

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

**MONDAY, 23 MARCH 2020 AT 14:00 HOURS**  
**IN COMMITTEE ROOM 6, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

**A G E N D A**

**1     NOTICE OF RECORDING**

Chairman to advise meeting to note 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 - 6**

**4     MINUTES**

To confirm and sign the Minutes of the last meeting.

**7 - 20**

**5     ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL 2019/20**

Report of the Acting City Solicitor

**21 - 24**

**6     MEMBERSHIP OF THE CO-OPERATIVE COUNCIL'S INNOVATION NETWORK**

Report of the Leader of the Council.

**25 - 38**

**7     PETITIONS UPDATE**

Report of the Acting City Solicitor.

- 39 - 52**
- 8     **CITY COUNCIL AND CBM FORWARD PLAN**
- To inform members of forthcoming items for City Council and Council Business Management Committee meeting agendas
- 53 - 56**
- 9     **COUNCIL AGENDA FOR THE NEXT MEETING**
- To consider the Council agenda for the next meeting.
- For information the Order of Notices of Motion at this meeting will be Labour and Conservative.
- 10    **OTHER URGENT BUSINESS**
- To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.
- 57 - 58**
- 10A   **DISPENSATION FOR NON-ATTENDANCE OF COUNCILLORS AT COUNCIL MEETINGS**
- Report of the Acting City Solicitor.
- 59 - 66**
- 10B   **COVID 19 - TEMPORARY GOVERNANCE ARRANGEMENTS**
- Report of the Acting City Solicitor.
- 67 - 70**
- 10C   **IMPLEMENTATION OF THE FOUNDATION LIVING WAGE 2020/2021**
- Report of the Chief Executive.
- 11    **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 10 FEBRUARY 2020</b>
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**MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON MONDAY 10 FEBRUARY 2020 AT 1400 HOURS, IN COMMITTEE ROOM 6, THE COUNCIL HOUSE, BIRMINGHAM**

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

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

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**NOTICE OF RECORDING**

2951 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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**DECLARATIONS OF INTEREST**

2952 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**

2953 Apologies were received from Councillor Robert Alden.

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**MINUTES**

2954 That the Minutes of the last meeting held on 20 January 2020 were confirmed and signed by the Chair.

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**OVERSEAS TRAVEL AND INWARD DELEGATIONS FROM ABROAD**

The following report of the Director – Inclusive Growth Directorate was submitted:-

(See document No 1)

Lloyd Broad, Head of European Affairs, made introductory comments relating to the report and the number visits for the quarter to 31 December 2019.

In response to a comment from Councillor Gareth Moore, the Chair the indicated that all visits were relevant to the Council's priorities and provided value for the tax payer as they had genuine benefits.

2955

**RESOLVED:-**

- (i) That approved Member and officer overseas travel be noted;
- (ii) that the details of inward delegations from abroad be noted; and
- (iii) that it be noted that with effect from 19 January 2016 authority for foreign travel by City Council Members and officers will only be granted when 4 weeks' notice has been given. Visits proposed with less than 4 weeks, notice will be refused unless under EXCEPTIONAL CIRCUMSTANCES which will require written documentation and an extremely robust reason for travel.

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**LORD MAYOR'S ADVISORY GROUP**

The following report of the Acting Assistant Director, Governance was submitted:-

(See document No 2)

Rob Connelly, Acting Assistant Director, Governance, made introductory comments relating to the report and highlighted that any issues relating to civic matters or the Lord Mayor's Office could be discussed with Group Secretaries.

It was-

2956

**RESOLVED:-**

That Council Business Management Committee:

- Abolishes the Lord Mayor's Advisory Group (LMAG as a formal Sub-Committee of Council Business Management Committee.
- Authorises the City Solicitor to amend the Constitution in order to give effect to the above.

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**PROVISIONAL CITY COUNCIL AND COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2020/2021**

The following report of the Acting Assistant Director, Governance was submitted:-

(See document No 3)

During discussion it was felt that the Committee should meet on the 24 August 2020 and that, due to City Council meeting on the 19 May 2020, a date in the same week from the 20 May be chosen instead of 26 May 2020.

2957

**RESOLVED:-**

- (i) That the provisional date for the City Council dates for 2020/2021 agreed at the meeting of the Committee on 28 August be noted; and
- (ii) that the following dates for Council Business Management Committee meetings in 2020/2021 be agreed:

To be held on Mondays at 1400 hours unless otherwise stated.

<b><u>2020</u></b>	<b><u>2021</u></b>
21 May (Thursday) (1630 hours)*	18 January
29 June	8 February
24 August	29 March
19 October	10 May
16 November	
21 December	

\*This date was agreed following the meeting as requested by the Committee and is included here for completeness.

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**CITY COUNCIL AND CBM FORWARD PLAN**

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

(See document No 4)

Emma Williamson, Head of Scrutiny, responded to Comments from Councillor Gareth Moore and the Chair by indicating that she would follow up outstanding matters and update the Plan accordingly.

2958

**RESOLVED:-**

That, subject to the above, 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 5)

2959

**RESOLVED:-**

That, subject to the above changes, the draft agenda be noted

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**OTHER URGENT BUSINESS**

2960

There were no items of Other Urgent Business.

**AUTHORITY TO CHAIR AND OFFICERS**

2961

**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 1415 hours.

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CHAIR

# Birmingham City Council

## Council Business Management Committee

23 March 2020



**Subject:** Annual Report of the Independent Remuneration Panel

**Report of:** Acting City Solicitor

**Report author:** Emma Williamson, Head of Scrutiny Services  
0121 464 6870  
emma.williamson@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 This report summarises the recommendations of the Independent Remuneration Panel following the annual review of the City Councillors' Allowances Scheme and sets out the proposed motion to be considered by the City Council.
- 1.2 A full copy of the Independent Remuneration Panel's Annual Report is attached.

### 2 Recommendations

- 2.1 That the Council's Business Management Committee:

- Receives the annual report of the Independent Remuneration Panel;
- Recommends the following motion to the City Council:

The recommendations made by the Independent Remuneration Panel on Page 4 of its Annual Report be accepted and implemented with effect from 19 May 2020.

### 3 Background

- 3.1 An Independent Remuneration Panel (IRP) was established by the City Council at its meeting on 2nd July 2001. There are now eight members of the panel made up of four Citizen Representatives; two appointed and two co-opted members. An allowance is paid to each panel member.

- 3.2 The 2019/20 Annual Report of the IRP is attached to this report. Committee is reminded that the council must have full regard to the recommendations within the report.
- 3.3 The Panel has worked consistently within the requirements of the Local Government Act 2000 and the accompanying Statutory Guidance and Regulations on Councillors' allowances.

#### **4 2019/20 Report and Recommendations**

- 4.1 Last year the Panel committed to re-establish the link to the comparator agreed in 2013, after several years of no increases, with the intention to bring the basic allowance back to parity with ASHE over the remaining years of this four year electoral term. In this year's report, the Panel confirms its recommendation to incrementally increase the basic and special responsibility allowances to "catch up" with the ASHE comparator. This results in a recommended 4.4% increase for basic and special responsibility allowances for the 2020 municipal year.
- 4.2 In addition, the City Council asked the Panel to look at a number of specific issues including the role of Licensing Sub Committee Chairs, and the level of special responsibility allowances paid to Opposition Leaders and Deputies, Group Secretaries and Whips. The report includes recommendations on these.
- 4.3 As in previous years, and before coming to a conclusion for the 2020/21 year, the Panel invited evidence from a number of sources, including face to face meetings with the Leader and Deputy Leader of Labour, Leader of the Conservatives and Deputy Leader of the Liberal Democrats, written submissions and face to face meetings with Councillors, including those from single and two member wards. The Panel also reviewed allowances paid by other local authorities including other core city allowances.
- 4.4 A member of the Panel will attend and present the report at Committee, and at Council, if required.

#### **5 Appendices**

- 5.1 Appendix 1: Annual Report of the Birmingham Independent Remuneration Panel 2019-2020





## **COUNCILLORS' ALLOWANCES**

### **Annual Report of the Birmingham Independent Remuneration Panel 2019-2020**

**MARCH 2020**

# ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL

2019-2020

## BIRMINGHAM CITY COUNCIL

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## FOREWORD

Birmingham City Council continues to be responsible for a range of vital services for people, communities and businesses across the city. Many of those services are statutory, such as social services, planning, pest control and licensing. Others are undertaken with partners to provide enhanced services which benefit not only Birmingham and the West Midlands but impact nationally and internationally, such as staging the Commonwealth Games in 2022. The 101 City Councillors all have a significant role to play in governing the city as well as working at a ward level to help communities deliver local priorities.

The principal purpose of the Independent Remuneration Panel is to make recommendations to the City Council on the basic and special responsibilities allowances paid to Councillors – our recommendations are on page 4 of this report. Before making the final recommendations set out in this report the Panel reviewed a significant amount of evidence on a range of relevant matters, including comparator allowances paid by the other six metropolitan authorities in the West Midlands, Core Cities and a representative sample of other local authorities. We also noted reviews undertaken to the Constitution last year, together with the development of the Assurance Framework (July 2019) and its first Review which was shared with the Secretary of State for Housing, Communities and Local Government in October 2019. The Framework addresses the challenges identified by Sir Bob Kerslake in 2014 and the improvement and transformational changes the Council is committed to implementing. The Panel also invited all Councillors to meet with us on a confidential basis to discuss matters relating to our work programme and/or submit written information.

Whilst the basic allowance paid to Councillors in Birmingham does not and should not represent a wage, the Panel believes that it should keep pace with increases in local income levels. Whilst very mindful of the financial pressures the Council is dealing with, we are recommending that the basic allowance and special responsibility allowance is increased in line with the Annual Survey of Hours and Earnings (ASHE, the measure/comparator adopted by the Panel in 2013). Last year the Panel committed to re-establish the link to the comparator, after several years of no increases, with the intention to bring the basic allowance back to parity with ASHE over the remaining years of this four year electoral term. The Panel confirms its recommendation to incrementally increase the basic and special responsibility allowances to “catch up” with the ASHE comparator. This results in a recommended 4.4% increase for basic and special responsibility allowances for the 2020 municipal year.

In addition, the City Council at its meeting on 2<sup>nd</sup> April 2019 asked the Panel to look at a number of specific issues including the role of Licensing Sub Committee Chairs, the role of Opposition Parties, and the level of special responsibility allowances paid to Opposition Leaders and Deputies, Group Secretaries and Whips. Our report includes recommendations on all these matters, plus a note of related matters which arose during our review of the evidence.

