



**MEETING OF BIRMINGHAM
CITY COUNCIL, TUESDAY,
7 FEBRUARY 2023**

**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD
ON TUESDAY, 7 FEBRUARY 2023 AT 1400 HOURS IN THE COUNCIL
CHAMBER, COUNCIL HOUSE, BIRMINGHAM**

PRESENT:- Lord Mayor (Councillor Maureen Cornish) in the Chair.

Councillors

Deirdre Alden	Ray Goodwin	Ron Storer
Robert Alden	Alex Aitken	Saima Suleman
Gurdial Singh Atwal	Colin Green	Paul Tilsley
Raqeeb Aziz	Fred Grindrod	Lisa Trickett
Shabina Bano	Roger Harmer	Ian Ward
David Barker	Deborah Harries	Ken Wood
David Barrie	Kath Hartley	Waseem Zaffar
Baber Baz	Adam Higgs	Bushra Bi
Matt Bennett	Des Hughes	Mariam Khan
Jilly	Jon Hunt	Ewan Mackey
Birmingham	Mumtaz Hussain	Basharat Mahmood
Marcus	Mahmood Hussain	Richard Parkin
Bemasconi	Timothy Huxtable	Rick Payne
Sir Albert	Mohammed Idrees	David Pears
Bore	Zafar Iqbal	Miranda Perks
Nicky	Katherine Iroh	Rob Pocock
Brennan	Ziaul Islam	Julien Pritchard
Kerry Brewer	Morriam Jan	Darius Sandhu
Marje Bridle	Kerry Jenkins	Kath Scott
Martin Brooks	Meirion Jenkins	Shafique Shah
Mick Brown	Brigid Jones	Rinkal Shergill
Zaker Choudhry	Jane Jones	Alex Yip
Debbie Clancy	Amar Khan	
Liz Clements	Izzy Knowles	
John Cotton	Narinder Kaur	
Phil Davis	Kooner	
Jack Deakin	Chaman Lal	
Adrian Delaney	Bruce Lines	
Diane Donaldson	Mary Locke	
Barbara Dring	Lee Marsham	
Jayne Francis	Karen McCarthy	
Sam Forsyth	Saddak Miah	
Akhlaq Ahmed	Gareth Moore	
Saima Ahmed	Yvonne Mosquito	

NOTICE OF RECORDING

- 85 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the press/public may record and take photographs except where there were confidential or exempt items.
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DECLARATIONS OF INTERESTS

- 86 The Lord Mayor reminded Members that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at the meeting.

Councillor Waseem Zaffar declared a pecuniary interest in relation to agenda item 11a. Councillor Zaffar served as a Non-Executive Director Sandwell and West Birmingham NHS Trust.

Councillor Lisa Trickett declared a non-pecuniary interest in relation to agenda item 10 (Route to Net Zero Annual Report 2022). Councillor Trickett was engaged in a number of activities which were referenced in the report.

Councillor Narinder Kaur Kooner declared a pecuniary interest in relation to agenda item 11a. Councillor Kooner was a Non-Executive Director of the West Midlands Ambulance Service.

MINUTES

It was moved by the Lord Mayor, seconded and –

- 87 **RESOLVED:**

That the Minutes of the City Council meeting held on 10 January 2023 be taken as read and confirmed and signed.

LORD MAYOR'S ANNOUNCEMENTS

- 1 **Death of Former Councillor Honorary Alderman Vivienne Barton**

The Lord Mayor indicated her first announcement related to the death of former Councillor, Honorary Alderman Vivienne Barton, who

passed away on 9 January following a long illness.

Vivienne served as a Councillor for Bartley Green Ward from 1987 to 1995 and 1998 to 2016; during which time she served on numerous Committees and Sub-Committees.

She became an Honorary Alderman on 24 May 2016.
Vivienne leaves behind her daughter Vanessa, son Lee, and four grandchildren; and Council extended to them their deepest condolences.

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

88 **RESOLVED:-**

That this Council placed on record its sorrow at the death of former Councillor, Honorary Alderman Vivienne Barton and its appreciation of her devoted service to the residents of Birmingham. The Council extended its deepest sympathy to Vivienne's family in their sad bereavement.

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

PETITIONS

Petitions Relating to City Council Functions Presented at the Meeting

The following petitions were presented:-

(See document No. 1, 'Additional Meeting Documents')

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

89 **RESOLVED:-**

That the petitions were received and referred to the relevant Chief Officer(s).

Petitions Update

A Petitions Update had been made available electronically:-

(See document No. 2, 'Additional Meeting Documents')

It was moved by the Lord Mayor, seconded and

90 **RESOLVED:-**

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

QUESTION TIME

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

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

APPOINTMENTS BY THE COUNCIL

Councillor Des Hughes addressed the Council and it was-

- 92 **RESOLVED:-**

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

Sustainability and Transport Overview and Scrutiny Committee

Councillor Saima Ahmed to replace Councillor Miranda Perks.

ANNUAL REPORT: 2021-22 AUDIT COMMITTEE

A report from the Chair of the Audit Committee, Councillor Fred Grindrod was submitted:-

(See document No. 3, agenda item 8)

Councillor Fred Grindrod moved the recommendation which was seconded by Councillor Paul Tilsley.

A debate ensued.

Councillors Ian Ward, Meirion Jenkins, Paul Tilsley, Robert Alden and Alex Yip spoke during the debate.

The Lord Mayor invited Councillor Fred Grindrod to sum up.

It was therefore-

- 93 **RESOLVED:-**

1.) That City Council noted the report.

SCRUTINY BUSINESS REPORT

A report from Councillor Sir Albert Bore, Chair of the Co-ordinating

Overview and Scrutiny Committee was submitted:-

(See document No. 4, agenda item 9)

Councillor Sir Albert Bore moved the recommendation which was seconded by Councillor Kerry Jenkins.

A debate ensued.

Councillors Marje Bridle, Roger Harmer, Robert Alden, Mohammed Idrees, Alex Yip, Zaker Choudhry and Jack Deakin spoke during the debate.

The Lord Mayor invited Councillor Sir Albert Bore to sum up.

It was therefore-

94 **RESOLVED:-**

1.) That City Council noted the report.

ADJOURNMENT

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

RESOLVED:-

That the Council be adjourned until 1705 hours on this day.

The Council then adjourned at 1635 hours.

At 1705 hours the Council resumed at the point where the meeting had been adjourned.

ROUTE TO NET ZERO ANNUAL REPORT 2022

A report from the Cabinet Member for the Environment, Councillor

Majid Mahmood was submitted:-

(See document No. 5, agenda item 10)

Councillor Majid Mahmood moved the recommendation which was seconded from the floor.

A debate ensued.

Councillors Deirdre Alden, Timothy Huxtable, Liz Clements, Chaman Lal, Roger Harmer, Julien Pritchard and Kerry Jenkins spoke during the debate.

The Lord Mayor invited Councillor Majid Mahmood to sum up.

It was therefore-

96

RESOLVED:-

1.) That City Council noted the report.

MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

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

A. Councillors Mariam Khan and Mary Locke had given notice of the following Notice of Motion:-

(See document No. 6, agenda item 11)

Councillor Mariam Khan moved the Motion which was seconded by Councillor Mary Locke.

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

(See document No. 7, 'Amendments – City Council')

Councillor Matt Bennett moved the amendment which was seconded by Councillor Rick Payne.

In accordance with Council Rules of Procedure, Councillors Paul Tilsley and Mumtaz Hussain gave notice of the following amendment to the Motion:-

(See document No. 8, 'Amendments – City Council')

Councillor Paul Tilsley moved the amendment which was seconded by Councillor Mumtaz Hussain.

A debate ensued.

Councillors Ziaul Islam, Rob Pocock, Lisa Trickett, Marcus Bemasconi, Jon Hunt, Liz Clements and Alex Aitken spoke during the debate.

The Lord Mayor invited Councillor Mariam Khan to sum up.

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

The amendment to the Motion in the names of Councillors Paul Tilsley and Mumtaz Hussain having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

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

RESOLVED:-

This Council notes that:

Since 2010, the average pay of an NHS nurse has fallen in real terms by 8%, this equates to a reduction of more than £3,000 and NHS hospital doctors have had a real term pay cut of 7% in the same period.

The Royal College of Nursing says that some experienced nursing roles have had real term wage cuts of as much as 20% since 2010, effectively meaning that they are working one day per week for no money.

Last year, UNISON warned that the NHS risks losing thousands of low-paid staff including 999 call handlers, health care assistants, medical secretaries and cleaners as major names on the high street including supermarkets, coffee shops and logistics firms pay more than the NHS.

NHS waiting list stands at a record 7 million patients, which the Chairman of the British Medical Association has described as a national scandal. Birmingham's health and social care system is under significant pressure and short-term funding settlements do nothing to resolve long-term capacity issues.

This Council resolves to:

Lobby the Government to reach agreement with unions to ensure that NHS staff and health and social care staff are paid fairly.

Write to Government to call for a long-term sustainable funding solution for social care, moving away from emergency one-off injections of funding. This funding increase would give carers a decent wage rise and better pay conditions.

Write to the Government urging them to deliver on a workforce plan for the NHS and social care, helping to reduce the 130,000 staff vacancies that exist in the health service and tackle the 14% vacancy rate within social

care.

This Council further calls upon the Government to introduce a Workforce Plan for all medical professionals that will enable Birmingham citizens to access a GP appointment with 7 days, then speedy referrals to specialist treatment.

B. Councillors Gareth Moore and Ken Wood had given notice of the following Notice of Motion:-

(See document No. 9, agenda item 11)

Councillor Gareth Moore moved the Motion which was seconded by Councillor Ken Wood.

Councillor Gareth Moore declared a non-pecuniary interest. Councillor Moore was a member of the Police and Crime Panel and a member of the Local Partnership Delivery Group for Birmingham North.

In accordance with Council Rules of Procedure, Councillors John Cotton and Basharat Mahmood gave notice of the following amendment to the Motion:-

(See document No. 10, 'Amendments – City Council')

Councillor John Cotton moved the amendment which was seconded by Councillor Basharat Mahmood.

A debate ensued.

Councillors Robert Alden and Julien Pritchard spoke during the debate.

The Lord Mayor invited Councillor Gareth Moore to sum up.

The amendment to the Motion in the names of Councillors John Cotton and Basharat Mahmood having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

Names were called and the Chamber doors were locked.

