

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE

MONDAY, 04 JANUARY 2016 AT 15:00 HOURS
IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING

Chairman to advise meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APPOINTMENT TO THE COMMITTEE

To note a resolution of the City Council appointing Councillor John Clancy to the Committee for the remainder of the Municipal Year 2015/2016 in place of Councillor Sir Albert Bore.

3 APOLOGIES

To receive any apologies.

4 MINUTES

To confirm and sign the minutes of the last meeting.

5 CITY COUNCIL APPOINTMENTS

To recommend to City Council that the following appointments be made for the remainder of the Municipal Year 2015/2016:-

Employee Consultative Forum (Education)

Councillor Debbie Clancy (Con) in place of Councillor Gary Sambrook (Con).

Standards Committee

New Frankley in Birmingham Parish Councillor Ian Bruckshaw in place of Gareth Griffiths

3 - 8

6 **APPOINTMENTS TO SUB COMMITTEES AND OTHER BODIES**

To make appointments as necessary.

9 - 10

7 **COUNCIL AGENDA FOR THE NEXT MEETING**

To consider the Council agenda for the next meeting.
For information the order of Notices of Motion at this meeting will be Liberal Democrat, Labour and Conservative

11 - 56

8 **COMMUNITY GOVERNANCE REVIEW – DRAFT REORGANISATION ORDER**

Report of the Service Director Localisation

57 - 58

9 **PETITIONS UPDATE**

Report of the Director of Legal and Democratic Services

10 **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.

11 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

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

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 17 NOVEMBER 2015

MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE HELD ON TUESDAY 17 NOVEMBER 2015 AT 1200 HOURS, IN COMMITTEE ROOM 2, THE COUNCIL HOUSE, BIRMINGHAM

PRESENT:

Councillor Sir Albert Bore in the Chair;

Councillors Randal Brew (as a substitute for Councillor Robert Alden),
Mohammed Idrees, Anne Underwood, Ian Ward and Mike Ward.

NOTICE OF RECORDING

- 2434 The Chair advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items

APOLOGIES

- 2435 Apologies were submitted on behalf of Councillors Robert Alden, Hendrina Quinnen and Sharon Thompson.

MINUTES

- 2436 Councillor Mohammed Idrees advised that he was present at the last meeting.
- With that amendment, the Minutes of the last meeting held on 20 October 2015 were confirmed and signed by the Chair.

COUNCIL AGENDA FOR THE NEXT MEETING

The following draft agenda was submitted:-

(See document No 1)

In the absence of Overview and Scrutiny reports for consideration at the next Council meeting, the Chair advised that, following discussions with appropriate officers, he proposed to bring forward three Executive reports as detailed on the draft agenda.

Page 3 of 58

It was suggested that, in order to allow more time for debate, there should be only one person to move all three reports. The Chair undertook to consider the matter and provide details of the 'Mover(s)' for the Executive reports.

In response to a suggestion by Councillor Brew, the Chair considered that it was inappropriate to include a scrutiny driven item on the Council agenda.

It was agreed that an additional item be included on the agenda regarding the Leader of the Council and that 10 minutes be allocated thereto. The Chair undertook to liaise with the Director of Legal and Democratic Services regarding appropriate wording for the agenda.

It was-

2437

RESOLVED:-

That, subject to the comments made in the foregoing preamble and any further amendments agreed by the Chair, the draft agenda be noted.

REVIEW OF SACRE – INTERIM CONSTITUTION AND GOVERNANCE ARRANGEMENTS

The following report of the Director of Legal and Democratic Services was submitted:-

(See document No 2)

A discussion ensued and it was agreed that the British Humanist Association be invited to nominate someone to serve on SACRE as a Group A representative and not simply as a co-optee.

It was agreed that, in consultation with the Chair, advice be sought regarding inviting other non-faith organisations to serve on SACRE.

In response to a question by Councillor Mike Ward, Ian Burgess, Head of Law (Education), explained the reasons for the proposed changes to the process regarding the appointment of members to SACRE, including councillors. A consultation would be carried out prior to a new constitution and governance process being introduced. The Director of Legal and Democratic Services advised that a further report would be submitted to the Committee in due course.

Ian Burgess advised that councillors would be consulted on the proposals and the process could be extended to include, for example, schools and union representatives and any other bodies with an interest in SACRE.

In referring to the SACRE interim recruitment process set out in the report now submitted, it was noted that other organisations did not have such a rigorous procedure in place.

In response to a question by Councillor Anne Underwood, Ian Burgess explained that there was a legal requirement for local authorities to have in place a SACRE.

The Chair pointed out that the new process would be similar to that adopted for the appointment of school governors.

Ian Burgess drew Members' attention to paragraph 1.2 of the report and pointed out that both the Peter Clarke and Ian Kershaw reports had identified issues of importance relating to the role of SACRE.

Councillor Anne Underwood suggested that the interim recruitment process for appointment to SACRE should be brought to the attention of all councillors.

2438

RESOLVED:-

- (i) That approval be given to the interim Constitution and governance arrangements attached as Appendices to this report, to be introduced from December 2015, alongside a full review and consultation process to be undertaken by the Assistant Director - Education and Skills.
- (ii) that the Assistant Director – Education and Skills be authorised to recommend, following a full review and consultation, a new Constitution and governance process which takes account of the recommendations from the Peter Clarke and Ian Kershaw reviews, and is robust and contributes to effective and improved governance of SACRE.
- (iii) that it be noted that a new process based on the recommendations from the Assistant Director – Education and Skills will be presented to this committee for approval in or before April 2016.
- (iv) that it be noted that the report from the Assistant Director – Education and Skills will make recommendations on how, and who should make decisions on appointments to SACRE in the future;
- (v) that it be recommended that consideration be given to inviting the British Humanist Association to nominate someone to serve on SACRE as a Group A representative and not simply as a co-optee;
- (vi) that, in consultation with the Chair, advice be sought regarding inviting other non-faith organisations to serve on SACRE.

THE LORD MAYORALTY FORMULA

The following report of the Director of Legal and Democratic Services was submitted:-

(See document No 3)

2439

RESOLVED:-

That it be noted that, in accordance with the formula set out in the Appendix to the report, the Labour Group is entitled to put forward one of its members to be the Lord Mayor for 2016/17.

OTHER URGENT BUSINESS

The Chair was of the opinion that the following item should be considered as matter of urgency in view of the need to expedite consideration thereof and to instruct officers if necessary:-

A. Community Governance Review – Draft Reorganisation Order

The following report of the Service Director Localisation was submitted:-

(See document No 4)

Ifor Jones, Service Director Localisation, introduced the report.

Councillor Anne Underwood gave a brief outline of the issues that had been identified at a meeting of the Sutton Coldfield Parish Council Steering Group held yesterday, 16 November 2015.

Ifor Jones sought legal advice regarding the use of cameras and recording equipment at meetings of the steering group. David Tatlow, Director of Legal and Democratic Services, undertook to circulate information to appropriate officers and Members.

In response to a question by Councillor Mike Ward, the Chair advised that interim arrangements were already in place regarding the boundary review and the impact it might have on Sutton Coldfield Wards with the implementation of a Parish Council. Councillor Anne Underwood added that the Boundary Commission was responsible for determining the boundaries of the Parish Council.

2440

RESOLVED:-

- (i) That, under the delegations made by City Council in September 2015, approval be given to the terms of the draft Reorganisation Order in relation to the community governance review;
- (ii) that the Service Director Localisation be authorised to consult with relevant local bodies on the terms of the Reorganisation Order;
- (iii) that a final draft of the Order be submitted to this Committee at its meeting scheduled to take place on 15 December 2015.

B. Political Governance Working Group

The Chair expressed concern that the current size of the Political Governance Working Group comprising 12 Members was too large.

He suggested and the Committee agreed that the number of Members serving on the Political Governance Working Group be reduced from 12 to 9. Therefore, proportionality would be 6 Labour: 2 Conservative: 1 Liberal Democrat.

Councillor Anne Underwood suggested and it was agreed that Councillor Randal Brew be permitted to serve on the Working Group as a substitute Member for Councillor Robert Alden.

The Chair undertook to provide details of Labour Members to serve on the Working Group.

2441

RESOLVED:-

- (i) That the Political Governance Working Group be reduced from 12 to 9 Members comprising 6 Labour: 2 Conservative: 1 Liberal Democrat;
- (ii) that the Chair provide details of Labour Members to serve on the Working Group; further that Councillors Anne Underwood and Robert Alden with Councillor Randal Brew as a substitute Member for Councillor Robert Alden and Councillor Jon Hunt be appointed to serve on the Working Group.

AUTHORITY TO CHAIR AND OFFICERS

2442

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 1258 hours.

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CHAIR

Reminder: Members must declare all relevant pecuniary and/or non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

CITY COUNCIL

**Tuesday, 12 January 2016 at 1400
hours in The Council Chamber,
Council House, Birmingham**

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.birminghamnewsroom.com) and that members of the press/public may record and take photographs.

The whole of the meeting will be filmed except where there are confidential or exempt items.

Attached

2 MINUTES

To confirm and authorise the signing of the Minutes of the Meeting of the Council held on 1 December 2015.

(1400-1410)

3 LORD MAYOR'S ANNOUNCEMENTS

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

(1410-1425)

4 PETITIONS (15 minutes)

To receive and deal with petitions in accordance with Standing Order 8.

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.

(1425-1555)

5 QUESTION TIME (90 minutes)

To deal with oral questions in accordance with Standing Order 9(B)

A. Questions from Members of the Public to any Cabinet member or District Committee Chairman (20 minutes)

B. Questions from any Councillor to a Committee Chairman or Lead Member of a Joint Board (20 minutes)

C. Questions from Councillors other than Cabinet members to a Cabinet member (25 minutes)

D. Questions from Councillors other than Cabinet members to the Leader or Deputy Leader (25 minutes)

6 APPOINTMENTS BY THE COUNCIL (5 minutes)

(1555-1600) To make appointments to, or removals from, committees, outside bodies or other offices which fall to be determined by the Council.

7 EXEMPTION FROM STANDING ORDERS

Councillor to move an exemption from Standing Orders.

**Attached 8 REPORT OF THE EXECUTIVE
(15 Minutes)**

(1600-1615) **Localisation of Council Tax Support**

Councillor to move the following Motion:

“ ”

(1615-1630 break)

**Attached 9 REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEES
(60 minutes)**

(1630-1730) **Missing Children**

To consider a report of the Education & Vulnerable Children Overview and Scrutiny Committee together with a commentary from the Executive.

Councillor Susan Barnett to move the following Motion:

“That the report and its recommendations summarised above be accepted, and that the Executive be requested to pursue their implementation.”

**Attached 10 MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS
(90 minutes)**

(1730-1900) To consider the attached Motions of which notice has been given in accordance with Standing Order 4(A).

Report to:	Council Business Management Committee
Report of:	Service Director Localisation
Date of Decision:	4 January 2016
SUBJECT:	UPDATE ON COMMUNITY GOVERNANCE REVIEW - REORGANISATION ORDER

1. Purpose of report:

- 1.1 To update Council Business Management Committee (CBM) on action taken by the Service Director of Localisation in consultation with the Chair of CBM with regard to the agreement of the Reorganisation Order.

2. Recommendations :

- 2.1. To note the agreement of the Reorganisation Order undertaken by the Service Director Localisation in consultation with the Chair of CBM on 22 December 2015 at addendum 1 to enable business critical work to commence immediately on the implementation of the Parish Council.
- 2.2 To note the outcome of the consultation undertaken following the agreement of CBM of the Draft reorganisation on 17 November 2015 contained within appendix 3 of the above report which evidences support for the key components of the Reorganisation Order.