I would like to thank all those Councillors and officers who gave evidence for their valuable contributions; and to Emma Williamson, Head of Scrutiny Services and Ingrid Whyte, Senior Finance & Purchasing Officer (Democratic Services) for their help in producing this report.

Rose Poulter, Chair – Independent Remuneration Panel

March 2020

## RECOMMENDATIONS

1. The Basic Allowance increases by 4.4% to £17,954.
2. The Special Responsibility Allowances increase by 4.4% (as shown in Appendix 1).
3. The level of responsibility assigned to each of the following Special Responsibility Allowances are increased as follows:
  - Leader of the Opposition: increase from 25% to 30% of the Leader's responsibility;
  - Deputy Leader of the Opposition: increase from 14% to 17% of the Leader's responsibility;
  - Leader of the Other Qualifying Opposition Groups: increase from 10% to 14% of the Leader's responsibility;
  - Lead Opposition Spokesperson: increase from 5% to 10% of the Leader's responsibility;
  - Deputy Leader of the Other Qualifying Opposition Groups increase from 5% to 7% of the Leader's responsibility;
  - Group Secretaries: increase from 5% to 7% of the Leader's responsibility.
4. A new Special Responsibility Allowance is created for Chairs of Licensing Sub-Committees and is set at 10% of the Leader's responsibility.
5. The co-optee allowances increase by 2% (as shown in Appendix 1).
6. The independent carers' allowance (hourly rate) continues to be raised in line with the Living Wage, currently at £9.30 per hour, and that this allowance remains linked to the Living Wage in future years.
7. The professional care allowance (hourly rate) continues to be raised in line with the Council's rate for a Care Assistant (Grade 2 post) taking the mid-range spinal point, currently at £9.87 (at time of writing).
8. Travel expenses and Subsistence Allowances continue to reflect the Council's Scheme for officers.

## **MEMBERS' ALLOWANCES**

### **1. Background**

The City Council has an Independent Remuneration Panel which is made up of people independent from the Council. The City Council may only pay allowances and expenses after first considering a report from its Independent Remuneration Panel. It is for the Council to decide on the Members' Allowances Scheme that is put in place, having regard to the Panel's recommendations.

The Panel is well-established, having been formed by the City Council at its meeting on 3 July 2001. It has made a number of recommendations to the City Council over the years on Members' Allowances and Expenses. In 2012/13 it carried out a "root and branch" review of allowances and, in recent years, has also made reports to the New Frankley in Birmingham Parish Council and the Royal Sutton Coldfield Town Council.

The Panel has eight members, four of which are citizen representatives, two are appointed and two are co-opted, non-voting, members drawn from former Councillors of the City Council.

### **2. 2019/20 Annual Report**

This report is the Panel's annual report for the allowance scheme for 2020/21. The Panel met on a regular basis between September 2019 and February 2020 to consider evidence for the 2020/21 allowance scheme, and based the recommendations on fairness, from the information received.

### **3. Basic Allowance**

As in previous years, the Panel has worked within the requirements of the Local Government Act 2000 and the accompanying Guidance and Regulations on members' allowances in making its recommendations for 2020/21.

The Panel reaffirms the principles of the Birmingham Members' Allowances Scheme set out in previous reports. The key factors which the Panel takes into account remain:

1. The promotion of a healthy democracy by reducing financial disadvantage as a barrier to people from a wide range of backgrounds and a wide range of skills standing for election or serving as Councillors.
2. The maintenance of an ethic of voluntary public service and the need to reflect this within the Basic Allowance (BA) paid to all Councillors.
3. Councillors should not expect nor receive a full-time salary.

The Basic Allowance covers the following range of activities

- ◆ Representative role including acting as an advocate for the interests of the ward, dealing with constituents' enquiries or representations, active participation in the shaping and management of services devolved to a local level and attendance at meetings of local organisations.
- ◆ City Council and Committee work including preparation for and attendance at meetings, interview panels, appeals, visits, seminars and conferences, service on or chairing ward forums and participation on other bodies relating to the work of the City Council.

- ◆ Service as the representative of the City Council or its Committees on outside bodies for which no separate remuneration is made.
- ◆ The time element of the Basic Allowance based on a gross commitment of no more than 3 days per week with a public service discount of 25%.

Our deliberations have been informed by the definition of the role of the Councillor as set out in the Constitution and we have given this due regard in adopting it as a framework, while retaining the above.

#### **4. Setting the 2020/2021 Basic Allowance**

In last year's report, the Panel set out its rationale for recommending an increase in the basic allowance to re-establish the link to the comparator agreed as part of the "root and branch" review of 2013. To move straight to the ASHE 2018 figure would have resulted in a 10% rise on the 2017/18 basic allowance. The Panel's intention there was to bring the basic allowance back to parity with ASHE over the remaining years of this four year electoral term.

As in previous years and before coming to a conclusion for the 2020/21 year, the Panel invited evidence from a number of sources, including face to face meetings with the Leader and Deputy Leader of Labour, Leader of the Conservatives and Deputy Leader of the Liberal Democrats, written submissions and face to face meetings with Councillors, including those from single and two member wards. The Panel also reviewed allowances paid by other local authorities including other core city allowances.

The evidence received confirmed the Panel's approach to remuneration. In addition, the Panel also noted the following comments:

- A number of Councillors raised concerns about the lack of central support for members, particularly for those in single member wards;
- Comments were also made regarding additional pressures on those in two-member wards where one of the two members held a position of additional responsibility, or is off sick for a significant time, which put extra demands on their time;
- The changes to how the Council undertakes democratic and governance functions following Kerslake continue to impact on a range of roles and responsibilities. The improvement journey has influenced levels of responsibility as have changes to wards

Therefore, the Panel recommends:

That for the next municipal year (May 2020 to May 2021) the basic allowance increases by 4.4%, with future years increases to be determined by the Panel on an annual basis. This figure is in line with the 2.2% increase in the ASHE figures (between 2018 and 2019 the ASHE figures increased by 2.3%) plus a 2.2% step-up to start to bring the allowance in line with the ASHE figure. This is a reasonable move this year, all other factors being taken into account, with future years increases to be determined by the Panel on an annual basis.

**Table 1: Basic Allowance and ASHE**

	<b>CURRENT RATE</b>	<b>ASHE 2019</b>	<b>PROPOSED RATE</b>	
Gross min. time (3 days x 52 weeks)	156.00	156.00	156.00	days
x Baseline per day	141.13	153.58	147.34	p.a.
Gross Rate	22,016.28	23,958.48	22,985.04	
Less public service discount 25%	5,504.07	5,989.62	5,746.26	
<b>TIME ELEMENT</b>	<b>16,512.21</b>	<b>17,968.86</b>	<b>17,238.78</b>	
ADDITIONAL EXPENSES ELEMENT	715.00	715.00	715.00	
<b>BASIC ALLOWANCE</b>	<b>17,227.00</b>	<b>18,684.00</b>	<b>17,954.00</b>	Rounded

## 5. Special Responsibility Allowances (SRA)

In April 2015, City Council accepted the Panel's recommended new approach for calculating Special Responsibility Allowances. The Panel recognised that the Leader's role takes the most responsibility assessed at 100% and all the other roles are then taken as a relative percentage of the Leader's role (see Table 2).

City Council also accepted the Panel's recommendation that "the ASHE 2013 for all Industries and Services Male Full Time (top 10%) table 4.1a for the United Kingdom would be the most appropriate comparator to be used for the Leader's role in order to reflect the transferable skills of the role".

Following evidence received this year, the Panel examined the percentage level of responsibility assigned to six roles and recommends that each receive an increase in that percentage level this year, as set out below:

- Leader of the Opposition: increase from 25% to 30% of the Leader's responsibility;
- Deputy Leader of the Opposition: increase from 14% to 17% of the Leader's responsibility;
- Leader of the Other Qualifying Opposition Groups: increase from 10% to 14% of the Leader's responsibility;
- Lead Opposition Spokesperson: increase from 5% to 10% of the Leader's responsibility;
- Deputy Leader: of the Other Qualifying Opposition Groups increase from 5% to 7% of the Leader's responsibility;
- Group Secretaries: increase from 5% to 7% of the Leader's responsibility;

For each of these, it was recognised that recent changes in how the Council undertakes democratic and governance functions has had an impact on the range of roles and responsibilities undertaken by these postholders, resulting in a greater level of responsibility held. The Panel considered evidence in relation to Party Whips, but did not feel that a strong enough case was made.

In addition, a new Special Responsibility Allowance is recommended for the Chair of Licensing Sub-Committees. This is the first time the Panel has looked in detail at this role and believes that the level of responsibility taken in practice by the two Chairs (the third being chaired by the Chair of the Licensing and Public Protection Committee) in chairing significant licensing meetings and dealing with subsequent actions of appeals merits some recognition.

However, the Panel notes that this is not reflected in the Constitution, and the Council Business Management Committee should consider formalising this role alongside the introduction of the Special Responsibility Allowance.

The Panel therefore recommends that the two Chairs of Licensing Sub-Committee receive a Special Responsibility Allowance equivalent to 10% of the Leader's responsibility.

In line with the recommendations last year, and the approach to the Basic Allowance set out above, the Panel further recommends an increase of 4.4% within the current banding (as set out in Appendix 1) for all Special Responsibility Allowances.

*Table 2*

Bands	Level Of Responsibility	Title/Description
1	75% to 100%	Strategic Leadership with overall responsibility for decision making for the direction and running of Council Services
2	50% to 74%	Strategic responsibility within Cabinet and also individual responsibility as delegated by the Constitution
3	15% to 49%	Responsibility for Chairing key Regulatory and Overview and Scrutiny Committees in order to meet regulatory requirements and where required hold the Executive to account
4	5% to 14%	Other roles with Special Responsibilities

## **6. Co-optees' Allowances**

The Panel took no new evidence on co-optee allowances and was of the view that a 2% rise would be reasonable, and in line with the increase to basic allowance (minus the step-up element).

Therefore, the Panel recommends an increase of 2% on co-optee allowances (as set out in Appendix 1).

## **7. Carers' Allowances**

In 2012, the City Council agreed to adopt the Living Wage for all its employees, and subsequently extended this to externally-contracted care sector workers from October 2014.



