

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

**MONDAY, 19 OCTOBER 2020 AT 15:00 HOURS**  
**IN ON-LINE MEETING, MICROSOFT TEAMS**

**A G E N D A**

**1     NOTICE OF RECORDING/WEBCAST**

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

**2     DECLARATIONS OF INTERESTS**

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

**3     APOLOGIES**

To receive any apologies.

**3 - 8**

**4     MINUTES**

To confirm and sign the Minutes of the last meeting.

**9 - 20**

**5     PROPOSED AMENDMENTS TO THE CONSTITUTION**

To consider proposed amendments to the Constitution

**21 - 28**

**6     PETITIONS UPDATE**

Report of the Interim City Solicitor and Monitoring Officer.

**29 - 34**

**7     CITY COUNCIL AND CBM FORWARD PLAN**

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

**35 - 40**

8 **COUNCIL AS TRUSTEE AGENDA**

To consider the Council as Trustee agenda of the meeting adjourned on 15 September 2020 and an agenda to allow consideration of a further item.

**41 - 42**

9 **COUNCIL AGENDA FOR THE NEXT MEETING**

To consider the Council agenda for the next meeting.

10 **APPOINTMENTS**

It is recommended that the following appointments be made:-

To appoint Councillor John Lines (Con) and Councillor David Barrie (Con) as substitute to serve on West Midlands Police and Crime Panel for the period ending with the next Annual Meeting of the Council in place of Councillor Safia Akhtar (Lab) and substitute.

11 **OTHER URGENT BUSINESS**

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

12 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

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

# BIRMINGHAM CITY COUNCIL

<b>COUNCIL BUSINESS MANAGEMENT COMMITTEE 24 AUGUST 2020</b>
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**MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT  
COMMITTEE HELD ON MONDAY 24 AUGUST 2020 AT 1400 HOURS,  
AS AN ON-LINE MEETING**

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

Councillors Robert Alden, Gareth Moore, Carl Rice, Martin Straker Welds and Mike Ward.

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**NOTICE OF RECORDING**

- 3008 The Chairman advised that the meeting would be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs at the meeting except where there are confidential or exempt items.

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**DECLARATIONS OF INTEREST**

- 3009 Members were reminded that they must declare all relevant pecuniary and non pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.

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**APOLOGIES**

- 3010 An apology was submitted on behalf of Councillor Brigid Jones.

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**MINUTES**

- 3011 That the Minutes of the last meeting held on 29 June 2020 were confirmed and signed by the Chair.

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**APPOINTMENT TO THE ROLL OF HONORARY ALDERMAN**

The following report of the Interim City Solicitor and Monitoring Officer was submitted:-

(See document No 1)

Councillor Robert Alden in supporting the proposals set out in the report noted that the late Councillor Keith Linnecor was also a member of the West Midlands Combined Authority's Transport Delivery Committee and its previous incarnations. Councillor Gareth Moore noted that the late Councillor Keith Linnecor had also being vice Chair of the Planning Committee in years prior to that mentioned in the report. Officers undertook to include that information in the report to the meeting of the extraordinary meeting.

It was further agreed that the extraordinary meeting of the City Council be held at 1355 hours on 15 September 2020.

3012

**RESOLVED:-**

- (i) That the City Council be recommended to confer the title of Honorary Alderman *Posthumous* on the late Councillor Keith Linnecor; and
- (ii) that a Special Meeting of the Council be held at 1355 hours on 15 September to consider the matter and, if approved, to authorise the Lord Mayor and the Leader of the Council to present the *Posthumous* title to the family.

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

The following report of the Interim City Solicitor and Monitoring Officer. was submitted:-

(See document No 2)

Following a comment from Councillor Robert Alden, it was agreed that the organisation should be advised that the Committee welcomed the use of a company in the Jewellery Quarter to make the lapel badge.

3013

**RESOLVED:-**

That the Committee has no objection to the use of the Coat of Arms by Birmingham Hebrew Congregation a small lapel badge in connection with the organisations 165<sup>th</sup> anniversary in 2021 and that the organisation be advised that the Committee welcomed the fact you intended to get the badge produced in the Jewellery Quarter.

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**CITY COUNCIL AND CBM FORWARD PLAN**

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

(See document No 4)

The Chair referring to 'Other Actions from City Council Meetings' part of the report updated the Committee as follows:-

14 January 2020      Officers had been put in touch with Councillor Yip to discuss progress relating to the motion on tax justice.

- |              |  |
|--------------|--|
| 9 June 2020  | He was happy to talk to Councillor Robert Alden at Leaders meeting or outside of a meeting on release the Social Care Easements report.                                |
| 14 July 2020 | He had been in touch with the organisers of Birmingham Pride on use of the Smithfield site and officers were engaging with them.                                       |
| 14 July 2020 | A email had been sent to Councillor Wood from Councillor Thompson on the issue of enforcement of minimum efficiency standards by landlords with regards to warm homes. |
| 14 July 2020 | He was happy to talk to Councillor Meirion Jenkins if he still wanted to do so relating Commonwealth Games procurement.  |

Officers undertook to update the list on that basis.

Councillor Robert Alden confirmed that he would be willing to receive an update on the Social Care Easements report at a Group Leaders meeting. With reference to ref 6g he queried if there was an update on when the documentation would be released. Rob Connelly, Assistant Director Governance, indicated that the Interim City Solicitor and Monitoring Officer was going through all the documentation to establish what could be released although the current Covid restrictions were causing difficulties as some on the documents were in hard format only. He undertook to provide Group Leaders meeting a with a timeline for the release of the documentation.

Councillor Gareth Moore noted that although discussions about the Smithfield site were ongoing nothing had been resolved so he felt the item should remain on the tracker. The Chair agreed with this suggestion.

3014

**RESOLVED:-**

That, subject to the above, the City Council and CBM Forward Plan be noted.

