

BIRMINGHAM CITY COUNCIL

TRUSTS AND CHARITIES COMMITTEE

MONDAY, 16 JANUARY 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.

3 - 6

4 **MINUTES - 16 JANUARY 2023**

To confirm and sign the minutes of the last meeting held on 13th June 2022.

7 - 20

5 **YOUNG ACTIVE TRAVEL TRUST GRANTS**

Report of Assistant Director – Transport and Connectivity.

6 **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.

7 **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'.

BIRMINGHAM CITY COUNCIL

**TRUSTS AND CHARITIES
COMMITTEE
13 JUNE 2022**

**MINUTES OF A MEETING OF THE
TRUSTS AND CHARITIES COMMITTEE
HELD ON MONDAY 13 JUNE 2022
AT 1030 HOURS IN COMMITTEE ROOM C, COUNCIL HOUSE EXTENSION,
BIRMINGHAM**

PRESENT: - Jilly Bermingham in the Chair;

Councillor Basharat Mahmood

ALSO, PRESENT: -

Nigel Oliver – Birmingham Property Services
Rajesh Parmar – Legal Services
Michael Williams – Chamberlain Trust Trustee
Sofia Mirza – Committee Services

NOTICE OF RECORDING

- 1079 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

- 1080 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

- 1081 Apologies were submitted on behalf of Councillors Adrian Delaney, David Pears, Kath Scott for their inability to attend the meeting.
-

MINUTES

The Minutes of the meeting of the Committee held on 19 January 2022, having been circulated, were confirmed by the Committee and signed by the Chair.

1082 **RESOLVED: -**

That, subject to the above, the Minutes of the last meeting of the Trusts and Charities Committee held on 19 January 2022 having been circulated, be taken as read and confirmed and signed.

ITEM 6 - TERMS OF REFERENCE OF THE TRUST AND CHARITIES

1083

The Terms of Reference were noted.

ITEM 8/9 - CHAMBERLAIN Highbury TRUST - FINANCE/ACTIVITIES

1084

The committee will be aware from previous reports that we have been successful in securing a major grant from the national lottery's heritage fund. The development phase has been started and there is significant expenditure to be undertaken which is outlined in the table in the report which is just over £530,000.

The project steering group has been started which includes council officers and trustees from the Chamberlain Highbury Trust and has made good progress in the area. Paragraph 4 illustrates previous activity that was taken in the last financial year. Last year, one of the major criticisms from the charity commission led to the establishment of the Chamberlain Highbury Trust and the committee approved a grant of just over £51,000. Just over £42,000 was spent, therefore less was spent than was originally approved. The total grants that were paid for that year were £45,000 so less than was originally approved. The statutory accounts of the Chamberlain Highbury Trust have yet to go to the auditor. Soon the annual report and the statutory report will be formally approved in accordance with usual practice and will be reported back to the committee later in the year.

The key issue is that approval for grants is needed for 2022/2023, there are items that are set out in paragraph 8 which are not covered and require funding.

Nigel stated that we are waiting for final information from finance colleagues that the money is available.

ITEM 13 - CROPWOOD ESTATE – HOSTING THE BLACKWELL FESTIVAL 2022

1085

The report is requesting the field for use for a festival. The Blackwell Festival charity is represented by Rupert who is present in the meeting. The Festival can take place again at the estate this year. Have no access to the site outside of the parameters, Rupert stated that the land is in the same state it has been in for years. Premises license needs to be submitted to Worcestershire City Council as a regulatory authority. Rupert suggested that because Worcestershire County Council is the

licensing authority for approval it would be helpful if any approval expressly referred to the landowner's agreement and the premises license.

