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STATUTORY INSTRUMENTS

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**1998 No. 3066**

**EDUCATION, ENGLAND AND WALES**

**The Birmingham (Aston and Nechells)  
Education Action Zone Order 1998**

*Made* - - - - *3rd December 1998*  
*Laid before Parliament* *11th December 1998*  
*Coming into force* - - *1st January 1999*

Whereas an application for the purpose of establishing an education action zone has been made to the Secretary of State with the consent of the governing body of every school listed in Schedule 2 to this Order.

Now, therefore, in exercise of the powers conferred on the Secretary of State by sections 10(1), 11 and 138(7) of, and paragraph 2 of Schedule 1 to, the School Standards and Framework Act 1998<sup>(1)</sup>, the Secretary of State for Education and Employment hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Birmingham (Aston and Nechells) Education Action Zone Order 1998 and shall come into force on 1st January 1999.

**Interpretation**

2. In this Order—

“partners” means those persons listed in Schedule 1 to this Order; and

“zone school” means a school listed in Schedule 2 to this Order.

**Constitution of education action zone**

3. The schools listed in Schedule 2 to this Order shall constitute collectively an education action zone under the name of the Birmingham (Aston and Nechells) Education Action Zone (“the zone”) for the purposes of Chapter III of Part I of the School Standards and Framework Act 1998.

4. There shall be an Education Action Forum for the zone to be known as the Birmingham (Aston and Nechells) Education Action Forum, the membership of which shall include—

- (a) one person appointed by the governing body of each zone school, unless any such governing body chooses not to make such an appointment;
- (b) either one or two persons appointed by the Secretary of State; and
- (c) one person appointed by each partner unless any partner chooses not to make such an appointment.

5.—(1) The Forum may at any time appoint—

- (a) up to 6 additional members from persons appearing to them to represent the interests of businesses in the area served by the zone schools;
- (b) up to 4 additional members from persons appearing to them to represent the interests of institutions within the further or higher education sector (within the meaning of, respectively, section 91(3) and (5) of the Further and Higher Education Act 1992<sup>(2)</sup>) in the City of Birmingham;
- (c) up to 6 additional members from persons appearing to them to represent the voluntary, community and charitable sectors in the area served by the zone schools;
- (d) one additional member from persons appearing to them to represent the interest of the health sector in the area served by the zone schools;
- (e) one additional member from persons appearing to them to represent the Social Services Department of Birmingham City Council;
- (f) one additional member from persons appearing to them to represent the West Midlands Police Force;
- (g) up to 3 additional members from persons who are members of Birmingham City Council;
- (h) either one or two additional members from persons appearing to them to represent head teachers of zone schools;
- (i) one additional member from persons who are members of the Academy of Youth Ltd;
- (j) up to 4 additional members appearing to them to be able to further the objectives of the zone;
- (k) up to 6 additional members who are officers of Birmingham City Council;
- (l) either one or two additional members from persons who are members of the Birmingham and Solihull Training and Enterprise Council;
- (m) up to 6 additional members from persons who are members of appropriate trade unions;
- (n) either one or two additional members from persons aged between sixteen and nineteen;
- (o) either one or two members from persons who are parents of children who are registered pupils at a zone school; and
- (p) up to 4 additional members from persons representing religious organisations.

(2) Any member appointed under paragraph (1)(g), (i), (k), (l) or (m) shall cease to hold office as a member of the Forum if he ceases to be a member of, or officer of, the relevant body referred to in any of those sub-paragraphs.

(3) Any member appointed under paragraph (1)(n) shall cease to hold office as a member of the Forum on reaching the age of 20.

(4) Any member appointed under paragraph (1)(o) shall cease to hold office as a member of the Forum if he ceases to be a parent of a child who is a registered pupil at a zone school.

### **Disqualification from membership of the Forum**

6. Articles 7 to 9 shall have effect for the purpose of prescribing the circumstances and cases in which a person is to be disqualified for holding, or continuing to hold, office as a member of the Forum.