In 2015, the Panel recommended that the Independent Carers' Allowance adopt the change from the National Minimum Wage to the Living Wage, currently at £9.30 per hour.

The Panel therefore recommends that this continues for 2020/21 and that this continues to track the Living Wage in line with the Council.

The professional care allowance (hourly rate) continues to be based on the Council's rate for a Care Assistant, Grade 2 post, mid-range spinal point at £9.87 per hour (at time of writing).

## **8. Travel expenses and Subsistence Allowances**

The Panel took no new evidence on travel or subsistence expenses and recommends that these continue to reflect the Council's Scheme for officers.

The Panel emphasised the need to ensure that the list of approved duties for which such expenses can be claimed is kept up to date and in accordance with all relevant legislation.

## **9. Parental Leave**

The Panel took some partial information on the Parental Leave Policy and undertakes to keep under review the detail of the Parental Leave Policy to take account of implementation experience and legal advice taken and shared by other relevant parties.

## **10. Work Programme in 2020/21**

During the evidence gathering undertaken this year, some issues were raised where the Panel felt that there was not enough evidence to make recommendations this year but would warrant further consideration next year. Therefore, next year's work programme will include:

- A review of the banding (table 2)
- Review the detail of the Parental Leave Policy to take account of experience and legal advice taken and shared by other relevant parties.
- Review the time commitment of participation on the Appeals Panel

## Appendix 1: Proposed Members' Allowances Rates (from May 2020)

### **BASIC ALLOWANCE** (per annum unless otherwise stated)

	£
Baseline per Day Rate	147.34
Basic Allowance	<b>17,954.00</b>
Time Element	17,238.78
Additional Expenses Element	715.00

### **SPECIAL RESPONSIBILITY ALLOWANCE** (per annum unless otherwise stated)

Baseline per week (£1,228.23 discounted by 15%)	1,044.00
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#### **STRATEGIC LEADERSHIP**

Leader of the Council	54,288.00
Deputy Leader of the Council	41,600.00

#### **STRATEGIC SHARED RESPONSIBILITY**

Cabinet Member	27,144.00
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#### **RESPONSIBILITY FOR CHAIRING KEY REGULATORY, OVERVIEW & SCRUTINY COMMITTEES**

Chair of the Planning Committee	16,286.00
Chair of Licensing & Public Protection Committee	16,286.00
Leader of the Largest Qualifying Opposition Group	16,286.00
Chair of an Overview & Scrutiny Committee	13,572.00

#### **OTHER ROLES WITH SPECIAL RESPONSIBILITY**

Deputy Leader of the Largest Qualifying Group	9,229.00
Chair of the Audit Committee	5,429.00
Chair of the Trusts and Charities Committee	5,429.00
Chairs of the Licensing Sub Committees	5,429.00
Leader of Other Qualifying Opposition Groups	7,600.00
Deputy Leader of Other Qualifying Opposition Groups	3,800.00
Lead Opposition Spokesperson (Shadow Cabinet)	5,429.00
Political Group Secretaries	3,800.00

*(A Qualifying Opposition Group is one with a minimum of 6 Members)*

<b>CO-OPTEE ALLOWANCES</b> ( <i>per annum</i> )	£
Chair of the Standards Committee	1,061.00
Member of an Overview & Scrutiny Committee	882.00
Member of the Standards Committee	590.00

### **CARERS' ALLOWANCES**

Independent care – hourly rate	9.30
Professional care with supporting documentation – hourly rate	9.87

*Where applicable figures have been rounded.*

### **TRAVEL EXPENSES AND SUBSISTENCE ALLOWANCES**

Car, Motorcycle and Bicycle Allowance Rates are set in line with those paid to officers of the authority.

Subsistence Allowances are set in line with those paid to officers of the authority or the inflation factor in the council's budget.

#### ***Car Mileage Rates***

First 10,000 business miles in tax year	45p per mile
Each business mile over 10,000 in tax year	25p per mile
Supplement for official passenger	5p per mile

If car mileage is claimed for travel outside the West Midlands area, the payment will be the lesser of the value of the actual mileage claimed or the peak time standard rail fare.

***Motorcycle Mileage Rates***                      ***24p per mile Bicycle***

***Mileage Rates***                      ***20p per mile Other Travel Expenses***

Rail Travel (supporting receipt required)                      Standard Class Fare

Taxi, Tube and Bus Fares, Car Parking, Toll Charges  
(Supporting receipts if possible)                      Actual Cost

If a travel pass is provided by the Council the recipient must make a contribution of 40% towards the total cost met by the Council. The recipient also forgoes the right to claim for travel allowances or expenses for duties undertaken in the area covered by the pass or to make use of transport services provided directly by the Council, unless the relevant travel service is not available, or there are health and safety reasons.

## **Appendix 2: Membership of the Independent Remuneration Panel**

### ***Chair of the Panel***

Rose Poulter (Chair)

### ***Council Appointees***

David Grainger

Sajid Shaikh

### ***Citizen Representatives***

Sandra Cooper

Veronica Docherty

Jacqui Francis (Deputy Chair)

### ***Co-opted Members***

Honorary Alderman Fergus Robinson

Honorary Alderman Stewart Stacey

# Birmingham City Council

## Council Business Management Committee

23 March 2020



**Subject:** Membership of the Co-operative Council's Innovation Network

**Report of:** The Leader of the Council

**Report author:** Jonathan Tew, Assistant Chief Executive

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 Options considered and Recommended Proposal

- 1.1 **Option 1:** That the Council's Business Management Committee recommends the following motion to the City Council:

*That Council agrees to make an application to join the CCIN in April 2020; and, if the application is successful, to review the outcomes after 12 months to inform any decision as to the renewal of membership for future years [Recommended Option].*

**Option 2:** Do not agree to join the CCIN Network.

### 2 Executive Summary

- 2.1 This report provides the rationale for the Council to join the Co-operative Council's Innovation Network ('CCIN').
- 2.2 It sets out the benefits to the organisation and wider community of doing so, how membership will align with the Council's existing policy framework and the financial implications of joining the CCIN.

### 3 Background

- 3.1 The CCIN is a Local Government Association (LGA) Special Interest Group and is open to all UK Councils. Its stated aim is to drive innovation and reform within

the framework of Co-operative values and principles, building an equal partnership with local people.

3.2 These values and principles are as follows:-

**Values:** *self-help, self-responsibility, democracy, equality, equity and solidarity.*

**Principles:** *voluntary and open membership, democratic control, member economic participation, autonomy and independence (of Co-op organisations), education training and information, Co-operation among Co-operatives and concern for community.*

3.3 The Network operates to improve knowledge and practice in a wide variety of areas from working to tackle climate change at a local level to finding community based solutions to improve outcomes in the arena of Health and Social Care. The premise is that members of the CCIN share best practice and ideas within the network, to find solutions to common problems.

3.4 The practical definition of what 'co-operative' means is fluid which provides an element of flexibility. Some Local Authorities refer to themselves as being Co-operative Councils [such as Oldham in Greater Manchester] which is based on the set of values adopted by the organisation as opposed to being wedded to a particular model of service delivery.

#### **4 How would membership align with the Council's existing policy objectives?**

4.1 The Council is committed to promoting the principles of localisation as identified in the policy paper approved by Cabinet - *Working Together in Birmingham's Neighbourhood Policy White Paper (Birmingham City Council January 2019)*. The essence of this policy commits the Council to supporting communities to become more sustainable by empowering them to develop local assets and build capacity. The objective is to enable citizens to improve the quality of their own lives.

4.2 Sitting under this umbrella of localisation the Council is engaged in two significant pieces of work around climate change and community wealth building. In June 2019 the Council declared a Climate Emergency with the stated aim of reducing the City's carbon emissions to 'net-zero' by 2030. The Council has also embarked on an ambitious journey with partners across the city to promote 'community wealth building'. This will involve the Council and partners changing their procurement behaviours to ensure that as much spend as possible remains within the City with opportunities captured by local businesses. This agenda also requires work to build skills/capacity within our communities to allow them to capture the opportunities that changes in procurement behaviour will bring.

4.3 For progress to be made on the above agendas substantial change is required. This will be in the areas of democratic participation, the structure of our local economy [e.g. the shift in emphasis from simply valuing financial reward to prioritising social outcome], the way current public services are delivered, and the

responsibility that individual citizens/businesses assume in contributing to resolving macro problems such as climate change or poor air quality [e.g. reducing personal carbon footprints].

- 4.4 This is entirely consistent with the Co-operative values referred to above and specifically around self-help, self-responsibility, democracy and equality. Membership of the CCIN can assist in providing the ‘tools’ to make further progress in delivering the localisation agenda.

## 5 What are the benefits of joining the CCIN?

- 5.1 These are as set out below:

BENEFITS:	COSTS:
The principles and values of the CCIN align with current Birmingham City Council policy context around localisation. <sup>1</sup> This work is being influenced by the New Local Government Network (Chaired by Donna Hall CBE, a current Non-Executive Adviser to the Council) and its policy paper the “The Community Paradigm” <sup>2</sup>	There is a resource implication of £7,900 for one year’s membership and there will be an ongoing resource implication for future years should a decision be made to continue membership on an ongoing basis.
Membership will allow for best practice and innovative ideas to be shared with Birmingham City Council and communities from across the country	
Limited cost of membership	
Provides a focus and means of joining up existing agendas that require the Council to think differently in terms of how it engages with communities e.g. Community Wealth Building and the work around Climate Change which will require significant ‘grassroots’ behaviour change in organisations and communities;	

<sup>1</sup> *Working Together in Birmingham’s Neighbourhood Policy White Paper* (Birmingham City Council January 2019)

<sup>2</sup> <http://www.nlgn.org.uk/public/2019/the-community-paradigm-why-public-services-need-radical-change-and-how-it-can-be-achieved/>

There is potential to bid for funding (up to £10,000) from CCIN to support innovative practice.	
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- 5.2 Joining the CCIN will provide a useful insight into best practice from other areas relating to community engagement and empowerment. It will provide resources to both elected members and Council Officers which will be particularly useful in supporting the existing policy direction around localisation and help support the development of innovative policy solutions.

## 6 Financial Implications

- 6.1 The cost of a full-year membership is £7,900. It is proposed that this would be funded from the Corporate Subscriptions Budget which sits within the Partnership, Insight and Performance Directorate. The Assistant Chief Executive has approved this spend.