ITEM 12 - CROPWOOD ESTATE - HUNTERS HILL COLLEGE

1086

Emma Bourne presented the report to members. Hunters Hill College closed on 31st August last year, Education have managed the site after the trust. Have asked the trust for approval for it to be done by 31st august. There is vacant possession on the site, they will vacate the site by 31st august. The bps is to be taken back and relieve education of responsibility from the estate and given back to the trust. There has been no engagement from property services. David Board further stated that we need to get vacant possession so we can take the site back. Nigel stated he is the trust representative for the site. There are no trust funds to provide security at the school as there are no bps funds. Education colleagues have been funding it fully. The matters will need to be reviewed with the chair as we would like to safeguard the site. Property services have been looking at other services for safeguarding matters. The expectation is that the site will be sold off. Have power within the Cropwood Estate to make disposals. Emma stated that the Farmhouse is still on occupied on site. Emma further stated that on 31st August the property was purchased however there have been some delays with the developers so they cannot move in on the 30th of June as was expected, therefore the long date now given is 31st August. Nigel stated it is not a decision that needs to be brought to the committee.

ITEM 7 - YOUNG ACTIVE TRAVEL TRUST GRANTS

1087

The Senior Travel Demand officer presented the report to the members. 12 schools made applications in the Autumn term between 6th September and 3rd December 2021 and Spring term between 10th January and 18th March 2022. The applications meet the criteria for the trust fund, they have all registered to motive starts and started their school travel plans. The aim of the funding is to promote safe and sustainable travel to school. Paul requested the release of funding from the committee. The schools have been waiting for over 6 months for this funding. The total amount for the 12 schools would be £12,000 and would leave a remaining balance of £48,836.35.

The Chair approved the funding.

OTHER URGENT BUSINESS

1088

No matters raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

1089

RESOLVED:

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

Trusts and Charities Committee – 13 June 2022

The meeting ended at 1129 hours.


.....
CHAIRMAN

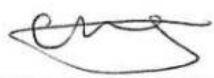


**Young Active Travel Trust: Grant Funding
APPLICATION FORM**

Please email the completed form to connected@birmingham.gov.uk

Name of School(s)	Kings Rise Academy
Name of Head Teacher(s)	Louise Noonan ^{PP} <i>CARY BYRNE (VICE PRINCIPAL)</i>
Project Title	Role Play Road Safety Equipment
Type of Applicant	School
Name of Lead Applicant	Chiquina Gidden
Email address	chiquinagidden@kingsrise.org
Telephone number	0121 464 4635
BCC / External School	External School
(If BCC) Fund Centre 'R' Code	N/a

Signature of Head Teacher (for a group of schools, only one signature is required)	
Name	<i>CARY BYRNE</i>
Date	<i>18/11/22</i>

Signature of Lead Applicant	
Name	<i>CHIQUINA GIDDEN</i>
Date	<i>18/11/22</i>

About Your Project

1. Please describe the project you are asking for grant funding to undertake.

Please refer to the guidance notes for information about what sort of projects will be given priority.

At Kings Rise we would love the opportunity to have road safety measures to help and aid children and parents who walk to school. There have been a lot of problems in the last few years where issues have been raised as children have not completely understood the rules of the road. We at Kings Rise believe that if we can train the children safely in school on our grounds it will have a huge impact on how they apply this outside of school.

2. What you will spend the grant funding on?

Funding would be used on role play equipment that teachers, parents and children can use to familiarise themselves and associate with what they see outside of the school.

3. What benefits do you expect to result from the project?

I would expect more children walking safely to school and using the local crossing facilities.

4. What positive legacy will the project have on the school or wider community and what will happen when the grant funding stops?

There will be more people walking to school in the hope that less cars will be used on school journeys leading to less congestion outside school and its local residents.

5. How does this project connect with your Modeshift STARS Travel Plan?

Please note funding is only available to schools who have committed to developing school travel plans through the on-line Modeshift STARS programme; or schools who will commit to registering on Modeshift STARS and achieving bronze level within 12 months (from date of award of grant).

Through the school travel surveys I have identified that pupils would prefer to walk to school rather than travel by car. This funding will enable us to teach the children how to use crossing facilities safely.

