

BIRMINGHAM CITY COUNCIL

SPARKBROOK WARD COMMITTEE 17 MARCH 2009
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**MINUTES OF A MEETING OF THE
SPARKBROOK WARD COMMITTEE HELD
ON 17 MARCH 2009 AT 1830 HOURS
AT THE FAMILY CENTRE, FARM ROAD,
SPARKBROOK, BIRMINGHAM**

PRESENT: - Councillor Salma Yaqoob in the Chair;

Councillor Mohammed Ishtiaq.

ALSO PRESENT

Pete Hobbs – Senior Constituency Manager
Tracey Quirk – Senior Constituency Manager
Andrew Dixon - Schools Support Manager, North Area
Jackie Hughes - Head of School Effectiveness
Becky Jones - Ward Support Officer
Roger Lloyd – Head of Property, Legal
Hywel Ruddick - Democratic Services

(There were approximately 40 members of the public in attendance).

APOLOGIES

1393

Apologies for non-attendance were received from Councillor Nahim Ullah Khan and Roger Godsiff MP.

MINUTES

The Chairperson welcomed members of the public to the meeting, wished them congratulations on St Patrick's Day and welcomed Councillor Mohammed Ishtiaq back to the Country following his successful aid mission to Gaza.

It was noted that a report on the Performance of Local Education - Primary Schools was listed as a future Agenda item and the Chairperson stated that this would be submitted to the meeting scheduled for 2 June 2009.

1394

RESOLVED:-

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That the, notwithstanding the comments above, the Minutes of the meeting held on 20 January 2009, having been previously circulated, were confirmed and signed by the Chairperson.

MOSELEY SCHOOL – GOVERNING BODY

1395

The Chairperson stated that this item would be dealt with later in the meeting.

WARWICKSHIRE COUNTY CRICKET CLUB - PLANNING APPLICATION

The Chairperson referred to Resolution 1389 regarding a joint meeting of the Wards of Edgbaston, Moseley and Kings Heath and Sparkbrook, and advised that the Chairman of the Edgbaston Ward Committee had not felt there would be any benefit to a holding a joint meeting. However she expressed the view that a meeting should still proceed and asked officers to expedite this matter.

A member of the public commented that the Chairman of the Planning Committee should be asked to hold the Committee either in the evening or at a weekend. The Chairperson advised that at present the consultation meeting with the public was scheduled to proceed in the day but stated that this would not enable people to attend and stated that she lobby for an evening meeting to be held.

A member of the public referred to a Freedom of Information Request he had submitted regarding the application. He stated that he believed there had been involvement from the “Planning Director, the late Councillor Ken Hardeman and the Club” to take the matter forward. He commented that he felt there should be impartiality on behalf of the City Council and stated that he felt the Planning Department’s Code of Conduct had been breached.

Roger Lloyd advised that the member of the public should write to the Council’s Monitoring Officer and raise his concerns. He stated that the Monitoring Officer would not be able to comment on the conduct of the Cricket Club’s officials but could make enquiries with regard to the conduct of Council officers.

It was suggested that the public meeting should not be held at the Cricket Club’s ground but at a neutral venue instead.

The Chairperson concluded the discussion and stated that there were two issues to feedback to the Planning Department and Cricket Club, one being the fact that any further consultation should not be done in the day as there was the floodlights issue to consider and the second being the choice of venue, with it being noted that the last consultation had been held at St Ambrose Hall.

Following these comments, it was:-

1396

RESOLVED:-

- i) That the Ward Committee request the Constituency Office to progress the Tri-Ward meeting, of the Edgbaston, Moseley and Kings Heath and Sparkbrook

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Wards, to consider the Warkwickshire Cricket Club application, with representatives of the Cricket Club and Planning Officers in attendance, prior to 2 April 2009;

- ii) That the Committee express their dissatisfaction that the Planning Committee, site visit and further public meeting in relation to the planning application by Warkwickshire Cricket County Club, will take place on a weekday, preventing participation by many local people, who will be at work; and
- iii) That the Committee request the Planning Committee and the Warkwickshire County Cricket Club to hold the further public consultation meeting on an evening or on a weekend, at a neutral venue, such as St Ambrose Hall.

