

# BIRMINGHAM CITY COUNCIL

<b>TRUSTS AND CHARITIES COMMITTEE 19 JANUARY 2022</b>
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**MINUTES OF A MEETING OF THE  
TRUSTS AND CHARITIES COMMITTEE  
HELD ON WEDNESDAY 19 JANUARY 2022  
AT 1030 HOURS IN COMMITTEE ROOM C, COUNCIL HOUSE EXTENSION,  
BIRMINGHAM**

**PRESENT:** - Yvonne Mosquito in the Chair;

Councillors David Pears, Adrian Delaney and Julien Pritchard.

**ALSO, PRESENT:** -

Nigel Oliver – Birmingham Property Services  
Rajesh Parmar – Legal Services  
John Stewart – Cadbury Barn Trust  
Simon Linford – Cadbury Barn Trust  
Michael Williams – Chamberlain Trust Trustee  
Les Sparks – Cadbury Barn Trust  
Lesley Pattenson – Cadbury Barn Trust  
Sofia Mirza – Committee Services

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## **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](http://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.

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## **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.

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## **APOLOGIES**

- 1081 Apologies were submitted on behalf of Councillors Akhlaq Ahmed, Gurdial Singh Atwal and Councillors Zhor Malik for their inability to attend the meeting

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**MINUTES**

The Minutes of the meeting of the Committee held on 22 September 2021, having been circulated, were confirmed by the Committee and signed by the Chair.

Councillor Pears stated that a meeting did not take place previously due to mitigating circumstances and that it should be noted. There was an issue with Highbury State Trust in the last meeting in December.

1082 **RESOLVED: -**

That, subject to the above, the Minutes of the last meeting of the Trusts and Charities Committee held on 22 September 2022 having been circulated, be taken as read and confirmed and signed and a note be kept recording that the meeting did not take place previously.

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**HIGHBURY ESTATE TRUST – CHAMBERLAIN HIGHBURY TRUST REPORT  
AND ANNUAL ACCOUNTS**

The following report of the Report of Assistant Property Director – Transport and Connectivity was submitted: -

(See Document 1)

The Operational Property Manager presented the cover report to the members, the purpose of the report is to enable Chamberlain Highbury Trust to report to the Committee on their recent activities.

The Operational Property Manager passed the report over to Mike Williams. Mike Williams introduced himself as one of the trustees for the Chamberlain Trust and presented the report and stated the following key points:

- Have been successful secured National Heritage Lottery Funding for the development phase of the major restoration project that the Trust wants to undertake at Highbury, both to the mansion and to the grounds.
- In the report the major project will be split into two phases: A Development phase and Delivery phase.
- The development phase will produce detailed designs, site surveys and fundraising. It will cost £620,000; the City Council Cabinet has agreed a contribution of 2 million pounds to the total scheme.
- Have agreed with officer that the contribution from the council will go to the development phase of £78,000.
- The Committee has also agreed on an allocation of £40,000 towards the development phase.
- Development phase will start in January, it has taken longer and therefore significant funds will start being spent around the beginning of April.
- Requested Highbury Trust to release its funds of £40,000 and the City Council to release £78,000 as soon as possible.

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- Have had a meeting with City Council officers in which both Nigel and City Solicitor were present. The next meeting is due to be scheduled in February by which time a detailed cash flow forecast will be produced.
- We have agreed with officers a contribution from the 2 million 78,000. 40,000 has also been allocated to the development phase.
- Have had approval for a small scheme in the grounds for approximately £300,000 which has now been completed thanks to the City Council's Landscape Practice Group.
- Have had a successful sustainability festival.
- Heritage open days have brought a significant number of visitors and attracted interest. There have also been an increased number of visitors to the park.
- Submitted a budget for the current year for just over £50,000 which was approved at the point of drafting. £25,000 has been paid since the last report.

It was noted that the successful progress of the gardens project to receive the year's annual reporting accounts and to note the position in the current year.

Councillor Pears raised the question of the issue with funding had been agreed to be paid in December but was still outstanding. Mike Williams advised that a detailed cash flow must be drawn up and will agree that at the working group with officers which should then lead to the release of funding.

1083

### **RESOLVED:** -

That the Committee:

Agree the recommendations set out in the report.

