

**BIRMINGHAM CITY COUNCIL**  
**COUNCIL BUSINESS MANAGEMENT COMMITTEE**

**MONDAY, 18 JANUARY 2021 AT 14:00 HOURS**  
**IN ON-LINE MEETING, MICROSOFT TEAMS**

**A G E N D A**

**1     NOTICE OF RECORDING/WEBCAST**

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

**2     DECLARATIONS OF INTERESTS**

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

**3     APOLOGIES**

To receive any apologies.

**3 - 8**

**4     MINUTES**

To confirm and sign the Minutes of the last meeting.

**9 - 12**

**5     LORD MAYOR 2021/2022**

Report of the City Solicitor.

**13 - 34**

**6     MEETINGS IN THE PRE-ELECTION PERIOD**

For members to consider how to proceed with Council meetings that will take place in the pre-election period in 2021

**35 - 40**

7 **PETITION DEMOLITION OF PERRY BARR FLYOVER**

Report of the City Solicitor.

**41 - 46**

8 **CITY COUNCIL AND CBM FORWARD PLAN**

To inform members of forthcoming items for City Council and Council Business Management Committee meeting agendas

**47 - 50**

9 **COUNCIL AGENDA FOR THE NEXT MEETING**

To consider the Council agenda for the next meeting.

10 **APPOINTMENTS**

To make any necessary appointment.

11 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

12 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

# BIRMINGHAM CITY COUNCIL

<b>COUNCIL BUSINESS MANAGEMENT COMMITTEE 21 DECEMBER 2020</b>
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**MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON MONDAY 21 DECEMBER 2020 AT 1400 HOURS, AS AN ON-LINE MEETING**

**PRESENT:** Councillor Ian Ward in the Chair;

Councillors Robert Alden, Fred Grindrod, Shabrana Hussain, Brigid Jones, Gareth Moore, Carl Rice, Martin Straker Welds and Mike Ward.

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**NOTICE OF RECORDING**

- 3041 The Chairman advised that the meeting would be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs at the meeting except where there are confidential or exempt items.

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**DECLARATIONS OF INTEREST**

- 3042 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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**APOLOGIES**

- 3043 No apologies were submitted.

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**APPOINTMENTS**

Councillor Martin Straker Welds proposed that Councillor Olly Armstrong replace Councillor Safia Akhtar on the Education and Children's Social Care Overview and Scrutiny Committee.

It was-

- 3044 **RESOLVED:-**

- (i) That Councillor Fred Grindrod (Lab) be appointed to the Council Business Management Committee in place of Councillor Brett O'Reilly

(Lab) for the period ending with the next Annual Meeting of the Council;  
and

- (ii) that Councillor Olly Armstrong (Lab) be appointed to the Education and Children's Social Care Overview and Scrutiny Committee in place of Councillor Safia Akhtar (Lab) for the period ending with the next Annual meeting of the Council.

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**MINUTES**

- 3045 That the Minutes of the last meeting held on 16 November 2020 were confirmed and signed by the Chair.

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**TRIBUTES**

The following report of the City Solicitor was submitted:-

(See document No 1)

Emma Williamson, Head of Scrutiny Services, made introductory comments relating to the report.

During the debate Members agreed that option 3 was the most appropriate with the number of tributes being split across 2 or more Council Meetings. With reference to the former Honorary Alderman Theresa Stewart, Councillor Brigid Jones felt a memorial service would be appropriate given her notable service. The Chair indicated that in the past memorial services had been held in the Cathedral for former Councillors who had given notable service and agreed that something of a similar nature should be undertaken for Theresa Stewart in addition to the tributes when possible.

- 3046 **RESOLVED:-**

That it be agreed that the taking tributes be commenced with those giving the tributes to be filmed in the Chamber, perhaps in advance of the meeting, to allow a video to be played at the start of the meeting divided between future City Council meetings as appropriate.

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**PETITION HANDSWORTH CEMETERY**

The following report of the City Solicitor was submitted:-

(See document No 2)

Following consideration, it was-

- 3047 **RESOLVED:-**

- (i) That the report be noted; and  
585

- (ii) that the petitions be referred to and debated at the Housing and Neighbourhoods Overview and Scrutiny Committee
- 

**PETITION NORMAN LAUD ASSOCIATION**

The following report of the City Solicitor was submitted:-

(See document No 3)

Following consideration, it was-

3048

**RESOLVED:-**

- (i) That the report be noted; and
- (ii) that the petition be referred to and debated at the Health and Social Care Overview and Scrutiny Committee
- 

**REQUEST FOR THE USE OF THE COAT OF ARMS**

The following report of the City Solicitor was submitted:-

(See document No 4)

Following consideration, it was-

3049

**RESOLVED:-**

That no objection be raised to the request from Mr H Stratton to use the Birmingham Coat of Arms as a picture in a book that will be entitled 'A Brummie Life'.

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**PETITIONS UPDATE**

The following report of the City Solicitor was submitted:-

(See document No 5)

Following consideration, it was-

3050

**RESOLVED:-**

That the report be noted.

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**CITY COUNCIL AND CBM FORWARD PLAN**

The following City Council and CBM Forward Plan was submitted:-

(See document No 6)

Emma Williamson, Head of Scrutiny Services, highlighted the number of reports scheduled to be submitted to the January City Council meeting and suggested that the Executive Business Report could slip to 2 February 2021 meeting with the Scrutiny Business report scheduled for that meeting slipping to April. She also noted that January CBM Committee would receive a report on meetings in the pre-election period.

During the debate it was noted that the Executive Business report due to be submitted to the January City Council Meeting was to be about activity around Covid and preparations for Brexit whilst the Scrutiny Business report due in February 2021 related to Scrutiny Framework which was being developed. It was agreed that the changes suggested were appropriate.

In response to a question from Councillor Gareth Moore, Rob Connelly, Assistant Director Governance, advised that he would be bringing the report on the Lord Mayoralty to the January 2021 meeting of CBM Committee.

Councillor Robert Alden suggested that officers and the Committee consider what is going to be possible for the budget meeting of the City Council and to see if it could be done as a hybrid meeting as he felt the way that City Council meetings were working currently would not work for the budget meeting. The Chair requested that officers report back to the Committee on that issue.

The Chair, referring to the other actions from City Council meetings section indicated that he had responded to Councillors Pritchard and Mackey and was in the process of responding to Councillor Deirdre Alden.

3051

**RESOLVED:-**

That, subject to the changes proposed in the forgoing preamble, the City Council and CBM Forward Plan be noted.

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**COUNCIL AGENDA FOR THE NEXT MEETING**

The following draft agenda was submitted:-

(See document No 7)

During discussion it was agreed to

- Move agenda item 7 (Executive Business Report) to the 2 February meeting.