TEMPORARY CLOSURE OF BALSALL HEATH LIBRARY

The following report of the Constituency Librarian was submitted:-

(See document No. 1)

Pete Hobbs, Senior Constituency Manager, presented the report and highlighted the following key points in relation to the investigations into alternative provision of a library service whilst Balsall Heath Library was temporarily closed:-

- Mobile Library Service not available
- Friends Institute not practical as the Constituency would lose income and an upstairs lift would need to be installed
- Local schools were not practical as there were Health and Safety considerations allowing members of the public to wonder freely around a building occupied by children
- Provision in the betting shop or other temporary building had been “costed” out but unfortunately there was no provision

However he stated that the work had commenced on 16 February and stated that the Library should be open by the end of May or early June, as the inspection of the Library had not uncovered any additional problems.

Councillor Mohammed Ishtiaq stated that the Mobile Library was in Cartland Road at approximately and he had observed that four children had used the facility in the space of two hours. He suggested that the Mobile Library could be re-routed to the Friends Institute, as at present it was a wasted resource and the re-location could achieve greater benefit for more people. Pete Hobbs agreed to take these comments back and report back to Members.

A member of the public commented on the British Association of Muslims having a lot of room available and stated that she could provide a contact.

A member of the public queried how the Library had become so dilapidated and stated that she would not be happy to see the mobile library relocated. Councillor Mohammed Ishtiaq stated that there were already Neighbourhood Libraries in the Sparkbrook area at Farm Road and Conway Road. Pete Hobbs added that over

many years the Council had not been able to invest in the building and that when thieves had taken the lead from the roof this had allowed water to egress from the walls and ceiling of the building.

The Chairperson asked for clarification of the opening times and was advised that the Library would re-open at the end of May or beginning of June.

1397

RESOLVED:-

That the Petition be submitted to the Constituency Office.

MOSELEY SCHOOL – GOVERNING BODY

The Chairperson stated that this item should be considered at this point in the meeting. She explained that there had been many issues discussed regarding the performance at the school and that the Governing Body had now been told they would have to merge with Queensbridge School's Governing Body. In the merger the numbers of Governors from Moseley School would be reduced and thus they would be subservient to the Queensbridge Governors. The Chairperson referred to the reduction in the community ownership in education in Sparkbrook.

Andrew Dixon and Jackie Hughes from the Children Young People and Families Directorate were in attendance to report on this matter. Andrew Dixon referred to the Government's National Challenge agenda. He stated that the National Challenge was a measure based on a schools' pupils' GCSE results and that, if less than 30 per cent achieved the equivalent of 5 GCSEs at C grade or above, the school went into National Challenge. He stated that nationally this equated to approximately 600 schools and highlighted that 30 schools were under National Challenge in Birmingham. He stated that the Governance Guidance was to look at transformational change such as establishing Academies or Trust Schools. He also advised that there were Hard Federations whereby more than one school came under a single governing body and this could be a time limited arrangement.

Thus, if results reached the targets set and were sustainable and school improvement proved sustainable, then an individual school's governing body could be reinstated. He continued that the rules required the weak school to dissolve their governing body and stated that in Birmingham, the Council had still wanted the Governors involved and thus it had been discussed with the DCSF that some governors from the National Challenge school could be transferred to the new governing body. He stated that under National Challenge the Governors from the Support school did not change. He concluded that the proposals would equate to £2.9 million over three years.

The Chairperson expressed concern that at Moseley School the Governors themselves had already raised challenges and highlighted that elected members had worked hard to encourage people to become governors. She stated that if the governing body was categorised as weak, then this would send a negative message to the children when the community was working hard to teach them democracy, accountability etc. She stated that she knew Queensbridge School and the Head

Teacher and felt the school to be good, but stated that she was also aware they had had their problems in the past.