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**COUNCIL AS TRUSTEE AGENDA**

The following draft agenda was submitted:-

(See document No 5)

Following a discussion, it was agreed that the item on the agenda be extended to 30 minutes and that the meeting of Council as Trustee take place after the meeting of the City Council.

3015

**RESOLVED:-**

That, subject to the above changes, the draft agenda be noted and that the meeting of Council as Trustee would follow the Council meeting.

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**COUNCIL AGENDA FOR THE NEXT MEETING**

The following draft agenda was submitted:-

(See document No 5)

During the discussion it was noted that the Executive Business report would be an update on Covid. Following a suggestion from the Chair it was agreed that the Annual Report of the Independent Remuneration Panel should be added to the agenda with 10 minutes allocated. As a consequence, it was agreed to allocate 30 minutes to the Executive Business report.

Councillor Carl Rice commented that it was the intention for Business reports to include reference to the challenges that the council faced. He also noted that scrutiny reports often had their time reduced but they were equally as important as other reports.

3016

**RESOLVED:-**

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

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**APPOINTMENTS**

Councillor Gareth Moore indicated that he was unable to provide the nominations to the West Midlands Police and Crime Panel at this time

3017

**RESOLVED:-**

- (i) That, Councillor Liz Clements (Lab) to the WMCA Transport Scrutiny Sub-Committee for the period ending with the next Annual meeting of the Council;
  - (ii) that Councillor Safia Akhtar (Lab) and named substitute to be replaced on the West Midlands Police and Crime Panel by Conservative nominees for the period ending with the next Annual meeting of the Council; and
  - (iii) That Councillor Debbie Clancy (Con) to the Health and Social Care Overview and Scrutiny Committee, filling the vacancy, for the period ending with the next Annual meeting of the Council.
-

**OTHER URGENT BUSINESS**

The Chair was of the opinion that the following item be considered as a matter of urgency in order to expedite consideration thereof and instruct officers to act if necessary.

**Annual Report of the Independent Remuneration Panel 2019/20**

Rob Connelly, Assistant Director Governance, indicated that when the Annual Report of the Independent Remuneration Panel had been reported to the Committee in March there had been an error in the allowance for the Deputy Leader which was reported as £41,600 but was £43,430.00. This had been corrected in the version to be reported to City Council

3018

**RESOLVED:-**

That further to Minute 2966 of this Committee dated 23 March 2020, it be noted that the allowance for the Deputy Leader to be reported to City Council on 15 September 2020 is £43,430.00 and not £41,600 as reported to Committee on 23 March 2020.

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**AUTHORITY TO CHAIR AND OFFICERS**

3019

**RESOLVED:-**

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

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The meeting ended at 1423 hours.

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CHAIR





**Birmingham City Council**  
**Council Business Management Committee**  
 19 October 2020



**Subject:** Amendments to the Constitution  
**Report of:** Catherine Parkinson, Interim City Solicitor  
**Report author:** Emma Williamson, Head of Scrutiny Services

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

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

## **1 Executive Summary**

- 1.1 This report sets out proposed amendments to the Constitution and asks CBM to consider these and make a recommendation to Full Council on 3<sup>rd</sup> November.

## **2 Recommendations**

- 2.1 That CBM agree the proposed amendments set out in Appendix 1 and present these for approval at Full Council on 3<sup>rd</sup> November 2020.

## **3 Background**

- 3.1 The Constitution underwent a major review and refresh last year, and the revised version was agreed by Full Council in September 2019. In order to get back to an annual review cycle that ends with the Council's AGM, a review was started with a view to taking amendments to Full Council in May 2020. However, this was paused during the pandemic.
- 3.2 Temporary amendments were agreed by Full Council on 28<sup>th</sup> April; these will expire no later than 25 May 2021.
- 3.3 It is now intended to take the attached amendments to November Full Council in order to tidy up outstanding issues, and then complete an annual review for the May Annual Meeting in 2021.

## **4 Proposed Changes**

- 4.1 The proposed changes are intended to pick up outstanding changes already agreed (such as previous CBM decisions), ensure the text is clear following feedback from users and to resolve some outstanding issues, notably:
- To amend Council rules of procedure to allow CBM to alter timings of a Full Council meeting, removing the need for a motion to Full Council repeating changes already agreed;
  - Settling the membership of Resources O&S committee and Audit Committee;
  - Agreeing changes to access to information for Audit Committee members;
  - Revising financial regulations (see Appendix 2).

## **5 Annual Review 2021**

- 5.1 The next Annual Review will take place in 2021 and will be presented to the Full Council in May of that year. As part of the review, officers would like to talk to officers and members to get feedback, and if members would like to participate, please let Emma Williamson know.
- 5.2 Outstanding issues that will be addressed in the review will include, but not limited to:
- Consideration of the continuation of the temporary amendments made in April 2020;
  - A review of the emergency decision making sections;
  - Consideration of amendments to the call-in process following any recommendations from Co-ordinating O&S Committee;
  - Consideration of the recommendation from Co-ordinating O&S Committee with regards to Cabinet delegations.

## **6 Appendices**

- 6.1 Appendix 1 summarises the proposed changes. The Constitution documents with tracked changes have been made available to members.
- 6.2 Appendix 2 is a briefing note on the revision to the financial regulations.