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

For the Motion (55)

Shafique Shah	Mary Locke	Des Hughes
Alex Aitken	Sam Forsyth	Miranda Perks
Jack Deakin	Yvonne Mosquito	Jayne Francis
Karen McCarthy	Brigid Jones	Ian Ward
Majid Mahmood	Liz Clements	John Cotton
Mariam Khan	Ziaul Islam	Rinkal Shergill
Chaman Lal	Zafar Iqbal	Colin Green

Paul Tilsley	Mumtaz Hussain	Jon Hunt
Morriam Jan	Lisa Trickett	Ray Goodwin
Jane Jones	Basharat Mahmood	Amir Khan
Mohammed Idrees	Diane Donaldson	Philip Davis
David Barker	Nicky Brennan	Jilly Bermingham
Marje Bridle	Barbara Dring	Mahmood Hussain
Fred Grindrod	Lee Marsham	Shabina Bano
Baber Baz	Izzy Knowles	Roger Harmer
Zaker Choudhry	Raqeeb Aziz	Marcus Bemasconi
Kath Hartley	Martin Brooks	Narinder Kaur Kooner
Sir Albert Bore	Kath Scott	Rob Pocock
Gurdial Singh Atwal		

Against the Motion (17)

Darius Sandhu	Matt Bennett	Rick Payne
Gareth Moore	Robert Alden	Deirdre Alden
Ewan Mackey	David Pears	Adrian Delaney
Richard Parkin	David Barrie	
Ken Wood	Adam Higgs	
Timothy Huxtable	Bruce Lines	
Ron Storer	Debbie Clancy	

Abstentions (1)

Julien Pritchard

Upon the completion of the voting process, the Lord Mayor declared that the amendment was carried.

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

It was therefore-

RESOLVED:-

This Council believes that Anti-social behaviour has an adverse, and sometimes devastating impact on the quality of life for many residents in Birmingham.

Council also recognises that for many of these, their experience of trying to resolve these issues can be extremely frustrating with confusing lines of responsibility between (and even within) different organisations, including the council, police and landlords.

Council recognises the hard work of front-line police and council ASB officers but believes more needs to be done to equip them with the tools and resources to respond to resident concerns and to ensure that at a strategic and operational level work is joined up and effective.

Council further believes that the removal of the Concierge service has increased concerns about ASB within council tower blocks. Whilst the statutory building safety manager role within the Building Safety Act will pick up many of these duties in buildings over 6 stories, the council believes a wider service is needed across the council estate. It must be acknowledged that any new services provided would need to be funded through service charges.

This Council also believes that Public Space Protection Orders are an effective way of dealing with anti-social behaviour in hotspot areas

The Council therefore resolves to ask the Executive to

- Take steps to ensure residents are aware of their statutory right to request a 'Community Trigger' where issues cannot be resolved, which requires agencies working together to find solutions
- Continue to investigate the best way of reducing anti-social behaviour on estates in consultation with residents, exploring options to reinstate the concierge service in conjunction with our existing investment plans.
- Support the implementation of public space protection orders where these are wanted by the police, local businesses and residents and there is evidence to support implementation.
- Use ASB data as an additional criteria in the selection of wards for selective licensing, to see if the scheme can be expanded to other wards.

Council further calls on Government to

- Ensure adequate funding for both councils and the police to tackle ASB
- Give more powers to councils to tackle ASB where gaps are identified, and existing powers are limited in their effectiveness."

The meeting ended at 1923 hours.

**CITY COUNCIL
7 FEBRUARY 2023
WRITTEN QUESTIONS
TO CABINET
MEMBERS AND
COMMITTEE CHAIR**

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR ROBERT ALDEN**

“UHB concerns”

Question:

You recently convened a meeting of local MPs with the interim Chair and Chief Exec of UHB to discuss recent concerns and allegations. Given both opposition groups have repeatedly raised concerns, why were Opposition leaders not invited to this meeting, and will you commit to doing so at any such meetings in the future?

Answer:

Meetings have been convened with all local MPs to update them on the Integrated Care System (ICS) process, not specifically to discuss issues at UHB.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR COLIN GREEN

Thermal Cameras

Question:

“There have been recent reports some Local Authorities, such as South Gloucestershire, are making thermal cameras available to local residents, through their local libraries, in order for them to identify home heat loss.

Does Birmingham City Council have a similar scheme and if so, where can residents borrow thermal cameras from?”

Answer:

The council currently does not have a scheme to loan thermal cameras to residents. We are actively supporting residents with advice and guidance through our cost of living communications which include energy saving information and links to partner organisations which offer further support to customers.

Our Assets team is currently linking in with both South Gloucester and East Cambridgeshire to understand a little more detail around their schemes and practicalities as well as talking to energy providers such as Octopus locally who have a scheme in place for their customers.

We are engaging with technology providers currently, one of which is Switcher, who provide real time data analytics which can identify condensation, damp or mould risk and flag fuel poverty. There are multiple other providers who focus on this area, and we are at the initial stage of establishing our potential requirements as part of our future strategy.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
ROGER HARMER**

Commonwealth Games Underspend

Question:

“Now that we know that 25% of Commonwealth Games underspend will return to council, and 75% will go to the West Midlands Region can the leader give a budget breakdown of the intended spending in the city?”

Answer:

Whilst it has been confirmed that 25% of the CWG underspend will be returned to the Council, with the remaining 75% to the West Midlands region (with the Combined Authority administering this funding as Accountable Body), it should be noted that the final value of the underspend has not yet been confirmed.

Cabinet will receive a report setting out the approach to be taken in managing the underspend, including a summary of the key pipeline proposals under development. Until such time that it is confirmed how much of the regional share of the underspend is directed to the Council, it is not possible to be definitive about which proposals will be supported, although it is recognised that the 2026 European Athletics Championship is a key priority for this funding.

CITY COUNCIL – 7 FEBRUARY 2023

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

Repaving Victoria Square

Question:

“Could the leader state how much of the £15 million city centre pedestrianisation fund, drawn from the Clean Air Zone, is to be spent on the repaving of Victoria Square?”

Answer

Works to date have been funded via the Transforming Cities Fund in accordance with the Full Business case as approved by Cabinet on 29th January 2021.

The business case also included funding from the Clean Air Zone and it is estimated that £1.47m of this will be utilised.

CITY COUNCIL – 7 FEBRUARY 2023

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

“Levelling up bids”

Question:

“How much was spent on putting together the levelling up bids, in total, and by individual bid?”

Answer:

The Council submitted 5 Tranche Two Levelling Up Fund (LUF) bids to Government comprising Erdington High Street, Tyseley Centre for the Decarbonisation of Heat, Druids Heath, Northfield Town Centre and Edgbaston Community Facilities on the 2 July 2022.

The costs for detailed technical work associated with the Tyseley and Edgbaston bids were met by the University of Birmingham (UoB) and Warwickshire County Cricket Club (WCCC) respectively.

Detailed technical work for Northfield cost £64,540 and Druids Heath £142,500. Overarching scheme development activity and bid assembly costs across the 5 bids including work to update the Erdington bid for resubmission cost £98,766 inclusive of officer time.

In total the Council spent £305,806 in preparing the bids, in addition to expenditure incurred by bid partners at UoB and WCCC.

On the day the Government announced the successful bids it was revealed that Local Authorities successful in round 1 would not be successful in round 2. It would appear that this change was made after local authorities had submitted their round 2 bids.

I have written to the Secretary of State asking for an explanation and am awaiting a response.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM
COUNCILLOR EWAN MACKEY**

“Ombudsman Service Improvement Recommendations”

Question:

The LGO has made 166 service improvement recommendations to Birmingham City Council since April 2018. What tracking is carried out to ensure that these are followed through and please provide a copy of the latest update on implementation for these?

Answer:

Service Improvement Recommendations provided by the Local Government and Social Care Ombudsman (LGO) are tracked via monthly updates provided to the Corporate Leadership Team (CLT). As of January 2023, they are also tracked directly by the Chief Executive as part of one to one meetings with service directors.

Recommendations are not marked as completed or removed from the update process until the Ombudsman has confirmed acceptance of the Council's evidence of compliance.

Following a recent meeting between the Ombudsman (Mick King) and senior Council officers, further focussed assurance on the learning available from recommendations is taking place. Of the 166 individual recommendations provided and published online by the Ombudsman, to date the Council has successfully completed 144.

Of the 22 recommendations in progress it is important to note that nine of these relate to overarching and ongoing improvements in SEND, and - whilst they currently show as incomplete – this has been accepted by the Ombudsman.

We attach a copy of the latest summary update report to CLT. Unfortunately, we are unable to provide a copy of the detailed tracker, as this includes confidential information. However, we would like to offer you a face to face briefing with officers to view the tracker and talk through the process of tracking progress in more detail.

CITY COUNCIL – 7 FEBRUARY 2023

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

“Investment Zones”

Question:

“How much was spent by the Council on work on the investment zones including any expressions of interest before they were scrapped by the government?”

Answer:

At the end of 2022, Birmingham City council spent £28,970 on work relating to drafting Investment Zone bids. This is in addition to officer time, which is difficult to calculate but was substantial.

In January 2023, national government announced that the Investment Zone scheme was being scaled down and redesigned. This announcement came following the submission of our bid, alongside dozens of bids from other Councils.

We will continue to work with national government to push for additional investment into Birmingham, in line with our Levelling Up strategy. The work already done on our Investment Zone bids will contribute to this work.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR ADRIAN DELANEY

“SEND Tribunals”

Question:

How many staff, at what total cost, does the council currently employ to defend SEND tribunal claims. Please break this down between permanent and interim staff.

Answer:

The Council's role in an appeal is to assist the tribunal by making all relevant information available which it thinks is likely to assist the tribunal in reaching a just decision on the appeal before it. The Tribunal Officers review all the information available in each appeal and will seek to work with families to reach a resolution in the best interests of the child or young person. The aim is to resolve appeals without the need for a final hearing wherever possible.

The Council's tribunal team is currently made up of 13 interim officers, to conduct SEND Tribunal appeals brought against Birmingham City Council. The estimated cost per year for these staff is £1.092m.

Details of the budget for SENAR, including the Tribunal team, is part of the Medium Term Financial Plan due to be considered by Full Council in February 2023. Should that be approved, a permanent recruitment process will begin for a resolution team of 10 officers and an appeals team of 14 officers. Mediation will become compulsory under the SEND Green Paper and these permanent officers will support with this.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR RON STORER

“Accelerated Progress Plan”

Question:

Please provide a copy of the latest Accelerated Progress Plan for the SEND service, including the date this was updated

Answer:

The Accelerated Progress Plan (APP) was published in March 2022 on the Local Offer website:

<https://www.localofferbirmingham.co.uk/ofsted2021/accelerated-progress-plan/>

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR RICHARD PARKIN

“Transport Appeals”

Question:

In each month since April 2018, what was the total number, and the average time taken to deal with, both stage one and stage two transport appeals within the home to school transport service?

Answer:

The information requested is not available.

Robust monitoring and tracking of appeals is now in place with weekly data available from January 2023.