Lead Contact Officer(s):	Ifor Jones, Service Director, Localisation
Telephone No:	0121 303 4595
E-mail address:	ifor_jones@birmingham.gov.uk

3. Relevant background/chronology of key events.

- 3.1 Following the submission of a validated petition from the residents of Sutton Coldfield for a Town Council, in December 2013 Council Business Management Committee approved the creation of a Cross Party Working Group to determine the terms of reference for a Community Governance Review.
- 3.2 The Terms of Reference for the Community Governance Review were approved by Full Council in September 2014, when the remit for the Review was expanded to examine the Council's wider devolution structure. Council also approved that the Cross Party Governance Working Group (subsequently called the Community Governance Review Group) would agree the work programme for the Community Governance Review and submit final recommendations of the Review to Full Council.
- 3.3 On 26 May 2015 Council Business Management Committee gave authority to conduct a consultative postal ballot within the Sutton Coldfield parliamentary constituency and approved the ballot question and FAQs.
- 3.4 The result of votes cast in the consultative ballot, undertaken by Electoral Reform Services, between 25 June – 16 July 2015 in response to the question "Should a Town Council be established for the Parliamentary constituency of Sutton Coldfield within the City of Birmingham?" are as follows:-

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)

- 3.5 At the Community Governance Review Group on 17 July 2015 to consider the result of the consultative ballot, Members unanimously agreed to recommend the creation of a town council in Sutton Coldfield to Full Council in September 2015. However, the City Council cannot confer the title of 'town council', as, under legislation that is a matter to be resolved by the new parish council once formed. The recommendation to City Council therefore was to create a parish council for Sutton Coldfield.
- 3.6 The recommendations of the Community Governance Review Group were approved by Full Council in September 2015 and in accordance with section 93(7) and 96(2) of the 2007 Act, a statement of the recommendations made was published. In summary, the following recommendations were approved by Council:
- That a new parish should be constituted for the area designated within the existing Sutton Coldfield Constituency boundary. A map of the proposed parish is in Appendix 2 and will form part of the Reorganisation Order.
 - That the name of the new parish shall be Sutton Coldfield Parish.
 - That the new parish should have a parish council (once established the parish

council can elect to use the title of 'town council').

- 3.7 In addition, Council agreed the Recommendations of the Community Governance Review Group in relation to the date on which the Parish Council will come into effect, the electoral arrangements, and the date of first elections to the Parish Council and the precept for the 2016/17 financial year. Council also agreed the Recommendation of the Community Governance Review Group for an Interim Parish Council (with all the powers of a statutory parish council) to be created on 1 March 2016 until councillors are elected to the new parish of Sutton Coldfield. Council also agreed that under Section 99 of the 2007 Act, the transfer of any assets, liabilities or services from Birmingham City Council to the Parish Council would be by separate agreement.
- 3.8 The Council has the power to give effect to its decisions through a Reorganisation Order under Section 86 of the 2007 Act. The order-making powers are widely drawn and allow, amongst other things, power to include such incidental, consequential, transitional or supplementary provision as may appear to the Council to be necessary or proper for the purposes of, or in consequence of, or for giving full effect to, the Order.
- 3.9 On 17 November 2015, under the delegations made by Full Council in September 2015, Council Business Management Committee approved the draft terms of a Reorganisation Order, setting out the proposed electoral arrangements, the date of first elections to the Parish Council and the precept for the 2016/17 financial year. In addition, the draft Order set out the arrangements for an Interim Parish Council (with all the powers of a statutory parish council) which will be created on 1 March 2016 until councillors are elected to the new parish of Sutton Coldfield and for the transfer of any assets, services or liabilities to be made by separate agreement.
- 3.10 The Director of Localisation was authorised to take the necessary steps to consult with relevant local bodies on the draft Reorganisation Order and to bring a final Order for approval at the 15 December 2015 Council Business Management Committee Meeting.

Signatures of approval to submit the report to Committee:

Signed:

Title:

Dated:

List of Background Documents used to compile this Report:

'Taking forward the proposal for a Sutton Coldfield Parish Council', report of the Community Governance Review Group to Birmingham City Council, 15 September 2015
'Community Governance Review Statement of Recommendations'
Sutton Coldfield Town Council Consultative Ballot and Frequently Asked Questions'
'Political Governance Member Review Group ' Report to CBM 20 October 2015
'Sutton Coldfield Parish Council Steering Group' Report to CBM Committee 20 October 2015
'Community Governance Review – Draft Reorganisation Order' Report to Council Business Management Committee 17 November 2015

List of Appendices accompanying this Report

Appendix 1 - Action taken by the Service Director for Localisation in consultation with the chair of Council Business Management: Agreement of the Community Governance –Reorganisation Order.

BIRMINGHAM CITY COUNCIL

ACTION TAKEN BY THE SERVICE DIRECTOR FOR LOCALISATION IN CONSULTATION WITH THE CHAIR OF COUNCIL BUSINESS MANAGEMENT COMMITTEE

AGREEMENT OF THE COMMUNITY GOVERNANCE – REORGANISATION ORDER

PURPOSE

To agree the Reorganisation Order to create a Parish and Parish Council for Sutton Coldfield including the proposed electoral arrangements, precept and budget for the first year of operations and interim arrangements.

The reason for seeking agreement to the request by means of action taken by the Director of Localisation in consultation with the Chair of Business Management Committee is to enable further urgent development work to commence immediately in order to enable the Interim Parish Council from 1st March 2016 to make decisions on a range of matters.

RECOMMENDATIONS

That under delegations made by Full Council in September 2015 to Council Business Management Committee to agree the Reorganisation Order to create the Parish and Parish Council for Sutton Coldfield, that this be agreed by the Chair of Business Management Committee alongside the Director of Localisation. This is at appendix 1 with map at appendix 2.

That the action taken be reported to Council Business Management Committee on 4 January 2016.

That the Director of Localisation, Director of Legal and Democratic Services and Director of Finance take the necessary steps to implement the Reorganisation Order.

To note that Council Business Management Committee have already agreed on 17 November 2015 the Draft Reorganisation Order and authorised the Director of Localisation to undertake consultation on the terms of the Draft Reorganisation Order which has been completed and informs the decision to progress Reorganisation Order. The consultation report is at appendix 3.

BACKGROUND

Following the submission of a validated petition from the residents of Sutton Coldfield for a Town Council, in December 2013 Council Business Management Committee approved the creation of a Cross Party Working Group to determine the terms of reference for a Community Governance Review.

The Terms of Reference for the Community Governance Review were approved by Full Council in September 2014, when the remit for the Review was expanded to examine the Council's wider devolution structure. Council also approved that the Cross Party Governance Working Group (subsequently called the Community Governance Review Group) would agree the work programme for the Community Governance Review and submit final recommendations of the Review to Full Council.

On 26 May 2015 Council Business Management Committee gave authority to conduct a consultative postal ballot within the Sutton Coldfield parliamentary constituency and approved the ballot question and FAQs.

The result of votes cast in the consultative ballot, undertaken by Electoral Reform Services, between 25 June – 16 July 2015 in response to the question "Should a Town Council be established for the Parliamentary constituency of Sutton Coldfield within the City of Birmingham?" is as follows:-

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At the Community Governance Review Group on 17 July 2015 to consider the result of the consultative ballot, Members unanimously agreed to recommend the creation of a town council in Sutton Coldfield to Full Council in September 2015. However, the City Council cannot confer the title of 'town council', as, under legislation that is a matter to be resolved by the new parish council once formed. The recommendation to City Council therefore was to create a parish council for Sutton Coldfield.

The recommendations of the Community Governance Review Group were approved by Full Council in September 2015 and in accordance with section 93(7) and 96(2) of the 2007 Act, a statement of the recommendations made was published. In summary, the following recommendations were approved by Council:

- That a new parish should be constituted for the area designated within the existing Sutton Coldfield Constituency boundary. A map of the proposed parish is in Appendix 2 and will form part of the Reorganisation Order.
- That the name of the new parish shall be Sutton Coldfield Parish.
- That the new parish should have a parish council (once established the parish council can elect to use the title of 'town council').

In addition, Council agreed the Recommendations of the Community Governance Review Group in relation to the date on which the Parish Council will come into effect, the electoral arrangements, and the date of first elections to the Parish Council and the precept for the 2016/17 financial year. Council also agreed the Recommendation of the Community Governance Review Group for an Interim Parish Council (with all the powers of a statutory parish council) to be created on 1 March 2016 until councillors are elected to the new parish of Sutton Coldfield. Council also agreed that under Section 99 of the 2007 Act, the transfer of any assets, liabilities or services from Birmingham City Council to the Parish Council would be by separate agreement.

The Council has the power to give effect to its decisions through a Reorganisation Order under Section 86 of the 2007 Act. The order-making powers are widely drawn and allow, amongst other things, power to include such incidental, consequential, transitional or supplementary provision as may appear to the Council to be necessary or proper for the purposes of, or in consequence of, or for giving full effect to, the Order.

On 17 November 2015, under the delegations made by Full Council in September 2015, Council Business Management Committee approved the draft terms of a Reorganisation Order, setting out the proposed electoral arrangements, the date of first elections to the Parish Council and the precept for the 2016/17 financial year. In addition, the draft Order set out the arrangements for an Interim Parish Council (with all the powers of a statutory parish council) which will be created on 1 March 2016 until councillors are elected to the new parish of Sutton Coldfield and for the transfer of any assets, services or liabilities to be made by separate agreement.

The Director of Localisation was authorised to take the necessary steps to consult with relevant local bodies on the draft Reorganisation Order and to bring a final Order for approval at the 15 December 2015 Council Business Management Committee Meeting.

Consultation on draft Reorganisation Order.

The following consultation, on the terms of the draft Reorganisation Order, was undertaken:

- A Be Heard survey was conducted via the City Council's website from which 130 responses were received.
- A focus group discussion with residents of Sutton Coldfield drawn from the Birmingham Peoples Panel.
- A report detailing the responses to the survey is attached (Appendix 3) together with a summary of the Be Heard responses and the notes of the focus group discussion.
- The draft Reorganisation order was discussed at three Sutton Ward Committee Meetings.
- Residents / community organisations were invited to submit responses via post and a dedicated e-mail address.

The response to the Be Heard questionnaire is set out below. In terms of the focus

group, as the sample size of participants was less than 25, it would not be conventional to quote the numbers as converted to percentages; therefore the responses are not included in these figures below, although they do add qualitative value to the overall consultation exercise.

Do you agree with the proposed interim arrangement that the parished area of Sutton Coldfield is divided into four voting wards, coterminous with the existing City Council Sutton Coldfield ward boundaries and for the wards in the parish to bear the same names as the City Council Wards?							
Yes	85%	No	9%	Don't know	4%	Alternative suggestion	2%

Do you agree with the proposal that Sutton Coldfield Parish Council should have 24 councillors (six councillors for each of the proposed four wards)?							
Yes	57%	No	32%	Don't know	4%	Alternative suggestion	7%

Do you agree with the approach the City Council is taking regarding the transfer of any assets, services rights and liabilities from the City Council to the Parish Council?							
Yes	81%	No	8%	Don't know	9%	Alternative suggestion	2%

Do you agree with the proposed precept for the first financial year of the Parish Council?							
Yes	78%	No	12%	Don't know	5%	Alternative suggestion	5%

Do you agree with the proposal that the Interim Parish Council (1 March 2015 to 5 May 2016) is made up of 8 serving City Council Councillors for the wards of Sutton Coldfield and five representative of local community organisations?							
Yes	69%	No	15%	Don't know	9%	Alternative suggestion	7%

There was broad support for the terms of the Reorganisation Order at the Ward Committee meetings held in the Sutton Trinity, Sutton Vesey and Sutton Four Oaks wards. A small number of residents queried the composition of the Parish Council Steering Group and the process by which the Steering Group was selected.

Conclusion

The consultation both in qualitative and quantitative terms has demonstrated strong support for the terms of the Draft order that were approved by Council Business Management Committee on 17 November 2015.

In line with our statutory obligation to take into account any representations received in connection with the review; our conclusion has been drawn on the overall positive response to each of the questions in the Be Heard questionnaire asked directly in relation to the terms of the Order.

The next step for the Council is to agree that the Reorganisation Order in Appendix 1 should be made. This will mark an historic step in the advancement of localism in Birmingham and in the governance of Sutton Coldfield. Once the Order has been formally sealed, the process to create a Parish Council for Sutton Coldfield will move to implementation.

Consultees

The Parish Council Steering Group endorsed the terms of the Draft order at a meeting of the Steering Group held on 16 November 2015.

The above request is agreed

Director of Localisation *A. H. Dr.*

Chair of Council Business Management Committee..... *J. M. Clancy*

Dated..... *22/12/15*

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT
2007

The Birmingham City Council (Reorganisation of Community Governance)
Order 2015

Made - - - - [day] [month] [year]

Coming into force in accordance with article 1(2)

Birmingham City Council (“the council”), in accordance with section 83 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), has undertaken a community governance review and made recommendations dated 15th September 2015:

The council has decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Act, has consulted with the local government electors and other interested persons and has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient:

The council, in accordance with section 100 of the 2007 Act, has had regard to guidance issued under that section:

The council makes the following Order in exercise of the powers conferred by sections 86, 98(3), 98(4), 98(6) and 240(10) of the 2007 Act.

Citation and commencement

1.—(1) This Order may be cited as the Birmingham City Council (Reorganisation of Community Governance) Order 2015.

(2) Subject to paragraphs (3) and (4) below this order shall come into force on 1st March 2016.

(3) Article 6 (*establishing parish electoral arrangement*), shall come into force for the ordinary day of election of councillors in 2016.