- Increase the time allocated for agenda item 9 (Route to Zero Report) to 55 minutes.

It was further noted that Councillor Waseem Zaffar would be presenting the Route to Zero Report and Councillor Sharon Thompson the Rough Sleeping Addendum and Action Plan 2020- 23- Homelessness Prevention Strategy report.

3052

**RESOLVED:-**

That, subject to the above changes, the draft agenda be noted, and that Standing Orders be waived as appropriate.

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**OTHER URGENT BUSINESS**

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

**Renaming of the Adult Education Centre in Trittiford Road**

3053

The Chair indicated that he had received a suggestion that the Adult Education Centre Trittiford Road might be renamed 'The Theresa Stewart Centre for Adult Education'. He noted that the centre was in the Ward that Theresa had represented, and her family were content with the proposal.

Councillors Robert Alden and Mike Ward were agreeable to that suggestion.

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**Seasons Greetings**

3054

The Chair wished everyone a happy Christmas and a healthy New Year

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**AUTHORITY TO CHAIR AND OFFICERS**

3055

**RESOLVED:-**

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

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The meeting ended at 1423 hours.

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CHAIR





**Birmingham City Council**  
**Council Business Management Committee**  
 18 January 2021



**Subject:** Lord Mayor 2021/2022  
**Report of:** Suzanne Dodd, City Solicitor  
**Report author:** Phil Wright  
 Group Team Manager  
 0121 303 0216  
 phil.wright@birmingham.gov.uk

Does the report contain confidential or exempt information? ☐ Yes ☒ No

## 1 Executive Summary

- 1.1 To agreed that the Lord Mayor for 2021/2022 be from the Labour Group instead of the Conservative Group as indicated by the formula for the Lord Mayoralty due to the difficulties experienced in the current Municipal Year because of the Covid pandemic.

## 2 Recommendations

- 2.1 That the Lord Mayor for 2021/2022 be the nomination from the Labour Group made in February 2020, instead of the Conservative Group as indicated by the formula for the Lord Mayoralty;
- 2.2 That the Lord Mayor for 2022/2023 be from the Conservative Group instead of the Labour Group

## 3 Background

- 3.1 In determining the Political Group the Lord Mayor should come from, the Council adopted a formula which was first used in 1993 by the former General Purposes Committee. Its purpose is to ensure that, over a period of years, the Lord Mayoralty is allocated to the various Party Groups in proportion to their numerical strength (i.e. number of Councillors) over that same period.
- 3.2 It is “rolled forward” each year, to take account of:
- the numerical strength of each of the 3 Party Groups at the date of the Annual Council Meeting. This is achieved by subtracting each Group’s proportion of Councillors (of the total of 101) from that Groups previous “score”; and

- the choice of Lord Mayor for the year in question. This is achieved by adding 1 to the “score” of the Party Group to which the Member elected as Lord Mayor belongs.

3.3 After rolling forward the formula as above, the Party Group with the lowest score is the Group, which is entitled, according to the formula, to put forward one of its members to be the Lord Mayor for the year beginning in the following May.

3.4 The formula is of course no more than an informal means of allocating the Lord Mayoralty between the various Party Groups. It is not in any sense binding on the full Council. Whatever the formula may provide, a Councillor can only become Lord Mayor by being nominated and elected at the Annual Council Meeting.

3.5 The formula has however been followed in every year, bar two, since 1993. The two exceptions have been:

- when the Labour Group voluntarily surrendered their entitlement to the Lord Mayoralty for 1998/99 and it was taken by the Liberal Democrat Group (who had the second lowest score at the time); and
- when the nominee of the Conservative Group for 2001/02 was rejected at the Annual Council Meeting in May 2001 and instead a Liberal Democrat Group Member was elected as Lord Mayor.

#### **4 Current Position**

4.1 Appendix 1 to this report shows the working of the formula from May 2016 onwards which was agreed by the Committee on 19 November 2018. In particular, it shows the rolling forward of the formula to reflect the election of a Labour Group Member as Lord Mayor for the 2018/2019 Municipal Year; and the strengths of the 3 Party Groups at the time of the May 2018 Annual Council Meeting. It then shows the calculations for subsequent Municipal Years until the elections in 2022.

4.2 Under this formula the Groups are entitled to put forward one of their members to be the Lord Mayor as follows:

Labour	2019/2020
Labour	2020/2021
Conservative	2021/2022
Labour	2022/2023.

#### **5 Proposal for Lord Mayoralty 2021 – 2023**

5.1 In effect, due to the Covid pandemic, both the Conservative and Labour Groups are proposing that the formula (as previously agreed) be amended so that for the municipal year 2021/2022 the Lord Mayor will be from the Labour Group and for the year 2022/2023 the Lord Mayor will be from the Conservative Group.

5.2 The effect of this will be to allow the Lord Mayor elect (Councillor Afzal) to commence his term from the AGM in May 2021.

## APPENDIX 1

**THE LORD MAYORALTY – CURRENT WORKING OF FORMULA****2019/2020**

	<b><u>LAB</u></b>	<b><u>CON</u></b>	<b><u>LIB DEM</u></b>
<b>May 2016 scores</b> Following City Council AGM	0.94	0.72	1.68
ADD 1 to Con (LM for 2017/18)	0.94	1.72	1.68
SUBTRACT to reflect Group Strengths at May 2017	0.67	0.24	0.08
<b>May 2017 scores</b> Following City Council AGM	0.27	1.48	1.60
ADD 1 to Lab (LM for 2018/19)	1.27	1.48	1.60
SUBTRACT to reflect Group Strengths at May 2018	0.66	0.25	0.08
<b>May 2018 scores</b> Following City Council AGM	0.61	1.23	1.52

The **Labour** Group is therefore entitled, under the formula, to the Lord Mayoralty for 2019/20.

**2020/2021**

	<b><u>LAB</u></b>	<b><u>CON</u></b>	<b><u>LIB DEM</u></b>
<b>May 2018 scores</b> Following City Council AGM	0.61	1.23	1.52
ADD 1 to Lab (LM for 2019/20)	1.61	1.23	1.52
SUBTRACT to reflect Group Strengths at May 2019	0.66	0.25	0.08
<b>May 2019 scores</b> Following City Council AGM	0.95	0.98	1.44

The **Labour** Group is therefore entitled, under the formula, to the Lord Mayoralty for 2020/2021.

**2021/2022**

	<b><u>LAB</u></b>	<b><u>CON</u></b>	<b><u>LIB DEM</u></b>
<b>May 2019 scores</b> Following City Council AGM	0.95	0.98	1.44
ADD 1 to Lab (LM for 2020/21)	1.95	0.98	1.44
SUBTRACT to reflect Group Strengths at May 2020	0.66	0.25	0.08
<b>May 2020 scores</b> Following City Council AGM	1.29	0.73	1.36

The **Conservative** Group is therefore entitled, under the formula, to the Lord Mayoralty for 2021/22.

