

BIRMINGHAM CITY COUNCIL

TRUSTS AND CHARITIES COMMITTEE

MONDAY, 13 MARCH 2023 AT 10:30 HOURS
IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

- 3 **APOLOGIES**
To receive any apologies.
- 5 - 8** 4 **MINUTES**
To confirm and sign the minutes from the last meeting held on 16 January 2023.
- 5 **SMALL HEATH PARK ENVIRONMENTAL IMPROVEMENTS**
Report to be confirmed.
- 9 - 12** 6 **HUNTERS HILL COLLEGE CLOSURE - EDUCATION WITHDRAWAL FROM THE CROPWOOD ESTATE**
Report of Head of Service – Education Infrastructure
- 13 - 18** 7 **HIGHBURY ESTATE – UPDATE REPORT FROM CHAMBERLAIN HIGHBURY TRUST**
Report of Assistant Director of Property
- 19 - 34** 8 **HIGHBURY ACCOUNTS**
Letter of representation for the accounts and auditor.
Report of: Director Group & Capital Finance
- 35 - 36** 9 **APPLICATIONS FOR GRANT FUNDING TO BIRMINGHAM MUNICIPAL CHARITY**
To provide the Committee with details of applications for grant funding from the Birmingham Municipal Charity.
- 10 **OTHER URGENT BUSINESS**
To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.
- 11 **AUTHORITY TO CHAIR AND OFFICERS**
Chair to move:-

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

PRIVATE AGENDA

12 **APPLICATIONS FOR GRANT FUNDING TO BIRMINGHAM MUNICIPAL CHARITY**

Item Description

BIRMINGHAM CITY COUNCIL

**TRUSTS AND CHARITIES
COMMITTEE
16 JANUARY 2023**

**MINUTES OF A MEETING OF THE
TRUSTS AND CHARITIES COMMITTEE
HELD ON MONDAY 16 JANUARY 2023
AT 1030 HOURS IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM**

PRESENT: - Jilly Bermingham in the Chair;

Councillors Mumtaz Hussain, Kath Scott, Adrian Delaney, David Pears, Basharat Mahmood, Rashad Mahmood.

ALSO, PRESENT: -

Nigel Oliver – Birmingham Property Services
Rajesh Parmar – Legal Services
Paul Ruffle – Senior Travel Demand Officer
Sofia Mirza – Committee Services

NOTICE OF RECORDING

1090

The Chairman advised that the meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTEREST

1091

The Chairman reminded Members that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the Minutes of the meeting.

APOLOGIES

1092

Apologies were submitted on behalf of Councillors Adrian Delaney, David Pears, Kath Scott for their inability to attend the meeting.

MINUTES

1093

The Minutes of the meeting of the Committee held on 13 June 2022, having been circulated, were confirmed by the Committee and signed by the Chair.

RESOLVED: -

1094

That, subject to the above, the Minutes of the last meeting of the Trusts and Charities Committee held on 13 June 2022 having been circulated, be taken as read and confirmed and signed.

REPORT NO. 5 - YOUNG ACTIVE TRAVEL TRUST GRANTS

1095

Paul presented the report to the members, Young Active Travel Trust Grants aim to promote safe and sustainable travel to schools. The schools apply for this funding and must have registered for community stars which is the national program. It is free for schools to join and they must have completed a school travel survey within 12 months of this application. Staff ask the children how they would like to travel to school and the answers of that go into the survey. The school needs to start then writing their school travel plan and the whole point of this fund is they write the travel plan and identify what they would like the school to do. They can then apply for the funding. The applications were put out last year for the Autumn term between 12th September and 18th November. Only one application came back as school's have been very busy lately. The application was from the Kingstanding ward at King's Rise Academy. The applications are examined by the Young Active Travel assessment panel which consists of Paul and his colleague.

The fund started in 2016 with funding from this committee and Churchill Insurance. Kings' Rise academy have requested £1000 for 300 pupils. The total of their application is £1300.42 it exceeds the available amount for this fund, but the school will make up the rest of the funds.

Councillor Pears asked if we are looking to promote and remind schools to apply in future. Paul explained that it is in the school newsletter and is in forthcoming campaigns. The Chair suggested as councillors it would be helpful to promote it.

Councillor Delaney stated that he fully supported the application.

Upon being put to a vote it was 7 in favour, 0 against and 0 abstention.

OTHER URGENT BUSINESS

1096

No matters raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

1097

RESOLVED:

Trusts and Charities Committee – 16 January 2023

‘That in an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee’.

The meeting ended at 1038 hours.

.....
CHAIRMAN

Birmingham City Council

Trust and Charities Committee

13th March 2023



Subject: Hunters Hill College Closure - Education withdrawal from the Cropwood Estate.

Report of: Head of Service – Education Infrastructure

Report author: Capital Programme Manager – Education Infrastructure

Does the report contain confidential or exempt information? Yes No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

1.1 To agree to the Trust taking back the site following vacant possession. That Education Infrastructure will no longer manage the site but will transfer this over to BPS to manage on behalf of the Trust.