## Birmingham City Council Constitution – Change Log Annual Review 2020

### Part A

Section	Proposed Change	Reason
Page 3 and 10	Removed references to A6 and A1 respectively	Sections no longer numbered
Page 9	<p>Amended section relating to City Solicitor powers:</p> <p><b>Legal Proceedings</b></p> <p>The City Solicitor is duly authorised to institute, defend or participate in any <u>actual or threatened</u> legal proceedings or settle <u>the same</u> (up to the value of £500,000), if appropriate, <del>any actual or threatened legal proceedings</del> in any case where such action is necessary to give effect to decisions of the Council or in any case where the City Solicitor considers that such action is necessary to safeguard and protect the Council's interests. Decisions above this financial threshold will be made by the Chief Finance Officer and/or the Chief Executive in consultation with the City Solicitor.</p> <p>Part D of this Constitution (Financial Regulations) governs the arrangements for signing of contracts and sealing of relevant documents.</p>	Re-wording at request from Legal – to make it clearer

### Part B

Section	Change	Reason
Part B1.7 v	<p>Amend Returning Officer role:</p> <p><b>Returning Officer and Electoral Registration Officer</b> – This will be the <del>Assistant Director, Governance</del>.</p>	Following Rob Connelly's appointment to the AD role

Section	Change	Reason
Part B1.7 vi	References to CMT changed to CLT and add Chief Executive, Children's Trust and Programme Director, CWG	Following changes introduced by the Acting Chief Executive (October 2019)
Part B3.1, B6.1, B6.2, B6.5, B11.2 B4/B5	Wording amended to clarify Cabinet Member with Chief Officer decision-making, and Cabinet delegations; amend references to standing orders	Following feedback from officers
B4.2	Add new para iii <p>“Recorded vote on the Council’s budget and council tax: In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote will be taken at Full Council and Cabinet on any vote in respect of the Council’s budget and council tax. The names of Members who voted for or against such a decision or abstained shall be recorded and entered into the minutes of the relevant meeting. A recorded vote shall also be taken on any proposed amendments relation to the budget and council tax.”</p>	For clarity, in line with regulations  NOTE: this has been the practice in previous years, but not set out in the Constitution.
B4.4A	To amend text: <p>“In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place in March, April or May <del>June</del>”</p>	In line with LGA 1972 Schedule 12
B4.4B vi	Amend text: <p>vi. The order of business and the time limit allocated to items on the Agenda may be varied <u>by agreement at Council Business Management Committee or</u> by a resolution passed on a Motion which, after being moved and seconded, shall be put to the vote without discussion.</p>	To reduce need for procedural motions to vary council timings in the council meeting itself
B4.4B vii	To review the following:	

Section	Change	Reason
	A motion to extend the time of the meeting may only be moved by the Leader or Deputy Leader (or their nominee) of one of the Party Groups and seconded by the Leader or Deputy Leader (or their nominee) of another Party Group.	
B4.4C iii	Amend wording  “iii. The City Solicitor in consultation with the Lord Mayor shall determine the time and day of any Extraordinary Meeting in accordance with the Constitution and following consultation with the group leaders, but shall endeavour to arrange any such meeting to be held, where <del>possible</del> reasonably practical, at 2:00 pm on a Tuesday, within 10 working days of the request being received, subject to any statutory requirements. “	For clarity
B5.2	Add “Membership shall include the Chair of the Co-ordinating O&S Committee”	As agreed by CBM on 21 <sup>st</sup> October 2019
B5.3	Delete “Lord Mayor’s Advisory Group” from CBM sub-committee	As agreed by CBM on 10 <sup>th</sup> February 2020
B6.2	Add new para iii “Recorded vote on the Council’s budget and council tax: In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote will be taken at Full Council and Cabinet on any vote in respect of the Council’s budget and council tax. The names of Members who voted for or against such a decision or abstained shall be recorded and entered into the minutes of the relevant meeting. A recorded vote shall also be taken on any proposed amendments relation to the budget and council tax.”	For clarity, in line with Regulations as cited
B6.3	Add new paragraph ix: “A member of the Cabinet Committee Group Company Governance should not be appointed to serve as a Director on any of the City Council’s wholly or partly owned companies”	As agreed at Group Leaders in September 2019
B7.5	Add “Approves the use of consultants” to portfolio of Finance and Resources	

Section	Change	Reason
B7.6	Remove "Domestic Violence" from health portfolio (sits with social Inclusion, and Equalities)	To remove repetition
B11.4	To review paragraph vi which currently states: "A member should not be appointed to serve on both the Resources O&S Committee and the Audit Committee"	To discuss at CBM as to whether this should be amended. CIPFA guidance suggests that separating the two roles is best practice, but there appears to be no prohibition to sitting on both.
B11.4	Amend vii: <u>The</u> Chair of <u>Resources</u> Overview & Scrutiny Committee should not be appointed to serve as a Director on any of the City Council's wholly <u>or partly</u> owned companies.	As agreed at Group Leaders in September 2019
B13.4 iv	<p>The Licensing functions of the Council shall be carried out by the following bodies:</p> <ul style="list-style-type: none"> <li>Licensing and Public Protection Committee (15 Members with a quorum of 5)</li> <li>Sub-Committees to be established by the Licensing and Public Protection Committee, comprising three Members drawn from the full Committee, to deal with matters under the Licensing Act 2003 and the Gambling Act 2003 as assigned and matters in respect of hackney carriages, private hire, vehicles drivers and operators. <i>The Chairs of the Licensing and Public Protection (Licensing Sub)-Committee's role is to chair the licensing sub-committee meetings, deal with subsequent actions of appeals and assist in finding substitutes for members as required.</i></li> </ul>	Added text in response to Independent Remuneration Panel's suggestion that the Constitution be strengthened with regards to the Chairs of Licensing Sub Committees following the awarding of an SRA
B14	Audit Committee terms of reference updated, including	On advice of Audit officers

Section	Change	Reason
	Add new paragraph ix: “The Chair of the Audit Committee should not be appointed to serve as a Director on any of the City Council’s wholly or partly owned companies”	

