

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.