

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 28 MAY 2019
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MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON TUESDAY 28 MAY 2019 AT 1400 HOURS, IN COMMITTEE ROOM 6, THE COUNCIL HOUSE, BIRMINGHAM

PRESENT:

Councillor Ian Ward in the Chair;

Councillors Robert Alden, Gareth Moore and Mike Ward.

NOTICE OF RECORDING

- 2869 The Chair advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

APPOINTMENT OF COMMITTEE

- 2870 The resolution of the City Council passed at the Annual Meeting on 21 May 2019 appointing the Council Business Management Committee and Members for the Municipal Year 2019/2020 with Councillor Ian Ward as Chair was noted.

ELECTION OF DEPUTY CHAIR

- 2871 **RESOLVED:-**

That Councillor Brigid Jones be appointed as Deputy Chair for the Municipal Year 2019/2020.

DECLARATIONS OF INTEREST

- 2872 Members were reminded that they must declare all relevant pecuniary and non pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.

No declarations of interest were made.

APOLOGIES

- 2873 Apologies for non-attendance were submitted on behalf of Councillor Brigid Jones.
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TERMS OF REFERENCE OF COUNCIL BUSINESS MANAGEMENT COMMITTEE

The following document was submitted:-

(See document No 1)

- 2874 **RESOLVED:-**

That the Terms of Reference be noted.

MINUTES

- 2875 That the Minutes of the last meeting held on 7 May 2019 were confirmed and signed by the Chair.
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REPORTS NOT ON THE FORWARD PLAN AND DECISIONS FOR IMMEDIATE IMPLEMENTATION

The following report of the City Solicitor was submitted:-

(See document No 2)

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

Councillor Robert Alden suggested that the annual report should be submitted to City Council and requested that the information in paragraph 4.2 be updated to include the years back to 2015 to be consistent with paragraph 3.3.

During the ensuing discussion it was agreed that future annual reports would be submitted to full Council in June.

- 2876 **RESOLVED:-**

That the Council Business Management Committee:

- Notes the report;
 - Submits the report to City Council in June;
 - Agrees that these annual reports be reported in June to City Council.
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APPOINTMENT OF SUB-COMMITTEES AND OTHER BODIES

The following report of the City Solicitor was submitted:-

(See document No 3)

In response to a question from the Chair, the Committee Manager confirmed that the Education Awards (Review) Sub-Committee needed to be reappointed to deal with cases prior to the changes to the appeals against travel assistance decisions to be introduced on 1 June 2019. The Committee Manager noted that in respect of the Lord Mayor's Advisory Group it was normal for the Chair to be taken by the Deputy Lord Mayor. That was agreed.

A. EDUCATION AWARDS (REVIEW) SUB-COMMITTEE

2877

RESOLVED:-

- (i) That an Education Awards (Review) Sub-Committee be appointed for the Municipal Year 2019/2020 with a quorum of 3 and with the following functions:-

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

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2019/2020 with Councillor Diane Donaldson as Chair:

Councillor Diane Donaldson	(Lab)
Councillor Alex Aitken	(Lab)
Councillor Chauhdry Rashid	(Lab)
Councillor Alex Yip	(Con)
Councillor Baber Baz	(Lib Dem)

B. MISCELLANEOUS APPEALS SUB-COMMITTEE

2878

RESOLVED:-

- (i) That a Miscellaneous Appeals Sub-Committee be appointed for the Municipal Year 2019/2020 with a quorum of 3 and with the following functions:-
1. To consider any appeal under the Rules and Regulations for the Operation of the Retail Markets.
 2. To consider any other appeal(s) that are not covered by any of the other Committees or Sub-Committees of the City Council; and

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2019/2020 with Councillor Marje Bridle as Chair:

Councillor Marje Bridle	(Lab)
Councillor Mike Leddy	(Lab)
Councillor Shafique Shah	(Lab)
Councillor Gareth Moore	(Con)
Councillor Neil Eustace	(Lib Dem)

C. ELECTION MATTERS MEMBERS FORUM

2879

RESOLVED:-

- (i) That for the Municipal Year 2019/2020 the Election Matters Members Forum be outside of proportionality requirements;
- (ii) that an Election Matters Members Forum be appointed for the Municipal Year 2019/2020 with a quorum of 3 and with the following functions:
- To recommend further improvements to the Elections Office and/or the Elections processes;
- To be consulted over relevant consultation papers relating to the Elections process;
- To discuss issues that the Returning Officer may wish to raise with the Members Forum; and
- (iii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2019/2020 with Councillor Ian Ward as Chair:

