

| | | |
|----------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------|
| Report to: | Trust and Charities Committee | <i>Exempt information paragraph number – if private report:</i> |
| Report of: | Director of Finance | |
| Date of Decision: | 20 January 2016 | |
| SUBJECT: | ANNUAL REPORT AND ACCOUNTS – CHARLES BAKER TRUST FOR THE PERIOD 2014/15 | |
| 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 To present for approval the 2014/15 Annual Report and Accounts for Charles Baker Trust.

2. Decision(s) recommended:

- 2.1 The Committee acting on behalf of the Trustee (BCC) is recommended to approve the Annual Report and Accounts.
- 2.2 The Committee acting on behalf of the Sole Corporate Trustee authorises officers in Corporate Finance to submit all appropriate and necessary documentation to the Charity Commission in respect of recommendation 2.1.

| | |
|-------------------------|-----------------------------------|
| Contact Officer: | Mark Szurminski |
| Telephone No: | 0121 675 0482 |
| E-mail address: | Mark_szurminski@birmingham.gov.uk |

3. Consultation

Consultation should include those that have an interest in the decisions recommended

3.1 Internal

The Chairman of the Committee has been consulted in the preparation of this report.

3.2 External

n/a

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

N/A

4.2 Financial Implications
(Will decisions be carried out within existing finance and Resources?)

N/A

4.3 Legal Implications

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, other relevant legislation and guidance issued by the Charity Commission. The assets of a charity must be used in accordance with charitable law, failing which 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 expedient in 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.

4.4 Public Sector Equality Duty (see separate guidance note)

No adverse impact.

5. Relevant background/chronology of key events:

5.1 The Fund was established by a deed dated 13 July 1982. The Trust was registered as a charity on 11 September 1982 and its charity registration number is 512927.

5.2 The charitable objectives of the trust are to erect and furnish one or more bungalows or flats for the use of the elderly or handicapped persons living in Birmingham. Any surplus is to be applied for the provision of additional facilities or comforts not chargeable to the Rate Fund for the residents in homes for the elderly persons administered by the City Council.

The Trust has two bungalows built in 1985, 136A and 136B Braceby Avenue Billesley.

5.3 It is a requirement for all trusts that are registered with the Charity Commission to compile and submit annual audited accounts to the Commission ten months after the end of the financial year.

5.4 The Charity Commission's threshold for requiring trust fund accounts to be independently examined and forwarded to the Charity Commission was increased in April 2009 from £10,000 to £25,000.

5.5 The attached accounts identify that the trusts gross annual income for the year was £8,148 and therefore no independent examination was undertaken by the Trusts appointed auditors.

6. Evaluation of alternative option(s):

6.1 It is a Charity Commission requirement to compile annual accounts.

7. Reasons for Decision(s):

7.1 For Committee to approve the accounts.

| Signatures | <u>Date</u> |
|---------------------------|-------------|
| Director of Finance | |
| Chairman | |

List of Background Documents used to compile this Report:

N/A

List of Appendices accompanying this Report (if any):

1. 2014-15 Accounts