

BIRMINGHAM CITY COUNCIL

COUNCIL AS TRUSTEE

TUESDAY, 13 MARCH 2018 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.civico.net/birmingham) 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 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 is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

5 - 8

3 MINUTES

To confirm and authorise the signing of the Minutes of the Meeting of the Council as Trustee held on 7 November 2017.

9 - 102

4 A MULTIPLE REPORT ON PROPERTY MATTERS FOR DISCUSSION BY COUNCIL AS TRUSTEE

(15 minutes allocated) (1345-1400)

To consider report of the Trusts and Charities Committee.

Councillor Habib Rehman to move the following Motion:

That Full Council sitting as 'Council as Trustee':

A. Highbury – Grant of Long Lease to Chamberlain Highbury Trust

i) approves the grant of a lease of the Highbury Estate (excluding the land which is the subject of a separate lease to Birmingham City Council for its use by Uffculme Special School) to an independent charity, namely the

Chamberlain Highbury Trust as identified in the report to Trust and Charities Committee of 17th January 2018 on terms to be agreed and for a term up to 125 years.

B. Cropwood Estate - Hunters Hill College use of additional land

i) approves that the land identified as parcels A and B as identified in the report to Trust and Charities Committee of 17th January 2018 together with the woodland either side of Spirehouse Lane be added to the land already occupied by the College and let to the College on terms to be agreed or if required let to the Hunters Hill Charitable Trust.

C. Cannon Hill Park – installation of the Sousse and Bardo Memorial

i) approves the erection and dedication of the memorial on land identified in the report to Trust and Charities Committee of 17th January 2018 on terms to be agreed.

D. Birmingham Charities Limited

i) approves the disposal of any land held in trust approved by Council as Trustee to the charitable company, where this is required in order to effect any disposal back to the City Council in its statutory capacity as a “connected person” pursuant to Sections 117-s118 Charities Act 2011.

ii) To note that the formation of this charitable company supersedes any requirement to have established individual charitable companies for the relevant charitable trust seeking to dispose of assets back to the City Council as previously approved by the Council as Trustee at its meeting on 6th December 2016, specifically, the disposal of land at Grove Park held in trust as the ‘Public Park in Harborne’ registered charity no.501802 in respect of the Kenrick Centre;

iii) To note that the formation of this charitable company supersedes any requirement to have established individual charitable companies for the relevant charitable trust seeking to dispose of assets back to the City Council as previously approved by the Council as Trustee at its meeting on 4th March Full Council as Trustee 13032018 multi motion report Page 6 of 6 2014, specifically, the disposal of land at Highbury registered charity no. 1039194 in respect of Chamberlain House for its use by Uffculme Special School.

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.