## Part C

Section	Change	Reason
C2.1	Tidying up of language	
C2.8	<p>Amend sections iii to iv to apply to Audit Committee members as well as Scrutiny members, i.e. amend heading:  <b>Scrutiny and Audit Members Access – Additional Statutory Rights</b></p> <p>i. An Overview and Scrutiny Committee and/or Audit Committee will be entitled to copies / inspect documents which are in the possession or control of the Executive or its Committees and which contain material relating to:</p> <p>a) Any business transacted at a public or private meeting of the Executive or its Committees; or</p> <p>b) Any decision taken by an individual Cabinet Member.</p> <p>ii. An Overview and Scrutiny Committee and/or Audit Committee will <b>not</b> be entitled to:</p> <p>a) Any document that is in draft form;</p> <p><u>b)</u> Any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to <b>scrutinise</b>;</p> <p>c) <u>Any legally privileged information</u>; or</p> <p>d) The advice of a Political Adviser or Assistant (if any have been appointed).</p>	<p>Following motion to Full Council: “...to set out a clear right for all members of the Audit Committee to have access to any information that is <b>relevant</b> to their role to be discussed by Group Leaders for the wording to be agreed.”</p> <p>September 2019</p>

Section	Change	Reason
	iii. Copies of documents requested under this section must be supplied within 10 clear days of receipt of the request.	
C4.4	Amend wording in relation to dispensations: “ix. Dispensations are available by application to the <b>Chair of Standards Committee</b> <u>or nominated deputy, in consultation with the Monitoring Officer</u> in the limited circumstances that apply by law. If required please write to the Monitoring Officer with reasons for the application”	For clarity and to facilitate speedier decision <u>making</u>
C9	Licensing Code of Practice – wording amends plus additional clarification on “dealing with correspondence” and complaints	For clarity (from licensing officers)
C10	Member allowance rates updated	Following Full Council on 15 September 2020

#### Part D

Section	Change	Reason
D1	The Financial Regulations for Birmingham City Council have been updated in line with emerging best practice for simpler more concise financial regulations that clearly set out the responsibilities of Member, Chief Finance Officer and Directors .	See briefing note
D2.3i	Every contract made by the Council shall comply with these Rules and be carried out in a fair, open and transparent manner that treats all contractors equally and without discrimination, provided that this does not include contracts for the appointment of barristers, or legal <del>advice</del> <u>firm</u> where in the opinion of the City Solicitor urgent advice is needed to protect the interests of the <del>e</del> Council.	Following feedback from officers
D2.3 vi	Additional section noting that services with a UK remit may need exemptions from aspects of the framework.	Following feedback from officers (particularly Illegal money Lending Team)
D2.4	Amend time for contracts to be on FinditinBirmingham to 10 days	Officer recommendation to better accommodate bank holidays etc



Section	Change	Reason
D2.5	Amendments to wording on Single and Multiple Contractor negotiations to clarify process	Following concerns raised by members of Resources O&S Committee and in line with officer advice.
D3.4	Amendments to clarify when a decision in PPAR goes back to Cabinet	Officer feedback
All	Wording changes to tidy up language	

## Part E

Section	Change	Reason
E2.2, 3.2	Wording amended for clarity.	Following feedback from officers
E4.2 (and Part B3)	<p>Emergency Decisions:  Re-name as “Urgent Decisions”  Amend text to make clear that decisions are posted on CMLs, and that Cabinet “note” the report. Amendments below:  “The exercise by the Chief Executive, Chief Finance Officer, Assistant Chief Executive and Director of any powers under this delegation shall be subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(i) that the determination of the question or other matter or implementation of the recommendation is capable of determination under law in this manner;</li> <li>(ii) that the Chief Executive, Chief Finance Officer, Assistant Chief Executive or designated Director before making a decision shall consult with the Leader (or in his/her absence the Deputy Leader);</li> <li>(iii) that the Chief Executive, Chief Finance Officer, Assistant Chief Executive or designated Director before making a decision shall consult with the City Solicitor and the Chief Finance Officer or their nominated deputies;</li> </ul>	<p>To avoid confusion with powers under Emergency Plan</p> <p>Following points made in Resources O&amp;S committee after consideration of emergency decision made in December 2019</p>

Section	Change	Reason
	<p>(iv) that a record of all decisions made or recommendations implemented, together with the consultations referred to in (ii) and (iii) above shall be <del>recorded</del> <u>published on the Council's website</u> <del>and maintained by the City Solicitor;</del> and</p> <p>(v) that any decisions made or recommendations implemented under this provision shall be reported to the next scheduled meeting of the Cabinet <u>(for noting)</u>. “</p>	
E11.1 (6) E12.2	To add “flood response” to highways delegations under Director, inclusive Growth Amendments to licensing under Director, Neighbourhoods	As requested by Directorate

**Appendix 2: REVIEW OF FINANCIAL REGULATIONS BRIEFING NOTE**

1. The Financial Regulations for Birmingham City Council have been updated in line with emerging best practice for simpler more concise financial regulations that clearly set out the responsibilities of Member, Chief Finance Officer and Directors.
2. The regulations are in 2 parts and it is proposed that these are reviewed annually by the Chief Finance Officer and approved by Council.
  - Financial Regulations that set out the key rules for managing the council's finances and delivering sound financial management together with the thresholds for financial decision making (Part D1);
  - Finance Accountability Framework that sets out the main responsibilities of the Members, the Chief Finance Officer and Directors.
3. The regulations are supported by Financial Procedures and guidance that will be set by the Chief Finance Officer and can be updated by them, as necessary.
  - Financial Procedures set out in more detail the most important actions that need to be taken to implement financial regulations
  - The Financial Management Toolkit "My Finance" sets out in detailed guidance for everyone involved in financial management on a day to day basis.
4. The overall aim of this approach is to make it far easier for everyone more aware of their responsibilities in delivering sound financial management and to provide clear guidance on how they can achieve this.
5. The Revised Constitution Part D1 sets out the new Financial Regulations and Financial Accountability Framework. This is not a complete re-write of the previous regulations but more a restructuring of them.
6. The current thresholds for financial regulations have been retained, although some research has shown that these are relatively low, given the size and scale of Birmingham City Council and that other similar but smaller councils have higher thresholds.
7. The Thresholds will also be expanded to include reference the thresholds for Property transactions elsewhere in the Constitution.
8. The Chief Finance Officer Protocol is no longer included within the Financial Regulations. The key Cipfa requirements are now covered within the Financial Accountability Framework.
9. It is recognised that work is still ongoing to update some key procedures, including Capital. The new arrangements will make it easier to update Financial Procedures, when the new processes have been set as they are no longer part of the core financial regulations that require member approval.