**2022/2023**

	<b><u>LAB</u></b>	<b><u>CON</u></b>	<b><u>LIB DEM</u></b>
<b>May 2020 scores</b> Following City Council AGM	1.29	0.73	1.36
ADD 1 to Con (LM for 2021/22)	1.29	1.73	1.36
SUBTRACT to reflect Group Strengths at May 2021	0.66	0.25	0.08
<b>May 2021 scores</b> Following City Council AGM	0.63	1.48	1.28

The **Labour** Group is therefore entitled, under the formula, to the Lord Mayoralty for 2022/23.

**Notes:**

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

**Birmingham City Council**  
**Council Business Management Committee**  
 18 January 2021



**Subject:** Meetings in the Pre-Election Period  
**Report of:** Suzanne Dodd, City Solicitor  
**Report author:** Emma Williamson, Head of Scrutiny Services

Does the report contain confidential or exempt information? ☐ Yes ☒ No

## **1 Executive Summary**

- 1.1 For members to consider how to proceed with Council meetings that will take place in the pre-election period in 2021.

## **2 Recommendations**

- 2.1 The Committee is asked to agree that
- During the pre-election period in 2021, those regulatory committee meetings which are quasi-judicial in nature (Planning, Licensing) continue to be held to ensure the timely consideration of applications;
  - Other meetings shall only take place in accordance with a decision by the Monitoring Officer, in consultation with the Chair of the Committee in question, taking account of the Code of Recommended Practice on Local Authority Publicity and the nature of the business involved;
  - That advice is circulated to all Councillors to remind Councillors about the guidelines and restrictions on publicity during the pre-election period.

## **3 Background**

- 3.1 Elections for the Elected Mayor of the West Midlands, the West Midlands and Police and Crime Commissioner, plus byelections for the City Council, are scheduled to take place on 6<sup>th</sup> May 2021.
- 3.2 The pre-election period is the time between the notice of an election and the election itself. It typically begins six weeks before the scheduled election. For these elections it has been agreed across the local authorities that make up the West Midlands area, that it will be from 22nd March to the close of poll on 6 May 2021.

- 3.3 Activities during the pre-election period are governed by the Recommended Code Practice on Local Authority Publicity. The Code is attached at Appendix 1 to this report.
- 3.4 The Local Government Association publication entitled 'A Short Guide to Publicity During the Pre-Election Period', is attached at Appendix 2, which reflects the Code as at November 2019. An updated version will be produced ahead of the 2021 elections.

## **4 Key Principles**

- 4.1 These documents define publicity and what authorities should not do. They also confirm that Councils are allowed to continue discharging normal council business (including budget consultations or determining planning applications even if they are controversial) during the pre-election period. However, the Council must also balance that in the run-up to any election it is likely that even "business as usual" will become increasingly politicised. There may be factors which could limit the decisions to be taken or meetings to be held.
- 4.2 The key principles are:
- The Council retains its responsibilities during the pre-election period, therefore essential business must continue. However, during this period, the Council cannot publish material that appears to be designed to affect public support for a political party.
  - The Council cannot publish on controversial issues or report views or proposals in such a way that identifies it with any individual members or groups of members.
  - The Council cannot issue any publicity that seeks to influence voters.
  - Publicity is defined very widely as "any communication, in whatever form, addressed to the public at large or to a section of the public". This includes speeches, leaflets and newspaper articles issued by or on behalf of the Council.
- 4.3 Member must not use Council resources or issue any publicity that could be construed as an attempt to influence the outcome of any elections in anyway.

## **5 Options and Recommendations**

- 5.1 The meetings scheduled for the pre-election period are set out in Appendix 3. In broad terms, there are three options:
- a) Continue with all meetings as scheduled;
  - b) Consider each meeting and decision based on their remit and purpose, determining whether it is appropriate
  - c) Cancel all meetings to avoid any impression of political support.
- 5.2 Neither the first nor the last of these options would fully accord with the Code. Option a) would not allow the consideration of the impact on the Council's reputation during what is a period of heightened sensitivity. Option c) would potentially lead to a delay

in decision making or the invoking of the relevant urgency procedures to ensure that decisions were made.

- 5.3 The recommended approach is therefore option b): the council meetings should continue in order to discharge normal council business as far as possible. However for practical reasons, and so that meetings are not used as a political platform, each meeting and agenda item should be assessed by the Chair and Monitoring Officer. They will determine whether meetings should be convened, taking account of the guidance and the nature of the business involved.
- 5.4 The consideration will include whether matters / decisions proposed may potentially be seen as supporting a particular political party or candidate) and whether it may be appropriate to defer a decision if that might reasonably be the case. Other relevant factors may be:
- Legal/financial/risk implications of delay;
  - Statutory requirements;
  - Reputational implications;
  - Implications for care of residents including vulnerable people;
  - Economic Impact.
- 5.5 In general terms, this would mean:
- All Planning and Licensing application meetings would proceed, as these are quasi-judicial in nature and should continue to be held to ensure the timely consideration of applications;
  - Cabinet would continue as business as usual except where there are items that could give rise to the perception that council resources are being used to influence voters, and so decisions would be subject to the test set out above;
  - O&S meetings are generally considered business as usual except where there are items that could give rise to the perception that council resources are being used to influence voters, and therefore each agenda item would be subject to the test set out above;
  - Audit Committee would be considered on the same basis;
  - Local Covid Outbreak Engagement Board would continue as business as usual;
  - Ward forums would proceed only following advice from the Monitoring Officer.
- 5.6 The final decision whether a meeting should continue will lie with the Monitoring Officer.

### ***Full Council***

- 5.7 There is one Full Council meeting scheduled to take place in the pre-election period (PEP). The December 2019 Full Council meeting was cancelled as it fell in the PEP for the General Election. In 2018, prior to the “all-out” local elections, Full Council was moved to March to avoid the PEP. Prior to both the last Police and Crime Commissioner elections (2016) and the Elected Mayor elections (2017) the Full

Council meeting went ahead in the PEP. In previous years, Full Council has gone ahead in the PEP.

5.8 The forward plan for the April Full Council meeting currently includes:

- Scrutiny Business Report (focusing on the Scrutiny Framework);
- Scrutiny Inquiry: Infant Mortality (Health and Social Care);
- Scrutiny Inquiry: Property Assets (Economy & Skills) – may be deferred;
- Annual Report of the Independent Remuneration Panel.

