

BIRMINGHAM CITY COUNCIL

TRUSTS AND CHARITIES COMMITTEE

WEDNESDAY, 02 DECEMBER 2020 AT 10:30 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note 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.

3 APOLOGIES

To receive any apologies.

3 - 8

4 MINUTES

To note the public part of the Minutes of the last meeting of the Trusts and Charities Committee held on 30 October 2020.

5 MATTERS ARISING

To discuss matters arising.

9 - 22

6 CROPWOOD ESTATE - HUNTERS HILL COLLEGE

Assistant Director of Property

23 - 50

7 YOUNG ACTIVE TRAVEL TRUST GRANTS

Report of the Assistant Director - Transport and Connectivity.

8 **REVENUE BUDGET MONITORING 2020/21 - QUARTER 2 (TO 30 SEPTEMBER 2020)**

Report of the Chief Finance Officer.

9 **FUTURE MEETING DATES**

It is recommended that the Committee meets on the following dates:-

Thursday 28 January 2021 at 1030 hours

Thursday 25 March 2021 at 1030 hours

Thursday 22 April 2021 at 1030 hours

10 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

11 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

12 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

P R I V A T E A G E N D A

13 **MINUTES - PRIVATE**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

14 **MATTERS ARISING - PRIVATE**

To discuss matters arising.

15 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

TRUSTS AND CHARITIES COMMITTEE 30 OCTOBER 2020

**MINUTES OF A MEETING OF THE
TRUSTS AND CHARITIES COMMITTEE
HELD ON FRIDAY 30 OCTOBER 2020
AT 1400 HOURS AS AN ON-LINE MEETING**

PRESENT:- Councillor Akhlaq Ahmed in the Chair;

Councillors Adrian Delaney, Shabrana Hussain, Mohammed Idrees and Mike Sharpe.

ALSO PRESENT:-

Councillor Zhor Malik – Councillor for Balsall Heath West Ward
Nigel Oliver – Birmingham Property Services
Graham Arrand – Senior Business Analyst, Finance
Rajesh Parmar – Legal Services
Phil Wright – Committee Services
Mike Williams – Chamberlain Highbury Trust
Les Sparks – Chamberlain Highbury Trust
John Stewart – Cadbury Barn Trust
Lesley Pattenson – Cadbury Barn Trust

NOTICE OF RECORDING

- 1109 The Chair advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and members of the press/public could record and take photographs except where there were confidential or exempt items.

DECLARATIONS OF INTEREST

- 1110 The Chair 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.

APOLOGIES

- 1111 An apology was submitted on behalf of Councillor Gurdial Singh Atwal for his inability to attend the meeting.

MINUTES

1112 **RESOLVED:-**

That the public section of the Minutes of the last meeting of the Trusts and Charities Committee held on 18 March 2020 be noted.

MATTERS ARISING

1113 There were no matters raised.

At this juncture, the Chair agreed to vary the running order of the agenda so that Other Urgent Business was considered at this time.

OTHER URGENT BUSINESS

The Chair was of the opinion that this item could be considered as a matter of urgency in order to instruct officers if necessary.

Calthorpe Park

The Chair indicated that he had invited Councillor Zhor Malik to the meeting as he (Councillor Malik) had concerns relating to issues in the report to Council as Trustee at the meeting to be held the following Tuesday in relation to Calthorpe Park which was situated in Councillor Malik's Ward, Balsall Heath West.

Councillor Zhor Malik indicated that in the agenda for the forthcoming meeting of the Council as Trustee was a report containing reference to Calthorpe Park. The Council as Trustee was being recommended to:

'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'.'

The issue of concern was what was meant by 'connected person' and many believed that this was Birmingham City Council (BCC) which could not be correct as they were already managing the site.

Councillor Malik went on to advise that Council as Trustee was also being recommended to;

'authorises the disposal by way of a lease for up to 30 years from an early date to be agreed, of the land currently allocated to the Service being granted to a suitable community organisation.'

He believed that these two recommendations were contradictory and were not in accordance with the report that went to Committee in January 2020 which he

referred to in detail. The connected person was BCC but there was already a community organisation on site which leases part of the site from BCC. Councillor Malik indicated that a solicitor who had come to him about this had given an example of a household tenancy where there is a sitting tenant for explaining what a connected person was. Therefore, it implies that the connected person is the person using the premises. He would want to see proper consultation and advertisement and he did not have an issue of which community organisation was in place as long as community use continued.

Councillor Malik further explained that the report in January also raised the issue of consultation and he noted that there had been no consultation with himself or others who knew what services were required in the area. It was not correct that Ward Councillors had been consulted. He acknowledged that in 2018 that a consultation on what activities had been wanted at various sites but this was not a consultation on the proposals going to Council as Trustee.

Rajesh Parmar, Legal Services, in relation to the 'connected person' issue explained that it was complicated by the fact that the City Council was involved as the Authority and as Council as Trustee. The park was held in trust by the City Council and leased it by the City Council to a third party. He confirmed that there would be some form of consultation but it maybe that the Council as Trustee would have to reach an agreement with the City Council eg the 'connected person'. Third Sector parties would then be invited to bid to run the premises but if the City Council wanted to lease from the Council as Trustee to provide community facilities/services the Council as Trustee would have to seek permission from the Charities Commission to do so.

Councillor Malik indicated that he was still concerned at the reference to BCC being the connected person as they were running the premises now. He did not mind if the decision went through Council as Trustee for disposal as long as there was a transparent consultation.

The Chair summarised that Councillor Malik wished to see consultation if the site was to be disposed and clarification within the report to Council as Trustee that BCC was the connected person. He sought Councillor Malik's agreement that he would be happy if those issues were addressed at Council as Trustee. Councillor Malik agreed.

Nigel Oliver, Birmingham Property Services, indicated that the changes put forward by the Chair were noted and were not in any way against the intentions set out in the report to Council as Trustee. He confirmed that, until Covid restrictions intervened the play centre was being hired out to a third party. He continued that the whole issue now and going forward was compliance with the fact the BCC and Council as Trustee were two different identities which had to be kept separate. BCC was the 'connected person' as it was most involved in the site.

Following further discussion it was agreed that officers add suitable wording to the Motion to be moved at Council at Trustee on 3 November 2020 in respect of Calthorpe Park to ensure that it was understood that BCC was the 'connected person' and should permission be forthcoming from the Charities Commission to

allow disposal consultation would be undertaken with the Ward Member and the public.

1114 **RESOLVED:-**

That officers add to the Motion relating to Calthorpe Park to be considered at the meeting of Council as Trustee on 3 November 2020 wording to indicate that Birmingham City Council is the connected person and that should disposal be allowed that Ward Member and public consultation would take place.

REVENUE BUDGET MONITORING 2019/20 - QUARTER 4 (TO 31 MARCH 2020)

The following report of the Chief Financial Officer was submitted:

(See document No. 1)

Graham Arrand, Senior Business Analyst, Finance, made introductory comments relating to the report

1115 **RESOLVED:-**

That the final income and expenditure position of Trusts and Charities as at 31st March 2020 the financial year 2019/20 be noted.

HIGHBURY TRUST - AWARD OF FUNDS TO CHAMBERLAIN Highbury TRUST (UPDATE)

The following report of the Report of the Assistant Director of Property was submitted:-

(See document No. 2)

Nigel Oliver, Birmingham Property Services, encountered technical difficulties so Les Sparks and Mike Williams, Chamberlain Highbury Trust, made introductory comments relating to the report. It was highlighted the 2019/20 Annual Report was also included in the papers before the Committee.

Nigel Oliver confirmed that he had no issues with the report confirming that officers were supportive of the work being undertaken on site despite Covid reducing the activities that could be undertaken.

It was:

1116 **RESOLVED:-**

That the Committee

- i) notes that a report allocating funds of £42,000 to the Chamberlain Highbury Trust was approved at the committee on 18 March 2020;

- ii) notes the report submitted by Chamberlain Highbury Trust to update the Committee on recent activity; to account for the allocations to the Chamberlain Highbury Trust from the Highbury Trust in 2019/20; and to report the up to date position on the allocations to the Chamberlain Highbury Trust from the Highbury Trust in 2020/21 as set out in Appendix 1;
 - iii) notes the accounts of Chamberlain Highbury Trust for the financial year 2019/20 as set out in Appendix 2; and
 - iv) instructs officers in Finance and Legal Services to take all necessary steps to facilitate the award of the grant to Chamberlain Highbury Trust and report back to a future Committee meeting, once the actual spend is known.
-

**GEORGE CADBURY FOR PUBLIC PARK - FREINDS OF MANOR FARM PARK
PROGRESS REPORT**

The following report of the Report of the Assistant Director of Property was submitted:-

(See document No. 3)

Nigel Oliver, Birmingham Property Services, introduced the report by noting that Cadbury Barn Trust was the new name and the report provided a positional statement from the organisation.

