

# BIRMINGHAM CITY COUNCIL

**HALL GREEN  
CONSTITUENCY  
COMMITTEE  
TUESDAY 16 JUNE 2009**

**MINUTES OF A MEETING OF THE HALL GREEN  
CONSTITUENCY COMMITTEE HELD ON TUESDAY  
16 JUNE 2009 AT 1900 HOURS IN KINGS HEATH  
PRIMARY SCHOOL, VALENTINE ROAD, KINGS  
HEATH, BIRMINGHAM**

**PRESENT:** - Councillor Jerry Evans in the Chair;

Councillors Tanveer Choudhry, Emily Cox, Mohammed Fazal,  
Jackie Hawthorn, Ernie Hendricks, Mohammed Isthiaq, Nahim Ullah  
Khan, Paula Smith and Salma Yaqoob.

**ALSO PRESENT**

Councillor Les Lawrence – Cabinet Member for Children, Young People and  
Families  
Bret Willers, Constituency Director  
John Blakemore – Acting Chief Highway Engineer  
Domenic De Bechi – Transportation  
Derrick Hall – Adults and Communities  
Pete Hobbs – Senior Constituency Manager  
Hywel Ruddick, Democratic Services

(There were approximately 20 members of the public in attendance.)

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**ELECTION OF CHAIRPERSON**

201

**RESOLVED:-**

That Councillor Jerry Evans be elected Chairperson of the Committee for  
the Municipal Year 2009/10, ending with the first meeting of the Committee  
in 2010/11.

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**ELECTION OF VICE-CHAIRPERSON**

202

**RESOLVED:-**

That Councillor Martin Mullaney be elected Vice-Chairperson of the  
Committee for the Municipal Year 2009/10, ending with the first meeting of  
the Committee in 2010/11.

**MEMBERSHIP OF THE COMMITTEE**

203 The following Membership of the Committee was noted:-

Councillors Jackie Hawthorn, Paula Smith and Michael Wilkes (Hall Green Ward).

Councillors Emily Cox, Ernie Hendricks and Martin Mullaney (Moseley and Kings Heath Ward).

Councillors Mohammed Ishtiaq, Nahim Ullah Khan and Salma Yaqoob (Sparkbrook Ward).

Councillors Tanveer Choudhry, Jerry Evans and Mohammed Fazal (Springfield Ward).

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**APOLOGIES**

204 Apologies were submitted on behalf of Councillors Martin Mullaney and Michael Wilkes and on behalf of Roger Godsiff MP, Lynne Jone MP and Roger Godsiff MP.

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**DECLARATIONS OF INTEREST**

205 Councillor Jerry Evans advised that he was the Chairperson of the Enterprising Communities Board.

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**MINUTES**

With reference to page 104, it was noted that Councillor Mohammed Ishtiaq had been present.

206 **RESOLVED:-**

That, subject to the above amendment, the minutes of the Meeting held on 24 March 2009, having been previously circulated, were confirmed and signed by the Chairperson.

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**MATTERS ARISING**

**Warkwickshire County Cricket Club**

Councillor Salma Yaqoob referred to Minute No. 188, regarding the Warkwickshire County Cricket Club. She expressed her disappointment that the Planning Application had been granted despite the Resolutions passed by both the Constituency Committee and Sparkbrook Ward Committee, and many

objections from local residents. She stated that the option of retractable floodlights had not been considered.

Following a discussion, it was

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**RESOLVED:-**

- i) That the Committee deeply regrets the decision to grant Warkwickshire County Cricket Club's Planning Application as submitted, contrary to the views of many residents and would still wish consideration to be given to retractable floodlights; and
- ii) That the Committee note the approval of a loan to the Warkwickshire County Cricket Club and would wish this to be conditional on active consultation with local residents, in particular in relation to the provision of retractable floodlights.

(NB During consideration of this item Councillors Mohammed Fazal, and Paula Smith, as Members of the Planning Committee, vacated the room and took no part in the consideration and voting on the matter).

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**TERMS OF REFERENCE**

The following Terms of Reference for the Committee on 2009/10 were submitted:-

(See document No. 1)

The Terms of Reference were noted.