5.9 If the meeting were to be moved from April to March 2021, then the options would be:

- Monday 21<sup>st</sup> March – the day before the start of the PEP;
- Tuesday 16<sup>th</sup> March – Cabinet is scheduled in the morning, and a Health & Wellbeing Board meeting in the afternoon would need to be rescheduled;
- Tuesday 9<sup>th</sup> March – there are no clashes but bringing forward by over a month could cause difficulties in completing the Scrutiny reports.

5.10 Given that there is nothing that seems politically contentious on the agenda, and the difficulties in finding a new date, it is therefore proposed that Full Council remain on 13<sup>th</sup> April, with groups and members given clear guidance on the requirements.



# DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT

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*Communities and Local Government Circular 01/2011*  
**Department for Communities and Local Government**  
**Eland House, Bressenden Place, London SW1E 5DU**

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31 March 2011

## CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY

1. I am directed by the Secretary of State for Communities and Local Government to draw the attention of your authority to the annexed code of recommended practice on local authority publicity, which has been issued under section 4 of the Local Government Act 1986. It comes into force on 31 March 2011. On the same date the codes of practice issued on 15 August 1988 (Department of the Environment circular 20/88) and 2 April 2001 (Department of the Environment, Transport and the Regions circular 06/2001) are withdrawn in relation to local authorities in England.
2. The code has been prepared following consultation with such associations of local authorities as appeared to the Secretary of State to be concerned and such local authorities with whom consultation appeared to the Secretary of State to be desirable. A draft of the code has been laid before, and approved by a resolution of, each House of Parliament.

Signed

Paul Rowsell

*A senior civil servant in the Department for Communities and Local Government*

The Chief Executive –  
 County Councils in England  
 District Councils in England  
 London Borough Councils  
 The Council of the Isles of Scilly  
 Parish Clerks of Parish Councils in  
 England  
 The Town Clerk, City of London

The Chief Officer of the –  
 Metropolitan Police Authority  
 Police authorities established under section 3 of the  
 Police Act 1996  
 The London Fire and Emergency Planning  
 Authority  
 The Broads Authority  
 National Parks Authorities  
 Joint authorities under Pt 4 of the Local  
 Government Act 1985  
 The Manchester Combined Authority

# THE CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY

## **Introduction**

1. This code applies to all local authorities in England specified in section 6 of the Local Government Act 1986 and to other authorities in England which have that provision applied to them by other legislation. Where the term “local authorities” is used in this code it should be taken as referring to both those categories of authority. References to “the Act” are to the Local Government Act 1986.
2. Local authorities are required by section 4(1) of the Act to have regard to the contents of this code in coming to any decision on publicity. Section 6 of the Act defines publicity as “any communication in whatever form, addressed to the public at large or a section of the public”. The code therefore applies in relation to all decisions by local authorities relating to paid advertising and leaflet campaigns, publication of free newspapers and newsheets and maintenance of websites – including the hosting of material which is created by third parties.
3. Nothing in this code overrides the prohibition by section 2 of the Act on the publication by local authorities of material which in whole or in part appears to be designed to affect public support for a political party. Paragraphs 21 to 24 offer some guidance for local authorities on the management of publicity which may contain or have links to party political material.

## **Principles**

4. Publicity by local authorities should:-
  - be lawful
  - be cost effective
  - be objective
  - be even-handed
  - be appropriate
  - have regard to equality and diversity
  - be issued with care during periods of heightened sensitivity

## **Lawfulness**

5. Local authorities should ensure that publicity complies with all applicable statutory provisions. Paid-for advertising must comply with the Advertising Standards Authority’s Advertising Codes.

6. Part 3 of the Communications Act 2003 prohibits political advertising on television or radio. Local authorities must ensure that their publicity does not breach these restrictions.
7. Section 125 of the Political Parties, Elections and Referendums Act 2000 places a specific restriction on the publication by a local authority of material relating to a referendum under Part 7 of that Act, during the period of 28 days immediately before the referendum is held.
8. Regulation 5 of the Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089) prohibits local authorities from publishing material in the 28 days immediately before a referendum which expresses support for, or opposition to a particular answer to a referendum question relating to the constitutional arrangements of the authority.
9. Regulation 15 of the Local Authorities (Referendums, Petitions and Directions) (England) Regulations 2000 (S.I. 2000/2852) prohibits local authorities from incurring expenditure to publish material which appears designed to influence people in deciding whether or not to sign a petition relating to the constitutional arrangements of the authority, or to assist others to publish such material.

### **Cost effectiveness**

10. In relation to all publicity, local authorities should be able to confirm that consideration has been given to the value for money that is being achieved, including taking into account any loss of potential revenue arising from the use of local authority-owned facilities to host authority publicity.
11. In some circumstances it will be difficult to quantify value for money, for example where the publicity promotes a local amenity which is free to use. In such a case authorities should be able to show that they have given thought to alternative means of promoting the amenity and satisfied themselves that the means of publicity chosen is the most appropriate.
12. If another public authority, such as central government, has issued publicity on a particular topic, local authorities should incur expenditure on issuing publicity on the same matter only if they consider that additional value is achieved by the duplication of that publicity. Additional value might be achieved if locally produced publicity gives a local context to national issues.
13. The purchase of advertising space should not be used as a method of subsidising voluntary, public or commercial organisations.
14. Local authorities should consider whether it is appropriate to seek advice from economic analysts, public relations experts or other sources of expert advice before embarking on a publicity campaign involving very large expenditure.

## **Objectivity**

15. Local authorities should ensure that publicity relating to policies and proposals from central government is balanced and factually accurate. Such publicity may set out the local authority's views and reasons for holding those views, but should avoid anything likely to be perceived by readers as constituting a political statement, or being a commentary on contentious areas of public policy.
16. Any publicity describing the council's policies and aims should be as objective as possible, concentrating on the facts or explanation or both. Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy. It is acceptable for local authority publicity to correct erroneous material which has been published by other parties, despite the fact that the material being corrected may have been published with the intention of influencing the public's opinions about the policies of the authority. Such publicity should seek to explain the facts in an objective manner.
17. Where paid-for advertising is used by local authorities, it should be clearly identified as being advertising. Paid-for advertising, including advertisements for the recruitment of staff, should not be used in any publication owned or controlled by a political party.
18. Advertisements for the recruitment of staff should reflect the tradition of political impartiality of local authority employees and should not (except in the case of advertisements relating to the appointment of staff pursuant to section 9 of the Local Government and Housing Act 1989 (assistants for political groups)) refer to any political activities or affiliations of candidates.

## **Even-handedness**

19. Where local authority publicity addresses matters of political controversy it should seek to present the different positions in relation to the issue in question in a fair manner.
20. Other than in the circumstances described in paragraph 34 of this code, it is acceptable for local authorities to publicise the work done by individual members of the authority, and to present the views of those individuals on local issues. This might be appropriate, for example, when one councillor has been the "face" of a particular campaign. If views expressed by or attributed to individual councillors do not reflect the views of the local authority itself, such publicity should make this fact clear.
21. It is acceptable for local authorities to host publicity prepared by third parties – for example an authority may host a blog authored by members of the authority or a public forum on which members of the public may leave comments. Maintenance by a local authority of a website permitting the posting of material by third parties constitutes a continuing act of publication by that local authority which must accordingly have a system for moderating and removing any unacceptable material.

