



Ernest Stevens Trusts Management Committee

Monday 27th October, 2014 at 6.00pm

In Committee Room 2 at the Council House, Priory Road, Dudley

Agenda - Public Session

(Meeting open to the public and press)

1. Apologies for absence.
2. To report the appointment of any substitute members serving for this meeting of the Committee.
3. To receive any declarations of interest under the Members' Code of Conduct.
4. To confirm and sign the minutes of the meeting on 9th September, 2014 as a correct record.
5. Mary Stevens Park, Worcester Street, Stourbridge – Cafe to lease (Pages 1 - 2)
6. Stevens Park Wollescote, Quarry Bank Park, Mary Stevens Park – Provision of ball games on Sundays (Pages 3 - 21)
7. Final Accounts (Pages 22 - 35)

A handwritten signature in black ink, appearing to be "P. Z.", is written over a horizontal line.

Director of Corporate Resources

Dated: 16th October, 2014

Distribution:**Members of the Committee:**

Councillor J Cowell (Chair) - Quarry Bank and Dudley Wood Ward
Councillor M Hanif (Vice-Chair) - Lye and Stourbridge North Ward
Councillor I Kettle - Pedmore and Stourbridge East Ward
Councillor I Marrey - Wollaston and Stourbridge Town Ward
Councillor G Partridge - Cradley and Wollescote Ward
Councillor H Rogers - Norton Ward

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- The Democratic Services contact officer for this meeting is Helen Shepherd, Telephone 01384 815271 or E-mail helen.shepherd@dudley.gov.uk

**Minutes of a Special Meeting of the Ernest Stevens
Trusts Management Committee**

Tuesday, 9th September, 2014 at 6.00 p.m.
In Committee Room 2, the Council House, Dudley

Present

Councillor J Cowell (Chair)
Councillor M Hanif (Vice-Chair)
Councillors I Kettle, I Marrey, G Partridge and H Rogers

Also in Attendance

Councillor T Crumpton (Cabinet Member for Children's Services and Lifelong Learning)

Officers

M Farooq (Assistant Director, Law and Governance – Lead Officer to the Committee); S Cooper (Head of Strategic Asset Planning); T Webb (Property Surveyor); S Griffiths (Democratic Services Manager) - All Directorate of Corporate Resources

5 Declarations of Interest

Declarations of interests, in accordance with the Members' Code of Conduct, were made by the following Members:

Councillors J Cowell and M Hanif – Non-pecuniary interests as Trustees of Mary Stevens Hospice.

Councillor I Kettle – Non-pecuniary interest as a Director of Mary Stevens Hospice.

Councillor H Rogers – Non-pecuniary interest as Chair of the Friends Group for Mary Stevens Park and Swinford Common. Also in relation to her involvement with the Project Implementation Team - Heritage Lottery Bid for Mary Stevens Park and attendance at stakeholder meetings.

6 Minutes

Resolved

That the minutes of the meeting held on 21st July, 2014 be approved as a correct record and signed.

Parking Issues at Mary Stevens Park

Further to Minute No. 4 of the meeting of the Committee held on 21st July, 2014, the Committee received a verbal update from Councillor T Crumpton (Cabinet Member for Children's Services and Lifelong Learning) concerning parking issues at Mary Stevens Park.

The Cabinet Member outlined the background to the relocation of Children's Services employees in the office accommodation at Mary Stevens Park. This was an essential element of the Council's corporate 'Transforming Our Workplace' project as approved by the Council. This project made a significant contribution to the Council's overall budget strategy.

The building had been under-utilised and had required significant improvement works prior to the relocation of Children's Services staff. It was acknowledged that the full impact of additional car parking had not been assessed at the outset of the project. However, considerable work was now in progress to deal with any problems being experienced by staff and users of Mary Stevens Park.

The Cabinet Member reported on efforts to maximise the use of other car parks and other options being considered to increase parking capacity and reduce any potential inconvenience. Meetings were being held with staff and a reasonable approach was being adopted. This included staff being requested not to park in certain areas to be kept clear for public use. The Council acknowledged the need to encourage the public to use the park whilst balancing this against the duty of care to its employees.

Following legal advice, it was not possible to impose enforceable car parking restrictions within Mary Stevens Park. The deeds allowed for the use of the buildings as public offices and the Council was taking reasonable steps to achieve a balance between the associated use of the car park by staff alongside members of the general public using the park and its facilities. As the deed of gift restricted the use, it was considered that any proposal to remove staff altogether would create risks if the building became vacant and/or derelict in the future. The Cabinet Member emphasised that it was not an option to move staff out of the building as this had been agreed by the Council as part of the budget strategy and as an integral part of the Transforming Our Workplace project.

A Member raised concerns that the Council's budget strategy had no relevance as the deed of gift referred to the use of the site as a public park and for recreation purposes. The Council was acting as the trustee and did not own the property, land or buildings covered by the deed. As such, it was contended that there was a conflict of interest between Dudley MBC and the role of Members as Trustees of the registered charity. The Member also contended that this matter should be referred to the Charity Commission. The use of the car park by Dudley MBC staff was, in effect, excluding members of the general public from using the park and its facilities for the intended purpose.

Although the building had previously been used by Council staff, the recent office relocations had exacerbated the problems and concerns were expressed about the effect this was having on the general public and groups using the park. In the context of the Heritage Lottery Funding received to improve the park, concern was expressed that the lack of parking would lead to a loss of visitors and major disruption during key events. A view was expressed that the interests of the general public should over-ride those of the Council employees in these circumstances. Alternatives were being considered, however, the key issue was the use of the area covered by the deed of gift. The relocation of a large number of staff was considered to represent a fundamental change and the Council had not fully assessed the implications before taking this course of action.

The Cabinet Member repeated the view that the Council, in its role as a Trustee, was making a reasonable use of the building in accordance with the terms of the trust deed. In this regard there was no conflict of interest to be raised with the Charity Commission. The parking issues had been acknowledged and reasonable steps were being taken to address the situation to balance the needs of park users, employees and visitors. The proposed relocation of the staff under the Transforming Our Workplace project had been under consideration for several years. It was also acknowledged that many employees were now implementing modern mobile and agile working practices and not all staff based at Mary Stevens Park would be present during office hours. Data would be collected as part of the monitoring process to assess the effectiveness of the Transforming Our Workplace project.

A member of the public reiterated concerns that the impact of car parking had not been considered initially. The long-term use of the park and its facilities would therefore suffer as a result. A request was made for consideration to be given to the provision of spaces for people with mobility problems. The Cabinet Member acknowledged these points and suggested that a representative of Children's Services attend a future meeting of the Friends of the Park Group.

The Committee noted the comments of the Cabinet Member and discussed the parking situation. Particular reference was made to the ideas for improvements, potential solutions and ongoing work in progress to mitigate any problems for the benefit of all concerned. Following the debate, a motion was put to the vote and it was

Resolved:

That the comments of the Cabinet Member for Children's Services and Lifelong Learning be noted and that continuing work to monitor the car parking situation be supported.

Mary Stevens Hospice – Request to Grant Lease to Dudley Group NHS Foundation Trust and Additional Building Works

A report of the Assistant Director of Corporate Resources (Law and Governance) was submitted asking the Committee to consider:

- (a) A request to grant a 3 year lease to Dudley NHS Foundation Trust of part of Mary Stevens Hospice at a market rent to be negotiated and agreed and excluded from the Landlord and Tenant Act 1954 (the occupiers to be Macmillan and the Community Palliative Care Support Team);
- (b) A request for additional building works to the Hospice;
- (c) The creation of an emergency entrance/gate next to the lottery building, which would also serve as a fire exit route from the grounds for that office block;
- (d) The creation of 12 dedicated additional parking bays on the grassed areas opposite the Hospice.

The Committee noted that Clause 2(21) of the lease to Mary Stevens Hospice contained a covenant against subletting. The Committee questioned the implications of this paragraph in the context of the proposals now reported.

