

Local Government
Boundary Commission
For England
Report No.534

Parish Review

CITY OF
BIRMINGHAM

LOCAL GOVERNMENT

BOUNDARY COMMISSION

FOR ENGLAND

REPORT NO.

534

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

CHAIRMAN

Mr G J Ellerton CMG MBE

DEPUTY CHAIRMAN

Mr J G Powell FRICS FSVA

MEMBERS

Lady Ackner

Mr G R Prentice

Professor G E Cherry

Mr K J L Newell

Mr B Scholes OBE

BIRMINGHAM PARISH REVIEW

1. In accordance with the responsibilities posed on them by section 48(8) of the Local Government Act 1972, Birmingham City Council conducted a parish review and reported to us on 8 April 1983. Following the announcement of the start of their review, the City Council had received submissions from 18 groups or organisations, requesting the establishment of 23 parishes, and a number of letters and petitions either supporting or opposing the principle of parish councils in Birmingham. Having considered all these submissions and comments, the City Council had published, in December 1982, an interim decision that no parish councils should be established in Birmingham at that time. In response to their interim decision the City Council had received 26 submissions, most of which had requested the establishment of parish councils in various parts of the City. However subsequently, in February 1983, the City Council had confirmed their decision not to recommend the establishment of parish councils within the City.

2. Prior to our consideration of the City Council's report, there was a change in the political control of the Council and we were informed that the leader of the new majority party had its full support for parishes in the City and was unhappy about the existing parish review submission. Nevertheless, the Council did not particularly wish to have to start the review all over again in order to put forward alternative views.

3. We considered how we could accommodate the City Council's change of attitude towards the establishment of parishes without the Council having to carry out the review again. We decided to write to the Council indicating our

recognition of the fact, from the submissions which had already been made, that there might be distinctive and recognisable communities in the City on which parishes could be based. The letter, which was sent on 31 May 1984, contained two lists of communities on which parishes could be based, one derived from representations made to us in response to the City Council's report on 8 April 1983, the other based on submissions forwarded with the City Council's report. The City Council replied on 28 June 1984 that they were content that we should issue draft proposals based on the submissions made to us, and at the same time provide for proposals in respect of other areas in the City to be considered.

4. In the light of the City Council's response and the representations received, both by the Council and ourselves, we concluded from the number of submissions made that there was some evidence of desire for parishes in parts of the City. We decided to exercise the powers conferred on us by section 48 subsection (9) of the Local Government Act 1972, and conduct our own review of the area for the purpose of considering whether or not it would be desirable, in the interests of effective and convenient local government, for us to make proposals for parishes. In making this decision, we concluded that, given the history of the review, the circumstances were sufficiently exceptional to enable us to shorten the normal procedure by publishing, at the same time as we announced our intention to carry out a review, draft proposals for parishes based on the submissions we had received.

5. On 29 March 1985 we issued a consultation letter announcing the start of a review and publishing draft proposals for 13 parishes - of Sutton All Saints, Sutton Four Oaks, Sutton New Hall, Sutton Penns, Sutton Vesey, Sutton Wyndley, Old Oscott, Firs and Bromford, Ward End (Washwood Heath), Greet, Moseley,

Walkers Heath and North Edgbaston. The letter recognised that the boundaries, which were devised by Ordnance Survey in consultation with the City Council, might not produce parishes which related entirely satisfactorily to the communities living in the areas concerned, and also that there were several other areas in the City where there was some evidence of a demand for parishes. We said we would therefore welcome any suggestions for alternative names and boundaries which would relate these parishes and their wards more closely to local communities, as well as suggestions for further parishes in the City. Copies of the letter were sent to the Members of Parliament for the constituencies concerned, the headquarters of the main political parties, editors of local newspapers circulating in the City, the local government press, local TV and radio stations serving the area, the Association of Neighbourhood Councils and to individuals and organisations who had made representations either to the City Council or to us. Comments were invited by 24 May 1985.

