

11 September 2009

Cllr. John Alden
Chair of the Trusts and Charities sub-committee
Birmingham City Council
The Council House
1 Victoria Square
Birmingham
B1 1BB

Dear Cllr. John Alden and members of the Trusts and Charities sub-committee,

Re. The future of charitable assets managed by Birmingham City Council

This letter is from community organisations campaigning for charitable use of land and buildings currently held in Trust by Birmingham City Council. You have met with some of us over the years in an effort to resolve difficult aspects of maintenance, fiscal standing, and charitable use. You know of the controversies surrounding Council stewardship of Highbury, Rookery House, Lightwoods Park, the Friends Institute, Ley Hill Park and others; most recently Elford's Woodhouse Farm. You are also aware of Charity Commission requirements for trust management, such as timely reporting of accounts, avoiding conflicts of interest, and proper use of charitable assets

Last but not least, you know that these groups look to you as the upholder of both the spirit and the letter of Charity law, which is why we have waited with hope for you to follow through on matters such as feasibility studies, invitations to become trustees, public consultations and further exploration of ways that energetic groups like ours can help resolve some of the dilemmas of managing these properties. But, we are left bewildered by your response and are therefore sending this letter to you, also to the Press and other interested parties.

We're concerned that as sole trustee, the City Council is failing to protect the valuable architectural and cultural heritage entrusted to it, and is not using it to deliver charitable activities. We have therefore set up a coalition of local communities concerned about property-based trusts currently in Council trusteeship. We would like to maintain a constructive relationship with you, as well as offering an opportunity to harness the enthusiasm and skills of community groups and others working in the charity sector. We hope that this will help to develop a clear vision for sustaining the charitable properties which you hold in trust.

please turn over

There is a strong groundswell of concern about a perceived lack of Council responsiveness to the views of local communities and a determination amongst our members to work closely together until recognition of our views and potential contribution is achieved.

It would be a positive sign of intent if the Trusts and Charities Sub-Committee - at its next meeting on the 16th September - were to agree to adopt the following approach:

- (i) Set out a firm and prompt timeline for adopting Charity Commission recommendations about improving governance and increasing charitable activities in the Trusts under your control.
- (ii) Adopt a moratorium on the sale of assets gifted to the City for charitable purposes or held by the City Council in trust.
- (iii) Agree to commence regular and well-publicised public consultation over any estate where there is local interest.

and agree to give further consideration to the following:

- (i) Developing a series of independent charities that prioritise the inclusion of local people and charities as trustees.
- (ii) Making a commitment to developing management plans for the land and property gifted for charitable purposes for each Trust.
- (iii) Undertake an audit of all charitable assets, manage these on a separate register and make publicly available the extant deeds and or other documents relating to the transfer of land and property to the Council for charitable purposes.

We write in the spirit of constructive dialogue and a desire to work with you to make best use of the City's charitable assets.

Yours sincerely,

Tony Thapar

for
The Highbury Coalition
The Woodhouse Farm Steering Group (Elford Estate)
Mary deVere Taylor for the Chamberlain Family

cc
Cllr. Mike Whitby – Birmingham City Council
Members of the Trusts and Charities sub committee
Kate Waring and Simon Carney – Charity Commission
The Birmingham Post