No appeals have been received from January 2023, since the launch of the new Eligibility Panels and appeal process. The new procedures will now capture detailed data which can be presented, this will include breakdowns of the reasons for rejection.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR ADAM HIGGS

“SENDIST Appeals”

Question:

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

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

Answer:

Please see breakdown of SEND Tribunal appeals received from September 2018 to January 2023:

Month	Total appeals received	Refusal to assess	Refusal to issue	Sections B, F &/or I	Cease to maintain
Sep-18	25	11	3	11	0
Oct-18	30	6	1	23	0
Nov-18	18	6	0	12	0
Dec-18	14	5	6	3	0
Jan-19	16	11	0	5	0
Feb-19	25	9	1	15	0
Mar-19	31	11	0	20	0
Apr-19	30	11	1	18	0
May-19	43	10	2	31	0

Jun-19	34	7	5	19	3
Jul-19	26	7	4	13	2
Aug-19	21	13	1	7	0
Sep-19	22	5	4	13	0
Oct-19	22	6	3	13	0
Nov-19	12	4	3	5	0
Dec-19	9	2	3	4	0
Jan-20	21	4	7	10	0
Feb-20	18	3	3	12	0
Mar-20	19	5	2	12	0
Apr-20	18	4	1	13	0
May-20	20	2	0	18	0
Jun-20	28	5	5	18	0
Jul-20	40	3	0	37	0
Aug-20	25	2	2	21	0
Sep-20	19	2	1	15	1
Oct-20	12	2	1	9	0
Nov-20	15	4	3	8	0
Dec-20	14	8	4	2	0
Jan-21	10	7	0	3	0
Feb-21	18	7	3	8	0
Mar-21	9	2	1	6	0
Apr-21	24	3	2	19	0
May-21	25	0	2	23	0
Jun-21	27	0	3	24	0
Jul-21	46	0	9	37	0
Aug-21	56	6	5	45	0

Sep-21	52	10	8	34	0
Oct-21	42	8	5	29	0
Nov-21	25	7	3	15	0
Dec-21	30	6	10	14	0
Jan-22	59	20	14	24	1
Feb-22	30	9	2	19	0
Mar-22	44	5	2	37	0
Apr-22	40	11	6	22	1
May-22	68	19	2	46	1
Jun-22	39	6	1	32	0
Jul-22	40	4	3	33	0
Aug-22	59	8	2	49	0
Sept-22	68	9	3	53	3
Oct-22	59	10	0	49	0
Nov-22	48	6	3	38	1
Dec-22	37	5	5	26	1
Jan-23	37	8	5	24	0

Based on the data for appeals received and concluded in 2022 (Jan-Dec):

- 73 appeals were conceded by the Council before its response to the appeal was submitted
- 28 were withdrawn by parent/young person
- 3 appeals were struck out
- 92 resolved by consent (without a final hearing)
- 78 final decisions were made by the Tribunal (18 decisions were dismissed, 43 were upheld, 2 mainly in the Council's favour, 1 decision was equally in favour of the Council and parents, 15 were mainly in parent/young person's favour)
- The Council has complied with all Tribunal orders

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR RICK PAYNE

“EHCP Area of need”

Question:

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

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

Answer:

Responses provided in tables and associated commentary below. Where there are 5 or fewer children, the number has been redacted so that it is not possible to identify individual children.

Without a school place

Year Group / Need	Autistic Spectrum Disorder (ASD)	Speech Language Communication Need (SLCN)	Social Emotional Mental Health (SEMH)	Moderate Learning Difficulty (MLD)	Severe Learning Difficulty (SLD)	Profound and Multiple Learning Difficulty (PMLD)	Hearing Impairment (HI)	Physical Difficulty (PD)	Specific Learning Difficulty (SPLD)	Not Recorded	Total
Reception Not yet compulsory school age	6	24									37
Reception Compulsory School Age											8
Year 1	6										11
Year 2	6										8
Year 3											10
Year 4											6
Year 5											

Year 6											10
Year 7	6										15
Year 8											
Year 9			8								15
Year 10			9								16
Year 11			7								18
Total	54	33	32	9	7					16	159

Some of those without a need recorded are children recently moved into the authority. Work is currently ongoing to ensure that all need types are accurately recorded for this cohort.

In a mainstream school but awaiting a special school placement

Year Group / Need	ASD	SLCN	SE M H	M LD	SP LD	SL D	PD	PM LD	Not Reco ded	Total
Reception - Not yet compulsory school age	10	10								20
Reception - Compulsory school age	6									11
Year 1	19	25								51
Year 2	14	11								30
Year 3	15									21
Year 4	13									16
Year 5	9									11
Year 6										
Year 7										
Year 8										
Year 9										7
Year 10										8
Year 11										8
Total	98	59	18	7						196

Having Section F provision met through the Home Bridging Team

The Home Bridging Service does not deliver provision detailed in Section F of EHCPs for children and young people. It supports the child/family via the arrangement of interim provision and/or a bridging service to assist with transition to an appropriate placement. The Home Bridging Service is currently working with 122 children and young people (of whom 22 have named placements).

Referrals to the Service may still be in progress for some of the children above that are identified as out of school in cases where they have recently moved into authority or received a newly finalised EHCP.

Year Group / Need	ASD	SEM H	SLCN	MLD	PML D	SLD	PD	SpLD	Not Recorded	Total
Reception			8							13
Year 1	6									11
Year 2										6
Year 3										9
Year 4										8
Year 5										
Year 6	6									12
Year 7	6									12
Year 8										7
Year 9		7								12
Year 10		10								16
Year 11		7								14
Total	48	36	13	6					7	122

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

There are 73 children and young people receiving interim education via a home tuition provider – the majority of these are awaiting a placement at a setting. Home Based providers for children and young people with an EHCP awaiting a school placement do not fully deliver the Education detailed in Section F but offer interim education in the form of 1:1 tuition, until a suitable setting can be identified and named in the EHCP. The tutors concerned specialise in working with children and young people with additional needs and tailor the provision to suit individual needs.

Need/ Year Group	ASD	SEMH	SLCN	MLD	PMLD	PD	SLD	Not Recorded	Total
0									
1	7								10
2									
3									6
4									
5									
6									7
7									8
8									
9									10
10									8
11		6							10
Total	34	21	7						73

There are two home tuition providers currently used, delivering between 15 to 25 hours per week of education at the following hourly rates:

SMART Education - £36.00 per hour

Connex Education - £30.00 per hour

The forecast spend for the current financial year is £1.7 million, with actual spend between April and September 2022 amounting to £559,482 in respect of a total of 215 children and young people who received tuition during the first half of the financial year. The hours delivered to each child/young person will vary subject to individual circumstances and levels of engagement. The forecast will be further revised closer to the year end.

In addition to the cohort set out above, 11 other children and young people have a home programme in place as per their EHCPs:

Year Group / Need	ASD	SEMH	MLD	PD	SLD	PMLD	SPLD	Total
1								
3								
4								
7								
8								
9								
10								
11								
Total								11

These 11 packages are delivered via several different providers dependent on the type of provision required. This is arranged by parents in all but one case and funded by direct payments to parents. The total annual forecast for this type of provision amounts to £347,346.

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

This data is not recorded or held. It is not for Annual Review meetings to recommend changes of placement. Any comments on, or proposed changes to, a child's needs or provision in Sections B and F of the EHCP are considered by the allocated SENAR Officer. Where appropriate, the SEN Panel will determine whether a change of placement is required to make the provision specified to meet the needs of CYP. All CYP where the need for a change of placement to a special school has been determined through this process are captured in the data above.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR DEBBIE CLANCY

“Tribunal Representation”

Question:

Following the BBC News Story that a Mother was told she could represent herself at SEND tribunal after support from SENDIASS was withdrawn due to staff absence, which the council claimed was a misunderstanding, can you confirm that all parents with ongoing appeals are still receiving representation from SENDIASS?

Answer:

SENDIASS is continuing to provide advice, support and guidance for parents/carers with tribunal proceedings.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR MORRIAM JAN

Teachers Strike

Question:

“With reports teachers are being balloted and could walk out in the next round of strikes, could the Cabinet Member report what plans are in place to ensure school children, already suffering from the loss of education during the pandemic, will be supported during any potential strike action?”

Answer:

Following the announcement of the outcome of the ballot for industrial action by the National Education Union, officers in Children and Families have been in regular contact with all Birmingham schools.

In line with DfE guidance, officers asked Birmingham headteachers and principals, in consultation with their governing bodies, their Multi Academy Trusts and their Diocesan Boards (where appropriate), to consider the appropriate staff arrangements, prioritising vulnerable children, children of key workers and those in exam years. Schools were also asked to make appropriate arrangements for remote learning for pupils who were not able to attend due to industrial action and, for those eligible, make food provision available.

I am very grateful that the majority of schools responded to our requests for information about the strike which enabled the Council to make appropriate plans, including for home to school transport. The information received from schools regarding 1 February 2023 is below:

Fully Closed	47
Partly Open	223
Fully Open	148
TOTAL	418

Officers will take the same approach ahead of any future industrial action by teaching staff.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES FROM COUNCILLOR JULIEN PRITCHARD

“Maintenance budgets – Schools”

Question:

“What is the budget for maintenance and repairs and refurbishment of the buildings of the City of Birmingham School, both overall and by centre? And how does this compare to budget for maintenance and repairs of the buildings of mainstream Birmingham local authority controlled schools?”

Answer:

Each school receives an annual direct allocation of Devolved Formula Capital (DFC) for the repairs and maintenance of their site and buildings.

For City of Birmingham School (Pupil Referral Unit) there was an overall allocation of £20,120 for 2022/23. There is no centre split presented in the allocation. In terms of comparison with mainstream schools, the data is published by the DfE for all schools and can be accessed [here](#).

In addition, BCC also receives an annual School Condition Allocation (SCA) for local authority maintained schools. For 2022/23 the total allocation was £12.7m (for 175 schools at the time of the allocation) of which, COBS received £785,210 (6.2%) mainly for the refurbishment of the Sparkhill centre. There are further works planned at Millpool and The Link Centres. We are in the process of establishing costs for these works.

It is the responsibility of each school's governing board how they spend their devolved budgets.

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**PLEASE NOTE: NO WRITTEN QUESTIONS WERE SUBMITTED TO THE
CABINET MEMBER FOR DIGITAL, CULTURE, HERITAGE AND TOURISM**

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT FROM COUNCILLOR ADRIAN DELANEY

“Recycling Performance”

Question:

In Question E9 to January Council you provided data for the last 5 years on recycling performance both including bottom ash and excluding bottom ash (but included metal from metal ash) please can you update this table to include recycling rates for kerbside collections only, for HRCs and, for since it has been in operation, the MHRCs.

Answer:

In the table below.

The figures are for each financial year (April to March), except for 2022-23 which is for the first nine months only (April to December).