### Background Papers/Information:

- Co-op Council's Innovation Network Strategy 2018-2020 - [CCIN Strategy 2018-20](#)
- Centre for Local Economic Strategies - Community Wealth Building – Birmingham Anchor Network Update [21 March 2019] <https://cles.org.uk/news/birmingham-anchor-network/>
- *Working Together in Birmingham's Neighbourhood Policy White Paper* (Birmingham City Council January 2019) – can be viewed [here](#).
- Climate Change Emergency – All Party Notice of Motion 11 June 2019 – can be viewed [here](#).
- The Community Paradigm [New Local Government Network – 17 March 2019] – can be viewed [here](#).



**Birmingham City Council**  
**Council Business Management Committee**  
 23 March 2020



**Subject:** Petitions Update  
**Report of:** Acting 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 update Committee on progress made in responding to petitions presented to full Council

## **2 Recommendations**

- 2.1 The Committee note this quarterly report.

## **3 Protocol**

- 3.1 The current protocol for responding to petitions presented to City Council was agreed by this Committee in May 2007 and is set out below:
1. Petition presented at City Council.
  2. Petition referred to the appropriate Director for response within 3 working days.
  3. Director to write to the Council or presenting the petition and the first named petitioner to acknowledge receipt within 14 days of the City Council.

4. Progress of investigation into petition to be notified by the relevant Director to Committee Manager for inclusion in the monthly Petitions Update by no later than 10 working days before the next City Council.
  5. Final response to petition included in Petitions Update by the Committee Manager.
  6. Director to notify the Councillor who presented the petition and the first named petitioner of the outcome within 14 days of the relevant City Council meeting discharging the same.
- 3.2 It should be noted that the protocol applies only to petitions sent internally and not to those which are referred to outside bodies for action.

#### **4 Action Taken**

- 4.1 In accordance with minute No. 2044 of this Committee the petition schedule has been split into City Council related petitions (currently 26) and those which are the responsibility of external organisations (currently 66).
- 4.2 Of the outstanding City Council related petitions 2 were presented in 2018 and 7 were presented in 2019.
- 4.3 Since May 2005, 2172 out of a total of 2198 City Council related petitions received have been discharged – 98%.
- 4.4 Of the 49 petitions presented in the last six months 26 have been discharged – 53%.

#### **5 Appendices**

- 5.1 The current City Council Petition Schedule is at appendix 1.

**PETITIONS RELATING TO CITY COUNCIL FUNCTIONS PRESENTED TO CITY COUNCIL**

**APPENDIX**

<b><u>DATE OF RECEIPT/ PRESENTED BY CATEGORY</u></b>	<b><u>DESCRIPTION/SENT TO</u></b>	<b><u>RESPONSE</u></b>
2089 06.11.2018 Councillor Jon Hunt <b>EXEC</b>	From residents of Birmingham supporting a 'People's Vote' on any final Brexit deal which includes an option for the UK to remain a full member of the European Union and urging Birmingham City Council to show its support by endorsing the petition for the best interests of the local economy as well as the welfare of all people living and working in Birmingham – <i>Corporate Director of Economy</i>	Referred to Head of European Affairs for a response. 15.01.19 Until a position on Brexit is known a response will be submitted. 09.07.19 A revised draft to be submitted to Deputy Leader for approval. 14.02.20 <b>Response letters sent to Councillor Jon Hunt and first-named petitioner. 13.03.2020</b> <b>Petition to be discharged</b>
2095(a) Councillor Adam Higgs 04.12.2018 <b>EXEC</b>	From residents concerned about the restricted vehicular access to Mountfield Close and Glenavon Road due to the erection of gates and requesting that vehicular access be restored – <i>Director of Neighbourhoods</i>	Petition referred to the Housing Team for investigation. 02.04.19 Petition referred from Neighbourhoods to Inclusive Growth to action. 21.05.19 The petition was forwarded to Neighbourhoods Directorate for a direct response as the matter was related to local estate management. 24.10.19 Petition referred to the Housing Team for investigation. 14.02.20
2135 Councillor Ewan Mackey 11.06.2019	From residents of Arthur Gunby Close and surrounding roads calling upon Birmingham City Council to take action to stop Anti-Social behaviour emanating from a property in Arthur Gunby Close – <i>Director of Neighbourhoods</i>	Petition referred from Neighbourhoods Directorate to Safer Places Manager for investigation and response. 09.07. 19
2155 Councillor Jon Hunt 10.09.2019 <b>EXEC</b>	From residents of Birmingham requesting Birmingham City Council to resurface Chervil Close as a matter of urgency. It is the service road for a large sheltered housing complex, Bamfylde Place, and is used by many people with disabilities – <i>Director of Inclusive Growth</i>	Referred to Highways and Amey for investigation and response. 24.10.19 <b>Response to be submitted to Cabinet Member for Transport and Environment for approval 16 March 2020. 13.03.2020</b>

2158 Councillor Chaman Lal 10.09.2019 <b>EXEC</b>	From residents of Birmingham calling upon Birmingham City Council to take action to stop Anti-Social behaviour on Nineveh Road - <i>Director of Neighbourhoods</i>	Petition referred to Safer Places on 28.11.2019. 03.01.2020
2163 Councillor Bruce Lines 10.09.2019 <b>COMM</b>	From residents of Loftus Close, Weoley Castle, Birmingham, B29 5PG objecting to the proposed plans to construct a roadway from Loftus Close into the proposed housing development site off Long Nuke Road – <i>Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 24.10.2019 <b>Current Planning Application. 13.03.2020</b>
2173 Councillor Neil Eustace 05.11.2019 <b>COMM</b>	From residents of Yardley East Ward objecting to the development of 117 properties in Barrows Lane, Yardley, B26 1SA – <i>Head of Planning Management</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 03.01.2020 <b>Current Planning Application. 13.03.2020</b>
2174 Councillor Majid Mahmood 05.11.2019 <b>COMM</b>	From residents of Bromford and Hodge Hill Ward objecting to Planning Application No. 2019/07911/PA – 18 Brockhurst Road, Hodge Hill – change of use from dwelling house to 8 bed HMO – <i>Head of Planning Management</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 03.01.2020 <b>Current Planning Application. 13.03.2020</b>
2176 Councillor Sybil Spence 05.11.2019 <b>EXEC</b>	From residents of Alexandra Avenue, Handsworth calling upon Birmingham City Council to maintain the trees in the road – <i>Director of Inclusive growth</i>	Forwarded to Inclusive Growth. 03.01.2020 <b>Referred to Highways for investigation and response. Response due April 2020. 13.03.2020</b>
2178 Councillor Ewan Mackey 14.01.2020 <b>EXEC</b>	From residents of Roughly Ward calling upon Birmingham City Council to permanently withdraw the proposed sale of the green space adjacent to 47 Withy Hill Road – <i>Acting Director of Inclusive Growth</i>	Referred to Property Services for investigation and response. 14.02.20 <b>Response due April 2020. 13.03.2020</b>
2181 Councillor Peter Fowler 14.01.2020	From residents of Birmingham calling upon Birmingham City Council to save Birmingham Wheels Sports Stadium in Bordesley Park from being closed down – <i>Acting</i>	Referred to Development Planning Manager for investigation and response. 14.02.20 <b>Response due April 2020. 13.03.2020</b>

<b>EXEC</b>	<i>Director of Inclusive Growth</i>	
2183 Councillor John Lines 14.01.2020 <b>EXEC</b>	From residents of Bartley Green Ward calling upon Birmingham City Council to make the area around the garages on Adams Hill presentable and safe as they are in a state of disrepair – <i>Director of Neighbourhoods</i>	Petition sent to Street Scene to provide a response. 14.02.20
2184 Councillor John O'Shea 14.01.2020 <b>COMM</b>	From residents of Frederick Road, B33 8AE, Mary Road and nearby roads in B33 objecting to Planning Application No 2019/06951 concerning the proposed use for Laurels Court Ltd – <i>Acting Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 14.02.20 <b>Current Planning Application. 13.03.2020</b>
2185 Councillor Mike Ward 04.02.2020 <b>EXEC</b>	From residents of Birmingham calling upon the Council for improvements for timing of traffic lights at the A45 Coventry Road, Wheatsheaf junction – <i>Acting Director of Inclusive Growth</i>	Referred to Local Engineer for investigation and response. 14.02.20 <b>Response due May 2020. 13.03.2020</b>
2186 Councillor Fred Grindrod 04.02.2020 <b>COMM</b>	From residents of Selly Oak objecting to Planning Application No 2020/00376/PA and calling upon the Council not to approve any plans for Elliot Road in Selly Oak that include student halls of residence – <i>Acting Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 14.02.20 <b>Current Planning Application. 13.03.2020</b>
2187 Councillor Mohammed Idress 04.02.2020 <b>EXEC</b>	From residents of Birmingham calling upon the Council to boycott the Indian sports team from competing in the Commonwealth Games 2022 – <i>Andrew Slattery – Programme and Change Manager</i>	<b>Response sent out. 18.02.20</b> <b>Petition to be discharged</b>
2188 Councillor Lou Robson 04.02.2020 <b>EXEC</b>	From residents of Birmingham calling upon the Council to improve the traffic lights at Bull's Head junction in the Hall Green area – <i>Acting Director of Inclusive Growth</i>	Referred to Principal Transport PLG & Invest Officer for investigation and response. 14.02.20 <b>Response due May 2020. 13.03.2020</b>
2189 Councillor Zhor Malik 04.02.2020 <b>EXEC</b>	From residents of Birmingham objecting to the proposed widening of the Moseley Road – <i>Acting Director of Inclusive Growth</i>	<b>This petition has been dealt with by WMCA and the report to Cabinet Members for Transport and Environment and Finance and Resources currently being progressed on the scheme to be</b>

		delivered by WMCA entitled, A435 Alcester Road/Moseley Road and Highgate Middleway Bus Priority Revitalisation Full Business Case, will confirm the action taken. 13.03.2020 This petition to be discharged.
2190 Councillor Deirdre Alden 25.02.2020 <b>EXEC</b>	From residents of Yew Tree Road calling upon Birmingham City Council to introduce parking permits to the residents to solve on-street parking issues – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Transport Projects for investigation and response. A response is due in May 2020. 13.03.2020</b>
2191 Councillor Deirdre Alden 25.02.2020 <b>EXEC</b>	From residents of Windermere House objecting to the introduction of sprinklers in their flats – <i>Acting Director of Neighbourhoods</i>	
2192 Councillor Zaker Choudhry 25.02.2020 <b>EXEC</b>	From residents of Durley Road and surrounding area calling upon Birmingham City Council to introduce traffic calming measures to help alleviate the problem of speeding cars and traffic flow congestion on Durley Road – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Local Engineer for investigation and response. A response is due in May 2020. 13.03.2020</b>
2193 Councillor Nicky Brennan 25.02.2020 <b>EXEC</b>	From residents of Sparkhill Ward calling upon Birmingham City Council to install CCTV on Springfield Road Grot Spot to catch perpetrators and to deter others from continually dumping rubbish and causing an obstruction on the pavement – <i>Acting Director of Neighbourhoods</i>	
2194 Councillor Majid Mahmood 25.02.2020 <b>EXEC</b>	From residents of Hodge Hill Common calling upon Birmingham City Council to resurface the carriageway of Hodge Hill Common due to a number of potholes causing damage to vehicles on a daily basis – <i>Acting Director of Neighbourhoods</i>	<b>Referred to Highways for a response. A response is due in May 2020. 13.03.2020</b>
2195 Councillor Majid Mahmood	From residents of Hodge Hill Common calling upon Birmingham City Council to install white LED lights and	<b>Referred to Highways for investigation and response. A response is due in May 2020.</b>