2 Recommendations

2.1 That the Trust c/o the Trust and Charities Committee (the Committee),

- Notes that vacant possession has been achieved.
- Approves now that vacant possession has been achieved the site will revert back to the Trust, from Education on 1st April 2023 and the Trust will manage the site via Birmingham Property Services thereafter.
- Notes that where appropriate and sensible, buildings have been boarded up and made secure and partial decommissioning of utilities (electricity supply etc.) has been undertaken to various areas of the site for safety, security and financial reasons.
- Notes that Education will continue to manage and secure the site until 31st March 2023 at which point Education will no longer be liable for the security or maintenance of the site and which will then be undertaken by BPS on behalf of the Trust.
- Notes that Education will continue to support and provide to the Trust, upon request, any relevant information held by Education (e.g. previous surveys),

noting that the Trust, via BPS, intend to commission independent surveys and external advice, for the Trust's consideration of the future of the site in accordance with the charitable scheme and objects of the Trust.

3 Background

- 3.1 Hunters Hill College is located on land which is part of the Cropwood Estate in Worcestershire. The freehold interest of the land is held by the Cropwood Estate Trust and for which Birmingham City Council's Trusts and Charities Committee has the delegated day to day decision making and responsibility for ensuring the proper governance of the Trust in accordance with the objects of the Trust and charity law.
- 3.2 School Organisation Closure Decision: In accordance with statutory requirements, guidance and best practice for the closure of schools, Birmingham City Council's Cabinet approved the proposal to close the School and, following consideration by the Education and Children's Social Care Overview and Scrutiny Committee, on 8th February 2021, Birmingham City Council determined to implement the proposal and close Hunters Hill College effective 31st August 2021.
- 3.3 The condition and suitability of the buildings at the site had reached the end of their life for educational purposes. Education invested in excess of £670k over the preceding 5 years on repairs and maintenance which is in addition to c.£180k invested from the School's budget over the preceding 2 years. This ensured statutory maintenance was in place and that the School buildings remained warm, safe and dry for the education of pupils. Some buildings which were no longer required or fit for education purposes were boarded up for health, safety and security reasons.
- 3.4 Following the decision to close the school, Education withdrew all services, secured and cleared the site of all education assets (furniture and equipment etc.) and has continued to maintain the site. As of 31st Jan 2023, the total cost of clearance, security and continual maintenance of the site is approximately £250k and this is forecast to be approximately £270k by 31st March 2023.
- 3.5 Education has progressed matters supported by Legal Services with former staff that occupied living accommodation on the site and has achieved vacant possession as required and agreed as a condition of the Trust Committee taking the property back from Education.
- 3.6 The Trust have the freehold interest for the site with the day to day management of Trust by the Committee. Any decision about the future of the site will be made by the Committee, which is independent of Education. Education will forward to the Trust, c/o BPS, any enquiries or requests from parties interested in the use of the site that may be received.
- 3.7 Any income realised from the site is received to the Trust's accounts and it is for the Committee to determine the use of any income realised from the site, in accordance with the objects of the Trust's charitable scheme and charity law.

3.8 Education acknowledges that BPS previously initiated activity to consider and implement options for the agricultural land that forms a significant proportion of the Cropwood Estate; and that procurement of an independent appraisal of the estate was being progressed by BPS.

4 Options considered and Recommended Proposal

4.1 Do nothing option is not available. Education have withdrawn all provision and services from the site, as it is no longer fit for the purpose of education and as The Trust are the freeholder and accountable body for the site and governing the objects of the charitable scheme.

4.2 The Trust, with the support of BPS, relieve Education of the site on 1st April 2023. The Committee will commission surveys and independent external advice, for the Trust's consideration of the future use and management of the site in accordance with the charitable scheme and objects of the Trust.