A Member also raised potential conflicts of interests between the role of Dudley MBC, its duty as Trustee and the role of local planning authority. A view was expressed that this required referral to the Charity Commission.

Resolved:

That, subject to clarification of the specific points referred to above by the Assistant Director of Corporate Resources (Law and Governance), the proposals set out in the report be approved.

Wollescote Park, Wollescote Road, Stourbridge – Grant of a Licence

A report of the Assistant Director of Corporate Resources (Law and Governance) was submitted on a request for a licence to be granted on the grounds of Wollescote Park, Wollescote Road, Stourbridge in order for the erection of additional changing facilities.

Following a discussion and the need for clarification of specific issues raised by Members, it was

Resolved

That this item be deferred for further information to be provided and that a report be submitted to the next meeting of the Committee.

The meeting ended at 7.55pm

CHAIR

Ernest Stevens Trusts Management Committee

Report of the Director of Corporate Resources

Ernest Stevens Trust – Mary Stevens Park, Worcester Street, Stourbridge – Cafe to lease

Purpose of Report

1. To consider the request to enter into an agreement for lease with a prospective tenant and following a refurbishment of the former print room to create a cafe to grant a lease.

Background

2. Mary Stevens Park is part of the Ernest Stevens Trust and Dudley Borough Council are the Trustees. The function of Trustee has been delegated to the Ernest Stevens Trusts Management Committee by the Council's constitution.
3. The Council has recently secured a Heritage Lottery Fund grant of £2.65m to undertake improvement works at Mary Stevens Park including the restoration of the main gates, entrances and bandstand, desilting and restoration of Heath Pool, improving the setting of the War Memorial and wider landscape improvements. However, one of the existing buildings on site, within the tea gardens, is to be refurbished by the Council to provide a new cafe with approximately 30 indoor covers and an outdoor seating area, as shown on the attached plan.
4. It is proposed that the Council be granted consent to enter into an agreement for lease with a prospective tenant so that they can have an input on the fit out of the Cafe.
5. The prospective tenants will be granted a 5 year lease upon completion of the works in summer 2015 at a market rent to be negotiated and agreed and excluded from the Landlord and Tenant Act 1954. They will be responsible for all repairs and decoration to the building and for the reimbursement of the cost of building insurance. The lease will prohibit the sale/consumption of alcohol.
6. The prospective tenants will deliver a high quality catering service from the premises 7 days a week, 8am until 6pm in the summer and 10 until 4 in the winter or such other hours as may be agreed between the Council and the tenant.
7. The Charities Act 2011, Section 120 has been considered and confirms that the Council can grant a lease for refreshment use and are not obliged to obtain consent of the Court or Charity Commission to the proposed lease.

8. The Friends of Mary Stevens Park are fully aware of the proposed refurbishment works. Planning permission has also been granted for the change of use of the existing print room to a cafe.

Finance

9. There are no financial implications to the Trustees

Law

10. The Council is the registered Trustee of the charity and in accordance with the Councils Constitution has delegated the administration of the charity to this Management Committee.
11. Section 139 of the Local Government Act 1972 empowers the Council to accept, hold and administer gifts of property, where it enables them to discharge any of their functions and where the gifts are for the purposes of benefiting the inhabitants of their area.
12. The Law relating to Trusts which are charitable is contained in various legislations. The key legislation being the Charities Acts 1960, 1992, 1993, 2011 and the Trustees Investment Act 1961.

Equality Impact

13. The proposal takes into account the Council's equal opportunities policies.

Recommendation

14. It is recommended that the consent of the Ernest Stevens Trust Management Committee be formally recorded to grant a lease with a prospective tenant for refreshment use once the conversion works have been carried out to the former print unit.



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Philip Tart
Director of Corporate Resources

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List of Background Papers:

- Drawings of the proposed works.

Report to the Ernest Stevens Trust 27th October 2014

Report of the Director of Urban Environment and the Director of Corporate Resources

Stevens Park Wollescote, Quarry Bank Park, Mary Stevens Park, provision of Ball games on Sundays

Purpose of Report

1. The purpose of this report is to set out the issues regarding the provision of sports facilities and services in the three Stevens Parks especially on Sundays which impact on the local community and users of the parks.

Background

2. The three Stevens Parks are all large Parks between 7.5 ha and 13.5ha. The Parks were gifted to the Council by Ernest Stevens between 1921 and 1931. A deed of gift was drawn up for each park by Ernest Stevens to ensure the long term future of the Parks and the deed sets out how the Local Authority should manage and maintain it in perpetuity. (See appendix 1 example Wollescote Park Deed of Gift)
3. The Deed of Gift for Wollescote Park lists a number of conditions which the Local Authority should adhere to, some of them relate to ball games and their location in the Park where Ernest Stevens wanted different pitches to be laid out. He also detailed where buildings should and should not be built. There are conditions on the felling of trees (unless diseased) , the selling of alcohol, restrictions on gambling, political meetings, mineral workings and closing the park to the public for more than 4 days for a horticultural show.
1. The Local Authority has tried to maintain all of these conditions throughout the last 80 years, but the condition which has proved the most difficult to maintain is the restriction on the council to allow the Parks to be used for cricket, bowls and football on a Sunday and to charge the usual pitch fee for these services. It is common place in Parks and open spaces to promote these sorts of activities and to charge a small subsidised rate for the use of these facilities, as a contribution towards the pitches management and maintenance.
2. The Friends of the three Stevens Parks have commented on their views on the lifting of the Sunday play restriction. Friends of Marys Stevens Park, and Stevens Park Quarry Bank are against lifting the restriction, however the Friends of Wollescote Park would like to see the restriction lifted.

Facilities for Ball games at Wollescote Park

3. The Bowling Green's at Wollescote are particularly well used by a number of groups, and there has been considerable investment over the years from the Black Country Bowls group who have a licence to use the flat bowling green in the walled garden at the back of Wollescote Hall. They have improved the playing surface of the green and have acquired grants from the local authority to place a bowls pavilion in the walled garden which they manage very successfully. These voluntary sector developments have allowed Wollescote Park to operate reasonably successfully with considerable volunteer input into providing security of the walled garden, tennis courts and changing rooms.
4. The chair of Black Country Bowls is very concerned that the group cannot operate effectively without the lifting of the restriction on play on Sundays. He operates within the Black Country bowling league and is very concerned about his inability to offer the green when most of the other teams in the league want to play, which is on Sunday. This issue has caused considerable difficulty for all the groups that play on the two bowling green's at Wollescote.
5. The condition to restrict playing games on Sundays also has impact on adult/ junior football and cricket, which is when most adults have leisure time in order to pursue their hobby. The Local Authority is very keen to improve provision for physical activity in Parks to try to reduce the prevalence of obesity in the Borough, and would therefore like the Ernest Stevens trust to consider lifting the Sunday play restriction.

Green Flag Quality Award and volunteer investment

6. The Parks at Wollescote, Mary Stevens and Quarry Bank have had investment in the last 5-6 years through the Liveability programme, Department of Health, Lottery and other sources of external funding. The numerous volunteers who have offered their support with park management and consultation to improve the Parks development, have helped to make all these Parks considerable assets in Dudley and we hope to be able to continue this support well into the future.
7. The parks have been identified to be of considerable merit in the suite of town parks managed by the Local Authority. The team have worked on the development of 10 year management/ master plans for these parks to try to identify priorities for improvement. These plans will assist with the national Green Flag Quality award recognition which was gained for Wollescote Park in July 2013 and 2014.
8. The Green Flag Award has been identified as one of the outputs of the Heritage Lottery Grant recently acquired for Mary Stevens Park. The Service will be submitting the park for the Award in 2016 on completion of the capital works on the park. We are also considering submissions for the Award for Quarry Bank Park around the same time.
9. The Green Flag quality award recognises a number of key things which are demonstrated well at Wollescote Park. The peer led judging took place in May 2013 and mystery customer monitoring in 2014 and the judges score the level of horticultural maintenance cleanliness and safety, community involvement and the park welcome, environmental sustainability and heritage conservation, as well as how the park is promoted. The provision of sports facilities is also reviewed by the judges when they consider how the park is managed, as are the possible sources of

income available to the park, lifting the restriction would considerably improve our ability to manage the park more effectively.

