



<b>COUNCIL AS TRUSTEE 7 FEBRUARY 2017</b>
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**MINUTES OF A MEETING OF THE  
COUNCIL AS TRUSTEE COMMITTEE  
HELD ON TUESDAY 7 FEBRUARY 2017  
AT 1345 HOURS IN THE COUNCIL CHAMBER,  
COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:-** Lord Mayor (Councillor Carl Rice) in the Chair.

**Councillors**

Muhammad Afzal	Mohammed Fazal	Majid Mahmood
Mohammed Aikhlaq	Mick Finnegan	Karen McCarthy
Deirdre Alden	Des Flood	Gareth Moore
John Alden	Jayne Francis	Yvonne Mosquito
Robert Alden	Matthew Gregson	Brett O'Reilly
Nawaz Ali	Carole Griffiths	John O'Shea
Tahir Ali	Peter Griffiths	David Pears
Sue Anderson	Paulette Hamilton	Eva Phillips
Gurdial Singh Atwal	Andrew Hardie	Robert Pocock
Mohammed Azim	Roger Harmer	Hendrina Quinnen
Susan Barnett	Kath Hartley	Chauhdry Rashid
David Barrie	Barry Henley	Habib Rehman
Bob Beauchamp	Penny Holbrook	Fergus Robinson
Kate Booth	Des Hughes	Gary Sambrook
Steve Booton	Jon Hunt	Rob Sealey
Randal Brew	Mahmood Hussain	Shafique Shah
Marje Bridle	Timothy Huxtable	Mike Sharpe
Mick Brown	Mohammed Idrees	Sybil Spence
Alex Buchanan	Zafar Iqbal	Claire Spencer
Sanm Burden	Ziaul Islam	Stewart Stacey
Andy Cartwright	Kerry Jenkins	Ron Storer
Tristan Chatfield	Meirion Jenkins	Martin Straker Welds
Debbie Clancy	Simon Jevon	Sharon Thompson
John Clancy	Brigid Jones	Paul Tilsley
Lynda Clinton	Carol Jones	Lisa Trickett
Lyn Collin	Josh Jones	Anne Underwood
Maureen Cornish	Nagina Kauser	Margaret Waddington
John Cotton	Tony Kennedy	Ian Ward

## Council as Trustee – 7 February 2017

Ian Cruise	Ansar Ali Khan	Mike Ward
Basharat Dad	Changeese Khan	Fiona Williams
Phil Davis	Mariam Khan	Ken Wood
Diane Donaldson	Narinder Kaur Kooner	Alex Yip
Peter Douglas Osborn	Chaman Lal	Waseem Zaffar
Barbara Dring	Bruce Lines	Keith Linnecor
Neil Eustace	John Lines	Mary Locke

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### **NOTICE OF RECORDING**

- 19 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the Press/Public may record and take photographs except where they were confidential or exempt items.

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### **MINUTES OF LAST MEETING**

- 20 **RESOLVED:-**

That the Minutes of the meeting of Council as Trustee held on 6 December 2016, having been printed and a copy sent to each Member of the Council, be taken as read and confirmed and signed.

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### **A MULTIPLE REPORT ON PROPERTY MATTERS FOR DECISION BY COUNCIL AS TRUSTEE**

The following report of the Chair of the Trusts and Charities Committee was submitted:-

(See document No. 1)

Councillor Habib Rehman moved the motion which was seconded.

In accordance with Council Standing Orders, Councillors John Alden and Timothy Huxtable gave notice of the following amendment to the Motion:-

(See document No 2)

Councillor John Alden moved the amendment which was seconded by Councillor Timothy Huxtable.

A debate ensued.

Councillor Habib Rehman replied to the debate.

The amendment having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The Motion, as amended, having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore -

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**RESOLVED:-**

That Full Council sitting as 'Council as Trustee':

A. Calthorpe Park – Disposal of former Park Keepers Lodge

- i) Approves that part of the land held in trust at Calthorpe Park comprising the former Park Lodge and gardens can be disposed of on terms to be agreed;
- ii) and to submit to the Charity Commission an application for a Scheme/Order allowing the trust the necessary additional powers to undertake the disposal of 'specie' land;
- iii) Restricted covenant restricting the use of the site for single dwelling family use only.

B. Queens Park – Disposal of former Park Keepers Lodge

- i) Approves that part of the land held in trust at Queens Park comprising the former Park Lodge and gardens can be disposed of on terms to be agreed;
- ii) and to submit to the Charity Commission an application for a Scheme/Order allowing the trust the necessary additional powers to undertake the disposal of 'specie' land;
- iii) Restricted covenant restricting the use of the site for single dwelling family use only.

C. Selly Oak Park – Disposal of former Park Keepers Lodge

- i) Approves that part of the land held in trust at Selly Oak Park comprising the former Park Lodge and gardens can be disposed of on terms to be agreed;
- ii) and to submit to the Charity Commission an application for a Scheme/Order allowing the trust the necessary additional powers to undertake the disposal of 'specie' land;
- iii) Restricted covenant restricting the use of the site for single dwelling family use only.

- D. Cropwood Estate – Disposal of former Caretakers Cottage
- i) Approves that part of the land held in trust at Cropwood comprising the former cottage and gardens can be disposed of on terms to be agreed;
- E. Cannon Hill Park – Grant of Easement for underground pipe to Environment Agency
- i) agrees to the installation of a new large bore pipe under part of Cannon Hill Park adjacent to the Birmingham Wildlife & Conservation Park and that the installation be formally documented by the grant of an easement together with associated right of way over the access road known as Zoo Drive, on terms to be agreed.
- F. George Cadbury for Public Park (Manor Farm Park) – progress options for the refurbishment and letting of the Cadbury Barn and partial redevelopment of the existing depot
- i) Approves that if the Acting Strategic Director of Place first declares part of the current Depot surplus to requirements that part of the land held in trust at Manor Farm Park can be disposed of on terms to be agreed in support of action to safeguard the Cadbury Barn.
- ii) and to submit to the Charity Commission an application for a Scheme/Order allowing the trust the necessary additional powers to undertake the disposal of 'specie' land
- And
- G. that the Director of Property be authorised to negotiate the terms of all agreements and that the City Solicitor 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.
- H. Any capital receipts from the above disposals to be “ringfenced” for Trust and cannot be used for revenue expenditure. Any investment income received from investing the income can be spent on revenue matters.

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The meeting ended at 1400 hours.

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CHAIRMAN