(4) For the purposes of:

- (a) this article,
- (b) article 5 (*Calculation of budget requirement*); and
- (c) proceedings preliminary or relating to the election of parish councillors for the parish of Sutton Coldfield, to be held on the ordinary day of election of councillors in 2016,

this Order shall come into force on the day after that on which it is made.

Interpretation

2. In this Order—

“city” means the city of Birmingham;

“map” means the map marked “Map referred to in the Birmingham City Council (Reorganisation of Community Governance) Order 2015” and deposited in accordance with section 96(4) of the 2007 Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

Effect of Order

3. This Order has effect subject to any agreement under section 99 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

Constitution of a new parish

4. (1) A new parish, comprising the area outlined with a *blue* line on the map, shall be constituted within the city.

(2) The name of the new parish shall be Sutton Coldfield.

Calculation of budget requirement

5. For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Sutton Coldfield the sum of £1,823, 850

Parish council for the parish of Sutton Coldfield

6. (1) There shall be a parish council for the parish of Sutton Coldfield.

(2) The name of that council shall be “Sutton Coldfield Parish Council”.

Elections for the parish of Sutton Coldfield

7. (1) The election of all parish councillors for the parish of Sutton Coldfield shall be held on the ordinary day of election of councillors in 2016.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2016 for the parish of Sutton Coldfield shall be two years.

(3) There will be further elections of the Sutton Coldfield Parish Council on the ordinary day of election of councillors in 2018.

(4) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2018 for the parish of Sutton Coldfield shall be four years.

Number of parish councillors for the parish of Sutton Coldfield

8. The number of councillors to be elected for the parish of Sutton Coldfield shall be 24.

Wards of the parish of Sutton Coldfield and numbers of parish councillors

9. (1) The parish of Sutton Coldfield shall be divided into four wards which shall be named as set out in column (1) of Schedule 1.

(1) Each ward shall comprise the area of the city ward specified in respect of the ward in column (2) of that Schedule.

(2) The number of councillors to be elected for each ward shall be six as specified in respect of the ward in column (3) of that Schedule.

Annual Meeting of the parish Council

10. The annual meeting of the new parish council in 2016 shall be convened by the Chief Executive of Birmingham City Council. The meeting shall take place by no later than 14 days after the day on which the councillors elected to the new parish council take office.

Electoral register

11. The registration officer for the city shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Transfer of property, rights and liabilities

12. Any land, property, rights and liabilities to be transferred to Sutton Coldfield Parish Council shall be arranged by separate agreement between Birmingham City Council and Sutton Coldfield Parish Council.

Transitional provision

13. (1) Until the councillors elected to the council of the new parish of Sutton Coldfield at the elections to be held on the ordinary day of election of councillors in 2016 come into office, an interim parish council will be created (with all the statutory powers of a parish council).

(2) The interim parish council shall consist of 2 councillors from each ward who immediately before 1st March 2016 are elected city councillors for those wards as set out in schedule 2.

(3) The interim parish council shall in addition consist of 5 community representatives as set out in subsection (5) below and detailed in schedule 2.

(4) In respect of Sutton Vesey, there shall be 1 City councillor from the Conservative party and 1 City Councillor from the Labour party.

(5) Prior to the establishment of an interim parish council, a steering group of key local stakeholders is to be established to act as a consultative body and take forward the planning and implementation of the proposed new parish council until the new Parish Council of Sutton Coldfield is formally created. The steering group will include 2 City Councillors from each of the current 4 city wards as set out in schedule 2 together with appropriate community representation, including 3 representatives from the Sutton Coldfield Independent Residents Group, a representative from the Sutton Coldfield Civic Society and a representative from the Sutton Coldfield YMCA. A representative will also be appointed from the City Council's Political Governance Member Review Group.

Order date

14. 1st March 2016 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Sealed with the seal of the council on the [*day e.g. 31st*] day of [*month*] [*year*]

[*Signature*]
[*Title of signatory*]

SCHEDULE 1

WARDS OF THE PARISH OF SUTTON COLDFIELD

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Name of Ward</i>	<i>Area of Ward</i>	<i>Number of Councillors</i>
Sutton Four Oaks	Whole of the ward as shown on the map	6
Sutton New Hall	Whole of the ward as shown on the map	6
Sutton Trinity	Whole of the ward as shown on the map	6
Sutton Vesey	Whole of the ward as shown on the map	6

SCHEDULE 2

INTERIM PARISH COUNCIL MEMBERSHIP

<i>Name of Ward/Organisation</i>	<i>Number of Representatives</i>	<i>Nominated Representatives</i>
Sutton Four Oaks	2	Councillor Anne Underwood Councillor Meirion Jenkins
Sutton New Hall	2	Councillor David Barrie Councillor Ken Wood
Sutton Trinity	2	Councillor David Pears Councillor Ewan Mackey
Sutton Vesey	2	Councillor Lin Collin Councillor Rob Pocock
Sutton Coldfield Independent Residents Group	3	Ken Rushton Stephen Smallwood Paul Long
Sutton Coldfield Civic Society	1	Elizabeth Allison
Sutton Coldfield YMCA	1	Stephanie Patrick

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations made by Birmingham City Council for the new parish of Sutton Coldfield, within the city of Birmingham.

The parish of Sutton Coldfield will be created with effect from 1 March 2016. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2016.

Article 7 provides for parish elections in the parish of Sutton Coldfield in 2016, with further parish elections in 2018 and then to continue according to the established cycle of parish elections every four years.

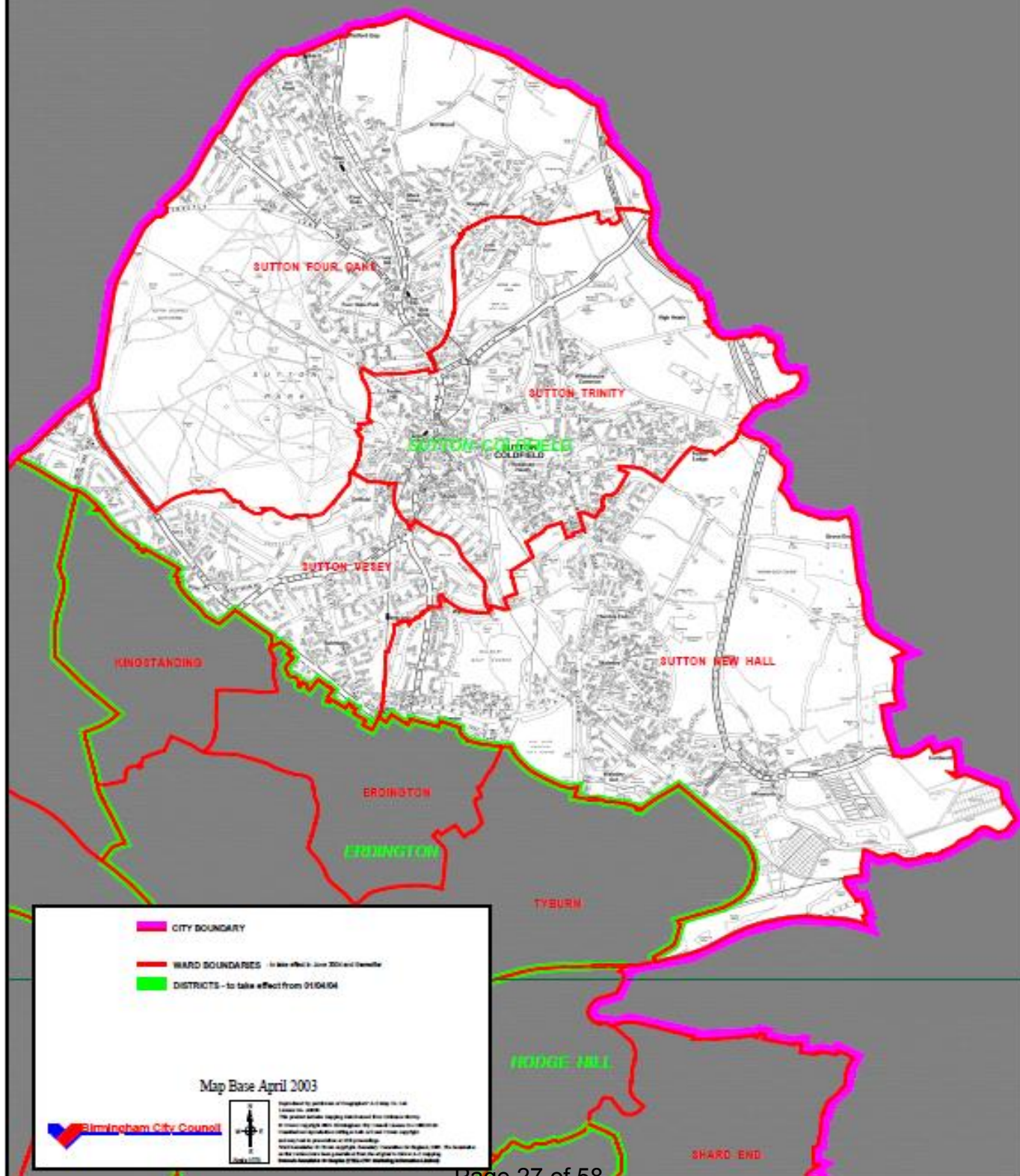
Article 8 specifies the numbers of parish councillors for the new parish of Sutton Coldfield.

Article 9 and the map establish the names and areas of the wards of the new parish of Sutton Coldfield and the numbers of councillors for each ward.

Article 11 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

The map defined in article 2 shows the new wards of the parish of Sutton Coldfield. It is available, at all reasonable times, at the offices of Birmingham City Council.

Sutton Coldfield Parliamentary Constituency



COMMUNITY GOVERNANCE REVIEW
CONSULTATION ON DRAFT REORGANISATION ORDER

1. Background

Following the submission of a validated petition from the residents of Sutton Coldfield for a Town Council, in December 2013 Council Business Management Committee approved the creation of a cross party working group to determine the terms of reference for a Community Governance Review, to be conducted under the provisions of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act).

The terms of reference for the Community Governance Review were approved by Full Council in September 2014, when the remit for the Review was expanded to examine the Council's wider devolution structure. Council also approved that the Cross Party Governance Working Group (subsequently called the Community Governance Review Group) would agree the work programme for the Community Governance Review and submit final recommendations of the Review to Full Council.

On 26 May 2015 Council Business Management Committee gave authority to conduct a consultative postal ballot within the Sutton Coldfield parliamentary constituency and approved the ballot question and FAQs.

The result of votes cast in the consultative ballot, undertaken by Electoral Reform Services, between 25 June – 16 July 2015 in response to the question "Should a Town Council be established for the Parliamentary constituency of Sutton Coldfield within the City of Birmingham?" are as follows:-

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)

At the Community Governance Review Group on 17 July 2015 to consider the result of the consultative ballot, members unanimously agreed to recommend the creation of a town council in Sutton Coldfield to Full Council in September 2015.

The recommendations of the Community Governance Review Group were approved by Full Council in September 2015 and in accordance with section 93(7) and 96(2) of the 2007 Act, a Statement of the recommendations made was published. The following recommendations were approved by Council:

- That a new parish should be constituted for the area designated within the existing Sutton Coldfield Constituency boundary.
- That the name of the new parish shall be Sutton Coldfield Parish.
- That the new parish should have a parish council. The City Council cannot confer the title of 'town council' as under legislation, that is a matter to be resolved by the new parish council once formed.

2. Reorganisation order

Following approval of the Recommendations of the Community Governance Review Group at City Council on 15 September 2015, Council delegated authority to Council Business Management Committee to approve the Community Governance Review Reorganisation Order. Under Section 86 of the 2007 Act, Council has the power to give effect to the decisions made on the Community Governance Review, through a Reorganisation Order, which is the legal document that sets out the mechanics for the establishment of the Parish Council.

The draft terms of the Reorganisation Order were approved by Council Business Management Committee on 17 November 2015. In summary, the terms of the Order include:

- The area to be covered by Sutton Coldfield Parish Council
- The date on which the Parish Council will come into effect
- The interim electoral arrangements (wards and number of councillors for the Parish Council)
- The date of first elections to the Parish Council
- The City Council's approach to the transfer of any assets, services, liabilities
- The precept for the Parish Council for the 2016/17 financial year
- The arrangements for an Interim Parish Council to be created on 1 March 2016 until councillors are elected to the new Parish of Sutton Coldfield in May 2016.

Council Business Management Committee authorised the Director of Localisation to take the necessary steps to consult with relevant local bodies on the draft Reorganisation Order and to bring a final draft of the Order for approval at the 15 December 2015 Council Business Management Committee.