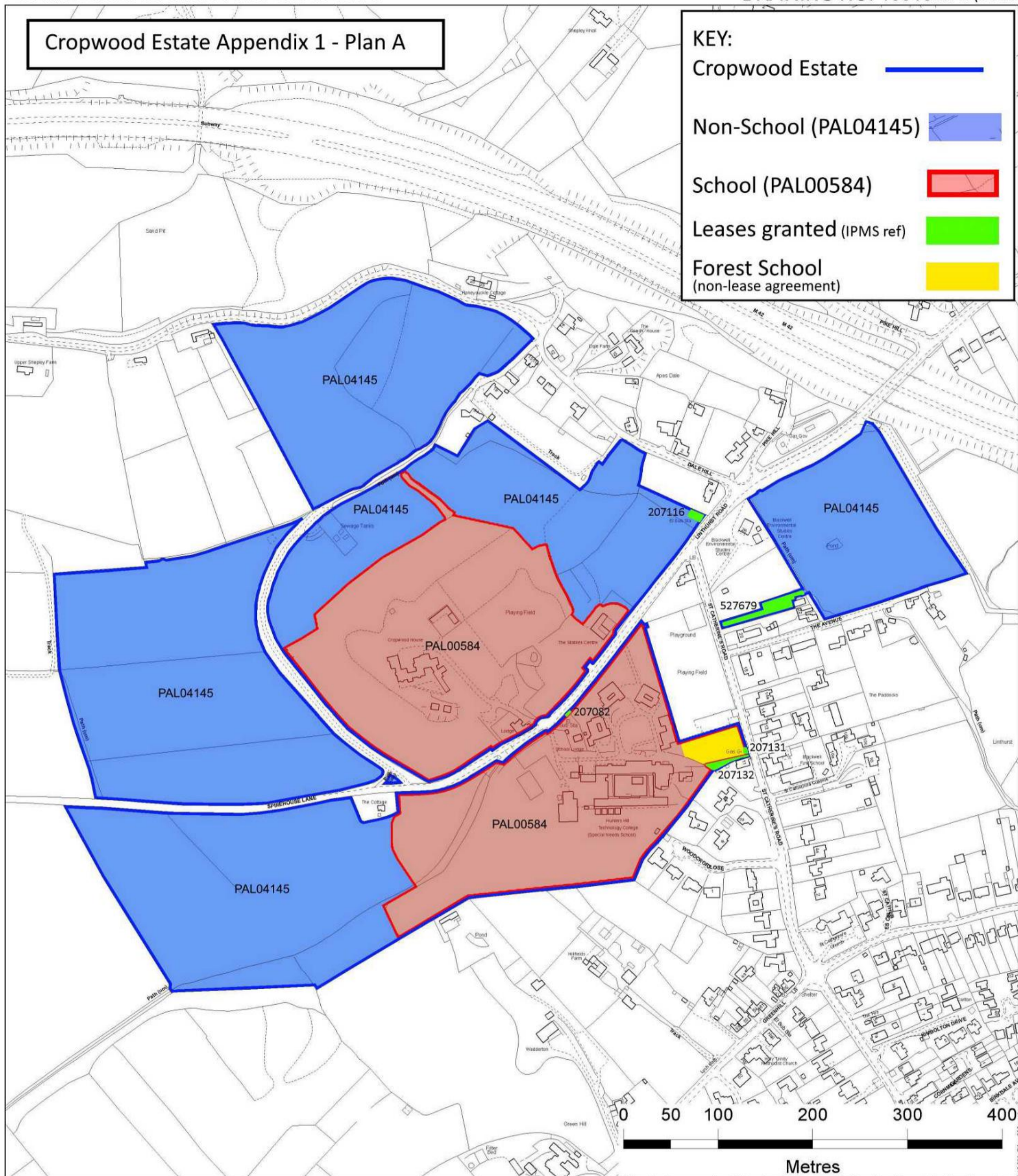
5 Appendices

Appendix 1 – Cropwood Estate Plan – use and holdings

Cropwood Estate Appendix 1 - Plan A

KEY:

- Cropwood Estate
- Non-School (PAL04145)
- School (PAL00584)
- Leases granted (IPMS ref)
- Forest School (non-lease agreement)



AREA EDGED RED 35.18 HECTARES APPROX. 86.93 ACRES APPROX.

 <p>Birmingham City Council</p>	Kathryn James Assistant Director Property Inclusive Growth Directorate 10 Woodcock Street Birmingham, B7 4BG			
	Cropwood Trust Hunters Hill School Bromsgrove		SCALE 1:4,000 @A3 O.S.Ref SO9872NE	DRAWN James Stanley

Birmingham City Council

Trust and Charities Committee

13th March 2023



Subject: Highbury Estate – Update report from Chamberlain Highbury Trust

Report of: Assistant Director Property

Report author: Nigel Oliver

Does the report contain confidential or exempt information? Yes No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

To update the Committee on activities by Chamberlain Highbury Trust on the Highbury Estate and to seek the award of a further grant to Chamberlain Highbury Trust.

2 Recommendations

- 2.1 To note the report from Chamberlain Highbury Trust set out as Appendix 1
- 2.2 To approve a grant of £33,000 from the unrestricted funds of the Highbury Estate funds for the expenditure to be undertaken by Chamberlain Highbury Trust in the financial year 2023/24.

3 Background

- 3.1 The further grant funding is in support of the continuing operations of Chamberlain Highbury Trust in managing the Highbury Estate and in their actions in securing National Lottery Heritage Fund (NLHF) monies.
- 3.2 The Highbury Trust holds the freehold interest of the land in trust as Sole Trustee and is empowered to undertake actions to properly manage the assets of the Trust including the making of awards to support the bids for a refurbishment of Highbury.
- 3.3 The Highbury Estate is held in trust as Registered Charity no. 1039194 since 1994. Chamberlain Highbury Trust, registered charity no. 1169845, has been set in place to best resolve the governance issues and to manage the Estate while seeking external grants to enable the refurbishment of Highbury.

4 Options considered and Recommended Proposal

- 4.1 Matters are progressed via Chamberlain Highbury Trust as their placement in managing the land and partner organisations on the Highbury Estate resolves the former governance issues and represent the best opportunity to win new monies for the betterment of the Estate. If successful in their bid for NLHF funds monies CHT will accept a 125-year lease of the remainder of the Estate. To continue to properly support them financially in the meantime is an appropriate use of Trust funds. To do nothing is not an option.