Lesley Pattenson of the Cadbury Barn Trust made introductory comments on the report.

The Chair indicated that he wished to reduce the impact of Covid on the various trusts by returning to a normal pattern of meetings even if on Teams so that the work of the Committee could continue.

Nigel Oliver acknowledged that it had been correct for the Trust to remind the Committee of the length of time matters had been outstanding and he hoped an appropriate dialogue could take place to consider the business plan and a revised business plan once the long term effects of Covid were known. He added that it was positive that the school of bell ringers had come on board to help with funding. He noted that everyone was looking for a sustainable project that was open to the public and the starting point was an application to the Charity Commission.

It was:

1117 **RESOLVED;-**

That the Committee notes:

- i) previous reports to Committee for proposals for the development of community facilities within the park have been brought in the name of the

Trusts and Charities Committee – 30 October 2020

Friends of Manor Farm Park but future reports will be in the name of Cadbury Barn Trust a new Charitable interest Organisation reg.no. 1190666

- ii) the report set out in appendix 1
-

DATE OF NEXT MEETING

1118 **RESOLVED:-**

That it be noted that the next meeting will be held on Wednesday 2 December 2020 at 1030 as an on-line meeting.

OTHER URGENT BUSINESS (continued)

- 1119 There was no other urgent business raised.
-

AUTHORITY TO CHAIRMAN AND OFFICERS

1120 **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.

EXCLUSION OF THE PUBLIC

1121 **RESOLVED:-**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Private Minutes of the last meeting – Exempt paragraph 3

BIRMINGHAM CITY COUNCIL – COUNCIL AS TRUSTEE

PUBLIC REPORT

Report to:	TRUSTS AND CHARITIES COMMITTEE
Report of: Date of Decision:	Assistant Director of Property 2nd December 2020
SUBJECT:	CROPWOOD ESTATE – HUNTERS HILL COLLEGE POSSIBLE CLOSURE
Wards affected:	Outside of the City Boundaries

1. Purpose of report:

- 1.1 To note the on-going consultation being undertaken by the Education Service on the future of Hunters Hill College (SEND School) from this site and the implications for the Cropwood Estate Trust (registered charity no.1085296) of which the Council is sole trustee.

2. Decisions recommended:

That the Committee

notes that the Educational Service's formal consultation on the future of Hunters Hill College and continued education provision from this site is underway with an end date of 10th December 2020, and that while no decision has yet been reached it is appropriate for the Trust to consider the potential impact on the trust and its assets and to ensure the Trustees can be properly advised on all possible future options,

- 2.1 in compliance with statutory requirements of the Charities Act 2011 instructs the Assistant Director of Property and the City Solicitor to procure appropriate independent external expert property and governance advice and report its findings to the next Committee meeting
- 2.2 requires the People Directorate to properly safeguard all assets on the site and fully support the processes set out in 2.1

Lead Contact Officers:	Nigel Oliver, Property Services
Telephone No: E-mail address:	0121 303 3028 Nigel.G.Oliver@birmingham.gov.uk

3. Compliance:

3.1 Consultations:

Internal

The land is outside of the City boundaries and no Member involvement beyond the Committee is required at this stage.

External

Public consultation is not currently required to be undertaken. The consultation being undertaken by officers in BCC deals only with the continuation of the education provision not the potential future of charity assets.

3.2 Are there any relevant legal powers, personnel, equalities, procurement, regeneration and other relevant implications?

The City Council acts as Sole Corporate Trustee for the Cropwood Estate and has delegated day to day decision making to the Trusts and Charities Committee. Charitable trust activity is regulated by the Charity Commission and any proposals relating to the estate will be governed by the Trust's governing documents.

The Charity Commission Scheme for the Cropwood Estate dated 12th November 1997, provides powers for the disposal of assets by sale or for lease. It requires that all such disposals be conducted in line with statutory processes set out in the Charities Acts and that the proceeds of any sale be invested in trust for the Charity.

3.3 How will decisions be carried out within existing finances and resources?

The Trust and Charities Committee has responsibility for the day to day administration the Trust estate in accordance with the objects of the trust and charity law. The Trustees must act with prudence and must ensure that the charity is and will remain solvent and that appropriate cost controls are in place. Principal revenue costs for the Estate are covered by the Education Service. Any release of any part of the Cropwood Estate is treated as a disposal and will be conducted in line with statutory processes set out in the Charities Act 2011 and any receipt ring-fenced and invested for the specific Charity.

The Cropwood Estate trust is empowered to undertake disposals of land and property on the Estate subject to obtaining and acting on appropriate expert advice on valuation and marketing etc. and any capital receipts or income being ringfenced to the Cropwood Estate trust and invested on behalf of the trust in line with the Scheme. Disposals of parts of the estate have already been made in 1994, 1998, 2017 and 2018.

3.4 Main Risk Management and Equality Impact Assessment Issues (if any):

Not applicable. The statutory functions discharged by the Council as Trustee are subject to a separate and distinct statutory regime underpinned (principally) by the Charities Act 2011, Trustee Act 2000 and relevant Charity Commission guidance. These are non-executive functions and are therefore not subject to the Equalities Act 2010 provisions.

4. Relevant background/chronology of key events:

- 4.1 The main area of land comprising the Cropwood Estate was gifted to the City either jointly or separately by Barrow Cadbury and Mrs Geraldine S Cadbury in three main transfers dated 1st June 1921, 28th February 1933 and 20th May 1938 and together comprises approximately 36.5 hectares. It was gifted principally for School's use and the majority of the land is designated to Hunters Hill Technology College (formerly Hunters Hill School). A map of the Trust is attached at Appendix 1.
- 4.2 The Trust, registered Charity no. 1085296, is governed by a scheme dated 12th November 1997 (Appendix B) which permits disposals. The specific objects of the Cropwood Estate trust are wide ranging and are: the furtherance of any charitable purpose for the benefit of the inhabitants of the City of Birmingham including all or any of the following purposes (a) the provision and support of educational facilities (b) the provision and support of facilities for recreational and other leisure time occupation with the object of improving the conditions of life for the said inhabitants (c) the relief of the aged, impotent and poor (d) the relief of sickness.
- 4.3 Much of the Cropwood Estate is grazing land and woodland. A report dated 17th January 2018 allocated these areas, then vacant, to the College to support its curriculum provision. Those areas have been returned to the trust and do not form part of the College 'grounds. They will likely be relet on short term grazing licences shortly but will be included in consideration under the report recommended to be obtained in section 2.1.
- 4.4 The current consultation has only been commenced as an Academy Award has been made but no alternative Academy has expressed any interest in operating the site.
- 4.5 No decision on the future of the Hunters Hill College or the future provision of education from this site has been made but is scheduled to be considered at Cabinet in January/February 2021, once the consultation period has ended. If the recommendation is for a closure of the site, that is likely to take place at the end of the current school year, effectively August 2021. Therefore, it is necessary for the trustees to commence to gather necessary advice to be able to best safeguard the trust assets should closure be the final decision of Cabinet. Any further action, development or disposal will always be subject to future reports to committee before any action would be taken. Any disposal of trust assets will require the consent of Full Council as Trustee.
- 4.6 **Aims and Objectives of the Trust**
Each property in trust is held as a separate trust and decisions need to be in the best interests of that trust. The assets of the Trust should at all times assist the Trust to comply with the Objects of the trust or where this is no longer possible consider options available under the Scheme.
- 4.7 **Trustee Powers**
A trust's constitution is set out within the executed Trust Deed for each property principally the acquisition deeds as amended by a Scheme agreed with the Charity Commission.
- 4.8 **Trust Finances**
The Cropwood Estate Trust has a valid revenue source and options to convert assets from property to capital investments. The College is Local Authority managed and Education cover all expenses for their use and maintenance of the assets.

5. Evaluation of alternative option:

To do nothing is not an appropriate option. The results of the consultation processes may result in the Education Service vacating the site the and the vacant property would be at risk.

