exempt accommodation) increased as a result of the Homelessness Reduction Act, and particularly with the delivery of a Housing Options service for rough sleepers and single homeless in partnership with voluntary sector partners including Sifa-Fireside, St Basil's and Spring.

A data set for the pandemic period 31st March 2020 through to 31st March 2021 of single homeless presentations to Housing Options staff at Sifa-Fireside, saw 1983 Clients. Of those we placed 514 people (26%) into exempt supported accommodation, this is not broken down by provider.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL INCLUSION,
COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR MIKE WARD**

G1 Afghan Refugees

Question:

Could the Cabinet Member provide an update on how the City intends to assist Afghan refugees coming to Birmingham?

Answer:

In July this year, Cabinet pledged to welcome 80 Afghans under the Afghan Relocation & Assistance Policy (/Afghan Interpreters Scheme). Over 60 of those have now arrived in the city and officers are working hard to coordinate the arrivals of the remaining families.

Cabinet will shortly consider making a formal pledge to welcome more Afghan refugees to the city under the new Afghan Citizens Resettlement Scheme.

Birmingham City Council has been resettling refugees under Government programmes since 2015 and has an established track record in designing and delivering services to support integration.

For those Afghans arriving to date, a “Year 1 Accommodation, Orientation & Support” service has been procured. The providers of this service help to coordinate arrivals, welcome families to their homes and local areas, and provide vital practical support over the first year of resettlement. Working with our main provider, a number of organisations are involved in the co-delivery and support of this service and it is well established within the wider provision in the city for this client group.

In addition, BCC has established a working group for Afghan resettlement, including representatives from Afghan community organisations, in order to inform future planning for supporting this cohort.

Finally, several existing grant funded projects initiated to support the resettlement of Syrian refugees are incorporating the new Afghan arrivals in their activities, where feasible and appropriate. Subject to a formal pledge from Cabinet to the Afghan Citizens Resettlement Scheme, further commissioning of services will take place in line with the current year 2+ offer for Syrian Refugees, which currently includes welfare & tenancy support, social & civic integration, mental health awareness, and employability as dedicated services. All services, projects, and staff resource dedicated to resettled refugees in the city are 100% funded through the Home Office resettlement funding for local authorities that accompanies refugee resettlement programmes.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR MEIRION JENKINS**

H1 Location of Bins

Question:

Please provide a map of the location of bins in Mulberry Walk Shopping Centre in Mere Green, indicating which of these bins are owned and operated by the City Council and which are owned by the site owner and how often of each the individual Council operated ones are emptied?

Answer:

We do not have this information available in map form. However we can confirm that the City Council does not empty any bins within Mulberry Walk Shopping Centre. The maintenance of the Shopping Centre is managed and maintained by the owners.

WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND PARKS FROM COUNCILLOR PAUL TILSLEY

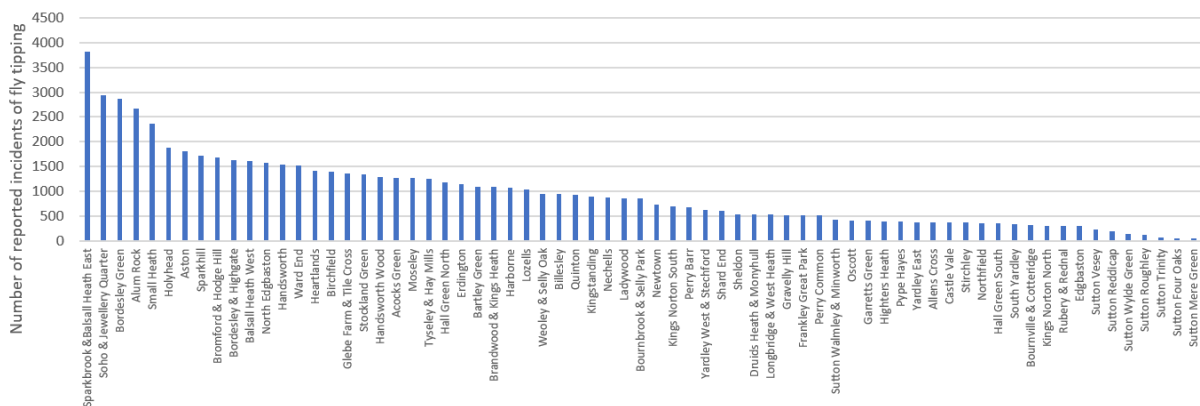
H2 Fly Tipping

Question:

Starting with the areas that have the highest instances of recorded fly tipping, could the Cabinet Member rank all wards in the City?

Answer:

The ranking of wards for reports of fly-tipping for the time period 1 January 2020 to date is shown in the chart below:



**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR ZAKER CHOUDHRY**

H3 Mobile Household Recycling Centre

Question:

Currently the Mobile Household Recycling Centre is visiting wards for 5 hours a day from 7am to 12 noon. As there may be residents who are unavailable during these times and would otherwise miss the visit, could the Cabinet Member advise if there are plans to extend these times?

Answer:

We are trialling a change of time from 0800-1300 for some sites in November and are shortly launching a citizen survey to identify what other timeslots may be convenient.

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**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR JON HUNT**

H4 Emptying Recycling Units

Question:

Data supplied to the last Council meeting appeared to indicate that mobile recycling units have on occasion visited wards and returned with no recycling or rubbish for disposal. Could the cabinet member say how often this has happened, indicating in which wards this has been an issue?

Answer:

The data supplied at the last meeting did note that the MHRC vehicle is not always tipped on a daily basis. This is due to the fact that the vehicles are multi compartmental and can hold a substantial payload, so any waste presented at the local Ward locations may not be tipped on the same day due to the load capacity of the vehicle. This would identify any gaps in the tipping data.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR JULIEN PRITCHARD**

H5 Increased Recycling

Question:

Does the Council have a current plan to improve and increase recycling in the city to show what needs to be done to increase the proportion of council collected waste to achieve 70 per cent recycling by 2040, as promised in the 2017 Waste Strategy? If so what is it?

Answer:

The Council has engaged specialist consultants as part of the transformation of waste disposal in the city and that group is working with stakeholders to help to define what the best options are to assist Birmingham in meeting its target by 2040. We are currently working with central government and have engaged with the consultation to develop the Environment Bill, specifically around consistency of collections which will have a significant impact on the types of waste that flow into the council. We are awaiting further update from government on this and details of how these changes will be implemented, as well as the support that they have promised to local authorities to enable effective implementation.

We have already identified the need to improve our communication with citizens of Birmingham and their knowledge of the waste hierarchy. To this end we have updated and improved the Birmingham City Council waste webpages to give people a clearer picture of what happens to their materials and the importance of presenting their materials in the correct way. Further work in this area includes the new initiatives recently announced with Keep Britain Tidy in developing a series of leaflets, bin stickers and a document which informs residents what is expected of them, along with targeted media campaigns.

The Council regularly looks at ways in which we can support residents in moving waste up the waste hierarchy. We are currently trialling Mobile Household Recycling Centres (MHRCs) across the city. These MHRCs enable people to drop off waste for recycling by material type – just like at a conventional HRC but it makes it easier for those without access to a vehicle.

The new Reuse Shop at Tyseley was launched in August 2021. Residents can drop off items they believe are still in good working condition and suitable for reuse. Those unwanted and usable items will be taken and refurbished to sell back to members of the public, which diverts waste which would have otherwise been processed through the ERF or landfill.

The service is keen to work with residents to look at how we collect waste and increase our recycling. During the external assessment undertaken as part of ways to improve our Refuse and Recycling Collection Services, stakeholders, including residents were consulted with and findings are being used to shape initiatives going forward.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR ROGER HARMER**

H6 Food Waste

Question:

Why do Mobile Household Recycling Centre's currently have no provision for recycling food waste when they clearly have the ability to do so?

Answer:

The vehicles have compartments to support the collection of a range of materials including food waste, but these can be repurposed as we require. BCC does not currently separate food waste as we do not have access to the alternative treatment facilities required at present. However, introduction of food waste collections is currently being proposed within government legislation and should this be enacted then treatment facilities would need to be commissioned.

It remains an ambition to introduce food waste collections, but we have been clear that this significant change for the city would require financial support from the government to enable this transition.

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

H7 Mobile Household Recycling Centre

Question:

Could the Cabinet Member provide members with a comprehensive advance list of dates and locations of when Mobile Household Recycling Centre will be visiting their wards?

Answer:

As Members have already been advised, the dates and locations will be forwarded to the relevant ward Councillors in good time of the visit to their wards.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR MORRIAM JAN**

H8 Mobile Household Recycling Centre 2

Question:

Could the Cabinet Member explain why members have been asked for their suggestions as to suitable locations for the Mobile Household Recycling Centre in their ward, only for notifications to be issued the next day with no regard to members recommendations?

Answer:

Suggestions for future locations are carefully assessed for suitability – in particular, we have to be sure that they are sited safely for our workforce, residents and passers-by. Locations are currently being planned around two-three weeks in advance. If suitable, suggested locations will be included in future schedules as they are planned.

CITY COUNCIL – 2 NOVEMBER 2021

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

I1 Appeals – Fixed Penalty Notices

Question:

Please provide a breakdown of all appeals against fixed penalty notices for the clean air zone since its introduction including

- total number received
- total number determined
- average time to determine
- longest time to determine
- number outstanding
- longest any one undetermined appeal has been open for
- number of FPNs overturned on appeal

Answer:

Definitions:

1. Fixed Penalty Notices – we have provided information based on Penalty Charge Notices.
 2. Appeals – we have provided information based on representations against Penalty Charge Notices as opposed to “Appeals” which are submitted to the Traffic Penalty Tribunal.
- total number received – 37,337, including representations re. change of ownership (represents 9.5% of total Penalty Charge Notices issued)
 - total number determined – 21,539
 - average time to determine- this information is not held as often cases require further information to be supplied and they pass through various processes
 - longest time to determine – as above, this information is not held
 - number outstanding – 15,798 including representations regarding change of ownership

City Council – 2 November 2021

- longest any one undetermined appeal has been open for – as above, this information is not held
- number of FPNs overturned on appeal – 3,252 so far

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND
ENVIRONMENT FROM COUNCILLOR MATT BENNETT**

I2 Charges Cancelled

Question:

Since the introduction of the Clean Air Zone, how many charges have been cancelled due to production of an exemption voucher from the children's hospital or other qualifying medical facility inside the zone?

Answer:

To date 11,987 medical vouchers have been used and 22 representations against a PCN have been cancelled.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR JOHN LINES

I3 Charges

Question:

Since the introduction of the Clean Air Zone, how many appeals have been received from people who believed they should be exempt due to visiting the children's hospital or other medical facility inside the zone and how many of these were from people who were stated they were not made aware of the voucher scheme?

Answer:

Definitions:

- 3. Appeals – we have provided information based on representations against Penalty Charge Notices as opposed to “Appeals” which are submitted to the Traffic Penalty Tribunal.**
- To date 22 cases have been cancelled.**
 - With regard to how many of these were from people who stated they were not made aware of the voucher scheme, this information is not recorded. However, we can confirm that 11,987 medical vouchers have been used since the introduction of the Clean Air Zone.**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND
ENVIRONMENT FROM COUNCILLOR ALEX YIP**

I4 Appeals

Question:

How many appeals against Clean Air Zone fines have been based on the individual not having visited the City at all?