	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
1) Increase Recycling Reuse and Green waste Including Bottom Ash	35.35%	37.80%	38.51%	38.23%	39.26%	40.63%
2) Increase Recycling Reuse and Green waste Excluding Bottom Ash (but including metals from bottom ash – as per Defra WasteDataFlow guidance)	22.17%	24.22%	25.44%	22.87%	23.53%	25.19%
3) Kerbside recycling including green garden waste.	17.4%	19.17%	19.88%	18.69%	18.14%	18.16%
4) Kerbside recycling excluding green garden waste.	13.03%	14.13%	14.13%	13.79%	13.07%	12.34%
5) HRC recycling including soil & rubble.	38.74%	39.57%	47.29%	56.70%	59.49%	63.51%
6) HRC recycling excluding soil & rubble.	28.55%	28.46%	37.52%	49.40%	54.14%	58.23%
7) MHRC recycling					4.98%	3.40%

- The overall recycling figures (1 and 2) are based on the tonnages of materials actually sent for reuse, recycling, and composting, excluding any rejected materials. These are expressed as a percentage of the total amount of waste sent for disposal in that period.
- The kerbside collected recycling figures (3 and 4) are based on the tonnages of recyclable materials collected directly from households by the regular

fortnightly collection services excluding any rejected materials. Post incineration bottom ash and metals generated from kerbside residual waste have not been counted as recycling in these figures. These are expressed as a percentage of the total amount of waste collected directly from households by the regular weekly residual waste and fortnightly recycling collection services.

- The Household Recycling Centres (HRCs) recycling figures (5 and 6) are based on the tonnages of materials actually sent for reuse, recycling, and composting, excluding any rejected materials. Post incineration bottom ash and metals generated from HRC residual waste have not been counted as recycling in these figures. These are expressed as a percentage of the total HRC waste.
- The Mobile Household Recycling Centres (MHRCs) recycling figures (7) are based on the types of materials separately collected. These are expressed as a percentage of the total waste collected by the MHRCs.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT
FROM COUNCILLOR BRUCE LINES**

“Parking in parks”

Question:

How much in total did the Council spend on preparing plans and consulting on recent proposals to introduce car parking charges at council parks, including officer time?

Answer:

The preparation of plans and organisation and management of consultations was carried out by BCC officers as part of their ‘business as usual’ roles, therefore no additional expenditure was incurred by the Council. We are unable to quantify the amount of officer time involved.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT
FROM COUNCILLOR KERRY BREWER**

“Christmas collections- absence data”

Question:

In Question E4 to 10 January Council, I asked for sickness absence data within waste crews over the Christmas period, your response said the data was not available but would be updated on 6 January. Please can you now provide an answer to that question

Answer:

Within Waste Management there were 60 absences where the employee returned to work by the end December, and a further 70 open absences at the end of December, giving a total of 130 absences across the whole of the service (which includes Collections, Street Cleansing, Management and back-office staff).

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

“Missed Collections”

Question:

Since January 2022 up until 30 January 2023, how many missed collections were there, broken down by reason (access issues, ran out of time, staffing, vehicle)

Please note this refers to **all known** missed collections, not all reported missed collections.

Answer:

There were 37.6M collections scheduled in this reference period.

Regrettably resident complaints about missed collections accounted for 0.002% of those (n=81,913).

Our own performance information indicates that number of missed collections in the 12 months from 1 February 2022 to 31 January 2023 was in fact higher at 0.016% (n=604,796). [Please note accurate information from January 2022 as requested was not recorded in a consistent way for that reference period].

The table below details the number of dropped roads and the number of properties within those roads. Where the crew reported that part of the road was dropped, then half the property count in the road has been used. [Please note that there are limitations to the accuracy of this data due to the method of reporting].

Reason	Number of roads	Properties in roads
Access Issues	1047	39409
Staffing	14033	508289
Vehicle	1424	52517
Ran out of Time	149	4581

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT FROM
COUNCILLOR COLIN GREEN**

Mobile Household Recycling Centre

Question:

“Could the Cabinet Member provide daily details of tonnage collected from MHRC during December 2022 and January 2023 by depot, providing details of the wards visited each day?”

Answer:

The trialling of daily tonnage recording has continued with a revised approach being adopted in January which means that the daily tipping information can be provided. Note that if no data is against a specific day this simply means that the vehicle has not been tipped on that day due to low tonnages on the vehicle. Unfortunately, a daily breakdown of information is not available for December, only the overall tonnages for the month

December 2022

	Lifford	Montague St.	Perry Barr	Redfern
MHRC (Recycling)	2.78	2.86	1.22	0.58
MHRC (Residual)	15.46	30.06	25.76	23.66

The breakdown of December 2022 visits is below.

	Lifford	Montague Street	Perry Barr	Redfern
01/12/22	Weoley & Selly Oak	Bordesley Green	Sutton Reddicap	Kingstanding
02/12/22	Frankley Great Park	Aston	Sutton Roughley	Small Heath
05/12/22	Bournville & Cotteridge	Gravelly Hill	Sutton Trinity	Alum Rock

06/12/22	Edgbaston	Handsworth	Sutton Wylde Green	Acocks Green
07/12/22	Longbridge & West Heath	Holyhead	Sutton Walmley & Minworth	Sparkhill
08/12/22	Bartley Green	Soho & Jewellery Quarter	Hall Green North	Tyseley & Hay Mills
09/12/22	Billesley	Moseley	Nechells	Sparkbrook & Balsall Heath East
12/12/22	Bournbrook & Selly Park	Aston	North Edgbaston	Allens Cross
13/12/22	Brandwood & Kings Heath	Oscott	Castle Vale	Bromford & Hodge Hill
14/12/22	Druids Heath & Monyhull	Handsworth Wood	Perry Barr	Erdington
15/12/22	Stirchley	Ladywood	Quinton	Glebe Farm & Tile Cross
16/12/22	Weoley & Selly Oak	Lozells	Stockland Green	Sheldon
19/12/22	Small Heath	Pype Hayes	Sutton Vesey	Newtown
20/12/22	Brandwood & Kings Heath	Soho & Jewellery Quarter	Sutton Walmley & Minworth	Yardley West & Stechford
21/12/22	Rubery & Rednal	Sparkbrook & Balsall Heath East	Kingstanding	Billesley
22/12/22	Harborne	Sparkhill	Ward End	Acocks Green
23/12/22	Bartley Green	Alum Rock	Stockland Green	Yardley East

January 2023 overall tonnage:

	Lifford	Montague St.	Perry Barr	Redfern
MHRC (Recycling)	0.74	2.00	1.8	0.24
MHRC (Residual)	29.16	51.94	25.00	22.54

The breakdown of January 2023 visits and tonnage is below.

Date	Depot	Ward	Residual	Paper/ card	Co-mingled	Textiles
09/01/23	Montague St.	Gravelly Hill				
09/01/23	Lifford	Bournville & Cotteridge				
09/01/23	Perry Barr	Aston	1.6			
09/01/23	Redfern	Acocks Green				
10/01/23	Lifford	Hall Green South	5.3			
10/01/23	Montague St.	Edgbaston	6.1	0.28		0.12

10/01/23	Redfern	Bromford & Hodge Hill	2.1			
10/01/23	Perry Barr	Birchfield				
11/01/23	Lifford	Longbridge & West Heath				0.06
11/01/23	Redfern	Heartlands	2.06			
11/01/23	Perry Barr	Handsworth Wood	3.74			
11/01/23	Montague St.	Bordesley & Highgate	1.46			
12/01/23	Montague St.	Moseley	2.76	0.32		0.12
12/01/23	Perry Barr	Ladywood				
12/01/23	Redfern	Hall Green North				
12/01/23	Lifford	Frankley Great Park	0.86			
13/01/23	Redfern	Small Heath	3.32			
13/01/23	Lifford	Kings Norton North	1	0.1		
13/01/23	Montague St.	Highters Heath	6.72			
13/01/23	Perry Barr	Bordesley Green				
16/01/23	Redfern	Sparkbrook & Balsall Heath East	0.2			
16/01/23	Perry Barr	Soho & Jewellery Quarter				
16/01/23	Lifford	Harborne	3.2	0.28		
16/01/23	Montague St.	Balsall Heath West	3.54			
17/01/23	Lifford	Sheldon	1.4			
17/01/23	Perry Barr	Perry Common	2.3			
17/01/23	Redfern	Oscott	2.24			
17/01/23	Montague St.	Handsworth	2.46			
18/01/23	Montague St.	Stockland Green	3.56			
18/01/23	Redfern	South Yardley	0.9			
18/01/23	Lifford	North Edgbaston	2.42	0.3		
18/01/23	Perry Barr	Aston	1.7			
19/01/23	Redfern	Weoley & Selly Oak	2.32			
19/01/23	Montague St.	Quinton	5.08			
19/01/23	Perry Barr	Nechells	0.44			
19/01/23	Lifford	Kings Norton South				
20/01/23	Redfern	Tyseley & Hay Mills				
20/01/23	Lifford	Sparkhill	3.42			
20/01/23	Montague St.	Shard End	3.08			
20/01/23	Perry Barr	Perry Barr	6			
23/01/23	Perry Barr	Sutton Four Oaks	1.72			
23/01/23	Lifford	Northfield				
23/01/23	Montague St.	Holyhead	2.06	0.34		0.12
23/01/23	Redfern	Acoccks Green	1.78			

24/01/23	Perry Barr	Sutton Mere Green				
24/01/23	Redfern	Kingstanding	2.44			
24/01/23	Montague St.	Bromford & Hodge Hill	2.12			
24/01/23	Lifford	Bournville & Cotteridge	1.64			
25/01/23	Perry Barr	Sutton Reddicap	1.96			
25/01/23	Montague St.	Handsworth Wood	2.6			
25/01/23	Redfern	Erdington	0.5			
25/01/23	Lifford	Bartley Green	1.48			
26/01/23	Perry Barr	Sutton Roughley				
26/01/23	Redfern	Edgbaston	1.96	0.24		
26/01/23	Lifford	Billesley	1.44			
26/01/23	Montague St.	Alum Rock	3.44	0.52	0.08	
27/01/23	Perry Barr	Sutton Trinity	1.04			
27/01/23	Redfern	Small Heath				
27/01/23	Montague St.	Ladywood	1.04			
27/01/23	Lifford	Bournbrook & Selly Park	1.9			
30/01/23	Perry Barr	Soho & Jewellery Quarter	2.54	1.2	0.6	
30/01/23	Montague St.	Garretts Green	0.98			
30/01/23	Redfern	Brandwood & Kings Heath	1.12			
30/01/23	Lifford	Allens Cross	2.4			
31/01/23	Perry Barr	Sutton Vesey	1.96			
31/01/23	Lifford	Stirchley	2.7			
31/01/23	Redfern	Sparkbrook & Balsall Heath East	1.6			
31/01/23	Montague St.	Glebe Farm & Tile Cross	4.94	0.08		0.02

E6

CITY COUNCIL – 7 FEBRUARY 2023

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

Litter picking

Question:

“Could the Cabinet Member confirm how much litter has been picked from the City’s streets by month during 2022?”