25.02.2020 <b>EXEC</b>	more columns along the Common due to poor lighting making it difficult to drive safely along the road – <i>Acting Director of Inclusive Growth</i>	<b>13.03.2020</b>
2196 Councillor Adam Higgs 25.02.2020 <b>EXEC</b>	From residents of Daisy Farm Road and surrounding area calling upon Birmingham City Council to install new LED lighting along the Daisy Farm Road as was originally planned before it was dropped from Amey's programme of works – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Highways for investigation and response. A response is due in May 2020. 13.03.2020</b>
2197 Councillor Paulette Hamilton 25.02.2020 <b>EXEC</b>	From residents of Holyhead Ward calling upon Birmingham City Council to install speed bumps on Rookery Road due to their concerns of speeding traffic to which there have recently been a number of accidents, two of them being fatal – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Local Engineer for investigation and response. A response is due in May 2020. 13.03.2020</b>

**CATEGORIES:**      **COMM**      = Petitions relating to Committees functions  
                              **EXEC**      = Petitions relating to the Executive functions





**PETITIONS RELATING TO CITY COUNCIL FUNCTIONS PRESENTED TO CITY COUNCIL – 7 APRIL 2020**

<b><u>DATE OF RECEIPT/ PRESENTED BY CATEGORY</u></b>	<b><u>DESCRIPTION/SENT TO</u></b>	<b><u>RESPONSE</u></b>
2089 06.11.2018 Councillor Jon Hunt <b>EXEC</b>	From residents of Birmingham supporting a 'People's Vote' on any final Brexit deal which includes an option for the UK to remain a full member of the European Union and urging Birmingham City Council to show its support by endorsing the petition for the best interests of the local economy as well as the welfare of all people living and working in Birmingham – <i>Corporate Director of Economy</i>	Referred to Head of European Affairs for a response. 15.01.19 Until a position on Brexit is known a response will be submitted. 09.07.19 A revised draft to be submitted to Deputy Leader for approval. 14.02.20 Response letters sent to Councillor Jon Hunt and first-named petitioner. 13.03.2020  <b>Petition to be discharged following the next City Council meeting.</b>
2095(a) Councillor Adam Higgs 04.12.2018 <b>EXEC</b>	From residents concerned about the restricted vehicular access to Mountfield Close and Glenavon Road due to the erection of gates and requesting that vehicular access be restored – <i>Director of Neighbourhoods</i>	Petition was referred to the Housing Team for investigation, who advised that the petition be sent to Inclusive Growth as the gates were not put up by Housing. The petition was returned to Neighbourhoods Directorate by Inclusive Growth as they say the matter relates to local estate management.  Housing Manager advises that at a Ward meeting it was agreed that the residents would be given keys in order to access the roadway.  ite visit arranged for 23 March 2020 with Cllr Higgs and the Housing Manager – Melvin Powell to discuss the current and future access arrangements. 19.03.20

2135 Councillor Ewan Mackey 11.06.2019	From residents of Arthur Gunby Close and surrounding roads calling upon Birmingham City Council to take action to stop Ant-Social behaviour emanating from a property in Arthur Gunby Close – <i>Director of Neighbourhoods</i>	Response to the petition was sent out to Cllr Mackey on 18 July 2019. 16.03.20  <b>Petition to be discharged following the next City Council meeting.</b>
2155 Councillor Jon Hunt 10.09.2019 <b>EXEC</b>	From residents of Birmingham requesting Birmingham City Council to resurface Chervil Close as a matter of urgency. It is the service road for a large sheltered housing complex, Bamfylde Place, and is used by many people with disabilities – <i>Director of Inclusive Growth</i>	Referred to Highways and Amey for investigation and response. 24.10.19  Response to the petition sent to Cllr Hunt 18 March 2020. <b>Petition to be discharged following the next City Council meeting.</b>
2158 Councillor Chaman Lal 10.09.2019 <b>EXEC</b>	From residents of Birmingham calling upon Birmingham City Council to take action to stop Anti-Social behaviour on Nineveh Road - <i>Director of Neighbourhoods</i>	Response to the petition sent out to Cllr Lal on 13 March 2020 by Angela Lamont.  <b>Petition to be discharged following the next City Council meeting.</b>
2163 Councillor Bruce Lines 10.09.2019 <b>COMM</b>	From residents of Loftus Close, Weoley Castle, Birmingham, B29 5PG objecting to the proposed plans to construct a roadway from Loftus Close into the proposed housing development site off Long Nuke Road – <i>Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 24.10.2019 <b>Current Planning Application. 13.03.2020</b>
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2189 Councillor Zhor Malik 04.02.2020 <b>EXEC</b>	From residents of Birmingham objecting to the proposed widening of the Moseley Road – <i>Acting Director of Inclusive Growth</i>	This petition has been dealt with by WMCA and the report to Cabinet Members for Transport and Environment and Finance and Resources currently being progressed on the scheme to be delivered by WMCA entitled, A435 Alcester Road/Moseley Road and Highgate Middleway Bus Priority Revitalisation Full Business Case, will confirm the action taken. 13.03.2020 <b>This petition to be discharged.</b>
2190 Councillor Deirdre Alden 25.02.2020 <b>EXEC</b>	From residents of Yew Tree Road calling upon Birmingham City Council to introduce parking permits to the residents to solve on-street parking issues – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Transport Projects for investigation and response. A response is due in May 2020. 13.03.2020</b>
2191 Councillor Deirdre Alden 25.02.2020 <b>EXEC</b>	From residents of Windermere House objecting to the introduction of sprinklers in their flats – <i>Acting Director of Neighbourhoods</i>	Response to the petition has been sent to Cllr Alden by Julie Griffin.  <b>Petition to be discharged following the next City Council meeting.</b>
2192 Councillor Zaker Choudhry 25.02.2020 <b>EXEC</b>	From residents of Durley Road and surrounding area calling upon Birmingham City Council to introduce traffic calming measures to help alleviate the problem of speeding cars and traffic flow congestion on Durley Road – <i>Acting Director of Inclusive Growth</i>	Referred to Local Engineer for investigation and response. A response is due in May 2020. 13.03.2020

2193 Councillor Nicky Brennan 25.02.2020 <b>EXEC</b>	From residents of Sparkhill Ward calling upon Birmingham City Council to install CCTV on Springfield Road Grot Spot to catch perpetrators and to deter others from continually dumping rubbish and causing an obstruction on the pavement – <i>Acting Director of Neighbourhoods</i>	Petition sent to Street Scene to provide a response. <b>10.03.20</b>
2194 Councillor Majid Mahmood 25.02.2020 <b>EXEC</b>	From residents of Hodge Hill Common calling upon Birmingham City Council to resurface the carriageway of Hodge Hill Common due to a number of potholes causing damage to vehicles on a daily basis – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Highways for a response. A response is due in May 2020. 13.03.2020</b>
2195 Councillor Majid Mahmood 25.02.2020 <b>EXEC</b>	From residents of Hodge Hill Common calling upon Birmingham City Council to install white LED lights and more columns along the Common due to poor lighting making it difficult to drive safely along the road – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Highways for investigation and response. A response is due in May 2020. 13.03.2020</b>
2196 Councillor Adam Higgs 25.02.2020 <b>EXEC</b>	From residents of Daisy Farm Road and surrounding area calling upon Birmingham City Council to install new LED lighting along the Daisy Farm Road as was originally planned before it was dropped from Amey's programme of works – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Highways for investigation and response. A response is due in May 2020. 13.03.2020</b>
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**CATEGORIES:**      **COMM**      = Petitions relating to Committees functions  
                              **EXEC**      = Petitions relating to the Executive functions





## CITY COUNCIL FORWARD PLAN 2019/20 – March 2020

To include:

- Policy framework plans
- Executive and Scrutiny reports
- Appointments
- City Council Resolutions Tracker (Appendix 1)

CBM	
7 May 2019	Proportionality
	City Council Appointments
	Overseas Travel and Inward Delegations From Abroad
28 May 2019	Order of Notices of Motion at City Council
	Appointment of Sub-Committee and Other Bodies
	Reports not on the Forward Plan – Annual Report
24 June 2019	Petitions Update
	Recommendation to appoint citizen representatives – Independent Remuneration Panel (Contact: Emma Williamson, Head of Scrutiny Services)
27 August 2019	Overseas Travel and Inward Delegations From Abroad
	Petitions Update
	Petition – Demolition of Perry Barr Flyover
21 October 2019	Update on Family Friendly Policies
	Changes to Polling Districts (Contact: Safeena Tonks, Electoral Services Manager)

City Council	
21 May 2019	Annual General Meeting
	<ul style="list-style-type: none"> <li>• Election of Lord Mayor</li> <li>• Annual appointments</li> <li>• Amendments to the Constitution</li> </ul>
	Sustainability and Transport O&S Committee: Single Use Plastics
	Reports not on the Forward Plan
11 June 2019	
09 July 2019	Youth Justice Strategic Plan 2019/20
	Appointment of citizen/independent representatives – Independent Remuneration Panel
10 September 2019	Review of the Constitution
	Co-ordinating O&S Committee: City Council Inquiry
	The Refreshed Council Plan 2019 - 2022
	Appointment of Interim CEX
5 November 2019	Health and Social Care O&S Committee: Period Poverty
	Petitions debate: Perry Barr Flyover