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### **CADBURY BARN TRUST – SUBMISSION**

The following submission of the Vice-Chair and Trustee of Cadbury Barn Trust was submitted: -

(See Document 2)

John Stewart of Cadbury Barn Trust presented the report to members. Lesley Pattenson the Chair of CBT was also present. In 1922 George Cadbury died and left his estate which is now Manor Farm Park, it is a 20-hectare park, it also has former park buildings at its entrance. It also contains the historic timber. We have a vision to celebrate George Cadbury and create a café, and outdoor meeting spaces for community use. Since 2010 stakeholders have been working to develop these plans. The land is held by George Cadbury Trust and managed by BCC. We have planning permission for temporary buildings on site.

Simon Linford, founder of the Birmingham School of Bell Ringing introduced himself to members. The school has been looking for a dedicated school to expand its centre. Have been looking to expand the school and make it accessible to the population of all faiths and races. The leader has been keen to help with this. Cadbury Barn looks like a good fit, there is a fear that Bell's are associated

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with noise, however this is not the case as we are hoping to introduce a simulated bell with noise control. Cadbury Barn Trust are hoping for a bell tower to create a landmark. Our plan fits in with the rest of the plans and Bell's were favoured by George Cadbury himself. Simon presented the building plans to the members.

Councillor Delaney asked where the temporary buildings will be, John stated that they will be situated behind the building. They only have planning permission for 3 years. Need to have toilets and a meeting space to get the next phase of the work. Councillor Delaney asked why other buildings couldn't be used instead of building temporary ones. In order to make a disposal trustees need to make an application for a scheme of variations. We are still waiting for an application to be made, we have the funding and detailed plans and have support from the community and BCC, however without the scheme of variations we can't use the funds and nor can the City Council. We are asking the Trust and Charities Committee to ask the officers to make the application. Councillor Pears stated that toilets are must needed in parks and asked questions if defibrillators are being looked at, John stated that they are being looked at and if we had a permanent place, we could install these. We are trying to make the park a sustainable place and would look at all these factors when installing them.

The Chair asked the officers why there has been a delay. The City Solicitor stated that we are restricted and hoping to go to public consultation and invite members of the public to see how we should go forward with the park. It will be online on the beheard platform. Once the consultation has occurred, we can go through with some of the recommendations for Cadbury Barn Trust. In due course we should have scheme which should see permanent toilets and a café/meeting point on site. There has been a lack of resources within the legal department which has also added to the delay. Councillor Pears asked City Solicitor if we could have a follow up report. Councillor Pritchard asked the question of why the application won't be successful and why did it take so long for the application. The Chair asked the City Solicitor the question of the timescales for how long the consultation period will take. The City Solicitor stated that consultation will take 12 weeks. John asked a question regarding consultation and asked what the proposals might be that people will be asked about. The plans were set out for this meeting for the benefit of the members. The City Solicitor stated that the consultation needs to be as wide as possible asking local people what they would like to see in the park and the facilities they want. There will be restrictions on the premises of what can and cannot be done as it is a public park. Legal advice needs to be taken before going to the charity commission.

Lesley Pattenson added to John's point and stated that they have done many consultations. When questions are asked to the public that stimulate thinking there are more diverse answers. Want to help people's mental and physical health. We don't want to do anything to the park itself but encourage discussion around activities in the park. If we are going to have the consultation the question needs to be asked of being able to put in our ideas in the consultation process. We have not yet had a response from the Charity Commission yet and hope to have a response soon. The City Solicitor stated that the proposal for bell ringing will have a mixed response from the public, it will need a bit of thought and will need to accord with objectives from the trust.

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Lesley Pattenson advised that friends of manor farm park are an active group who focus on the park. They are trying to fundraise to get gym equipment. Our proposal at Cadbury Barn Trust is for the buildings and the site. We suggested that if there was any spare capacity, we could rent out office space for a community group that are in line with our own aims for our community. We feel the idea that you can't have offices is not comprehensible. If this plan does not go ahead the buildings that are falling apart and the view to the entrance of the park needs to be looked at. We are convinced that they have a strong case to get the Charity Commission's approval.

Councillor Pritchard asked who the legal advice was from, The City Solicitor advised that it was external.

1084 **RESOLVED:** -

That the Committee:

Take the recommended actions outlined in the report to enable the project to progress.

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### **OTHER URGENT BUSINESS**

No matters raised.

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### **AUTHORITY TO CHAIRMAN AND OFFICERS**

1085 **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'.

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The meeting ended at 1129 hours.

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CHAIRMAN