Options for lifting the Deed restrictions

10. Legal services have taken expert legal advice on the best way to proceed.

Following receipt of Counsel's Opinion it was considered that the Deeds of Gift contain a charitable trust rather than restrictive covenants. Restrictive covenants need to attach to land to pass to successors in title of the covenantee (Stevens family) and in this case there is no land identified to which any restrictive covenant could attach itself to. Therefore, under charitable trust we need to consider what the intentions of the parties were when the Deeds of Gift was entered into or was it the intention that the land was conveyed to the Local Authority subject to its statutory powers.

In this particular case the conditions are in so much detail, it is felt that we need to consider the intentions of the parties within the Deeds of Gift. Therefore, we have approached three members of the Stevens family.

11. The three great grand children of Ernest Stevens (Appendix 3) who we managed to easily locate through Roy Peacocks research (Local Historian) were asked to comment on the Sunday play restriction. Adam Creedy Smith lives locally in Warwickshire and his sister Tracey lives in France, both these great grandchildren felt that it was important that the Parks were now used to maximum effect and they could see no reason to continue to restrict ball games on a Sunday. Their brother Simon Creedy Smith however felt that some credence should be paid to the wishes of their great grandfather and perhaps a restriction on Sunday morning should be imposed to allow people the option to attend religious services before playing ball games.
12. Proposal based on the views of the respective Friends groups and users for each of the three parks and also with consideration to the majority view of Ernest Stevens great grand children

- To lift the Sunday play restriction as a pilot project on Wollescote Park only

Finance

13. The current restriction on ball games means that the Local Authority is unable to charge the usual subsidised fee for the use of the sports facilities on Sundays, which is the main day when most of the leagues play sport.

Law

14. Section 111 of the Local Government Act 1972 which allows the Council to do anything that is calculated to facilitate or conducive to the discharge of statutory functions. Section 1 of the Localism Act 2011 which provides Councils with the general power of competence to do anything that individuals generally may do,

subject to Sections 2 to 4, and Section 105, 117-123 of the Charities Act 2011 which gives power to authorise dealings with charity property

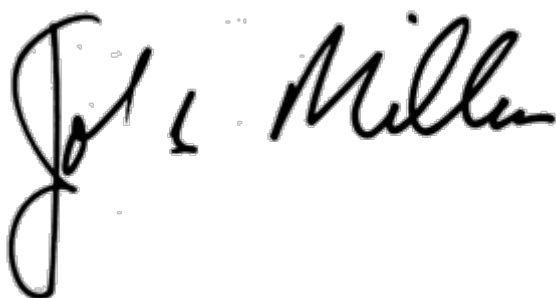
Equality Impact

15. The lifting of the restriction on Sundays does have an equality impact in that it seeks to provide increased opportunity for specific groups using the parks facilities that are consistent with other arrangements in place across the borough.

Recommendation

9. It is recommended that:-

- The trustees consider the needs of the various users on the park in particular the sports enthusiasts and also consider the views of the direct descendants of Ernest Stevens.
- The trustees consider lifting the Sunday restrictions on ball games in Wollescote Park only to accommodate the needs of the users and Friends of this park.
- The Director of Corporate Resources is requested to apply to the Charities commission for their consent to alter the deeds of gift to reflect the outcome of the decision by the Ernest Stevens Trust.



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John Millar
Director of Urban Environment

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List of Background Papers

Appendix 1 .Stevens Park Wollescote Deed of Gift Sept 1930
Appendix 2. Stevens Park Wollescote Management plan (available on CMIS)
Appendix 3. Ernest Stevens's family tree.

DATED *29th* September 1930.

16357

This Deed of Gift is made the Twenty ninth
day of September One thousand nine hundred and thirty BETWEEN
ERNEST STEVENS (Donor) of the one
part and THE URBAN DISTRICT COUNCIL OF LYE AND
WOLLESCOTE in the County of Worcester (hereinafter called "the
Council") of the other part

ERNEST STEVENS Esq.

TO

THE URBAN DISTRICT COUNCIL OF LYE AND WOLLESCOTE.

Deed of Gift

— OF —

Freehold Property known as Wollescote Hall,
Wollescote House, Farmhouses, Land and
Buildings, situate at Wollescote, in the Parish of
Oldswinford, in the County of Worcester.

705/63

J. & L. Clark,
Solicitors,
West Bromwich.



16357

This Deed of Gift is made the *Twenty ninth*

day of September One thousand nine hundred and thirty BETWEEN ERNEST STEVENS of Prescot House Stourbridge in the County of Worcester Gentleman (hereinafter called "the Donor") of the one part and THE URBAN DISTRICT COUNCIL OF LYE AND WOLLESCOTE in the County of Worcester (hereinafter called "the Council") of the other part

WHEREAS:—

1. THE Donor is seised of the property hereinafter described for an estate in fee simple in possession free from incumbrances
2. THE Donor is desirous of vesting the said property hereinafter described in the Council to the intent that the same may be held by the Council as public pleasure grounds
3. THE Council has agreed to hold the said property and to support and improve the same for the purposes aforesaid upon and subject to the conditions more particularly set forth in the Second Schedule hereunder written

NOW THIS DEED WITNESSETH that for the purpose of effectuating the desire of the Donor and in consideration of the undertaking of the Council to support maintain and improve the property hereinafter described as Public Pleasure Grounds and of the covenants conditions and stipulations on the part of the Council contained in the said Second Schedule hereto the Donor as BENEFICIAL OWNER hereby conveys Unto the Council ALL AND SINGULAR the pieces of land messuages tenements farmhouses buildings and other erections more particularly described in the First Schedule hereunder written TO HOLD the same UNTO the Council in fee simple subject to the performance and observance of the covenants and stipulations set out in the Second Schedule hereto and also subject as to the parts affected thereby to the Leases mentioned in the said First Schedule

4. THE Council hereby COVENANT with the Donor and his assigns that the Council will observe and perform the covenants conditions and stipulations more particularly set forth in the said Second Schedule hereunder written
5. THE Council hereby COVENANT with the Donor that the Council will not without first obtaining the approval of Helena Taylor

during the continuance of the Lease granted to her of Wollescote House erect or permit to be erected any building or other erections on the piece of land secondly described in the fifth part of the said First Schedule hereto

IN WITNESS whereof the Donor has hereunto set his hand and seal and the Council has caused its Common Seal to be hereunto affixed the day and year first before written

The FIRST SCHEDULE before referred to.

FIRST PART.

ALL THAT messuage tenement or dwelling-house at Wollescote in the Parish of Oldswinford in the County of Worcester called or known as "Wollescote Hall" with the yards gardens outbuildings pleasure grounds and appurtenances thereto belonging or therewith usually enjoyed all which said hereditaments and premises are now in the occupation of the said Helena Taylor and are for the better description delineated on a plan drawn upon a Conveyance dated the Twenty-seventh day of September One thousand nine hundred and seven and made between John William Pargeter, George Birt and the Reverend Reginald Stanley Pargeter Chesshire of the first part the said John William Pargeter of the second part and the said Edward John Taylor of the third part and thereon edged pink

SECOND PART.

ALL THAT piece of land containing in the whole seven acres one rood and thirty perches or thereabouts situate at Wollescote in the Parish of Oldswinford in the County of Worcester fronting on the North side to a road leading from Oldswinford to Careless Green bounded on the West side and partly on the South side by land now or formerly of Mrs. Esther Fletcher and on the East side and on the remainder of the South side by a road leading out of the last mentioned road to or towards Hob Green Farm which said piece of land is in the occupation of Lees Brothers and is for the better description delineated on the plan drawn on a Conveyance dated the Eleventh day of April One thousand eight hundred and ninety-five being the Conveyance of the said hereditaments and premises to the said John William Pargeter and thereon coloured pink

THIRD PART.