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**MOSELEY SCHOOL**

Councillor Les Lawrence, Cabinet Member for Children, Young People and Families gave an update on the issue of the Governing Body of Moseley School. He stated that he had attended the Sparkbrook Ward Committee and was seeking to change attainment levels at Moseley School and re-position the School in the community. He highlighted that within the City there were examples of where schools had gone down the route of a Hard Federation, such as Arthur Terry and Stockland Green, which had suited both Schools. However he had stated that a Softer Federation model would be considered for Moseley School, with the existing Head Teacher to be shared between Queensbridge and Moseley Schools. He stated that he was working towards an agreement between a Federation between the School and the Council and that if all parties agreed then there would be a need to write and agree a "Memorandum of Understanding". He stated that this would bring about community involvement, acknowledged that Councillors Tanveer Choudhry and Salma Yaqoob had volunteered to be involved in the process and highlighted that discussions with the current Governing Body had been positive. He concluded by apologising for not being able to attend the Springfield Ward Committee.

## Hall Green Constituency Committee – 16 June 2009

The Chairperson welcomed the fact that the Hard Federation had been taken off the table and that the Governors of Moseley School would not be removed.

Councillor Salma Yaqoob welcomed the outcome and stated that the “Memorandum of Understanding” would be key.

A member of the public thanked all Members for their cross-party support of the Governing Body.

The Chair of Moseley School Governing Body thanked all members and Councillor Les Lawrence for their intervention and highlighted that the Governing Body had worked hard over the last two years to improve the School. He stated that there were a couple of “markers” he would wish to see, one being the retention of the existing Governors and the other being that any Board structure be consulted with the Governing Body.

Councillor Les Lawrence advised that the process would require collective agreement and support in relation to the Memorandum of Understanding. He stated that the Government Department would not accept the proposal if there was not joint agreement.

Councillor Tanveer Choudhry welcomed the comments regarding a soft federation and stated that there was a need to look forward now because the emphasis should now be on improvements for the children

Councillor Salma Yaqoob sought reassurance that the Queensbridge Governing Body or some other body would not subsume the existing Governing Body. Councillor Les Lawrence advised that Queensbridge Governing Body had been stood down. He stated that the joint work would be between the Local Authority and Moseley School but also advised that the arrangement would need to be acceptable to the Government Department. He reiterated that the Governance arrangements would be under the Memorandum of Understanding and stated that as long as the Government Department could be shown the arrangement was workable, there would be some flexibility.

A member of the public, who advised he was a teacher/governor at Moseley School expressed concern that the negotiations were being done without involving the staff. He stated that staff were not aware elected Members were involved and also had reservations regarding the current Governing Body. He highlighted that National Challenge had been used to remove the former Head Teacher but also advised that National Challenge did consider the governance arrangements. He stated that Local Education Authority representatives had attended meetings of the Governing Body and expressed concerns about the governance arrangements. He concluded by stating that the staff were in limbo.

Councillor Les Lawrence acknowledged that no school would succeed without good teachers but highlighted that there had to be structural change. He stated that he would not wish to see the concept of “hot housing”, that is improving grades in the short term, but wished to ensure that GCSE results were improved and sustainable improvement achieved.

Councillor Tanveer Choudhry commented that he appreciated the concerns of the teachers but stated that there were two-sides to each story. He stated that the staff were paramount but highlighted that the community wanted to support improvements in the school.

Councillor Salma Yaqoob stated that the soft federation approach was not a “soft option”. She highlighted that the previous Governing Body had not asked enough questions but stated that a line now needed to be drawn and teachers needed to be involved in future discussions.

Councillor Les Lawrence stated that no final decision had been made and that at the very beginning a series of proposals had been put forward and advised that no money had been set aside for a final arrangement. He stated that as the Cabinet Member for Children, Young People and Families, then if the school had fulfilled it’s potential then the fault lay at his door, as he may not have pursued the issue as hard as he should have done. He advised of another Federation between Greet and Conway Schools and stated that there had to be improvements by the summer of 2010. He concluded that he hoped he had been able to provide some reassurance and stated that he would be willing to come back to a future meeting.

The Chairperson thanked Councillor Les Lawrence for his attendance and contribution.

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### **COMMISSIONING STRATEGY FOR OLDER PEOPLE’S SERVICE UPDATE**

The following Report of the Strategic Director of Adults and Communities was submitted:-

(See document No. 2)

Derrick Hall, Adults and Communities, presented the report and stated that it related to the following four pieces of work being undertaken in Adults and Communities:-

Consultation of Older Adults Day Services, ending 6 June 2009;  
Phase 2 Closures of Care Centres – Clifton House in Constituency;  
Business Transformation; and  
Older Adults Commissioning Strategy.