6. Reasons for Decision(s):

6.1 To better safeguard the assets and future of the Cropwood Estate trust.

Signatures:

Chief Officer(s):

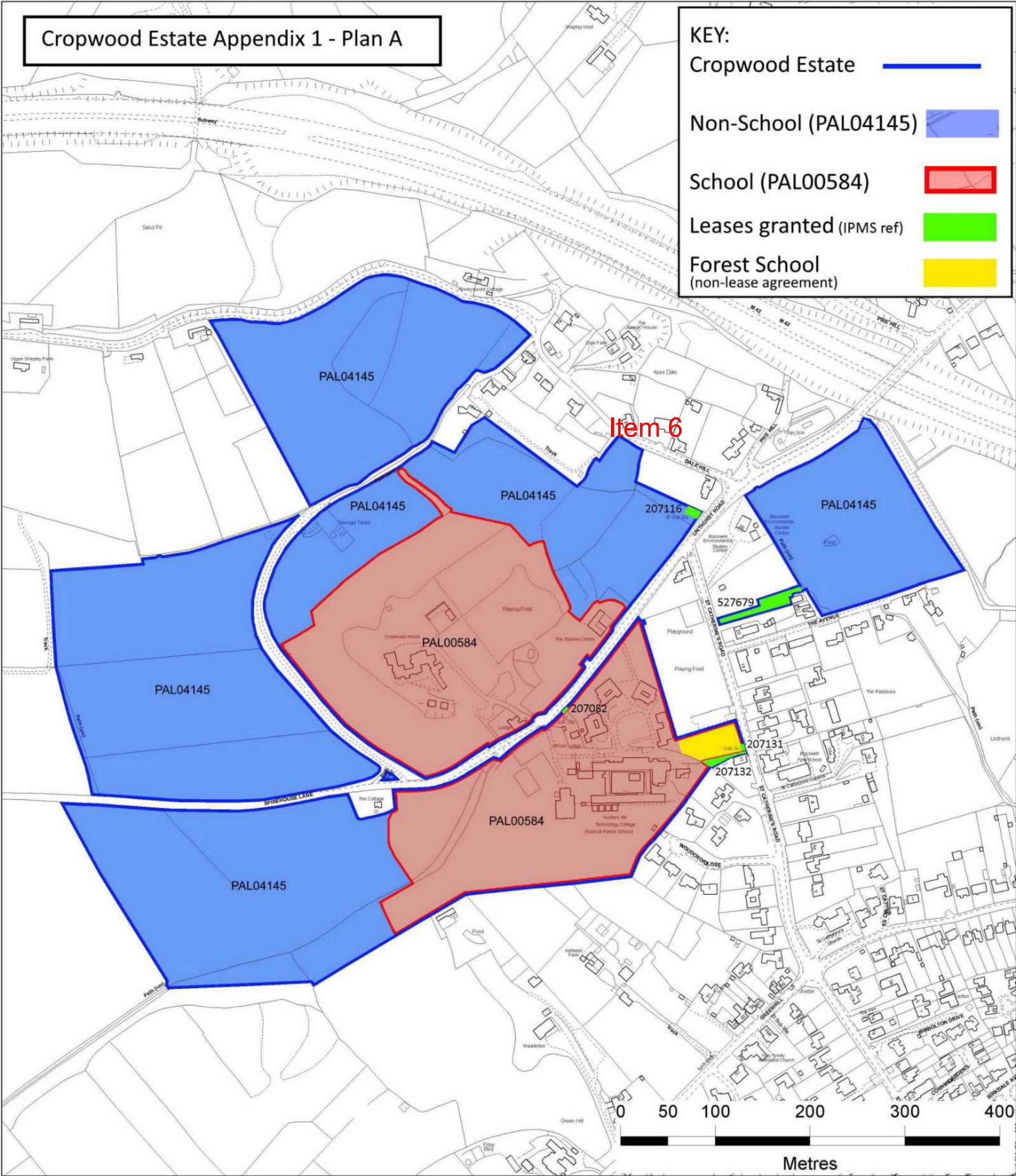
Dated:

List of Background Documents used to compile this Report:

1. Acquisition documents.
2. Charity Commission Scheme for the Cropwood Estate dated 12th November 1997

List of Appendices accompanying this Report (if any):

1. Plan A Cropwood Estate holdings
2. Plan B School buildings
3. Briefing Note.



AREA EDGED RED

35.18

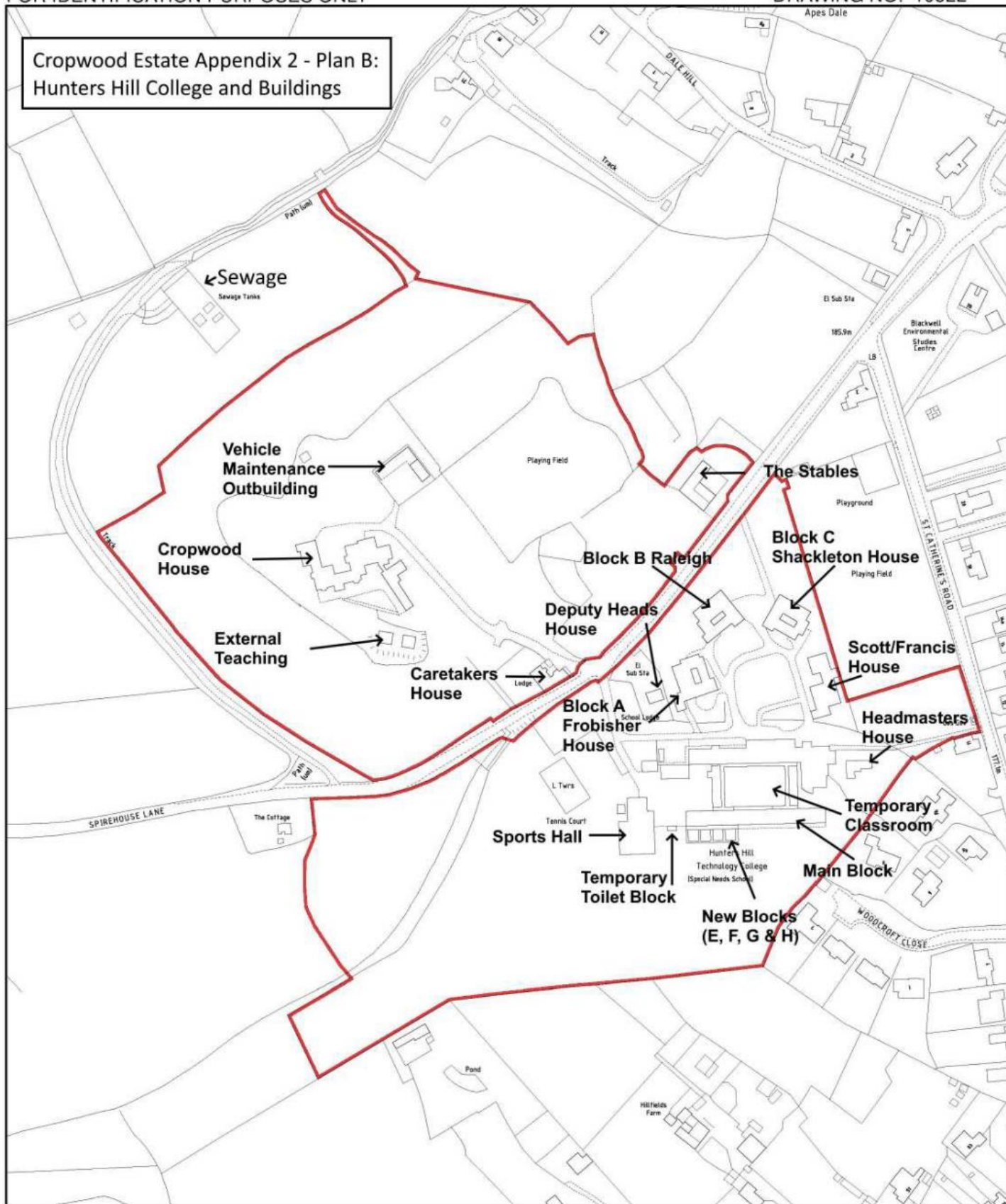
HECTARES APPROX.

86.93

ACRES APPROX.

 Birmingham City Council		Kathryn James Assistant Director Property Inclusive Growth Directorate 10 Woodcock Street Birmingham, B7 4BG		
Cropwood Trust Hunters Hill School Bromsgrove		SCALE	DRAWN	DATE
		1:4,000 @A3	James Stanley	04/03/2020
		O.S.Ref SO9872NE		

Cropwood Estate Appendix 2 - Plan B:
Hunters Hill College and Buildings



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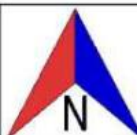
28.59

ACRES APPROX.



Peter Hay
Director of People
Council House Extension
Margaret Street
Birmingham, B3 3BU.

Hunters Hill Technology College
Spirehouse Lane
Blackwell (Bromsgrove)



SCALE

1:3,000

DRAWN

MI

DATE

3rd November 2016

O.S.Ref. SO9872SE

BRIEFING NOTE – Cropwood Estate (Registered Charity no. 1085296)

Hunters Hill College is a Birmingham City Council community special school located outside the city boundary in Bromsgrove, Worcestershire located on land held in trust known as the Cropwood Estate.

Background:

As advised previously the land was gifted for the provision of an Open-Air School which provided education to children whose schooling had suffered due to malnutrition, asthma, bronchitis and other respiratory diseases. Classes and dormitories were principally outdoor. All open-air school provision had ended in Birmingham by 1986. The site is now used by the Hunters Hill College for pupils aged 7 -11.