3. The Consultation Process

This report summarises the process and responses to the consultation on the terms of draft Reorganisation Order which ran from 24 November 2015 to 8 December 2015. The consultation was focussed on gaining public views on five primary themes central to the formation of the future Council. These were:

- The proposed interim warding arrangements for electing Councillors.
- The proposed interim number of Councillors to be elected.
- The approach towards transferring assets, services and associated liabilities from Birmingham City Council to the future Council.
- The level of the Precept for the first financial year 2016/17.
- Interim transitional arrangements prior to holding the first elections.

The methods used for gathering opinion during this consultation were necessarily constrained by the limited time available in order to complete the Reorganisation Order and meet the implementation timetable agreed in the City Council decision of 15 September 2015. Nevertheless, the methods were wide ranging and inclusive, allowing residents to comment on line, by email or letter, and in person. These included:

- A Be Heard Questionnaire on the Council's website

This survey was promoted via the local press, via social media and via City Council networks. The survey was also promoted via the networks of the community representatives on the Sutton Coldfield Parish Council Steering Group. 129 responses were received, which are summarised in the attached report.

- Submissions directly to BCC via letter or e-mail
- A 'People's Panel' workshop discussion group on the terms of the Reorganisation Order with 9 Sutton Coldfield residents drawn from the People's Panel¹ held on 1 December 2015 (notes attached).

- Discussion at Ward Committee Meetings:

Sutton Trinity – 19 November 2015

Sutton Vesey 24 November 2015

Sutton Four Oaks – 27 November 2015

Note Sutton New Hall Ward Committee does not meet until 29 January 2016.

¹ The Birmingham Peoples' Panel has over 2,200 members who are broadly representative of the population of Birmingham. It was established by the City Council as one way of obtaining the views of the people of Birmingham to shape services, policy and strategy.

Throughout this consultation a particular emphasis was given to give those respondents who did not support the proposals, to expand upon their concerns and offer alternatives. For the consultation to be robust and credible, it was felt essential that public support for alternatives should be fully considered, and that the exercise should be a genuine consultation and not a fait accompli.

3. Proposed Interim Electoral Arrangements.

This part of the consultation contained two themes: the Ward boundaries to be used; and the number of Councillors to be elected. These are now considered in turn.

a) Proposed Interim Warding Arrangements

Do you agree with the proposed interim arrangement that the parished area of Sutton Coldfield (Sutton Coldfield Parliamentary Constituency) is divided into four voting wards, coterminous with the existing City Council Sutton Coldfield ward boundaries and for the wards in the parish to bear the same names as the City Council Wards?

Residents that took part in the Peoples Panel Focus Group discussion unanimously agreed that using the existing wards made sense. It was stated that residents are used to this arrangement and that as an interim arrangement it was a good idea.

In the wider Be Heard survey, there was a clear majority support for the proposed warding arrangements, with 109 (85%) of the Be Heard respondents agreeing with the proposal.

In line with the commitment to fully explore alternatives, those not supporting the proposal were then asked to expand upon their reservations.

Three comments were received in response to this invitation, stating that the parish should be divided into smaller wards than the current Birmingham City Council wards:

'At least six wards are required; this would ensure a more accurate representation of the social and economic variations that exist across the area.'

'The parished areas should be divided into specific areas of Sutton. For example: Boldmere, Wylde Green, Walmley, Falcon Lodge etc.'

'Smaller wards from within the existing Council wards'

and two further comments were made that the parish should not be split into wards.

One resident of Wylde Green commented that an area of Wylde Green where residents have a Sutton Coldfield postcode, address and identify, but are within the Erdington electoral ward should be included in the Sutton Coldfield Parish Council area.

In addition, three comments were made suggesting an alternative voting system - proportional representation - for the Parish Council elections

b) Proposed Interim Number of Councillors

Do you agree with the proposal that Sutton Coldfield Parish Council should have 24 councillors (six councillors for each of the proposed four wards)?

Seven of the nine residents at the Peoples Panel Focus Group were in favour of the proposed interim arrangement that the Sutton Coldfield Parish Council should have 24 councillors. However, concern was raised about how much this would cost. Residents agreed that there is a need to balance administrative costs with effective leadership and representation. The issue of remuneration and legitimate expenses will be an important matter for the new Council to determine and substantiate with local residents at an early stage.

73 (57%) of Be Heard respondees agreed with the proposed interim arrangement that the Sutton Coldfield Parish Council should have 24 councillors.

Again in the attempt to explore alternative options, those opposing the proposed number were asked to comment and bring forward alternatives. A number of additional comments were received, where residents proposed alternative arrangements, which included:

Total Number of Parish Councillors	8	10	12	16	20
Number of Preferences	1	1	12	15	7

In summary, there was clear public support for the proposed Warding arrangements, and prevalent support for the proposed numbers of Councillors to be elected. The proposed number of Councillors is in line with the national average Councillors per elector, and was included in the FAQ document circulated along with the Consultative Ballot papers.

4. Approach to the Transfer of Assets, Services, Liabilities

Do you agree with the approach the City Council is taking regarding the transfer of any assets, services rights and liabilities from the City Council to the Parish Council?

The explanatory material accompanying the consultation explained that the proposed approach is to phase the potential transfer of assets and services over a period of time, rather than doing it all at once. Residents at the Peoples Panel Focus Group were in agreement with this approach. They commented that it is wise to be cautious, to 'walk' before you can run but to keep moving forward. One resident stated a 'road map' should be prepared that clearly sets out what should be achieved by when.

There was a majority support for the proposed approach to the transfer of any assets, services, rights and liabilities, with 104 (81%) of the Be Heard respondents agreeing with the proposal.

Again, those not supporting the approach were asked to put forward alternatives. Comments received included:

- 'No assets should be transferred'
- 'I feel that everything should be transferred to the Sutton Coldfield Council as soon as possible'
- 'There needs to be a time limit and date stipulated for when all assets, services, rights and liabilities are transferred'
- 'Do not agree that land property etc. should be transferred to the parish council because BCC will just dump liabilities on the Parish Council which will cost Sutton residents money in even higher precept charges'
- 'I think that some assets should be transferred quite quickly for 2 reasons: firstly in order to keep the Town Hall available it should be transferred to the parish council because then the possibility of grant applications will be present; and secondly some assets like car parks can be revenue earners for the parish council'
- 'Let's walk before they run, they will have too much on their plate, also I don't think they will be skilled or knowledgeable enough to handle'
- 'Does this mean that council tax which is used for these services will be removed? If so I feel we as a parish will be worse off'

Within the detailed later questions contained in the Be Heard survey, on the spending and service priorities for the first year, an illustrative range of possible

services to develop or enhance was given, and a strong endorsement was given to the main proposals including:

- Clean and green improvements such as, additional street cleansing and litter bins.
- Environmental enhancements, such as signage, benches, flower displays and Christmas / festive lights.
- Improvements to highways, such as footpaths, lighting and car parking.
- Additional bespoke services from libraries and community centres, youth activities, arts and cultural activities.
- Spending on the Sutton Coldfield Town Hall
- A grant award scheme to support local voluntary, community and charitable organisations.

5. Proposed Parish Precept for the 2016/17 Financial Year

Do you agree with the proposed precept of £50 for a Band D property for the first financial year of the Parish Council?

Within the People's Panel workshop discussion seven out of the nine residents present were in favour of the proposed precept.

Concern was expressed that Birmingham City Council would 'selectively withdraw' funding from Sutton Coldfield, as Sutton Coldfield would have access to its own funds via the precept and that Sutton Coldfield would therefore be penalised. Within the future operating model for engagement between the Parish Council and Birmingham City Council, it will be important that clarity and transparency is achieved on deployment of BCC resources to address this concern.

As with the People's Panel, a clear majority of 101 (78%) of respondents to the Be Heard survey agreed with the proposed precept of £50 per Band D property.

One resident commented that

- *During the collection of the signatures that triggered the parish council, a figure of £50 was widely publicised and did not faze the citizen'*

Residents opposing the proposed level precept were again asked to comment and encouraged to present alternatives. Those that expressed concern about the proposed precept commented as follows:

- *The budget for proposed action needs to be agreed and modified to suit the needs. Otherwise the parish Council will be trying to find ways to spend the*

money which they have raised. It needs to be kept in moderation and affordable for the resident'

- *.'However, I would like to know exactly how this money is spent and believe it must all be accountable and available for all Sutton Coldfield Parishioners to view online'.*
- *‘..gain, the rationale offered for the proposed precept is non-existent. Given that SC will be the biggest town council I don't think national averages are helpful. Why no breakdown of likely costs and expenditure? Given that things tend to go up rather than down I'd suggest the lowest level consistent with paying wages, rent etc., especially as there are no plans yet to spend the money. It can always be raised in later years when the councillors have a true mandate'*
- *'Surely this budget setting is the wrong way round. How can we decide if this amount delivers value when the aims and objectives of the new council are not yet known'*
- *Accept the proposed precept on the condition that the Parish Council recover the amount from savings to Birmingham City Council effected by services taken over by the Parish Council'*

Notwithstanding the concerns above, it is clear that the proposed level of precept is supported by the majority of participants in the consultation. The figure also formed the illustrative benchmark expectation set out in the FAQ sheets that accompanied the Consultative Ballot.

6. Interim / Transitional Arrangements

Do you agree with the proposal that the Interim Parish Council (1 March 2015 to 5 May 2016) is made up of 8 serving City Council Councillors for the wards of Sutton Coldfield and five representative of local community organisations?

Residents at the Peoples Panel Focus Group confirmed that they were broadly in favour of the proposed interim/transitional arrangements.

Residents sought confirmation that all Sutton Ward Councillors on the Interim Parish Council were fully supportive of the proposal to create a parish Council.

Another resident asked if there could be a policy where Sutton Coldfield Parish Councillors could not be 'twin hatted', i.e. be both a Birmingham City Council Councillor and a Parish Councillor.

Within the Be Heard survey the same question was asked. Although two-thirds (89 or 69%) of Be Heard respondents agreed with the proposed interim arrangements, this majority is a lower level of support than for the other proposals. In total a further 19 or 15% of Be Heard respondents disagreed with the proposed interim arrangements, 12 or 9% responded Don't Know., and 9 or 7% proposed alternative interim arrangements.

In total 32 additional comments were made by participants in the Be Heard survey, who voiced their concern about the makeup of the proposed Interim Parish Council. There were a number of views expressed which could broadly be summarised under the headings or themes as follows:

Views Expressed about the Proposed Interim Arrangement	Number of Respondee
There should be less representation from Sutton Ward Councillors	✓✓✓✓✓✓
Disagree with representative from existing ward councillors who were opposed to the Parish Council being formed	✓✓
Only councillors in favour of devolution / a Parish Council	✓✓
There should be no Birmingham City Councillors	✓
There should be more community representatives	✓✓✓✓✓✓✓
There should be no community representatives	✓✓✓✓
'I am uncertain of how you would select the 5 community representatives but as it is only for two months it is not worth objecting'	✓
'4 serving councillors 2 community reps And the rest people who never hear from the above groups and need to put a voice on the new council'	✓
There needs to be more balance	✓✓✓✓✓✓
This Council should be non-political	✓✓
I do not agree with a Parish Council	✓

A ✓ denotes the number of times this view was expressed.

7. Additional overall comments on the Reorganisation Order proposals

a) The Be Heard survey

Are there any other comments you would like to make on these proposals or the proposed arrangements for establishing Sutton Coldfield Parish Council?

Within the Be Heard survey, 47 additional comments were made, across a range of themes.

Comments were made both in favour and against the establishment of a Parish Council, for example;

'I am fully endorsing the proposals, proposed arrangements and any other subsequent proposals which follow and I support partial and/or full devolution for a Sutton Coldfield town Council'

'We voted against the formation of a parish council and are not happy that this parish council is going to be formed'

Some clear messages were indicated in terms of how the Parish Council should operate

'Some way of involving young people in having an input in the running or advisory capacity to the parish Council, say elected or nominated groups via schools, youth groups, would be desirable'

'There should be public consultation at all stages during development of the future Sutton Coldfield Town Council within the constraints of the time limits imposed by the need to ensure a functioning council structure for May 2016'

'More public meetings where the public are invited to comment and get involved – especially during the day would be great. Make it easy for people to know how to make their views heard'

'I appreciate that those interested in serving on the town council will likely be those with a political affiliation but I would like to see that council with members that have a wider interest for the local community than just political parties'

'We just need to ensure the approach is innovative and community led and makes a break from the traditional, administrative and party-politics culture of District Committee'

'The money raised from the residents of Sutton Coldfield should be used to provide services for the said population and not wasted on administration costs'

b) Discussion at Ward Committees

Sutton Trinity – 19 November 2015

6 residents attended the Sutton Trinity Ward Committee Meeting on 19 November 2015. The following questions were raised;

- How would the leader of the Parish Council be decided?
- Have the mayoral costs included support staff been properly costed?
- How much of the precept/budget would be used to support these arrangements?
- Would the precept collected be allocated on a ward or district wide basis?

