

# Birmingham City Council

## Trust and Charities Committee

17<sup>th</sup> November 2021



**Subject: Highbury Estate Trust – Chamberlain  
Highbury Trust Report and Annual Accounts**

**Report of: Assistant Property Director**

**Report author: Nigel Oliver**

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :

### 1. Executive Summary

- 1.1 To update the Committee on the continuing operations at Highbury by Chamberlain Highbury Trust and their bid to the National Lottery Heritage Fund (NLHF) for funding for the refurbishment of Highbury.

### 2. Recommendations

- 2.1 To note the report and accounts in Appendices 1 and 2 submitted by Chamberlain Highbury Trust.

### 3. Background

- 3.1 Several reports have been brought to previous Committees detailing the activities and progress of Chamberlain Highbury Trust. The last report on 22<sup>nd</sup> April 2021 granted to Chamberlain Highbury Trust funds of £52,510 from the unrestricted funds of the Highbury Estate for their operations to be continued as set out in their draft budget for 2021/22 and a grant to Chamberlain Highbury Trust of £40,000 from the unrestricted funds of the Highbury Estate to assist the processes required in the making of a further bid to the National Lottery Heritage Fund in 2021. Works have continued on site and to further the bid to the NLHF and the report detailing progress is now available for consideration.
- 3.2 The success of the Chamberlain Highbury Trust is their bid to the NLHF will require that the various disposals from the Highbury Estate agreed by Committee will now need to be effected to support the bid going forward.

#### **4. Options considered and Recommended Proposal**

- 4.1 There is currently no alternative to progressing matters via Chamberlain Highbury Trust as they continue to resolve the former governance issues and represent the best opportunity to win new monies for the Estate. To properly support them financially in the meantime has been an appropriate use of Trust funds and has proven to be the best route to safeguard the asset long term. It will be appropriate to continue to support Chamberlain Highbury Trust in the forthcoming years until such time as they take over the operation of the Highbury Estate on a long lease as previously agreed.

#### **4.2 History**

The Highbury Estate comprises approximately 13.03 hectares (32.2 acres) of park land including Highbury hall and Chamberlain House and three lodges. It now accommodates part of Uffculme Special School in Chamberlain House and at 92 Queensbridge Road the Four Seasons Gardeners, an Adult Services enterprise.

The Estate was gifted by the heirs of the Right Honourable Joseph Chamberlain on 31<sup>st</sup> March 1932 and is held in trust as Registered Charity no 1039194. Chamberlain Highbury Trust Registered Charity no 1169845 has been set in place to best resolve the governance issues and to manage the Estate and seek external grants to enable the refurbishment of Highbury.

The terms of the gift at Highbury simply provided that the Trustees should hold them “in the first instance for use as a hospital for the treatment of limbless and other soldiers, sailors or pensioners” and “if and when the Trustees should consider that they were no longer needed for those purposes the Trustees should hold the property for such public purposes as they with the consent of the Corporation of Birmingham might determine or might at the request of the Corporation transfer it to them for the general benefit of the Citizens of Birmingham”. The Objects of the Charity remain as originally set “for the general benefit of the Citizens of Birmingham”.

#### **4.3 Powers**

Each charitable asset is held as a separate trust and decisions need to be in the best interests of that trust and are intended to safeguard the trust estate for the future. The Highbury Trust holds the freehold interest of the land in trust as Sole Trustee and is empowered to undertake actions to properly manage the assets of the Trust and funds.

The charity’s constitution is set out within the executed Trust Deed, principally the acquisition deeds or as amended by any Scheme agreed with the Charity Commission and subject to compliance with Charity law sufficient powers exist for the Trustees to make decisions on the future of the Highbury assets.

#### **5. Appendices**

- CHAMBERLAIN Highbury Trust (CHT) Report to Trusts and Charities Committee-November 2021
- CHAMBERLAIN Highbury Trust (CHT) Annual Report and Accounts for the Year Ended 31 March 2021