Answer:

We do not hold details of the amount of litter picked specifically as this forms part of wider duties. However, we do hold monthly tonnages for the amount of waste collected by our Street Cleaning Service which are detailed in the table below.

Month	Street Cleansing (tonnes)	Road Sweepings (tonnes)
Jan 2022	1,555.36	615.18
Feb 2022	1,663.84	855.86
Mar 2022	1,929.61	423.90
Apr 2022	1,589.21	505.14
May 2022	1,716.68	829.60
Jun 2022	1,729.52	597.94
Jul 2022	1,625.52	680.50
Aug 2022	1,601.12	606.18
Sep 2022	1,338.17	380.58
Oct 2022	1,553.65	528.58
Nov 2022	1,888.45	1,245.74
Dec 2022	1,408.70	556.06

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR ENVIRONMENT FROM
COUNCILLOR IZZY KNOWLES**

Graffiti kits

Question:

The Love Your Streets team have recently stopped giving out graffiti kits to volunteers due to 'health and safety'.

In 2019 they purchased 1750 of these kits (FOI ref 20583789 29/1/21) to be used by the community with training using a government grant.

Please confirm the reasoning for withdrawal of the kits for use by community groups including in your response:

- **The number of kits that were initially purchased, issued to communities and remaining stocks.**
- **The number (if any) of incidents or injuries reported to the council involving members of the public using these council issued kits**

Answer:

In 2019 the government provided a quick 48-hour window within which to bid for and spend equipment that would support community clear ups including graffiti removal. As a consequence, the City Council purchased equipment for groups including 1,750 graffiti removal kits.

Initially these kits were made available to residents to use in their communities, and 194 kits were collected by residents.

Following a routine review of safety arrangements, a review of the COSHH assessment identified a need for specific training for staff and volunteers before these can continue to be used.

These kits have not gone unutilised, and our teams continue to use them as appropriate for graffiti removal.

We are also developing a training package that will allow us to again offer these to our community groups who wish to take part in local campaigns to improve their neighbourhoods. Future kits will be provided after an initial training offer (of approximate 20 minutes time commitment) and the provision of additional disposable PPE that will be added to the kits.

Our commitment to working with citizens to improve their local environment will continue, but with due regard to the safety considerations that we have a legal and moral duty to maintain.

CITY COUNCIL – 7 FEBRUARY 2023

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

Paving over driveways

Question:

In light of increased high rainfalls, flash flooding and large deluges of water due to climate change, what planning measures are the Council putting in place to limit the now very common practice in the city of ‘greying the green’?

By concreting/paving over front gardens entirely for driveways and parking cars, the natural drainage of trees, grass and soil is lost with existing drains in residential roads often overwhelmed, let alone the loss of the attractiveness and wildlife habitat of front gardens in our urban streets.

What is the planning system doing to keep things green?

Answer:

Nationally, the planning system aims to ensure that planning policies and decisions contribute to enhancement of the natural and local environment and plans take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk.

The Birmingham Development Plan (adopted 2017) contains a number of policies relating to climate change, open space, green infrastructure and the management of flood risk, and requires developers to demonstrate how they have incorporated green infrastructure into development proposals. Policy TP6 – Management of Flood Risk and Water Resources aims to limit surface water discharge to the equivalent greenfield rate and encourage soakaways in line with the BRE365 industry standard.

Birmingham as the Lead Local Flood Risk Authority actively promotes and encourages the implementation of Sustainable Drainage Systems (SuDS) on all developments, and we require evidence of the use of sustainable drainage principles and exploration of suitable SuDS to achieve the key principles of SuDS; Quantity Control, Quality Control and Biodiversity & Amenity Value. Whilst there are challenges in achieving this on all developments, applicants are required to

demonstrate compliance with the discharge hierarchy. We look at best practice examples from elsewhere and where appropriate promote these in Birmingham. For major developments, a Sustainable Drainage Operation and Maintenance Plan is required to demonstrate how SuDS features have been incorporated and why SuDS features have been discounted.

Policy TP6 also advocates the re-naturalisation and de-culverting of watercourses whenever possible.

Additionally, Policy TP7 – Green Infrastructure Network - aims to maintain and expand green infrastructure throughout the city. The integrity of the green infrastructure network will be protected from development and where possible opportunities will be taken to extend and enhance the network and to improve links between areas of open space. New developments are expected to incorporate green infrastructure in an integrated way and take advantage of the green infrastructure network, to support the city to adapt to a changing climate.

Policy TP9 - Open space, playing fields and allotments – aims to protect public open space from development unless it is underused or has inherent problems or is surplus to requirements. It also sets out standards for the provision of new open space in new developments. This policy recognises the importance of open space to environmental quality, biodiversity, health and well-being.

Paving your front garden

The Town and Country (General Permitted Development) (England) Order (2015) sets out that planning permission is not needed if a new or replacement driveway of any size uses permeable (or porous) surfacing which allows water to drain through, such as gravel, permeable concrete block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally.

If the surface to be covered is more than five square metres planning permission will be needed for laying traditional, impermeable driveways that do not provide for the water to run to a permeable area.

There are also a number of relevant policies within the 3Bs Neighbourhood Plan area which provide more detailed policy on reducing flood risk, greening streets and improving green and blue infrastructure within this area of the City.

CITY COUNCIL – 7 FEBRARY 2023

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

Safety around bodies of water

Question:

In December we were all devastated to hear of the loss of four children in neighbouring Solihull, Babbs Mill Lake. Brothers Finlay and Sam Butler, Tom Stewart and Jack Johnson in neighbouring Solihull.

With their memory in mind, what safety measures have been or are being put in place to ensure that residents are protected around bodies of water in the city?

Answer:

Street Scene and Parks division of the City Operations Directorate holds responsibility for managing the reservoirs and pools in Birmingham parks. Birmingham has a total of 48 reservoirs and pools located around the City.

The City Council has an Open Water Safety Policy (currently under review) which sets out the measures it will take to ensure that, so far as is reasonably practicable, all open water facilities and other areas of open water such as culverts, rivers and streams, are maintained in a safe condition for the benefit of users.

All park sites with open water have principal warning signs adjacent to the entrances to advise of the presence of open water on site. These signs include “No Swimming”, “No Paddling” and other safety advice accordance with the recommendations of the RoSPA National Water Safety Committee and the requirements of the Health and Safety (Safety Signs and Signals) Regulations inclusive of emergency telephone numbers.

Lifebuoys are placed approximately every 200m around the edges of pools. The lifebelts contain further signage advising “No Swimming” and “Danger Thin Ice”.

Each pool has a Normal Operating Procedure and Emergency Action Plan. Each park site receives an annual Site Risk Assessment. An additional Open Water Risk Assessment is carried out for each site in June or July annually. A further quarterly check on the condition of the lifebuoy stands and signage is also undertaken, with one of these targeted in November/December.

Each lifebuoy stand is inspected daily and the inspection recorded. Spare lifebelts are available to replace any belts thrown into the water until safe retrieval can take place.

E10

CITY COUNCIL – 7 FEBRUARY 2023

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

Love your Environment Days

Question:

Can the cabinet member provide the data that was used to select the priority 15 wards for the “Love your environment days” and how that compares to Yardley West – please provide data

Answer:

Love Your Environment is an initiative bringing together existing street scene services (at the same time/day) to have a multi service clean-up of a particular ward thus increasing the visible impact and outcomes. Love Your Environment days can include a graffiti removal team, Flytipping crews, litter picking/street cleansing crews, parks and the MHRC (this is not an exhaustive list).

Love Your Environment will be delivered in all 69 wards (by the end of March 23) with priority given to the top 15 wards with the most litter and Flytipping (identified using a combination of LAM's, Performance Indicators and knowledge of the wards). The top 15 wards will have more frequent LYE days and wards may change if falls under the top 15.

The Top 15 Wards will receive 12 visits per year, and we are scheduling the other wards to have 3-4 visits per year.

Yardley East is currently 38th for the Number of Reported incidents of Flytipping within the WM performance indicators.

LYE days are planned to take place in early February for Yardley east and in March for South Yardley and Yardley West and Stechford.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR DAVID BARRIE

“Household Support Fund”

Question:

By what date was the targeted (IDACI Based) Flexible Funds to 318 schools & Nurseries agreed at the 13 December Cabinet meeting as part of the Household Support Fund paid in full?

Answer:

Processing of payments of the Household Support Fund allocations to schools and nurseries began on 13th December 2022, following the decision by Cabinet on that date. There were several payment methods and completion dates depending on the type of school – these are summarised in the table below.

	number of total		payment processing date
	schools	payments processed	
	#	£m	
Academy/Free School	168	0.386	164 payments processed by BACS transfer on 13/12/2022, 1 payment on 14/12/22, 1 payment on 10/01/23, 2 payments on 30/01/23
Cheque Book School	34	0.081	34 payments processed by BACS transfer on 13/12/2022
Non- Cheque Book School	114	0.142	114 payments processed by journal transfer on 04/01/2023
Other	2	0.004	2 payments processed by BACS transfer on 13/12/2022
	318	0.613	

In line with the terms of the grant conditions, schools have until 31st March 2023 to distribute the funding to families.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR EWAN MACKEY**

“Centenary Square”

Question:

How much has been spent in each year since its completion, on repairs to the Centenary Square Fountains and paving slabs, including the projected cost (if not yet settled) of repairs following the damage this year?

Answer:

Since the reopening of the Centenary Square in July 2019 a total sum of £1,064 has been expended to undertake repairs to the granite bed of the Reflective Pool. A further £5,995 has been spent to undertake re-commissioning and repair works to the water feature system (jets and pumps), although this cost has been fully recharged to the Organising Committee for the Birmingham 2022 Commonwealth Games.

There is currently an assessment being undertaken by Kier to provide a quote to replace several granite slabs due to wear and tear on the Reflective Pool and it is anticipated that the spend will not exceed £30K.

CITY COUNCIL – 7 FEBRUARY 2023

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

“Chamberlain Buildings”

Question:

What was the total capital receipt received by the Council for the disposal of the Chamberlain Buildings on Corporation Street?

Answer:

Coleridge Chambers, Ruskin Chambers and King Edward Building (numbers 175-215 Corporation Street collectively), and otherwise identified as the ‘Chamberlain Buildings’ were disposed of by way of 250 year lease in March 2022. The capital receipt received on completion was £6.484m.

The City Council retains the freehold interest.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR ROBERT ALDEN**

“Council Tax Support Scheme”

Question:

In December 2021, an Ombudsman investigation found the council at fault for the way it handled an application for council tax support. Within that decision notice (21 000 869) The LGO recommended, and the Council agreed, to update its Council Tax Support Scheme within 3 months, to make clear the period for backdating claims. This was due to a contradiction in the policy. However, 13 months later, the council tax support scheme published on the website remains the version published in April 2013 with the contradictory information still in place. In addition, the LGO recommended that council make clear on its website that applications not completed within 30 days would be deleted from its website and must be restarted. I have been unable to see this on the website. Can you please explain why the first action has not been completed and confirm if the second has, also please provide a copy of the update sent to LGO on completion of these actions following the complaint?