The Chairperson stated that given regard to the economic climate he stated that there was a need to review the Commissioning Strategy 2005-10. Derrick Hall stated that the Strategy was in process and advised that people had been notified in November 2007 of the order for the closures. He stated that this had followed a consultation in 2004, subsequently approved by Cabinet in 2005 and was an attempt to improve services for older adults.

The Chairperson advised his colleagues that this was an issue to be considered at the Executive Management Team “Away Day” as there was a change in the level of capital to be secured. Derrick Hall advised that previously the valuation for the Council’s sites had been in the region of £23 million but under the current climate this had changed to £3 million.

Councillor Salma Yaqoob stated that it was ironic that residents at Clifton House had been told they were to move but that the credit crunch would keep them in the property. She commented that the Meals and Wheels Service was to be phased out because of costs but highlighted that a private company, once the contract was awarded, could look to increase their costs. Derrick Hall acknowledged the comments but highlighted that the Meals and Wheels Service was a current consultation for individuals to comment. The Chairperson stated that he would wish to see a full report on the Meals and Wheels Service to a future meeting.

A discussion ensued regarding the closure of the Council's elderly care homes and Derrick Hall advised that the current stock did not meet legal requirements and that the decision had had to be made whether to replace or refurbish. He stated that the cost to refurbish the homes was more than replacement.

Councillor Salma Yaqoob expressed concerns in relation to the residents of Clifton House, as residents were happy there. Derrick Hall stated that when residents had been moved they were happy in their new homes. He also advised that when residents were required to move the Social Work Team did try to move people in their "friendship groups".

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**HIGHWAYS MANGEMENT AND MAINTENANCE – PRIVATE FINANCE INITIATIVE (PFI)**

John Blakemore, Acting Chief Highways Engineer, and Domenic De Bechi, Highways, were in attendance and provided the following Power Point presentation:-

(See document No. 3)

Councillor Salma Yaqoob expressed concerns that the PFI contract would tie the residents of Birmingham in with one Company for 25 years and stated that the children would be paying for the contract.

The Chairperson stated that he would agree with the view if it was a hospital PFI but stated that the Highways PFUI did come with a budget attached. John Blakemore added that the Department had pursued the PFI to the preferred bidder stage and highlighted that the arrangement would bring a lot of money into the City. He highlighted that 51% of Birmingham's Highway infrastructure was currently classed as failing and there was not a choice of "doing nothing".

A member of the public commented that the City could become grid locked with the closure of the 3 tunnels through the City centre. John Blakemore stated that there would be an unprecedented amount of activity in the initial years.

A member of the public expressed concern that the pavements would be narrowed and that there would be less trees. John Blakemore advised that the contract specified that there would be no less trees than now and he also advised that local Members would have the power to veto the removal of a tree built into the contract. He also added that the current policy of the City was, where a tree was removed, to replace it with two new trees.

A member of the public stated that it was controversial issue and asked if the Trade Unions had been invited to attend, which the Chairperson advised they had not. A query was raised regarding costs and John Blakemore advised that the City had received two formal offers and were likely to move to a preferred bidder. He highlighted that the credit would be £588 million, which equated to an equivalent saving of £1.1 billion over the 25 years.

Councillor Emily Cox stated that she would welcome looking at the Scheme in greater detail at a future meeting and queried how the infrastructure had gotten into such a poor state. She commented that she did not like PFI schemes but stated that this was what was on the table now and that other schemes could be considered in the future.

Queries were raised regarding the contract and John Blakemore advised that there was a deduction mechanism for non-compliance.

Councillor Ernie Hendricks stated that PFI was the current economic fix for the public and stated that he was not necessarily convinced. However he welcomed the consultation at a Constituency level and he asked what would happen to the existing staff. John Blakemore advised that whilst there were ten Constituencies, there was not ten separate PFIs and stated that all Constituencies would be brought up to the same National Standard. He stated that both bidders had indicated that they would put one of their staff in each Constituency office. With reference to staff he stated that there would be a TUPE transfer on their same terms and conditions.

Councillor Paula Smith stated that she represented a mature suburb and commented that she would not wish to see the wholesale removal of trees. John Blakemore stated that ultimately it would be a Members decision.