6. Estimated project start date

Spring term 2023

7. Estimated project completion date

Summer term 2025

8. Approximately how many pupils will be involved in this project?

300

9. Estimated total cost of the project

£1000

10. Amount of Grant funding sought

£1000

Evaluation

11. Please explain how you intend to evaluate the impact of the project and how you will measure success?

The school will regularly update the school travel plan and identify school travel survey results to show that more children are walking to school rather than travel in cars.

Grant applications will be assessed and presented for determination to the Trusts and Charities Committee, as sole corporate trustee of the Young Active Travel Trust.

Details of your application may be referred to in publicly available committee reports, along with subsequent feedback or evaluations of any schemes funded by the Trust. Please indicate below your acceptance:

I accept

**Please email the completed form to
connected@birmingham.gov.uk**

Queries about the application process should also be directed to connected@birmingham.gov.uk

Official use only

Date received	Click here to enter a date.
Approved	Choose an item.
Reasons	Click here to enter text.
Amount of grant awarded	Click here to enter text.



Role Play Super Deluxe Road Safety Set

SKU: 34685

Price: **£79.99** ~~£244.95~~

Quantity:

<https://www.cheapdisabilityaids.co.uk/products/role-play-super-deluxe-road-safety-set>

£79.99 x4 = £319.96


Battery Powered Traffic Lights

Zebra crossing lights with a display for cars and pedestrians.

It can be operated automatically or manually.

Dimensions: 27 x 12 x 74 cm

Price **£54.95**



Privacy & Cookies Policy

<https://www.kelticclothing.co.uk/road-safety-clothing-and-accessories/road-safety-education-range/road-safety-role-play-equipment/battery-powered-traffic-lights/>

£54.95 X6 = £329.70



Parking Buddies / Kiddie Cut Out Road Safety Pavement Signs

- Quick and easy to assemble – no tools required
- Strength and security – unique wedge locks panel into the base
- Low centre of gravity for optimum stability

<https://signs2schools.co.uk/product/school-safety/safeguarding/playground/kiddie-cut-road-safety-pavement-signs/>

1 X £185 =£185.00



Choose QTY

Pack of 1 Clear

Choose style(s)

- Boy
- Girl
- Wheelchair
- Mixed

Any custom text or special requests?

Think before you park.

Upload School Logo

ADD IMAGE



No Excuses Banner



500gsm PVC Material

<https://signs2schools.co.uk/product/school-safety/road-safety-banners/dont-park-zig-zags-no-excuses-banner/>

£49.34 X2 = £98.68

Select size

Choose an option

From: **£49.34**

Quantity

- 1 +

ADD TO BASKET

Please note: if you have requested any artwork customisation, we will contact you for design approval before printing.

We Accept

Purchase Orders



Add logo (if required):

ADD IMAGE



REMOVE KRA
LOGO.PNG

Need to send more files? Please [upload here](#) or [email us](#).

Custom text and wording:

£199.50

Quantity

Ecoflexlite is the compact, lightweight, light-price pavement sign, featuring our

<https://signs2schools.co.uk/product/school-signs/pavement-signs-external/dont-ride-bikes-scooters-school-eco-flex-pavement-sign/>

- £199.50 x2 = £399.00
- £79.99 X 4 = £319.96
- £54.95 X 6 = £329.70
- £49.34 X 2 = £98.68
- £185 X 1 = £185.00
- £199.50 X 2= £399.00

Total Cost = £1332.34 – YAT Fund can provide £1000 school will have to fund £332.34

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	TRUSTS AND CHARITIES COMMITTEE
Report of:	Philip Edwards, Assistant Director – Transport and Connectivity
Date of Decision:	16th January 2023
SUBJECT:	YOUNG ACTIVE TRAVEL TRUST GRANTS
Wards affected: 1	<ul style="list-style-type: none"> • Kingstanding Kings Rise Academy

1. Purpose of report:

1. To seek the approval of the Committee to applications for funding from the Young Active Travel in Birmingham Charitable Trust, as set out below.
2. To update the Committee about the Trust's financial position as at 16th January 2023.

2. Decision(s) recommended:

That the Committee:

1. Approves the applications for funding from the schools listed at point 4.6 below, totalling £1.000.
2. Notes the remaining balances available to the Young Active Travel in Birmingham Charitable Trust for future disbursement.

