

Birmingham City Council
Community Governance Review -
Terms of Reference

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

Introduction

Birmingham City Council is carrying out a Community Governance Review in the Sutton Coldfield District under the provisions of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”). Alongside this it is also conducting a review of the wider local governance arrangements across the city,

The Council is required to have regard for the Guidance on Community Governance Reviews; this is to ensure that the review reflects the identities and interests of the community in that area and is effective and convenient. This guidance has been considered in drawing up these terms of reference.

What is a Community Governance Review?

Community Governance Reviews (CGR) provide the opportunity for Councils to review and make changes to community governance within their areas. The review considers one or more of the following:

- Creating, merging, altering or abolishing of town or parish councils;
- The naming of and the style of new town or parish councils;
- The electoral arrangements for town or parish councils (the ordinary year of election; council size; the number of councillors to be elected to the council and warding);
- Grouping or de-grouping town or parish councils.

In this case, the review is the process used to consider whether a town council for Sutton Coldfield should be created. When carrying out the Community Governance review, the options of the continued delivery of services locally must be taken into account in determining what arrangements to recommend.

The recommendations made in a community governance review have two main objectives:

- To improve community engagement and better local democracy;
- More effective and convenient delivery of local services.

Why is Birmingham City Council undertaking a review in Sutton Coldfield?

Birmingham City Council has received a valid petition from local residents requesting a new Sutton Coldfield Town Council under the 2007 Act , as detailed below:

‘We the undersigned electors of the current Sutton Coldfield Constituency call upon Birmingham City Council to make the necessary provisions for establishing a Sutton Coldfield Town Council for the area designated by the existing Sutton Coldfield Constituency boundaries.’

The petition was submitted on 8th October 2013, to a full meeting of Birmingham City Council. The petition was signed by the required number of local government electors for the area, as required by Section 80(3) of the Local Government and Public Involvement Health Act 2007.

The review is being conducted in conjunction with a wider assessment of governance arrangements across the whole of the city.

Who will be consulted in the review?

Birmingham City Council is responsible for conducting the review.

The Council will also consult with all local government electors for the Sutton Coldfield area under review and any other person or business who appears to have an interest in the review.

Information relating to the Community Governance Review will be available on the Council’s website; information will also be made available at Ward Committees, District Committee, to community groups and to district groups.

Birmingham City Council will publish all decisions taken in the review and the reasons for making those decisions in order to ensure that persons who may be interested in the Community Governance review are informed of the recommendations and the reasons behind them. In order to keep the consultation period as transparent and informative as possible all comments made will be published on the website.

There will then be a further period of time for people to comment on the draft proposals before the final proposals are agreed.

Which area is being reviewed?

The area being reviewed is the area on which the petition was based. This is the district and Parliamentary constituency of Sutton Coldfield. It is likely that proposing

any parish arrangements the council would look to ensure that the boundaries were the same as the ward boundaries.

A map of the proposed area is attached to the back of this document.

Electoral Arrangements

An important part of the review will give consideration to Electoral Arrangements. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the town council;
- The division (or not) of the town into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward; and
- The name of any such ward.

Will there be any additional costs to residents?

It is recognised that there are costs associated with both the setting up and the ongoing operation of a parish or town council. The set up costs will be estimated in full as part of the review. It will be the responsibility of the parish or town council itself to determine the level and nature of the ongoing costs which will be linked to its activities, and the level of support needed to deliver these, but an indication of the sorts of costs involved will be included in the consultation.

How will the wider implications for Birmingham's community governance be addressed?

Because of the scale of the proposal for a Sutton Coldfield Town Council it inevitably has wider implications for the established structures of local governance within the city and in particular the district committees and the localised services for which they are responsible. The functions that can be devolved to a town council may not be the same as those that can be given to district committees of city councillors.

Therefore it has been decided that, in order to maintain the necessary level of consistency and equity on governance arrangements across the city, the opportunity of the Sutton Coldfield review should be taken to conduct a wider review of these local governance arrangements, with a view to making proposals that will address the needs and wishes of the whole city of Birmingham.

The 2007 Act requires that:

“In deciding what recommendations to make, the principal council must take into account any other arrangements (apart from those relating to parishes and their institutions)—

- (a) that have already been made, or
- (b) that could be made,

for the purposes of community representation or community engagement in respect of the area under review.”

This wider investigation will be conducted at the same time as the review of the Sutton Coldfield proposals and the review as a whole will be overseen by a single cross-party Working Group.

The objectives of the review as a whole are as follows:

- To fulfil the Council’s obligations to undertake a community governance review in Sutton Coldfield following the receipt of a validated petition. The current guidelines state that we must complete this review within 12 months of publishing this Terms of Reference.
- To consider the impacts of a Sutton Coldfield Town Council on the existing devolved arrangements introduced in Birmingham through devolution and localisation in 2004
- To consider and develop options for a common template for devolved governance building on the principles of third tier local government, taking into account models such as the arrondissements system in Lyon. As part of this, to consider the potential and demand for community or urban parish councils at neighbourhood level
- In preparing the recommendations of the Review, to take into account the emerging innovation and best practice in the field around other mechanisms for community engagement and empowerment already in place across the city
- To consider the implications of different governance options for the City Council’s objectives in relation to a democratic and fair city, including social cohesion and inclusion.
- To consider the implications of budget reductions on service delivery at a local level
- To take into account any other issues that would have an impact on the further development of governance arrangements across the city

Map of Area

Appendix A