22. It is generally acceptable for local authorities to host publicity, such as a blog, which itself contains links to external sites over which the local authority has no control where the content of those sites would not itself comply with this code. This does not amount to giving assistance to any person for the publication of material which local authorities are not permitted to publish. However, particular care must be taken by local authorities during the period before elections and referendums to ensure that no breach of any legal restriction takes place. It may be necessary to suspend the hosting of material produced by third parties or public forums which contain links to impermissible material during such periods.
23. It is acceptable for publicity containing material prepared by third parties and hosted by local authorities to include logos of political parties or other organisations with which the third parties are associated.
24. It is acceptable for publicity produced or hosted by local authorities to include a logo associated with a particular member of the authority, such as a directly elected mayor, or leader of the authority. Publicity material produced by local authorities relating to a particular member must not seek to affect public support for that individual.
25. Where local authorities provide assistance to third parties to issue publicity they should ensure that the principles in this code are adhered to by the recipients of that assistance.

### **Appropriate use of publicity**

26. Local authorities should not incur any expenditure in retaining the services of lobbyists for the purpose of the publication of any material designed to influence public officials, Members of Parliament, political parties or the Government to take a particular view on any issue.
27. Local authorities should not incur expenditure on providing stands or displays at conferences of political parties for the purpose of publicity designed to influence members of political parties to take a particular view on any issue.
28. Local authorities should not publish or incur expenditure in commissioning in hard copy or on any website, newsletters, newssheets or similar communications which seek to emulate commercial newspapers in style or content. Where local authorities do commission or publish newsletters, newssheets or similar communications, they should not issue them more frequently than quarterly, apart from parish councils which should not issue them more frequently than monthly. Such communications should not include material other than information for the public about the business, services and amenities of the council or other local service providers.
29. Publicity about local authorities and the services they provide should be freely available to anyone who wishes to receive such information in a format readily accessible and understandable by the person making the request or by any particular group for which services are provided.
30. All local authority publicity should clearly and unambiguously identify itself as a product of the local authority. Printed material, including any newsletters, newssheets or similar publications published by the local authority, should do this on the front page of the publication.

## **Equality and diversity etc**

31. Publicity by local authorities may seek to influence (in accordance with the relevant law and in a way which they consider positive) the attitudes of local people or public behaviour in relation to matters of health, safety, crime prevention, race relations, equality, diversity and community issues.
32. Local authorities should consider how any publicity they issue can contribute to the promotion of any duties applicable to them in relation to the elimination of discrimination, the advancement of equality and the fostering of good relations.

## **Care during periods of heightened sensitivity**

33. Local authorities should pay particular regard to the legislation governing publicity during the period of heightened sensitivity before elections and referendums – see paragraphs 7 to 9 of this code. It may be necessary to suspend the hosting of material produced by third parties, or to close public forums during this period to avoid breaching any legal restrictions.
34. During the period between the notice of an election and the election itself, local authorities should not publish any publicity on controversial issues or report views or proposals in such a way that identifies them with any individual members or groups of members. Publicity relating to individuals involved directly in the election should not be published by local authorities during this period unless expressly authorised by or under statute. It is permissible for local authorities to publish factual information which identifies the names, wards and parties of candidates at elections.
35. In general, local authorities should not issue any publicity which seeks to influence voters. However this general principle is subject to any statutory provision which authorises expenditure being incurred on the publication of material designed to influence the public as to whether to support or oppose a question put at a referendum. It is acceptable to publish material relating to the subject matter of a referendum, for example to correct any factual inaccuracies which have appeared in publicity produced by third parties, so long as this is even-handed and objective and does not support or oppose any of the options which are the subject of the vote.



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# A short guide to publicity during the pre-election period

Updated 2 December 2019

# A short guide to publicity during the pre-election period

## Introduction

In response to requests from council communications teams to produce simple guidance for communicating during the pre-election period (also known as 'purdah'), we are publishing this short, updated guide.

This document provides guidance on the publicity restrictions that should be observed during the pre-election period. **It should be read in conjunction with any guidance produced by your own Returning Officer and/or Monitoring Officer, which provides specific advice about your local circumstances.**

It is important to note that pre-election rules restrict activity wider than just publicity. Use of council facilities and resources; developing new policies and holding events (including some meetings) featuring elected officials should all be carefully considered during a period of heightened sensitivity.

The term 'purdah' has come into popular use across central and local government to describe the period of time immediately before elections or referendums when specific restrictions on communications activity are in place. The terms 'pre-election period' and 'heightened sensitivity' are also used.

## 2019 General Election

The Prime Minister has announced a General Election on 12 December 2019.

The Government has also released guidance on purdah for the Civil Service, announcing that for central government, the pre-election period started at midnight (00:01hrs) on Wednesday 6 November. The guidance states that 'special care must be taken during the course of an election since material produced with complete impartiality, which would be accepted as objective in ordinary times, may generate criticism during an election period'.<sup>1</sup>

Although this guidance relates to the Civil Service, it means local government is in a period of 'heightened sensitivity' as set out in the local government code governing publicity.

Whilst this is prior to the publication of the notice of election, the code applies at all times.

In line with the principles set out in the code, extra care should be taken when undertaking anything which could directly, or be perceived to, affect support for a party or candidate. However, it's always worth checking with your own Returning Officer and/or Monitoring Officer.

Local government sometimes views this period as a time when communications has to shut down completely. This is not the case, and the ordinary functions of councils can continue, but some restrictions do apply, by law.

<sup>1</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/844380/General\\_Election\\_Guidance\\_2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/844380/General_Election_Guidance_2019.pdf)

## The Code

The Code of Recommended Practice on Local Authority Publicity is based around seven principles to ensure that all communications activity:

- is lawful
- is cost effective
- is objective
- is even-handed
- is appropriate
- has regard to equality and diversity
- is issued with care during periods of heightened sensitivity.

This last principle, to ensure special care is taken during periods of heightened sensitivity, is of particular relevance during the pre-election period.

The publication of press notices and information regarding the holding of polls are exempt from these restrictions as is providing factual responses to specific requests for information, for example, information about how people can register to vote.

At all times, local authorities should ensure that publicity complies with all applicable statutory provisions, including the Code of Recommended Practice on Local Authority Publicity 2011. Paid-for advertising must comply with the Advertising Standards Authority's Advertising Codes.