Contact Officers: Telephone No: E-mail Addresses:	Paul Ruffle Senior Travel Demand Management Officer 07766 924322 paul.ruffle@birmingham.gov.uk
--	--

3. Compliance Issues:

3.1 Consultations

The grants will be awarded in accordance with the Mechanics of Funding Protocol agreed by this Committee on 14 December 2016 and no further consultation is required. The officer panel reviewing the applications consists of representatives from Inclusive Growth: School Crossing Patrols and the Travel Demand Management Team, Education, and Finance and Governance.

Active engagement and promotion of the initiative takes place with all schools in Birmingham through various methods including regular newsletters, webinar training sessions and noticeboard bulletins.

3.2 Relevant legal powers, personnel, equalities, procurement, regeneration and other relevant implications?

The City Council is the Sole Corporate Trustee for a number of charitable trusts (“charities”) including Young Active Travel in Birmingham and the day-to-day management of these charities is delegated to the Council’s Trusts and Charities Committee.

Each charity is governed by the Deed under which it was established, and/or a Charity Commission Scheme. These documents set out the Trustees’ powers, as well as the objects or purposes for which the charitable trust was created.

Assets held in trust by a charity are ultimately for the benefit of the public (beneficiaries) and any dealing in these assets and any income derived from them, is legally required to be dealt with, and accounted for, separately from the Corporate Property Portfolio/assets of the City Council. Charities must be managed in accordance with the objectives and rules laid down in their Trust documents.

It is the legal duty of Trustees to ensure that the charity is managed in accordance with the Trust objectives and, accordingly, there is a legal duty upon the City Council when it acts as the Sole Corporate Trustee. This duty extends to acting in the best interests of the charity and its beneficiaries at all times or making decisions which are expedient in the interests of the charity (as opposed to the City Council.)

All charity Trustees also have a legal duty to avoid conflicts of interest, and self-dealing (which prohibits a trustee from buying trust property and makes a sale by a trustee to himself voidable by any beneficiary). All decisions made by Council’s Trusts and Charities Committee are subject to prior review by the Council’s City Solicitor and Monitoring Officer to ensure that decisions are made in accordance with charity law having regard to any relevant Charity Commission guidance.

3.3 Finances

The Trustee secured the sum of £100,000 as the initial fund to be applied in furthering the objects and purposes of the Charity. This income is available for immediate use. This is comprised of a contribution of £75,000 from the City Council and £25,000 sponsorship from Churchill Insurance.

As of September 2022, the remaining balance was £45,836.35 which is held in a trust account within the Council's balance sheet. The recommended applications total for January is £1,000.00 and will leave a balance of £44,836.35 available for future disbursement.

3.4 Public Sector Equality Duty

None. The statutory functions discharged by the Council as Trustee are subject to a separate and distinct statutory regime underpinned (principally) by the Charities Act 2011, Trustee Act 2000 and relevant Charity Commission guidance. These are non-executive functions and are therefore not subject to the Equalities Act 2010 provisions.

4. **Relevant background/chronology of key events:**

Background

- 4.1 At its meeting on 13 September 2016 Council-as-Trustee approved the formation of the Young Active Travel Trust.
- 4.2. Council-as-Trustee further resolved to instruct officers to register the Trust as a charitable organisation with the Charities Commission. As with any other charitable trust where the Council is sole corporate trustee, the responsibility for the day to day management of the trust is delegated by Council to the Trusts and Charities Committee.
- 4.3. At its meeting on 14 December 2016 this Committee (Trusts & Charities) approved the Mechanism of Funding Protocol which set out the management arrangements for the Young Active Travel Trust and the criteria against which applications for funding would be assessed (Appendix 1).