5 Appendices

- 5.1 Appendix 1 Report from Chamberlain Highbury Trust to Trusts and Charities Committee

CHAMBERLAIN HIGHBURY TRUST

Report to Trusts and Charities Committee 13 March 2023

1. The purpose of this report is to:

(a) Give a brief update on progress on the Development Phase of the Restoration Project, pending a more detailed report to a future meeting

(b) Report the likely outturn for 2022/23 compared to the budget and funding approved by the Committee

(c) Seek funding support for CHT activity in 2023/24 not covered by Development Phase funding

Progress on Development Phase

2. We have now recruited a full compliment of professional support (architect, quantity surveyor, arboricultural specialists, project managers etc.) and good progress is being made with the intention of submitting a Round 2 bid to the National Lottery Heritage Fund (NLHF) in August 2023. The work is being overseen by a Project Board which includes representation from senior City Council Officers and there is regular dialogue with other City Officers on issues where City Council input is required, including various approvals from the Charity Commission on land and building transfers and sales, the long term lease to CHT, urgent repairs to the mansion roof and the demolition of the former caretakers house. There are also regular monitoring meetings with NLHF, which are attended by City Council officers. Formal approvals from this Committee and the City Council, as Trustee of the Highbury Trust, will need to be in place before the Round 2 submission to NLHF.

3. At a previous meeting the Committee approved a contribution of £40,000 from the Highbury Trust as match funding for the Development Phase and that was paid (together with £60,000 from the City Council) to CHT in January this year to assist with cash flow management. We have also received grants from the Architectural Heritage Fund and the Grimmitt Trust and on account payments from NLHF.

4. The Committee will not be surprised to hear that the latest projections of Delivery Phase costs are exceeding the original estimates included in the Round 1 bid to NLHF (as a result of inflation, some changes in specifications and more detailed plans) and a formal review is planned for later in March. It is inevitable, however, that additional funding will be required.

5. The final costs for the Development Phase are also likely to exceed the budget and it may be necessary for CHT to seek further support from the Highbury Trust.

Approved Budget and Likely Outturn for 2022/23.

6. The Committee approved a budget for 2022/23 (for expenditure not covered by the Development Phase) of £26840, of which £25000 has been received. The outturn is likely to be just under £24600 and details are included in the table below.

Budget 2023/24

7. Again this is for expenditure not covered by either the Development Phase Budget or, subject to NLHF approval, the Delivery Phase which could start in the fourth quarter of 2023/24 i.e. some time between January and March 2024. The 2023/24 financial year would then effectively be split into three parts: the Development Phase April to August 2023, September 2023 to say February 2024 awaiting NLHF approval to start the Delivery Phase, and February/ March 2024 start of the Delivery Phase.

8. Details of the Budget for 2023/24, compared to the approved budget and likely outturn for 2022/23 are set out in the following table:

	2022/23 Approved Budget £	2022/23 Likely Outturn £	2023/24 Budget £
Trust Administrator	6000	4004	4800
Insurance & Audit	2500	2554	3000
Volunteer Coordinator Activity Planner & Related Costs	8100	8382	2000 13500
Rhododendron Project	4240	4420	2000
Fruit Tree Pergola	4000	2137	2500
Other Costs	2000	3075	3500
Contingency			2000
TOTAL	26840	24572	33300

9. The following paragraphs provide a brief commentary on the main areas of the budget;

Volunteer Coordinator- Following the successful conclusion of the initial Gardens Project, CHT has retained a loyal and committed gardens volunteer workforce, which is managed by a Volunteer Coordinator and Health and Safety Advisor, the cost of which can be met from the Development Phase Budget between April and August, and potentially the Delivery Phase budget from February/March 2024. This provision is to cover the period awaiting NLHF approval to start the Delivery Phase.

Activity Planner and Activity Related Costs-CHT's freelance Activity Planner has developed a wide range of activities in the hall and gardens, part of the cost of which was charged to the Development Phase Budget in 2022/23. The remaining Development Phase Budget for the Activity Planner will be used to produce an Activity Plan, which has to be submitted to NLHF as part of the Round 2 submission. Providing and encouraging public access to the estate through a vibrant and popular activities programme is important, both to satisfy the charitable objectives of both the CHT and Highbury Trust and to develop and trial activities for when the estate is fully operational. This budget provides for the continuation and development of the activities programme.

Rhododendron Project and Fruit Tree Pergola- Both programmes, which have been running for the last four to five years (delayed somewhat by covid) are about preserving and protecting two important aspects of Chamberlain’s original gardens. The Rhododendron Project involves expert propagation of horticulturally important and rare species of rhododendrons which will be part of the restored pleasure gardens and the Fruit Tree Project preserves varieties of fruit trees originally planted by Chamberlain in a pergola formation. Both projects have been supported by this Committee previously and by external charitable trusts. This provision allows both projects to continue.