Jackie Hughes stated that there had been concerns regarding Moseley School's Governing Body for some time, but acknowledged that there had been a lot of changes on their Governing Body. However, she stated that this did not override the current challenge which was also informed by the Ofsted Report from February 2008, which had stated that the Governing Body offered insufficient challenge and that management and teaching staff were not being held sufficiently to account. She stated that the National Challenge from Government was there to tackle inadequate leadership, inadequate governance and inadequate teaching and learning. The choices that had to be considered by all local authorities were (1) Academy status with complete change of governance; (2) National Challenge Trust status, also with complete change of governance, both options with some community representations; or a National Challenge Hard Federation where a weak school would be able to join with a more successful school, but retain some of its governance through an agreed process and as part of the development of the Hard Federative arrangement. She stated that Birmingham had therefore offered up a variation on the Hard Federation model but stated that there was no guarantee that the model would be accepted by the DCFS.

Councillor Mohammed Ishtiaq asked what support had been given to the Governors of Moseley School. Jackie Hughes advised that support had been offered with personnel issues, staffing issues, staff unhappiness and grievance issues and also advised that there was a Governing Training Programme now in place. She stated that this Programme could provide new skills and new understanding regarding targeted intervention and advised that consultants had worked in Moseley School to increase the effectiveness of the teaching. She stated that the partnership with Queensbridge was because the School had excellent English and Maths teaching and thus existing teachers at Moseley School could get "on the job" training. She stated that the thrust of the Federation was not to blame anyone or take away Governors' rights, but stated that the Council were working within limited options to effect rapid improvements.

The Chairperson stated that she understood and welcomed the working in partnership but stated that the issue was the reduction of Governors from Moseley School, which would lead to Queensbridge Governors having overall control of Moseley School. She stated that the Academy and Trust model would not be acceptable.

Andrew Dixon stated that currently Queensbridge School had twenty Governors but that the Federative model would have twenty nine Governors. He stated that these figures complied with the Government's rules and what the Council were trying to achieve was continuity.

Roger Lloyd, Principal Solicitor, asked whether the Directorate had confirmed that the third option was acceptable to Government and Jackie Hughes confirmed that it had received "sign-off" from Jim Knight, Education Minister. She added that National Challenge was the biggest single challenge on the education agenda at present.

Councillor Mohammed Ishtiaq referred to the problems with English and asked why new staff had not been brought in. He suggested that there should have been a change in teaching leadership not the Governing Body. Jackie Hughes advised that Ofsted had indicated there were issues with the Governing Body. She restated that the Council were working to ensure Hard Federation, gave the community a voice, but stated that if the plans were not to follow what had been agreed by the DCFS, then approximately £3 million worth of funding could be in jeopardy.

A member of the public stated that the issue had been raised some three years ago and that he felt Moseley School had put the blame on parents and pupils, whereas it had been, in his opinion, poor leadership by the Head Teacher and previous Chair of Governors. He stated that new Governors of the School had brought the issue to the forefront.

A member of the public commented on Moseley School being categorised as being a weak school and asked where the school came in the league tables and whether it was the most weak. Jackie Hughes advised that there were schools as weak and poorer performing than Moseley. Jackie Hughes advised that Frankley High and Stockland Green might also enter into federative arrangements, as well as some other schools. She stated that Moseley school was now in a high risk category and had lost some able members of the teaching staff because of concerns about governance. She stated that she was aware of past issues but stated that it would be inappropriate to attach blame in a public meeting. She stated that in her role as Head of School Improvement, she had observed systemic failure at Moseley School and stated that to raise achievement in the School, it would be necessary to address governance as well as leadership issues and developed enhanced links with parental groups.

The Chairperson queried why the proposed Governing Body had to operate on proportionality and stated that to the community this felt like a “take over”. She highlighted that Queensbridge had a similar intake and asked if it was “set in stone” to have a Hard Federation. Jackie Hughes advised that the detail was within Legal Services and Roger Lloyd expressed the view that having created the model accepted by Government, the Council did not have the power to force a change. However, he stated that the Council did have the ability to encourage the stronger school to recognise the concerns under the National Challenge.