Answer:

The information requested is not recorded.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR EWAN MACKEY

I5 Appeals 2

Question:

How many appeals against Clean Air Zone fines has the Council received from its own Departments?

Answer:

Definitions:

1. Appeals – we have provided information based on representations against Penalty Charge Notices as opposed to “Appeals” which are submitted to the Traffic Penalty Tribunal.

In order to respond to this question, we would need to conduct a search based on the individual addresses. As addresses are obtained from the DVLA, we would need to obtain their permission as they provide us with this data for the specific sole purpose of recovery of Penalty Charge Notices in accordance with the statutory process. In addition, we would need to contact each Department for this information.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR SIMON MORRALL

I6 Appeals 3

Question:

How many appeals against Clean Air Zone fines has the Council received from emergency services?

Answer:

Definitions:

1. Appeals – we have provided information based on representations against Penalty Charge Notices as opposed to “Appeals” which are submitted to the Traffic Penalty Tribunal.

In order to respond to this question, we would need to conduct a search based on the individual addresses of the relevant emergency service. As addresses are obtained from the DVLA, we would need to obtain their permission as they provide us with this data for the specific sole purpose of recovery of Penalty Charge Notices in accordance with the statutory process. In addition, we would need the permission from each of the emergency services that may be identified.

It is also worth noting that emergency services vehicles are covered by a permanent exemption from the Clean Air Zone daily fee.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR KEN WOOD

I7 KPIs

Question:

Please list the KPIs for each LTN established prior to the schemes being installed?

Answer:

The objectives and success factors for 'Places for People' schemes are outlined below:

Objectives

There are a variety of objectives behind Places for People and in some cases, different people will have different views on their importance and relevance. A general set of objectives for the project are as follows;

- A reduction in motor traffic across project area,
- A reduction on air pollution across project area,
- A reduction in short motor vehicle trips,
- An increase in walking and cycling,
- A reduction in collisions,
- Where motor vehicle trips are made, the roads designated, designed and managed for them are used in preference to side streets.

Success Factors

The success factors for the scheme are;

- Traffic data
- Change in mode use
- Air quality
- Public perception
- Impact on business

The following table takes the five success factors and summarises them as specific indicators which can be framed as positive, neutral or negative.

The matter of “equity” has been raised by some residents and while there will be many different interpretations of what this means in terms of Places for People, this might be framed as what might the tolerable impacts on different classes of road or street be, together with the impacts on citizens more generally. It should be noted that “impacts” can be positive, neutral or negative.

The following table sets out the success factors together with what appropriate indicators might be (which are simply reported), together with the potential data source.

Success Factor	Indicator	Data Source
Traffic data	Motor traffic reduces within project area	Traffic data
	Congestion is neutral on boundary roads.	Traffic data Traffic signals SCOOT data Bus journey times
Change in mode use	Motor vehicle mode share decreases	Traffic data
	Walking mode share increases	Traffic data
	Cycling mode share increases	Traffic data
Air quality	Air quality does not deteriorate across project area.	Diffusion tubes measuring nitrogen dioxide
Public perception	People within project area are satisfied with the scheme over time	Consultation comments User perception surveys
	People moving through project area are satisfied with the scheme over time	Consultation comments User perception surveys
Impact on business	Business owners/ managers across the project area are satisfied with the scheme over time	Consultation comments User perception surveys
	Business users across the project area are satisfied with the scheme over time	Consultation comments User perception surveys

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR GARETH MOORE

I8 Taxis – CAZ Compliant

Question:

What percentage of Birmingham licensed taxi cabs and private hire are currently CAZ compliant (split between hackney carriages and private hire vehicles)?

Answer:

I can confirm the following as at 26 October 2021:

VEHICLE TYPE	COMPLIANT	NON-COMPLIANT	UNDETERMINED
Private hire	92%	7%	1%
Hackney Carriage	38%	61%	1%

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

I9 Postcode Data – CAZ Fines

Question:

Please provide a breakdown of postcode data for charges, fines and appeals issued by the CAZ network so far.

Answer:

Definitions:

4. Charges – we have taken this to be the CAZ daily charge paid on the government portal.
5. Fines – we have taken this to be Penalty Charge Notices.
6. Appeals – we have taken this to be representations against Penalty Charge Notices as opposed to “Appeals” which are submitted to the Traffic Penalty Tribunal.

- Charges

- We cannot identify individuals or organisations from the CAZ daily charge payment platform so cannot answer this part of the question.

- Fines and appeals issued by the CAZ network so far.

- We would not be able to release details of postcodes without obtaining approval from the DVLA as they provide us with this data for the specific sole purpose of recovery of Penalty Charge Notices in accordance with the statutory process.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR DARIUS SANDHU

I10 CAZ Fines to the Council

Question:

Since its introduction, broken down by week and by department, how much have council departments paid out for the Clean Air Zone, in

- a) Charges**
- b) FPNs at reduced rates for prompt payment**
- c) FPNs at full rate**
- d) Expense claims by staff for any CAZ related payments**

Answer:

Definitions:

- 7. Charges - this has been taken to be the Daily CAZ charge paid on the government portal.**
- 8. Fixed Penalty Notices – we have provided information based on Penalty Charge Notices.**
- 9. Appeals – we have provided information based on representations against Penalty Charge Notices as opposed to “Appeals” which are submitted to the Traffic Penalty Tribunal.**
- **CAZ Charges**
 - We cannot identify individuals or organisations from the CAZ daily charge payment platform so cannot answer this part of the question.
- **FPNs at reduced rates for prompt payment, FPNs at full rate**
 - We would need to conduct a search based on the individual addresses for the Departments. As addresses are obtained from the DVLA we would need to obtain their permission as they provide us with this data for the specific sole

purpose of recovery of Penalty Charge Notices in accordance with the statutory process. In addition, we would need to contact each Department for this information.

- Expense claims by staff for any CAZ related payments
 - This would need to be re-directed to each Department.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR RON STORER

I11 CAZ Fines to the emergency services

Question:

Since its introduction, how many charges and FPNs have been issued to emergency services, including the total cost of each.

Answer:

Definitions:

- 10. Charges – we have taken this to be the Daily CAZ charge made on the government portal.
- 11. Fixed Penalty Notices – we have taken this to be Penalty Charge Notices.

How many charges

- We cannot identify individuals or organisations from the CAZ daily charge payment platform, but emergency vehicles are exempt from the daily fee.

And FPNs have been issued to emergency services,

- We would need to conduct a search based on the individual addresses of the relevant emergency service. As addresses are obtained from the DVLA, we would need to obtain their permission as they provide us with this data for the specific sole purpose of recovery of Penalty Charge Notices in accordance with the statutory process. In addition, we would need the permission from each of the emergency services that may be identified.
- It should also be noted that emergency services vehicles are covered by a permanent exemption from the Clean Air Zone daily fee.

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

I12 Covid Testing at Aston University

Question:

In response to question I1 (14 September 2021) relating to the full CAZ charge being levied to residents attending Aston University for a Covid test, you responded saying the Council was working with the NHS to support Covid testing and vaccination and ‘.. this support has included the provision of free parking and an exemption from the CAZ daily fee’ yet you did not respond to my question as to whether the CAZ charge will be refunded for those users who have faced a levy on it?

Could you provide clear confirmation this charge will be refunded for residents attending Aston University for testing and vaccination and confirm the steps residents need to take in order to receive this refund?

Answer:

The full response to the September 2021 written question was:

The Council has worked closely with the NHS to support its COVID-19 testing and vaccination programmes. This support has included the provision of free parking and an exemption from the Clean Air Zone daily fee for people attending the mass vaccination centre at Millennium Point. The support provided to people attending this specific location recognised its importance to the mass vaccination programme at that particular.

The testing venue at Aston University is one of many similar locations in Birmingham and Solihull therefore people wanting a COVID-19 test have a choice about which location they choose to attend.

There are exemptions from the Clean Air Zone daily fee for people living and working in the Clean Air Zone and the Council continues to issue exemptions to applicants fulfilling the eligibility criteria for these schemes.

On the basis that many similar locations in Birmingham and Solihull have offered COVID testing and vaccination there are no plans to refund the people who attended the vaccination and needed to pay the Clean Air Zone daily fee.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR ZAKER CHOUDHRY

I13 Parking at City Schools

Question:

An amendment by Liberal Democrat councillors to the Council Plan 2019 to 2022 (City Council - 10 September 2019) was accepted by the Council and spoke of “progressing neighbourhood clean air zones around schools, encouraging sustainable school travel and planning that maximises access to schools by foot, bicycle and public transport”. There has been a recent spate of accidents at school gates including at least one fatality. Could the Cabinet Member set out the progress in delivering this part of the Plan?

Answer:

The draft Clean Air Strategy (which was published for consultation in early 2019) included a pledge to: “identify schools which are exposed to air pollution problems and work with the school to identify intervention strategies to reduce exposure of the children”. This pledge was reiterated in the Air Quality Action Plan (published April 2021) and this document set out a number of ways in which the Council fulfil this pledge, which included the promotion of travel alternatives and improved public information through the monitoring and sharing of air quality data.

This document can be found online at [birmingham.gov.uk](https://www.birmingham.gov.uk) and Brum Breathes. The final version of the Clean Air Strategy is due for publication later this year.

BCC works with schools across the city, with a range of initiatives supporting the above areas of work. The backbone of our offer to schools is [Modeshift STARS](#), a national award scheme which offers support and rewards to schools for creating and delivering School Travel Plans and taking steps to promote safer, greener, healthier travel. Around 250 schools in Birmingham are now signed up to Modeshift STARS.

Once signed up to Modeshift STARS schools are able to access further resources and projects. Use of these remains at a good level, although there was been some reduction while most pupils were unable to attend school buildings during lockdowns.

Initiative	Description	Progress
Keep Clear School Streets	Toolkit enabling schools to reduce school gate parking; parking enforcement visits by Council officers	Participation by 18 schools since September 2019.

City Council – 2 November 2021

Initiative	Description	Progress
Slow Down School Streets	Toolkit enabling schools to address speeding concerns and suggest possible traffic calming measures	Participation by 10 schools since September 2019.
Switch Off School Streets	Toolkit enabling schools to run 'anti-idling' campaigns.	Participation by 12 schools since September 2019.
Car Free School Streets	Roads outside schools are closed to traffic at the start and end of the school day.	6 schools piloted from Sept 2019 (all now running permanent schemes). 6 additional schools added in Sept 2020. 6 additional schools preparing to begin schemes in March 2022.
Safer Routes to School	Programme of engineering measures to improve road safety on journeys to school.	12 schemes committed for 2021/22.
Schools Restart	Toolkit enabling schools to encourage sustainable travel when returning to school buildings after lockdowns	179 schools accessed support for September 2020 restart.

