



Subject: **Balsall Heath Community Governance Review**

Report of: Robert James, Strategic Director of City Operations and
Satinder Sahota, Acting City Solicitor and Monitoring Officer

Relevant Cabinet Member: The Leader of the Council

Relevant O & S Chair(s): Cllr Mohammed Idrees, Chair of Homes and Neighbourhoods
O&S Committee

Report author: Tony Smith, tony.smith@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Balsall Heath West, Sparkbrook and Balsall Heath East		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 This report presents the provisional conclusions of the Community Governance Review on the proposed creation of a new neighbourhood council in the Balsall Heath area of the city and makes consequent recommendations in line with the council's agreed process on the creation of parish councils. The review was carried out following the decision of Cabinet in November 2021 and followed the terms of reference reported to that meeting.

- 1.2 The report of the Review is attached at Appendix 1. It provides a summary of the proposal including the boundary, warding and electoral arrangements; details of the consultation carried out; an assessment of how the proposal would enhance community cohesion and identity in the area and provide for efficient and effective governance and a summary of the feedback from the consultation.
- 1.3 Officers have concluded that the evidence gathered in the review and the feedback from consultation are enough to justify moving to the next stage of consultation and holding a consultative ballot of all electors in the area.

2 Recommendations

- 2.1 Cabinet is recommended to:
 - Accept the recommendation of the CGR report that the process should move to the next stage (further engagement with the community and a consultative ballot)
 - Approve the holding of a consultative ballot of all electors in the area covered by the proposed neighbourhood council, in accordance with the policy approved by Cabinet in May 2021.
 - Receive a further report following the ballot so that the result can be considered, and recommendations made to a meeting of the City Council if appropriate.

3 Background

- 3.1 The City Council published a white paper, Working Together in Birmingham's Neighbourhoods in 2019 which included a commitment to work with local community groups who were interested in creating new parish (neighbourhood) councils in their area.
- 3.2 Since then a small number of places have expressed an interest and these are being taken forward at different speeds. A group of interested citizens in Balsall Heath have started a campaign for such a council in the area covered by the Balsall Heath Neighbourhood Plan.
- 3.3 Cabinet approved a policy statement on the process for creating new parish (neighbourhood) councils within the city in May 2021. In accordance with this policy, and relevant legislation and statutory guidance, Cabinet decided to conduct a Community Governance Review (CGR) in November 2021. The CGR was formally initiated in January 2022 and, in accordance with the above policy statement, the main phase of the review was completed by the end of June (i.e. within the six months specified in the policy).
- 3.4 The CGR has been conducted in accordance with statutory guidance and the terms of reference set out in the November 2021 Cabinet report. The policy statement now requires a report to Cabinet with recommendations about the next steps and that is the purpose of this report.
- 3.5 Statutory guidance requires that a CGR considers two main issues when assessing proposals for changes in local governance: a) does the proposal reflect the identities and interests of communities in the area and b) would the proposal provide effective and

convenient governance of the area. The first of these includes issues such as community cohesion, equalities and identities. The second includes factors such as size, population and the management of elections.

- 3.6 The next stage in the process set out in the council's policy for creating new parish councils would be further engagement with the community and information provision followed by a consultative ballot of all electors in the area to make a final decision on whether they wish to have a new council.
- 3.7 The proponents of a new council have decided that it would be called a neighbourhood council, so the rest of this report uses that title.

4 Options considered and Recommended Proposal

- 4.1 The report of the CGR is attached and sets out the considerations made, and conclusions reached. According to the agreed process, there were two options available: to accept the case in principle for the creation of a neighbourhood council and therefore to recommend to Cabinet that the process moves to the next stage or to reject the case and set out the reasons why the proposal is not considered advantageous.
- 4.2 As the report sets out, officers in the review team have concluded that the proposed neighbourhood council is likely to have a positive impact in terms of community cohesion and identities and that the size, population and proposed electoral arrangements will be conducive to effective and convenient governance. The recommendation is therefore the first option.

