

Community Governance Review Statement of Recommendations



September 2015

Statement of Recommendations of the review issued under sections 93 & 96 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act"). Issued 17 September 2015

Background to this Statement of Recommendations

This document sets out the recommendations made by Birmingham City Council on the Community Governance Review carried out in the Sutton Coldfield District. Alongside the review of Sutton Coldfield, Birmingham City Council also conducted a review of the wider local governance arrangements across the city.

On 16 September 2014, Birmingham City Council agreed to conduct a Community Governance Review in Sutton Coldfield District under the provisions of the Local Government and Public Involvement in Health Act 2007.

The terms of reference for the Review were approved at the meeting of Birmingham City Council on 16 September 2014 and the Review therefore started on that date. The consultation arrangements agreed by the City Council included a postal consultative ballot for all residents on the Electoral Register in Sutton Coldfield, which was held between 25 June and 16 July 2015.

The result of the votes cast in the consultative ballot, undertaken by Electoral Reform Services, in response to the question **'Should a town council be established for the parliamentary constituency of Sutton Coldfield within the city of Birmingham?'** is shown in the table below.

Result of consultative ballot on a town council for Sutton Coldfield

Number of eligible voters	75,431
Total number of votes cast	29,908
Turnout	39.6%
Total number of valid votes counted	29,851
Number of votes found to be invalid	57
Number voting 'yes'	20,871 (69.9% of the valid vote)
Number voting 'no'	8,980 (30.1% of the valid vote)

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In addition, a number of other consultation exercises were carried out which are summarised in '**Community Governance in Birmingham: The Next Decade Final Report**' published on the Council's website on 22 May 2015 (see 'Background papers' section below).

In accordance with section 93(5) and (6) of the 2007 Act, Birmingham City Council has taken into account the arrangements that have already been made, or could be made, for the purposes of community representation or community engagement in respect of the area under review and has taken into account the responses to the consultation and the postal consultative ballot.

The consultation showed clear support for the creation of a town council for Sutton Coldfield. The City Council only has the legislative powers to create a 'parish council'; it cannot confer the title of 'town council' as, under legislation, that is a matter to be resolved by the new parish council once it is formed.

At the 15 September 2015 City Council meeting, Council agreed the following recommendations of the Community Governance Review and is now publishing them in accordance with sections 93(7) and 96(2) of the 2007 Act.

Recommendations

Recommendation under section 87(1)

A Community Governance Review must make recommendations as to what new parish or parishes (if any) should be constituted in the area under review.

Birmingham City Council agreed the recommendation of the Community Governance Review, namely that a new parish should be constituted for the area designated within the existing Sutton Coldfield Constituency boundaries. A map of the new parish is included in Appendix 1 of the report to City Council '**Taking forward the proposal for a Sutton Coldfield Parish Council**', 15 September 2015 (see 'Background papers' section below).

Recommendation under section 87(5)

The Review must also make recommendations as to the name of the new parish.

Birmingham City Council agreed the recommendation of the Community Governance Review that the name of the new parish shall be 'Sutton Coldfield Parish'.

Recommendation under section 87(6)

The Review must also make recommendations as to whether or not the new parish should have a parish council.

Sutton Coldfield has more than 1,000 residents on the Electoral Register eligible to vote in local elections (local government electors). As required by section 94(2) of the 2007 Act, Birmingham City Council agreed the recommendation of the review that the new parish should have a parish council.

Recommendation under Section 87(7)

The Review must also make recommendations as to whether or not the new parish should have one of the alternative styles.

It is not open to the City Council to create or designate an area as a 'town council'. However it can designate a new parish council with an 'alternative style' namely:

- village
- community
- neighbourhood

Notwithstanding these alternative styles, Birmingham City Council agreed the recommendation of the Review that the name of the new parish council shall be 'Sutton Coldfield Parish Council' and therefore not to use one of the alternative styles noted above.