Answer:

In reference to the Council Tax Support Scheme, whilst the scheme was amended in light of the LGSCO recommendations and to reflect the changes described below, it unfortunately was not published on the website at the time. This has now been corrected on the website, and we apologise for this oversight.

At the same time of the LGSCO report, the Benefits Service were implementing a new online Council Tax Support application form and we ensured that the LGSCO recommendations were taken on board as part of this transition. The service used the LGSCO findings as an opportunity to review the advice that is provided to Citizens when submitting an application for Council Tax Support, to take on board the fact that there was a lack of clarity and poor advice in regard to how long a citizen had to submit their claim under the previous system. The new application form and improved Citizen journey that was rolled out at the end of the financial year 2021/22 is much clearer for citizens to understand what to do, timescales and what happens if they do not submit their claim in a timely manner. The LGSCO were satisfied with the initial response and did not request, nor require, an update following the completion of these measures.

The Council Tax Support scheme was amended to reflect the new process and to remove any confusion with regards to backdating, and the website now reflects this. Since the introduction of the new Online Application form, Citizens have had the benefit of this improved service / information available to them. Furthermore, a process has been implemented within the service to prevent any further omissions of this kind.

CITY COUNCIL – 7 FEBRUARY 2023

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

“Centenary Square maintenance budget”

Question:

What is the annual repairs and maintenance budget for centenary square?

Answer:

All costs associated with the repair and maintenance of Centenary Square are offset by income associated with the use of the square for event purposes. The anticipated cost of repair and maintenance in any given year varies but is in the order of £100K.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR BABER BAZ**

Clean Air Zone Fines

Question:

Could the cabinet member report how many individuals have incurred more than 50 CAZ fines since the inception of the scheme, explaining why, if this information is not available, why debt accumulation is not being monitored?

Answer:

There are 1,825 vehicles that have incurred more than 50 CAZ Penalty Charge Notices for non-payment of the correct daily fee. For context, close to 5 million non-compliant vehicles have travelled through the zone since the introduction of the scheme. During the same time, close to 1.2m Penalty Charge Notices have been issued.

For clarification, whilst an unpaid Penalty Charge Notice potentially represents money owed by the registered keeper of a vehicle to the issuing authority for a traffic infringement i.e. it is not treated as a debt from a financial perspective, in the same manner as payment requested through an invoice. This is because the statutory enforcement process includes the opportunity for someone who has received a Penalty Charge Notice to make a representation (or appeal) to the issuing authority. In turn, the issuing authority can then investigate the circumstances and exercise discretion where appropriate and close the case. Also, there is an opportunity to appeal to an independent adjudication service (The Traffic Penalty Tribunal) if the Council rejects the representation made. In view of this, there may be valid reasons why payment would not be received.

CITY COUNCIL – 7 FEBRUARY 2023

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

The financial structure of the Christmas market

Question:

The German market is one of the cultural highlights of the city's events calendar, but how does it operate financially? Please cite the following in your response:

- **The way that stallholders pay for pitches**
- **The direct and indirect costs that the council is liable for**
- **The overall way that the council measures the financial success of the event**
- **Other key financial considerations associated with the project**

Answer:

The Frankfurt Christmas Market has become a mainstay of Birmingham's Christmas offering. It first arrived with 11 stalls in 1997, then began its annual residency in 2001. Our last external assessment of the market was in 2021. The headlines from that research were:

- Birmingham's Frankfurt Christmas Market is the most visited authentic German market outside Germany and Austria.
- In 2021, the first year the market returned following lockdowns, nearly 3 million people visited the market, with consumer spend generated as a result in the wider economy being £239.9m
- Visitor expenditure generated by the Frankfurt Christmas Market was sufficient to support 7,140 jobs.

Stallholders pay the market organisers for their pitch. The delivery arrangements have developed over the course of the agreement with Frankfurt City Council. Historically both parties have shared operational responsibilities but over time agreement has been reached to shift responsibility and costs for security, waste collection etc from Birmingham City Council to the market organisers. This means that the City Council now has no net costs for this event and anticipates receiving a net income for the event in future years.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR JON HUNT**

Road safety around schools

Question:

**“The Labour manifesto in 2022 promised a £10 million fund for tackling road safety around schools.
Could the cabinet member state under what budget headings this can be found, specifying the amounts allocated to each budget heading?”**

Answer:

Investment in making streets in and around our schools is to be funded from multiple projects and programmes within the Transport portfolio. It should be noted that these projects and programmes will not wholly deliver improvements to streets in and around schools, and similarly school journeys will be made safer by other interventions not aimed solely at school travel. Investment presented includes present forecast funding

commitments. Further funding will continue to be sought from suitable sources. The most relevant are as follows:

2022/23 to 2026/26 Forecast Capital Investment

Local Improvement Budget - £1m School

Streets Programme - £1.5m Safety

Schemes Programme - £2.983m

Ward Minor Transport Measures Programme - £4.6m

Total - £10.083m

2022/23 to 2026/26 Forecast Transport & Environment Clean Air Zone Programme
Revenue Investment

Continuation and enhancement of the Car Free School Streets programme - £1m

Expansion of the inner Birmingham 20mph zone to complete the project - £1m

Total - £2m.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR COLIN GREEN**

Costs at the Christmas market

Question:

“This year, the Christmas markets returned in full to Birmingham. A welcome sight for many of us, however pricing on the stalls was expensive, and went up by a reported 19% this year.

With a cost of £12.50 for a beer and a Bratwurst, were ordinary families priced out of enjoying this event?”

Answer:

The Frankfurt Christmas Market is one of a number of excellent Christmas offerings facilitated by Birmingham City Council including Ice Skate Birmingham, the wheel on Centenary Square and Christmas at Cathedral Square. The market proved once again to be extremely successful this year and was well visited by both the residents of Birmingham as well as those travelling from elsewhere in the UK and beyond.

The partnership with Frankfurt City Council sees them as event organisers coordinate the offer across the market. As the event is not subsidised, the costs model is clearly a commercial one, and whilst the event is free to attend, the retail and food offer clearly has to offset the costs of producing the market.

We will review the outcomes of the market again with the event organisers, to ensure as far as possible this remains an inclusive event for everyone in our city and those who wish to visit.

We also have worked with the Frankfurt City Council to ensure that, as has been the case for many years, the market has donated its surplus food stock to charities and foodbanks within the city as part of their commitment to the city whilst they are hosted here.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR ROBERT ALDEN**

“Leisure Centres”

Question:

To date, what discussions have any council officer or councillor had with Birmingham Community Leisure\Serco around the risk of closure of any leisure centre in Birmingham, including date and summary of the meeting and what centres were references as being at risk?

Answer:

There have been no meetings or discussions with Birmingham Community Leisure or Serco around the risk of closure of any leisure centre in Birmingham.

The Council's Sports Service closely monitors the contracts for leisure centres with both Birmingham Community Leisure Trust/Serco Leisure and Places Leisure.

Officers regularly meet with representatives of both of our contracting partners to discuss the operational and financial position of all of the Council's leisure centres both in a local context and benchmarked nationally, and I am kept updated in my position as Cabinet Member.

The high energy dependency of swimming pools and the steep rise in energy prices has put significant pressure on operators to manage their budgets. Birmingham Community Leisure Trust with the support of the Council has made efficiencies in its operation and also negotiated market leading rates on utilities. This has meant that whilst the closure of leisure centres nationally remains front and centre of many discussions, we have not yet reached a point where it has become necessary to discuss the closure of local centres operated by BCLT. The Sports Service will continue to monitor this position closely and work with operating partners and national partners such as Sport England to mitigate the risk of closures.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR MATT BENNETT**

“Small Health Leisure Centre”

Question:

On 6 December 2022 it was reported by the Birmingham Mail that the Council had had to reject funding from Sport England for repairs to Small Heath Leisure Centre. Three days later, on 9 December, it was entirely coincidentally announced that the Council would in fact be progressing plans to reopen the leisure centre, though with no indication as to timescales or funding sources. Please can you provide details of how progressed plans were for the centre as of 6 December?

Answer:

Since becoming Cabinet Member in May last year, the issue of the future of Small Heath Leisure Centre has been raised with me as a key priority and I have had meetings with the local councillors, the Leader, representatives of the local MPs and council officers to explore the options open to us.

The article in the Birmingham Mail to which the question refers relates to an historic funding bid originally made to Sport England in 2017 for £100,000. The Council subsequently withdrew the bid when the balance of the required project funding (estimated at £1m+) could not be identified at the time.

Since then work has continued on an on-going basis to explore options to re-open the pool including commissioning high level costing from our contractors Acivico and engaging in extensive discussions with the adjacent secondary school which shares the plant located within the Wellbeing Centre. That work entirely predates, and indeed was necessary to inform, the statement released on 8 December 2022. Work continues to determine the best course of action and we hope to bring a report to Cabinet later in the spring.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR GARETH MOORE

“Social Care Precept”

Question:

Since it was first introduced, can you please provide a breakdown by year of how much has been raised by the social care precept, and what this money has been spent on.

Answer:

The Social Care Precept has raised the following amounts per year:
Please note that column B shows the impact each year of making the decision to raise the Precept for that year. Column C compares the Council Tax raised each year compared to the Council Tax that would have been raised that year if no Precept had ever been raised.

Year	A: Actual Increase in ASC Precept Percentage per year	B: Additional Funding from that year's ASC Precept increase	C: Cumulative Funding from all ASC Precept increases
2016/17	2.00%	5,537,944	5,537,944
2017/18	3.00%	8,815,915	14,580,150
2018/19	1.00%	3,146,227	18,462,886
2019/20	2.00%	6,617,792	25,842,248
2020/21	2.00%	7,033,820	33,712,373
2021/22	3.00%	10,940,732	45,235,003
2022/23	1.00%	3,895,779	50,824,172

The Social Care Precept is used to fund Adult Social Care in general as set out in guidance from the Government. We can provide further information on Adult Social Care expenditure if required.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND
HOMELESSNESS FROM COUNCILLOR KEN WOOD**

“Compensation Payments”

Question:

In answer to question H1 at January Council you provide data on compensation payments made outside of Ombudsman rulings between November 21 and October 22. However, the question asked for data for the last 3 years. Please can you provide the full answer?