CBM	
	Full Council Meeting: Membership of CBM, lead member reports and motions for debate (following Scrutiny recommendation)
18 November 2019	MEETING CANCELLED
16 December 2019	Petitions Update
20 January 2020	Dispensation for Non-Attendance of a Councillor
10 February 2020	Overseas Travel and Inward Delegations from Abroad
	Provisional City Council and CBM dates for 2020/21
	Report on Lord Mayor's Advisory Committee
23 March 2020	Petitions Update
	Annual Report of the Independent Remuneration Panel tbc (Contact: Emma Williamson, Head of Scrutiny Services)
05 May 2020	Proportionality
	City Council Appointments
	Annual Review of the City Council's Constitution
	Overseas Travel and Inward Delegations from Abroad
(tbc) May 2020	Appointment of Sub-Committee and Other Bodies – Personnel Appeals Committee

City Council	
	Appointment of independent representatives – Standards Committee
3 December 2019	MEETING CANCELLED
14 January 2020	Bordesley Park Area Action Plan: Adoption
	Executive Business Report
	Birmingham Suicide Prevention Strategy
4 February 2020* / **	Climate Change Taskforce: Interim Report
	Scrutiny Business Report
	Lead Member report: West Midlands Fire Authority
25 February 2020	BUDGET MEETING – Financial Plan 2020-2024
07 April 2020	Annual Report of the Independent Remuneration Panel
	Executive Business Report
19 May 2020	ANNUAL MEETING
09 June 2020	Reports not on the Forward Plan / Reports for Immediate Implementation – Annual Report



CBM	
	Order of Notices of Motion at City Council
	Annual Standards Committee Report (Contact: Rob Connelly, Interim Assistant Director, Governance)
	Reports not on the Forward Plan / Reports for Immediate Implementation – Annual Report

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

Appointment to the Roll of Honorary Alderman (May 2022)

Appointment of the Leader (May 2022)

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

\*\* Annual Council Photograph

City Council	
	Executive Business Report
	Street Trading Policy

**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 (September); West Midlands Police & Crime Panel (December)

Revision of Council Tax Support Scheme

Climate Change Action Plan (June/July 2020)

Scrutiny Inquiries: Customer Services (Co-ordinating); Home to School Transport (Education & Children's Social Care)

*Update on Armed forces covenant (report of Cllr Cotton, led by Cllr Sharpe)*

# 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:- 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.</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
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> <li>• The Council also calls for an immediate review into the use of delegated powers within the constitution</li> </ul>	Leader / City Solicitor	Motion will be monitored regarding release of documentation, earliest possible date Feb 2020 [February 2019 update]

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
2a	09-Jul-2019	<p><i>Motion for debate:</i> This Council recognises that it is now over 25 years since the protocol regarding officers' responses and replies to members' enquiries was established.</p> <p>Since then the communications world has radically changed, the majority of complaints and enquiries to Councillors are via email.</p> <p>This Council therefore agrees to establish a task and finish working party through the Co-ordinating Overview and Scrutiny that would create a new protocol for responses to members' enquiries.</p> <p>This protocol should guarantee:</p> <ul style="list-style-type: none"> <li>the prompt provision of acknowledgements to Councillors' enquiries by officers; and</li> <li>the provision of a substantive response to the enquiry within a fixed and agreed timescale, based on the issue raised; and</li> <li>A system of chasing up Councillor enquiries that are not responded to within the target period.</li> </ul>	Deputy Leader / Chair, Co-ordinating O&S Committee / Emma Williamson, Head of Scrutiny Services	The Co-ordinating O&S Committee has commenced work on this as part of its on-going inquiry [September 2019 update]
2c	09-Jul-2019	<p><i>Motion for debate:</i> This Council notes and agrees with the statement of the Deputy Leader, Councillor Brigid Jones on 14 June 2019 that Birmingham "is the statutory waste collection authority and that there is no excuse for not sorting it."</p> <p>.....</p> <p>To that end, the council will:</p> <ul style="list-style-type: none"> <li>invest in new vehicles to replace an ageing fleet, considering the use of alternative fuels.</li> </ul>	Cabinet Member, Street Scene & Parks / Rob James, Acting Director Neighbourhoods	Update to Housing and Neighbourhoods to be scheduled for March 2020 [February update]

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
		<ul style="list-style-type: none"> <li>invest in the depots to provide a better, more productive working environment for staff, making the depots fit for the future.</li> <li>work closely with the workforce and the unions, utilising their knowledge to drive constant improvements and efficiencies in the system.</li> <li>develop a new waste strategy, taking into account the changing nature of recycling, minimising waste generation via public campaigns and extracting maximum value from household waste - e.g. energy, biofuels and waste re-use.</li> <li>enable residents to work together to do more to help keep their own communities clean and tidy.”</li> <li>provide more timely information to residents on any service failures and what residents should expect when collections are missed.</li> </ul> <p>Council further notes the lack of clear and reliable data on service failures, noting that statistics are compiled based on resident reports and rounds that fail to leave depots, meaning that unfinished rounds are not chronicled accurately.</p> <p>Council regrets that the promised introduction of IT monitoring in 2014 has proved unable to monitor exactly where waste is collected from.</p> <p><b>Council therefore requests that the review of service be asked to advise on how robust data can be collected</b> – and welcomes any measures that show the true extent of citizen discontent or satisfaction with the service.</p>		

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
		Council believes this will enable effective monitoring of the service.		
3c	10-Sep-2019	<p>That approval be given to the revised City Council Constitution as attached and that the City Solicitor be authorised to implement the changes with effect from 11th September 2019 subject to changes being made, to set out a clear right for all members of the Audit Committee to have access to any information that is relevant to their role to be discussed by Group Leaders for the wording to be agreed.</p> <p>In 'Part B Roles, Functions and Rules of Procedure B14 Audit Committee' paragraph 14.3 ii be deleted.</p>	Leader / Emma Williamson, Head of Scrutiny Services	<p>Amended Constitution published; paragraph 14.3 ii deleted.</p> <p>Provision on Audit Committee members to have access to information relevant to their role to be included as part of the Annual Review of the Constitution.</p>
3e	10-Sep-2019	<p><i>Motion for debate: illegal encampments</i></p> <p>The Council resolves to</p> <ul style="list-style-type: none"> <li>• Write to the government expressing support for the proposed new powers listed above and for making deliberate trespass a criminal offence, but raise concerns about the impact on cash-strapped local authorities of allowing neighbouring authorities to avoid their responsibilities towards the gypsy and traveller community. This letter should make the case for both of these to be implemented as soon as possible and also for additional funding to be provided to police services and local authorities to allow them to carry out this work effectively.</li> <li>• Continue to work to revise the existing protocol agreed with the West Midlands Police. The council has a legal requirement to meet its equality duty and must consider the welfare of trespassers and is</li> </ul>	Cabinet Member, Social Inclusion, Community Safety & Equalities / Rob James, Acting Director Neighbourhoods	Update to be brought to Housing and Neighbourhoods O&S in April 2020 [February 2020]

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
		<p>required in law to decide whether it can tolerate the encampment.</p> <ul style="list-style-type: none"> <li>• Continue to work on building the detailed evidence base required to gain a city wide injunction against unauthorised encampments to enable the speedy removal of such encampments and prevent the practice of moving from site to site within the city boundaries.</li> <li>• Request the relevant Director and officers to see what more can be down to recover costs through the courts from trespassers for the associated legal fees, repairs to property and cleaning costs and to report back to Housing and Neighbourhoods Overview and Scrutiny Committee.</li> <li>• Work with local councillors, friends of parks and other community groups to identify areas vulnerable to trespass and prioritise those for appropriate preventative and deterrent measures as and when funding permits. A report to be provided back to Housing and Neighbourhoods Overview and Scrutiny Committee.</li> <li>• Promote clearer reporting mechanisms for residents so that swift action can be taken at the first sign of unauthorised encampments being set up and that the relevant officers report back on steps taken to Housing and Neighbourhoods Overview and Scrutiny Committee.</li> <li>• Considers providing sufficient legal campsites to enable the Council to apply to the Courts for a City wide injunction to prohibit unauthorised campsites and incursions as a matter of urgency.</li> </ul>		

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
4c	05-Nov-2019	<p><i>Motions for Debate – Breastfeeding:</i> The Council therefore resolves to:</p> <ul style="list-style-type: none"> <li>Continue to promote and support breastfeeding in the City through the BCC commissioned ‘Birmingham Forward Steps’ Early Years Service and the Birmingham and Solihull United Maternity and Newborn Partnership (BUMP), in line with the UK Unicef and WHO ‘Baby Friendly Initiative’.</li> <li>Ensure that all Council premises are aware of their duty under the Equality Act 2010 not to discriminate against breastfeeding mothers and display signage to indicate that breastfeeding is welcome.</li> <li>Encourage businesses, third sector organisations, schools, colleges and educational establishments to display signage to indicate that breastfeeding is welcome.</li> </ul> <p>For full motion, see <a href="#">M05112019 City Council motions extract</a></p>	Cabinet Member Health and Social Care / Justin Varney, Director of Public Health	The Birmingham Forward Steps Improvement Board has held a specific workshop on infant feeding, including breastfeeding, to bring together partners to strengthen the approach to promoting breastfeeding in the City.
5a	14-Jan-2020	<p><i>Birmingham Suicide Prevention Strategy 2019-2024:</i> 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 update]
5a	14-Jan-2020	<p><i>Motions for Debate – Menopause</i></p> <p>Council therefore resolves to:</p>	Deputy Leader / Dawn Hewins, Director of HR	05/03/2020 – A meeting has taken place between Cabinet Members and representatives from HR to raise some of the issues raised by unions and the Menopause



Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
		<ul style="list-style-type: none"> <li>• Increase awareness of the help and advice already available for staff members and councillors experiencing the menopause.</li> <li>• Ensure that line managers are aware, show understanding and are able to support staff and signpost the help and advice that is available.</li> <li>• Work with Trades Unions - who have also produced advice and guidelines for employers and employees - to remove any potential stigma surrounding menopause.</li> <li>• Write to the West Midlands Combined Authority urging them to adopt a similar approach and to encourage partners across the region to adopt an open and supportive approach to staff members experiencing the menopause."</li> </ul> <p>For full motion, see <a href="#">here</a></p>		Workplace Forum and discuss potential solutions, for example heating and lighting systems at Woodcock Street.
6a	04-Feb-2020	<p><i>Motions for Debate – Home to School Transport</i></p> <p>Motion for noting</p>	-	-
6b	04-Feb-2020	<p><i>Motions for Debate – Electoral System</i></p> <p>This Council believes it is vital that the results of elections to Birmingham City Council represent the views of the communities we serve as closely as possible.</p> <p>This Council resolves to:</p> <ul style="list-style-type: none"> <li>• write to the Cabinet Office to ask Government to take part in a national debate in respect of electoral reform and commits to contributing to that debate, which could include an option</li> </ul>	Leader / Clive Heaphy, Interim Chief Executive	

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
		for considering STV in multiple member wards in Birmingham		

#### Other Actions from City Council Meetings

Date	Agenda Item	To Respond	Request/Question	Action taken
02-Apr-19	Oral Questions	Cllr Jayne Francis	To respond to Cllr David Pears request to livestream Schools Forum meetings	
10-Sept-19	Oral Questions	Cllr Kate Booth	To respond to Cllr Maureen Cornish on whether the findings of the 2016 review of Travel Assist were shared with the Cabinet Member before the extension to the contract was agreed	
14-Jan-20	Oral Questions	Cllr Jayne Francis	To respond to Cllr Moore on actions in relation to the roof and other repairs to Erdington library.	COMPLETED: Urgent roof repairs authorised and ongoing dialogue with Cllr Moore to be maintained
14-Jan-20	Oral Questions	Cllr Ian Ward	To respond to Cllr Bennett on why the requirement of air quality assessment on the Athlete's Village has been removed until after the CWG.	
14-Jan-20	Oral Questions	Cllr Ian Ward	To respond to Cllr Yip on progress against the motion on tax justice agreed in July 2016 The motion can be found <a href="#">here</a> (p. 2130)	
04-Feb-20	Oral Questions	Cllr Kate Booth	To respond to Cllr Deirdre Alden on the impact of the status of the ATG contract on the negotiations (Cllr Alden was asked to put the question in writing)	

<b>Date</b>	<b>Agenda Item</b>	<b>To Respond</b>	<b>Request/Question</b>	<b>Action taken</b>
04-Feb-20	Oral Questions	Cllr Kate Booth	To respond to Cllr Jenkins on how many ATG staff were found to not have had DBS checks, and what positions those staff held.	
04-Feb-20	Oral Questions	Cllr Sharon Thompson	To speak to LGA on fire safety and insurance following the Grenfell Tower fire (following question from Cllr Davis)	COMPLETED – letter sent to LGA and cross party letter sent to Government
04-Feb-20	Oral Questions	Cllr Ian Ward	To speak to Cllr Debbie Clancy about the progress of Hamstead House	



**BIRMINGHAM CITY COUNCIL****CITY COUNCIL**

**Tuesday, 7 April 2020 at 1400  
hours in The Council Chamber,  
Council House, Birmingham**

**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 25 February 2020.

To confirm and authorise the signing of the Minutes of the extraordinary meeting of the Council held on 4 March 2020.

**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**

**(70 minutes allocated) (1420-1530)**

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 (20 minutes)
- B. Questions from any Councillor to a Committee Chair, Lead Member of a Joint Board or Ward Forum Chair (10 minutes)
- C. Questions from Councillors other than Cabinet Members to a Cabinet Member (20 minutes)
- D. Questions from Councillors other than Cabinet Members to the Leader or Deputy Leader (20 minutes)

**7      APPOINTMENTS BY THE COUNCIL**

**(5 minutes allocated) (1530-1535)**

To make appointments to, or removals from, committees, outside bodies or other offices which fall to be determined by the Council.

**Attached      8      EXECUTIVE BUSINESS REPORT**

**(45 minutes allocated) (1535-1620)**

To consider a report of the.

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

“That the report be noted.”

(break 1620 - 1650)

**Attached      9      REPORT OF COUNCIL BUSINESS MANAGEMENT COMMITTEE**

**(20 minutes allocated) (1650-1710)**

**Annual Report of the Independent Remuneration Panel**

**The Leader Councillor Ian Ward to move the following Motion:**

“”

**Attached      10      MEMBERSHIP OF THE CO-OPERATIVE COUNCIL’S INNOVATION NETWORK**

**(35 minutes allocated) (1710-1745)**

To consider a report of the Leader of the Council.

**The Leader, Councillor Ian Ward to move the following Motion:**

“”

**Attached      11      MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**

**(90 minutes allocated) (1745-1915)**

To consider the attached Motions of which notice has been given in accordance with Council Rules of Procedure (B4.4 G of the Constitution).





# Birmingham City Council

## Council Business Management Committee

23 March 2020



**Subject:** Dispensation for Non-Attendance of Councillors at Council Meetings

**Report of:** Acting City Solicitor

**Report author:** Emma Williamson, Head of Scrutiny Services  
[emma.williamson@birmingham.gov.uk](mailto:emma.williamson@birmingham.gov.uk) / 07730 281718

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 This report provides details of a recommendation that the Council Business Management Committee, on behalf of the Council, approve a period of absence from meetings by Councillors pursuant to section 85 of the Local Government Act 1972.

### 2 Recommendations

- 2.1 That Council Business Management Committee approves the non-attendance of all Councillors at Council meetings from 23 March 2020 until 23 September 2020 for coronavirus related reasons, pursuant to S85 Local Government Act 1072.

### 3 Background

- 3.1 Section 85(i) of the Local Government Act 1972 states “if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the Authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period cease to be a Member of the authority”.
- 3.2 Attendance in an official capacity at a meeting of a committee or sub-committee of the Council or at any meeting of a joint committee or other such body discharging functions of the Council or at any meeting as a representative of the Council is deemed to be a ‘meeting of the Council (section 85(ii)).

- 3.3 If after six months from the date of a member's last attendance to attend any meeting, the Council has not approved the absence then the member as a result of the operation of law ceases to be a member of the Council from that date. The six months runs from the date of the member's last attendance and approval must be given within that six month period.
- 3.4 Once approval has been given **and it can be for no more than 6 months** prospectively or retrospectively or a combination of both – this statutory six months period begins to run from the end of the period for which approval has been given.

#### **4 Recommended Proposal**

- 4.1 The Council is changing how it conducts its business in response to the coronavirus pandemic. This includes cancelling many formal meetings to reduce social contact. It should also be recognised that members may be required to self-isolate (some for long periods).
- 4.2 Therefore, it is proposed that dispensations be granted as set out in Section 2. If the dispensation is not granted, then either the Councillors must attend council meetings (which may require meetings to be held in order to allow councillors to meet the six month requirement) or be automatically disqualified as a Councillor.
- 4.3 If the pandemic continues to have a significant impact, then a further report requesting dispensation may be presented to CBM before expiry of the six month period.

# Birmingham City Council

## Council Business Management Committee

23 March 2020



**Subject:** Covid 19 – Temporary Governance Arrangements  
**Report of:** Suzanne Dodd, Acting City Solicitor  
**Report author:** Emma Williamson, Head of Scrutiny Services

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 set out temporary governance arrangements during the Covid 19 outbreak. The following arrangements shall apply for the duration of the outbreak, with monthly reviews.
- 1.2 Arrangements will also be reviewed in light of any changes in Government guidance or legislation.

### 2 Recommendations

- 2.1 To note the temporary governance arrangements during the Covid 19 outbreak.
- 2.2 For members to review (remotely if necessary) at monthly intervals or in light of changing Government guidance.

### 3 Background

- 3.1 The national response to the Covid 19 outbreak has been escalated to the “Delay” phase. As a result, the Council has considered whether it is appropriate for meetings to take place.

### *Legal Position*

- 3.2 Local authorities are required to hold meetings to make decisions, these meeting must be opened up to the public, save for in a limited amount of exceptional circumstances (e.g. exemption under Schedule 12A apply); this requirement is entrenched in local government legislations (The Public Bodies (Admission to

Meetings) Act 1960, [Part 5A of the Local Government Act of 1972](#), [The Local Government \(Access to Information\) Act 1985](#), [The Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#).

- 3.3 The above legislation also requires that in order to vote on decisions or recommendations, a Member must physically be present at the meeting, at which the matter is considered. Similarly, in order to be counted towards the quorum of a meeting, a Member must physically be in attendance.
- 3.4 Based on the above legislation allowing Members to be considered present and vote at a virtual meeting is currently not permitted and would require a change in legislation. Currently many bodies (including the LGA, Lawyers in Local Government) are lobbying Government for an amend for legislation in the unprecedented global pandemic. As of 19<sup>th</sup> March, no such legislation is proposed.
- 3.5 Members may participate remotely (by phone or video conferencing) but would not be counted towards quoracy or be able to vote.
- 3.6 This report therefore sets out the various decision making process and meetings involving elected members and sets out alternative temporary arrangements to be implemented with immediate effect.

## **4 Executive Decisions and Meetings**

### ***Key Decisions***

- 4.1 Under the Constitution, key decisions must be taken at a Cabinet meeting. In light of the pandemic:
  - Cabinet continues to take place with the Leader and three other Cabinet Members (no change required to the Constitution);
  - The public are 'physically excluded', however access would be via a live webcast and therefore the meeting is still open to the public;
  - Opposition members can attend or ask questions virtually;
  - Officer attendance will be limited to those who have been determined as necessary.
- 4.2 All other aspects of the process remain the same, including:
  - Key decisions must be posted on the Forward Plan 28 days before the meeting;
  - Notification of matters to be discussed in public must be given 28 days before the meeting;
  - Reports must be produced in the normal format with consultation taking place as required;
  - Corporate clearance and sign-off processes must be observed;
  - Agendas, reports and decisions will be recorded and published on CMIS as usual;
  - Decisions will be subject to call-in.

### ***Cabinet Member and Officer Delegated Decisions***

- 4.3 No change is required to the process as these decisions can be taken without the need for a meeting. Whilst it is good practice for Cabinet Member decisions to be taken in the presence of an officer, this can be done remotely.

### ***Cabinet Committees***

- 4.4 There are no scheduled meetings of Cabinet Committee Group Company Governance or Equal Pay Executive Committee.