In total the estate is approximately 35 hectares and is held by the Trust freehold. The main area of land comprising the Cropwood Estate was gifted to the City by Barrow Cadbury and Mrs Geraldine S Cadbury on 1st June 1921 with further parcels gifted by Barrow Cadbury 28th February 1933 and on 20th May 1938. Birmingham Corporation Education Committee took over management of the site in 1936.

At that time the estate included the main house and gardens known as ‘Cropwood’, various cottages and grazing land let to provide some income for the trust. The grazing land and woods have more recently been used by the College but have now been returned. Birmingham City Council has developed the site with various additional buildings to provide normal schools facilities plus a range of residential accommodation for staff and pupils. The residential element has now ceased and while a few staff occupations continue they are being resolved.

Consultation:

The School can currently offer up to 135 places for pupils aged 11- 16 years who have an Education and Health Care Plan (EHCP) for Social, Emotional and Mental Health needs (SEMH). Birmingham City Council has been exploring the options for the future of Hunters Hill College as a direct result of being judged “inadequate” by the OfSTED inspection carried out in 2019 and the subsequent Directive Academy Order issued by the Secretary of State (no academy trust has been identified). In addition, the pupil numbers have been reducing (currently 86 pupils) and the building maintenance for the school is unsustainable. Some buildings have been closed off and boarded as they are no longer fit for purpose.

These factors had a significant impact and the school is no-longer financially viable. Birmingham City Council as the Local Authority for Birmingham is consulting on a proposal to close Hunters Hill College with effect from 31st August 2021. Officers in Education released an email to all City Council Members on 13th November 2020 alerting them to the commencement formal consultation process.

There is a process that Birmingham City Council must follow to propose and make a decision on the school closure. The key dates are:

Action	Date
Statutory Pre-publication consultation	Ended on 16 th October 2020 - complete
Statutory notice to be published	12th November 2020 - complete
Beginning of Representation period	12th November 2020 – current / live
End of 4-week representation period	10 th December 2020
Final decision to be made by Birmingham City Council no later than:	10 th February 2021
Changes implemented (if any)	31st August 2021

If closure is recommended and agreed the site will be vacated fully by 31st August 2021. It is appropriate that the trustees consider the possible ramifications from closure.

Governance:

The Trust is governed by a Scheme granted by the Charity Commission dated 12th November 1997 which provides the Trust with appropriate freedoms to better manage the estate and which also provides powers of disposal by sale and by lease. These powers have been used previously. The Trust is fully within its rights to make disposals provided it adheres to all normal requirements as set out in the Charities acts particularly s36 of the charities Act 1993 as drafted in the scheme but as re-enacted as Part 7 of the Charities Act 2011 which requires all sales to be dealt with following a formal report from a suitably qualified surveyor, advertised appropriately and disposed of only at market value though there are exceptions when dealing with other charities.

Generally, while operated with the occupation of Hunters Hill School there was no expectation of any land or buildings there being disposed of. In any case development potential may be limited. The site is outside of the City boundaries with Bromsgrove District Council being the planning authority. The site is possibly Green Belt in parts. It is assumed the current woodland and grazing areas considered to be within and substantial parts would only be able to be used for continuing agricultural purposes

Considerable further legal work will be required to determine whether any of the restrictive covenants mentioned still apply and instructions have been passed to Legal Services to determine if the earlier conveyances referred to can be found.

Other options will be to consider alternate use and occupations though the condition of some properties is reportedly poor.

An inspection of the site for Members is being organised.

Charitable objects:

The specific objects of the Cropwood Estate trust are wide ranging and are: the furtherance of any charitable purpose for the benefit of the inhabitants of the city of Birmingham including all or any of the following purposes (a) the provision and support of educational facilities (b) the provision and support of facilities for recreational and other leisure time occupation with the object of improving the conditions of life for the said inhabitants (c) the relief of the aged, impotent and poor (d) the relief of sickness. The main use of the land is for educational purposes.

Legal documents:

1921 Conveyance

This is the larger part and includes the period House 'Cropwood' and requires the land and properties to be used for "the establishment of a residential open-air school, converted by the Corporation and to be maintained as such for at least 15 years from first opening and for so long after the expiration of such period as the Corporation shall think desirable with all land being with the benefit of restrictive covenants the lands may already be subject to".

The conveyance continues that if any part ceases to be required for educational purposes it can be let (excluding that part which is known as Hunters Hill) with rent monies being applied to the maintenance of the School or other educational or charitable institution. There is a general prohibition common on Cadbury land that no part can be used for the manufacture or sale of intoxicating drinks.

The area known as Hunters Hill is also subject to a restriction against building except for the cottage now standing. This is assumed to be the current caretaker's cottage.

1933 Conveyance

Added 3.122 acres on the same principle terms and with the same 15 year minimum term for the school but imposes no restrictive covenants except two small runs of fencing obligations. This is the main area now used by the school.

1938 Conveyance

Added a further 11.4 acres of pasture land and woods. The conveyance contains the same clauses on land use, letting for agricultural purposes (but not building development) and restrictions on intoxicating liquors.. The majority is still let on an agricultural tenancy. An additional restriction prevents the letting or building on the area known then as Bluebell Woods. Further the land is also declared as subject to a restrictive covenant under a conveyance dated 20th September 1905 made between William Barton Worthington and Thomas Worthington to Barrow Cadbury which appears to impact on any proposed disposal.

Note:

For full details of the proposal and how to submit comments during the current representation period, visit: <https://www.birminghambeheard.org.uk/people-1/huntershill-part2/>

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	TRUSTS AND CHARITIES COMMITTEE
Report of:	Philip Edwards, Assistant Director – Transport and Connectivity
Date of Decision:	2nd December 2020
SUBJECT:	YOUNG ACTIVE TRAVEL TRUST GRANTS
Wards affected:	Bordesley Green; Bournbrook & Selly Park; Glebe Farm & Tile Cross; Sutton Walmley & Minworth.

1. Purpose of report:

1. To seek the approval of the Committee to applications for funding from the Young Active Travel in Birmingham Charitable Trust, as set out below.
2. To update the Committee about the Trust's financial position as at 2nd December 2020.

2. Decision(s) recommended:

That the Committee:

1. Approves the applications for funding from the schools listed at point 4.6 below, totalling £3,990.
2. Notes the remaining balances available to the Young Active Travel in Birmingham Charitable Trust for future disbursement.

Contact Officers:
Telephone No:
E-mail Addresses:

Jennifer Coombs
Principal Travel Demand Management Officer
Transport & Connectivity – Inclusive Growth Directorate
07867 469716
jennifer.coombs@birmingham.gov.uk

Paul Ruffle
Senior Travel Demand Management Officer
07766 924322
paul.ruffle@birmingham.gov.uk

3. Compliance Issues:

3.1 Consultations

The grants will be awarded in accordance with the Mechanics of Funding Protocol agreed by this Committee on 14 December 2016 and no further consultation is required. The officer panel reviewing the applications consists of representatives from Inclusive Growth: School Crossing Patrols and the Travel Demand Management Team, Education, and Finance and Governance.

Active engagement and promotion of the initiative takes place with all schools in Birmingham through various methods including regular newsletters, webinar training sessions and noticeboard bulletins.

3.2 Relevant legal powers, personnel, equalities, procurement, regeneration and other relevant implications?

The City Council is the Sole Corporate Trustee for a number of charitable trusts ("charities") including Young Active Travel in Birmingham and the day-to-day management of these charities is delegated to the Council's Trusts and Charities Committee.

Each charity is governed by the Deed under which it was established, and/or a Charity Commission Scheme. These documents set out the Trustees' powers, as well as the objects or purposes for which the charitable trust was created.

Assets held in trust by a charity are ultimately for the benefit of the public (beneficiaries) and any dealing in these assets and any income derived from them, is legally required to be dealt with, and accounted for, separately from the Corporate Property Portfolio/assets of the City Council. Charities must be managed in accordance with the objectives and rules laid down in their Trust documents.

It is the legal duty of Trustees to ensure that the charity is managed in accordance with the Trust objectives and, accordingly, there is a legal duty upon the City Council when it acts as the Sole Corporate Trustee. This duty extends to acting in the best interests of the charity and its beneficiaries at all times or making decisions which are expedient in the interests of the charity (as opposed to the City Council.)

All charity Trustees also have a legal duty to avoid conflicts of interest, and self-dealing (which prohibits a trustee from buying trust property and makes a sale by a trustee to himself voidable by any beneficiary). All decisions made by Council's Trusts and Charities Committee are subject to prior review by the Council's City Solicitor and Monitoring Officer to ensure that decisions are made in accordance with charity law having regard to any relevant Charity Commission guidance.