City Council – 2 November 2021

Initiative	Description	Progress
Continuing Professional Development for school staff	Training for staff on: <ul style="list-style-type: none">• Road safety education (including Road STARS resource for pupils)• Air Quality (including Clean Air Cops resource for pupils)• School Travel Plans (including guided use of Modeshift STARS system)	Termly sessions on all subjects. 186 schools trained since September 2019.
Young Active Travel Trust	Funding of up to £1,000 per school to purchase equipment in support of their School Travel Plan.	Grants totalling £33,363.65 awarded to 34 schools since September 2019.
Walk to School Outreach programme	Support to encourage walking to school, delivered by partner organisation Living Streets.	Participation by 63 schools since September 2019. Programme recently expanded to two (from one) dedicated project officers.
Bikeability Training	Cycle training, delivered by partner organisation The Active Wellbeing Society.	Participation by 77 schools since September 2019.

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

I14 Clean Air Zone

Question:

Constituents have raised with me a number of seemingly genuine issues about the CAZ charges. My efforts to get an explanation or clarification of rules for them have been stonewalled with a response that they should simply appeal, after paying a fine. As an elected member, am I not entitled to an explanation from officers about how the rules are being enforced and what is regarded as appealable?

Answer:

In responding to this question 'CAZ charges' has been interpreted as the charge associated with a penalty charge notice (PCN), rather than the Clean Air Zone daily fee, and the associated processes of representation and appeal.

When the registered keeper of a vehicle is issued a PCN for non-payment of the Clean Air Zone daily fee the documentation they receive includes information about the process for submitting a representation or challenge of the PCN.

This information is included in section 2 of the PCN. Section 4 of the PCN sets out the various grounds upon which someone may wish to make a representation, which are defined by the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013.

A pro-forma version of the PCN is included as an appendix.

The Council has also published a more detailed document which sets out guidelines for the consideration of representations. This can be found on the '[Challenge or view your Penalty Charge Notice \(PCN\)](#)' page of www.birmingham.gov.uk and the Brum Breathes website.

A link to this document is provided and a copy of the document has been included as an appendix to this response.

https://www.birmingham.gov.uk/downloads/file/19721/clean_air_zone_caz_guidelines_for_consideration_of_reps

APPENDIX 1 TO I14 – PRO-FORMA VERSION OF PCN



Penalty Charge Notice (PCN)

Use of a vehicle within Birmingham City Council Clean Air Zone

The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (SI No. 1783) and the Birmingham City Council Clean Air Zone Charging Order 2021

If the address above is a limited company, this notice is for the attention of the Company Secretary.

**Penalty charge: £120
(£60 if paid within 14 days²
beginning with the date of service¹
of the PCN)**

PCN number	
Date issued / posted	
Vehicle Registration Mark	
Date vehicle used in the zone	
Date of Service ¹	
Date CAZ charge was due by:-	Payment was due by 11:59pm on the sixth day after the date the vehicle was used in the zone (as above)

1. Why have I received this PCN?

This PCN has been sent to you by the Charging Authority, Birmingham City Council ("the Council"), because on you were the registered owner / keeper / hirer / lessee of:

Vehicle Registration Mark: Make:

This vehicle does not meet the required emissions standard for the Birmingham City Council Clean Air Zone, meaning a charge should be paid for each day the vehicle is used in the zone (find out more overleaf).

**THIS VEHICLE WAS DETECTED WITHIN THE ZONE ON
AND NO PAYMENT WAS RECEIVED BEFORE THE DAILY CAZ CHARGE WAS DUE**

Therefore, the Council believes that a penalty charge of £120 is payable for the following contravention:
Using a vehicle within a Clean Air Zone without paying the charge.

2. Where was my vehicle detected?

The vehicle was detected and recorded by an approved CCTV device inside the Clean Air Zone.

Date:

Time:

Camera location:

3. What are my options now?

You have 28 days² beginning with the date of service¹ of this PCN, to either:

- a) **pay the penalty charge of £120**
(reduced to £60 if paid within 14 days² beginning with the date of service¹ of the PCN),
- or
- b) **make representations** to the Council, if you disagree with the penalty charge.

Instructions on how to pay or make representations are included overleaf.

DO NOT IGNORE THIS NOTICE If you do not pay or make representations in time (see above), the Council can issue a Charge Certificate, increasing the penalty charge by 50% to £180.

You have 28 days² beginning with the date of service¹ of this PCN to either pay or make representations to Birmingham City Council.

Section 1: How to pay

- **Online:** Credit or debit card payment at: www.birmingham.gov.uk/PCN have vehicle details and PCN number ready.
- **By phone:** Credit or debit card payment on 0121 667 4964 (24 hours / 7 days a week). Please have vehicle details and PCN number ready.
- **In cash:** Cash payments can be made at any PayPoint outlet if this notice has a barcode printed on it. Please take care that the barcode does not become damaged as it may become unreadable. There is no charge for this service.
- **By post:** Cheque or postal order made payable to *Birmingham City Council*. Send payment with the signed payment slip at Section 3 to:

Birmingham City Council, Highways, PO Box 77, Birmingham B4 7WA.

Allow 2 working days for 1st Class, 5 days for 2nd Class.

Do not send cash or credit / debit card details through the post.

Section 2: How to make representations

Representations should be made online at: www.birmingham.gov.uk/pcn.

Alternatively, representations can be made by post using the form at Section 4. Send the completed form to: **Birmingham City Council, Parking Section, Processing, Highways, PO Box 14438, Birmingham B2 2JD.**

Please note: The Council can disregard representations made after the specified 28-day² period above.

What happens after I submit representations?

1. The Council will consider your representations and respond.
2. If your representations are accepted, the PCN will be cancelled.
3. If your representations are rejected, you will be sent a Notice of Rejection (NoR) of Representations.
4. After receiving an NoR, you will have 28 days to either:
 - a. pay the penalty charge, or
 - b. submit an appeal to the independent adjudicator at the Traffic Penalty Tribunal. Instructions will be included with the NoR. An adjudicator can choose to extend the 28 day period for submitting an appeal. Find out more at: <https://www.trafficpenaltytribunal.gov.uk>.

What happens if I ignore this PCN?

The Council can issue a Charge Certificate, increasing the penalty charge by 50% to £180. Continued failure to pay may result in enforcement action, including the Council seeking a court order for payment.

Information about the Birmingham City Council Clean Air Zone

The Birmingham City Council Clean Air Zone is a road-charging scheme in Birmingham city centre inside the inner ring road (A4540 Middleway), designed to improve air quality. Daily charges apply to vehicles used in the zone with emissions that do not meet a specified standard.



- Coaches, buses and heavy goods vehicles (HGVs): £50 / day.
- Cars, minibuses and light goods vehicles (LGVs) £8 / day.
- **motorcycles are not charged.**

Motorists can check if their vehicle's emissions mean they must pay a charge and make payment (obtain a license) to use it within the zone at the **GOV.UK Drive in a Clean Air Zone service (gov.uk/check-clean-air-zone-charge)**. Payment should be made using this online service, either in advance or no later than 11:59pm on the 6th day after using the vehicle in the zone. A telephone service is also available on **0300 029 8888** (Mon to Fri, 8am to 4.30pm).

Charges apply daily, 7 days a week, 365 days a year, from midnight to midnight (for example, 2 x daily charges should be paid for a vehicle entering the zone at 11pm and leaving at 1am the next morning).

A number of exemptions and discounts apply to vehicles that are registered with the Council in advance.

Find out more at: www.brumbreathes.co.uk

Section 3: Payment slip for paying the PCN by post

Please ensure this slip is cut and returned with your payment if paying the PCN by post (see Section 1) and ensure the PCN number (see front of this notice and below) is clearly written on the back of your enclosed cheque or postal order.

PCN number:

Date PCN issued / posted¹:

Vehicle Registration Mark

Name (Block Capitals):

Address: Postcode:

✂

Section 4: Form for making representations by post

If you are unable to make representations online at www.birmingham.gov.uk/pcn, please fill out this form and return to: **Birmingham City Council, Parking Section, Processing, Highways, PO Box 14438, Birmingham B2 2JD.**

Step 1: Select a statutory ground of appeal

The table below shows the grounds (reasons) upon which a representation may be made, as defined by the *Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013*.

Compelling reasons: If none of the grounds are applicable to your case, you can still make representations by providing any compelling reasons why you believe the PCN should be cancelled in **Step 2** overleaf.

Please indicate the ground/s you wish to rely on for your representations by ticking in the relevant box.

A	<input type="checkbox"/>	I was not the owner of the vehicle at the time it was used in the Clean Air Zone	Please provide the name and address of the person you sold the vehicle to (see Step 3 overleaf) and provide proof of sale, such as a dated invoice or receipt, when returning this form. If you acquired the vehicle after the time it was detected in the zone, please provide the name and address of the person you acquired it from (see Step 3 overleaf) and provide dated proof of the transfer, such as an invoice, receipt or registration document (V5C 'logbook') when returning this form.
B	<input type="checkbox"/>	The charge did not apply to the vehicle <i>For example, the vehicle met the applicable emissions standard or an exemption applied</i>	Please provide details relating to the vehicle meeting the required emissions standard of the Clean Air Zone, or the exemption that applied, when returning this form.
C	<input type="checkbox"/>	The charge for using the vehicle in the zone was paid by getting a licence in time from the government pay site	Please provide a copy of your receipt or the unique payment reference number when returning this form.
D	<input type="checkbox"/>	The vehicle was used in the Clean Air Zone by someone else without my knowledge or consent <i>(i.e. The vehicle had been stolen and the crime reported to the police)</i>	Please provide the name and address of the person you believe was using or keeping the vehicle (if known) when returning this form. If you reported the vehicle as stolen, provide the crime reference number, unique police reference number or the insurance claim reference. Alternatively, please provide other evidence the vehicle was stolen or used without your consent.
E	<input type="checkbox"/>	We are a vehicle hire (or lease) firm and the vehicle was used by a hirer / lessee	Please provide the hirer's / lessee's full name and address (see Step 3 overleaf) and a copy of the hire / lease agreement that includes a statement of liability for road user charges or penalty charges.
F	<input type="checkbox"/>	The Council has made a procedural error when dealing with my case or the PCN	If you believe there has been a failure on the part of the Council in relation to this notice or its enforcement, you must explain this to us in Step 2 overleaf.
G	<input type="checkbox"/>	The penalty charge exceeded the amount applicable in the circumstances of the case	The amount of the penalty charge is set in the relevant charging order. This ground applies if a different penalty charge is claimed.

Step 2: Explain your representations (or compelling reasons)

*Please give **full details of your representations and / or describe any compelling reasons** in this box for why the penalty charge should be cancelled. Continue on separate sheets if necessary, clearly marking each sheet with the PCN Number and enclose them – together with any supporting evidence – with this form.*

Step 3: Name and address of vehicle Buyer / Seller / Hirer / Lessee (if grounds A or E selected)

Name	Mr / Mrs / Miss / Ms / Other
Address	
Postcode	
Date sold / purchased	

Step 4: DECLARATION – This must be signed in order for your representations to be considered

I confirm the details of my representations are correct to the best of my knowledge.

Signature: Date:

Name (Block Capitals):

Position in company (if relevant):

How we use your information

The Council is lawfully permitted to obtain, hold and process your personal data (Registered Keeper details) from Organisations such as the DVLA, because it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council. Your personal data will be used and retained in accordance with your legal rights as set out in our privacy notice. Our privacy notice also contains contact details of our Data Protection Officer and Information Governance Team as well as a list of organisations that we may share your personal information with, including any enforcement contractors. You can view the full privacy notice at www.birmingham.gov.uk or you can request a hard copy by writing to the Information Governance Team, 10 Woodcock Street, Birmingham B7 4BL.