Answer:

Between November 2019 and October 2022 (the full period requested), the total amount of Compensation* paid out by the City Housing Directorate was:

Nov 19 - Oct 20 £210,015

Nov 20 - Oct 21 £190,383

Nov 21 - Oct 22 £378,048

*NB – an insignificant amount (<1%) of Compensatory payments are received and paid combined with opponent Solicitors Costs. As they are indistinguishable in the data held, they are not included in the above figures.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR ROBERT ALDEN

“Independent Report on Complaint Handling”

Question:

Please provide a copy of the independent report commissioned by the council into its complaint handling within housing that was completed in November 22 (as referenced on page 13 of the recent Housing Ombudsman Special Report)

Answer:

4OC were commissioned by the City Housing Directorate, Director Digital & Customer Services and the Assistant Director, Customer Services, Business Support & Digital Mail Centre to complete an independent assessment of the management of housing complaints. This followed the Housing Ombudsman initiating a Paragraph 49 review of how City Housing manages complaints.

The final draft of the 4OC report is currently being reviewed by the City Housing Directorate and will be forwarded to you in due course.

A summary assessment of the findings and recommendations were presented to the Corporate Leadership Team and Cabinet Member for Housing and Homelessness in November 2022. Please find attached a copy of this presentation for your reference and information.



CLT Slides - Housing
Complaints - 22 Nov

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR GARETH MOORE

“Homelessness Decision reviews”

Question:

In response to an Ombudsman complaint regarding temporary accommodation (Ref 22 002 998) for which a decision was posted on 5 December, the Council agreed to write to all people who asked for a review of their homelessness decision since March 2021 where the Council took longer than the allowed time to complete the review and overturned its original decision. The Council should apologise for the delays in completing the review and tell those affected that they can complain to the Council if they believe the delay affected them. How many people were written to as a result of this and by what date was the agreed action completed?

Answer:

To comply with the case decision reference 22 002 998 which is due to be reported on by the 3 March 2023; 224 reviews of homelessness decisions were identified as not being completed within the statutory time frame of 56 days, where upon review of the notification of the original decision was overturned.

Letters are in the process of being sent to the affected group of applicants. This action will be concluded by the 28 February, allowing decision compliance to be reported on to the Local Government and Social Care Ombudsman by the 3 March 2023.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR RICK PAYNE

“Families living with shared facilities”

Question:

In each month since April 2018, how many families were living in temporary accommodation with shared facilities for a period of 6 weeks or more?

Answer:

Week	Number of families over 6 weeks
April 2018	297
May 2018	333
June 2018	329
July 2018	311
August 2018	272
September 2018	245
October 2018	228
November 2018	209
December 2018	159
January 2019	170
February 2019	146
March 2019	148
April 2019	133
May 2019	155
June 2019	108
July 2019	126
August 2019	145
September 2019	173
October 2019	200
November 2019	220
December 2019	216
January 2020	155
February 2020	133
March 2020	105
April 2020	112
May 2020	156
June 2020	157

July 2020	167
August 2020	223
September 2020	245
October 2020	261
November 2020	314
December 2020	304
January 2021	316
February 2021	303
March 2021	294
April 2021	298
May 2021	291
June 2021	311
July 2021	275
August 2021	210
September 2021	177
October 2021	193
November 2021	223
December 2021	253
January 2022	293
February 2022	336
March 2022	342
April 2022	348
May 2022	413
June 2022	452
July 2022	476
August 2022	440
September 2022	394
October 2022	376
November 2022	427
December 2022	458
January 2023	482

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR DARIUS SANDHU

“Time spent living with shared facilities”

Question:

What is the average time families have had to stay in accommodation with shared facilities before being given self-contained accommodation?

Answer:

If this applies to the amount of time families have been in B&B then moved on from B&B to a different accommodation type, self-contained, in the last 12 months, the average is 129 days (18 weeks).

Looking at the amount of time families have been in hostels, which also have shared facilities, and left hostels to a different accommodation type in the last 12 months it is 369 days (52 weeks) – this is adding the days when they were in B&B and the time in hostel together to give this average.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND
HOMELESSNESS FROM COUNCILLOR ADAM HIGGS**

“Gas boiler replacement process”

Question:

Please provide a copy of the formal process that is in place in order to identify when a gas boiler is in need of replacement in council owned homes.

Answer:

The contractual position on replacement of gas boiler/appliance is as follows:

Volume 2.2, Clause 4.4: Where the Contractor determines that gas fires and/or other Appliances, irrespective of ownership, are dangerous or beyond repair, these shall be isolated and immediately brought to the attention of the customer and also the Contract Manager, who shall decide on further action to be taken. Such action may consist of an instruction to the contractor to carry out remedial repairs or replace those appliances.

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR TIMOTHY HUXTABLE

“Housing Duty Decision Letter”

Question:

Please provide a copy of the standard housing duty decision letter (where the Council has decided it owes the main housing duty)

Answer:

Please see below.

Our ref:

FAO:

Sent via email to:

Date

Dear

**S184(3) DECISION RESULT
(Housing Act 1996 as amended)**

I write regarding your homelessness application which you made to this Authority on the XXX.

Having considered all the information available to me I am satisfied that:

- You are homeless
- You are eligible for assistance
- You have a priority need
- You are not intentionally homeless
- You have a local connection with Birmingham City and that
- The Relief Duty has come to an end.

In light of the above conclusion, this authority owes you a duty under s.193(2) Housing Act 1996 as amended. This means that this Authority has a duty to make you a Final Offer (S193(7) Housing Act 1996) or a Private Rented Sector Offer (S193(7AA) Housing Act 1996).

This duty ends if any of the following occurs:

1. *Section 193(5)*

You refuse an offer of accommodation (temporary accommodation) which the Authority is satisfied was suitable having previously been notified of the consequences of refusal or acceptance and the right to request a review

2. *Section 193(6)*

- a) *You cease to be eligible for assistance,*
- b) *You become homeless intentionally from the accommodation made available for your occupation,*
- c) *You accept an offer of accommodation under Part 6 (allocation of housing), or*
- cc) *You accept an offer of an assured tenancy (other than an assured shorthold tenancy) from a private landlord,*
- d) *You voluntarily cease to occupy as your only or principal home the accommodation made available for your occupation.*

3. *Section 193(7)*

7 & 7a) Having been informed of the possible consequence of refusal or acceptance and of your right to request a review of the suitability of the accommodation, refuse a final offer of accommodation under Part 6, having been informed in writing that it is a final offer for the purposes of subsection (7).

7aa) You accept a private rented sector offer or refuse such an offer having (i) been informed in writing of the possible consequence of refusal or acceptance of the offer, (ii) that you have the right to request a review of the suitability of the accommodation and (iii) the effect under Section 195A of a further application to a local housing authority within two years of acceptance of the offer.

Offer of Temporary Accommodation

Whilst the Authority is trying to secure such accommodation for you, you will be provided with temporary accommodation. This will be at XXXXXXXX. Please be advised that if you are evicted due to your own actions this Authority will cease to have any further duty towards you. It is, therefore, very important to adhere to the terms of your licence/tenancy agreement.

Please note that it is important that you inform the Council of any change in your circumstances, contact address or telephone number. Failure to do so may result in you not being notified of your Final Offer (S193(7) Housing Act 1996) or a Private Rented Sector Offer (S193(7AA) Housing Act 1996).

If you should have any questions regarding this decision or any other aspect of your homeless application, please do not hesitate to ask.

If you disagree with this decision

You can request a review of this decision under Section 202 of the Housing Act 1996 as amended within 21 days of being notified of the Authority's decision. Please note that review requests made outside of the time limited may not be considered.

Yours sincerely,

[Name of Officer]
Senior Housing Solution & Support Caseworker
Housing Solution & Support Service

CITY COUNCIL – 7 FEBRUARY 2023

WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND HOMELESSNESS FROM COUNCILLOR JULIEN PRITCHARD

“Service Charges – Council Tenants”

Question:

“What is the actual breakdown of how service charges charged to council tenants and leaseholders is spent by both amount and percentage? E.g. How much is spent on cleaning, lighting, repairs & maintenance, administration? Both across the city and specifically in Druids Heath tower blocks?”

Answer:

The table below shows the 2022/23 budgeted income for service charges to council tenants. Service charges are set to recover the full cost of the service provided. It is not possible to split at an estate level, so unable to specify for Druids Heath tower blocks.

	2022/23
	£000
Older Peoples Service	3,256
Multi-storey Costs	3,380
Caretaker Service	6,685
Night-time Security	2,705
Low Rise Cleaning	506
Careline	1,043
Total	17,575

Budgeted income from leaseholders for 2022/23 is £1.7 million. The charge will cover elements of the above, but also include a charge for insurance, grass cutting, repairs contact centre and the Leasehold team. Charges applied to tenants and leaseholders is dependent on the type of property occupied.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOUSING AND
HOMELESSNESS FROM COUNCILLOR ADAM HIGGS**

“Community Trigger”

Question:

How many times in each year since the 2014 Act came into force has a 'community trigger' review for ASB been requested, and how many of these have been determined to meet the threshold?

Answer:

A total of 155 reviews have been requested through the community trigger process, of which 94 have met the threshold, 36 have been determined as not meeting the threshold, 23 have withdrew from the process and there are currently 2 cases awaiting assessment.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL JUSTICE,
COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR IZZY KNOWLES**

Local Delivery Partnership Groups

Question:

“Please list the Local Delivery Partnership Groups in the city and include the wards they cover, including in your answer:

- **Councillors allocated to each LPDG, their role and how are they nominated.**
- **Current LPDG Councillor vacancies**
- **Whether minutes are made available of LPDG meetings and if so, where they can be found”**

Answer:

Local Partnership Delivery Groups (LPDG):

Local Partnership Delivery Groups (LPDG):

Birmingham North LPDG

Sutton Mere Green, Sutton Four Oaks, Sutton Roughley, Sutton Vesey, Sutton Trinity, Sutton Reddicap, Sutton Wylde Green, Sutton Walmley and Minworth, Kingstanding, Perry Common, Erdington, Pye Hayes, Castle Vale, Stockland Green, Gravelly Hill.

Elected Member Representation

Cllr Rob Pocock – Sutton Vesey
Cllr Ken Wood – Sutton Walmley and Minworth
Cllr Gareth Moore - Erdington

Birmingham East LPDG

Alum Rock, Ward End, Bromford and Hodge Hill, Shard End, Glebe Farm and Tile Cross, Heartlands, Yardley West and Stechford, Yardley East, Garrets Green, Sheldon, Bordesley Green, Small Heath, Tyseley and Hay Mills, South Yardley, Acocks Green.

Elected Member Representation

Cllr Diane Donaldson – Bromford & Hodge Hill
Cllr Zafar Iqbal – Tyseley & Hay Mills
Cllr Deborah Harries – Yardley East

Birmingham West LPDG

Oscott, Perry Barr, Handsworth Wood, Birchfield, Aston, Holyhead, Handsworth, Lozells, Newtown, Nechells (shared boundary with City Centre LPDG), Soho and Jewellery Quarter, North Edgbaston, Ladywood (shared boundary with City Centre LPDG), Bordesley and Highgate (shared boundary with City Centre LPDG).