Councillor Shabrana Hussain	(Lab)
Councillor Brigid Jones	(Lab)
Councillor Ian Ward	(Lab)
Councillor Martin Straker Welds	(Lab)
Councillor Robert Alden	(Con)
Councillor Timothy Huxtable	(Con)
Councillor Jon Hunt	(Lib Dem)

D. LORD MAYOR'S ADVISORY GROUP

2880

RESOLVED:-

- (i) That a Lord Mayor's Advisory Group be appointed for the Municipal Year 2019/2020 with a quorum of 3 and with the following purpose:
- To act as a sounding board to the Lord Mayor at the request of the Lord Mayor on Civic and Mayoral matters;
- To provide guidance on protocol matters as necessary;
- To review Civic functions as necessary; and

To advise on the appropriateness of Parlour arrangements.

- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2019/2020 with Councillor Yvonne Mosquito as Chair:

Cllr Yvonne Mosquito	(Lab)
Councillor John Lines	(Con)
Councillor Carl Rice	(Lab)
Councillor Shafique Shah	(Lab)
Councillor Martin Straker Welds	(Lab)
Councillor Gareth Moore	(Con)
Councillor Mike Ward	(Lib Dem)

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

2881

RESOLVED:-

- (i) That a Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee be appointed for the Municipal Year 2019/2020 with the following functions:
1. To consider and determine the form of the employment contracts and other Terms and Conditions (including related structural issues) for the Chief and Deputy Chief Officer Posts as defined in the Constitution of the City Council.
 2. To be responsible for making appointments to all posts falling within 1 above and to recommend to the Council the appointment of the Chief Executive.
 3. To deal with all termination and disciplinary arrangements relating to Chief Officer and Deputy Chief Officer posts (including early retirement and the award of added years).
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the Municipal Year 2019/2020 with Councillor Ian Ward as Chair:
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|-------------------------|--|
| Councillor Ian Ward | (Lab) |
| Councillor Brigid Jones | (Lab) |
| Councillor | (Lab) to be appointed dependent on the Directorate to which the Post relates |
| Councillor Robert Alden | (Con) |
| Councillor Jon Hunt | (Lib Dem) |
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F. PERSONNEL APPEALS (DISMISSALS) SUB-COMMITTEE

2882

RESOLVED:-

- (i) That a Personnel Appeals (Dismissals) Sub-Committee be appointed for the period ending with the first meeting of Council Business Management Committee in the Municipal Year 2020/2021 with the following functions:
1. To consider, with Delegated Power the appeals relating to the Dismissal of Council managed employees.

(the process to be followed by appellants shall be as laid down on the People Solutions website and in accordance with City Council's policy with no appeals being submitted direct to this body without first exhausting the prescribed HR process).
 2. In hearing an appeal, the Sub-Committee shall not have the power to award financial compensation to any appellant.
 3. The Sub-Committee shall have the right to determine whether appeals shall be dealt with, where appropriate, by means of written representations.
 4. All meetings of the above Sub-Committee must be chaired by one of the three appointed Chairs of the Sub-Committee and a Quorum for the full Sub-Committee or an individual Panel hearing an appeal shall be 3. No appeal may be heard in the absence of a Quorum.
 5. To authorise the Chair of the Sub-Committee or any Member thereof to give evidence at any Employment Tribunal should they be required to do so.
 6. To recommend to the Council Business Management Committee and oversee any appropriate training and guidance being given to Members and Officers, as necessary, on how to manage Personnel Appeals.
 7. To recommend to the Council Business Management Committee any appropriate or desirable improvements for dealing with the effective and efficient administration of future Personnel Appeals arising from case hearings.
 8. To make any other recommendations to the Council Business Management Committee.
- (ii) that the following Councillors be appointed to serve on the Sub-Committee for the period ending with the first meeting of Council Business Management Committee in the Municipal Year 2020/2021:

Cllr Mahmmod Hussain (Lab)
Cllr Mohammed Idrees (Lab)
Cllr Julie Johnson (Lab)
Cllr Mariam Khan (Lab)
Cllr Mike Leddy (Lab)
Cllr Mary Locke (Lab)