¹ Service of this notice

Service of this PCN is deemed to have been 2 working days (excluding weekends and Bank Holidays) after the 'Date issued / posted' on the front of this notice, unless it can be proved otherwise.

² The 'Date of Service' is the first day of the referenced 14-day or 28-day period for paying / making representations against the penalty charge.

APPENDIX 2 TO I14 - GUIDELINES



Guidelines for the consideration of representations and
cancellation of Penalty Charge Notices (PCNs) issued for
being in a Clean Air Zone (CAZ)

Version 1

Policies set out in this document
provide guidance only.

Each case must be considered on its own merits, taking into
account the exceptionality of the circumstances and the available
evidence.

May 2021/V1

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1. INTRODUCTION

1.1 Why is a Clean Air Zone (CAZ) being introduced?

The Clean Air Zone (CAZ) is being introduced by Birmingham City Council to help reduce the levels of nitrogen dioxide (NO₂) in the city to within the legal limit (40 micrograms per cubic metre) in the shortest possible time.

1.2 Vehicles required to pay the daily CAZ charge

Birmingham's CAZ is type 'D', which means that the owners of any vehicle driving within the CAZ (an area inside the A4540 Middleway) will be subject to a daily charge if the vehicle does not meet the emission standard.

The emission standards for the CAZ are: Euro 4 (petrol) and Euro 6 (VI) (diesel).

1.3 Exempt vehicles that do not need to pay the daily CAZ charge

If a vehicle is classified as exempt under the '*Vehicle Excise and Registration Act 1994*', or by having submitted and been granted a 'local exemption' from the CAZ for a period of time which has been entered on the National or local Register they will not need to pay the daily charge.

The length of the exemption will be determined by the type of exemption applied. For example, a Section 19 vehicle will be exempt for the life of CAZ, whereas non-compliant vehicles owned by workers based within the CAZ who earn less than £30,000 p.a will only be exempt for a maximum period of 12 months from the date of commencement.

1.4 Penalty Charge Notice (PCN)

A Penalty Charge Notice (PCN) will be issued for using a non-compliant vehicle within the CAZ without paying the daily CAZ charge. As such, a network of Automatic Number Plate Recognition (ANPR) cameras are in place to monitor vehicles inside of the CAZ.

To ensure a driver is informed that they are entering the CAZ, a system of advanced signage is in place on all major routes into the city centre. At the boundary of the CAZ, there is further signage advising that after that point a vehicle will be within the boundary and therefore subject to the CAZ charge.

1.5 Daily CAZ charge

The CAZ will operate twenty-four hours a day, every day. There are no exemptions to the CAZ charge for weekends, bank or other public holidays. A day for the purposes of the CAZ runs from midnight to midnight. Therefore, any journeys within the CAZ either side of this would be liable for two CAZ charges even if this was part of a single journey.

A driver can pay the CAZ charge 6 days in advance of the day of travel into the CAZ, on the day the vehicle is driven in the CAZ or in the 6 days after the day of travel into the CAZ. Payment can be made up to 11.59pm on the 6th day after the day of travel into the CAZ.

The payment of the CAZ charge is required in order to purchase a licence in respect of a particular vehicle and for a single charging day.

1.6 Guidelines

The policy guidelines in this document have been produced to help and inform members of the public who have received a PCN for driving a non-compliant vehicle within the CAZ without paying the daily CAZ charge.

This approach is consistent with current best practice and meets with the aspirations of the Traffic Penalty Tribunal and the Local Government Ombudsman. This document aims to provide clarity, consistency and transparency within the enforcement process.

What is important about these guidelines is that they represent a foundation upon which fairness and discretion can be applied. The importance of flexibility in these matters has been recognised by the courts and as a consequence, decisions made by councils must not be fettered by being unduly formulaic.

This policy addresses the following:

- The statutory grounds upon which representations may be made
- Mitigating circumstances
- The acceptance or rejection of representations

It is important to recognise that each case is assessed on its individual merits and circumstances. If a motorist is able to demonstrate that they fall within one of the permitted exemptions or that there were genuine mitigating circumstances the PCN will normally be cancelled.

These policies will be subject to ongoing review.

2. CAZ PENALTY CHARGE NOTICE (PCN) – CHARGE LEVEL

The level of penalty charge is £120 (discounted to £60 if paid within 14 days beginning with the Date of Service). Please note the Date of Service is deemed to be 2 working days after the date of posting, unless it can be proved otherwise.

PCNs are issued for using a non-compliant vehicle within a CAZ without paying the charge.

3. MITIGATING CIRCUMSTANCES TO DISPUTE A PCN BY SUBMITTING REPRESENTATIONS WHERE DISCRETION MAY BE APPLIED:-

3.1 PAYMENT MADE VIA THE GOVERNMENT ON-LINE PORTAL (.GOV.UK)

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
<p>If a payment is shown which is within 6 days in advance of the day of travel into the CAZ, on the day the vehicle is driven in the CAZ or in the 6 days after the day of travel into the CAZ.</p> <p>If the motorist experienced problems when using the on-line portal due to a problem with the service provider.</p> <p>Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.</p>	<p>Where there is no evidence to show that the on-line payment portal had been used.</p> <p>Where the payment for license was made outside of the charging period</p> <p>If the card used to make the payment is declined and the charge was not paid within 6 days in advance of the day of travel into the CAZ, on the day the vehicle is driven in the CAZ or in the 6 days after the day of travel into the CAZ the licence will be void.</p> <p>Where the full amount for the charging day was not paid.</p>

3.2 UNABLE TO PAY WITHIN DEFINED PAYMENT WINDOW

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
<p>If the motorist can provide evidence to prove that they were unable to make the required payment within the defined payment window for reasons beyond their control, for example:</p> <ul style="list-style-type: none"> • Was hospitalised immediately on or after the journey in the zone. • Left the country immediately after the journey in the zone. • Was physically prevented from making the required payment in the days after the journey in the zone. <p>Where the Council considers there are mitigating circumstances requiring the case to be assessed on its individual merits.</p>	<p>If the motorist is unable to provide any evidenced reason why they were not able to make the required payment on the date of travel or within 6 days thereafter</p>

3.3 TRIED TO PAY BUT THE PAYMENT PORTAL WAS DOWN

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
<p>If proof can be provided that payment attempt was made when the payment portal was down and that there was no further time within the payment window to pay the charge.</p> <p>Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.</p>	<p>Where proof cannot be provided or there is no evidence to show that the Payment Portal was down.</p>

3.4 REGISTERED KEEPER LIABLE FOR PAYMENT IS NOW LIVING ABROAD FOR A PROLONGED PERIOD

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where there are specific mitigating circumstances requiring the case to be assessed on its individual merits. (NB. The mere fact that the registered keeper is now living abroad for a prolonged period is unlikely to be treated as circumstances where a representation would be accepted, in the absence of specific mitigating circumstances)	Where there are no specific mitigating circumstances requiring the case to be assessed on its individual merits.

3.5 REGISTERED KEEPER LIABLE FOR PAYMENT IS IN PRISON

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If evidence is provided to confirm that the registered keeper is in prison. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If proof cannot be provided to confirm that the registered keeper is in prison.

3.6 VISITOR TO BIRMINGHAM CHILDREN'S HOSPITAL, BADGER MEDICAL CENTRE OR ATTWOOD GREEN MEDICAL CENTRE

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where evidence can be provided from the hospital or health facility that the motorist attended on the day in question. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	Where the hospital or health facility cannot provide documentation to confirm the motorist's attendance on the day in question.

3.7 ATTENDING CHURCH, TEMPLE, MOSQUE OR OTHER RELIGIOUS ESTABLISHMENT FOR A SERVICE OR PRAYERS

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where there are specific mitigating circumstances requiring the case to be assessed on its individual merits. (NB. Merely attending a church, temple, mosque or other religious establishment for a service or prayers is unlikely to be treated as circumstances where a representation would be accepted, in the absence of specific mitigating circumstances)	Where there no specific mitigating circumstances requiring the case to be assessed on its individual merits.

3.8 VEHICLE TRANSPORTING ONE OR MORE PERSONS TO A COVID VACCINATION CENTRE WITHIN THE ZONE TO RECEIVE A COVID VACCINATION

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where evidence can be provided from the vaccination centre that the motorist attended on the day in question for a Covid vaccination. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	Where the motorist cannot provide documentation to confirm attendance at the vaccination centre on the day in question for a Covid vaccination.

3.9 VALID EXEMPTION PERMIT

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where the motorist can provide evidence that they have a valid exemption permit, and this has been entered on to the local register. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	Where the motorist cannot provide evidence of a valid exemption permit or it has not been entered on the local register.

3.10 MORE THAN ONE PCN ON THE SAME DAY

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
A PCN will be payable for each charging day (The period of 24 hours from Midnight to Midnight). If two PCN's have been issued for the same vehicle in the same charging day one of the notices will be cancelled.	The PCN will be enforced if the vehicle was used in the CAZ on a different charging day (The period of 24 hours from Midnight to Midnight)

3.11 VEHICLE CLASSIFIED FOR USE BY A DISABLED PERSON

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where the motorist can demonstrate that their vehicle is classified by the DVLA as modified for disabled use as per article 19 or 20 Sc2 of the 1994 Act and it has been entered at the time on the national register. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	Where the motorist cannot demonstrate that their vehicle is classified as modified for disabled use as per article 19 or 20 Sc2 of the 1994 Act or the vehicle has not been entered on the national register.

3.12 UNMARKED EMERGENCY VEHICLE

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the vehicle qualifies as an emergency service vehicle and the particulars of the vehicle have for the time being entered in the local register.	If the vehicle does not qualify as an emergency vehicle or the vehicle has not been entered on the local register.

3.13 HACKNEY CARRIAGE VEHICLE EXEMPT FROM CAZ CHARGE

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where there has been an application for a Hackney carriage vehicle to be retrofitted and a deposit has been paid and the vehicle has been entered on the local register. Where the Hackney carriage vehicle has been retrofitted and the DVLA registration has been amended and has been entered on the National register. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	Where there has not been an application for a Hackney carriage vehicle to be retrofitted. Where there has been an application for a Hackney carriage vehicle to be retrofitted but a deposit has not been paid. Where there has been an application for a Hackney carriage vehicle to be retrofitted and a deposit has been paid but the vehicle has not been entered on the local register.

3.14 COMMUNITY TRANSPORT VEHICLE

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where a vehicle is a qualifying community transport vehicle by virtue of it being a vehicle of class M ₂ or M ₃ being used pursuant to a community transport permit and particulars of the vehicle are for the time being entered in the local register. (NB. Community transport permit means a permit granted under section 19(3), 19(4), 19(5), or 22(2) of the Transport Act 1985).	If the operator cannot demonstrate the vehicle is a qualifying Community transport vehicle.

3.15 INCORRECT DETAILS ON THE PCN

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If there is reason to doubt that the details on the PCN are incorrect.	If all the details on the PCN are correct.

3.16 BANK/PUBLIC HOLIDAYS

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	In the absence of specific mitigating circumstances.