Recommendation under Section 89(2)

The Review must also make recommendations as to what electoral arrangements should apply to the Council.

The electoral arrangements for the proposed parish council were considered alongside the electoral review of Birmingham City Council which is currently being carried out by the Local Government Boundary Commission for England. While it is understood that the Boundary Commission cannot change the boundaries to the parish council, i.e. the Sutton Coldfield parliamentary constituency boundary, it could make consequential orders on the warding arrangements and allocation of councillors to the proposed parish council.

The electoral arrangements recommended by the Community Governance Review and agreed by City Council for the Sutton Coldfield Parish Council are therefore interim arrangements and subject to possible change from 2018 following the outcome of the Boundary Commission review.

Section 95 of the 2007 Act requires the City Council to consider whether the number, or distribution, of local government electors would make a single election of councillors impracticable or inconvenient and whether it is desirable that any area of the parish should be separately represented on the parish council.

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The Review concluded that the number of local government electors for the parish would make a single election of councillors impracticable or inconvenient and that it is desirable that areas of the parish should be separately represented on the parish council – and therefore recommended that the parish of Sutton Coldfield is divided into wards.

Having decided that the parish should be divided into wards, and having due regard to the factors and questions in Section 95 of the 2007 Act, the City Council has agreed the recommendations of the review in terms of the interim electoral arrangements for Sutton Coldfield Parish Council as outlined below.

Furthermore, in coming to this decision, the City Council was aware that these would only be interim arrangements pending the outcome of the wider local government boundary review. The recommendations of the Review are:

- a. that the new Sutton Coldfield Parish Council should have 24 councillors;
- b. that the parished area of Sutton Coldfield is divided into four voting wards coterminous with (the same as) the existing City Council Sutton Coldfield ward boundaries. The wards in the parish will bear the same names as the City Council wards (a map of the new parish is included in Appendix 1 of the report to city council 'Taking forward the proposal for a Sutton Coldfield Parish Council', 15 September 2015 – see 'Background papers' section below);
- c. that there are six parish councillors in each of the four wards in the proposed parish council; and
- d. that the first parish elections will take place in 2016, with further elections to take place in 2018 and every four years thereafter to reflect the new Birmingham City Council electoral arrangements arising from the Boundary Commission review.

The number of parish councillors is consistent with the number of councillors for parish councils serving more than 20,000 people.

Other recommendations made as a result of the reorganisation order

In addition to those set out above, at the 15 September 2015 meeting of Birmingham City Council the recommendations below were also agreed:

- that subject to consultation, the precept for the 2016-17 financial year for Sutton Coldfield Parish Council should be £50 for a Band D property;
- that a steering group is established comprising Sutton Coldfield ward councillors, a representative of the Community Governance Review Group and local community representatives to act as a consultative body and take forward the planning and implementation of the Sutton Coldfield Parish Council;
- that an interim council is established from 1 March 2016 until councillors are elected to the new parish of Sutton Coldfield. The interim parish council will have the same membership as the steering group as set out above;
- that the transfer of any land, property, rights and liabilities will be subject to further agreements between the Sutton Coldfield Parish Council and Birmingham City Council;
- that the reorganisation order to formally establish the parish council is delegated to Council Business Management Committee for approval; and
- that the Chief Executive, Director of Localisation and Director of Legal and Democratic Services take the necessary steps to implement the recommendations of the Review.

Background papers

'Taking forward the proposal for a Sutton Coldfield Parish Council', report to Birmingham City Council, 15 September 2015
www.birmingham.gov.uk/community-governance-review

'Community Governance Review: Terms of Reference'
www.birmingham.gov.uk/community-governance-review

Sutton Coldfield Town Council Consultative Ballot and Frequently Asked Questions
www.birmingham.gov.uk/sutton-coldfield-ballot

Community Governance in Birmingham: The Next Decade Final Report, 22 May 2015
www.birmingham.gov.uk/community-governance-review