**Birmingham City Council**  
**Council Business Management Committee**  
 19 October 2020



**Subject:** Petitions Update

**Report of:** Catherine Parkinson,  
Interim City Solicitor and Monitoring Officer

**Report author:** Phil Wright  
Group Team Manager  
0121 303 0216  
phil.wright@birmingham.gov.uk

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

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

## **1 Executive Summary**

- 1.1 To update Committee on progress made in responding to petitions presented to full Council

## **2 Recommendations**

- 2.1 The Committee note this quarterly report.

## **3 Protocol**

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

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

#### **4 Action Taken**

- 4.1 In accordance with minute No. 2044 of this Committee the petition schedule has been split into City Council related petitions (currently 24) and those which are the responsibility of external organisations (currently 66).
- 4.2 Of the outstanding City Council related petitions 2 were presented in 2019.
- 4.3 Since May 2005, 2199 out of a total of 2223 City Council related petitions received have been discharged – 99%.
- 4.4 Of the 25 petitions presented in the last six months 4 have been discharged – 16%.

#### **5 Appendices**

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

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

<b><u>DATE OF RECEIPT/ PRESENTED BY CATEGORY</u></b>	<b><u>DESCRIPTION/SENT TO</u></b>	<b><u>RESPONSE</u></b>
2163 Councillor Bruce Lines 10.09.2019 <b>COMM</b>	From residents of Loftus Close, Weoley Castle, Birmingham, B29 5PG objecting to the proposed plans to construct a roadway from Loftus Close into the proposed housing development site off Long Nuke Road – <i>Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 24.10.2019 Current Planning Application. 13.03.2020 Current Planning Application. 02.07.2020
2173 Councillor Neil Eustace 05.11.2019 <b>COMM</b>	From residents of Yardley East Ward objecting to the development of 117 properties in Barrows Lane, Yardley, B26 1SA – <i>Head of Planning Management</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 03.01.2020 Current Planning Application. 13.03.2020 Current Planning Application. 02.07.2020
2186 Councillor Fred Grindrod 04.02.2020 <b>COMM</b>	From residents of Selly Oak objecting to Planning Application No 2020/00376/PA and calling upon the Council not to approve any plans for Elliot Road in Selly Oak that include student halls of residence – <i>Acting Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 14.02.20 Current Planning Application. 13.03.2020 Current Planning Application. 02.07.2020
2198 Mr D Hussain 09.06.2020 <b>COMM</b>	From residents of Kenilworth Road and Tewkesbury Road objecting to HMOs being created on the streets and calling on the Council and all relevant authorities to stop HMO's from operating on the streets with immediate effect – <i>Acting Director of Inclusive Growth</i>	Referred to Enforcement Team for investigation. 02.07.2020
2200 Councillor Alex Yip 09.06.2020 <b>EXEC</b>	From residents of Wylde Green – Request for a waste bin to be installed at The Boulevard/Green Lanes cut through, Wylde Green – <i>Acting Director of Neighbourhoods</i>	Petition referred to Street Scene. 13.08.2020 <b>Petition response has been sent out. 25.09.2020</b> <b>Petition to be discharged.</b>

2204 Councillor Hendrina Quinnen 14.07.2020 <b>COMM</b>	From residents of Hinstock Road and surrounding roads objecting to Planning Application No 2020/04619/PA relating to a care home application at No. 36 Hinstock Road, B20 2EU – <i>Acting Director of Inclusive Growth</i>	This relates to current Planning Application and it has been assigned to a Planning Officer. 03.09.2020
2205 Councillor Roger Harmer 14.07.2020 <b>COMM</b>	From residents of Grayland Close and surrounding local residential streets objecting to the introduction of Social Housing, houses in multiple occupation at No. 12 Grayland Close – <i>Acting Director of Inclusive Growth</i>	Referred to Enforcement Team for investigation and response. 03.09.2020
2206 Councillor Debbie Clancy 14.07.2020 <b>COMM</b>	From residents of Longbridge calling upon Birmingham City Council to modify the existing Article 4 Directive to properly reflect Austin Village, Longbridge and its community – <i>Acting Director of Inclusive Growth</i>	Referred to City Design and Conservation Team for investigation and response. 03.09.2020
2207 Councillor Nicky Brennan 14.07.2020 <b>EXEC</b>	From residents of Sparkhill Ward calling upon Birmingham City Council to erect a barrier at the car park of Colgreave Avenue, Sparkhill to stop anti-social behaviour, loitering, fly-tipping and littering – <i>Acting Director of Inclusive Growth</i>	Originally sent to Highways but Highway Engineers indicate car park is on Leisure held land. 07.08.2020 Petition referred to Street Scene. 13.08.2020 Referred to Property Services for investigation and response. 03.09.2020
2208 Councillor David Barrie 14.07.2020 <b>EXEC</b>	From residents of Plants Brook Estate, Walmley, Sutton Coldfield calling upon Birmingham City Council to introduce a Public Space Protection Order for the roads on this estate to prohibit anti-social behaviour by youths on bicycles – <i>Acting Director of Neighbourhoods</i>	<b>Response sent out to Councillor David Barrie. 25.09.2020</b> <b>Petition to be discharged.</b>
2209 Councillor Ewan Mackey 14.07.20 <b>EXEC</b>	From residents of Sutton Coldfield calling upon Birmingham City Council to replace the waste bins at Harvest Fields Park, Four Oaks, Sutton Coldfield – <i>Acting Director of Neighbourhoods</i>	Petition referred to Street Scene. 13.08.2020 <b>Replacement bins to be funded by Sutton Coldfield Town Council. 26.09.2020</b> <b>Petition to be discharged.</b>