6. In response to our draft proposals we received eight new submissions for parishes, mostly from community groups, in Selly Oak, Bourneville, Bartley Green, Sparkhill and the City centre, and a proposal from Birmingham City Council for 84 parishes, largely based on district wards, covering the whole city. In addition, we received more than 500 representations from a wide variety of sources within the City, mainly opposed to the concept of parishes in Birmingham for some or all of the following arguments:-

- (a) Birmingham, like London, was a continuously built-up area not suitable for parishing;
- (b) there was no real local demand (except from a vociferous minority);
- (c) Birmingham City Council, with all its faults, and irrespective of political control, had proved itself best able to provide effective and convenient local government, which parish councils would hamper rather than improve;

- (d) parish councils can levy a precept which could mean the City Treasurer having to administer the collection of perhaps up to 90 different rate poundages;
- (e) parish councils would be in addition to the Area Committees of Members (and MPs) only just introduced into the City;
- (f) the introduction of parish councils was senseless and unnecessary, particularly when another expensive tier of local government, the West Midlands County Council, was about to be abolished; and
- (g) money spent by parish councils, on which there was no limit, would be additional to the existing rates which were already too high for the local economy.

These arguments were used repeatedly in both the representations on the general issue of parishes and those relating to the parishes we had proposed.

7. We reassessed our draft proposals in the light of the representations received. In general, we acknowledged that there were identifiable communities in the City where parishes might well have a useful part to play, should local support prove strong enough but we felt that it would be wrong to impose parishes throughout the City, as the City Council had suggested, with so little supporting evidence of public demand. We also considered publishing further draft proposals, to include the 13 parishes already proposed, together with another six based on the new submissions put forward in response to the draft proposals, with the intention that if they received widespread support they could be adopted as our final proposals. However, the very mixed reaction to our draft proposals, both as to the principle of parishes and as to their boundaries, showed the difficulty of getting the choice of parishes and their precise areas right.

8. We also recognised that in our Report No. 443 we had said that we would not, in the context of a parish review, normally wish to disagree with the judgement of a district council about what was apt for effective and convenient local government in their area unless there was a substantial indication of public opinion against it. The City Council's wishes for the parishing of Birmingham had to be set against a combination of objection and indifference, with only patchy evidence of support, all of which led us to the view that they had not yet produced a sufficiently convincing case.

9. In the end we decided that we should not publish further draft proposals at that stage but seek further information from the City Council about the rationale for their suggested pattern, how it related to other current initiatives like the introduction of area management in the City, and what support there was for their proposed parishes. We wrote to the City Council on 25 October 1985 explaining that we would like to explore further the idea of a comprehensive pattern of parishes but that we would need to be persuaded that there was a real public demand for it and that it would make local government in Birmingham more effective and more convenient; we added that in our view parishes which did not reflect a real public demand were unlikely to function usefully. Our letter also mentioned that in response to our draft proposals we had received submissions for parishes from various community groups which overlapped the Council's proposals, but which did have some measure of public support. Our letter indicated that we recognised that parishes were new to large cities and therefore some public education might be called for before the public could reasonably be expected to make its views known.

10. The City Council, in their reply of 11 November 1985, explained that the reasoning behind their proposals for comprehensive coverage was that a demand for parish councils had been shown in areas other than those included in our draft proposals, therefore they felt that a logical approach was to parish the whole of the City. The alternative appeared to them to be a number of unrelated proposals with conflicting boundaries which, apart from presenting immediate problems, would be likely to create difficulties if a demand was seen to exist in the future to parish any of the unparished areas of the City. The Council had taken the view that their electoral wards were a basis for community of interest and had concluded that a comprehensive pattern of parishes based on wards was more apt for effective and convenient local government in the City. The City Council also told us that they were embarking on a consultation exercise designed to inform and educate the public about the concept and functions of parish councils.

11. We considered the City Council's letter and concluded that since the Council had evidently given considerable thought to their approach and there was certainly some support for the idea of parishes, we should wait for the result of the City's consultation exercise, which was expected before the end of March 1986, before re-assessing our own position. We wrote to this effect to the City Council on 6 December 1985. In addition, in order that other interested bodies and individuals should be equally aware of the position, we wrote on 16 December 1985 to everybody who had made representations, explaining that we were awaiting the outcome of the consultation exercise before taking any further action on the review.