Purpose of the Trust

4.4 The Council's Young Active Travel initiative aims to pull together cross-cutting policy objectives around improving children's health, achieving "behaviour change" around transport choices, and addressing environmental and road safety concerns. It seeks to encourage parents and pupils to adopt more sustainable ways of travelling to school and to reduce car journeys, improving not only their own health but that of the wider community – with reduced road danger, less air pollution from cars, and less traffic congestion in local neighbourhoods – particularly around school gates.

4.5. The purpose of the Trust is set out in the Deed as follows :

The objects and purposes of the Charity are to preserve and protect public health, particularly the health of school children in Birmingham by:-

- I. *supporting initiatives which raise awareness about road safety, health, exercise and fitness;*
- II. *changing behaviours towards travel to school*

Applications for Funding

4.6. 1 application has been received and assessed against the criteria set out in Appendix 1. These applications have met the criteria set out in Appendix 1 and are recommended to the Committee for approval as schemes to further the objectives of the Charity. The applications are attached at Appendix 2.

School Name	MSS Registered	MSS Travel Plan	Project	No. of Pupils	Amount Requested (£)
Kings Rise Academy	Yes	Completed	Road Safety Resources	300	1000.00
TOTAL				300	1,000.00

4.7. The recommended applications total £1,000.00 and if all are approved would leave the Trust with remaining resources of £44,836.35.

5. Reasons for Decision(s):

5.1 To pursue the objectives of the Young Active Travel in Birmingham Charitable Trust, as set out in the Trust Deed approved by Council-as-Trustee on 13 September 2016.

Name of committee: Trust and Charities

Signature:

Chief Officer:
Title

Dated:

List of Appendices:

Appendix 1 – (Extract) Report to Trusts & Charities Committee 14 December 2016 - Management of the Young Active Travel in Birmingham Charity.

Appendix 2 – Funding Application attached as separate documents)

List of Background Documents used to compile this Report:

Report to Trusts & Charities Committee/Council-as-Trustee – Formation of the Young Active Travel Trust 13 September 2016

Report to Trusts & Charities Committee 14 December 2016 - Management of the Young Active Travel in Birmingham Charity

Appendix 1

(Extract) Report to Trusts & Charities Committee 14 December 2016 - Management of the Young Active Travel in Birmingham Charity; Appendix 3 Mechanics of Grant Funding Protocol

- To be eligible to apply for a grant, schools must be located within the geographic boundary of Birmingham City Council. Alternatively, constituted groups of parents of children attending these schools will also be eligible to apply.
- Up to £1,000 per application, or school in the case of collective bids, will be available for projects that meet one or more of the criteria set out below.
- Applications may be made for revenue or capital schemes but if it is the latter, the applicant will need to resource any on-going maintenance liability that may be created.

Subject to the above, priority will be given to funding proposals where:

- a) the school has an on-going commitment to promoting safe and sustainable travel through actions within their ModeShift STARS (on-line programme) travel plan. In Particular -
 - The school MUST have registered to Modeshift STARS
 - The school MUST have completed at least 1 school travel survey for both staff and pupils within the previous 12 months of the application.
 - The school MUST have started a School Travel Plan.
- b) there is a link between the proposal and actions contained within the ModeShift STARS travel plan, for example, to achieve behaviour change to more sustainable modes of travel to and from schools.
- c) it is expected that the proposal will result in a reduction in parking congestion around school gates.
- d) there is a linkage to existing initiatives led by the Council or its partners, for example, Bikeability (cycle training), Birmingham Big Bikes Bike Library or family cycle centres, or Birmingham Cycle revolution infrastructure investment.
- e) there is connectivity with other children's health and well-being programmes and activities; or local environmental initiatives.
- f) consideration has been given to the legacy of the initiative or activity to ensure sustainability beyond the life of the grant funding, for example, through parent's groups or the School Council

The Trust cannot:

- Award grants in excess of £1,000 to a single institution or group.
- Award more than one grant to the same school in less than 36 months.
- Award grants for things that have already been paid for.
- Fund initiatives or measures for which there is a free of charge alternative, for example, Think Road Safety resources, or other local funding source.
- Fund schemes for which Top Cycle Location Grants are available or have been awarded in 2016/17 or 2017/18.