2211 Councillor Bruce Lines 14.07.2020 <b>EXEC</b>	From residents of Comwell Lane calling upon Birmingham City Council to remove the grass area in front of 150-152 Cromwell Lane and provide parking spaces – <i>Acting Director of Inclusive Growth</i>	Referred to Local Engineer for investigation and response. 03.09.2020 <b>A response was agreed by the Cabinet Member. Response letter have been sent to Councillor Bruce Lines and the first-named petitioner. 08.10.2020</b> <b>Petition to be discharged</b>
2212 Tasawar Khan 15.09.2020 <b>EXEC</b>	From residents of Station Road, Handsworth calling upon Birmingham City Council to introduce a residents parking scheme in the road – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Local Engineer for investigation and response. 08.10.2020</b>
2213 Councillor Brigid Jones 15.09.2020 <b>EXEC</b>	From residents of Birmingham requesting that Selly Oak Library be saved – <i>Director of Education and Skills</i>	
2214 Councillor Julie Johnson 15.09.2020 <b>EXEC</b>	From residents of Bournville, Cotteridge, Weoley and Selly Oak areas of Birmingham and calling upon Birmingham City Council to reconsider the introduction of the new temporary bus lanes on the A38 Bristol Road South due to the confusion and danger to all road users - <i>Acting Director of Inclusive Growth</i>	
2215 Councillor Rob Pocock 15.09.2020 <b>EXEC</b>	From residents of St Michael's Road, Warden Road, Cofield Road, Glebe Drive and Wedmore Drive objecting to the TRO 202 proposals and calling upon Birmingham City Council undertake a formal traffic assessment issues affecting the Warden and Cofield Roads one-way system – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Local Engineer for investigation and response. 08.10.2020</b>

2216 Councillor Liz Clements 15.09.2020 <b>EXEC</b>	From residents of Bournville and Cotteridge Ward calling upon Birmingham City Council's support for making Northfield Road safer by introducing traffic calming measures - <i>Acting Director of Inclusive Growth</i>	<b>Referred to Local Engineer for investigation and response.</b> <b>A response was agreed by the Cabinet Member.</b> <b>Response letter have been sent to Councillor Liz Clements and the first-named petitioner.</b> <b>08.10.2020</b> <b>Petition to be discharged</b>
2217 Councillor Zaheer Khan 15.9.2020 <b>EXEC</b>	From residents of Tennyson Road, Small Heath objecting to a cycle lane being laid in their road and a one way system being introduced - <i>Acting Director of Inclusive Growth</i>	<b>Referred to Head of Transport Planning and Network Strategy Services for investigation and response.</b> <b>A response was agreed by the Cabinet Member.</b> <b>Response letter have been sent to Councillor Zaheer Khan and the first-named petitioner.</b> <b>08.10.2020</b> <b>Petition to be discharged</b>
2218 Councillor Majid Mahmood 15.09.2020 <b>EXEC</b>	From the residents of Kempson Road calling upon Birmingham City Council to either trim and/or remove the sycamore trees to make it safer for families - <i>Acting Director of Inclusive Growth</i>	<b>Referred to Highways for investigation and response. 08.10.2020</b>
2219 Councillor David Pears 15.09.2020 <b>EXEC</b>	From residents of Sutton Trinity Ward calling upon Birmingham City Council to remove Brassington Avenue's pop up cycle lane - <i>Acting Director of Inclusive Growth</i>	<b>Referred to Head of Transport Planning and Network Strategy Services for investigation and response.</b> <b>A response was agreed by the Cabinet Member.</b> <b>Response letter have been sent to Councillor David Pears. 08.10.2020</b> <b>Petition to be discharged</b>
2220 Councillor Alex Yip 15.09.2020 <b>EXEC</b>	From residents of Birmingham calling upon the City Council to address complaints and provide urgent solutions to facilitate the safe and effective transport of eligible children to and from school – <i>Director of Education and Skills</i>	

2221 Councillor Robert Alden 15.09.2020 <b>COMM</b>	From residents of Erdington Ward objecting to the proposed development of Short Heath Playing Fields and complaining about the lack of consultation with the local residents – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Housing Development Manager for investigation and response. 08.10.2020</b>
2222 Councillor Kerry Jenkins 15.09.2020 <b>EXEC</b>	From residents of Birmingham objecting to the proposal to extend the driveways of private dwellings 56-66 School Road by removing public green space and the primary pavement – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Local Engineer for investigation and response. A response was agreed by the Cabinet Member. Response letter have been sent to Councillor Kerry Jenkins and the first-named petitioner. 08.10.2020</b>  <b>Petition to be discharged</b>
2223 Councillor Adrian Delaney 15.09.2020 <b>EXEC</b>	From residents of Birmingham calling on the City Council to scrap the bus lane along the A38 from Selly Oak to Northfield – <i>Acting Director of Inclusive Growth</i>	<b>Referred to Head of Transport Planning and Network Strategy Services for investigation and response. 08.10.2020</b>

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





## CITY COUNCIL FORWARD PLAN 2020/21 – October 2020

To include:

