

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 27 MAY 2016
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MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON FRIDAY 27 MAY 2016 AT 0930 HOURS, IN COMMITTEE ROOM 1, THE COUNCIL HOUSE, BIRMINGHAM

PRESENT:

Councillor John Clancy in the Chair;

Councillors Robert Alden, Barry Bowles, Mohammed Idrees and Mike Ward.

NOTICE OF RECORDING

- 2502 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.

APPOINTMENT OF COMMITTEE

- 2503 The resolution of the City Council passed at the Annual Meeting on 24 May 2016 appointing the Council Business Management Committee and Members for the Municipal Year 2016/2017 with Councillor John Clancy as Chair was noted.

ELECTION OF DEPUTY CHAIR

- 2504 **RESOLVED:-**

That Councillor Ian Ward be appointed as Deputy Chair for the Municipal Year 2016/17.

APOLOGIES

- 2505 Apologies for non-attendance were submitted on behalf of Councillors Sharon Thompson, Anne Underwood and Ian Ward.

DECLARATIONS OF INTEREST

- 2506 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.
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TERMS OF REFERENCE OF COUNCIL BUSINESS MANAGEMENT COMMITTEE

The following document was submitted:-

(See document No 1)

- 2507 **RESOLVED:-**

That the Terms of Reference be noted.

MINUTES

Councillor Robert Alden expressed concern that changes to the constitution had been made at City Council without Members of the Council Business Management Committee having sight of them and he hoped in future such changes should be presented to Committee and be available before the meeting. He noted that in the constitution approved at City Council the 4 Assistant Leaders would be able to attend and this was inconsistent with other members attending Cabinet who were only invited. The Chair and Stuart Evans, City Solicitor, indicated that a minor change could be made to the Constitution to remove the inconsistency.

- 2508 The Minutes of the last meeting held on 9 May 2016 were confirmed and signed by the Chair.
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APPOINTMENT OF SUB-COMMITTEES AND OTHER BODIES

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

(See document No 2)

A. EDUCATION AWARDS (REVIEW) SUB-COMMITTEE

- 2509 **RESOLVED:-**

- (i) That an Education Awards (Review) Sub-Committee be appointed for the Municipal Year 2016/2017 with the following functions:-

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

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2016/2017 with Councillor Valerie Seabright as Chair:

Councillor Barry Bowles	(Lab)
Councillor Chauhdry Rashid	(Lab)
Councillor Valerie Seabright	(Lab)
Councillor Matt Bennett	(Con)
Councillor Karen Trench	(Lib Dem)

B. MISCELLANEOUS APPEALS SUB-COMMITTEE

2510

RESOLVED:-

- (i) That a Miscellaneous Appeals Sub-Committee be appointed for the Municipal Year 2016/2017 with the following functions:-
1. To consider any appeal under the Rules and Regulations for the Operation of the Retail Markets.
 2. To consider any other appeal(s) that are not covered by any of the other Committees or Sub-Committees of the City Council; and
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2016/2017 with Councillor Alex Buchanan as Chair:

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

C. ELECTION MATTERS MEMBERS FORUM

2511

RESOLVED:-

- (i) That for the municipal year 2016/2017 the Election Matters Members Forum be outside of proportionality requirements;
- (ii) that an Election Matters Members Forum be appointed for the Municipal Year 2016/2017 with the following functions:
- To recommend further improvements to the Elections Office and/or the Elections processes;
- To be consulted over relevant consultation papers relating to the Elections process;
- To discuss issues that the Returning Officer may wish to raise with the Members Forum; and

- (iii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2016/2017 with Councillor John Clancy as Chair:

Councillor John Clancy	(Lab)
Councillor Ian Ward	(Lab)
Councillor Valerie Seabright	(Lab)
Councillor Sharon Thompson	(Lab)
Councillor Robert Alden	(Con)
Councillor Timothy Huxtable	(Con)
Councillor Jon Hunt	(Lib Dem)

D. LORD MAYOR'S ADVISORY GROUP

2512

RESOLVED:-

- (i) That a Lord Mayor's Advisory Group be appointed for the Municipal Year 2016/2017 with the following purpose:

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

To provide guidance on protocol matters as necessary;

To review Civic functions as necessary; and

To advise on the appropriateness of Parlour arrangements.

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2016/2017 with Councillor Mike Leddy as Chair:

Councillor Ray Hassall	(Lab)
Councillor Shafique Shah	(Lab)
Councillor Mike Leddy	(Lab)
Councillor John Lines	(Con)
Councillor Sharon Thompson	(Lab)
Councillor Anne Underwood	(Con)
Councillor Mike Ward	(Lib Dem)

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

2513

RESOLVED:-

- (i) That a Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee be appointed for the Municipal Year 2016/2017 with the following functions:

1. To consider and determine the form of the employment contracts and other Terms and Conditions (including related structural issues) for the Chief and Deputy Chief Officer Posts as defined in the Constitution of the City Council.