Cllr Sybil Spence (Lab)
Cllr Ken Wood (Con)
Cllr Gary Sambrook (Con)
Cllr Maureen Cornish (Con)
Cllr Mike Ward (Lib Dem)

Councillors Mike Leddy, Mariam Khan and Mahmood Hussain appointed as Chairs

G. COMMONWEALTH GAMES MEMBER ADVISORY BOARD

2883

RESOLVED:-

- (i) That a Commonwealth Games Member Advisory Board be appointed for the Municipal Year 2019/2020 with the Terms of Reference as agreed by the Board and to make recommendations to Cabinet.
- (ii) that the following Councillors be appointed to serve on the Advisory Board for the Municipal Year 2019/2020 with Councillor Ian Ward as Chair.

Cllr Ian Ward	(Lab)
Cllr Brigid Jones	(Lab)
Cllr Waseem Zaffar	(Lab)
Cllr Peter Griffiths	(Lab)
Cllr Lucy Seymour-Smith	(Lab)
Cllr Debbie Clancy	(Con)
Cllr Alex Yip	(Con)
Cllr Jon Hunt	(Lib Dem)

H. COUNCIL HOUSE CROSS PARTY WORKING GROUP

2884

RESOLVED:-

- (i) That a Council House Cross Party Working Group be appointed for the Municipal Year 2019/2020 to act as a review group in relation to the proposed works to the Council House complex.
- (ii) that the following Councillors be appointed to serve on the Working Group for the Municipal Year 2019/2020 with Councillor Ian Ward as Chair.

Cllr Ian Ward	(Lab)
Cllr Brigid Jones	(Lab)
Cllr Nagina Kauser	(Lab)
Cllr Robert Alden	(Con)
Cllr Paul Tilsley	(Lib Dem)

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

The following schedule was submitted:-

(See document No 4)

2885

RESOLVED:-

That the Order of 'Notices of Motion' at City Council for 2019/2020 as set out on the schedule be agreed.

(NB See Minute No. 2887 below which made a change to the schedule.)

CITY COUNCIL AND CBM FORWARD PLAN 28 MAY 2019

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

(See document No 5)

Emma Williamson, Head of Scrutiny Services, made introductory comments relating to the plan and responded appropriately to comments from Councillor Gareth Moore in respect of the outstanding responses to oral questions.

2886

RESOLVED:-

That the City Council and CBM Forward Plan be noted.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 6)

A discussion ensued relating to a proposed cross party motion to City Council. It was agreed that, subject to any further discussion at the meeting of the Leaders the following day, one motion would be submitted with 4 proposers and 3 seconders and no other motions from individual Members would be submitted to the June City Council. Standing Orders would be suspended to allow this to happen. The Chair indicated that he would wish to have the right of reply and it was agreed that the Leaders should consider that at their meeting.

Councillor Mike Ward requested that the order in which motions were discussed at Council meeting as agreed earlier in the meeting be amended so that the order for June moved to July and so on. That was agreed.

It was agreed that agenda item 9 (Reports not in the Forward Plan etc) be allocated 30 minutes and agenda item 10 (Single Use Plastics) be allocated 45 minutes).

2887

RESOLVED:-

Council Business Management Committee – 28 May 2019

- (i) That, subject to the above amendments, the draft agenda be noted;
- (ii) that it be recommended that Standing Orders be suspended to allow the submission of one cross party motion with 4 proposers and 3 seconders on the proviso that no other motions from individual Members be submitted; and
- (iii) that, further to Minute No. 2885 above, the Order of 'Notices of Motion' at City Council for 2019/2020 be amended so that the order for June moves to July and so on.

COUNCIL BUSINESS MANAGEMENT COMMITTEE DATES FOR 2019/2020

2888

RESOLVED:-

That the following dates for Council Business Management Committee meetings in 2019/2020 be agreed:-

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

<u>2019</u>	<u>2020</u>
24 June	20 January
27 August (Tuesday)	10 February
21 October	23 March
18 November	5 May (Tuesday)
16 December	

OTHER URGENT BUSINESS

2889

There was no other urgent business.

AUTHORITY TO CHAIR AND OFFICERS

2890

RESOLVED:-

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

The meeting ended at 1419 hours.

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CHAIR