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

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

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

CBM	
19 October 2020	Annual Review of Constitution
	Petitions Update
16 November 2020	
21 December 2020	Petitions Update
18 January 2021	Meetings during Pre-Election Period
	Annual Standards Committee Report (Contact: Rob Connelly, Interim Assistant Director, Governance)
8 February 2021	Overseas Travel and Inward Delegations from Abroad
	Provisional City Council and CBM dates for 2021/22
29 March 2021	Petitions Update
	Annual Report of the Independent Remuneration Panel
10 May 2020	Proportionality
	City Council Appointments
	Annual Review of the City Council's Constitution
	Overseas Travel and Inward Delegations from Abroad

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

Appointment to the Roll of Honorary Alderman (May 2022)

Appointment of the Leader (May 2022)

City Council	
3 November 2020	Amendments to the Constitution
	Scrutiny Inquiry: Customer Services (Co-ordinating)
	Street Trading Policy
1 December 2020	Scrutiny Business Report
	Route to Zero Report
	Lead Member report: WMCA Scrutiny
12 January 2021	Executive Business Report
	Lead Member report: West Midlands Police & Crime Panel
2 February 2021* / **	Scrutiny Business Report
	Lead Member report: West Midlands Fire Authority
	Annual report of the Audit Committee (tbc)
23 February 2021	BUDGET MEETING – Financial Plan 2020-2024
13 April 2021	Executive Business Report
	Scrutiny Inquiry: Infant Mortality (Health and Social Care)
25 May 2021	ANNUAL MEETING

**Items to be scheduled / proposed:**

Executive Business Report – June, Sept/Nov, January and April

Scrutiny Business Report – July, December, February

Lead Member reports: West Midlands Fire Authority (February); Transport Delivery Committee (July); WMCA Scrutiny (September); GBSLEP Scrutiny (November); West Midlands Police & Crime Panel (December)

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

\*\* Annual Council Photograph

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

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

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



Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
2a	09-Jul-2019	<p><i>Motion for debate:</i> This Council recognises that it is now over 25 years since the protocol regarding officers' responses and replies to members' enquiries was established.</p> <p>Since then the communications world has radically changed, the majority of complaints and enquiries to Councillors are via email.</p> <p>This Council therefore agrees to establish a task and finish working party through the Co-ordinating Overview and Scrutiny that would create a new protocol for responses to members' enquiries.</p> <p>This protocol should guarantee:</p> <ul style="list-style-type: none"> <li>• the prompt provision of acknowledgements to Councillors' enquiries by officers; and</li> <li>• the provision of a substantive response to the enquiry within a fixed and agreed timescale, based on the issue raised; and</li> <li>• A system of chasing up Councillor enquiries that are not responded to within the target period.</li> </ul>	Deputy Leader / Chair, Co-ordinating O&S Committee / Emma Williamson, Head of Scrutiny Services	COMPLETED: The Co-ordinating O&S Committee has commenced work on this as part of its on-going inquiry. The inquiry was paused in the first months of the Covid-19 pandemic but a report will be presented to Full Council in November 2020 [October 2020 update]
3c	10-Sep-2019	<p>That approval be given to the revised City Council Constitution as attached and that the City Solicitor be authorised to implement the changes with effect from 11th September 2019 subject to changes being made, to set out a clear right for all members of the Audit Committee to have access to any information that is relevant to their role to be discussed by Group Leaders for the wording to be agreed.</p> <p>In 'Part B Roles, Functions and Rules of Procedure B14 Audit Committee' paragraph 14.3 ii be deleted.</p>	Leader / Emma Williamson, Head of Scrutiny Services	<p>COMPLETED: Amended Constitution published; paragraph 14.3 ii deleted.</p> <p>Provision on Audit Committee members to have access to information relevant to their role to be included as part of the amendments taken to Full Council in November 2020 [October 2020 update]</p>

Ref no	Date	Summary of Council Resolution	Lead Cabinet Member / officer	Update
5a	14-Jan-2020	<p><i>Birmingham Suicide Prevention Strategy 2019-2024:</i></p> <p>That Council endorses the Birmingham Suicide Prevention Strategy and calls on elected members across all parties to support the delivery of the strategy moving forward.</p> <p>That the Action Plan that underpins this strategy is circulated to all Members and that updates on progress are published on an annual basis.</p>	Cabinet Member Health and Social Care / Justin Varney, Director of Public Health	An advisory group which meets bi-monthly are currently working on the action plan which will be circulated in the Summer. [February 2020 update]
6b	04-Feb-2020	<p><i>Motions for Debate – Electoral System</i></p> <p>This Council believes it is vital that the results of elections to Birmingham City Council represent the views of the communities we serve as closely as possible.</p> <p>This Council resolves to:</p> <ul style="list-style-type: none"> <li>write to the Cabinet Office to ask Government to take part in a national debate in respect of electoral reform and commits to contributing to that debate, which could include an option for considering STV in multiple member wards in Birmingham</li> </ul>	Leader / Interim Chief Executive	COMPLETED – letter sent to Chloe Smith, Minister of State at the Cabinet Office

#### Other Actions from City Council Meetings

Date	Agenda Item	To Respond	Request/Question	Action taken
14-Jul-20	Oral Questions	Cllr Ian Ward	To respond to Birmingham Pride on use of the Smithfield site (Cllr Gareth Moore)	Resolved
15-Sep-20	Oral Questions	Cllr Waseem Zaffar	To respond to request from Cllr Harmer on the changes made to the pavements resurfacing programme as a result of councillor comments	

## **BIRMINGHAM CITY COUNCIL**

### **COUNCIL AS TRUSTEE**

**Reconvened meeting which was adjourned on Tuesday 15 September 2020 to be held on 3 November 2020 at conclusion of the meeting of City Council as an on-line meeting**

## **A G E N D A**

### **1 NOTICE OF RECORDING**

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

### **2 DECLARATION OF INTERESTS**

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

**Attached**

### **3 MINUTES**

To confirm and authorise the signing of the Minutes of the Meeting of the Council as Trustee held on 13 March 2018.