3.3 Finances

The Trustee secured the sum of £100,000 as the initial fund to be applied in furthering

the objects and purposes of the Charity. This income is available for immediate use. This is comprised of a contribution of £75,000 from the City Council and £25,000 sponsorship from Churchill Insurance.

As of November 2020, the remaining balance was £85,732.55 which is held in a trust account within the Council's balance sheet. The recommended applications total for December 2020 is £3,990.00 and will leave a balance of £81,742.55 available for future disbursement.

3.4 Public Sector Equality Duty

None. The statutory functions discharged by the Council as Trustee are subject to a separate and distinct statutory regime underpinned (principally) by the Charities Act 2011, Trustee Act 2000 and relevant Charity Commission guidance. These are non-executive functions and are therefore not subject to the Equalities Act 2010 provisions.

4. **Relevant background/chronology of key events:**

Background

- 4.1 At its meeting on 13 September 2016 Council-as-Trustee approved the formation of the Young Active Travel Trust.
- 4.2. Council-as-Trustee further resolved to instruct officers to register the Trust as a charitable organisation with the Charities Commission. As with any other charitable trust where the Council is sole corporate trustee, the responsibility for the day to day management of the trust is delegated by Council to the Trusts and Charities Committee.
- 4.3. At its meeting on 14 December 2016 this Committee (Trusts & Charities) approved the Mechanism of Funding Protocol which set out the management arrangements for the Young Active Travel Trust and the criteria against which applications for funding would be assessed (Appendix 1).

Purpose of the Trust

- 4.4 The Council's Young Active Travel initiative aims to pull together cross-cutting policy objectives around improving children's health, achieving "behaviour change" around transport choices, and addressing environmental and road safety concerns. It seeks to encourage parents and pupils to adopt more sustainable ways of travelling to school and to reduce car journeys, improving not only their own health but that of the wider community – with reduced road danger, less air pollution from cars, and less traffic congestion in local neighbourhoods – particularly around school gates.
- 4.5. The purpose of the Trust is set out in the Deed as follows :

The objects and purposes of the Charity are to preserve and protect public health, particularly the health of school-children in Birmingham by:-

- I. *supporting initiatives which raise awareness about road safety, health, exercise and fitness;*
- II. *changing behaviours towards travel to school*

Applications for Funding

- 4.6. 4 applications have been received, and assessed against the criteria set out in Appendix 1. These applications have met the criteria set out in Appendix 1 and are recommended to the Committee for approval as schemes to further the objectives of the Charity. The applications are attached at Appendix 2.

Applicant	Project Name	Amount Requested	Recommended
Bordesley Green Primary School	Child Dollies	£990	Yes
Holy Cross Catholic Primary School	Road Safety Education resources. Hi vis for walking bus	£1000	Yes
Lea Forest Primary Academy	Child Dollies	£1000	Yes
St Edwards Catholic Primary School	Sheffield Bike Shelter	£1000	Yes

- 4.7. The recommended applications total £3,900 and if all are approved would leave the Trust with remaining resources of £81,742.55.

5. Reasons for Decision(s):

- 5.1 To pursue the objectives of the Young Active Travel in Birmingham Charitable Trust, as set out in the Trust Deed approved by Council-as-Trustee on 13 September 2016.

Name of committee: Trust and Charities

Signature:

Chief Officer:
Title

Dated:

List of Appendices:
Appendix 1 – (Extract) Report to Trusts & Charities Committee 14 December 2016 - Management of the Young Active Travel in Birmingham Charity; Appendix 2 – Funding Applications (A to D attached as separate documents)
List of Background Documents used to compile this Report:
Report to Trusts & Charities Committee/Council-as-Trustee – Formation of the Young Active Travel Trust 13 September 2016 Report to Trusts & Charities Committee 14 December 2016 - Management of the Young Active Travel in Birmingham Charity

Appendix 1

(Extract) Report to Trusts & Charities Committee 14 December 2016 - Management of the Young Active Travel in Birmingham Charity; Appendix 3 Mechanics of Grant Funding Protocol

- To be eligible to apply for a grant, schools must be located within the geographic boundary of Birmingham City Council. Alternatively, constituted groups of parents of children attending these schools will also be eligible to apply.
- Up to £1,000 per application, or school in the case of collective bids, will be available for projects that meet one or more of the criteria set out below.
- Applications may be made for revenue or capital schemes but if it is the latter, the applicant will need to resource any on-going maintenance liability that may be created.

Subject to the above, priority will be given to funding proposals where:

- a) the school has an on-going commitment to promoting safe and sustainable travel through actions within their ModeShift STARS (on-line programme) travel plan. In Particular -
 - The school MUST have registered to Modeshift STARS
 - The school MUST have completed at least 1 school travel survey for both staff and pupils within the previous 12 months of the application.
 - The school MUST have at started a School Travel Plan.
- b) there is a link between the proposal and actions contained within the ModeShift STARS travel plan, for example, to achieve behaviour change to more sustainable modes of travel to and from schools;
- c) it is expected that the proposal will result in a reduction in parking congestion around school gates;

- d) there is a linkage to existing initiatives led by the Council or its partners, for example, Bikeability (cycle training), Birmingham Big Bikes Bike Library or family cycle centres, or Birmingham Cycle revolution infrastructure investment;
- e) there is connectivity with other children's health and well-being programmes and activities; or local environmental initiatives;
- f) consideration has been given to the legacy of the initiative or activity to ensure sustainability beyond the life of the grant funding, for example, through parent's groups or the School Council

The Trust cannot:

- Award grants in excess of £1,000 to a single institution or group.
- Award more than one grant to the same school in less than 12 months.
- Award grants for things that have already been paid for.
- Fund initiatives or measures for which there is a free of charge alternative, for example, Think Road Safety resources, or other local funding source.
- Fund schemes for which Top Cycle Location Grants are available, or have been awarded in 2016/17 or 2017/18.

Young Active Travel Trust: Grant Funding APPLICATION FORM

Please email the completed form to **connected@birmingham.gov.uk**

Name of School(s)	Bordesley Green Primary
Name of Head Teacher(s)	Karl Holmes
Project Title	Parking Pledge
Type of Applicant	School
Name of Lead Applicant	Jayne Clayton
Email address	j.clayton@bordsgrn.bham.sch.uk
Telephone number	01217721601
BCC / External School	Click here to enter text.
(If BCC) Fund Centre 'R' Code	Click here to enter text.

Signature of Head Teacher <i>(for a group of schools, only one signature is required)</i>	Click here to enter text.
Name	Karl Holmes
Date	13/07/2020

Signature of Lead Applicant	J Clayton
Name	Jayne Clayton
Date	13/07/2020

About Your Project

1. Please describe the project you are asking for grant funding to undertake.

Please refer to the guidance notes for information about what sort of projects will be given priority.

We would like to reduce the numbers of cars parked on zigzags outside the main pupil entrance to our school.

Our school has only been open to small numbers of children over the summer term, and we have seen how this has made a difference to our school environment over this time.

With school returning in September with larger pupils numbers and the pupils returning to a new norm, we want to promote sustainable travel to school and reduce car use. By doing this we hope to create a safer area around the school to enable pupils to social distance.

We will run along side the kiddie cuts outs, a school keep clear campaign to deter parents parking on the school zigzags this will be accompany by police enforcement.

2. What you will spend the grant funding on?

We would use the money to purchase 6 'Kiddie Cut Out Road Safety Pavement Signs' to be placed on the kerbside of Drummond Road by the two children's gates to deter people from parking on the zigzags and ensure they park safely away from school or walk their children to school.

Please see example designs below we are hoping to have them with the school colours and school logo on them



We hope this will raise awareness that parents should not park here and keep the area clear around the school gate to enable social distancing

3. What benefits do you expect to result from the project?

We have achieved our Modeshift STARS Bronze award a while ago now, so we have been promoting sustainable travel to school to our parents now for some time. We have seen our car use reduce by 2% when resurvey this year so we are starting to convey the message to parents about this.

The kiddie cut out signs we are looking to receive through the funding are very distinctive and will remind parents about this important message when placed along the pavement outside the school gate. We hope they will act as a deterrent to parents parking in this area.

4. What positive legacy will the project have on the school or wider community and what will happen when the grant funding stops?

We will continue to work towards sustainable travel to and from school and cleaner air. We have gained our bronze modeshift stars award and will endeavour to gain Silver.

This campaign would be something our school council would like to support with, reminding parents about sustainable travel and safe parking. Again these children will be our ambassdors to promoting this message to their peers and parents too. This will raise their profile and role and help them have a aim and goal and feel they can make a difference to their school and the local enviroment.

5. How does this project connect with your Modeshift STARS Travel Plan?

Please note funding is only available to schools who have committed to developing school travel plans through the on-line Modeshift STARS programme; or schools who will commit to registering on Modeshift STARS and achieving bronze level within 12 months (from date of award of grant).