Elected Member Representation

Cllr Sharon Thompson – North Edgbaston
Cllr Narinder Kaur Kooner – Handsworth Wood
Cllr Morriam Jan – Perry Barr

Birmingham South West LPDG

Quinton, Harborne, Edgbaston, Bartley Green, Allens Cross, Frankley Green Park, Northfield, Kings Norton North, Kings Norton South, Rubery and Rednal, Longbridge and West Heath.

Elected Member Representation

Cllr Adrian Delaney - Rubery and Rednal
Two Vacancies

Birmingham South East LPDG

Balsall Heath West, Sparkbrook and Balsall Heath East, Moseley, Sparkhill, Hall Green North, Hall Green South, Bournbrook and Selly Park, Stirchley, Brandwood and Kings Heath, Billesley, Druids Heath and Monyhull, Highters Heath, Weoley and Selly Oak, Bournville and Cotteridge.

Elected Member Representation

Cllr Mary Locke - Stirchley
Cllr Philip Davis - Billesley
One vacancy.

City Centre LPDG

Ladywood (shared boundary with West LPDG), Nechells (shared boundary with West LPDG) Bordesley and Highgate (shared boundary with West LPDG)

Elected Member Representation

Cllr Albert Bore - Ladywood
Cllr Kath Hartley - Ladywood

Elected Member representation was agreed via a cross-party nomination process. LPDGs are governed by the Birmingham Community Safety Partnership and provide a mechanism for partners to look at ways to reduce crime and ASB within neighbourhoods. Invitations were extended to nominated elected members so that local members could be kept up to date with the work happening within the LPDG and have a mechanism to raise issues linked to community safety within the LPDG area that require a partnership response to resolve.

The LPDGs produce action trackers which are sent out to all partners who attend the meeting and can be accessed by request to the LPDG Manager or via attending Elected Members.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL JUSTICE,
COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR JON HUNT**

Homes for Ukraine Sponsors

Question:

“Can the cabinet member please advise how Ukrainian refugees who entered under the “homes for Ukraine” scheme are currently being housed? Please include in your response the numbers of those who:

- **Are with a host**
- **Returned to Ukraine**
- **In Airbnb**
- **In temporary accommodation**
- **In private rented accommodation”**

Answer:

As of 1st February 2023, we are aware that:

- 503 Ukraine Guests are accommodated with a host.
- 37 households (63 people) - Returned to Ukraine
- 0 households are in Airbnb however 3 households (7 people) were in Airbnb during January 23 for up to a maximum of 4 weeks whilst awaiting re-matching.
- 9 households (25 people) are in BCC temporary accommodation and being supported to find move on accommodation.
- 12 households (28 people) are currently reported to be living In private rented accommodation.

CITY COUNCIL – 7 FEBRUARY 2023

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

“Grass verge footway crossing applications”

Question:

An Ombudsman decision (Ref 21 010 088) in April 2022 required the Council to advertise for a period of 6 months the following notice “Birmingham City Council is inviting all rejected grass verged footway crossing applications (dated between 01 January 2021 to 14 March 2022) to request reconsideration of their application under the criteria advertised at the time.” This was due to the LGO finding that the council did not properly consider requests against the published criteria. Please highlight where this advert appeared and how many requests for reconsideration have been received to date?

Answer:

This was advertised on the top of page 1 of our BCC dropped kerb website.

There were 26 applications which had been originally refused. To date, 4 applicants have requested to proceed with their application.

We are also writing to the remaining 22 applicants who had a grass verged footway crossing application rejected, requesting them to apply for a refund of their application fee.

CITY COUNCIL – 7 FEBRUARY 2023

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

Beeches Road A34 Junction

Question:

“Could the Cabinet Member confirm that the A34/Beeches road junction, where illegal u-turns are often performed putting users of a pelican crossing in danger, be considered for moving traffic enforcement if the trial is successful?”

Answer:

Installation of camera enforcement at this location would be subject to the success of the Council's application to the Government for powers to enforce moving traffic contraventions, and the outcomes of the proposed trial.

Concerns about illegal U-turns at the A34 Walsall Road/Beeches Road/Tower Hill junction are noted. The Council will consider this site for enforcement of moving traffic contraventions as part of future phases of rollout.

CITY COUNCIL – 7 FEBRUARY 2023

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

Dropped kerbs

Question:

“In light of increased high rainfalls, flash flooding and large deluges of water due to climate change; Having started a green drop kerb programme, what action is being taken to ensure driveways are compliant with planning regulations about permeability and drainage when drop kerbs are installed?”

Answer:

Planning permission is not required for a dropped kerb unless the dropped kerb is fronting a main road ie trunk or classified road (A Road or a B Road). Therefore, there are a significant number of properties in the City which do not need planning permission for a dropped kerb installation. Planning permission is not required for a new or replacement driveway of any size if it uses permeable (or porous) surfacing such as gravel, permeable concrete block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally.

If the surface to be covered is more than five square metres, planning permission will be required for laying traditional, impermeable driveways that do not provide for the water to run to a permeable area. This is in order to reduce the impact of this type of development on flooding and on pollution of watercourses. If a driveway does not meet this criteria and the matter is brought to the attention of the planning enforcement team by way of the on-line complaint form, then a new enforcement case will be registered and an officer will undertake a visit to the property to investigate. If non permeable materials have been used then the homeowner will be required to install some form of soakaway for rainwater to run into.

As a part of the emerging revised Footway Crossings Policy, where footway crossings are proposed across a highway verge or grassed amenity area that is greater than 3 metres width, approval will require additional mitigation requirements

due to the loss of green space and the adverse effect this can have on drainage of surface water and on the general appearance of the street. For example, in some cases, a sustainable urban drainage solution where water drains through the footway crossing construction built over the verge may be considered. We are trialling a sustainable urban drainage solution where water drains through grass block footway crossing construction built over the grass verge.

CITY COUNCIL – 7 FEBRUARY 2023

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

Camera Trial

Question:

“Could the Cabinet Member elaborate on how camera enforcement will be progressed once the trial of moving traffic enforcement has been completed?”

Answer:

The Council's application for powers to enforce moving traffic contravention powers will be submitted shortly. Should this application be successful, this will be followed by the delivery of a small number of trial sites, which were consulted upon recently. The outcomes of this trial will be used to inform the strategy for rollout of these powers at suitable sites across the city. In the interim I am happy to receive suggested sites for future consideration.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT FROM
COUNCILLOR IZZY KNOWLES**

Road Safety Schemes

Question:

“Could the Cabinet Member provide a list of roads in Birmingham where local road safety schemes were installed in 2022 and the criteria met to justify their implementation?”

Answer:

The process for identifying potential local safety schemes for further investigation is set out in the Council's Road Safety Strategy. Schemes are taken forward for implementation where there is an identifiable pattern of collisions that can be effectively treated using engineering measures that represent value for money and are affordable within the overall local safety schemes budget. A first-year rate of return of 100% is a minimum value for money benchmark.

Schemes meeting this criteria have been limited over the last year; however, a programme of works is being developed for implementation during the 2023/24 financial year that can be shared in due course.

It should be noted that road safety improvements are included and audited as part of all transport and highways schemes, with considerable delivery experienced over the last year as part of the A457 Dudley Road project, Sprint, Metro, Perry Barr and Pershore Road/Priory Road as examples.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT FROM
COUNCILLOR COLIN GREEN**

Street furniture damage and repairs

Question:

“Could the cabinet member set out the cost of repairs to street furniture damaged by third parties in road traffic collisions in the last three years, setting out how many claims have the council made on third party insurance to recover those costs and the recovery rate?”

Answer:

Since 1st April 2020 there have been:

- 864 identifiable incidents
- A value of £2,565,982 for those incidents
- Of which £2,309,987 recoverable from third parties (76 unrecoverable)
- To date:
 - £1,681,273 has been successfully recovered
 - £628,714 is still being pursued against the third party or their insurer.

The recovery rate is currently 73% by value / 80% by volume.

Data is not available prior to April 2020.

CITY COUNCIL – 7 FEBRUARY 2023

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

Kings Heath LTN

Question:

“Could the cabinet member specify what the initial budget was for the Kings Heath Low Traffic Neighbourhood?”

Answer:

The budget for Low Traffic Neighbourhoods (LTN) in the Active Travel Fund (ATF) Tranche 1 bid was £97,500 capital and £26,000 revenue.

The LTN budget in the ATF Tranche 2 bid was £892,500 capital and £157,500 revenue. The budgets were not broken down by specific LTN schemes.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE CHAIR OF PLANNING COMMITTEE FROM
COUNCILLOR DEBBIE CLANCY**

“Housing types”

Question:

Since 2012, what is the breakdown of permissions granted for residential units by housing type (flat, maisonette, house etc.)

Answer:

The following table sets out the breakdown for all types of residential units that have received planning approval and have been included in the City Council’s monitoring of development since 2012. Please note that our annual update is undertaken in April each year, therefore, to present these figure to the start of 2012 it has been necessary for us to also include data from the 2011-2012 monitoring year, which commenced in April 2011.

Type of Dwelling:	Number Permitted:	Percentage:
House	20,280	23.4%
Flat	55,697	64.3%
HMO	460	0.5%
Student Studio	6,127	7.1%
Student Cluster	2,761	3.2%
Student HDT	280	0.3%
Communal Cluster	43	0.0%
Communal Studio	421	0.5%
Other Dwelling	537	0.6%
Total	86,606	100%

Please note that as these figures only show what was permitted they do not reflect what was actually built. The following table is taken from the City Council's draft Authority Monitoring Report (AMR) 2022 and shows the actual number and type of houses and apartments that we have recorded as being completed each year between 2011 and 2022 (N.B. we don't publish data on the amount of student accommodation and HMO completions within the AMR). The AMR is published every year and we hope to publish the 2022 version shortly.

CITY COUNCIL – 7 FEBRUARY 2023

**WRITTEN QUESTION TO THE COMMITTEE CHAIR FOR PLANNING COMMITTEE
FROM COUNCILLOR DEBORAH HARRIES**

Protecting green spaces

Question:

“In light of increased high rainfalls, flash flooding and large deluges of water due to climate change, what planning measures are the Council putting in place to limit the now very common practice in the city of ‘greying the green’?”

By concreting/paving over front gardens entirely for driveways and parking cars, the natural drainage of trees, grass and soil is lost with existing drains in residential roads often overwhelmed, let alone the loss of the attractiveness and wildlife habitat of front gardens in our urban streets.

What is the planning system doing to keep things green?”

Answer:

Nationally, the planning system aims to ensure that planning policies and decisions contribute to enhancement of the natural and local environment and plans take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk.

The Birmingham Development Plan (adopted 2017) contains a number of policies relating to climate change, open space, green infrastructure and the management of flood risk, and requires developers to demonstrate how they have incorporated green infrastructure into development proposals. Policy TP6 – Management of Flood Risk and Water Resources aims to limit surface water discharge to the equivalent greenfield rate and encourage soakaways in line with the BRE365 industry standard.