**Attached**

### **4 A MULTIPLE REPORT ON PROPERTY MATTERS FOR DECISION BY COUNCIL AS TRUSTEE**

**(15 minutes allocated)**

To consider a report of the Trust and Charities Committee.

**Councillor Akhlaq Ahmed to move the following Recommendations**

“That Full Council sitting as ‘Council as Trustee’:

#### **A. Bilberry Hill Centre – application for powers of disposal**

- i) authorises that applications be made to the Charity Commission to obtain either an Order or Scheme for the better management of the trust assets including a power of disposal and, if appropriate, an Order to permit a disposal to a ‘connected person’.

B. Bartley Green Library – application for powers of disposal

- i) authorises that applications be made to the Charity Commission to obtain either an Order or Scheme for the better management of the trust assets including a power of disposal including the disposal by way of a lease for up to 30 years.
- ii) from an early date to be agreed, the grant of a tenancy of up to three years to the 'Bartley Green Library Hub', a local community organisation, who will assist in the operation of the Library

**NB THE ABOVE ITEM WAS DEALT WITH ON 15 SEPTEMBER 2020**

C. Stirchley Library – application for powers of disposal

- i) authorises that applications be made to the Charity Commission to obtain either an Order or Scheme for the better management of the trust assets including a power of disposal including the disposal by way of a lease for up to 30 years.
- ii) from an early date to be agreed, the grant of a tenancy of up to three years to the Stirchley Art Room CIC, a local community organisation, who will assist in the operation of the Library

D. Calthorpe Park – application for powers of disposal

- i) authorises that applications be made to the Charity Commission to obtain either an Order or Scheme for the better management of the trust assets including a power of disposal and if appropriate an Order to permit a disposal to a 'connected person'
- ii) authorises the disposal by way of a lease for up to 30 years from an early date to be agreed, of the land currently allocated to the Service being granted to a suitable community organisation

E. Sarehole Mill Recreation Ground - lease of Sarehole Mill to Birmingham Museum Trust

- i) authorises that applications be made to the Charity Commission to obtain either an Order or Scheme for the better management of the trust assets including a power of disposal to enable the agreement to the terms for the completion of an Agreement for Lease and subsequently the grant of a lease for 25 years of the Mill premises to Birmingham Museums Trust

and

that the Assistant Director of Property be authorised to secure appropriate valuation and marketing advice in line with statutory requirements of the Charities Act 2011 for the disposal of property and to negotiate and agree the terms of all agreements on behalf of the Trusts provided that appropriate restrictions are included in the disposal terms to properly safeguard the individual Trust

and

that the City Solicitor and Monitoring Officer be authorised to prepare, negotiate, execute, seal and complete all necessary documentation, including the making of applications to the Charity Commission for any purposes required to give effect to the above decisions and also to place any formal advertisements required under either s123 of the Local Government Act 1972 or the various statutes as may relate to the charitable status of the land, manage any appropriate consultation stages and to appraise the Trusts and Charities Committee of the results of that consultation.”



# **BIRMINGHAM CITY COUNCIL**

## **COUNCIL AS TRUSTEE**

**Tuesday 3 November 2020 at  
conclusion of the meeting of City  
Council as an on-line meeting**

### **A G E N D A**

#### **1 NOTICE OF RECORDING**

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#### **2 DECLARATION OF INTERESTS**

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**Attached**

#### **3 A MULTIPLE REPORT ON PROPERTY MATTERS FOR DECISION BY COUNCIL AS TRUSTEE**

**(5 minutes allocated)**

To consider a report of the Trust and Charities Committee.

**Councillor Akhlaq Ahmed to move the following Recommendations**

“That Full Council sitting as ‘Council as Trustee’:

Manor farm Park

Details to be added.

and

that the Assistant Director of Property be authorised to secure appropriate valuation and marketing advice in line with statutory requirements of the Charities Act 2011 for the disposal of property and to negotiate and agree the terms of all agreements on behalf of the Trusts provided that appropriate restrictions are included in the disposal terms to properly safeguard the individual Trust

and

that the City Solicitor and Monitoring Officer be authorised to prepare, negotiate, execute, seal and complete all necessary documentation, including the making of applications to the Charity Commission for any purposes required to give effect to the above decisions and also to place any formal advertisements required under either s123 of the Local Government Act 1972 or the various statutes as may relate to the charitable status of the land, manage any appropriate consultation stages and to appraise the Trusts and Charities Committee of the results of that consultation.”



**BIRMINGHAM CITY COUNCIL****CITY COUNCIL****Tuesday, 3 November 2020 at 1400  
hours as an on-line meeting****A G E N D A****1 NOTICE OF RECORDING**

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

**2 DECLARATION OF INTERESTS**

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

**Attached****3 MINUTES**

To confirm and authorise the signing of the Minutes of the meeting of the Council held on 15 September 2020.

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

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

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

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

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

**6 EXEMPTION FROM STANDING ORDERS**

Councillor Martin Straker Welds to move an exemption from Standing Orders.

**7 QUESTION TIME**

**(Maximum of 80 minutes allocated) (1420-1540)**

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

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

**Attached      8      SCRUTINY INQUIRY: CUSTOMER SERVICES**

**(40 minutes allocated) (1540-1620)**

To consider a report of the-Co-ordinating Overview and Scrutiny Committee.

**Councillor Carl Rice to move the following Recommendation:**

“”

A 5 minute break will be taken.

**Attached      9      STREET TRADING POLICY**

**(20 minutes allocated) (1625-1645)**

To consider a report of the Leader.

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

“”

**Attached      10      CONSTITUTION**

**(20 minutes allocated) (1645-1705)**

To consider a report of the Council Business Management Committee.

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

“”

**11      PROVISIONAL DATE OF NEXT MEETING**

To note that the provisional date of the next meeting of City Council is 1 December 2020.