3.17 HIRER OF THE VEHICLE AND WISHES TO MAKE A REPRESENTATION

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where the Hire/Lease Company has discharged liability as the registered keeper of the vehicle and provided the name and address of the hirer. In these circumstances a PCN will be served on the hirer of the vehicle enabling a representation to be made. Where there are specific mitigating circumstances requiring the case to be assessed on its individual merits.	If the Hire/Lease Company has made payment for the PCN on behalf of the hirer (in accordance with the terms and conditions of the signed hire agreement). If the hire agreement provided by the hire company is not signed or does not have the statement of liability. In the absence of specific mitigating circumstances.

3.18 VEHICLE WAS NOT AT THE ALLEGED LOCATION AT THE TIME AND ON THE DATE THE VEHICLE WAS USED IN THE CAZ

MAY ACCEPT REPRESENTATION		MAY REJECT REPRESENTATION
If the motorist provides sufficient evidence to confirm that the vehicle cannot have been or was not at the location at the time when the vehicle was used in the CAZ. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.		If the motorist does not provide sufficient evidence to confirm that the vehicle cannot have been or was not at the location at the time when the vehicle was used in the CAZ. If there is no evidence or if the evidence presented does not support the claim or is inconclusive.

3.19 VEHICLE NUMBER PLATE HAS BEEN "CLONED"

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If evidence is provided to support the motorist's belief that the vehicle number plate has been 'cloned'. Evidence would need to include the crime reference number as reported to the Police, together with any other relevant evidence. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If a crime reference number and other relevant evidence cannot be provided.

3.20 VEHICLE IS A MEMBER OF THE “SHOWMAN’S GUILD” OR OTHER EXEMPT ORGANISATION

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the motorist can demonstrate that they are a member of the “Showman’s Guild” or other exempt organisation and their vehicle has been adapted to enable them to undertake their work and the vehicle has been entered on the local register. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If the motorist cannot demonstrate that they are a member of the “Showman’s Guild” or other exempt organisation or cannot demonstrate that their vehicle has been adapted to enable them to undertake their work. If the vehicle has not been entered on the local register.

3.21 ZERO EMISSIONS VEHICLE

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the motorist can demonstrate that they have a zero-emission vehicle as classified by the DVLA i.e. provide a copy of their V5. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If the motorist cannot demonstrate that they have a zero-emission vehicle as classified by the DVLA.

3.22 UNAWARE OF THE EXISTENCE OF THE CAZ OR THE CAZ BOUNDARY WAS NOT CLEARLY SIGNED

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If signs were missing or unclear. If signs were inconsistent with each other and/or the CAZ Order or legislation. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If site visit records or photographs establish that signs and/or markings were correct and consistent with each other and the CAZ Order, at the time the vehicle was used in the CAZ.

3.23 VEHICLE HAS HAD AN LPG CONVERSION

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the motorist can demonstrate that their vehicle has been converted to LPG, via an approved conversion provider. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If the motorist cannot demonstrate that their vehicle has been converted to LPG.

3.24 VEHICLE IS EXEMPT UNDER THE “VEHICLE EXCISE AND REGISTRATION ACT 1994”

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the motorist can demonstrate that their vehicle was being used as outlined under the “Vehicle Excise and Registration Act 1994”. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If the motorist cannot demonstrate their vehicle was being used as outlined under the “Vehicle Excise and Registration Act 1994”

3.25 VEHICLE IS REGISTERED AS AN “HISTORIC VEHICLE”

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the motorist can demonstrate their vehicle is classified as an “Historic vehicle” by the DVLA and the vehicle particulars have for the time being entered in national register. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If the motorist cannot demonstrate that their vehicle is classified as an “historic vehicle”. If the particulars of the vehicle have not been entered in the national register.

3.26 PROCEDURAL IMPROPRIETY ON THE PART OF THE ENFORCEMENT AUTHORITY

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
Where it is established that the enforcement authority has failed to observe a legal requirement in relation to the imposition or recovery of a penalty charge or other sums. Where it is established that the enforcement authority has taken any step, whether or not involving the service of a document and the purported service of a Charge Certificate, in advance of the time scale set out in the regulations. Where the authority has not sent a response to a representation within 56 days from the date it received the representation from the person who was served with the Notice.	If it is established that: - The Transport Act 2000 and The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) Regulations 2013 have been fully and correctly observed by the enforcement authority. That service of all documents has taken place in compliance with relevant time scales.

3.27 RECOVERY VEHICLE ATTENDING ANOTHER VEHICLE THAT HAD BROKEN DOWN

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the vehicle is a qualifying recovery vehicle by virtue of it being a Licensed Recovery Vehicle whose particulars are for the time being entered in the local register. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If the operator cannot demonstrate the vehicle is a qualifying Licensed Recovery Vehicle.

3.28 REGISTERED KEEPER IS DECEASED

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where it is demonstrated that the registered keep is deceased and the circumstances can be confirmed i.e. copy of a death certificate. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If there is reason to doubt the representation or evidence submitted in support.

3.29 COMPASSIONATE REASONS

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the motorist provides satisfactory evidence that may give reason for discretion to be applied on compassionate grounds. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If there is reason to doubt the representation.

3.30 SNOW, FOLIAGE, COVERED OR OBSCURED THE SIGNS

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If it can be established that such conditions prevailed, and it is likely that signs were obscured as claimed and there was no alternative indication of the restriction. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If it can be established that such conditions did not cause signs to be obscured as claimed. If photographic evidence directly contradicts the motorist's version of events. If any reasonable alternative indication of the restriction was available to the motorist.

4. STATUTORY GROUNDS TO MAKE REPRESENTATIONS

The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (SI No. 1783) ("the Regulations").

If you believe that the PCN should not be paid, there are six statutory grounds on which representations may be made, which are set out below: -

4.A. I WAS NOT THE OWNER OF THE VEHICLE AT THE TIME IT WAS USED IN THE CAZ

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the DVLA confirms the motorist was not the registered keeper at the time the vehicle was used in the CAZ. If the previous registered keeper provides satisfactory evidence that the motorist purchased or acquired the vehicle after the vehicle was used in the CAZ, or the subsequent registered keeper provides satisfactory evidence that the motorist sold or disposed of the vehicle before the vehicle was used in the CAZ.	If the DVLA confirms the motorist was the registered keeper at the time the vehicle was used in the CAZ. If the previous registered keeper provides satisfactory evidence that the motorist purchased or acquired the vehicle before the vehicle was used in the CAZ, or the subsequent registered keeper provides satisfactory evidence that the motorist sold or disposed of the vehicle after the vehicle was used in the CAZ.

4.B. THE CHARGE DID NOT APPLY TO THE VEHICLE (FOR EXAMPLE THE VEHICLE MET THE APPLICABLE EMISSIONS STANDARD OR AN EXEMPTION APPLIED).

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
If the motor vehicle is either (i) a compliant vehicle, or (ii) an exempt vehicle under the charging scheme and therefore not liable to pay a CAZ charge. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	Where there are no compelling reasons or other specific mitigating circumstances requiring the case to be assessed on its individual merits.

4.C. THE CHARGE FOR USING THE VEHICLE IN THE CAZ WAS PAID BY GETTING A LICENCE IN TIME FROM THE GOVERNMENT PAY SITE

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
If it can be demonstrated that the motorist had paid the CAZ charge due for the motor vehicle on the date, at the time and in the manner required by the charging scheme. Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.	If there is no evidence that the CAZ charge has been paid.

4.D THE VEHICLE WAS USED IN THE CAZ BY SOMEONE ELSE WITHOUT MY KNOWLEDGE OR CONSENT (I.E. THE VEHICLE HAD BEEN STOLEN AND THE CRIME REPORTED TO THE POLICE)

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
<p>If the vehicle was used in the CAZ by a person who was in control of the motor vehicle at the time without the consent of the registered keeper, and the registered keeper provides the name and address of the person who used the motor vehicle in the CAZ without his/her consent (if known), or, if the vehicle was stolen, the registered keeper provides the crime reference number, police unique reference number, insurance claim reference or other evidence of the motor vehicle having been stolen.</p>	<p>If the current registered keeper is unable to provide any proof of theft or taking without consent.</p> <p>If the police crime report reference number provided does not exist, it does not match the date of the theft or taking without consent, or the details in the report do not match the date when the vehicle was used in the CAZ.</p> <p>Where there are no compelling reasons or other specific mitigating circumstances requiring the case to be assessed on its individual merits.</p>

4.E. WE ARE A VEHICLE HIRE (OR LEASE) FIRM AND THE VEHICLE WAS USED BY A HIRER/LESSEE

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
<p>If the recipient of the PCN is a vehicle hire firm and the motor vehicle was hired out under a hire agreement on the date the vehicle was used in the CAZ and the hirer signed a statement of liability for any resulting road user charges or penalty charges, and the vehicle hire firm provides the name and address of the person to whom the motor vehicle was hired.</p> <p>If the hire company are able to provide satisfactory evidence that the vehicle was hired at the time the vehicle was used in the CAZ, i.e. a signed agreement.</p> <p>If the hire company are able to provide the full name and address of the person to whom they hired the vehicle.</p> <p>If the hire company are able to supply the name and address of the trader and documentary evidence.</p> <p>Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.</p>	<p>If the person named by the hire company as the person to whom they hired the vehicle, either does not exist, cannot be traced or denies responsibility for using the vehicle in the CAZ.</p> <p>If the vehicle was being used as a courtesy car without an agreement that had been signed to accept responsibility for road user charges or penalty charges.</p> <p>If the hire company are unable to prove that they hired out the vehicle on the date the vehicle was used in the CAZ or cannot provide the name and address of the person to whom the vehicle was hired.</p>

4.F. THE COUNCIL HAS MADE A PROCEDURAL ERROR WHEN DEALING WITH MY CASE OR THE PCN

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
<p>Where it is established that the enforcement authority has failed to observe a legal requirement imposed on it by the Transport Act 2000 and/or regulations in relation to the imposition or recovery of a penalty charge or other sums.</p> <p>Where it is established that the enforcement authority has taken any step, whether or not involving the service of a document and the purported service of a Charge Certificate, in advance of the time scale set out in the regulations.</p> <p>Where there are compelling reasons or other specific mitigating circumstances requiring the case to be assessed on its individual merits.</p>	<p>If it is established that:-</p> <ul style="list-style-type: none"> a) Legal requirements have been fully and correctly observed by the enforcement authority, or b) The service of all documents has taken place in compliance with relevant time scale, or c) A PCN has not been served. <p>Where there are no compelling reasons or other specific mitigating circumstances requiring the case to be assessed on its individual merits.</p>

4.G. THE PENALTY CHARGE EXCEEDED THE AMOUNT APPLICABLE IN THE CIRCUMSTANCES OF THE CASE

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<p>If it is demonstrated that the amount shown on the PCN is incorrect and does not reflect the penalty charge due for the motor vehicle being used in the CAZ.</p>	<p>If no evidence has been provided that incorrect amount has been indicated on the PCN.</p>

4.H OTHER COMPELLING REASONS

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
<p>If there are any other reasons other than the grounds listed above which require the case to be assessed on its individual merits. The decision whether, or not, a PCN should be cancelled, will only be taken following very careful consideration taking into account all of the evidence available.</p>	<p>If there are no compelling reasons which require the case to be assessed on its individual merits. The decision whether, or not, a PCN should be cancelled will only be taken following very careful consideration, taking into account all of the evidence available.</p>

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR MIKE WARD

I15 Moving Traffic Offences

Question:

Councils in England and Wales will be able to issue fines of up to £70 for moving traffic offences under new powers to be introduced in December. This will be the first time local authorities will be able to issue fines for offences such as banned turns, box junctions and driving in formal cycle lanes, that are currently enforced by the police only. Could the Cabinet Member explain how this will be addressed in the City?