ALL THAT messuage or dwelling-house and farm buildings with the pieces or parcels of land set out in the first part of the Schedule to a

Conveyance dated the Eleventh day of July One thousand nine hundred and nineteen and made between Joseph Southall George Harry Holcroft and Walter Holcroft of the one part and the said Edward John Taylor of the other part situate at Wollescote in the County of Worcester (formerly part of the Wollescote House Farm) containing in the whole sixteen acres two roods and twenty-eight perches, or thereabouts which said messuage dwelling-house farm buildings and pieces of land are more particularly described and delineated by the plan and endorsed on the said Conveyance of the Eleventh day of July One thousand nine hundred and nineteen and thereon coloured pink

FOURTH PART.

ALL THAT farm called the Hob Green Farm situate in the Township of Wollescote in the Parish of Oldswinford in the County of Worcester and consisting of a cottage barn stable and other outbuildings yard garden site of old pool orchard and the pieces of land known as Far Meadow or Upper Piece, Brook Piece, Three Cornered Piece, Long Piece, Near Meadow, The Homstead and the Dingle also a piece of land known as Sling adjoining the road from Wollescote Hall to Careless Green and lying between that road and the farm all which said hereditaments contain an area of seventeen acres one rood and nineteen perches or thereabouts and are more particularly described in the Schedule to a Conveyance dated the Twenty-ninth day of September One thousand nine hundred and nineteen and made between William Joseph Harding King of the one part and the said Edward John Taylor of the other part and coloured green on the plan and are in the occupation of Sidney Robins as tenant TOGETHER with the estate right and interest (if any) of the Donor of and in the bed of the stream forming the boundary of the property on the East side thereof TOGETHER ALSO with the right for the Council and its assigns owners and occupiers for the time being of the property comprised in this part of the Schedule to use the road running outside the western boundary of the said hereditaments over and from the land now or formerly of Esther Fletcher as a road to and from the said hereditaments with or without horses cattle carts and other vehicles in the same manner as the same are now enjoyed by the tenant of the said premises

FIFTH PART.

FIRSTLY ALL THAT piece of land situate in the Hamlet of Wollescote in the Parish of Oldswinford aforesaid fronting on the South side thereof to a road leading from Oldswinford to Careless Green which said piece of land contains in the whole one acre one rood and twenty perches or thereabouts AND TOGETHER with the messuage or

dwelling-house with the garden stabling or dwelling-house vinery conservatories and other offices erected thereon and thereto belonging known as Wollescote House and now in the occupation of the Misses Muldoon AND SECONDLY ALL THAT piece or parcel of land containing an area of 3.478 acres or thereabouts situate near to the before described premises and on the opposite side of the road and which hereditaments and premises are for the purpose of identification and not by way of limitation delineated on the plan drawn upon a Conveyance dated the Tenth day of October One thousand nine hundred and twenty-two and made between Agnes Helen Kirkpatrick Elizabeth Florence King and Edith Josephine King of the first part Henry Charles King Joseph Hazelden King and William Kirkpatrick of the second part and the said Edward John Taylor of the third part and thereon coloured blue TOGETHER with the joint ownership thereof in common with the owners of the adjoining property on the West of the wall marked A B on the said plan which wall was thereby declared to be a party wall and subject as to the premises firstly described in this part of the Schedule to a Lease dated the Fourteenth day of August One thousand nine hundred and thirty and made between the said Helena Taylor William Frank Taylor and Henry Robert Hodgkinson of the one part and the said Helena Taylor of the other part for a term of Ten years from the Twenty-ninth day of September One thousand nine hundred and thirty determinable as therein mentioned but with the benefit of the yearly rent of One Hundred Pounds thereby reserved and of the covenants on the part of the Lessee and conditions therein contained

SIXTH PART.

ALL THOSE six pieces or parcels of arable and pasture land forming part of Brook Farm situate at Wollescote aforesaid being part of the land comprised in a Conveyance dated the Twenty-eighth day of October One thousand nine hundred and twenty-one and made between Ellen Maria Evers Swindell of the first part William Parkes Travis and Frank Percival Evers of the second part and the said Edward John Taylor of the third part and coloured pink on the plan endorsed upon the said Conveyance and numbered 30, 31, 32, 34, 35 and 43 on the said plan subject as to Field Number 32 and part of Field Number 34 to a Lease dated the Fourth day of October One thousand nine hundred and twenty-one and made between Ellen Maria Evers Swindell of the one part and the Urban District Council of Lye and Wollescote of the other part for a term of Fourteen years from the Twenty-fifth day of March One thousand nine hundred and twenty but with the benefit of the yearly rent of Thirty-Six Pounds thereby reserved and of the covenants on the part of the Lessee and conditions therein contained

ALL which said premises described in the first part, second part, third part, fourth part, fifth part and sixth part of this Schedule are more particularly delineated on the plan annexed to a Conveyance dated the Fourteenth day of August One thousand nine hundred and thirty and made between the said Helena Taylor, William Frank Taylor and Henry Robert Hodgkinson of the one part and the Donor of the other part and thereon respectively coloured green, yellow, pink, pink, blue and yellow

The SECOND SCHEDULE before referred to.

1. THE land hereby assured shall except as is hereinafter reserved and excepted be laid out and planted and for ever maintained as Public Parks and Recreation Grounds in good ornamental cultivation condition and repair for the free use of the inhabitants of Lye and Wollescote and District and the Public generally and shall be properly fenced and drained and suitable entrances shall be constructed. The laying out fencing draining and planting shall be carried out and the entrances constructed and the buildings the Parks and Recreation Grounds with the exception of the parts known as Hob Green Farm and the land in the possession of any tenant shall be opened to the Public on or before the Fourth day of July One thousand nine hundred and thirty-one. Hob Green Farm (subject to Clause 8 hereof) and the land in the possession of any tenant shall be opened to the Public within twelve months of the same coming into the vacant possession of the Council

2. WOLLESCOTE HALL and Wollescote House together with the outbuildings thereto and gardens and lawns shall be used for all or one or more of the following purposes but for no other purpose namely:—

- (a) Refreshment Rooms for the use of visitors to and users of the Parks and Recreation Grounds
- (b) Free Public Reading Rooms
- (c) Free Library
- (d) Museum
- (e) Picture Gallery
- (f) Public Offices
- (g) Maternity Home
- (h) Convalescent Home
- (i) A Hospital
- (j) A Childs Welfare Centre

- 32.10.19
- (k) Or any other purposes which have for its object the benefit advancement and welfare of the people of Lye and Wollescote and District and the Public generally so long as the performance of such object will not be a breach of any of the conditions contained herein

The Wollescote Hall Lodge shall be maintained and appropriated in connection with all or one or more of the above mentioned purposes or in connection with the Parks and Recreation Grounds herein referred to. The orchards gardens and lawns attached to Wollescote Hall and Wollescote House may be appropriated and used for the purpose of playing Tennis, Bowls and Croquet

3. THE Council to take immediate steps to make easy and appropriate roads from the populous parts of the area and to plant trees in such roads leading to the Parks and Recreation Grounds

4. THE Council to submit plans of any proposed improvements to the existing roads around the estate to the Donor for his approval

5. IF at any time hereafter the Council think fit to make provision for the playing of Golf then such provision shall be for a Nine Hole Course only, and such Course shall be constructed on the low lying portions of Fields Numbers 35, 34 and 32 but Golf shall not be played on any other part of the land hereby assured and if at any time hereafter the space already allotted for playing Golf shall be required for the use by the Public for any of the other purposes herein permitted then the Council shall discontinue the use of such Golf Course and use it as part of the Parks and Recreation Grounds

6. IF at any time hereafter the Council think fit to make provision for the playing of Football then such provision shall be made on Fields Numbers 30 and 43 and also on the low lying portions of Fields Numbers 35, 34 and 32 if the Council decide not to use such low lying portions as a Golf Course but Football shall not be played on any other part of the land hereby assured