- What are the office/wider staffing arrangements for the Parish Council?

It was stated that the communication strategy was over-reliant on social media/internet use and that other methods of communication should be considered.

Sutton Vesey 24 November 2015

18 residents attended the Sutton Vesey Ward Committee Meeting on 24 November 2015. The following questions were raised:

- What powers are going to be devolved to the new Parish Council?
- A member of the steering group commented that "We don't want to run before we can walk, and the practicalities need to be taken into account.
- How much was a Town Clerk going to cost and who was paying for and appointing to the post?
- Where are the chains and robes of office? The Councillors replied that the chains were in the Council House in Birmingham and all were in good order however the same could not be said for the robes and they if needed would have to be purchased. This then led to a suggestion from the floor that maybe this was the time for a less formal approach and therefore doing away with the need for robes.

Sutton Four Oaks – 27 November 2015

13 residents attended the Sutton Four Oaks Ward Committee Meeting on 27 November 2015. The following questions were raised:

- How widely has this survey been distributed?
- Why was the steering group made up of Birmingham City Council councillors?
- Some member of the floor expressed concern over the number of proposed Parish councillors per ward; they considered 6 per ward to be excessive.
- Some members of the floor wanted to know how candidates would be selected/more details of the selection process if standing for a political party
- General information about the election process and how residents wanting to stand as an independent candidate could register their interest
- What if the right number of candidates for the election could not be found? What was the minimum number of parish councillors that could be elected to enable to Parish Council to function

c) Comments received via letter, email

An e-mail was received on behalf of Banners Gate Neighbourhood Forum providing feedback from a Forum meeting held on 1 December 2015.

'Large majority in favour of a town mayor – no objections

- “How can we be “Royal” without a mayor?”
- “A mayor wearing chains of office will need a chauffeur to return the chains securely to the Town Hall”
- Unanimous that Town Council should take on the Town Hall

8. Summary and conclusions

The consultation has shown broad and wide ranging support for the key proposals set down in the Reorganisation Order.

This support has been found within each of the main methodological strands of the consultation process, and has been demonstrated through both quantitative and qualitative data.

The comments and insights gained from the residents taking part in the consultation provide valuable insights that could be further mined and explored to help develop a future operating model for the Parish Council, working effectively in a future partnership with Birmingham City Council and other partners, and engaging the local community to improve the overall governance and quality of life in Sutton Coldfield.

Community Governance Review Draft Reorganisation Order- Sutton Coldfield Parish Council: Summary report

This report was created on Wednesday 09 December 2015 at 11:39.

The consultation ran from 24/11/2015 to 08/12/2015.

Contents

Question 1: What is your name?	1
Name	1
Question 2: What is your email address?	2
Email	2
Question 3: What is your organisation?	2
Organisation	2
Question 4: Do you agree with the proposed interim arrangement that the parished area of Sutton Coldfield (Parliamentary Constituency) is divided into four voting wards, with the same boundaries as the existing Birmingham City Council Sutton Coldfield wards and for the wards in the parish to bear the same names as the City Council wards?	2
Warding Arrangements	2
Warding Arrangements	2
Question 5: Do you agree with the proposal that Sutton Coldfield Parish Council should have 24 councillors (six councilors for each of the proposed four wards)?	2
Q2: Cllr Numbers	2
Cllrs	3
Question 6: Do you agree with the approach the City Council is taking regarding the transfer of any assets, services, rights and liabilities from the City Council to the Parish Council?	3
Transfer of assets	3
assets	3
Question 7: Do you agree with the proposed precept for the first financial year of the Parish Council?	3
Precept	3
Precept	4
Question 8: What do you think the spending priorities should be for the Parish Council in its first financial year?	4
Matrix 1 - Improvements at local parks	4
Matrix 1 - Clean and Green improvements (e.g. additional street cleansing and litter bins)	4
Matrix 1 - Environmental enhancements (street scene – signage, benches, floral enhancements.)	5
Matrix 1 - Highways (e.g footpaths, lighting, car parking)	5
Matrix 1 - Additional services from libraries and community centres	6
Matrix 1 - Youth activities	6
Matrix 1 - Arts and cultural activities	7
Matrix 1 - Sutton Coldfield Town Hall	7
Matrix 1 - An grant award scheme for local voluntary / community and charitable organisations.	8
Matrix 1 - Infrastructure costs (Mayor , town clerk , administration and office)	8
Matrix 1 - Festive lights	9
Priorities	9
Question 9: Do you agree with the proposal that the Interim Parish Council (1 March 2016 to 5 May 2016) is made up of eight serving City Council Councillors for the wards of Sutton Coldfield and five representatives of local community organisations?	9
Cllr numbers	9
Cllr Numbers	10
Question 10: Are there any other comments you would like to make on these proposals or the proposed arrangements for establishing Sutton Coldfield Parish Council?	10
Any other comments	10

Question 1: What is your name?

Name

There were **129** responses to this part of the question.

Question 2: What is your email address?

Email

There were 129 responses to this part of the question.

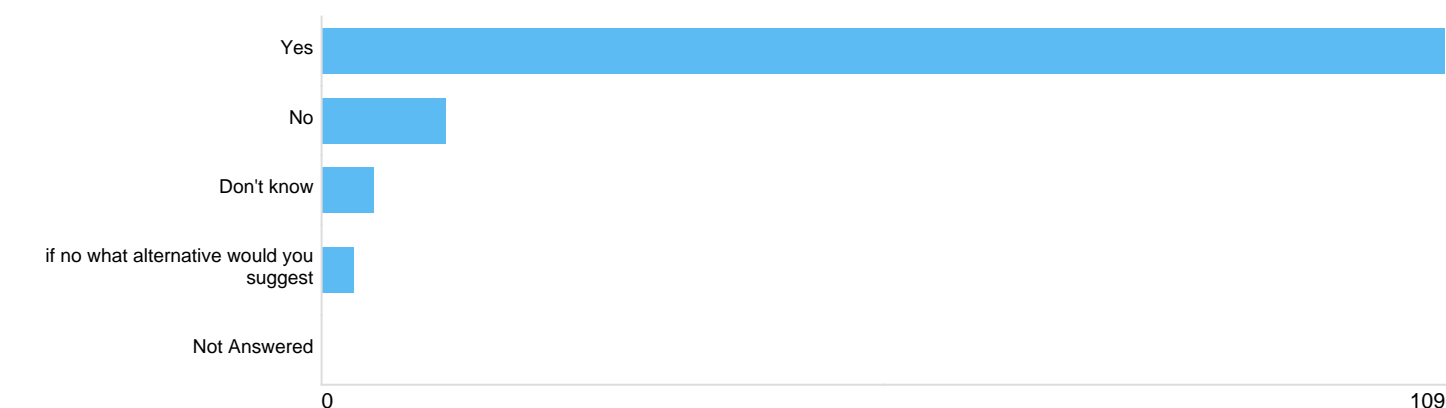
Question 3: What is your organisation?

Organisation

There were 129 responses to this part of the question.

Question 4: Do you agree with the proposed interim arrangement that the parished area of Sutton Coldfield (Parliamentary Constituency) is divided into four voting wards, with the same boundaries as the existing Birmingham City Council Sutton Coldfield wards and for the wards in the parish to bear the same names as the City Council wards?

Warding Arrangements



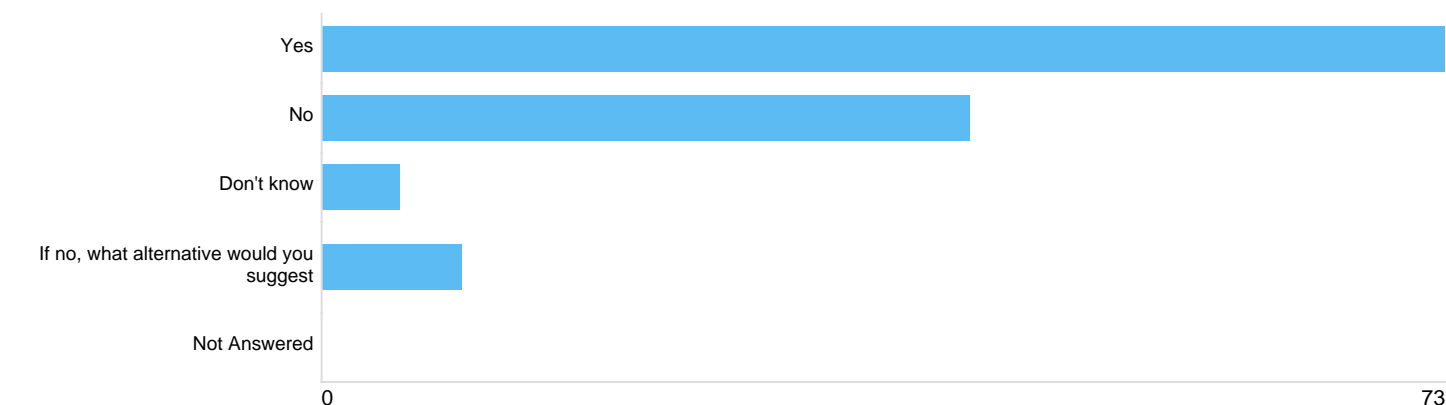
Option	Total
Yes	109
No	12
Don't know	5
if no what alternative would you suggest	3
Not Answered	0

Warding Arrangements

There were 129 responses to this part of the question.

Question 5: Do you agree with the proposal that Sutton Coldfield Parish Council should have 24 councillors (six councilors for each of the proposed four wards)?

Q2: Cllr Numbers



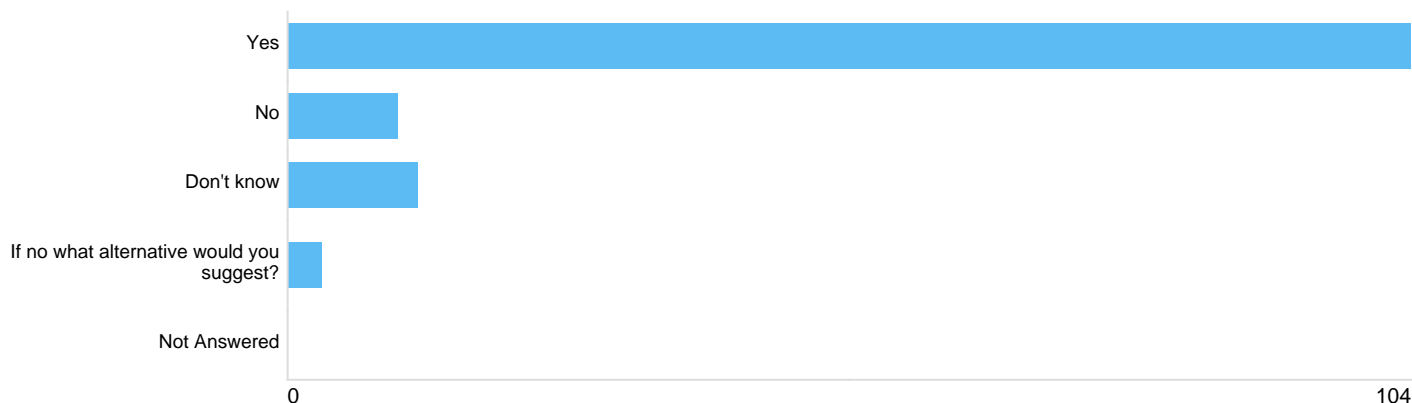
Option	Total
Yes	73
No	42
Don't know	5
If no, what alternative would you suggest	9
Not Answered	0

Cllrs

There were 129 responses to this part of the question.

Question 6: Do you agree with the approach the City Council is taking regarding the transfer of any assets, services, rights and liabilities from the City Council to the Parish Council?