A member of the public referred to PFIs in Bradford and Leicester that had not worked. In relation to bridges he stated that to raise all bridges to a 40 tonne load bearing capacity could have unintentional consequences and stated that he would wish the Edward Road bridge to remain at a maximum of 8 tonnes. John Blakemore advised that not all bridges would be raised to a 40 tonne limit.

A member of the public commented on the upgrade of all roads in the City to a fair standard and commented that it should be a good standard, otherwise the same situation with the infrastructure could arise again.

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**RESOLVED:-**

That the comments in the above preamble be noted and forwarded to Highways for consideration.

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**RECEIPT OF PETITIONS (IF ANY)**

212

No petitions were submitted.

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**GOVERNORS OF UNIVERSITY HOSPITALS BIRMINGHAM FOUNDATION  
NHS TRUST – MEMBERSHIP DRIVE**

- 213 The member of the public, who had requested this item on the Agenda, advised that he and his colleague would report to the next Committee meeting. The Chairperson noted that this was the second time this matter had appeared on the Agenda and agreed to move the item up the Agenda for the next meeting.
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214 **MATTERS OF URGENT CONSTITUENCY CONCERN**

The following issues were raised:-

i) **Balsall Heath Library**

Pete Hobbs advised that the Library should be re-open within the next two weeks. He stated that the structural work had been completed and that the shelves were being re-stocked.

On a question from a member of the public, he advised that the Library should re-open in the week commencing 29 June 2009 but added that an inspection from the Fire Service would need to take place.

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ii) **Sparkhill Pool and Fitness Centre**

Pete Hobbs advised the Committee that Sparkhill Baths had been required to close following a full structural survey. He stated that the survey had highlighted that the metal structure under the concrete pillars was corroded and thus the integrity of the building could not be assured.

Councillor Salma Yaqoob suggested that consideration should be given to improving Moseley Road Baths.

A member of the public stated that the community were losing facilities and stated that health inequalities should be addressed.

The Chairperson stated that the Sparkhill Pool would not be lost to the Community and advised that no consent had been given for a permanent closure.

Bret Willers stated that the gym and the sauna would be provided at alternative locations and stated that his officers were investigating alternative sites. He stated that during the next week the reception area would remain open to advise users of the situation and where alternative provision could be found.



Following a brief discussion, it was

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**RESOLVED:-**

That the Constituency Committee note the Council's ambitions for an Olympic size swimming but advise the Cabinet, Chief Executive and the Acting Strategic Director of Environment and Culture:

- a) that the City's local swimming facilities, particularly Sparkhill Baths and Moseley Road Baths, are more relevant to residents of Birmingham; and
- b) that the City's local swimming facilities should be considered for funding as a priority, before the Cabinet proceed with funding a new Olympic size pool in the City Centre.

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**ITEMS FOR FUTURE AGENDAS**

216

The following items were identified for future meetings:-

- i) **Shire Country Park** – Councillor Paula Smith stated that the Shire Country Park covered two Wards, Hall Green and Springfield. She reported that the meadow had been damaged during grass cutting and requested that the Constituency Parks Manager report to a future Constituency Committee on the provision of a specialist grass cutting service for the Shire Country Park.
- ii) **Friends Institute** – It was requested that this matter be re-visited on a future Agenda.
- iii) **Sparkhill Neighbourhood Office** - It was requested that this matter be re-visited on a future Agenda.
- iv) **Sparkhill Baths** - It was requested that this matter be re-visited on a future Agenda.

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**DATE OF NEXT MEETING**

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It was noted that the next meeting would be held on Tuesday, 21 July 2009, at 1900 hours at a venue to be advised.

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**AUTHORITY TO CHAIRPERSON AND OFFICERS**

218

**RESOLVED:-**

That the Chairperson (or in his absence, the Vice-Chairperson if appropriate) is hereby authorised to act until the next meeting of the Committee except that, in respect of the exercise of the Council's Executive functions delegated to it by the Cabinet, the appropriate Chief Officers are hereby authorised to act in consultation with the Chairperson and that the Corporate Director of Governance is authorised to affix the Corporate Seal

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to any document necessary to give effect to a decision of the said officers acting in pursuance of the power hereby delegated to them; further that a report of all action taken under this authority be submitted to the next meeting and that such report shall explain why this authority was used.

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The meeting ended at 2135 hours.

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CHAIRPERSON