A member of the public stated that members of the public were not being given a fair reflection of the situation at Moseley School. He said that the community felt the proposed federation was a politically motivated move designed to remove an effective and representative Governing Body that had a very good understanding of what was happening City-wide. He felt that the Local Authority were making an example of the new Governing Body, as Governors had used their powers to remove a head teacher and that this had perhaps sent out shockwaves throughout the education establishment in the City.

He questioned why the Local Authority did not use its intervention powers in 2006 when only 15 per cent of pupils passed five GCSEs with grades A-C including English and Maths, under the previous Chair. He said that as resident he had first raised serious concerns about Moseley School’s poor academic performance by making an official complaint to Ofsted in 2006.

He stated that information of a statutory and strategic nature had not been available to the Moseley School Governing Body namely the School Improvement Partner (SIP) reports over the last two years. He questioned how could Moseley School be considered high risk now when twelve months ago it had received a satisfactory Ofsted report with no Notice to Improve or Special Measures. There were at least twelve other schools in Birmingham performing worse than Moseley School. The School was only 4% from reaching the Government's minimum floor target and that National Challenge would be effectively addressed with the new Interim Head and new Governing Body leadership.

Regarding the proposed Hard Federation, he had sought independent legal advice which stated in very strong terms that the Local Authority was not following due process and was undermining the Governing Body. Despite promising to do so, the Local Authority had not provided any written documents about the proposed Hard Federation. The proposed changes also go against Government policy on Community Cohesion and Guidance that Governing Bodies should be representative of the community served by the school. He cited that Queensbridge School had 21 Governors, of which only 5 Governors were from the Black and Ethnic Minority Communities, whereas the overwhelming majority of pupils at Moseley School are from BAME communities.

He asked the Chairperson to write to the Government, as he felt there were serious failings within the educational establishment as 40% of the secondary schools in Birmingham were National Challenge.

A member of the public stated that he spoke both as a parent and a Governor of a local primary school. He stated that he felt Moseley School had been failing for some time and that the issues could not be resolved in this forum. He stated that no individuals' interests should be put above those of the children and highlighted that both schools had been good in the past. He stated that there was a need to work in cooperation and suggested that an Action Group was needed to work for the benefit of Moseley School. He stated that there needed to be a good head teacher and a good Leadership Team to make a school work and that the Governing Body would be a critical team to stretch the teaching staff.

A member of the public stated that he felt the elected Members should get involved and acknowledged that the matter could not be resolved in this forum. He stated that the current proposal sent out the wrong message to the local community.

Jackie Hughes advised that the Council were trying to achieve a collaborative partnership to secure a change in Leadership. She stated that the school improvement plans did not always provide information to the Council on governance and that the holding of School Improvement Partners to account rested with the governing body and the City Council, working in partnership. She stated that the demands for rapid change were being worked within a limited range of improvement options and advised that the Council were doing everything to ensure that standards were raised at Moseley School very quickly. This was the thrust of the National Challenge.

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A member of the public stated that he has been a Local Authority Governor at Moseley School for ten years and confirmed that no School Improvement Partner (SIP) reports were ever presented to the Governing Body. He referred to Castle Vale School which had adopted the Soft Federation model and asked if this could be implemented for one year at Moseley School rather than a Hard federation.

A member of the public, who was the current Chair of Governors at Moseley School, stated that over the last ten years the School had failed but advised there had been a change in leadership of the Governing Body and its sub committees. He stated the new Governors were challenging the School. He stated that he had contacted Governing Services nationally and had been advised that if Moseley School's and Queensbridge School's Governing Bodies were dissolved, then there would be interim arrangements and the new Governing Body would decide these.

The Chairperson advised the consensus was that people wished to work in partnership but that the community perception was also an issue, she suggested that the proposals were required in writing and that the Directorate should keep the current Governors of Moseley School.

