

**Stourbridge Area Committee – 27<sup>th</sup> September 2010**

**Report of the Director of Corporate Resources**

**Ernest Stevens Trust – Consent to erect fencing and to undertake paving repairs at Mary Stevens Hospice**

**Purpose of Report**

1. To consider the following request to erect fencing and to undertake paving repairs at Mary Stevens Hospice.

**Background**

2. Mary Stevens Hospice is part of the Ernest Stevens Trust and Dudley Borough Council are the Trustee of the trust. The functions of the trustee have been delegated to the Stourbridge Area Committee.
3. Mary Stevens Hospice wish to undertake certain works within the garden in order to increase safety and to comply with DDA recommendations. The details are attached in the appendix to this report.
4. The trust deed at paragraph 2(12) requires the tenant not to at any time during the continuance of the term hereby granted, erect or permit to be erected any additional buildings or erections without the consent in writing of the Council and in the event of such permission being given permission from any planning authority should be gained.
5. The Committee is therefore asked to give its approval to the requests in the appendix, subject to any planning and other consents necessary.

**Finance**

6. There are no financial implications to the Trustees.

**Law**

7. The Council is the registered Trustee of the charity and in accordance with the Councils Constitution has delegated the administration of the charity to the Stourbridge Area Committee.
8. Section 139 of the Local Government Act 1972 empowers the Council to accept, hold and administer gifts of property, where it enable them to discharge any of their functions and where the gifts are for the purposes of benefiting the inhabitants of their area.

9. The Law relating to Trusts which are charitable is contained in various acts: the main ones being the Charities Acts 1960,1992,1993 & the Trustees Investment Act 1961.

### **Equality Impact**

7. The proposal takes into account the Council's equality and diversity policies.

### **Recommendation**

8. It is recommended that the Stourbridge Area Committee approve the works as Trustees of the Ernest Stevens Trust.



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**Philip Tart**  
**Director of Corporate Resources**

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**List of Background Papers**  
See appendix