



COUNCIL AS TRUSTEE 12 SEPTEMBER 2017

**MINUTES OF A MEETING OF THE
COUNCIL AS TRUSTEE COMMITTEE
HELD ON TUESDAY 12 SEPTEMBER 2017
AT 1345 HOURS IN THE COUNCIL CHAMBER,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT:- Deputy Lord Mayor (Councillor Carl Rice) in the Chair.

Councillors

Muhammad Afzal	Neil Eustace	Narinder Kaur Kooner
Deirdre Alden	Mohammed Fazal	Chaman Lal
John Alden	Mick Finnegan	Bruce Lines
Robert Alden	Des Flood	Mary Locke
Tahir Ali	Carole Griffiths	Ewan Mackey
Sue Anderson	Peter Griffiths	Majid Mahmood
Gurdial Singh Atwal	Paulette Hamilton	Karen McCarthy
Mohammed Azim	Andrew Hardie	Gareth Moore
David Barrie	Roger Harmer	Yvonne Mosquito
Bob Beauchamp	Kath Hartley	Brett O'Reilly
Kate Booth	Barry Henley	John O'Shea
Sir Albert Bore	Des Hughes	David Pears
Randal Brew	Jon Hunt	Victoria Quinn
Marje Bridle	Shabrana Hussain	Hendrina Quinnen
Mick Brown	Timothy Huxtable	Habib Rehman
Alex Buchanan	Mohammed Idrees	Fergus Robinson
Andy Cartwright	Zafar Iqbal	Gary Sambrook
Tristan Chatfield	Ziaul Islam	Rob Sealey
Zaker Choudhry	Kerry Jenkins	Mike Sharpe
Debbie Clancy	Meirion Jenkins	Claire Spencer
Liz Clements	Simon Jevon	Stewart Stacey
Lyn Collin	Julie Johnson	Sharon Thompson
Maureen Cornish	Brigid Jones	Paul Tilsley
John Cotton	Carol Jones	Margaret Waddington
Basharat Dad	Nagina Kauser	Ian Ward
Phil Davis	Tony Kennedy	Mike Ward
Diane Donaldson	Ansar Ali Khan	Alex Yip
Peter Douglas Osborn	Changeese Khan	Waseem Zaffar

Barbara Dring

Mariam Khan

NOTICE OF RECORDING

- 25 The Deputy Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the Press/Public may record and take photographs except where they were confidential or exempt items.

APPOINTMENT OF THE INTERIM LEADER OF THE COUNCIL

The Deputy Lord Mayor advised the meeting that following yesterday's resignation of Councillor John Clancy as Leader of the Council, he was to call upon Councillor Stewart Stacey to move an appropriate Motion which was seconded by Councillor Brigid Jones.

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was –

- 26 **RESOLVED:-**

That Council as Trustee notes that City Council is to confirm the interim appointment of Councillor Ian Ward as Leader of the Council pending a permanent appointment at a future meeting.

MINUTES OF LAST MEETING

- 27 **RESOLVED:-**

That the Minutes of the meeting of Council as Trustee held on 4 April 2017, having been printed and a copy sent to each Member of the Council as Trustee, be taken as read and confirmed and signed.

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

The following report of the Trusts and Charities Committee was submitted:-

(See document No. 1)

Councillor Habib Rehman moved the motion which was seconded.

A debate ensued.

Councillor Habib Rehman replied to the debate.

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore -

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RESOLVED:-

That Full Council sitting as 'Council as Trustee':

A. 669 Bristol Road – former Selly Oak Library

- i) approves that the land held in trust at 669 Bristol Road comprising the former Library can be disposed of on terms to be agreed;
- ii) and to submit to the Charity Commission an application for a Scheme/Order allowing the trust the necessary additional powers to undertake the disposal of 'specie' land
- iii) authorises the making of applications including a Deed of Release from the giftor's family seeking to remove or amend the restrictive covenant limiting the use of the premises.

B. Calthorpe Park – lease to Health & Wellbeing Service Mutual Organisation

- i) agrees the occupation of the premises on the trust's land to be regularised by the grant of a formal lease.
- ii) authorises that applications be made to the Charity Commission to obtain either an Order or Scheme for the better management of the trust assets including a power of disposal and if appropriate an Order to permit a disposal to a 'connected person'
- iii) authorises the making of applications including a Deed of Release from the giftor's family seeking to remove or amend the restrictive covenant limiting the use of the premises.
- iv) authorises the disposal by way of a lease for up to 25 years from an early date to be agreed, of the land currently allocated to the Service being granted to the Health & Wellbeing Service or its mutual organisation once established.

C. Small Heath Park – lease of Small Heath Park Lodge

- i) agrees the Lodge should be brought back into community use and any occupation regularised by the grant of a formal lease.
- ii) authorises that applications be made to the Charity Commission to obtain either an Order or Scheme for the better management of the trust assets including a power of disposal

- iii) authorises the making of applications including a Deed of Release from the giftor's family seeking to remove or amend the restrictive covenant limiting the use of the premises.
- iv) authorises the disposal by way of a lease for up to 35 years from an early date to be agreed, of the land of the former Lodge and gardens area

D. Cropwood Estate – Rosemary Cottage partial release of restrictive covenant

- i) the restrictive covenant against the land shown on the plan in Appendix 1 be amended by Deed to allow only the proposed development

E. Cropwood Estate – lease to Hunters Hill Technology College and of other parcels of land

- i) the land identified as parcels C and D in Appendix 1 be let to the College on terms to be agreed
- ii) the remaining land is advertised as available to let marketed generally for agricultural use
- iii) and if it is determined that the letting to the College being directly operated by Birmingham City Council requires that an application for a Scheme/Order from the Charity Commission allowing the trust the necessary additional powers to undertake the disposal to a 'connected person' that can also be made

and

that the Assistant Director of Property (Interim) be authorised to negotiate and agree the terms of all agreements on behalf of the Trusts and that the City Solicitor 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.

The meeting ended at 1400 hours.

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CHAIRMAN