

## **Minutes of the Ernest Stevens Trusts Management Committee**

Monday 27<sup>th</sup> October, 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 L Jones, I Marrey, G Partridge and H Rogers

### **Officers**

S Griffiths (Democratic Services Manager), M Wilcox (Interim Principal Lawyer),  
N Bangar (Solicitor), R Cooper (Group Accountant) and T Webb (Property  
Surveyor) - All Directorate of Corporate Resources  
L Stuffins (Greenspaces Team Leader) – Directorate of the Urban Environment

### 10 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillor  
I Kettle.

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### 11 **Appointment of Substitute Member**

It was reported that Councillor L Jones had been appointed as a substitute  
member for Councillor I Kettle for this meeting of the Committee.

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### 12 **Declarations of Interest**

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.

Councillor J Cowell – Non-pecuniary interest as a Trustee of Mary Stevens  
Hospice.

Councillor M Hanif - Non-pecuniary interests as a Trustee of Mary Stevens  
Hospice and an attendee at meetings concerning Wollescote Park.

Councillor L Jones - Non-pecuniary interests as a former Trustee of Mary  
Stevens Hospice.

Councillor G Partridge – Non-pecuniary interests as she received invitations to  
stakeholder meetings and had been lobbied concerning Minute No. 15 below.

Councillor I Marrey – Non-pecuniary interest in relation to stakeholder meetings.

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13      **Minutes**

**Resolved**

That the minutes of the meeting held on 9<sup>th</sup> September, 2014 be approved as a correct record and signed.

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14      **Mary Stevens Park, Worcester Street, Stourbridge – Cafe to Lease**

The Committee considered a report of the Director of Corporate Resources on a request to grant a lease to a prospective tenant for a cafe/refreshment use once conversion works had been completed at the former print unit located in Mary Stevens Park, Stourbridge.

**Resolved**

That the consent of the Committee be given to the grant of a lease to a prospective tenant for a cafe/refreshment use once the conversion works have been carried out to the former print unit at Mary Stevens Park, Stourbridge.

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15      **Stevens Park Wollescote, Quarry Bank Park and Mary Stevens Park, Stourbridge – Provision of Ball Games on Sundays**

The Committee considered a joint report of the Directors of Corporate Resources and the Urban Environment concerning the provision of sports facilities and services in the three Stevens parks, with particular reference to the playing of ball games on Sundays.

The original Deeds of Gift contained restrictions concerning certain activities within each of the parks. These conditions had been maintained by the local authority throughout the past 80 years, however, it had been suggested that the condition preventing the use of the parks for ball games on Sundays should now be reviewed. The Friends of the three Stevens Parks had been consulted on this proposal. The Friends of Mary Stevens Park, Stourbridge and Stevens Park, Quarry Bank were against the lifting of the Sunday Play restriction. The Friends of Wollescote Park had, however, indicated that they would like to see the restriction lifted.

The report set out the background to the facilities for ball games at Wollescote Park, the Green Flag Award, volunteer investment in the park and the potential options for lifting the Deed restrictions. The Committee was requested to consider:

- (a)      The needs of the various users on the park in particular the sports enthusiasts and the views of the direct descendants of Ernest Stevens.

- (b) The potential for lifting the Sunday restrictions on ball games in Wollescote Park only to accommodate the needs of the users and Friends of this park.
- (c) Authorising the Director of Corporate Resources to apply to the Charity Commission for consent to alter the Deeds of Gift to reflect the outcome of any decision made by this Committee.

The Committee discussed the report in detail and the legal implications of any proposed changes to the conditions set out in the original Deed of Gift. The Deed clearly reflected the wishes of Ernest Stevens at the time he had donated the land in trust to the local authority. Any proposal to lift the restrictions in the Deed of Gift would require the consent of the Charity Commission. A concern was expressed that removing the restriction in Wollescote Park alone would create a precedent for the other two parks. Differing views were also expressed on the practicalities of enforcing the existing restrictions on ball games on a Sunday.

Members expressed the view that consultation should be extended to local residents and other interested parties in addition to the Friends of the Parks Groups. It was also suggested that a preliminary approach be made to the Charity Commission to seek their impartial advice on the potential courses of action available to this Committee.

### **Resolved**

- (1) That, in the light of the report now submitted and the views expressed by the Committee, the Director of Corporate Resources write to the Charity Commission seeking a preliminary view on the potential courses of action and legal implications concerning the restrictions on the playing of ball games on Sundays.
- (2) That a copy of the correspondence sent to the Charity Commission be circulated to all Members of this Committee.
- (3) That subject to a further report on the outcome of (1) above, consideration be given to a wider consultation exercise with local residents and interested parties.
- (4) That the item referred to in Minute No. 9 of the previous meeting (Wollescote Park, Wollescote Road, Stourbridge – Grant of a Licence) be deferred until the meeting on 5<sup>th</sup> February, 2015 subject to the Director of Corporate Resources, in consultation with all Members of the Committee, being authorised to take any necessary action in case of urgency.

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**Final Accounts**

A report of the Treasurer was submitted, under cover of which the accounts of the individual Trusts comprising the Ernest Stevens Bequests for the year ended 31<sup>st</sup> March, 2014 were presented for approval.

Papers comprising the Notes on the Final Accounts, the Trustees' Annual Report, the Achievements and Performance of the Trust, together with the Independent Examiner's Report to the Trustees of the Ernest Stevens Trust, were attached to the report

The Group Accountant would consider a query raised concerning rental income. With regard to the mechanism for awarding grants, the Chair outlined that limited funds were available and the Committee would consider applications as and when appropriate. Members were asked to promote this and it was noted that potential grant applicants might also request funds from the relevant Community Forum.

**Resolved**

- (1) That, on behalf of the Council in their capacity as Trustees, the accounts of the Trusts for the year ended 31<sup>st</sup> March, 2014, be approved by the Committee.
- (2) That the Chair be authorised to sign the accounts

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The meeting ended at 7.20pm

CHAIR