

BIRMINGHAM CITY COUNCIL

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

PRESENT:

Councillor Sir Albert Bore in the Chair;

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

NOTICE OF RECORDING

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

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

- 2380 **RESOLVED:-**

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

APOLOGIES

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

DECLARATIONS OF INTEREST

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

The following document was submitted:-

(See document No 1)

- 2383 **RESOLVED:-**

That the Terms of Reference be noted.

MINUTES

- 2384 The Minutes of the last meeting held on 11 May 2015 were confirmed and signed by the Chair.
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COMMUNITY GOVERNANCE REVIEW: DECISION PROCESS

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

(See document No 2)

The Chair briefly outlined the purpose of the report.

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

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

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

2385

RESOLVED:-

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

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

(See document No 3)

A. EDUCATION AWARDS (REVIEW) SUB-COMMITTEE

2386

RESOLVED:-

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

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

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

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

B. MISCELLANEOUS APPEALS SUB-COMMITTEE

2387

RESOLVED:-

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

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

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

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

C. ELECTION MATTERS MEMBERS FORUM

2388

RESOLVED:-

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

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

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

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

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

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

D. LORD MAYOR'S ADVISORY GROUP

2389

RESOLVED:-

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

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

To provide guidance on protocol matters as necessary;

To review Civic functions as necessary; and

To advise on the appropriateness of Parlour arrangements.

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

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

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

2390

RESOLVED:-

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

F. PERSONNEL APPEALS (DISMISSALS) SUB-COMMITTEE

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

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

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

2391

RESOLVED:-

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

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

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

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

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

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

The following schedule was submitted:-

(See document No 4)

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

2392

RESOLVED:-

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

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 5)

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

2393

RESOLVED:-

That the draft agenda be noted.

**SUPPORT ARRANGEMENTS FOR COMMUNITY
GOVERNANCE**

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

(See document No 6)

2394

RESOLVED:-

- (i) That the report be noted;
 - (ii) that it be noted that there was confidential information relating to staffing matters documented in a private report (exempt paragraph 3) due to be considered on the private agenda later in the meeting.
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COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2015/2016

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

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

2395

RESOLVED:-

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

To be held on Tuesdays at 1200 hours unless otherwise

stated.

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

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

(Nb The 28 July was subsequently agreed)

AUTHORITY TO CHAIR AND OFFICERS

2396

RESOLVED:-

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

EXCLUSION OF THE PUBLIC

2397

RESOLVED:-

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

Agenda Item etc

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

Support Arrangements for Community Governance	3
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