7. SUFFICIENT provision shall be made by the Council for the playing of Cricket but only on Fields Number Part 79 and the Field opposite Wollescote Hall containing 7.437 acres and after sufficient provision has been made in this respect then such land may be laid out and used for other games and recreation but not Golf, Hockey or Football

8. HOB GREEN FARM shall be used for all or one or more of the permitted purposes herein set forth so soon as there shall be a Public Demand to that end but until there shall be such Public Demand then

the Council shall let the same for agricultural purposes only and on a yearly tenancy

9. NO buildings shall be erected on any part of Fields Numbers Part 97 and 98 Part 37, 38, Part 79 and the Field opposite Wollescote Hall containing 7.437 acres but the Council is hereby permitted to erect on Field Number Part 79 and the Field opposite Wollescote Hall containing 7.437 acres suitable Shelters and Pavilions. The permission given with regard to Field Number Part 79 is subject to the Council first obtaining Mrs. Helena Taylor's approval during the continuance of her Lease of Wollescote House

SAVE AND EXCEPT and as provided by Clause 2 hereof and the first part of this clause no buildings shall be used or erected on any other part of the said land hereby assured other than Pavilions or those necessary for supervision and for the lay out of the land as Parks and Recreation Grounds and/or for the use of the Public in visiting the Parks and using the Recreation Grounds or Except as a free Public Reading Room, Free Library, Museum, Picture Gallery, Public Baths, Public Offices, Public Hall or any Public Memorial or any one or all of them. ALL the buildings which are to remain upon the land or that may hereafter be erected thereon shall be kept in clean condition and proper state of repair

10. THE Council shall keep the grass land mowed and/or closely grazed by sheep only (but not rams) so long as such grazing does not interfere with the use and enjoyment by the Public of such grass land and shall keep such grass land in order at all proper times so as to permit the Public to walk thereon and shall provide the Public with suitable accommodation in all permitted and appropriate places in such Parks and Recreation Grounds

11. THE Council shall keep Wollescote Hall, Wollescote House and all other buildings now or which may hereafter be erected upon any part of the said land hereby assured in a good and tenantable state of repair and also keep the lawns, fruit trees and garden land in a cultivated clean and tidy condition and in particular shall observe the covenants and conditions contained in the Lease to Mrs. Helena Taylor of Wollescote House so far as the same are to be observed and performed by the Council as owners of the reversion of such Lease

12. THE Council shall within three months of the land coming into its vacant possession take down and remove the fences herein set forth namely:—

Hedge enclosing remaining portion of Brook Farm (yellow on plan) on the south side with the exception of South Hedge to Field Number 35 Hedge between Fields Numbers 31 and 30 and also between Fields Numbers 30 and 43

Hedges East and South of Fields Numbers Part 97 and 98

Hedges South and East (not walls) of Field Number 37

Hedge East of Field Number 79

Iron hurdles enclosing garden against wall in field 15.044 acres

Iron hurdles forming drive to Wollescote Farm House

Iron hurdles round the large trees at Wollescote Farm House

Iron hurdles abutting Wollescote Hall Lodge Garden

Iron hurdles fencing Pools in Fields Number 38 and Number Part 79 immediately such Pools have been filled up

Iron hurdles fencing telephone pole and wireless pole in field 15.044 acres and the Council shall remove such poles and replace the same elsewhere if necessary

13. THE Council shall on obtaining vacant possession forthwith erect a boundary fence to the western side of Field Number Part 79

14. NO timber shall be felled except such as may have to be removed by reason of decay or for the proper laying out of the land as Parks and Recreation Grounds

15. NO intoxicating beverages shall be made or sold or consumed on the said land hereby assured unless by medical orders or except such as may be ordered by a resident or visiting medical practitioner

16. NO gambling or betting shall be allowed on any part of the said land hereby assured

17. NO Public Meetings for the discussion of political partisan trade or controversial social questions or other matters of dispute or controversy shall be held on any part of the premises hereby assured or in any buildings which may hereafter be erected thereon

18. NO portion of the mines and minerals under the premises hereby assured shall be worked or removed

19. NOT at any time to assign underlet or part with the possession of any of the land or buildings hereby assured or any part thereof except in the event of any buildings now erected or which may hereafter be erected being used as Refreshment Rooms when the Council may let such Refreshment Rooms from time to time to a suitable caterer in accordance with these conditions

20. THE Council may on such days as it thinks fit (not exceeding twelve days in any one year nor more than four consecutive days on any one occasion and not on a Sunday or Good Friday or Bank Holiday or Public Holiday) close to the Public generally the Buildings the Parks and Recreation Grounds or any part thereof for any of the following purposes:—

- (a) For the use of day or Sunday School Scholars or both together with their officers and friends and on these days no charge for admission shall be made
- (b) For the use or benefit of any Public Charity or Institution or for any agricultural horticultural or other suitable show or any other suitable Public purpose and admission on these occasions may be either with or without payment as directed by the Council On all other days the Buildings the Parks and Recreation Grounds shall be opened to the Public free of charge during such hours as the Council may from time to time determine

21. SPECIAL consideration and facilities shall be given to children up to the age of fifteen years to play games and such games shall be free of charge and also full and proper provision shall be made for the amusement protection and welfare of such children without payment or charge

22. THE Council shall be at liberty from time to time to make such reasonable charge or charges as it may determine for the use by adults of a portion or portions of the Parks and Recreation Grounds for Golf, Cricket, Football, Hockey, Tennis, Bowls, Croquet, Boating, Swimming and/or other games and recreations approved by the Council but no games or sports shall be played or indulged in on a Sunday or Good Friday

23. PROVISION shall be made by the Council for the playing of games (which shall include cricket, tennis and bowls) by people of small means at the lowest possible charge

24. THE Council shall make provision whereby paper and any rubbish which may be thrown or scattered on any part of the land shall be promptly collected and disposed of

25. THE Council shall take steps to provide upon the premises hereby assured food and refreshments (but not intoxicating beverages) for visitors to and users of the Buildings, Parks and Recreation Grounds at a reasonable sum

26. THE Council shall within three months from the date when vacant possession shall be given by the present tenants take down and remove Wollescote House Farm House and all the Farm and other

buildings used in connection therewith including the Tower and the erections situate at the back of the kitchen garden of Wollescote House in Field Number Part 37 and the sites thereof shall be cultivated planted and laid out and shall form part of the Parks and/or Recreation Grounds. The Council shall forthwith brick up the opening leading from the Wollescote House premises to Wollescote House Farm buildings near to the Harness Room and after the removal of such buildings as aforesaid forthwith to make good by the erection of brickwork any openings which may have been made thereby. The Council shall forthwith take down and remove the Greenhouse which is in bad condition and which is situated in the garden attached to Wollescote Hall

27. THE Council shall be at liberty from time to time to make a nominal charge for admission to any of the buildings excepting the Free Public Reading Room and Free Library and also to let from time to time the Public Hall subject to the conditions herein laid down

28. THE Council shall be at liberty from time to time to make such Bye-laws and Regulations governing the use of the Buildings the Parks and Recreation Grounds as it may think proper such Bye-laws and Regulations being consistent with the covenants and conditions herein set forth

29. IMMEDIATELY after the Council shall have taken up and removed the Hedge running along the south side of the remaining portion of Brook Farm the Council shall prepare put in order gravel and roll the Public Footpath running alongside such hedge but the hedge between Fields Number 35 and Number Part 37 shall not be removed until the turf in Field Number 35 is established

30. AS soon as Field Number 35 and the allotments in Field Number 32 shall be in the vacant possession of the Council the Council shall in the September or October following the same getting into their vacant possession clean the land cultivate, sow good quality grass seed, slag, roll and graze after cutting first year. When and so soon as such turf is established the Council shall forthwith take up and remove the fences dividing Fields Numbers 35, 34, 32, 31 and 30

31. THE Council shall immediately give notice to the Allotment Holders to quit and deliver up possession of the Allotments in their possession and held under the Council and the Council shall also immediately give notice to all the tenants of the other land hereby assured to quit and deliver up possession of any land which may be in the possession of such last named tenants at the date hereof. Notwithstanding the notices the Council is called upon to give under this Clause the Council shall take whatever steps lie in their power to

obtain earlier possession of the land in the possession of any tenant as aforesaid

32. AS soon as Fields Numbers Part 37, 38 and Part 79 shall be in the vacant possession of the Council the Council shall take steps immediately to fill up the Pools on the said three pieces of land and level the same and seed down to grass in manner hereinbefore more particularly mentioned

33. THE Council shall be responsible for the whole cost of carrying out the conditions herein set forth and anything arising thereout and also for the maintenance upkeep and control of the premises hereby assured but it shall be at full liberty to levy a rate or raise funds for this purpose by subscription or otherwise as it may think fit

SIGNED SEALED AND DELIVERED
by the said Ernest Stevens
in the presence of

Ernest Stevens



Lyon Clark
Solicitor

W Stanley Inobberley *West Bromwich*
Solicitor. Lye.