We were awarded Bronze in 2019 and are currently working towards our Silver Award.

Going forward with these parking buddies we hope to now tackle and promote the following

AQ13 - anti-idling initiative, AQ4 promote parking and striding, R14 monitor the traffic to see if the parking buddies are making a difference, PR10 social media- tweeting about our successes.

As well as continuing to encourage our pupils to scoot, walk and cycle to school through out the year as our school starts to return to a new norm in Autumn term.

6. Estimated project start date

01/09/2020

7. Estimated project completion date

01/07/2021

8. Approximately how many pupils will be involved in this project?

680

9. Estimated total cost of the project

£990

10. Amount of Grant funding sought

£990

Evaluation

11. Please explain how you intend to evaluate the impact of the project and how you will measure success?

There will be a noticable reduction in cars parking on the zigzags. We will also survey the children at the start of September on how they travelled to school. In June, we will surevy them again and there should be a decrease in car travel.

Grant applications will be assessed and presented for determination to the Trusts and Charities Committee, as sole corporate trustee of the Young Active Travel Trust.

Details of your application may be referred to in publicly available committee reports, along with subsequent feedback or evaluations of any schemes funded by the Trust. Please indicate below your acceptance:

☐ I accept

**Please email the completed form to
connected@birmingham.gov.uk**

Queries about the application process should also be directed to connected@birmingham.gov.uk

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Date received	Click here to enter a date.
Approved	Choose an item.
Reasons	Click here to enter text.
Amount of grant awarded	Click here to enter text.

Young Active Travel Trust: Grant Funding APPLICATION FORM

Please email the completed form to **connected@birmingham.gov.uk**

Name of School(s)	Holy Cross Catholic Primary School
Name of Head Teacher(s)	Katrina Crowley / Teresa Cotter
Project Title	Car Free School Streets
Type of Applicant	School
Name of Lead Applicant	Abigail Stevens
Email address	k.crowley@holycross-sch.net a.stevens@holycross-sch.net
Telephone number	0121 6752158

Signature of Head Teacher <i>(for a group of schools, only one signature is required)</i>	K.Crowley
Name	Katrina Crowley
Date	09/07/2020

Signature of Lead Applicant	A.Stevens
Name	Abigail Stevens
Date	09/07/2020

About Your Project

1. Please describe the project you are asking for grant funding to undertake.

Please refer to the guidance notes for information about what sort of projects will be given priority.

From September 2020 our school is taking part in the Car Free School Streets. We will be closing Laburnum Drive and Hilary Drive and we need resources in order to do this. As a school, we are a Gold rights respecting school, we are always looking for ways to continue to respect children's right to a clean environment. We want to ensure our school community is committed to safe, sustainable travel, and by taking part in the School Streets initiative we want to encourage our young pupils to be instilled with an active and healthy lifestyle. Additionally, we are looking to start a school walking bus from the local parish car park. We would need resources in order to do this.

We also want to teach our children explicitly about road safety, bike safety and scooter safety and we need resources to do this

2. What you will spend the grant funding on?

We aim to spend the money on resources (bikes, scooters, the picture of the set below) that would help us teach road safety, bike safety and scooter safety, which in turn will promote safe, sustainable travel within the local community. Additionally, we would like to purchase high-vis jackets for the staff and children to wear for our walking bus



3. What benefits do you expect to result from the project?

Promote safe and sustainable travel amongst the local and wider school community. Improved air quality in our local area. Instill in our children a healthy and active lifestyle.

4. What positive legacy will the project have on the school or wider community and what will happen when the grant funding stops?

It will change the mindset of so many young people and their families, it will change their lifestyle and ultimately their view on a safe and sustainable future for all. The grant money will be spent on resources which will allow the legacy to continue to be embedded.

5. How does this project connect with your Modeshift STARS Travel Plan?

Please note funding is only available to schools who have committed to developing school travel plans through the on-line Modeshift STARS programme; or schools who will commit to registering on Modeshift STARS and achieving bronze level within 12 months (from date of award of grant).

We are currently in the process of completing our Bronze award, however, we have already met some many of the requirements for the Silver Award. As a gold rights respecting school, we are committed to ensuring our school produces plans and initiatives which will encourage children and staff travelling to school in a safe and sustainable way.

6. Estimated project start date

01/09/2020

7. Estimated project completion date

01/08/2020

8. Approximately how many pupils will be involved in this project?

210

9. Estimated total cost of the project

1000.00

10. Amount of Grant funding sought

1000.00

Evaluation

11. Please explain how you intend to evaluate the impact of the project and how you will measure success?

By completing parent, staff and children questionnaires. By monitoring the air quality in our local school community and keep a record of the improvements. Ensuring that we continue to work with local PCSO and hear that they are receiving less complaints from local residents. And most importantly, seeing our children want to travel to school by walking and cycling, and seeing the bike sheds full!

Grant applications will be assessed and presented for determination to the Trusts and Charities Committee, as sole corporate trustee of the Young Active Travel Trust.

Details of your application may be referred to in publicly available committee reports, along with subsequent feedback or evaluations of any schemes funded by the Trust. Please indicate below your acceptance:

☒ I accept

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Date received	Click here to enter a date.
Approved	Choose an item.
Reasons	Click here to enter text.
Amount of grant awarded	Click here to enter text.

Young Active Travel Trust: Grant Funding APPLICATION FORM

Please email the completed form to **connected@birmingham.gov.uk**

Name of School(s)	Lea Forest Primary Academy
Name of Head Teacher(s)	Mr C Clarke
Project Title	Parking Buddies Campaign
Type of Applicant	School
Name of Lead Applicant	Kim McCarthy
Email address	kmccarthy@leaforestacademy.org
Telephone number	0121 675 3982

Signature of Head Teacher <i>(for a group of schools, only one signature is required)</i>	
Name	Craig Clarke
Date	19/06/2020

Signature of Lead Applicant	K Mccarthy
Name	Kim McCarthy
Date	19/06/2020

About Your Project

1. Please describe the project you are asking for grant funding to undertake.

Please refer to the guidance notes for information about what sort of projects will be given priority.

As a school we have worked hard to encourage children to walk, bike and scoot to school. Children coming to school in cars has reduced and parking around school is beginning to ease during the morning / afternoon. However the surrounding roads are used as a cut through to/from the Meadway and at times speed can be a real concern – this has previously been raised with both the Council and local police.

Over the last 12 months we have gained our bronze modeshift star and are well on our way to gaining silver. We are actively taking part in and promoting the WOW scheme, our pupils are involved with the Junior PCSO scheme with Shard End Police and as part of this our children have undertaken parking patrols with our local PCSO, finally we have recently completed Bikeability training.

The school site covers a large area, to support road safety and considerate safe parking we would now like to have visible pavement reminders outside school to highlight safety and speed in the form of child size signs or banners.

2. What you will spend the grant funding on?

The grant would enable the school to buy a number of pavement signs these would be placed at key points around the school and in particular near to the doors where children arrive and leave.

The school site covers a large area and has entrances on both Eddish and Hurstcroft Roads both of which are residential and are used as cut through roads so are plagued by speeding drivers and large vehicles.

Please see some example designs below of the type of signs we are looking to purchase from the grant. The signs are available in school colours and with the school logo on them. We would like to purchase between 6 and 8 of this type of sign.



We hope these signs will raise awareness that a school is located on these residential roads and that drivers travelling through will take more care with their speed.

3. What benefits do you expect to result from the project?

As part of our Modeshift Stars actions we have had a number of visits to the school by our local PCSOs. These signs will support our campaign work around inconsiderate parking which in turn makes our roads safer for our children.

The signs are very distinctive and will be obviously placed by the zig zag areas or outside pedestrian entrances. This will be a deterrent to cars parking or dropping off in these areas.

This in turn will make the roads and pavements a safer place for the children and parents, who wish to travel by foot, cycle or scoot, especially in these times when our school will be returning to a new norm.

The Junior PCSO scheme has helped raise the awareness of road safety to the children taking part, who in turn can share their learning with parents and other pupils. The presence of the Junior PCSOs on their 'paroles' will increase road safety awareness.

4. What positive legacy will the project have on the school or wider community and what will happen when the grant funding stops?

The grant will be to purchase the signs which will have a longevity and can therefore be used for years to come. This is therefore a one-off cost to implement this project.

The signs will be discussed with the children in assemblies and the children asked to persuade their parents to think about do they need to arrive by car and if so to park considerately or further afield. By highlighting the dangers to the children we are able to pass this message onto the parents with a clear message of 'do not stop by the signs'.

The signs will be a physical deterrent to drivers and will encourage parking further afield and walking a little way into school.

These will help again to deter inconsiderate parking for school and community events e.g. school performances and summer fair.