Proposals

10.The Committee is asked to;

(a)Note the progress on the Development Phase, pending a more detailed report to a future meeting when various approvals will be required prior to making the Round 2 submission to NLHF

(b)Note the likely outturn for the financial year 2022/23

(c)Approve a grant of £33,300 from the Highbury Trust to CHT for the financial year 2023/24

David Kidney

Mike Williams

Chair

Trustee

Chamberlain Highbury Trust

Chamberlain Highbury Trust

Birmingham City Council

Trust and Charities Committee

13th March 2023



Subject: Highbury Trust Accounts & Letter of Representation

Report of: Director Group & Capital Finance

Report author: Alison Jarrett, Director Group & Capital Finance

Does the report contain confidential or exempt information? Yes No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

To update the Committee on the Report and Finance Statement for the year ending 31 March 2021 and invite the Chair of Trusts and Charities Committee to sign the Letter of Representation to the auditors on behalf of the Trust.

2 Recommendations

- 2.1 To note the Report and Financial Statement for the year ending 31 March 2021 for Highbury Trust as attached at Appendix 1
- 2.2 To give authority to the Chair of the Committee to approve the accounts and sign both these and the Letter of Representation to the auditor, UHY Hacker Young (Birmingham) LLP on behalf of the Trust and as attached at Appendix 2.

3 Background

- 3.1 The fund was established by a Trust Deed dated 31 March 1932 and is a registered charity, number 1039194. Day to day management decisions are made by Trust and Charities Committee, three members acting as Trustees are necessary to form a quorum. The objects of the Fund are to use the bequest for the benefit of the citizens of Birmingham.

- 3.2 Performance for the year ended 31 March 2021:

	2020/21	2019/20
Total income	£114,079	£125,016
Charitable expenditure	£88,738	£130,511

- 3.3 The independent examiners report to the Trustees of Highbury Trust is satisfactory in terms of there being no material aspects that give cause for material concern in regard to accounting records, to the fact that the accounts are prepared from those records, and that the accounts accord with the requirements of the Charities (Accounts and Reports) Regulations 2008 (other than any requirement that the accounts give a 'true and fair view' which is not a matter considered as part of an independent examination)
- 3.4 There is however one matter to note in connection with the examination to which attention should be drawn in the report in order to enable a proper understanding of the accounts to be reached. The valuation of the Land and Buildings has not been carried out for 8 years, which is in excess of Birmingham City Council's target of 5 years for asset valuations.
- 3.5 Letter of Representation – this letter from the Trustees confirms a number of matters in relation for example to the way in which records have been maintained, disclosed, valuations, going concern – the full content is shown in Appendix 2. Officers of BCC, on behalf of the Trust, have worked with the auditors in this regard and are assured that to the best of their knowledge and belief this letter of representation is correct and recommend its signature.

4 Options considered and Recommended Proposal

- 4.1 Not to sign the letter of representation – this would be in the circumstance that the Trustees felt there were elements of the letter that are incorrect. If this is the case officers will arrange for further dialogue with the auditors to consider the materiality of the issue and to consider the consequence for the independent review. Should this be the option taken then a further report will follow.
- 4.2 Confirmation of the content of the Letter of Representation – on signature, the accounts will be loaded onto the Charity Commission website.

5 Appendices

- 5.1 Appendix 1 Highbury Trust Report and Financial Statements 31 March 2021
- Appendix 2 Highbury Trust Letter of Representation to UHY Hacker Young (Birmingham) LLP

HIGHBURY TRUST
REPORT AND FINANCIAL STATEMENTS
31 MARCH 2021

Registered charity number: 1039194

Highbury Trust

Table of Contents

Report of the Trustees	2-3
Trustees Responsibilities in Relation to the Financial Statements	4
Independent Examiner's Report	5
Statement of Financial Activities	6
Balance Sheet	7
Notes to the Financial Statements	8

Highbury Trust

Report of the Trustees for the Year Ended 31 March 2021

The Trustees present their report along with the financial statements of the charity for the year ended 31 March 2021. The financial statements have been prepared in accordance with the accounting policies set out in the notes thereto and comply with the charity's trust deed and applicable law.

These accounts have been prepared from information held by the Council. They assume that arrangements will be established under which the Trust leases assets to the Council and uses the rental income to maintain the properties. It is further assumed that any shortfall will continue to be funded by contributions from the Council.

Reference and administrative information

Name of charity: Highbury Trust

Registered charity number: 1039194

Address for correspondence: Highbury Trust
PO Box 16306
Birmingham
B2 2XR

The Trustees who served during the year were: Birmingham City Council – the sole Corporate Trustee

Independent Examiner: Malcolm Winston
UHY Hacker Young (Birmingham) LLP
9-11 Vittoria Street
Birmingham
B1 3ND

Bank: Barclays Bank plc
15 Colmore Row
Birmingham
B3 2BH

Highbury Trust

Report of the Trustees for the Year Ended 31 March 2021 (cont'd)

Structure, Governance and Management

Governing document

The fund was established by a Trust Deed dated 31 March 1932. It is a registered charity, charity number 1039194.

Recruitment and appointment of trustees

The trustees, who served during the year, and since the year end, are set out in the reference and administration details on page 2.