In general, authorities should not issue any publicity which seeks to influence voters, ensure that publicity relating to policies and proposals from central government is balanced and factually accurate, and comply with laws which prohibit political advertising on television or radio.

## Legal basis and official guidance

The pre-election restrictions are governed by Section 2 of the Local Government Act 1986<sup>2</sup>, as amended in 1988.<sup>3</sup> Essentially councils should **'not publish any material which, in whole or in part, appears to be designed to affect public support for a political party'**.

Section 4<sup>4</sup> of the Act makes clear that councils need to have regard to the code of recommended practice that supports the Act which replaced all previous guidance. The essential points from the code are:

- In general you should not issue any publicity which seeks to influence voters (an exception being situations covered by legislation or regulations directing publication of information for explanatory purposes).
- Particular care should be taken during the pre-election period to abide by the Act.
- Consider suspending the hosting of third party material or closing public forums if these are likely to breach the codes of practice.
- Do not publish any publicity on controversial issues or report views on proposals in a way which identifies them with candidates or parties.
- Publicity relating to individuals involved directly in the election should not be published unless expressly authorised by statute.
- You are allowed to publish factual information which identifies the names, constituencies and parties of candidates at elections.

<sup>2</sup> [www.legislation.gov.uk/ukpga/1986/10/section/2](http://www.legislation.gov.uk/ukpga/1986/10/section/2)

<sup>3</sup> [www.legislation.gov.uk/ukpga/1988/9/section/27](http://www.legislation.gov.uk/ukpga/1988/9/section/27)

<sup>4</sup> [www.legislation.gov.uk/ukpga/1986/10/section/4](http://www.legislation.gov.uk/ukpga/1986/10/section/4)

## What this means in practice

Publicity is defined as **‘any communication, in whatever form, addressed to the public at large or to a section of the public’**.

The first question to ask is ‘could a reasonable person conclude that you are spending public money to influence the outcome of the election?’ In other words it must pass the ‘is it reasonable’ test. When making your decision, you should consider the following:

You should **not**:

- produce publicity on matters which are politically controversial
- make references to individual candidates or parties in press releases
- arrange proactive media or events involving candidates
- issue photographs which include candidates
- supply council photographs or other materials to political group staff unless you have verified that they will not be used for campaigning purposes
- continue hosting third party blogs or e-communications
- help with national political visits (as this would involve using public money to support a particular candidate or party). These should be organised by political parties with no cost or resource implications for the council.

You should also **think carefully** before you:

- Continue to run campaign material to support your own local campaigns. If the campaign is already running and is non-controversial (for example, on issues like recruitment, recycling or foster care) and would be a waste of public money to cancel or postpone them, then continue. However, you should always think carefully if a campaign could be deemed likely to influence the outcome of the election. In such cases you should stop or defer them. An example might be a campaign on an issue which has been subject of local political debate and/or disagreement.
- Launch any new consultations. Unless it is a statutory duty or considered normal council business, such as budget consultations. Councils should consider carefully before starting any new consultations or publish report findings from consultation exercises, which could be politically sensitive.

You **are allowed** to:

- continue to discharge normal council business (including budget consultations or determining planning applications, even if they are controversial)
- publish factual information to counteract misleading, controversial or extreme (for example, racist/sexist) information.

If you are in any doubt, seek advice from your returning officer and/or monitoring officer, legal or communications colleagues.

Ultimately, you must always be guided by the principle of fairness. It is crucial that any decision you take would be seen as fair and reasonable by the public and those standing for office.

## Further guidance

You can find more information from the following:

- referring to advice published by your Returning Officer and/or Monitoring Officer
- the Code of Recommended Practice on Local Authority Publicity
- the LGComms leaflet, Cracking the Code<sup>5</sup>
- annex A – template letter to councillors.

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5 [www.lgcomms.org.uk/resources/resource-library](http://www.lgcomms.org.uk/resources/resource-library)

## Frequently asked questions

Does this guidance only apply to councils?	No. The Code of Recommended Practice on Local Authority Publicity covers the full range of authorities.
What happens during the General Election purdah period when there is no local election? Do rules still apply?	Yes. As this year is a general election year, the guidance applies to local authorities, even if there are no local elections.
Can council officers get involved in campaigning in their own time?	Officers who hold politically restricted posts, or who are likely to be involved or employed in connection with the elections, should not take part in a political campaign or canvass on behalf of a political party or candidate. Please check local arrangements.
Do the restrictions apply to officers who are members of a trade union?	Trade unions themselves are not bound by the Code, but individual officers are, and must have regard to the Code.
Can council press offices still put out press releases ahead of the election?	Yes. However, no publicity should deal with controversial issues or report views or proposals in a way which identifies them with election candidates or parties.
Can a council put out a consultation, for example about changes to library provision, during purdah?	Consultations should be considered very carefully during purdah as it is a period of heightened sensitivity and should not be put out if they contravene pre-election rules.
Do the restrictions apply to council notice boards?	Councils are required to publicise details of the election and how to register to vote. Material relating to wider political issues should not be posted on official notice boards which may be seen by members of the public. This includes publicity issued by, or on behalf of, a trade union.
Can councillors issue their own press releases or talk to the media?	Councillors are free to talk to the media and issue press releases, but must not use council resources to do so for campaigning purposes.
Can councillors still tweet or blog?	Councillors can continue, but must not use council resources (such as council twitter accounts, email accounts, telephones, etc.) to do so for campaigning purposes.
Can the council still publish its newsletter/magazine during purdah?	Yes, if it is done in the ordinary course of business and meets all other purdah requirements.

## Acknowledgements

The LGA would like to thank LGcommunications, Coventry City Council, Warwickshire County Council and Eastleigh Borough Council in the creation of this document.



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**Appendix 3: Meetings Scheduled in Pre-Election Period**

<b>Date</b>	<b>Meeting</b>
23 March	Health and Social Care O&S
24 March	Economy & Skills O&S
24 March	Local Covid Outbreak Engagement Board
25 March	Trusts and Charities Committee
25 March	Housing and Neighbourhoods O&S
29 March	Council Business Management Committee
30 March	Audit Committee
01 April	Planning Committee
07 April	Commonwealth Games, Culture & Physical Activity O&S
08 April	Resources O&S
13 April	Full Council
14 April	Education & Children's Social Care O&S
14 April	Licensing & Public Protection committee
15 April	Planning Committee
16 April	Co-ordinating O&S
20 April	Cabinet
21 April	Sustainability and Transport O&S
22 April	Trusts and Charities Committee
22 April	Housing and Neighbourhoods O&S
27 April	Health and Social Care O&S
27 April	Audit Committee
28 April	Economy & Skills O&S
28 April	Local Covid Outbreak Engagement Board
29 April	Planning Committee



**Birmingham City Council**  
**Council Business Management Committee**  
 18 January 2021



**Subject:** Petition Demolition of Perry Barr Flyover  
**Report of:** Suzanne Dodd, City Solicitor  
**Report author:** Phil Wright  
 Group Team Manager  
 0121 303 0216  
 phil.wright@birmingham.gov.uk

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

## 1 Executive Summary

- 1.1 To advise the Committee of a Petition entitled 'We oppose demolition of Perry Barr flyover' that has reached the threshold of 5,000 signatures that allows it to be submitted to this Committee for consideration.
- 1.2 To seek the view of the Committee as to whether it determines that the petition is relevant to either City Council or an Overview and Scrutiny Committee and should be debated.

