

**Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting**

**BIRMINGHAM CITY COUNCIL**

**COUNCIL AS TRUSTEE**

**TUESDAY, 07 NOVEMBER 2017 AT 13:45 HOURS**  
**IN COUNCIL CHAMBER, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

**A G E N D A**

**1 NOTICE OF RECORDING**

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site ([www.birminghamnewsroom.com](http://www.birminghamnewsroom.com)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

**3 - 6**

**2 MINUTES**

To confirm and authorise the signing of the Minutes of the Meeting of the Council as Trustee held on 12 September 2017

**7 - 28**

**3 A MULTIPLE REPORT ON PROPERTY MATTERS FOR DECISION BY COUNCIL AS TRUSTEE**

**(15 Minutes allocated) (1345-1400)**

To consider a report of the Trust and Charities Committee.

**Councillor Habib Rehman to move the following Motion:**

“That Full Council sitting as ‘Council as Trustee’:

A. Highbury – Disposal of former lodge 98 Queensbridge Road

i) notes that the property is currently vacant and although safeguarded by a guardian occupation, is principally unimproved and in need of capital improvements but no longer required as residential accommodation by the Chamberlain Highbury Trust.

ii) approves the proposal to negotiate a disposal of the freehold interest on terms to be agreed of the house and grounds set out in Appendix 1.

B. Moseley Road Community Centre (Friends Institute), 220 Moseley Road

- i) notes the report approved at Committee on 3<sup>rd</sup> July 2013 and the continuing desire to release the premises in the open market for community purposes or, if needs be, other uses and that this will ultimately require powers to enable the disposal of the premises by sale or by the grant of a formal lease or leases, but for which no existing power exists.
- ii) confirms that Expressions of Interest from the third sector with a view to transferring management or ownership of the building be sought in line with the terms approved by Committee on 3<sup>rd</sup> July 2013
- iii) authorises that separately applications be made to the Charity Commission to obtain a further revision to the existing Scheme for the better management of the trust assets including powers of disposal, winding up the Charity if appropriate and/or seeking to widen the charitable activities at the premises
- iv) authorises, if necessary, the making of applications including a Deed of Release from the giftor's family seeking to remove or amend the restrictive covenants limiting the use of the premises that might hinder disposal or future use
- v) authorises the disposal of the premises by way of a sale or by a lease, for up to 35 years from an early date to be agreed, to an appropriate organisation or persons to be determined via the proposed marketing and selection procedures

C. Elford Estate – disposal of land adjoining Paget House

- i) notes that land identified on the plan in Appendix 1 is land not accessible to the general public and provides no community function for the Elford trust nor provides any opportunity for further development
- ii) approves the proposal to negotiate a disposal of the freehold interest on terms to be agreed of portions of this land to the owner of the adjoining Paget House.

and

that the Assistant Director of Property (Interim) be authorised to secure appropriate valuation and marketing advice in line with statutory requirements of the Charities Act 2011 for the disposal of property and to negotiate and agree the terms of all agreements on behalf of the Trusts provided that appropriate restrictions are included in the disposal terms to properly safeguard the individual Trust

and

that the City Solicitor and Monitoring Officer be authorised to prepare, negotiate, execute, seal and complete all necessary documentation, including the making of applications to the Charity Commission for any purposes required to give effect to the above decisions and also to place any formal advertisements required under either s123 of the Local Government Act 1972 or the various statutes as may relate to the charitable status of the land, manage any appropriate consultation stages and to appraise the Trusts and Charities Committee of the results of that consultation."