Trustee Meetings

Day to day management decisions are made by Trust and Charities Committee, which is made up of eight Council Members. Three members acting as Trustees are necessary to form a quorum. Issues are decided by a simple majority of those present and voting, provided at least two Trustees vote in favour of the resolution. Decisions, such as disposals are made by Full Council sitting separately as Corporate Trustee.

Objectives and Activities

The objects of the Fund are to use the bequest for the benefit of the citizens of Birmingham.

Public Benefit

The Trustees confirm that in the exercise of their powers as a charity trustee, they have had due regard to the published guidance from the Charity Commission on the operation of the public benefit requirement.

Achievements and Performance

Total income for the year was:	£114,079	(2019/20: £125,016)
Charitable expenditure was:	£88,738	(2019/20: £130,511)

Financial Review and Investment Policy

The funds represent the value of the properties owned by the Trust. The repair and maintenance of the property is funded by rental income and contributions from Birmingham City Council.

Highbury Trust

Report of the Trustees for the Year Ended 31 March 2021 (cont'd)

Trustees' Responsibilities in Relation to the Financial Statements

The Trustees are responsible for preparing the Annual Report and the Financial Statements in accordance with applicable law and the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2019) – Charities SORP (FRS 102) and the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102).

The law applicable to charities in England and Wales requires the Trustees to prepare financial statements for each financial year which give a true and fair view of the affairs of the charity and of the incoming resources and application of resources of the charity for that period.

In preparing these financial statements, the Trustees are required to:

- select suitable accounting policies and then apply them consistently.
- observe the methods and principles in the Charities SORP 2019.
- make judgements and estimates that are reasonable and prudent.
- state whether applicable UK accounting standards have been followed, subject to any departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in operation.

The Trustees are responsible for keeping accounting records that disclose with reasonable accuracy at any time the financial position of the charity and enable them to ensure that the financial statements comply with the Charities Act 2011, the Charity (Accounts and Reports) Regulations 2008, Financial Reporting Standard (FRS 102) and the provisions of the trust deed. They are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Approved by the Trustees and signed on their behalf by:

.....
Trustee:

Date: 31 January 2023

Highbury Trust

Independent Examiner's Report to the Trustees of Highbury Trust

I report to the charity trustees on my examination of the accounts of the charity for the year ended 31 March 2021.

Responsibilities and basis of report

As the charity's trustees you are responsible for the preparation of the accounts in accordance with the requirements of the Charities Act 2011 ('the Act').

I report in respect of my examination of the charity's accounts carried out under section 145 of the Act and in carrying out my examination I have followed all the applicable Directions given by the Charity Commission under section 145(5)(b) of the Act.

Independent examiner's statement

I have completed my examination. I confirm that no material matters have come to my attention in connection with the examination giving me cause to believe that in any material respect:

1. accounting records were not kept in respect of the charity as required by section 130 of the Act; or
2. the accounts do not accord with those records; or
3. the accounts do not comply with the applicable requirements concerning the form and content of accounts set out in the Charities (Accounts and Reports) Regulations 2008 other than any requirement that the accounts give a 'true and fair view' which is not a matter considered as part of an independent examination.

I have one matter to note in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached. The valuation of the Land and Buildings has not been carried out for 8 years, which is in excess of Birmingham City Council's target of 5 years for asset valuations.

Malcolm Winston FCCA

**UHY Hacker Young (Birmingham) LLP 9-
11 Vittoria Street
Birmingham
B1 3ND**

Date: 31 January 2023

Highbury Trust

Statement of Financial Activities for the Year Ended 31 March 2021

	Notes	Unrestricted Funds £	Restricted Funds £	Total 2021 £	Total 2020 £
Incoming Resources					
Rent receivable		67,181	-	67,181	67,181
Investment income		160	-	160	824
Contribution from Birmingham City Council		46,738	-	46,738	57,011
Total incoming resources	2	114,079	-	114,079	125,016
Resources Expended					
<u>Charitable activities</u>					
Repairs, ground maintenance & insurance		44,890	-	44,890	55,238
Charitable grant		42,000	-	42,000	73,500
Support costs including audit fee		1,848	-	1,848	1,773
	3	88,738	-	88,738	130,511
Net incoming/(outgoing) resources		25,341	-	25,341	(5,495)
Transfers Between Funds		-	-	-	-
Balance of fund brought forward at 1 April	10	225,998	1,805,000	2,030,998	2,036,493
Balance of fund carried forward at 31 March	10	251,339	1,805,000	2,056,339	2,030,998

Highbury Trust

Balance Sheet as at 31 March 2021

	Notes	Unrestricted Funds £	Restricted Funds £	Total 2021 £	Total 2020 £
Fixed assets					
Investment Properties	4	-	1,805,000	1,805,000	1,805,000
		-	1,805,000	1,805,000	1,805,000
Current assets					
Cash at bank		114,759	-	114,759	91,098
Short term deposits	5	134,900	-	134,900	134,900
Debtors	6	3,360	-	3,360	1,680
		253,019	-	253,019	227,678
Creditors: Amount falling due in one year	7	(1,680)	-	(1,680)	(1,680)
Net current assets		251,339	-	251,339	225,998
Total net assets		251,339	1,805,000	2,056,339	2,030,998
Reserves		251,339	1,805,000	2,056,339	2,030,998
Funds		251,339	1,805,000	2,056,339	2,030,998

Approved by the Trustees and signed on their behalf by:

.....
Trustee:

Date

Highbury Trust

Notes forming part of the Financial Statements for the year ending 31 March 2021

Note 1: Principal Accounting Policies

a) Accounting Convention

The accounts (financial statements) have been prepared, in accordance with Accounting and Reporting by Charities: Statement of Recommended Practice, applicable to charities preparing their accounts and in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2019) – Charities SORP (FRS 102) and the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102).

