

Report to:	Trust and Charities Committee	<i>Exempt information paragraph number – if private report:</i>
Report of:	Director of Finance	
Date of Decision:	17th December 2015	
SUBJECT:	ANNUAL REPORT AND ACCOUNTS – Highbury Trust for the period 2014/15	
Key Decision: Yes / No	Relevant Forward Plan Ref: No	
If not in the Forward Plan: (please "X" box)	Chief Executive approved	<input type="checkbox"/>
	O&S Chairman approved	<input type="checkbox"/>
Relevant Cabinet Member(s):	N/A	
Relevant O&S Chairman:	N/A	
Wards affected:	All	

1. Purpose of report:

- 1.1 To present for approval the 2014/15 Annual Report and Accounts for Highbury Trust.

2. Decision(s) recommended:

- 2.1 The Committee acting on behalf of the Trustee (BCC) is recommended to approve the Annual Report and Accounts.
- 2.2 The Committee acting on behalf of the Sole Corporate Trustee authorises officers in Corporate Finance to submit all appropriate and necessary documentation to the Charity Commission in respect of recommendation 2.1.

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3. Consultation

Consultation should include those that have an interest in the decisions recommended

3.1 Internal

The Chairman of the Committee has been consulted in the preparation of this report.

3.2 External

n/a

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

N/A

4.2 Financial Implications
(Will decisions be carried out within existing finance and Resources?)

N/A

4.3 Legal Implications

Management and governance arrangements for Charitable Trusts are set out in the constitution under which they were established. Charity Trustees must also comply with Charities Act 2011, Trustee Act 2000, other relevant legislation and guidance issued by the Charity Commission. The assets of a charity must be used in accordance with charitable law, failing which this will give rise to a breach of trust. Legal sanction can follow from either the beneficiaries of the charitable trust and/or Charity Commission. Decisions made by the charity must be expedient in the interests of the charity at all times. The Committee has empowered officers within the Council to discharge certain functions on its behalf as Council as Trustee.

4.4 Public Sector Equality Duty (see separate guidance note)

No adverse impact.

5. Relevant background/chronology of key events:	
5.1	The Trust was established by a deed dated 31 March 1932. The objectives of the Trust are general charitable purposes for the benefit of the citizens of Birmingham.
5.2	The Trust is registered with the Charity Commission No. 1039194. The Highbury Estate comprises of a variety of properties – Highbury Hall, Chamberlain House, residential properties 92 and 98 Queensbridge Road, The Gatehouse and the Caretakers House as well as having land of 13 hectares, of which 11 hectares relate to parkland.
5.3	It is a requirement for all trusts that are registered with the Charity Commission to compile and submit annual audited accounts to the Commission ten months after the end of the financial year.
5.4	The Charity Commission's threshold for requiring trust fund accounts to be independently examined and forwarded to the Charity Commission was increased in April 2009 from £10,000 to £25,000.
5.5	The attached accounts identify that the trusts gross annual income for the year was £179,382 and therefore an independent examination was undertaken by the Trusts appointed auditors.
6. Evaluation of alternative option(s):	
6.1	It is a Charity Commission requirement to compile annual accounts.
7. Reasons for Decision(s):	
7.1	For Committee to approve the accounts.

Signatures	Date
Director of Finance
Chairman

List of Background Documents used to compile this Report:
N/A

List of Appendices accompanying this Report (if any):
1. 2014-15 Accounts