## 2 Recommendations

- 2.1 That the report be noted;
- 2.2 That, the Committee determines whether the petition should be debated or not and if so, whether that should be at City Council or by an Overview and Scrutiny Committee.

## 3 Background

- 3.1 At the Meeting of City Council on 3 November 2020 Councillor Jon Hunt submitted a petition (a list of names from an external e-petition site) relating to the demolition

of Perry Barr flyover. Following verification, the petition was found to contain 6,051 valid signatures from Birmingham residents; as a large number of the signatures on the e-petition were from outside Birmingham, these were not valid.

#### **4 Petition Guidance**

The relevant sections of the petition Guidance sets out the following:-

“If your petition achieves the threshold of 20,000 signatures (subject to verification) this will automatically trigger a debate of the petition at City Council. The lead petitioner will be notified of the date of the meeting.

The lead petitioner will also be offered the option of reading their petition at the beginning of the debate or they may choose to request a local Councillor to present it on their behalf.”

“If your petition achieves the threshold of 10,000 signatures (subject to verification) it will be referred to the appropriate Overview and Scrutiny Committee for a Senior Officer to attend and answer questions about the delivering of public services”.

“In addition, in event that the a petition with the number of signatures over 5,000 but below the above threshold trigger, is submitted, it will be considered by the Council Business Management Committee to determine whether an Overview and Scrutiny Committee or City Council should debate the petition, if relevant”

#### **5 Matters for Consideration**

- 5.1 The petition from Councillor Hunt had a number of signatures from people in other parts of the country and a number from around the world which could not be counted as valid. There are 8,754 signatures on the petition. However, the petition has 6,051 valid signatures which is over the threshold for consideration at this Committee to determine whether it should be debated at an Overview and Scrutiny Committee or City Council or not.
- 5.2 Committee will be aware that, in July 2019, Councillor Hunt submitted a paper petition entitled ‘Oppose the Flyover Demolition’ which included a list of names from an external e-petition site. The wording of the petition is at Appendix 1. As the petition had 6,500 valid signatures it was considered by this Committee on 27 August 2019 where it was agreed that as the petition should be debated at a meeting of City Council. The debate took place at the meeting on 5 November 2019 where the petition was discharged. It has now been established that the e petition part of the petition is repeated in the petition submitted on 3 of November 2020.
- 5.3 The number of valid signatures on the e-petition part of the July 2019 petition had 1,793 valid signatures so the number of new valid signatures on the petition presented in November 2020 is 4,258.

## **6 Appendices**

Appendix 1 - Wording of petition presented in July 2019.





Jon Hunt  
United Kingdom

CITY COUNCIL - 9 July 2019  
PETITION NO. 2142

## **OPPOSE THE FLYOVER DEMOLITION!** **– SIGN Jon and Morriam's Petition**

To the The Lord Mayor, Birmingham City Council: We the undersigned object in the strongest possible terms to the proposal to remove the Perry Barr flyover included in the Perry Barr transport reorganisation. We are deeply alarmed about the prospect of two years of disruption, believe the X51 bus service would cease to be viable and are not satisfied that the proposed replacement traffic lights will be adequate.

Name (M/s)

Address

Signature

26 Apr 2019 —

Thank you for signing the new petition objecting to the proposed demolition of Perry Barr flyover. It's now close to its first 1,00 signatures.

*Can you help get more signatures by sharing it - or even printing off a petition and getting friends, family and neighbours to sign?* Attached is a copy of a printable version.

Something we have noticed: when you share the link to the petition on Facebook, it doesn't always tell your friends what it's all about. Sometimes it just shows a picture. Worth checking or changing your posting when you do so.

We are still waiting for news of the council's "consultation". We will let you know as soon as we know more

Cllrs Jon Hunt and Morriam Jan

• [Share](#)

Shared on Facebook

• [Tweet](#)

• [Email](#)

**Keep fighting for people power!**







## CITY COUNCIL FORWARD PLAN 2020/21 – January 2021

CBM	Item
05 May 2020	Overseas Travel and Inward Delegations from Abroad Covid-19 Temporary Governance Arrangements
28 May 2020	Reports not on the Forward Plan – Annual Report Proportionality City Council Appointments
29 June 2020	Membership of the Co-operative Council's Innovation Network Recommendation to appoint representatives – Independent Remuneration Panel Petitions Update
24 August 2020	Appointment to Roll of Honorary Alderman Request for Use of Coat of Arms

City Council	Item
09 June 2020	Executive Business Report – Covid-19 Reports not on the Forward Plan
14 July 2020	Submission of the 'Development Management in Birmingham' Development Plan Document Membership of the Co-operative Council's Innovation Network Scrutiny Business Report Lead Member report: Transport Delivery Committee
15 September 2020	Executive Business Report (Covid-19 Update) Executive: Route to Zero Interim Report Scrutiny Inquiry: Home to School Transport (Education & Children's Social Care)

CBM	Item
19 October 2020	Proposed Amendments to the Constitution Petitions Update
16 November 2020	
21 December 2020	Petitions Update Tributes at Full Council
18 January 2021	Meetings during Pre-Election Period Lord Mayoralty
8 February 2021	Overseas Travel and Inward Delegations from Abroad Provisional City Council and CBM dates for 2021/22

City Council	Item
	Annual report of Independent Remuneration Panel COUNCIL AS TRUSTEE
3 November 2020	Scrutiny Inquiry: Customer Services (Co-ordinating) Street Trading Policy Amendments to the Constitution COUNCIL AS TRUSTEE
1 December 2020	Scrutiny Business Report Statement of Licensing Policy 2020 Lead Member report: WMCA Scrutiny
12 January 2021	Route to Zero Report Rough Sleeping Addendum and Action Plan 2020-23 - Homelessness Prevention Strategy (Homelessness Prevention Strategy went to Full Council on Tuesday 9 <sup>th</sup> January 2018) Lead Member report: West Midlands Police & Crime Panel
2 February 2021	Executive Business Report Scrutiny Inquiry: Fly-tipping (Housing and Neighbourhoods) Lead Member report: West Midlands Fire Authority Annual Report from the Chair of Audit Committee to City Council
23 February 2021	BUDGET MEETING – Financial Plan 2020-2024