## **5 Full Council**

- 5.1 Full Council on 7<sup>th</sup> April is cancelled. Reports will be re-scheduled for a later meeting.
- 5.2 The Annual Meeting is scheduled for 19 May. An Annual Meeting must be held each year, and we await national guidance on this.
- 5.3 The Mayoral dinner, after the Annual Meeting, will be cancelled.
- 5.4 If a Full Council meeting is held, then temporary amendments to the Constitution could be proposed, included increased delegations and changes to appointments to committees.

### ***Council Business Management Committee***

- 5.5 Further meetings will be called as necessary by the Leader.

## **6 Planning Committee**

- 6.1 Planning Committee meets every two weeks, primarily to determine planning applications; which have to be determined within statutory time scales to avoid risk of appeals against non-determination and reputational harm. It is not feasible to stop making planning decisions until after the pandemic as this will have a substantial adverse impact on the economy and will seriously harm the reputation of the Council.
- 6.2 Whilst we await further national guidance, or a change in legislation, it is proposed that the following steps are taken:
- Reducing the number of meetings as far as possible – officers to explore if more planning applications could be delegated to officers or delayed where possible;
  - Where meetings are held, these will be held in the Council Chamber;
  - Physically exclude public observers but facilitate public access via the webcasting. Applicants and advisors must be able to attend (unless remote participation can be enabled) to exercise their right to speak on applications;
  - Review member attendance and agree a reduced attendance as necessary (quorum is 5);
  - Officer attendance will be limited to those who have been determined as necessary

- 6.3 Ahead of the first meeting in the Chamber (26 March) a site visit has been arranged with planning officers and the Chair.
- 6.4 Further work is underway with IT&D to facilitate remote attendance.

## **7 Licensing & Public Protection Committee**

- 7.1 The Licensing & Public Protection Committee is scheduled to meet on 22 April and again in June. However, the Chair is keeping this under review and will only hold a meeting if required to do so.

### ***Licensing Sub-Committees***

- 7.2 The Council must determine licensing applications within a statutory timescale, failure to do so could lead to the applicant applying to the magistrate's court for determination. Some matters to be determined under the Licensing Act 2003 cannot be delegated to officers. Therefore, unless there is a change in legislation or national guidance, then some meetings must be held.
- 7.3 Therefore, it is proposed that the following steps are taken:
- Officers to determine whether any driver application matters can be delegated, and agree this with the Chair;
  - Ask applicants to agree to extend the timescale for their applications;
  - Rely on section 11 of the regulations where possible: this states that it is possible to "...extend a time limit provided for in these Regulations for a specified period where it considers this to be necessary in the public interest."
  - Where s11 is not applicable, and/or where applicants refuse to extend, or there are urgent matters, then meetings are held in line with the meeting guidance in Appendix 1.
- 7.4 As the pandemic progresses, it may be necessary to review the pool of members trained to undertake licensing reviews/applications, bringing in members with fewer risk factors.
- 7.5 Further work is underway with IT&D to facilitate remote attendance.

## **8 Overview & Scrutiny**

- 8.1 Scrutiny chairs have agreed that the presumption is that meetings will be suspended unless there is a compelling reason to hold one. Members will continue scrutiny through briefings and options for remote meetings are being explored.
- 8.2 With regards to call-in, a flexible approach will be maintained, depending on the number of call-ins and the availability/risk factors of members involved. Again, where meetings are held, the meetings guidance in Appendix 1 will be followed.

## **9 Other Committees**

- 9.1 **Audit Committee** on 24<sup>th</sup> March will go ahead at the Chair's request. The meeting has been moved to Committee Rooms 3 and 4, and the meeting guidance in Appendix 1 will be followed.
- 9.2 **Trusts & Charities Committee** is under review (the next meeting is 29<sup>th</sup> April, after the date of the review of these arrangements).
- 9.3 There are two **Personnel Appeals** scheduled for April.
- 9.4 No meetings are scheduled for the **Health and Wellbeing Board**.
- 9.5 **Standards Committee** is scheduled for 15 April.

## **Appendix 1: Meeting Guide During Coronavirus**

Where meetings are held:

1. Meetings to be held in the largest meeting room available (including Council Chamber) to allow participants to sit spaced apart.
2. Meetings in Committee Rooms 3 and 4 to use the largest seating plan, again giving the maximum space between participants.
3. Hand sanitizer to be available (if possible)
4. One microphone to be used per person wherever possible.
5. All microphones (buttons and stems), equipment and tables to be wiped down before and after use.
6. No refreshments to be ordered
7. No presentations to reduce need for shared equipment, and reduce set up resources
8. Where members of the public/press are not permitted to attend in person, the webcast must be operational otherwise decisions taken at the meeting will not be legally valid. If there are problems with the web-stream, then two options to consider:
  - Having only one camera focused on the room and/or audio recording;
  - The meeting being filmed and subsequently uploaded.

The first option should be considered as a matter of course, to reduce the need for an operator to be in the room.

9. Members who are at risk must be discouraged from attending in line with government guidance, and therefore numbers may be reduced. Some meetings may be held at minimum quoracy. Officers who are at risk due to an underlying health condition should have already informed their Line Manager.



10. Officer attendance should be kept to a minimum.



## BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Council Business Management</b>	<b>Report of the Chief Executive</b>
<b>Date of Decision:</b>	23 March 2020	
<b>SUBJECT:</b>	Implementation of The Foundation Living Wage 2020/2021	
<b>Wards Affected:</b>	All	

**1. Purpose of Report:**

1.1 This report outlines the implications of the annual review of the rate paid by the Council to employees in receipt of the Foundation Living Wage supplement. It seeks the agreement of Council Business Management Committee to apply the new rate of £9.30 from 1<sup>st</sup> April 2020.

**2. Decision(s) Recommended:**

That, Council and Business Management agree:

2.1 To the proposal to increase the Foundation Living Wage supplement so that with effect from 1<sup>st</sup> April 2020, all Council employees are paid a minimum of £9.30 per hour.

<b>Lead Contact Officer(s):</b>	Dawn Hewins – HR Director/Melanie James – Reward & Recognition Manager
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**3. Consultation**

3.1 Internal - The proposals contained within this report only relate to City Council employees.

**4. Financial Implications**

4.1 The estimated cost of implementing the Foundation Living Wage at a rate of £9.30 per hour is expected to be £55,411 for corporate functions. BCC Schools total cost is estimated £82,432, and Birmingham Children's Trust is estimated £1,334. These are reflected in the table below:

Area	Annual	Annual inc On Costs
BCC Schools	55,735.13	82,432.26
Birmingham Children's Trust	901.84	1,333.82
Birmingham City Council	37,465.51	55,411.49
<b>Grand Total</b>	<b>94,102.48</b>	<b>139,177.57</b>

The above column “inc On Costs” is inclusive of National Insurance and Superannuation. At time of going to press, national pay bargaining has not been agreed for NJC for LGS workers for 20/21, so once agreed, it may well be that SCP 1 exceeds the Foundation Living Wage once again, akin to 2019, however, with no further guidance, we must proceed with FLW application. JNC for Youth Workers is unlikely to supersede the FLW, based on the pay award in recent years.

4.2 Subject to approval by Council and Business Management Committee, it is recommended that the costs of implementing the Foundation Living Wage are met as follows:-

- The full year costs of Schools’ staff from 2020/21 be the subject of consultation with the Schools Forum
- The full year costs of the other Council employees from 2020/21 are met from existing service budgetary provision, including any corporate provision for inflation.

## **5. Legal Implications**

5.1 To ensure that any potential Equal Pay risks are mitigated it is essential that the principles of the Foundation Living Wage are applied consistently across the Council to all Council managed and School managed (non-teaching) employees and workers.

5.2 In order for the Council to continue to justify and defend challenges to its current Job Evaluation Scheme it is essential that the current grading structure, including the current scale points matched against current job scoring is maintained.

5.3 Governing Bodies in City Council Community Schools are required to apply the Foundation Living Wage in Schools for those non-teaching staff so that the minimum wage paid by the School for these staff is at the same minimum level as the Council to ensure that neither the school nor the Council is subject to equal pay litigation.

## **6. Public Sector Equality Duty**

6.1 An initial Equality analysis has been undertaken to identify whether there is any disparate impact arising from this proposal. This has identified that the proposal benefits the lowest paid employees within the Council who are predominantly female and part time.

6.2 The council has data on sexual orientation and religious belief for around 10% of the workforce. The percentage is greatly reduced for the cohort of employees affected by the Foundation Living Wage therefore it is not possible to provide meaningful data on the impact.

## **7. Relevant Background**

7.1 The Council took the decision in June 2012 to implement the Foundation Living Wage for all employees including those working within schools. The new pay rates took effect in July 2012. The concept of the Foundation Living Wage was developed by the Joseph Rowntree Foundation Trust and is the term used to describe the minimum hourly wage necessary for shelter, housing and incidentals such as clothing and other basic needs and nutrition. This standard generally means that a person working full-time with no additional income, should be able to afford a specified quality or quantity of housing, food, utilities, transport, health and recreation.

7.5 The rate for the Foundation Living Wage is annually reviewed by Loughborough University and is then recommended to Foundation ‘Living Wage Employers’ for adoption. The Council’s

policy is to review the rate annually and for any changes if agreed to be applied alongside any annual pay increase in the April of each year. The recommended rate for the Foundation Living Wage for 2020/21 is £9.30 per hour, currently applicable to JNC for Youth Workers and those receiving SCP1 of NJC for LGS.

7.6 Community Schools, Acivico and Birmingham Children's Trust will be required to implement the new rate of pay, additionally; Academies and Voluntary Aided Schools will be encouraged to also adopt this approach for the lowest paid workers in the City. Adoption of the Foundation Living Wage is also a fundamental cornerstone of the Council business charter.

#### **8. Evaluation of Alternative Option(s)**

Non-payment of the Foundation Living Wage would create a misalignment with established City Council policy decisions. The cost of implementation has significantly reduced as a consequence of national pay offer.

#### **9. Reason for Decision(s)**

The Council is committed to tackling poverty and worklessness in Birmingham, the implementation of the Foundation Living Wage makes an important contribution to achieving this goal.

#### **Signatures**

Chief Officer(s): .....

Dated: .....

#### **List of Background Documents Used to Compile this Report**

Cabinet Report June 2012 - The Living Wage

Committee Report - Employment & HR Committee June 2012

#### **List of Appendices Accompanying this Report (if any)**

None