Transfer of assets



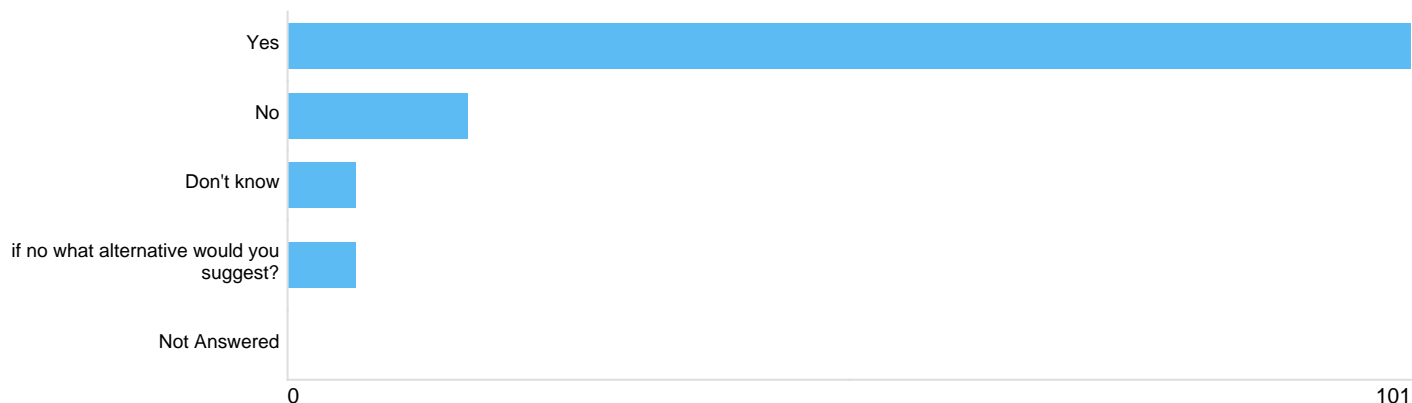
Option	Total
Yes	104
No	10
Don't know	12
If no what alternative would you suggest?	3
Not Answered	0

assets

There were 129 responses to this part of the question.

Question 7: Do you agree with the proposed precept for the first financial year of the Parish Council?

Precept



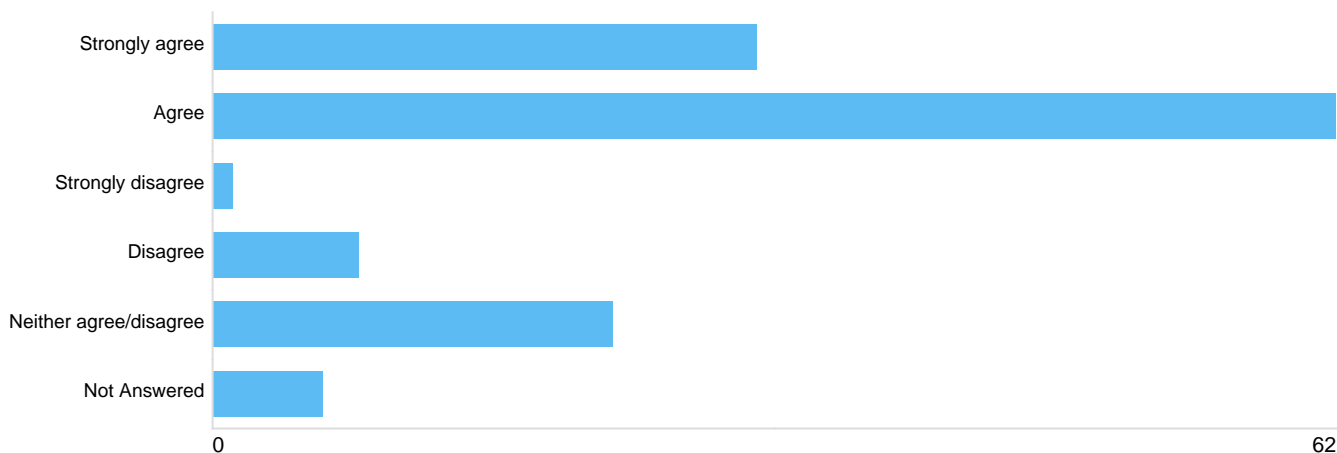
Option	Total
Yes	101
No	16
Don't know	6
if no what alternative would you suggest?	6
Not Answered	0

Precept

There were 129 responses to this part of the question.

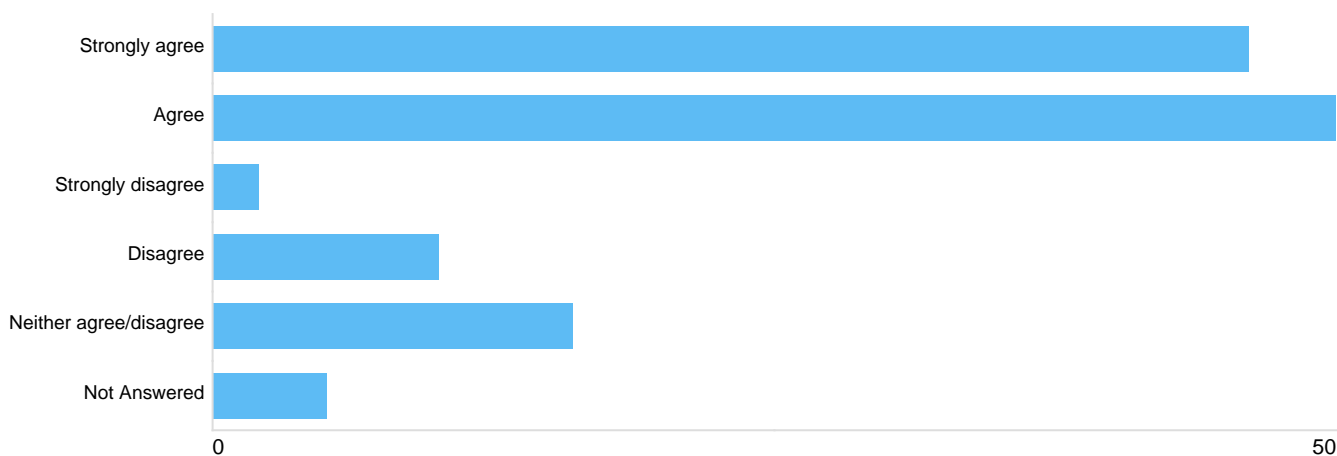
Question 8: What do you think the spending priorities should be for the Parish Council in its first financial year?

Matrix 1 - Improvements at local parks



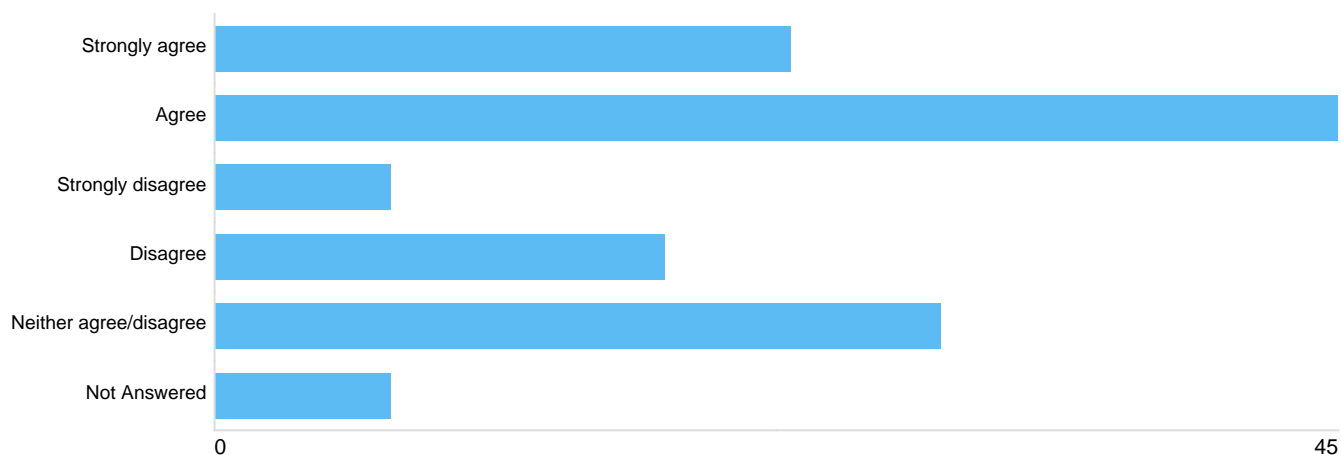
Option	Total
Strongly agree	30
Agree	62
Strongly disagree	1
Disagree	8
Neither agree/disagree	22
Not Answered	6

Matrix 1 - Clean and Green improvements (e.g. additional street cleansing and litter bins)



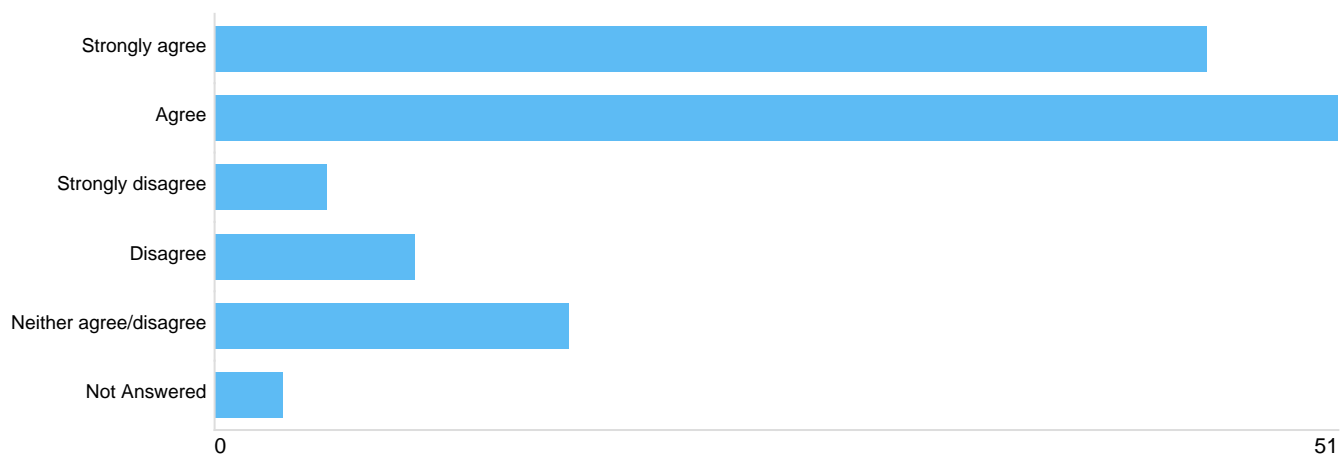
Option	Total
Strongly agree	46
Agree	50
Strongly disagree	2
Disagree	10
Neither agree/disagree	16
Not Answered	5

Matrix 1 - Environmental enhancements (street scene – signage, benches, floral enhancements.)



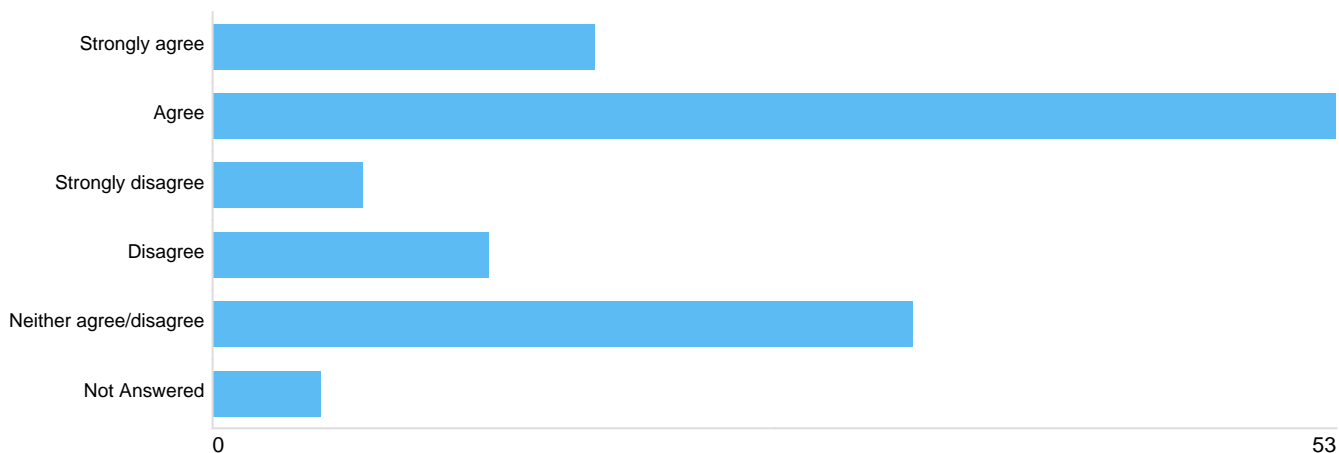
Option	Total
Strongly agree	23
Agree	45
Strongly disagree	7
Disagree	18
Neither agree/disagree	29
Not Answered	7

Matrix 1 - Highways (e.g footpaths, lighting, car parking)