CBM	Item	City Council	Item
29 March 2021	Petitions Update Annual Report of the Independent Remuneration Panel Annual Standards Committee Report (Contact: Rob Connelly, Interim Assistant Director, Governance) (tbc)	13 April 2021	Scrutiny Business Report Scrutiny Inquiry: Infant Mortality (Health and Social Care) Annual Report of the Independent Remuneration Panel
10 May 2020	Proportionality City Council Appointments Annual Review of the City Council's Constitution Overseas Travel and Inward Delegations from Abroad	25 May 2021	ANNUAL MEETING

**Four Yearly or ad-hoc items:**

Appointment to the Roll of Honorary Alderman (May 2022); Appointment of the Leader (May 2022)

**Items to be scheduled / proposed:**

Executive Business Report – June, Sept/Nov, January and April; Scrutiny Business Report – July, December, February; Lead Member reports: West Midlands Fire Authority (February); Transport Delivery Committee (July); WMCA Scrutiny (September); GBSLEP Scrutiny (November); West Midlands Police & Crime Panel (December)

\* Pre-meeting of members to select Lord Mayor elect    \*\* Annual Council Photograph

**Appendix 1: City Council Resolutions – Tracker**

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
5b	04 December 2018	<p>Women &amp; Democracy:</p> <ul style="list-style-type: none"> <li>That the attached Statement of Intent is agreed;</li> <li>That Cabinet Members and named officers are asked to implement the action plan included within the report in order to tackle the many barriers to women's representation in Local Government;</li> <li>Add the following to action plan:</li> </ul>	Deputy Leader / Jonathan Tew, Assistant Chief Executive / City Solicitor	Action plan implementation underway [January 2019]

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
		Noting the small proportion of women representing the new single member wards, to lobby the Boundary Commission for a further review of city wards to tackle this issue.		
6g	15 January 2019	<p><i>Motion for Debate:</i> The Council therefore calls on the Executive to place into the public domain all documents relating to the GMB payment including, but not limited to:</p> <ul style="list-style-type: none"> <li>• A copy of the ACAS deal itself</li> <li>• Copies of all delegated decision reports</li> <li>• Copies of any briefings or correspondence with any cabinet member, previous or current, regarding the deal</li> <li>• Copies of any correspondence between the Council and GMB in the run up to and after the Unite settlement regarding the proposed settlement and any objections GMB had to that</li> <li>• Copies of any correspondence concerning the decision to exclude GMB from talks after the Unite settlement</li> <li>• Copies of minutes from all meetings between the Council and any Union concerning implementation of the Nov 2017 settlement</li> <li>• Full details of all costs involved, including the total payment itself and any legal costs</li> <li>• Copies of any correspondence regarding how and why the deal should be kept secret and not included in usual processes such as the requirement to publish all spend over £500</li> </ul>	Leader / City Solicitor	<p>Motion will be monitored regarding release of documentation, earliest possible date Feb 2020</p> <p>Monitoring Officer reviewing the information [August 2020 update]</p>

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
		<ul style="list-style-type: none"> <li>The Council also calls for an immediate review into the use of delegated powers within the constitution</li> </ul>		
5a	14-Jan-2020	<p><i>Birmingham Suicide Prevention Strategy 2019-2024:</i></p> <p>That Council endorses the Birmingham Suicide Prevention Strategy and calls on elected members across all parties to support the delivery of the strategy moving forward.</p> <p>That the Action Plan that underpins this strategy is circulated to all Members and that updates on progress are published on an annual basis.</p>	Cabinet Member Health and Social Care / Justin Varney, Director of Public Health	An advisory group which meets bi-monthly are currently working on the action plan which will be circulated in the Summer. [February 2020 update]

#### Other Actions from City Council Meetings

Date	Agenda Item	To Respond	Request/Question	Action taken
01-Dec-20	Oral Questions	Cllr Ian Ward	Written response to Cllr Julien Pritchard on tenant evictions	COMPLETED 17/12/20
01-Dec-20	Oral Questions	Cllr Ian Ward	Response to Cllr Deirdre Alden about the University train station	COMPLETED 05/01/21
01-Dec-20	Oral Questions	Cllr Ian Ward	Response to Cllr Mackey on two petitions (Moor Hall and Defence estates) from Roughley ward on condition of the roads.	COMPLETED 17/12/20



**BIRMINGHAM CITY COUNCIL****CITY COUNCIL****Tuesday, 2 February 2021 at 1400  
hours as an on-line meeting****A G E N D A****1 NOTICE OF RECORDING**

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

**2 DECLARATION OF INTERESTS**

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

**Attached****3 MINUTES**

To confirm and authorise the signing of the Minutes of the meeting of the Council held on 12 January 2021.

**4 LORD MAYOR'S ANNOUNCEMENTS****(1400-1410)**

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

**5 PETITIONS****(10 minutes allocated) (1410-1420)**

To receive and deal with petitions in accordance with Council Rules of Procedure (B4.4 E of the Constitution).

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

**6 QUESTION TIME****(Maximum of 80 minutes allocated) (1420-1540)**

To deal with oral questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

- A. Questions from Members of the Public to any Cabinet Member or Ward Forum Chair (10 minutes)
- B. Questions from any Councillor to a Committee Chair, Lead Member of a Joint Board or Ward Forum Chair (Up to 10 minutes)
- C. Questions from Councillors other than Cabinet Members to a Cabinet Member (Up to 30 minutes)
- D. Questions from Councillors other than Cabinet Members to the Leader or Deputy Leader (Up to 30 minutes)

**Attached      7      EXECUTIVE BUSINESS REPORT**

**(30 minutes allocated) (1540-1610)**

To consider a report of the.

**Councillor ----- to move the following Recommendation:**

“”

A 15 minute break will be taken.

**Attached      8      LEAD MEMBER REPORT: WEST MIDLANDS FIRE AUTHORITY**

**(15 minutes allocated) (1625-1640)**

To consider a report of Lead Member – West Midlands Fire Authority

**Councillor Zafar Iqbal to move the following Recommendation:**

“”

**Attached      9      ANNUAL REPORT FROM THE CHAIR OF AUDIT COMMITTEE TO CITY COUNCIL**

**(30 minutes allocated) (1640-1710)**

To consider a report of the Chair of the Audit Committee.

**Councillor Fred Grindrod to move the following Recommendation:**

“”

**Attached      10      SCRUTINY INQUIRY: FLY-TIPPING**

**(30 minutes allocated) (1710-1740)**

To consider a report of the .

**Councillor -----to move the following Recommendation:**

“”



**11     PROVISIONAL DATE OF NEXT MEETING**

To note that the provisional date of the next meeting of City Council is 23 February 2021.