THE SEAL of the Urban District
Council of Lye and Wollescote
was hereunto affixed in our
presence in pursuance of a
Resolution of the Council
passed the 29th day of
September 1930



L. H. Evesson

Chairman.

W Stanley Inobberley : Clerk.

REGISTERED IN THE BOOKS OF THE CHARITY COMMISSIONERS
FOR ENGLAND AND WALES PURSUANT TO THE PROVISIONS
OF SECTION 6 (2) OF THE MORTMAIN AND CHARITABLE USES
ACT, 1883, AND SECTION 1 OF THE MORTMAIN AND CHAR-
ITABLE USES ACT AMENDMENT ACT, 1892.



11th November 1930

MEMORANDUM that by a Conveyance made the 22nd day of March 1956 between the Mayor Aldermen and Burgesses of the Borough of Stourbridge (the Successors in title of the within named Lye and Walscote Urban District Council) of the one part and the WORCESTERSHIRE COUNTY COUNCIL of the other part a piece of land containing an area of 1.42 acres or thereabouts and forming part of the land described in the within written Deed of Gift and situate to the north of Hob Green Road Pedmore in the Borough of Stourbridge was conveyed to the said County Council for an estate in fee simple and an acknowledgement given of the right of the said County Council to production of the within written Deed of Gift and to delivery of copies thereof and an undertaking given for the safe custody thereof.



H.M. LAND REGISTRY

FREEHOLD TITLE REGISTERED
TITLE NUMBER WM 755151

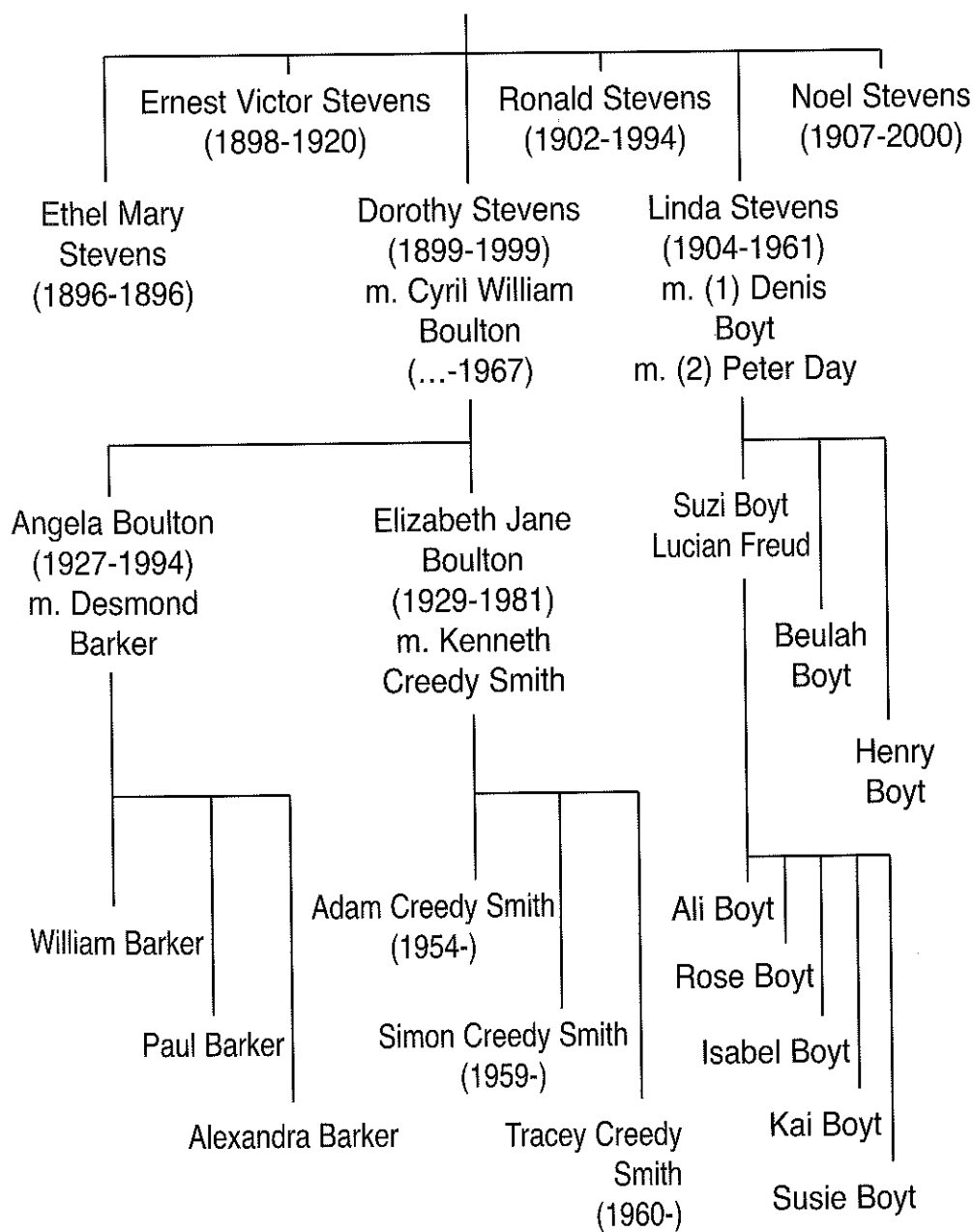
(as to part)

CHARITY COMMISSION
ENROLMENT AND RECORD
Received 11 NOV 1930
1383/30.

THE STEVENS FAMILY

FAMILY OF ERNEST STEVENS

Ernest Stevens (1867-1957)
m. Mary Collins (1869-1925)



Ernest Stevens Trusts Management Committee – 31st October 2014

Report of The Treasurer

Ernest Stevens Trusts - Final Accounts

Purpose of Report

1. To consider, approve and sign the accounts of the individual Trusts comprising the Ernest Stevens Bequests.

Background

2. Ernest Stevens made various donations of property which were to be used for specified purposes. These have been identified as individual Trusts and detailed below:
 - i. Mary Stevens Maternity Home and Public Park Charity.
 - ii. Mary Stevens Park, Recreation Ground and Park, Norton.
 - iii. Stevens Park, Quarry Bank.
 - iv. Stevens Park and Recreation Ground Foundation, Wollescote
3. Only the Stevens Park and Recreation Ground Foundation, Wollescote has investments, which generate income for disbursement.
4. The income of the Stevens Park and Recreation Ground Foundation Trust shall be applied in one or more of the following ways:
 - a. The maintenance and improvement of the property for the time being belonging to the Foundation;
 - b. The acquisition and laying out of additional land to be held in trust for the Foundation;
 - c. The maintenance and improvement of the property for the time being held by the Council on trust for the charitable purposes specified in deeds dated 6th December 1929(Mary Stevens Park, Norton) and 13th February 1931 (Mary Stevens Maternity Home and Public Park)
 - d. The provision of facilities for recreation or other leisure time occupation, being facilities provided with the object of improving the conditions of life for persons resident in the Borough of Stourbridge.
 - e. Where in the opinion of the Council, the net income of the Foundation cannot be usefully and beneficially applied in accordance with the provisions of the last sub clause, it may be applied for such other charitable purposes for the benefit of persons resident in the Borough of Stourbridge as the Council may determine.
5. In 2001, the Charity Commission confirmed the opinion that because the Council uses its mainstream budget to maintain all the property in the trusts, it is permitted to give grants under paragraph (e)