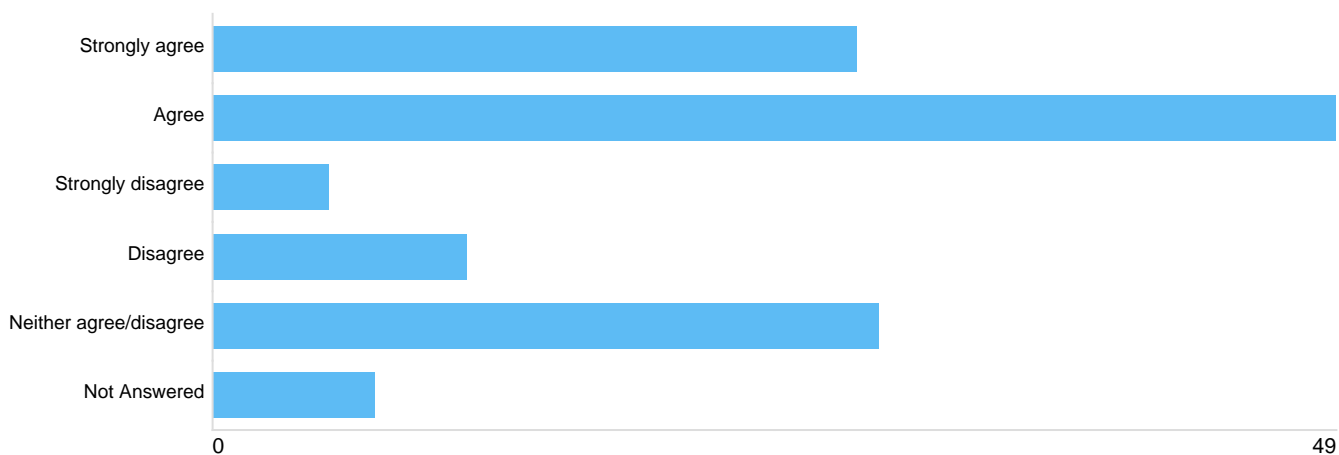
Option	Total
Strongly agree	45
Agree	51
Strongly disagree	5
Disagree	9
Neither agree/disagree	16
Not Answered	3

Matrix 1 - Additional services from libraries and community centres



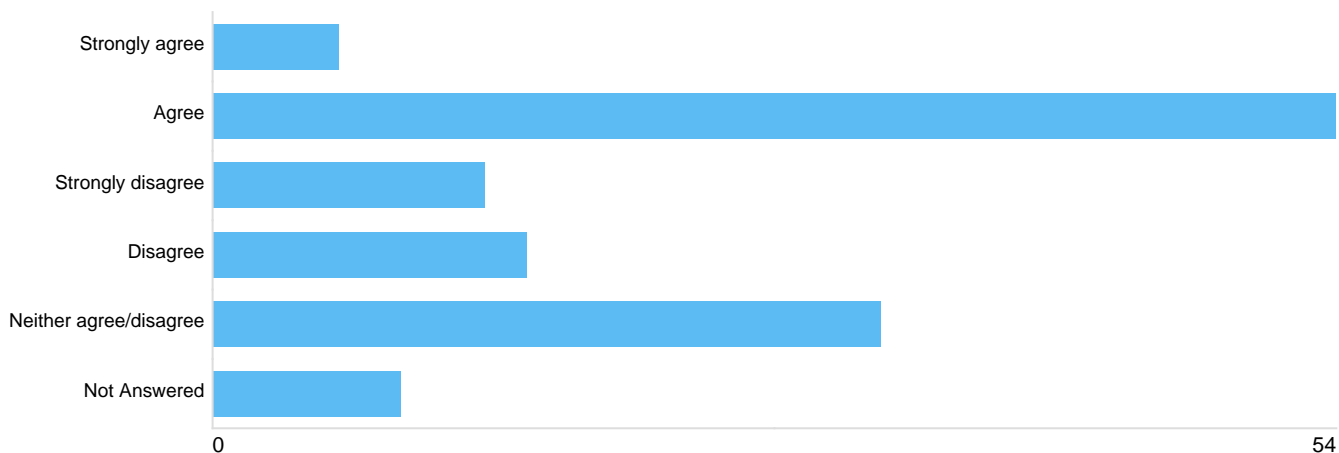
Option	Total
Strongly agree	18
Agree	53
Strongly disagree	7
Disagree	13
Neither agree/disagree	33
Not Answered	5

Matrix 1 - Youth activities



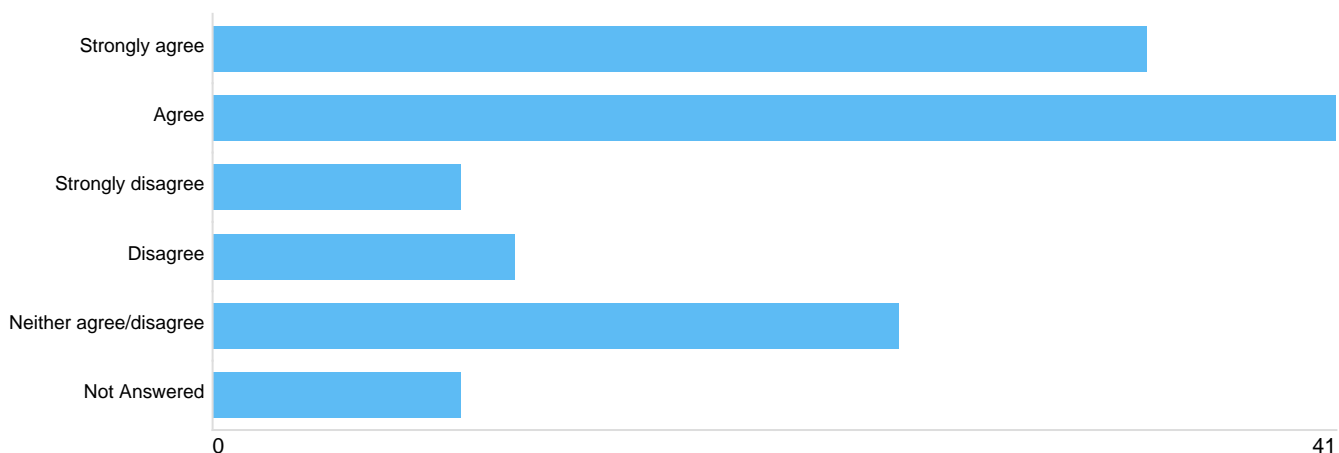
Option	Total
Strongly agree	28
Agree	49
Strongly disagree	5
Disagree	11
Neither agree/disagree	29
Not Answered	7

Matrix 1 - Arts and cultural activities



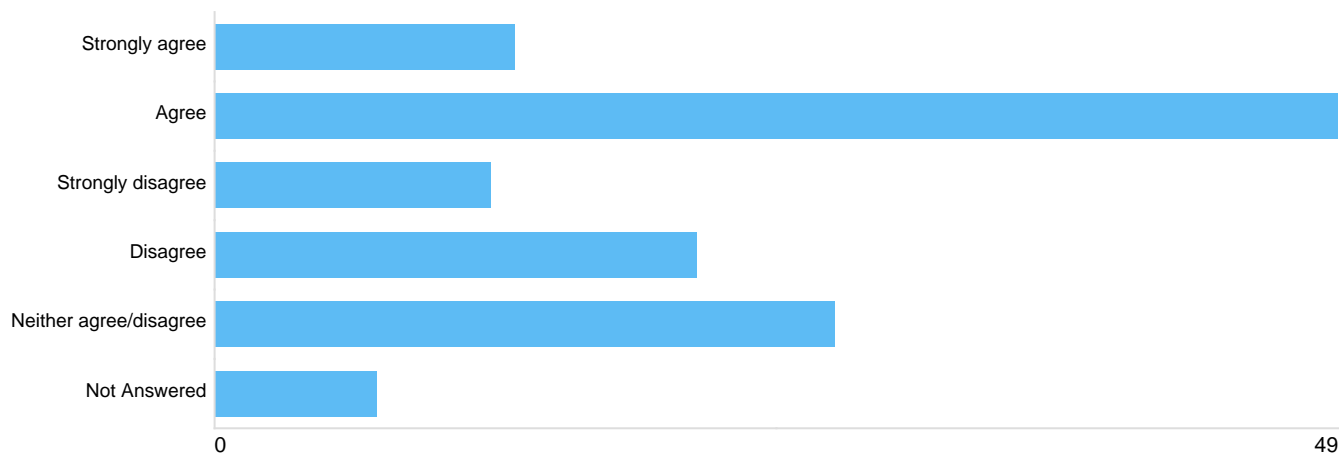
Option	Total
Strongly agree	6
Agree	54
Strongly disagree	13
Disagree	15
Neither agree/disagree	32
Not Answered	9

Matrix 1 - Sutton Coldfield Town Hall



Option	Total
Strongly agree	34
Agree	41
Strongly disagree	9
Disagree	11
Neither agree/disagree	25
Not Answered	9

Matrix 1 - An grant award scheme for local voluntary / community and charitable organisations.



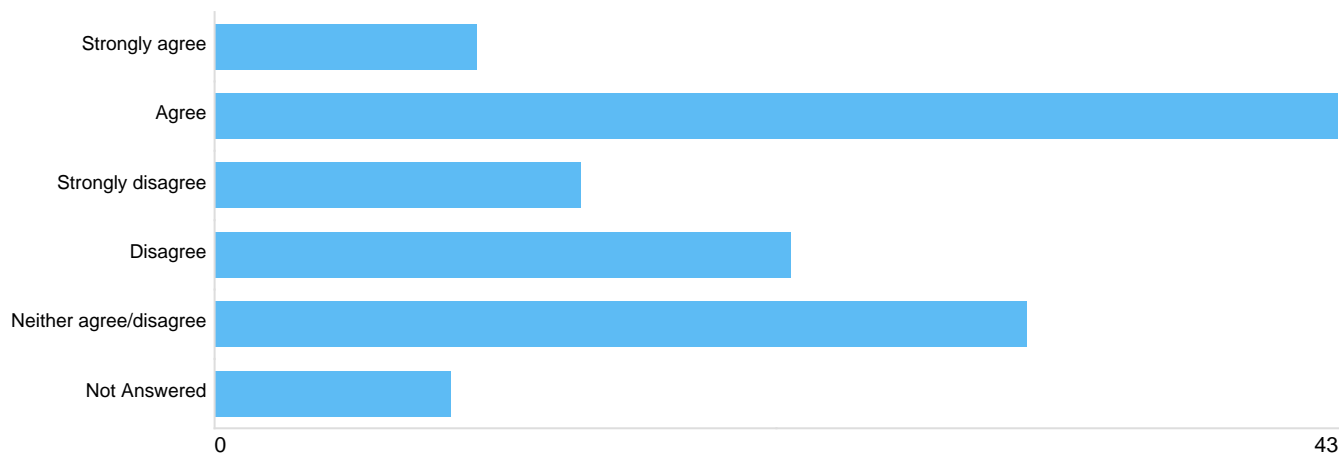
Option	Total
Strongly agree	13
Agree	49
Strongly disagree	12
Disagree	21
Neither agree/disagree	27
Not Answered	7

Matrix 1 - Infrastructure costs (Mayor , town clerk , administration and office)



Option	Total
Strongly agree	21
Agree	32
Strongly disagree	20
Disagree	24
Neither agree/disagree	27
Not Answered	5

Matrix 1 - Festive lights



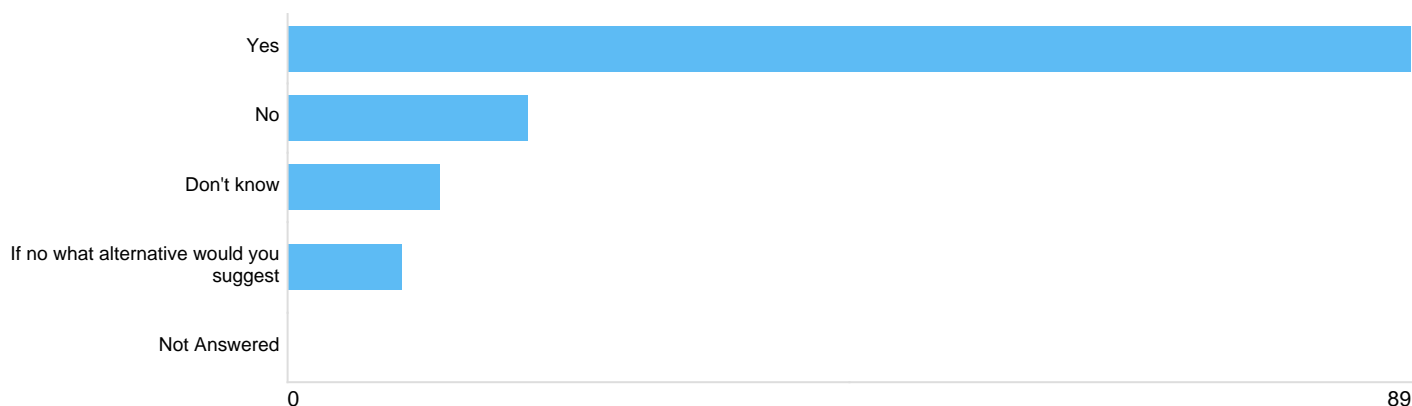
Option	Total
Strongly agree	10
Agree	43
Strongly disagree	14
Disagree	22
Neither agree/disagree	31
Not Answered	9

Priorities

There were **129** responses to this part of the question.