5 Consultation

- 5.1 The CGR report sets out in detail the consultation undertaken as part of the review and the feedback received. A variety of methods were used to consult residents and other stakeholders:
 - A questionnaire survey on Be Heard (the City Council's on-line survey tool)
 - Discussions with groups in the neighbourhood, using the Be Heard questions as prompts
 - Responses by email or post (key stakeholders were sent emails inviting their comments)
 - Phone calls to the Neighbourhood Development Support Unit
- 5.2 Awareness of the issue was raised using a variety of materials such as leaflets put through letter boxes and given to school students to take home, posters and pull-up banners, social media posts, ward forum meetings and press articles.
- 5.3 Responses to the consultation were nearly all from residents and groups in the area itself. A significant majority of people and groups who responded were in favour of the proposal. Respondents also suggested a range of activities that a new neighbourhood council could usefully carry out. There were also some concerns about the process for making the decision and about the cost of a new council and these will have to be taken

into account when providing further information to residents ahead of a consultative ballot.

- 5.4 The councillors for the two wards which contain the proposed council area have been consulted as key stakeholders. They have also received regular email updates and attended a series of briefing meetings with the officer team. The steering group also invited local councillors to all its meetings.

6 Risk Management

- 6.1 The CGR process has included an assessment of risks involved in creating a new neighbourhood council, as required by statutory guidance. These are mainly concerned with a) community cohesion and the likely inclusivity of the council and b) practical issues around boundaries and elections as well as the viability of the proposed council and its likely ability to fulfil the objectives set and to improve governance in the area.
- 6.2 There are limited risks to the City Council in terms of the future operation of any neighbourhood council and the potential impact on service delivery and community cohesion in the area and the report sets out how these would be addressed as well as the potential opportunities of a new council in this regard. Risks in terms of the operation of the election system have been minimised through consideration of boundaries and the warding of the area during the review process.
- 6.3 Financial risks for any future neighbourhood council would be addressed through the regulatory regime in place for parish councils and do not fall on the principal council (i.e. the City Council).

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The recommendations and the process adopted are in line with the Working Together in Birmingham's Neighbourhoods white paper and the Policy Statement on parish councils adopted by Cabinet in May 2021 (see background documents below). The objectives of supporting stronger communities and neighbourhood level democracy are also reflected in the council's Corporate Plan.

7.2 Legal Implications

- 7.2.1 The CGR process has been conducted in accordance with all relevant legislation and statutory guidance (see background documents below).

7.3 Financial Implications

- 7.3.1 The only financial implications of this report are the cost of commissioning an external agency to conduct a consultative ballot and minor costs of further information provision to the community. These can be met within existing budgets. Parish councils can raise a Council Tax precept and are therefore not reliant on the City Council for their income, so there are no direct financial implications of the creation of a new neighbourhood council.

7.4 Procurement Implications (if required)

7.4.1 None.

7.5 Human Resources Implications (if required)

7.5.1 None.

7.6 Public Sector Equality Duty

7.6.1 Equalities and community cohesion are an important aspect of the CGR process and have been a priority in carrying out the review. The proposed new council must be likely to provide for community cohesion and respect identities in the area. A full equality impact assessment will be completed at the conclusion of the process (i.e. following the carrying out of the consultative ballot).

8 Background Documents

- [Balsall Heath Community Governance Review Terms of Reference \(January 2022\)](#)
- [Community Governance Review: Balsall Heath \(Cabinet Report\) \(December 2021\)](#)
- [Statement of the Process for Creating New Parish Councils in Birmingham \(May 2021\)](#)
- [Working Together in Birmingham's Neighbourhoods \(White Paper\) \(January 2019\)](#)
- Report of the Community Governance Review on the proposed Balsall Heath Neighbourhood Council (attached at Appendix 1).