Jackie Hughes advised that Senior Officers and the Cabinet Member for Children Young People and Families should meet with Ward members to discuss the proposals and stated that the Council were not acting beyond their powers, ultra vires, as they were aligned with the National Challenge provisions, which included local democracy and community cohesion. She stated that there would be transparency at the forefront of any decisions.

1398

RESOLVED:-

- i) That the Ward Committee receive the proposals for the Hard Federation of Moseley School with Queensbridge School; and
- ii) That the Directorate be urged to reject proposals for a Hard Federation, and to consider a Soft Federation approach where existing governors be retained work in partnership.

WORKING NEIGHBOURHOODS FUND AND COMMUNITY CHEST 2008/09

The following reports of the Senior Constituency Manager were submitted:-

(See document Nos.2 and 3)

Tracey Quirk, Senior Constituency Manager, presented the reports and highlighted that the carry over to 2009/10 would be £316.

A member of the public referred to the drainage project for St Paul's Avenue and stated that the Constituency Engineer had planned to do six gullies but commented that they did not feel this would be adequate to undertake the work. The Chairperson stated that she would wish the £1500 to be carried over and to receive "properly costed estimates for the job".

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A member of the public expressed concerns that the security gates project would not be completed by 31 March 2009. Councillor Mohammed Ishtiaq advised that the officer concerned was prioritising this scheme but also advised that if any monies remained then they would be carried over into the next Municipal Year.

A member of Balsall Heath Forum queried the progress on the project, Tackling Environmental Eyesores and Tracey Quirk advised that Environmental Services had been asked to appoint a project officer and that the matter was now resolved. She stated she could discuss the matter after the meeting.

The Chairperson stated that she was aware of the situation that had arisen and that the delay in processing the payment had not been acceptable, when Environmental Services did not provide a Project Officer. She stated that this could affect other Community Groups bidding for funds.

Roger Lloyd stated that if the Committee were minded to progress a complaint then it should be through the Constituency Director in the first instance and then the Director of Constituencies.

In relation to the second report Tracey Quirk advised that the forms for new Community Chest applications had not yet been produced but asked that any groups interested contact her or Becky Jones, Ward Support Officer, at the Constituency Offices. She confirmed that an allocation for each Ward in the City of £100000 was again available.

1399

RESOLVED:-

That a letter be sent to both the Constituency Director and Director of Constituencies expressing the Committee's concerns at the delay in a Council Department, Environmental Services, in providing a suitably qualified officer to oversee the Tackling Environmental Eyesores project, with a copy being submitted to the Monitoring Officer.

YOUR CITY YOUR BIRMINGHAM

Tracey Quirk advised that this was a City wide budget primarily allocated to Wards to use to remove graffiti, fly posting and alleyway clearances.

Councillor Mohammed Ishtiaq referred to the remaining allocation of approximately £7 500 and asked where the budget lay. He stated that all three Ward Members had confirmed previously that they wished to see the money put towards additional gating schemes.

1400

RESOLVED:-

That the Ward Committee re-affirms its decision that any outstanding monies from the Your City Your Birmingham budget be allocated to further gating schemes across the Ward.

RECEIPT OF PETITIONS

1401 No petitions were submitted.

RESIDENT'S CONCERNS

1402 No resident's concerns were raised.

ITEMS FOR FUTURE AGENDAS

1403 The following items were listed for future Agendas:-

- Performance of Local Education – Primary Schools.
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DATES OF FUTURE MEETINGS

1404 The following dates of future meetings were noted:-

Sparkbrook Ward Committee – 2 June 2009 – Balsall Heath Church Centre

Hall Green Constituency Committee – 24 March 2009 at 1900 hours – Hall Green Secondary School, Southam Road, Hall Green, Birmingham

AUTHORITY TO CHAIRPERSON AND OFFICERS

1405 **RESOLVED:-**

That the Chairperson be and 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 Director of Corporate Governance is authorised to affix the Corporate Seal 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.

The meeting ended at 2040 hours.

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CHAIRPERSON