6. In the application of the income of the Foundation, the Trustees have discretion to give preference to the area of the former Urban District of Lye and Wollescote and to meeting the needs of the people resident therein.
7. There is no set maximum amount stipulated in the Trust deed for a grant.
8. At a previous meeting the Trustees agreed that subject to retaining the flexibility to consider each and every application on its own merit and to award grants at their discretion in special and exceptional circumstances, in accordance with the overall terms of the Trust Deed, the Trustees will apply the general criteria as follows;
 - a. Applications will normally be considered if they are for capital purposes up to a maximum grant of £5,000 or 50% of the project cost, whichever is the lower.
 - b. Consideration will be given to the applicant's ability to self fund the expenditure or to obtain funding from alternative sources;
 - c. Applicants will be able to apply for further funding from the Trust upon the expiry of two years from the date of the Committee meeting at which the previous grant award was approved.
9. At a previous meeting of this Committee, the Trustees agreed to continue a policy setting out the level of reserves needed to meet the objectives of the Charity. This policy was to maintain the "Real" spending power of the bequest i.e. the permanent funds, as a fundamental part of the investment strategy. Therefore before any grants are awarded, it is confirmed that the value of the permanent funds adjusted for inflation has been maintained.
10. This Committee has the delegated power to act on behalf of the Trustee, Dudley MBC for the 4 Ernest Stevens Trusts as shown in paragraph 2.
11. A Statement of Accounts for the Trusts as detailed in paragraph 2 is attached as Appendix 1

Finance

12. The Accounts of the Trust have been independently examined by the Head of Audit Services. The accounts and the signed Independent Examiner's certificate will be sent to the Charity Commissioners, after approval by the Trustees.
13. The investment of resources is regulated by the Trustee Investment Act 1961. This Act puts limits on the power of Trustees in investing the funds in stocks, shares and bonds

Law

14. The Council is successor to the former Stourbridge Council by virtue of the Local Government Act 1972.
15. Section 139 of the Local Government Act, 1972 empowers the Council to accept, hold and administer gifts of property, where it enables them to discharge any of their functions, and where the gifts are for the purposes of benefiting the inhabitants of their area.

16. The law relating to Trusts, which are charitable, is contained in various acts, the main one being the Charities Act 2011.
17. The conditions under which a gift is to be administered, are contained in the Deed creating the Trust, and any subsequent schemes made by the Charity Commission.

Equality Impact

18. The Trusts have been set up to benefit the public in certain geographical areas of the Borough as outlined in the Deeds of Gift.

Recommendation

19. It is recommended that :
 - a. The Committee approve the accounts of the Trusts, on behalf of the Council in their capacity as Trustees.
 - b. The Chair be authorised to sign the accounts.



Treasurer

Contact Officer: Shelley Reynolds

Telephone: 01384 814858

Email: shelley.reynolds@dudley.gov.uk

Independent Examiner's Report to the Trustees of Ernest Stevens Trust

I report on the accounts of the Trust for the year ended 31st March 2014, which are set out on pages 1 to 2.

Respective responsibilities of trustees and examiner

The charity's trustees are responsible for the preparation of the accounts. The charity's trustees consider that an audit is not required for this year under section 144(2) of the Charities Act 2011 (the 2011 Act) and that an independent examination is needed.

It is my responsibility to:

- examine the accounts under section 145 of the 2011 Act;
- to follow the procedures laid down in the General Directions given by the Charity Commissioners under section 145(5)(b) of the 2011 Act; and
- to state whether particular matters have come to my attention.

Basis of independent examiner's report

My examination was carried out in accordance with the General Directions given by the Charity Commissioners. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from you as trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently I do not express an audit opinion on the view given by the accounts.

Independent examiner's statement

In connection with my examination, no matter has come to my attention:

- (1) which gives me reasonable cause to believe that in any material respect the requirements
 - to keep accounting records in accordance with section 130 of the 2011 Act; and
 - to prepare accounts which accord with the accounting records and comply with the accounting requirements of the 2011 Act have not been met; or
- (2) to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.



Shaun Potter
Dudley Audit Services
Council House
Dudley
DY1 1HF
1st October 2014

STATEMENT OF ACCOUNTS OF ERNEST STEVENS TRUST

BALANCE SHEETS AS AT 31ST MARCH 2014

1. MARY STEVENS MATERNITY HOME & PUBLIC PARK CHARITY
(REGISTERED CHARITY NO. 203087)

	<u>2014</u> <u>£</u>	<u>2013</u> <u>£</u>
<u>ASSETS</u>		
Land and Buildings	<u>750,000</u>	<u>358,500</u>
TOTAL ASSETS	<u>750,000</u>	<u>358,500</u>
<u>RESERVES</u>		
Revaluation Reserve	<u>750,000</u>	<u>358,500</u>
TOTAL RESERVES	<u>750,000</u>	<u>358,500</u>

2. MARY STEVENS RECREATION GROUND AND PARK
(REGISTERED CHARITY NO. 523195)

	<u>2014</u> <u>£</u>	<u>2013</u> <u>£</u>
<u>ASSETS</u>		
Land and Buildings	<u>1,700,000</u>	<u>1,600,000</u>
TOTAL ASSETS	<u>1,700,000</u>	<u>1,600,000</u>
<u>RESERVES</u>		
Revaluation Reserve	<u>1,700,000</u>	<u>1,600,000</u>
TOTAL RESERVES	<u>1,700,000</u>	<u>1,600,000</u>

3. STEVENS PARK, QUARRY BANK
(REGISTERED CHARITY NO. 219690)

	<u>2014</u> <u>£</u>	<u>2013</u> <u>£</u>
<u>ASSETS</u>		
Land and Buildings	<u>64,000</u>	<u>64,000</u>
TOTAL ASSETS	<u>64,000</u>	<u>64,000</u>
<u>RESERVES</u>		
Revaluation Reserve	<u>64,000</u>	<u>64,000</u>
TOTAL RESERVES	<u>64,000</u>	<u>64,000</u>

Notes to the Balance Sheets

- (i) The Land & Buildings assets have been revalued as at 1st April 2013 in accordance with the RICS Appraisal & Valuation Manual. The valuation was undertaken by Dudley MBC, Corporate Resources Directorate and reflects the various lease and licence arrangements in operation.

STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST

STATEMENT OF FINANCIAL ACTIVITIES

FOR THE YEAR TO 31ST MARCH 2014

	<u>Note</u>	<u>Unrestricted</u>	<u>Endowment</u>	<u>Total Funds</u>	
		<u>Funds</u>	<u>Funds</u>	<u>2014</u>	<u>2013</u>
		£	£	£	£
Incoming Resources	(2)	170,374	-	170,374	181,084
Resources Expended	(3)	154,348	-	154,348	164,110
(Net Resources Expended)/Net Incoming Resources		16,026	-	16,026	16,974
<u>Other Recognised Gains and Losses.</u>					
Gain (Loss) on revaluation of investments.	(5)	(1069)	(598)	(1667)	25,162
Gain (Loss) on revaluation of property	(4)	-	29,550	29,550	-
Net Movement in Funds		14,957	28,952	43,909	42,136
Reconciliation of Funds:					
Total Funds Brought Forward		317,510	618,898	936,408	894,272
Total Funds Carried Forward		332,467	647,850	980,317	936,408

STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST
BALANCE SHEET AS AT 31ST MARCH 2014

	<u>Note</u>	<u>2014</u>	<u>2013</u>
		£	£
<u>Fixed Assets</u>			
Land & Buildings	(4)	491,400	461,850
<u>Investments</u>	(5)	345,117	346,784
		<u>836,517</u>	<u>808,634</u>
<u>Current Assets</u>			
Sundry Debtors	(6)	3,747	3,747
Dudley MBC		140,046	124,020
COIF Deposit Account		7	7
		<u>143,800</u>	<u>127,774</u>
<u>Less Current Liabilities</u>			
Creditors			
Grants approved (not paid)	(7)	0	0
		<u>0</u>	<u>0</u>
<u>Net Current Assets</u>		<u>143,800</u>	<u>127,774</u>
<u>Net Assets</u>		<u>980,317</u>	<u>936,408</u>
<u>Represented by:</u>			
Permanent Endowment		647,850	618,898
Unrestricted Funds		332,467	317,510
		<u>980,317</u>	<u>936,408</u>

Chairman

Date

For and on behalf of the Trustees.

STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST

NOTES ON FINAL ACCOUNTS FOR YEAR ENDING 31ST MARCH 2014

1 Accounting Policies

In preparing the accounts the following accounting policies have been complied with:

- These accounts have been prepared under the historic cost convention with the exception that the investments are valued at market value. The accounts are in accordance with applicable accounting standards and the Charities SORP 2005 (Accounting and Reporting by Charities) and comply with the Charities (Accounts and Reports) Regulations 2005 issued under the Charities Act 1993.
- Investment Income is recorded when receivable
- Expenditure on grants is recorded once the Trust has made a commitment to pay the grant and this is communicated to the beneficiary or the grant paid, whichever is the earlier. The Trust requests that all grants are paid within 6 months of being awarded.
- Other expenditure is included in the accounts on an accruals basis.
- Quoted investments have been valued at market value at the balance sheet date.
- Unrealised and realised investment gains and losses are shown net in the statement of financial activities.
- Depreciation is not provided for in the accounts. This is in line with current Council policy that depreciation is not accounted for on land and buildings which are properly maintained.
- The Charity Commission has advised that maintenance funded from the budget of the Council should be included in the Charity accounts.

2 Income

Income received was as follows:

	2014	2013
	£	£
Interest Income	15,093	16,273
Rental Income	933	1,116
Maintenance Funded by Dudley MBC	154,348	163,695
	<u>170,374</u>	<u>181,084</u>

3 **Expenditure**

The expenditure for the year comprised:

	2014	2013
	£	£
Grants	0	415
Maintenance	154,348	163,695
	<u>154,348</u>	<u>164,110</u>

Grants

The expenditure included grants committed in the year of £0 (£415 in 2013).

Other expenditure incurred was maintenance of £154,348 (£163,695 in 2013) funded by Dudley MBC.

4 **Land and Buildings**

The revaluation was undertaken by Dudley MBC, Corporate Resources Directorate, as indicated in a report dated 3rd February 2014. Property occupied by Dudley MBC has been classified as Operational and valued on the basis of Existing Use Value with the remainder classified as Non-operational and valued on the basis of Open Market Value (definitions of the bases are contained in RICS Appraisal and Valuation Manual). All valuations reflect the stipulations, restrictions and covenants contained in the relevant Deed of trust.

	2014	2013
	£	£
Land and Buildings	<u>491,400</u>	<u>461,850</u>

5 **Investments**

Investments are stated at the market value to comply with the Charities Statement of Recommended Practice 2005. The market value of investments as at 31st March 2014 was £345,118

	Original Value	Market Value	Market value	Unrealised (Loss) Gain
	£	31/03/14	31/03/13	£
COIF Fixed Interest	118,000	123,574	129,960	(6,386)
COIF Equity Based	118,000	221,543	216,824	4,719
	<u>236,000</u>	<u>345,117</u>	<u>346,784</u>	<u>(1,667)</u>

6 Analysis of Debtors

The debtors figure is investment income due (2013 investment income due)

7 Analysis of Grants Not Yet Claimed

There were no grants outstanding at 31st March 2014

TRUSTEES ANNUAL REPORT FOR THE YEAR TO 31ST MARCH 2014

History, Objectives and Activities of the Trust

The Stevens Park and Recreation Ground Foundation Trust was constructed by a Deed of Gift dated 29th September 1930 and varied by a scheme dated 24th May 1966. The Trust is registered charity, number 523196.

The Charity is established for the following purposes:

- (a) to maintain and improve property belonging to the Foundation
- (b) to acquire land to be held in trust for the Foundation
- (c) to maintain and improve property held by the following registered charities:

	<u>Registered Charity No.</u>
1. Mary Stevens Maternity Home and Public Park	203087
2. Mary Stevens Park, Stourbridge	523195
- (d) to provide recreation facilities to improve the conditions of life for persons resident in the Borough of Stourbridge, with preference given to Lye and Wollescote.

Management and Governance Arrangements

The Trustee of the charity is Dudley Metropolitan Borough Council which delegated its power to the Stourbridge Area Committee. However following the reorganisation of Area Committees to Community forums in February 2013, the Ernest Stevens Management Committee was created with the delegated power of the Trustee.

Procedures and Policy for Grant making

Grant applications are reported to the Ernest Stevens Management Committee which meets regularly. Organisations normally submit a formal application explaining how the funds will be used, what would be achieved if the grant was awarded and their financial position.

The Trustees have a policy that the grant should be for capital items and be for a maximum of 50% of the cost of the project or £5000.

Application forms, the criteria of the Trust & a map of the area in which the Trust operates are available from the charity.

The charity's address is:

The Council House
Priory Road
Dudley
West Midlands
DY1 1HF

Achievements and Performance of the Trust

During the year the Trust awarded 1 grant.

Financial Review, Investment Policy and Reserves

The Trust has a permanent endowment and general funds. The former is not available for distribution and the latter could be expended with the Trustees' approval.

At a previous meeting of the former Finance (Stevens Bequests) Sub Committee, the Trustees agreed a policy setting out the level of reserves needed to meet the objectives of the Charity. This policy was to maintain the "Real" spending power of the bequest i.e. the permanent funds, as a fundamental part of the investment strategy. Therefore before any grants are awarded, it is confirmed that the value of the permanent funds adjusted for inflation has been maintained.

The charity continued to receive rental income and interest for the year of £16,026; there were no grant allocations this year. The surplus will be added to reserves brought forward from past years.

The Trustee, Dudley MBC undertakes to maintain the property from its own funds. On the advice of the Charity Commission, maintenance on property referred to in the objectives of the Charity has been included in these accounts as both income & expenditure.

The investments were revalued at 31st March 2014 to be shown at the market value to comply with the Charities SORP 2005. This resulted in an unrealised loss of £1,667 with £1,069 being removed from the value of the unrestricted funds and £598 being removed from the value of the permanent endowment funds.

At the end of the financial year reserves available for distribution subject to the reserves policy was £332,467

Future Plans

The Trustees intend to continue providing grants in a similar way to past years within the constraints of the available funds and the reserves policy. However, at the meeting of the Committee of 17th November 2008 a resolution was passed such that:

"for the next five years interest earned on the capital of the Ernest Stevens Trust fund be set aside for the repair of the gates at Mary Stevens Park, Stourbridge. That subject to [this] resolution, any application for funding from the Stevens Trust, of exceptional merit, be considered on an individual basis over the next five years".

Statement of Trustees' Responsibilities

Charity law requires the Trustees to prepare financial statements for each financial year which show a true and fair view of the state of the affairs of the charity and its financial activities for that period. In preparing those financial statements, the Trustees are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent
- state whether applicable accounting standards and statements of recommended practice have been followed, subject to any departures disclosed and explained in the financial statements; and
- prepare the financial statements on a going concern basis unless it is inappropriate to presume that the charity will continue in operational existence.

The trustees are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the charity and to enable them to ensure that the financial statements comply with the Charities Act 1993. They are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Independent Examiner

The Trustees intend to ask Dudley Audit Services to undertake the independent examination of the Trust in the following year.

Chairman

Date

Signed on behalf of the Trustees.