The financial statements are prepared on a going concern basis, under the historic cost convention, modified to include certain items at fair value. The financial statements are prepared in sterling, which is the functional currency of the charity.

The significant accounting policies applied in the presentation of these financial statements, are set out below. These policies have been consistently applied to all years presented, unless otherwise stated. The charity has taken advantage, of the option provided in the Statement of Recommended Practice, to use headings in the Statement of Financial Activities, that are applicable to their specific activity, rather than reporting on an activity basis

b) Investment Income

Investment Income is accounted for on a receipts and payments basis and relates to rentals and other income generated from investment properties.

All incoming resources are included in the Statement of Financial Activities when the charity is entitled to the income and the amount can be quantified with accuracy.

c) Resources Expended

Expenditure is included on an accruals basis as the liability is incurred. Charitable expenditure comprises those costs incurred by the Charity in the delivery of its objectives. Governance costs include associated with meeting the constitutional and statutory requirements of the charity and include independent examination fees and costs of strategic management.

d) Investment Properties

Investment properties are included in the Balance Sheet at their open market value in accordance with the Financial Reporting Standard for FRS 102 and are not depreciated.

As at October 2012 the investment properties were revalued to £1,805,000 by Edwin Bray on behalf of Drivers Jonas Deloitte.

e) Fund Accounting

Details and the nature of each fund are set below:

Unrestricted Funds comprise those funds which the Trustees are free to use in accordance with the charitable objectives.

Endowment Funds represent those assets that must be held permanently by the charity.

Highbury Trust

Notes forming part of the Financial Statements for the year ending 31 March 2021 (cont'd)

Note 2. Incoming Resources

	Total 2021 £	Total 2020 £
Rental Income	67,181	67,181
COIF Deposit Account Interest	160	824
Birmingham City Council Funding	46,738	57,011
Total income	114,079	125,016

Note 3. Resources Expended

	£	£
Premises + grounds costs + insurance	44,890	55,238
Charitable grant	42,000	73,500
Support cost including audit fee	1,848	1,773
	88,738	130,511

During 2020/21 a charitable grant of £42,000 (2019/20: £73,500) was paid to Chamberlain Highbury Trust for the benefit of the citizens of Birmingham.

Note 4. Investment Properties

	£	£
Valuation at 1 April	1,805,000	1,805,000
Revaluation in period	-	-
Value at 31 March	1,805,000	1,805,000

Note 5. Short Term Deposits

Funds are invested in the CCLA deposit fund.

Note 6. Debtors

	£	£
Birmingham City Council	1,680	1,680
	1,680	1,680

Note 7. Creditors

	£	£
Independent Examination fee	1,680	1,680
	1,680	1,680

Highbury Trust

Notes forming part of the Financial Statements for the year ending 31 March 2021 (cont'd)

Note 8. Trustees Remuneration

None of the Trustees have received any remuneration or reimbursement of expenses from the Trust (2019/20: £Nil).

Note 9. Related Party Transactions

During 2020/21 a contribution of £46,738 (2019/20: £57,011) was received from Birmingham City Council to fund the shortfall for insurance, repair, ground maintenance and support. At the year end, Birmingham City Council owed the trust £1,680 (2019/20 £1,680).

Rental Income of £67,181 (2019/20: £67,181) was received from Civic Catering who are part of Birmingham City Council.

Repairs and maintenance, including grounds maintenance, were undertaken by Birmingham City Council at a cost of £44,890 (2019/20: £52,501).

Note 10. Reserves

	At 1 April 2020	Incoming Resources	Outgoing Resources	Gains, Losses and Transfers	Revaluation	As at 31 March 2021
	£	£	£	£	£	£
Unrestricted reserves	225,998	114,079	(88,738)	-	-	251,339
Restricted reserves	1,805,000	-	-	-	-	1,805,000
	<u>2,030,998</u>	<u>114,079</u>	<u>(88,738)</u>	<u>-</u>	<u>-</u>	<u>2,056,339</u>



BE BOLD BE BIRMINGHAM



Mr M Winston
Partner
UHY Hacker Young (Birmingham) LLP
9-11 Vittoria Street
Birmingham
B 1 3ND

31 January 2023

Dear Mr Winston

The following representations are made on the basis of enquiries of management and staff with relevant knowledge and experience such as we consider necessary in connection with your independent examination of the Highbury Trust's financial statements for the years ended 31 March 2021. These enquiries have included inspection of supporting documentation where appropriate and are sufficient to satisfy ourselves that we can make each of the following representations. All representations are made to the best of our knowledge and belief.