Answer:

Birmingham City Council continues to work closely with West Midlands Police to support the enforcement of moving traffic offences across the city.

Last summer, the Government announced its intention to implement Part 6 of the Traffic Management Act (2004) in full, which includes the ability for transfer of powers to enforce moving traffic offences from the Police to Local Authorities.

Whilst it has been suggested that these powers will now be extended to all Local Authorities by December, the Government has yet to publish detailed guidance setting out how the transfer of such powers from the Police to Local Authorities is to be enacted. Birmingham City Council will consider the business case for taking on moving traffic enforcement upon the publication of this guidance.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR DEBORAH HARRIES

I16 Queen's Road

Question:

The cabinet member's confirmation that Queen's Road, Yardley, is to be resurfaced in recognition of last petition submitted by the late Cllr Neil Eustace, is very welcome. Could the cabinet member update council on when a full programme of road and pavement refurbishment will be restored?

Answer:

Whilst the programmes for resurfacing and refurbishing of our roads has never formally ceased, in the years immediately preceding Amey LG's agreement to exit the City's Highways PFI project in 2019, the delivery of resurfacing programmes by Amey was extremely limited due to contract disputes.

Since June 2019 the Investment Works Programme (IWP) has delivered substantial investment in our highway assets. Around £35m of works to improve the condition of our footways and carriageway surfaces were delivered in the 2020/21 programme with a further £40m of investment programmed for 2021/22.

Members with IWP works in their wards were informed of the proposed locations in July 2021. Recognising the newly elected member for Yardley East, officers have been asked to confirm any works proposed in the ward as part of the IWP to Councillor Harries.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR ROGER HARMER

I17 Birmingham Transport Plan

Question:

The Birmingham Transport Plan pledges £8m to the West Midlands Road Safety Programme which promises to ‘.. invest in road safety measures to deliver an accessible, efficient, and safe transport system’. Could the Cabinet Member give a clear indication of how this money will be spent, setting out the allocation for the roll out of average speed cameras?

Answer:

Birmingham City Council is committed to expanding Average Speed Enforcement cameras to a wide range of prioritised locations across the city. Work is underway to prepare a revised agreement with West Midlands Police to facilitate and fund this proposed expansion. I have also recently met with the Police and Crime Commissioner to discuss this issue.

The Birmingham Transport Plan stresses the importance of road safety but does not commit any specific funds to the development of road safety schemes. A detailed Delivery Plan for the Birmingham Transport Plan is currently being prepared. This will include a programme of road safety measures to be implemented across the city during the life of the plan and will identify the associated funding sources.

The West Midlands City Region Sustainable Transport Settlement (CRSTS) makes a commitment £8 million towards the West Midlands Regional Road Safety Programme. As this is a regional fund, only part of it will be spent on schemes that will be implemented in Birmingham. The distribution of funding across the seven Local Authorities has not yet been determined.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR BABER BAZ

I18 Clean Air Zone

Question:

Could the Cabinet Member explain why there are such long delays in responding to member enquiries relating to the Clean Air Zone?

Answer:

We would encourage all members to only use the ComplaintsInclusiveGrowth@birmingham.gov.uk for their enquiries as this ensures that enquiries are recorded and a full audit trail is available to track progress.

Of the 30 enquiries directed to the Clean Air Zone team from members in September 2021 60% (19) were provided with a response within the 10 day service level agreement (SLA). A further three were provided with a response within 11 days.

For enquiries about Clean Air Zone penalty charge notices during September 2021, 12.5% were dealt with within the 10-day SLA. A further five enquiries were closed during the month albeit that they were one to three weeks outside of the SLA.

Any delays in responding to these enquiries relate to the high volume of enquiries being dealt with at present. More resource has been recruited to support the processing of enquiries and further resource is being recruited in order to be able to provide a response within the SLA.

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

I19 Gritting

Question:

There have been reports the national driver shortage could have had an effect on Councils, some of who are facing a shortage of gritter drivers, could the Cabinet Member confirm the number of driver vacancies currently in the Council?

Answer:

Kier, who provide the Highway Maintenance and Management Service for Birmingham, recorded the national driver shortage issue on the Interim Services Contract Risk Register in September and undertook a review of HGV driver resource resilience. Kier has no current HGV driver vacancies and has not suffered any service disruption as a result of the national issue.

Preparation for the 2021/22 Winter Maintenance season commenced early summer 2021 with a programme of additional driver training which took the total number of winter maintenance qualified drivers to 82. There are a further 5 qualified HGV drivers completing City and Guilds Winter Maintenance Driver Training in November. This provides plenty of resilience for the 24 gritting routes that are operated for the Birmingham network.

The situation presented by UK companies offering high salaries for HGV drivers remains under review and further contingencies will be considered should there be any significant increase in the levels of risk.

We are also completing a recruitment drive in all areas of the Street Scene service. Drivers LGV have been filled and we are not currently carrying any vacancies subject to probationary periods although we do still have some vacancies for Driver Non-LGV.

We are also looking to offer our internal LGV programme to full-time members of staff that want to progress within our services and an 'Expression of Interest, has gone out with a view to shortlist and look to train an undefined amount of drivers over the coming months.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR DAVID BARRIE**

J1 Use of Brewery Street Car Park

Question:

How much do HATS pay to the City Council for use of the Brewery Street Coach and Lorry Park per month (including any discount or variation offered in first month or months whilst 'non profit' period was being followed)?

Answer:

HATS will be invoiced for their temporary use of Brewery Street Car Park when they vacate the site. It is anticipated that this will happen this quarter and the Council will charge a standard market rate. No discount has been offered.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR KEN WOOD**

J2 Healthcare and Transport Services s19 licence

Question:

What steps have the Council taking to ensure that HATS fully complied with the conditions of the s19 licence for the period this was in operation, including not showing any 'commercial intent' in tendering for the contract, operating the service in the interim period the s19 permit was in place for, or in structuring payments to ensure that any profit accrued during the period was paid and accounted for outside of it?

Answer:

The Council has asked HATS to demonstrate their compliance with the Section 19 permit on several occasions during the initial period of operation. The Council has been satisfied by the assurances given and have had no concerns about HATS compliance with the conditions of the permit at any point. In relation to compliance with the permit legal advice was provided to from both internal lawyers and external specialists in transport law.

HATS have put their intent not to make a profit in writing, to us and to the Traffic Commissioner for the West Midlands. HATS are now in the process of producing a 'profit statement' for the period of operation under the permit and will then return any profit made to the Council once this assessment has been completed.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR BOB BEAUCHAMP**

J3 Healthcare and Transport Services Temporary Licence

Question:

When selecting Healthcare and Transport Services, did the Council believe that they already had a Licence that would allow them to operate in Birmingham and if not, on what date did they become aware that this would be an issue?

Answer:

HATS did not have an existing licence to operate in Birmingham, as they had not previously worked in the city. This never became an “issue”, and it is normal for operators expected to start work at short notice to use a temporary permit. The Traffic Commissioner granted this permit quickly once he understood the circumstances and the importance of the service. HATS initially operated under a Section 19 temporary permit and now have a full licence to operate, again granted by the Traffic Commissioner for the West Midlands. The Council is assured that HATS have operated legally throughout their period of operation.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR PETER FOWLER**

J4 Profit - Healthcare and Transport Services s19

Question:

How much profit did HATS return to the Council up to the end of October for the period it ran on the section 19 permit which does not allow a company to operate with commercial intent or for any part of its business operating under the same legal entity to operate under a (commercial) 'O' licence?

Answer:

HATS have confirmed their intention to return any profit made during the period they operated under a Section 19 permit. HATS are still receiving bills that relate to this period, and therefore are not yet able to calculate the full costs incurred. For this reason, it is not yet possible to provide a 'statement of profit' for the period.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR DARIUS SANDHU**

J5 EHCP requests

Question:

What proportion of EHCP assessment requests come from a) Schools, b) Parents, c) Young People

Answer:

Year	Requests Received	Parental Referral	School	Professional	Other
2016	1336	28%	44%	28%	1%
2017	1303	31%	43%	25%	1%
2018	1469	35%	38%	27%	1%
2019	1612	46%	35%	19%	0%
2020	1422	53%	28%	18%	1%
2021	1435	49%	36%	14%	1%

Please note

The parent and young people requests all fall under one category of 'self-referral' and therefore we are unable to separate them. Only over 16 year olds can self-refer.

'Other' column refers, for example to cases where a child has moved from another authority and the assessment has already started.

WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE CHILDREN AND FAMILIES FROM COUNCILLOR SIMON MORRALL

J6 EHCP timescale compliance

Question:

Please provide details of compliance with EHCP statutory timescales for each year since 2016, broken down between EHCPs requested by a) Schools, b) Parents, c) Young People

Answer:

EHCPs Finalised within 20 weeks excluding Exemptions	Type of Request			
	Parental / YP	Professional	School	Other
2016	93%	98%	98%	83%
2017	92%	94%	94%	100%
2018	88%	85%	84%	88%
2019	61%	74%	74%	67%
2020	58%	60%	60%	40%
2021	54%	63%	61%	38%

Please note

The parent and young people requests all fall under one category of 'self-referral' and therefore we are unable to separate them.

'Other' column refers, for example to cases where a child has moved from another authority and the assessment has already started.

City Council – 2 November 2021

EHCPs Finalised within 20 weeks excluding exemptions	2016	2017	2018	2019	2020	2021
January	94%	100%	100%	93%	59%	19%
February	89%	84%	100%	84%	60%	33%
March	92%	100%	98%	80%	72%	38%
April	99%	87%	86%	85%	61%	73%
May	100%	91%	66%	65%	42%	50%
June	100%	91%	82%	77%	76%	62%
July	99%	94%	87%	70%	87%	64%
August	100%	96%	81%	68%	75%	78%
September	100%	98%	85%	61%	62%	75%
October	94%	100%	92%	51%	29%	
November	78%	100%	83%	54%	4%	
December	91%	86%	76%	59%	33%	
Annual Performance	97%	94%	85%	72%	59%	58%

Please note that the final annual performance for 2021 is expected to be significantly higher than performance in 2020. The 2021 figures are currently depressed by the low performance from January – March.

WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE CHILDREN AND FAMILIES FROM COUNCILLOR RON STORER

J7 EHCP requests issued

Question:

For each year since 2016 what proportion of EHCP assessment requests have resulted in an EHCP being issued, broken down between EHCPs requested by a) Schools, b) Parents, c) Young People

Answer:

% Statutory Assessments Requests Resulting in an EHCP issued	Total	Parental Referral	Professional	School	Other
2016	69%	39%	95%	75%	88%
2017	61%	29%	90%	70%	73%
2018	62%	32%	94%	71%	73%
2019	60%	36%	94%	77%	100%
2020	69%	51%	91%	90%	80%

Please note

- 2021 figures have not been provided due to these not yet being reflective of outcome. There is a large number not yet at point of decision on whether to issue a plan, therefore would show an inaccurate picture at this stage.
- The parent and young people requests all fall under one category of 'self-referral' and therefore we are unable to separate them.
- The 'Other' column refers, for example to cases where a child has moved from another authority and the assessment has already started.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR ALEX YIP**

J8 SEND Budget

Question:

Please provide a breakdown on the budget for SEND in every year from 2016/17, including current year (excluding Higher Needs Block grant from DfE). Please ensure this includes –

- A) total budget allocated**
- B) total expenditure outturn (forecast for current year**
- C) total spend on home to school transport**
- D) total spend on external consultants**
- E) total spend on interim management**
- F) total spend on EHCP appeals process**
- G) total spend on EHCP tribunals**
- H) total spend on legal advice outside of tribunal and appeals process**
- I) total spend on exit payments for staff**
- J) total spend on ‘transformation projects’**

Answer:

A)	Financial	
	Year	£m
	<hr/>	
	2016-17	17.063
	2017-18	21.240
	2018-19	22.492
	2019-20	28.044
	2020-21	29.244
	2021-22*	29.610

* does not include the additional £4.000m to fund the SENAR team as part of the £5.100m total agreed by Cabinet.

B)	Financial Year	£m
	2016-17	21.656
	2017-18	23.988
	2018-19	25.606
	2019-20	29.677
	2020-21	32.208
	2021-22	34.955

Does not include the £6m costs of the SENAR team which are being funded through additional resources in 2021-22 and made up of -

	£m
Corporate underspend	2
Additional funding agreed by cabinet	4
	6

C)	Financial Year	£m
	2016-17	18.302
	2017-18	20.542
	2018-19	21.839
	2019-20	25.364
	2020-21	27.035
	2021-22	30.773

D) & E)	Financial Year	£m
	2016-17	0.450
	2017-18	0.322
	2018-19	0.292
	2019-20	0.843
	2020-21	2.120
	2021-22	2.090

Interim and consultancy costs are not distinctly coded in the financial system and it is not possible to report on them separately.

Does not include the costs of agency/interim staff funded through additional resources in 2021-22.

F) & G) – Costs of tribunals and appeals are not separately recorded. To identify actual costs would have to be undertaken on a case by case basis, including for example external barrister costs, requiring significant amount of officer time.

H)

Financial Year	£m
2016-17	0.001
2017-18	0.322
2018-19	0.014
2019-20	0.011
2020-21	0.029
2021-22	0.011

I)

Financial Year	£m
2016-17	0.015
2017-18	-
2018-19	-
2019-20	0.060
2020-21	0.002
2021-22	0.038

J) If there is a specific project for information requested, this can be provided.

WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE CHILDREN AND FAMILIES FROM COUNCILLOR MAUREEN CORNISH

J9 Higher Needs Block

Question:

For every year since 2016/17 please provide the total Higher Needs Block Funding including a breakdown

A) amount allocated to Birmingham mainstream schools

B) amount allocated to Birmingham special schools

C) amount allocated to special schools outside local authority

D) amount retained centrally

E) the overspend/(underspend) in each year

Answer:

The way the ledger is structured means it takes considerable time to extract and reconcile the data within the timescales. This is harder the further back we go as ledger structures change over time. 2020-21 has been fully reconciled and as such answers to questions A – C have been provided for this year below.

	2020/21 Budget	2020/21 Actual	2020/21 Overspend
A) Mainstream Schools Top Up & Resource Bases Funding	13,515,084	14,738,400	1,223,315
B) Special Schools Place & Top Up Funding	78,515,256	79,266,460	751,204
C1) OLA Special Schools Funding	1,379,154	2,452,882	1,073,728
C2) Independent Special Schools Funding	8,770,183	9,630,076	859,893

The information provided for A to C in the table above only identifies those schools specifically requested in the question. The High Needs Block pays for a range of other activities including over £11m in colleges.

Please note

C1) refers to maintained special schools outside Birmingham;

C2) refers to independent special schools both inside and outside Birmingham.

D) Unlike the Dedicated Schools Budget, the High Needs Block does not have an element for central held services.

E) The under/overspend on the High Needs Block since 2016/17 is shown in the table below

	(Under)/ Over spend
2016/17	9,062,308
2017/18	4,738,550
2018/19	2,235,986
2019/20	(1,979,797)
2020/21	(10,440,216)

It is difficult to make true historical comparisons when there have been changes to the High Needs Block over time.

For 2020/21 there was an underspend on the High Needs Block of £10.4m of which £5.0m was utilised to repay the cumulative deficit on this block, as agreed in the deficit recovery plan, and a further £6.8m resulted from a delay to the Developing Localised Provision (DLP) programme until a September 2021 start due to COVID. There is a commitment to fund the DLP programme for a two year period as was originally proposed.

BCC High Needs Block Allocation 2020/21	2020/21 Actual Expenditure	2020/21 (Under)/ Over spend
160,302,544	149,862,328	(10,440,216)

WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE CHILDREN AND FAMILIES FROM COUNCILLOR DAVID PEARS

J10 SEND Service Suppliers

Question:

Please supply an updated version of the table provided in response to Written Question B7 from the Full Council meeting of 13th April 2021 (itself an updated version of information provided to written questions at previous full council meetings).

Answer:

Agency	Spend	Confirmed Address
Baltimore	£275,000	PS21, 21 Princes Street, Bristol, BS1 4PH
Education Futures	£63,000	19 New Street, Horsforth, Leeds, LS18 4BH
Hays	£1,226,000	1 Colmore Square, Birmingham, B4 6AJ
Lords	£185,000	Crown House, The Square, Alvechurch, Birmingham B48 7LA
Panoramic	£1,507,000	St Bartholomew's House, Lewins Mead, Bristol, BS1 2NH
Penna	£320,000	2 nd Floor, 10 Bishops Square, Spitalfields, London, E1 6EG
Smart Education	£128,000	1-3 The Courtyard, Calvin Street, Bolton, BL1 8PB
Spencer Clarke	£216,000	11 Bartle Court Business Centre, Rosemary Lane, Preston, PR4 0HF
Tile Hill	£75,000	York House, 221 Pentonville Road, London N1 9UZ
Venn Group	£256,000	Waterloo House, 20 Waterloo Street, Birmingham, B2 5TB

The figures provided are for this financial year and are inclusive of both costs associated with General Fund and the DSG. These figures include all of the costs associated with interim and consultant officers in the SEND & Inclusion service. This means that the costs are inclusive of officers working in Home to School Transport as well and therefore not associated to SEND improvement. The majority of the costs are associated to officers completing business as usual activity in the SENAR area focusing on all activity surrounding all EHCPs. The service has secured additional funding from full council in September to support the recruitment of additional case officers into the SENAR service to ensure that all young people are assigned their own case officer as per the SEND code of practice.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR ADRIAN DELANEY**

J11 Interim and Consultants Diversity

Question:

The answer to written question B2 at the Full Council Meeting of 23rd February 2021 (which requests details of the ethnicity of interims and consultants) states that:

“Following advice from Corporate Procurement, who manage the interim and consultancy framework, I can confirm that ethnic origin is not collected and therefore cannot be disclosed.”

Assuming that this is still the case please explain how you will ensure that the ongoing and planned recruitment of large numbers of interims and consultants in SEND will be in line with the following statement, taken from “Everyone’s Battle Everyone’s Business”:

“Our goal is to ensure that our workforce properly reflects the communities we serve and that we are the fairest, most inclusive and desirable employer to work for in Birmingham. This means addressing the current imbalance in gender and Black Asian minority representation across all levels of the organisation.”

Answer:

Interims and consultants working in SEND are not BCC employees but employees of the relevant agency supplying them. Agencies on the Managed Service Provider (MSP) framework are vetted, as part of the selection process of them joining the framework, to ensure they are committed to equal opportunities and inclusion and have policies in place that demonstrate such.

The City Council does not monitor the performance of agencies on their recruitment practice in this regard but remains committed to encouraging suppliers to engage a workforce that reflects the diversity of our great City.

As with BCC employees the capturing of ethnicity data is voluntary. We are asking our third party providers where possible to capture this information and they will hold this on their database.

WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE CHILDREN AND FAMILIES FROM COUNCILLOR BRUCE LINES

J12 Appeals

Question:

For the period September 2018 - present please provide the following data, all broken down by type (Refusal to Assess, Refusal to Issue, Section B,F,I):

- **The number of appeals against the Council registered by SENDIST**
- **The number of appeals conceded by the local authority prior to hearings**
- **The number that went to hearing where the appeal was dismissed (i.e. the local authority's decision was deemed to be correct)**
- **The number of resulting tribunal orders which have not yet been complied with by the Council**

Answer:

The number of appeals against the Council registered by SENDIST

Year/ Month	Number Received	Refusal to Assess	Refusal to Issue EHCP	Section I	Cease to maintain Plan	Contents of Plan	Contents of Plan & Section I
Sep-18	26	11	4	9		1	1
Oct-18	29	6	1	19		2	1
Nov-18	18	6		7		1	4
Dec-18	13	4	6	3			
Jan-19	16	8	3	1			4
Feb-19	26	8	3	14			1
Mar-19	30	4	6	20			
Apr-19	31	7	7	14			3
May-19	41	8	3	28		1	1
Jun-19	36	8	6	13	4		5
Jul-19	29	11	3	7	2	1	5
Aug-19	21	8	4	5		1	3
Sep-19	22	5	4	11			2
Oct-19	22	6	3	9			4
Nov-19	12	4	3	3			2
Dec-19	9	2	3	1			3
Jan-20	21	4	6	7		1	3
Feb-20	18	3	3	6		1	5
Mar-20	19	5	2	11			1
Apr-20	18	4	1	9			4
May-20	20	2		14		1	3
Jun-20	29	5	5	14		2	3

City Council – 2 November 2021

Year/ Month	Number Received	Refusal to Assess	Refusal to Issue EHCP	Section I	Cease to maintain Plan	Contents of Plan	Contents of Plan & Section I
Jul-20	40	3		30		2	5
Aug-20	26	2	2	14		2	6
Sep-20	22	2	1	16	1	1	1
Oct-20	16	2	1	8		1	4
Nov-20	18	4	3	5			6
Dec-20	16	9	4	3			
Jan-21	12	7	1	2		1	1
Feb-21	20	7	4	5			2
Mar-21	9	2	1	2		1	2
Apr-21	23	3	2	12		3	3
May-21	25		2	19			4
Jun-21	26		4	17			5
Jul-21	37		7	29			1
Aug-21	57	5	7	36			9
Sep-21	54	11	8	27		1	7

The number of appeals conceded by the local authority prior to hearings

The number that went to hearing where the appeal was dismissed (i.e. the local authority's decision was deemed to be correct)

SENDIST APPEAL OUTCOMES	Conceded	Dismissed
2019		
Cease to Maintain	5	0
Contents of Plan	5	0
Refusal to Assess	70	1
Refusal to Issue Plan	33	3
Section I	75	3
2020		
Contents of Plan	3	1
Refusal to Assess	30	4
Refusal to Issue Plan	13	2
Section I	38	5
2021		
Contents of Plan	1	0
Refusal to Assess	10	0
Refusal to Issue Plan	1	0
Section I	9	0

Data on outcomes for 2018 is currently not in a reportable format, therefore not available at this time.

