

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 19 OCTOBER 2020
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MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON MONDAY 19 OCTOBER 2020 AT 1500 HOURS, AS AN ON-LINE MEETING

PRESENT: Councillor Ian Ward in the Chair;

Councillors Robert Alden, Shabrana Hussain, Brigid Jones, Gareth Moore, Martin Straker Welds and Mike Ward.

NOTICE OF RECORDING

3020 The Chairman advised that the meeting would be webcast for live or subsequent broadcast via the Council's Internet site (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.

DECLARATIONS OF INTEREST

3021 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.

APOLOGIES

3022 The Chair indicated that Councillor Shabrana Hussain had indicated that she would have to leave the meeting early.

MINUTES

3023 That the Minutes of the last meeting held on 24 August 2020 were confirmed and signed by the Chair.

PROPOSED AMENDMENTS TO THE CONSTITUTION

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

(See document No 1)

Council Business Management Committee – 19 October 2020

During the ensuing discussion the following points were raised:-

- B4.4A It was queried why the change was being made now and if the Council had been operating incorrectly up to now. Rob Connolly, Assistant Director Governance, explained that it was merely bringing the wording in line with the Local Government Act 1972 and taking into account elections on a four year cycle.
- B4.4B vi Whilst the amendment was appropriate it was suggested additional words be add so that it was cross party agreement at CBM and if not achieved a motion at City Council would have to be agreed.
- B7.5 Further work to be done to provide a definition of a Consultant and appropriate thresholds.
- B11.4 vi Following concerns from Councillor Robert Alden as to the need to prevent a member from serving on both the Resources Overview and Scrutiny Committee and the Audit Committee the Chair indicated that it would be unwise to go against best practice. Rob Connolly, Assistant Director Governance, undertook to contact CIFPA to seek clarification. Councillor Mike Ward indicated that he felt the two roles were complimentary and they were no an executive function.
- B11.4 vii Councillor Robert Alden suggested, and it was agreed, that this be deferred so that more information could be provided. Councillor Brigid Jones as Chair of the Group Company Governance Cabinet Committee indicated that she was not aware of the proposal.
- B13.4 iv Following comments Councillor Gareth Moore indicated that from his experience of previously serving on Licensing Sub Committees the proposal was merely strengthening what had been normal practice of Councillors finding their own substitutes.
- B14 Following comments it was agreed to defer this amendment.
- C2.8 Following comments from Councillor Robert Alden, it was suggested this be deferred to look at wording and seek clarity of what information is and isn't available. Concern was also raised over the restriction of legally privileged information to Audit and Overview and Scrutiny Committees.

At 1518 hours Councillor Shabana Hussain left the meeting.

- D1 Councillor Robert Alden indicated that it was not clear from the briefing note what had changed and it was agreed that the changes be circulated and in the event that Councillor Alden still had concerns the amendment be deferred.
- E4.2 Clarity was required as to who was taking the decision in (ii) and in (iv) a suitable timeframe of 10 days for the publishing of the decision should be inserted into the wording.

3024

RESOLVED:-

That subject to the issues raised in the foregoing preamble the proposed amendments set out in appendix 1 be agreed and presented for approval at Full Council on 3rd November 2020.

PETITIONS UPDATE

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

(See document No 2)

3025

RESOLVED:-

That the report be noted.

CITY COUNCIL AND CBM FORWARD PLAN

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

(See document No 3)

Councillor Gareth Moore referring to the Oral question re the Smithfield site was shown as resolved he had not been informed.

3026

RESOLVED:-

That the City Council and CBM Forward Plan be noted.

COUNCIL AS TRUSTEE AGENDA

The following draft agenda was submitted:-

(See document No 4)

During the ensuing discussion it was noted that for Calthorpe Park Councillors in Edgbaston Ward had not been consulted and it was requested that consultation take place with them. Also, there was reference in the motions to Connected Person and clarity of what/who that meant was required. Officers undertook to get the relevant officer to respond direct to members.

It was agreed for the meeting to be allocated 30 minutes and be held after the Full Council meeting.

3027

RESOLVED:-

That the draft agenda be noted and it be noted that the meeting of Council as Trustee would follow the Council meeting scheduled for 30 minutes.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 5)

Rob Connolly, Assistant Director Governance, requested that the break be extended to 15 minutes.

Councillor Brigid Jones highlighted the need for the times for the meeting of Full Council to be adhered to so that the meeting finished at the time indicated so that members who were parents could plan their childcare arrangements. The extension of the time of the last meeting had caused difficulties for some. Councillor Robert Alden noted that the last meeting had been extended due to the number of amendments put forward on the day.

3028

RESOLVED:-

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

APPOINTMENTS

The Chair queried whether the proposed appointment to West Midlands Police and Crime Panel were correct.

(NB Whilst officers at the meeting did not have the relevant information to hand it was subsequently confirmed that the proposed appointments were correct and therefore they are set out below for ease of reference.)

3029

RESOLVED:-

That Councillor John Lines (Con) and Councillor David Barrie (Con) as substitute be appointed 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.

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.

Member Training

3030

Rob Connelly, Assistant Director Governance, requested Members of the Committee to encourage members of their respective groups to participate in the training on how to vote at Council meetings. In response to a query from Councillor Martin Straker Welds he confirmed that groups would be asked to indicate who wished to speak at the meeting in advance as before.

AUTHORITY TO CHAIR AND OFFICERS

3031

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 1538 hours.

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CHAIR