Question 9: Do you agree with the proposal that the Interim Parish Council (1 March 2016 to 5 May 2016) is made up of eight serving City Council Councillors for the wards of Sutton Coldfield and five representatives of local community organisations?

Cllr numbers



Option	Total
Yes	89
No	19
Don't know	12
If no what alternative would you suggest	9
Not Answered	0

Cllr Numbers

There were **129** responses to this part of the question.

Question 10: Are there any other comments you would like to make on these proposals or the proposed arrangements for establishing Sutton Coldfield Parish Council?

Any other comments

There were **129** responses to this part of the question.

Sutton Coldfield Peoples Panel Discussion
1 December 2015
Sutton Coldfield Town Hall

Ten residents confirmed in advance that they would take part, nine attended the focus group. There was representation from each of Sutton wards. The focus group was facilitated by Ifor Jones, Birmingham City Council, and Stephen Smallwood from the Sutton Coldfield Parish Council Steering Group. Olive O'Sullivan was the note taker.

Objective of Focus Group

To consult with Sutton Coldfield residents on the Peoples Panel on the terms of the Community Governance Review Draft Reorganisation Order, that was approved by Council Business Management Committee on 17 November. The workshop also explored residents' views on funding priorities for the Parish Council in the first financial year and the democratic /governance arrangements for the Parish Council.

Background

Ifor Jones gave a presentation (attached) on the Community Governance Review to date, the Recommendations made at City Council on 15 September 2015, the purpose of the Reorganisation Order. Ifor also set out the process for the Boundary Commission review and how that impacts on the terms of the Organisation Order.

In addition, Ifor set out the reasons for the decision of the Community Governance Review Group to recommend to Full Council to establish the Parish Council, on 1 March 2015 with elections held in May 2016, as opposed to waiting until 2018 to hold the first elections to the Parish Council. Ifor explained that the role of the Interim Parish Council is primarily to set the budget and administrative frame for the Parish Council and that any key decisions would not be made until after elections to the Parish Council. The consultation arrangements on the draft Reorganisation Order were set out. In addition, while funding priorities will not form part of the Reorganisation Order, Ifor advised that the Parish Council Steering Group was seeking feedback from residents on priorities for spending, in order to help shape future plans. The focus group and Be Heard survey were identified as an opportunity to seek views on the role and purpose of the Parish Council. Residents were asked the following specific questions in relation to the terms of the Reorganisation Order.

Q 1 Do you agree with the proposed interim arrangement that the parished area of Sutton Coldfield (Sutton Coldfield Parliamentary Constituency) is divided into four voting wards, with the same boundaries as the existing Birmingham City Council Sutton Coldfield wards and for the wards in the parish to bear the same name as the City Council wards?

Residents unanimously agreed that using the existing wards made sense. It was stated that residents are used to this and that as an interim arrangement it was a good idea. It was also stated that if the number of wards were increased to have more of a neighbourhood focus that would also be a good idea. One resident asked if parish councillors would have to come from Sutton Coldfield; it was explained that they would have to live or work within a three mile radius of Sutton Coldfield. Clarification was sought on the criteria the Boundary Commission would use in order to determine the number of wards.

Ifor explained that the Boundary Commission is looking at the city as a whole and that it would look at the existing templates and the historic make up of wards, infrastructure, local centres, the view of residents and of political parties would all be taken into account, but that ultimately the Boundary Commission would exercise a judgement to come up with a pragmatic solution. In addition, Ifor explained that a reduction in the number of councillors across the city as a whole would also be taken into account. A resident asked if current city councillors would be eligible to stand as a parish councillor. It was explained that they could if they met the criteria and that it is not unusual for councillors to be 'twin hatted', i.e. be both a city councillor and a parish councillor. Ifor advised that there could also be independents, i.e. parish councillors not affiliated to a political party.

Q2 Do you agree with the proposal that Sutton Coldfield Parish Council should have 24 councillors to be equivalent to the typical number of councillors per elector as applies in equivalent Town and Parish Councils elsewhere. This would result in six parish councillors for each of the proposed four wards?

Ifor explained that the proposed 24 parish councillors is within the benchmark of parish councillors of other large parish/town councils. Concern was raised by residents about how much it would cost for parish councillors. There appeared to be a perception amongst participants that it would cost in the region of £10k per parish councillor. It was explained that generally parish councils are paid expenses as opposed to a salary and that the cost per parish councillor would be relatively small; the administration costs are estimated at circa £200k, which is less than 5% of the overall budget of £1.8m. It was agreed that there is a need to balance administrative costs with effective leadership, e.g. a town mayor is an important role that gives identity and a sense of heritage and that this should not be seen as an extravagance. Residents further agreed that there needed to be a balance between effective representation and what that representation costs. It was further agreed that there would be a further session in the New Year to look at costs including the level of expenditure for parish councillors and exploring a rate that is proportionate to the ambition of the parish council.

Residents voted 7 in favour of 24 Councillors (78%) When asked if there should be more or less, the suggestion of more councillors was rejected. Again, the response was that the number ought to be dependent on what it cost. The final point made by a resident on this was that Sutton residents had voted in favour of a Town Council, that 24 parish councillors was about right, that the majority who voted in favour of a parish council want that representation and that therefore there is a need to have confidence in those councillors elected to have the best interests of Sutton Coldfield residents, adding that it is up to Sutton residents to hold the parish councillors to account. The two residents that didn't vote in favour of the proposed 24 councillors did not suggest an alternative number.

Q3 Do you agree with the proposal that the Interim Parish Council is made up of 8 serving City Councillors for the ward of Sutton Coldfield and 5 representatives of local community organisations?

A resident raised his concern that some of the existing Sutton Coldfield ward councillors were 'sitting on the fence' in relation to the Parish Council and that they are now on the Parish Council Steering Group and will be on in the Interim Council. Ifor advised that at the cross party Community Governance Review Group meeting held immediately after the

postal consultative ballot, all three parties supported the proposal to establish a Town Council for Sutton Coldfield. All three parties agreed that 'the people have spoken and that they would get behind this and respect the decision of those that voted in favour of a Town Council. In addition, all three political parties were in favour of proceeding to establish the Town Council in 2016 and holding the first elections to the Town Council in May 2016, as opposed to waiting until 2018 for the first parish elections. Ifor also referred to the Paper 4 of the series of papers published as part of the Community Governance Review, in which the City Council placed on record that it did not support the creation of a Town Council, setting out its reasons for this. However, this position has changed and now other parts of the City are looking at the parish council model of local governance. Ifor also explained the difficult and challenging time the City Council is facing financially and that one way of securing a better offer on local services is via parish councils.

A resident asked if there could be a policy decision taken that Sutton parish councillors could not be 'twin hatted'. It was explained that this could not happen and why. A further issue was raised by a resident during this part of the meeting around who would control the money. It was confirmed that the decision making authority would be with the parish councillors and not Birmingham City Councillors, that the City Council would just collect the precept as part of its responsibilities as a billing authority.

Residents confirmed that they were broadly in favour of the proposed Interim/ transitional arrangements.

Q4 Do you agree with the approach the City Council is taking regarding the transfer of any assets, services, right and liabilities from the City Council to the Parish Council?

Ifor explained that the transfer of assets would not be included in the Order, partly because there is insufficient time to do so but also because of the need for a structured dialogue between the parish and city council, led by the Town Clerk acting on behalf of the parish council. He added that there may be assets/ services that are transferred in the first year but others e.g. Sutton Park that would require very serious debate, explaining that Sutton Park is a strategic amenity that covers the city and region as a whole and that the City Council has a Best Value duty to make sure that whatever arrangements are put in place stack up and succeed. Ifor confirmed the need to create the right environment and culture that will facilitate and enable sensible dialogue and debate over the next three years or so to release assets. Residents agreed that it is wise to be cautious and to take it steady and slowly but to ensure that we keep moving forward adding that if we too much was taken on too soon there was the risk of it collapsing and what's achieved to date could be lost.

A resident asked if it would be possible to create a road map that sets out the key steps that should be taken by when. It was also stressed that we should have some measure of what fast and slow meant in terms of progress. Another resident stated that councillors once elected should put in place a plan that sets out their plans and timescales. Reference was made to the Parish Council Steering Group Away Day when discussion took place on the vision, purpose and milestones for the Parish Council and, whether services should be delivered directly or commissioned, or a combination of both. It was agreed that a strategic plan would be prepared for the medium term but a road map would be a good way of describing that.

It was also agreed that such a plan would be dependent on the relationship between the Parish Council and the City Council and the importance of the City Council being on board with the plan. It was confirmed that a partnership approach is being encouraged, acknowledging that there will be times where both parties agree to disagree and but that they should be 'productive disagreements'. Ifor added that the road map should reflect the art of the possible, influenced in part by legislation both in terms of the statutory duties and powers but also the powers under the General Power of Competence as set out in the Localism Act.

Residents generally agreed the approach, walk before you can run, but not to rest that forward progression.

Q5 Do you agree with the proposed precept of £50 a year for a Band D property for the first financial year of the parish council as this was the figure upon which the consultative ballot result was obtained?

Ifor advised that this figure was based on the national average. One resident asked the question, if we are moving slowly if it were wise to take all this money in the first year.

It was confirmed that reserves could be carried forward to create sinking funds and contingency monies. Residents were advised that the inhibitions that principal authorities currently face in terms of council tax increases could apply in the future to parish councils, i.e. having to have a referendum on increases above 2.5%. If this rule applied in the future, it would make it difficult to adjust the rate if it were initially set below bar.

Reference was made to the Shrewsbury experience. Their Town Council was created as part of the 2009 local government reorganisation that saw the dismantling of the County and Districts councils. Shrewsbury Town Council was established and given a dowry that enabled them to grow. This pump primed the development of their successful business model. It was acknowledged that while times are tough for individual households, the town Council shouldn't sink through lack of resourcing.

Residents voted 7 in favour of a precept of £50.00 per Band D property.

There was however a perception amongst some residents that residents could be paying twice for services, i.e. charged for services by both the City Council and the Parish Council and that the City Council could withdraw some of its current funding for Sutton Coldfield on the grounds that the Parish Council could pay for services /activities. It was explained that the parish would fund additional/ top up services. The current budgetary challenges facing the City Council were also explained. Ifor advised that council tax represents a small proportion of the City Council's income, that it is less than 10% of the £1bn controllable spend of the City Council adding that the majority of income, Revenue Support Grant from Central Government, will cease close to 2020. In terms of the financial challenge the City Council is facing, 60% of the controllable spend of £1bn is spent on 25,000 people within the city. Over the next three years this will be reduced to £750m for all services, which will mean that some of the universal services currently provided will inevitably be reduced significantly.

Residents felt that because the Parish Council will have access to its own funds that Birmingham City Council would 'selectively withdraw' from Sutton and that Sutton would therefore be penalised.

It was confirmed that the precept could be used to 'top up' service provision. The library service was cited as an example; if all libraries across the City were to be reduced to a one day service, then the precept could be used in Sutton to enable the service to run on additional days. Ifor advised that a range of indicators would be used to determine which libraries should have a reduced service; that there are 8 -9 indicators, all challengeable, that would be used across the whole of the City when determining any reduction of the library service.

Clarification was also sought on how Council Tax relief/ discounts would be applied and if they would automatically be reduced from the council tax bill. It was confirmed that council tax relief /discounts would be applied.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES
Date of Decision:	15 DECEMBER 2015
SUBJECT:	PETITIONS UPDATE
Wards affected:	ALL

1. Purpose of report:

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

2. Decision(s) recommended:

2.1 The Committee note this quarterly report.

Contact Officer:	Phil Wright
Telephone No:	0121 675 0216
E-mail address:	Phil_Wright@birmingham.gov.uk

Signature:

Chief Officer(s):

Dated:

List of Appendices:

None

List of Background Documents used to compile this Report:

Public Petition Records

3. Relevant background/chronology of key events:

- 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: -

Protocol

1. Petition presented at City Council.
 2. Petition referred to the appropriate Chief Officer for response within 3 working days.
 3. Chief Officer to write to the Councillor 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 Chief Officer 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. Chief Officer 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 32) and those which are the responsibility of external organisations (currently 41).
- 4.2 Of the outstanding City Council related petitions, 1 was presented in 2014 and 31 were presented in 2015.
- 4.3 Since May 2005, 1763 out of a total of 1795 petitions received have been discharged – 98%.