The number of resulting tribunal orders which have not yet been complied with by the Council

Nil

WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE CHILDREN AND FAMILIES FROM COUNCILLOR ADAM HIGGS

J13 EHCP Independent Places

Question:

Please provide the following numbers for children and young people (CYP) with EHCPs in Independent placements:

- **How many CYP, with EHCPs in September 2018 were in Independent Schools.**
- **How many CYP, with EHCPs in September 2019 were in Independent Schools.**
- **How many CYP, with EHCPs in September 2020 were in Independent Schools.**
- **How many CYP, with EHCPs in September 2021 were in Independent Schools.**

Answer:

Pupils with an EHCP attending Independent School	2018	2019	2020	2021
Independent School	342	391	377	351
Independent School (Tripartite Funded)	28	15	10	7
Post 16 Independent Placements	385	459	487	409
Total	755	865	874	767

- The number of Independent Placements for September 2021 is likely to change. There is usually a delay between the placement commencing and this being recorded for finance and reporting purposes.
- Tripartite funded placements relate to funding from the Local Authority, Birmingham Children's Trust and Birmingham and Solihull CCG.
- Data was previously provided to Full Council for the above to September 2020- however those figures differed as they were just funded places, whereas the above includes all

Independent Placements of children in Birmingham with EHCPs, including children in care to other local authorities which fund the placements

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR CHARLOTTE HODIVALA**

J14 EHCP area of need

Question:

Please provide, broken down by area of need, year group, number of children & young people with EHCPs who are currently:

- **Without a school place**
- **In a mainstream school but awaiting a special school placement**
- **Having Section F provision met through the Home Bridging Team**
- **Having Section F provision met by other home- based providers (please define who is providing this and the cost)**
- **Have annual reviews recommending change of placement that have not yet been actioned**

Answer:

- **Without a school place**

There are currently 97 CYP (compulsory school age) with an EHCP who are without a school place. This figure is constantly changing as children and young people are constantly moving in and out of Birmingham.

- **In a mainstream school but awaiting a special school placement**

The information indicates 420 CYP with an EHCP who are currently in mainstream schools are awaiting a special school placement. However, these children do have additional support in the mainstream school, and it may transpire that they can remain in that school successfully with the additional support.

- **Having Section F provision met through the Home Bridging Team**

The Home Bridging Service does not deliver provision detailed in Section F of EHCPs for CYP. The Home Bridging service supports the child / family via the arrangement of interim provision and a bridging service to support with the communication and transition to an appropriate placement.

The Home Bridging Service is currently working with 85 pupils with a view to ensure there is involvement with all those currently out of school.

- **Having Section F provision met by other home- based providers (please define who is providing this and the cost)**

Home Based Providers for CYP with an EHCP awaiting a school placement do not deliver the Education detailed in Section F, however, offer interim education in the form of 1:1 tuition. These are tutors specialising in working with CYP with additional needs and tailor the education to suit the young person's needs.

There are two main providers who are used, providing on average between 15 to 25 hours per week of education. (25 hours is provided where the child can engage with that level of support)

SMART Education - £33.00 per hour

Connex Education - £26.50 per hour

The spend this financial year for both providers so far has been approximately £450k.

- **Have annual reviews recommending change of placement that have not yet been actioned**

The current reporting system does not enable us to identify annual reviews where specifically a change of placement has been considered and not actioned. The system records where an annual review has taken place, been received and actioned. However, an upgrade of the current software to be implemented by Spring 2022 will enable this to be recorded.

With the additional resources allocated by the Council to enhance staffing of this service, a restructure is taking place which will enable officers to be allocated to individual schools and therefore have greater oversight of annual review recommendations where there has been a change of placement request.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR PETER FOWLER**

J15 Action Plan

Question:

Please provide a copy of the action plan - with target dates and process to date - to bring the processing of housing applications down from 22 weeks to 4-6 weeks as required by the Local Government Ombudsman in their recent report ref 20 007 658

Answer:

See below:-

Housing Application Backlog Action Plan

Objective: To reduce the backlog of housing applications awaiting assessment to within the service standard of 6 weeks.

Duration: 16 August to December 2021

Review Date: 26 October 2021

Reviewed by: Vicki Pumphrey

	Task	Target Date	RAG Status	Comments
1.	Seek business case approval and recruit additional officers.	September 2021	Completed	33 temporary staff appointed between 16 August and 13 September 2021.
2.	Induction and training of new/additional staff	August 2021	Completed	Phase 1 training (failed applications) completed 16-27 August 2021. Phase 2 training (passed applications) completed 11 – 22 October 2021.
3.	Reduce backlog of failed housing applications	September 2021	Completed	Assessments commenced 31 st August 2021.
4.	Monitor performance weekly from 31 August 2021.		In progress/ongoing	Weekly reports to DMT. User action reports and weekly registration reports. See page 2.
5.	Report to Audit Committee - Public interest Report	29 November 2021	In progress	Chairman's pre-agenda is scheduled for Monday 15 November. Papers provided 27 October 2021 to JG/GM.
6.	Exit plan and evaluation	December 2021	Not started	Linked to LGSO Action Plan to meet all recommendations.

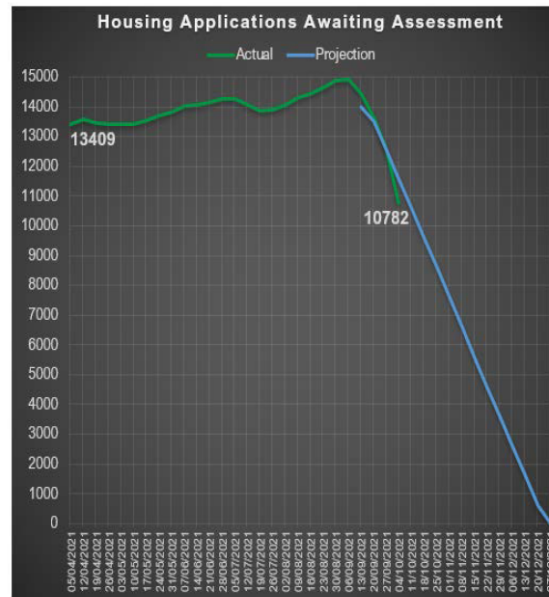


Housing Application Backlog Action Plan

Progress update @ 26 October:

In just over 7 weeks, inclusive of training the team of 33 staff have completed over 6000 failed application assessments. The team have now commenced the outstanding passed applications with a prediction of 4000 by December 2021, with 4-6 weeks outstanding as required by the Local Government Ombudsman in their recent report ref 20 007 658.

Week	Actual	Projection	Received	Assessed	Returned	Total Assessed	Within 6 weeks
28/06/2021	14255		488	501	167	668	2728
05/07/2021	14255		200	630	219	849	2475
12/07/2021	14053		450	564	215	779	2469
19/07/2021	13876		433	519	291	810	2495
26/07/2021	13916		387	432	180	612	2691
02/08/2021	14059		437	126	400	526	2653
09/08/2021	14319		420	344	81	425	2585
16/08/2021	14442		497	467	163	630	2624
23/08/2021	14643		508	371	165	536	2682
30/08/2021	14876		433	329	87	416	2682
06/09/2021	14912		357	210	96	306	2652
13/09/2021	14413	14000	381	341	164	505	2596
20/09/2021	13615	13500	410	678	723	1401	2586
27/09/2021	12640	12600	443	586	604	1190	2532
04/10/2021	10782	11600	425	697	614	1311	2449
11/10/2021	9046	10600	548	1361	1420	2781	2564
18/10/2021	9216	9600	575	569	310	879	2782
25/10/2021	9449	8600	540	449	213	662	2941
01/11/2021		7600					
08/11/2021		6600					
15/11/2021		5600					
22/11/2021		4600					
29/11/2021		3600					
06/12/2021		2600					
13/12/2021		2600					
20/12/2021		2600					
27/12/2021		2600					



**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE CHILDREN
AND FAMILIES FROM COUNCILLOR BABER BAZ**

J16 Rough Sleeping

Question:

Concern has been raised that homelessness may be returning to pre-pandemic levels as measures introduced in response to COVID-19 are wound down. Could the Cabinet Member provide an appraisal of the level of homelessness in the City, giving an outline of the measures that are being taken to tackle this?

Answer:

Birmingham City Council has continued to work with its partners to reduce the number of people sleeping rough in Birmingham. This reflects local and national commitments to end the need for anyone to sleep rough. In Birmingham through our partners there are street outreach workers mobilised 7 days a week, both day and night.

The official annual count of people sleeping rough in Birmingham took place in November 2020 and the figure was announced, along with those for the rest of England, in February 2021. On a single night 17 people were found bedded down in Birmingham, this was a 67% reduction on the previous year (52), and an even more significant reduction from the 91 found the year before that.

Since then and with the easing of lockdown and summer, numbers rose, peaking in June on a single night to 37 found bedded down. Excellent work across the partnership has managed to contain that rise so by September the single night snapshot figure was 18 people found bedded down.

The picture of who sleeps rough on the streets is not static, flow onto and off the streets is significant. For example, in September 110 individuals were identified as having slept rough on the streets of Birmingham at some point in the month. There is an accommodation and support offer for every person presenting on the street, the most challenging circumstances being when someone has 'no recourse to public funds' and therefore limitations on how services can help.

For winter 2021-22 there is no plan to have a winter night-shelter. Through our partners there are sufficient beds in single room accommodation to ensure there is always an emergency offer available, these are coordinated through a dedicated accommodation officer.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR ADRIAN DELANEY**

J17 Council's Allocation Scheme

Question:

In each year since 2018, how many housing applicants have been deemed not to qualify for reasons of 'unacceptable behaviour' as defined by section 4.3.1 of the council's housing allocations scheme?

Answer:

Please see below a table of how many housing applicants, by calendar year, who have been assessed as not qualifying to join the housing register for reasons of 'unacceptable behaviour' as defined by section 4.3.1 of the council's housing allocations scheme:

Calendar Year	Total
2018	296
2019	125
2020	217
2021 (to 25/10/2021)	157

**WRITTEN QUESTION TO THE CABINET MEMBER FOR VULNERABLE
CHILDREN AND FAMILIES FROM COUNCILLOR DAVID BARRIE**

J18 Accommodation – Reliant Housing

Question:

How many individuals has the Council placed with or referred to Reliance Housing accommodation since 2012?

Answer:

As a part of the Homeless Reduction Act 2017 we collate data and send it to the Government as a part of our reporting.

For government reporting we report on those in the specific duties (Prevent, Relief, Main) and Temporary accommodation offered.

However, we do not formally collate figures on numbers referred to specific Exempt supported accommodation providers, this information would be in the contact case notes. It is for this reason that we would be unable to report on specific numbers of Clients placed with Reliance Housing. We do not refer cases from the Housing Options Centre to Reliance Housing as they are not on our list of preferred providers.

For general figures from 2020.

During the Covid Pandemic – we had a walk-in service that was run as an emergency service for Rough Sleepers and single homeless only. From 31.03.2020 – 31.03.2021 just for the single homeless walk in's we saw 1983 Clients. Of those we placed 514 people into exempt supported accommodation. It roughly equates to 26% of the Clients that have presented.