General

1. We acknowledge that the work performed by you is substantially less in scope than an audit performed in accordance with International Standards on Auditing (UK) and that you do not express an audit opinion.
2. We confirm that the charity was entitled to exemption under section 144 of the Charities Act 2011 the requirement to have its financial statements for the financial year ended 31 March 2020 examined.
3. We have fulfilled our responsibilities as trustees as set out in the terms of your engagement letter dated 11 March 2019, under the Charities Act 2011 for preparing financial statements in accordance with applicable law and the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2019) – Charities SORP (FRS 102) and the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102), for being satisfied that they give a true and fair view and for making accurate representations to you.
4. All the transactions undertaken by the charity have been properly reflected and recorded in the accounting records.
5. All the accounting records have been made available to you for the purpose of your independent examination. We have provided you with unrestricted access to all appropriate persons within the charity, and with all other records and related information requested, including minutes of all management and trustee meetings and correspondence with The Charity Commission.
6. The financial statements are free of material misstatements, including omissions.
7. There are no uncorrected misstatements identified in the financial statements.

Assets and liabilities

- 8. The charity has satisfactory title to all assets and there are no liens or encumbrances on the charity’s assets, except for those that are disclosed in the notes to the financial statements.
- 9. All actual liabilities, contingent liabilities and guarantees given to third parties have been recorded or disclosed as appropriate.
- 10. We have no plans or intentions that may materially alter the carrying value and where relevant the fair value measurements or classification of assets and liabilities reflected in the financial statements.

Accounting estimates

- 11. Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.

Legal claims

- 12. We have disclosed to you all claims in connection with litigation that have been, or are expected to be, received and such matters, as appropriate, have been properly accounted for, and disclosed in, the financial statements.

Laws and regulations

- 13. We have disclosed to you all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial statements.

Related parties

- 14. Related party relationships and transactions have been appropriately accounted for and disclosed in the financial statements. We have disclosed to you all relevant information concerning such relationships and transactions and are not aware of any other matters which require disclosure in order to comply with legislative and accounting standards requirements.

Subsequent events

- 15. All events subsequent to the date of the financial statements which require adjustment or disclosure have been properly accounted for and disclosed.

Going concern

- 16. We believe that the charity's financial statements should be prepared on a going concern basis on the grounds that current and future sources of funding or support will be more than adequate for the charity's needs. We have considered a period of twelve months from the date of approval of the financial statements. We believe that no further disclosures relating to the charity's ability to continue as a going concern need to be made in the financial statements.

Yours sincerely

.....

Name:

Role:

**Signed on behalf of Highbury Trust
8 March 2023**

Birmingham City Council

Trust and Charities Committee

13th March 2023



Subject: Applications for Grant Funding to Birmingham Municipal Charity

Report author: Alison Jarrett, Director Group & Capital Finance

Does the report contain confidential or exempt information? Yes No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

The fund applications may contain personal information and are therefore noted on the private agenda and further anonymised where reference to individuals is made.

1 Executive Summary

To provide the Committee with details of applications for grant funding from the Birmingham Municipal Charity.

2 Recommendations

- 2.1 To consider the applications for grant funding at exempt appendix 1 and note for the minutes, whether the application is approved, the sum approved, any conditions or request for additional information,
- 2.2 To authorise the City Solicitor to negotiate, execute and complete all necessary documentation to give effect to the above recommendations.

3 Background

- 3.1 The Birmingham Municipal Charity was set up to provide grants of a general charitable nature to benefit the citizens of Birmingham. Applications are made ad hoc to the Grants Secretary and must meet the following criteria:

1. Grants to be awarded to recipients or beneficiaries who reside within the boundary of the City of Birmingham up to the value of £10,000.
2. Evidence of tangible “public benefit” to be demonstrated in the Application form
3. Grant Applications will be presented to Trusts and Charities Committee for Approval.
4. Funding letter to be forwarded to successful applicants.
5. Applicants to sign offer of funding agreement.
6. A narrative report to be submitted once the grant provided has been defrayed, confirming the use of funds and public benefit.
7. Grants awarded to be defrayed in the financial year or within 6 months of approval of funding, unless agreed otherwise.
8. Spend is for the benefit of the citizens of Birmingham.
9. Documentary evidence of spend must be provided.

3.2 Applications are assessed within the finance function and applicants contacted to provide additional details or evidence to show that the request meets the fund criteria. Should the grant be approved then together with legal colleagues agreements are drawn up as appropriate and/or necessary according to the nature of the award, funds are dispersed and invoices, records and reports collated again as appropriate.

3.3 Funds held in the Charity for award totalled £750,000 (part in hand, part invested) at 31 March 2022

4 Options considered and Recommended Proposal

The Trusts and Charities Committee is asked to consider the applications at appendix 1 and to either approve unconditionally, approve conditionally, reject or request further information to be brought to a future meeting or to be considered between meetings.

5 Appendices

5.1 Appendix 1 Exempt information – applications for BMC Funding and their supporting documents