5. How does this project connect with your Modeshift STARS Travel Plan?

Please note funding is only available to schools who have committed to developing school travel plans through the on-line Modeshift STARS programme; or schools who will commit to registering on Modeshift STARS and achieving bronze level within 12 months (from date of award of grant).

We were awarded Bronze in 2019 and are currently working towards our Silver Award. Our Junior PCSO have helped us delivery the following initiatives in our current travel action plan (AQ7 Aq8 R09, R11, PR1 and R11) which are assemblies, newsletters, and visits from our local police.

Going forward with these parking buddies we hope to now tackle and promote the following

AQ13 - anti-idling initiative, AQ4 promote parking and striding, R14 monitor the traffic to see if the parking buddies are making a difference, PR20 Continue to promote and recruit to the Junior PCSO scheme, PR10 social media- tweeting about our successes.

As well as continuing to encourageour pupils to scoot, walk and cycle to school through out the year as our school starts to return to a new norm in Autumn term.

6. Estimated project start date

01/09/2020

7. Estimated project completion date

30/10/2020

8. Approximately how many pupils will be involved in this project?

We currently have over 500 pupils attend Lea Forest from Nursery to Year 6

9. Estimated total cost of the project

£1000

10. Amount of Grant funding sought

£1000

Evaluation

11. Please explain how you intend to evaluate the impact of the project and how you will measure success?

As part of our Junior PCSO scheme we will get the PCSO's to count cars before and after the use of the signs as part of their ongoing patrols.

We will continue to do regular features in our weekly newsletter and regular questionnaires to ascertain how parents and children feel and to gather their opinions on how effective these signs are .

We also have a very strong Parent and Community Board and modeshift stars is a standard item on each meeting agenda. The PCAB always report back on any issues and where parents feel improvement has been made.

Grant applications will be assessed and presented for determination to the Trusts and Charities Committee, as sole corporate trustee of the Young Active Travel Trust.

Details of your application may be referred to in publicly available committee reports, along with subsequent feedback or evaluations of any schemes funded by the Trust. Please indicate below your acceptance:

☒ I accept

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Approved	Choose an item.
Reasons	Click here to enter text.
Amount of grant awarded	Click here to enter text.

Young Active Travel Trust: Grant Funding APPLICATION FORM

Please email the completed form to **connected@birmingham.gov.uk**

Name of School(s)	St Edward's Catholic Primary School
Name of Head Teacher(s)	Mrs Joanne Kennett
Project Title	Increasing Sustainable Travel at St Edward's Primary School
Type of Applicant	School
Name of Lead Applicant	Miss Katherine Costello
Email address	k.costello@stedward.bham.sch.uk
Telephone number	0121 464 1730

Signature of Head Teacher <i>(for a group of schools, only one signature is required)</i>	J. Kennett
Name	Mrs Joanne Kennett
Date	06/07/2020

Signature of Lead Applicant	K.Costello
Name	Miss Katherine Costello
Date	06/07/2020

About Your Project

1. Please describe the project you are asking for grant funding to undertake.

Please refer to the guidance notes for information about what sort of projects will be given priority.

The aim of the project is to have a sustained reduction in travel congestion outside the school and an increase in the number of families travelling to school by walking, cycling or on a scooter.

The school has historically worked with families and local agencies to alleviate the traffic congestion outside the school grounds. We have a successful walking bus, use child friendly cut-out pavement and road signs, banners encouraging families to park elsewhere and have worked closely with the school PCSO.

During the next academic year we will be closely monitoring the traffic and modes of transport used by our families with the aim of at least a 15% reduction in use of a car. This is even more important now with the need to reduce congestion around the school and to support social distancing outside the school grounds as the school reopens fully in September.

Initiatives include:

From September the school will be actively participating in the WOW Living Streets campaign with a daily survey completed monitoring how the children have travelled to school. Badges will be awarded each month for those travelling to school on foot or by cycling at least once a week for the month. All children in the school will have the opportunity to take part. Walk to school week beginning 5th October will also be a focus week.

Bikeability will be providing training for the year 5 and 6 pupils in October and returning to the school in March for our 'Bike Month'. During the month the year 3 and 4 pupils will access the level 1 training, a number of activities will be undertaken such as a biking breakfast morning, bikes and scooters used during break times and planned curriculum delivery incorporating biking. (As a two form entry primary school there are 120 children in years 5 and 6 who would have the opportunity to participate in the Bikeability programme in October and a further 120 pupils in years 3 and 4. All children within the school will be involved with the 'Bike Month'.

Promoting the 10 minute walking zone around the school.

Staff sharing their own travel journeys to school and being ambassadors for cycling. Since lockdown 3 members of staff have taken up cycling and have built this into their commute with the intention of continuing this on a regular basis.

Making links and reference in our correspondence with families with regards to the developments and changes within the local area which promote sustainable travel eg the reallocation of road space and pavement widening in Stirchley.

2. What you will spend the grant funding on?

The funding will be spent on providing facilities for the storage of bikes on the school grounds. The instillation of a Sheffield Bike Shelter will:

- Demonstrate the importance the school places on sustainable travel
 - Ensure that bikes are stored safely, preventing damage and loss
- The shelter has been sourced from bikedocksolutions.com
3.35m long with a powder coated finish

Cost £1015.00 including VAT £1218.00 – If successful in the bid the additional costs will be met by the school.

The bike storage be able to accommodate at least 8 bikes and will significantly enhance the small provision we currently have in school for bike storage.

3. What benefits do you expect to result from the project?

The benefits from the project will include:

- Improved mental health and well being of the children with them arriving at school ready to learn. We know that exercise stimulates positive endorphins, clears the head and lifts the mood and we firmly believe that supporting children and families to cycle to school will have a positive impact on not only their physical but also their mental health,. Latest research states that 12% of cases of depression could be prevented with an hour of exercise a week, increase this to 3 sessions and the reduction could be by 30%. If children can arrive in school feeling positive and energized this could have a significant impact on their attitude to learning and their resilience.
- Increased fitness of the children, combating rising levels of obesity within the primary school population.
- Increased number of children cycling to school and cycling in their leisure time. The aim is that the choices made now will become embedded in the life styles of the families who attend St Edward's.
- Reduction in the traffic around the school during morning and afternoon pick up and drop offs.
- Increased confidence of children when riding a bike and knowledge of how to keep safe on the road.
- An understanding of basic bike maintenance.

4. What positive legacy will the project have on the school or wider community and what will happen when the grant funding stops?

The funding will support the school and enable it to work closely with the local authority and implement the shared vision of providing a safe, healthy and effective manner to travel to and from the school. Like many other organisations we have noticed the improved air quality and this is something a number of our families have commented on, and already a positive impact has been seen on the health of the children. Every little helps and by promoting walking and cycling, not only will it make the roads around the school safer but also help maintain some of the steps forward in better air quality.

We know that life styles will change for many of our families, with the success of home working it is predicted that this option (even if just for part of the week) will continue. We want to utilize the extra time this will provide. If the pressure is removed to commute to a place of work, we want to ensure that this additional time can be transferred to choosing to walk or cycle to school. We want to establish lifelong habits so that these modes of travel become the norm.

We also want to maximize the increased interest in cycling which has taken place and expand this to families who have not yet been able to access the trend.

Up until now the facilities for storage of cycles at the school has been limited but we know that the funding will ensure that we can provide a safe, welcoming and secure area where the cycles can be left. Along with the initiatives, we will be engaging with and promoting throughout the year the shelter will provide a focal point and will form part of an area we will continue to enhance and develop.

We believe that if we show our commitment by providing the activities and the infrastructure we will build on the current situation following lockdown and support families in changing their habits. It will also mean that there is an increased likelihood of cycling being used as a mode of transport throughout the year and not confined to the months of fairer weather. The school is committed to making a concerted and continuous effort to reducing the reliance on cars as the main way our families come to school and if the bid is successful will aid us enormously in this endeavor.

5. How does this project connect with your Modeshift STARS Travel Plan?

Please note funding is only available to schools who have committed to developing school travel plans through the on-line Modeshift STARS programme; or schools who will commit to registering on Modeshift STARS and achieving bronze level within 12 months (from date of award of grant).

The project forms the main part of the travel plan. We are committed to supporting families with accessing and incorporating sustainable travel into their daily lives. Although the projects outlined above are for the first year of the travel plan they will continue in adapted forms in subsequent years after reviewing their impact and future travel needs of our families. We are aiming to achieve the bronze level accreditation by the end of the academic year.

Having seen the benefits of sustainable travel to our school environment and families and children altering the way they travel to school, this is good time to bring about change. This may have been a harder problem to tackle before lockdown so putting the travel plan initiatives in place now could bring about significant change. We hope to start with our bronze award and ensure that this change develops and then grows from there.