2. To be responsible for making appointments to all posts falling within 1 above and to recommend to the Council the appointment of the Chief Executive.
 3. To deal with all termination and disciplinary arrangements relating to Chief Officer and Deputy Chief Officer posts (including early retirement and the award of added years).
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2016/2017 with Councillor John Clancy as Chair:

Councillor John Clancy (Lab)
Councillor (Lab) to be appointed dependent on the
Directorate to which the Post relates
Councillor (Lab) to be appointed dependent on the
Directorate to which the Post relates
Councillor Robert Alden (Con)
Councillor Jon Hunt (Lib Dem)

F. PERSONNEL APPEALS (DISMISSALS) SUB-COMMITTEE

It was agreed to increase the membership of the Sub-Committee by 1 to 7 Lab:
3 Con: 1 Lib Dem in accordance with proportionality.

2514

RESOLVED:-

- (i) That a Personnel Appeals (Dismissals) Sub-Committee be appointed for the period ending with the first meeting of Council Business Management Committee in the Municipal Year 2017/2018 with the following functions:
1. To consider, with Delegated Power the appeals relating to the Dismissal of Council managed employees.

(the process to be followed by appellants shall be as laid down on the People Solutions website and in accordance with City Council's policy with no appeals being submitted direct to this body without first exhausting the prescribed HR process).
 2. In hearing an appeal, the Sub-Committee shall not have the power to award financial compensation to any appellant.
 3. The Sub-Committee shall have the right to determine whether appeals shall be dealt with, where appropriate, by means of written representations.
 4. All meetings of the above Sub-Committee must be chaired by one of the three appointed Chairs of the Sub-Committee and a Quorum for the full Sub-Committee or an individual Panel hearing an appeal shall be 3. No appeal may be heard in the absence of a Quorum.
 5. To authorise the Chair of the Sub-Committee or any Member thereof to give evidence at any Employment Tribunal should they be required to do so.

6. To recommend to the Council Business Management Committee and oversee any appropriate training and guidance being given to Members and Officers, as necessary, on how to manage Personnel Appeals.
 7. To recommend to the Council Business Management Committee any appropriate or desirable improvements for dealing with the effective and efficient administration of future Personnel Appeals arising from case hearings.
 8. To make any other recommendations to the Council Business Management Committee.
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the period ending with the first meeting of Council Business Management Committee in the Municipal Year 2017/2018:

Councillor Lynda Clinton (Lab)
Councillor Valerie Seabright (Lab)
Councillor Hendrina Quinnen (Lab)
Councillor Mahmood Hussain (Lab)
Councillor Mike Leddy (Lab)
Councillor Des Hughes (Lab)
Councillor Sharon Thompson (Lab)
Councillor Maureen Cornish (Con)
Councillor Gary Sambrook (Con)
Councillor Alex Yip (Con)
Councillor Ray Hassall (Lib Dem)

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

ORDER OF 'NOTICES OF MOTION' AT FUTURE CITY COUNCIL MEETINGS

The following schedule was submitted:-

(See document No 3)

2515

RESOLVED:-

That the Order of 'Notices of Motion' at City Council for 2016/2017 as set out on the schedule be agreed.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 4)

Councillor Robert Alden commented that in light of the screening of the despatches TV programme relating to Children's Social Care in Birmingham and the setting up of a Voluntary Trust a discussion should be had at full City Council concerning this possibly after an urgent Overview and Scrutiny Committee review.

The Chair was amenable to such a debate without an O and S review and during further discussion it was agreed to extend the time of the Council meeting to 2000 hours and allocate 60 minutes to a debate on Children's social Care.

It requested that the revised agenda with the new time line be circulated to Members of the Committee.

2516

RESOLVED:-

That, subject to the above amendment, the draft agenda be noted.

COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2015/2016

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

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

2517

RESOLVED:-

That the following dates for Council Business Management Committee meetings in 2016/2017 be agreed:-

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

<u>2016</u>	<u>2017</u>
28 June	24 January
31 August (1200 hours)	14 February
18 October	21 March
22 November	9 May
13 December	

OTHER URGENT BUSINESS

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

Royal British Legion 'Count them in' Campaign

The following email was submitted:-

(See document 5)

Stuart Evans, City Solicitor, explained that The Royal British Legion was launching a campaign ('Count Them In') to include additional questions in the 2021 census to seek to capture much needed data about the Armed Forces community. This would allow local authorities such as Birmingham which are not 'garrison' towns to identify the 'armed forces community' within the authorities' boundary thus allowing their particular needs to be met. The MOD had not been able to provide reliable data about the number of serving armed forces personnel the city boundary.

It was noted that Councillor Ian Ward was supportive of the campaign and was requesting that the Committee make a decision to give the Council's backing to the proposals.

Members of the Sub-Committee supported the campaign. However they felt that the questions should be voluntary as some armed forces personnel may be reluctant to provide such information and to put them in a position of refusing to answer some census questions with the legal ramifications was counterproductive.

2518

RESOLVED:-

That Birmingham City Council supports the The Royal British Legion 'Count Them In' Campaign but recommends that the questions be on a voluntary basis.

AUTHORITY TO CHAIR AND OFFICERS

2519

RESOLVED:-

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

The meeting ended at 0958 hours.

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CHAIR