### **Disqualification from membership of Forum—bankruptcy etc**

7.—(1) Subject to the provisions of this regulation, a person shall be disqualified for holding, or for continuing to hold, office as a member of the Forum if he has been adjudged bankrupt or has made a composition or arrangement with his creditors; and a member, on becoming so disqualified, shall give written notice of the fact to the secretary to the Forum.

(2) Where a person is disqualified by reason of his having been adjudged bankrupt, that disqualification shall cease—

- (a) unless the bankruptcy order made against that person is previously annulled, on his discharge from bankruptcy; and
- (b) if the bankruptcy order is so annulled, on the date of the annulment.

(3) Where a person is disqualified by reason of his having made a composition or arrangement with his creditors and he pays his debts in full, the disqualification shall cease on the date on which the payment is completed and in any other case it shall cease on the expiration of three years from the date on which the terms of the deed of composition or arrangement are fulfilled.

### **Disqualification from membership of Forum—criminal convictions**

8.—(1) Subject to paragraph (2) a person shall be disqualified for holding, or for continuing to hold, office as a member of the Forum if—

- (a) within five years before his appointment would otherwise have taken effect or since his appointment, he has been convicted, whether in the United Kingdom or elsewhere, of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine;
- (b) within twenty years before his appointment would otherwise have taken effect, he has been convicted as aforesaid and has had passed on him a sentence of imprisonment for a period of more than two and a half years; or
- (c) he has at any time been convicted as aforesaid and has had passed on him a sentence of imprisonment of not less than five years.

(2) For the purposes of this regulation there shall be disregarded any conviction by or before a court outside the United Kingdom of an offence in respect of conduct which, if it had taken place in any part of the United Kingdom, would not have constituted an offence under the law in force in that part of the United Kingdom.

### **Disqualification—absence from meetings**

9. Any member of the Forum who, without the consent of the Forum has failed to attend the meetings thereof for a continuous period of six months beginning with the date of a meeting shall, on the expiry of that period, be disqualified for continuing to be a member of the Forum without prejudice however, to his re-appointment.

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**Chairman's tenure of office**

**10.** The chairman of the Forum elected in accordance with paragraph 2 of Schedule 1 to the Act, shall hold office for one year from the date of his election (unless he resigns his office earlier), without prejudice to his eligibility to be re-elected for a further period of one year.

3rd December 1998

*Estelle Morris*  
Minister of State,  
Department for Education and Employment

## SCHEDULE 1

Article 2

### MEANING OF “PARTNERS”

The following persons are “partners” for the purposes of appointing additional members of the Forum:

Birmingham City Council  
Birmingham and Solihull Training and Enterprise Council

## SCHEDULE 2

Article 3

### SCHOOLS COMPRISING THE ZONE

Cromwell Junior and Infants School  
Nechells Junior and Infants School  
St Clement’s CE Junior and Infants School  
St Joseph’s RC Junior and Infants School  
St Matthew’s CE Junior and Infants School  
St Vincent’s RC Junior and Infants School  
Deykin Avenue Junior and Infants School  
St Francis RC Junior and Infants School  
St George’s CE Junior and Infants School  
Anglesey Junior School  
Anglesey Infant School  
Aston Tower Junior and Infants School  
William Cowper Junior and Infants School  
Yew Tree Community Junior and Infants School  
Mansfield Green Junior and Infants School  
Prince Albert Junior and Infants School  
Lozells Junior and Infants School  
Heartlands High School  
Aston Manor School  
Bloomsbury Nursery School  
Brearley Nursery School  
Newtown Nursery School

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order establishes the Birmingham (Aston and Nechells) Education Action Zone, which comprises the schools listed in the Schedule. The Order also provides (in articles 4 and 5) for the membership of the Education Action Forum for the Zone.