12. The City Council eventually sent us the results of their consultation exercise in the form of a report to its General Purposes Committee which led to a resolution passed by that Committee in June 1986. In brief the report indicated that the average response in the proposed parishes had only been in single figures and that as many of those commenting had been opposed as were in favour. We noted that the exercise had not started until late January 1986 and that the period for response had expired on 28 March. During this period and afterwards we had received a number of complaints from organisations and members of the public about the late distribution of publicity material by the City Council and about the lack of time given in which to respond. We also noted that in their consultation publicity the City Council had presented parish councils in the context of their own concurrent proposals for decentralising the City's administration through area management and neighbourhood offices, rather than as free-standing authorities in their own right. These factors may, in our opinion, have contributed to the level of response, which was extremely small considering the size of the City's population. More important however we noted that the response confirmed that there remained sharply conflicting attitudes to the principle of parishes in the City.

13. We found the results of the exercise disappointing: we did not feel that it gave us, even then, a clear and reliable indication of the extent of support for parishes in the City. In these circumstances we had to consider how the review should proceed, and the options open to us. We looked again at the response to our draft proposals and the response to the consultation exercise and we had to accept that, although the City Council had made some effort to inform the public about parishes, there appeared to be no convincing support for the proposals for the comprehensive parishing of the City, or, indeed, for any of the parishes we ourselves had proposed. We considered holding one or more local meetings in a further effort to clarify local wishes but we rejected the idea because it would have been highly arbitrary to select only one, or even several, areas for this purpose, and it was not at all certain to us

how revealing such meetings would have been of the true wishes of the majority of residents. We also considered again the possibility of further draft proposals for selected parishes but we felt, similarly, that arbitrarily selecting particular parishes might erode what little support there was and cause other areas to feel disadvantaged in so far as they were to be less well represented.

14. We eventually concluded that the case for parishes generally in the City, or for any parish in particular, was fundamentally weak, because of the absence of convincing evidence as to the strength of lasting local support. The review had already been in progress a long time during which considerable efforts had been made to elicit the level of support for parishes yet the results remained disappointing. We noted in particular that hardly any interest had been registered in the inner city areas, while even in those middle and outer suburbs where there was more detectable support, enthusiasm was patchy, thin and shifting over time, and there was a substantial body of opinion against parishes.

15. We have therefore finally come to the view, with some reluctance in the knowledge that the City Council (and some others) remain enthusiastic about parishes, that we must withdraw our draft proposals and make no proposals for parishes in the City.

16. We should like to make it clear that we have sought to evaluate the case for parishes in Birmingham in accordance with the criteria commended to us by your predecessor in Circular 121/77, and without any predisposition for or against the principle of parishes in big cities. We recognise that the precise boundaries of communities within a large urban area will seldom be as readily identifiable as those of a rural parish and that an urban parish in practice is likely to be different from that of a rural parish. We do not question the City Council's motivation in seeking, through their conception of a comprehensive

pattern of parishes, to identify more clearly the needs of their citizens and to involve them more closely in government, not least in the inner city areas with their particular problems. We can sympathise with such aims, and would certainly not want to suggest that there is no potential role for parishes in such areas. However their justification must in our view depend upon both an identifiable sense of local community and a sufficient measure of local support. In the case of Birmingham at the present time we have simply not had the evidence of such support put before us. If, during the course of a future review, it were to be forthcoming we should of course be ready to look at the matter again.

PUBLICATION

17. A letter is being sent with copies of this report to Birmingham City Council asking them, in accordance with Section 60(5)(b) of the Local Government Act 1972, to place the copies on deposit at their main offices, and to put notices to this effect on public notice boards and in the local press. The text of the notice will explain that the Commission have fulfilled their statutory role in the matter. Copies of this report are also being sent to those who received the consultation letter and to those who made comments.

L.S.

SIGNED: G J ELLERTON (Chairman)

 J G POWELL (Deputy Chairman)

 JOAN ACKNER

 G E CHERRY

 K J L NEWELL

 G R PRENTICE

 BRIAN SCHOLES

S T GARRISH
Secretary