6. Estimated project start date

07/09/2020

7. Estimated project completion date

01/07/2021

8. Approximately how many pupils will be involved in this project?

420

9. Estimated total cost of the project

£1200

10. Amount of Grant funding sought

£1000

Evaluation

11. Please explain how you intend to evaluate the impact of the project and how you will measure success?

Initial surveys

- 1) September 2020 children and staff – how they travel to school
- 2) Leisure activities for children and staff – how many ride a bike and the regularity of this.
- 3) Collate the information acquired by the Bikeability staff with regards the initial competence and skill of the children.

Complete the surveys again in the summer term.

Review the impact of the initiatives included in the travel plan.

On going monitoring of the traffic outside of the school gates.

Grant applications will be assessed and presented for determination to the Trusts and Charities Committee, as sole corporate trustee of the Young Active Travel Trust.

Details of your application may be referred to in publicly available committee reports, along with subsequent feedback or evaluations of any schemes funded by the Trust. Please indicate below your acceptance:

☐ I accept

**Please email the completed form to
connected@birmingham.gov.uk**

Queries about the application process should also be directed to connected@birmingham.gov.uk

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Date received	Click here to enter a date.
Approved	Choose an item.
Reasons	Click here to enter text.
Amount of grant awarded	Click here to enter text.

Birmingham City Council – Council as Trustee

PUBLIC REPORT

Report to:	Trust and Charities Committee	<i>Exempt information paragraph number – if private report:</i>
Report of: Date of Decision:	CHIEF FINANCIAL OFFICER 2 nd December 2020	
SUBJECT:	REVENUE BUDGET MONITORING 2020/21 – QUARTER 2 (TO 30 SEPTEMBER 2020)	
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 The appendices within this report notes at Appendix1 the Income and Expenditure position for the Trusts and Charities to Quarter 2 (1 st April 2020 to 30 September 2020).

2. Decision(s) recommended:
2.1 To note the latest income and expenditure position of Trusts and Charities as at 30 September 2020.

Lead Contact Officer(s):	Graham Arrand
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3.	Consultation
3.1	<p data-bbox="229 226 1458 259">Consultation should include those that have an interest in the decisions recommended</p> <p data-bbox="229 293 336 327"><u>Internal</u></p> <p data-bbox="229 371 1490 439">The Chairman of the Committee has been consulted in the preparation of this report and agrees in principle with its contents.</p>
3.2	<p data-bbox="229 483 349 517"><u>External</u></p> <p data-bbox="229 551 293 584">N/A</p>
4.	Compliance Issues:
4.1	<p data-bbox="229 741 1477 808">The recommended decisions are consistent with the Council policy as part of the role of the Trust and Charities Committee.</p>
4.2	<p data-bbox="229 887 539 920"><u>Financial Implications</u></p> <p data-bbox="229 954 1501 1178">There are no financial implications arising from this report. The financial information provided relates to balances brought forward from 2019/20 and in year movements (2020/21) in expenditure and income. The opening balance as at the 1 April 2020 was £29.750m. Income up to this quarter was £0.332m with expenditure incurred at £0.089m. The closing balance at the end of the quarter 2 (up to 30 September 2020) was £29.993m.</p> <p data-bbox="229 1211 1417 1245">An analysis of income and expenditure for each Trust Fund is shown in Appendix 1.</p>
4.3	<p data-bbox="229 1290 488 1323"><u>Legal Implications</u></p> <p data-bbox="229 1357 1501 1693">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 and other relevant legislation and guidance issued by the Charity Commission. The assets of a charity must be used in accordance with charitable law, failing 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 appropriate to 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.</p>
4.4	<p data-bbox="229 1738 638 1771"><u>Public Sector Equality Duty</u></p> <p data-bbox="229 1805 1453 1962">None. The statutory functions discharged by the Council as Trustee are subject to a separate and distinct statutory regime underpinned (principally) by the Charities Act 2011, Trustee Act 2000 and relevant Charity Commission guidance. These are non-executive functions and are therefore not subject to the Equalities Act 2010 provisions</p>

5. Relevant background/chronology of key events:
<p>5.1 Historically, assets including cash have been bequeathed or gifted to the City Council on trust for a group of beneficiaries. These funds must be maintained in trust both legally and financially and be distinct from City Council's own resources. Each trust has its own objectives or purposes and it is the responsibility of the Trusts and Charities Committee to exercise management decisions of these charitable trusts in accordance with charity law, and Charity Commission guidance.</p> <p>5.2 Each Trust registered with the Charity Commission is required to annually submit an Annual Report and Accounts, ten months after the end of the financial year, except where gross annual income is less than £25,000. Below this threshold, external scrutiny is only needed if this is set out in the Charity's governing document. The accounts of such Trusts are required to have been independently examined if gross income is between £25,000 and £500,000, and if the income exceeds £500,000 a full audit is required. An audit will also be required if total assets (before liabilities) exceed £3.26m, and the charity's gross income is more than £250,000.</p> <p>5.3 This is the second quarter report for 2020/21. The information provided in Appendix 1 identifies income and expenditure for the period ending 30 September 2020.</p>

6. Evaluation of alternative option(s):
6.1 Alternative options are not appropriate for this report.
7. Reasons for Decision(s):
7.1 To ensure the Committee is aware of the current financial position for Trusts and Charities.

Signatures	<u>Date</u>
Chief Finance Officer
Chairman

List of Background Documents used to compile this Report:
1. Information provided by Directorates.
List of Appendices accompanying this Report :
<u>Appendix 1 - Quarter 2 Financial Position 2020/21 Trust Funds.</u>

(A) (B) (C) (E) (F) (G) (H) (I) (K) (L) (M)														
Scheme	Charity Commission Number	Directorate	Opening Balance 1.4.2020	Income	Expenditure	Closing Balance 30.09.2020	Unrestricted Funds Analysis						All funds Total	
							Cash	Investments	Land & Buildings	Total	Investments	Land & Buildings		Total
							£	£	£	£	£	£		£
Sole Corporate Trustee														
Harriet Louisa Loxton Trust	702446	Adult& Social Care	1,709,761	206,381	15,897	1,900,245	89,977	44,840		134,817	1,765,428		1,765,428	1,900,245
Cropwood Estate	1085296	Education& Skills	14,877,596	1,040		14,878,636	4,432	130,351	14,175,000	14,309,783	568,853		568,853	14,878,636
Lily Adia Jones Charity	218608	Neighbourhoods	84,288	1,790	643	85,435		51,924	33,511	85,435			0	85,435
Charles Baker Trust	512927	Neighbourhoods	268,117	4,194	1,106	271,205		205,293		205,293	9,912	56,000	65,912	271,205
The Elford Estate Charity	1000692	Neighbourhoods	4,205,489	43,583		4,249,072	-	255,055		255,055	1,212,017	2,782,000	3,994,017	4,249,072
Highbury Trust	1039194	Finance &Governance	2,030,999	767		2,031,766	0	226,766		226,766		1,805,000	1,805,000	2,031,766
Birmingham Municipal Charity	1146182	Finance &Governance	731,234	11,144	2,000	740,378	102,330			102,330	638,048		638,048	740,378
Centre for the Child	1039237	Neighbourhoods	29,811			29,811		29,811		29,811			0	29,811
Young Active Travel-Birmingham Charitable Trust	1172536	Inclusive Growth	85,733			85,733	85,733			85,733			0	85,733
Sub-Total Sole Corporate Trustee			24,023,028	268,899	19,646	24,272,282	282,472	944,041	14,208,511	15,435,024	4,194,258	4,643,000	8,837,258	24,272,282
Custodian Trustee														
Clara Martineau Charity	1040051	Education& Skills	4,185,484			4,185,484		45,728		45,728	4,139,756		4,139,756	4,185,484
Birmingham Bodenham Trust	528902	Education& Skills	751,298	28	478	750,848	40,390	120,778		161,168	589,680		589,680	750,848
Alderson Disabled ex servicemen's Homes trust	216803	Neighbourhoods	531,333	62,505	62,505	531,333	67,039	133,627	322,857	523,523		7,810	7,810	531,333
Moseley Road Community Centre	516602	Neighbourhoods	212,800		6,134	206,666	-11,934			-11,934		218,600	218,600	206,666
Sir Whitworth Wallis	529062	Finance &Governance	43,643	737	30	44,350	4,605			4,605	39,745		39,745	44,350
John Billingsley the Elder	220435	Finance &Governance	2,155	12	-	2,167	2,167			2,167			0	2,167
Sub-Total Custodian Trustee			5,726,713	63,283	69,148	5,720,848	102,267	300,133	322,857	725,257	4,769,181	226,410	4,995,591	5,720,848
Total			29,749,742	332,182	88,794	29,993,130	384,739	1,244,174	14,531,368	16,160,281	8,963,439	4,869,410	13,832,849	29,993,130

