

# **ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE**

**MONDAY 3<sup>RD</sup> FEBRUARY 2014**

**SITE VISIT AT 4.00 PM  
MEETING AT 5:00 PM  
WOLLESCOTE HALL  
STEVENS PARK  
WOLLESCOTE ROAD  
STOURBRIDGE  
DY9 7JG**

**If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you**

**RICHARD SANDERS  
ASSISTANT PRINCIPAL OFFICER (DEMOCRATIC SERVICES)  
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Email: Richard.sanders@dudley.gov.uk**

**You can view information about Dudley MBC on  
[www.dudley.gov.uk](http://www.dudley.gov.uk)**

## **IMPORTANT NOTICE**

### **MEETINGS AT THE WOLLESCOTE HALL, STEVENS PARK**

Welcome to the Wollescote Hall

In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

There is to be no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

Please turn off your mobile phones and mobile communication devices during the meeting.

Thank you for your co-operation.

Our Ref:  
RS

Your Ref:

Please Ask For:  
Richard Sanders

Telephone No:  
01384 815236

23<sup>rd</sup> January, 2014  
Dear Councillor

**ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE**  
**MONDAY, 3<sup>rd</sup> FEBRUARY, 2014 – SITE VISIT AT 4PM, MEETING AT 5PM**

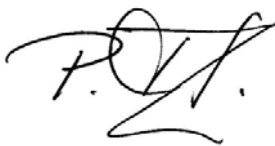
You are requested to attend a meeting of the above Committee to be held on Monday, 3<sup>rd</sup> February, 2014 at 5 p.m. at Wollescote Hall, Stevens Park, Wollescote Road, Stourbridge, DY9 7JG to consider the business set out in the agenda below.

Please note that a site visit of the premises has been arranged prior to the start of the meeting, commencing at 4pm.

Car parking is available at Wollescote Hall. For access to the building, please follow the directions to Reception. Entry is security controlled and you will be admitted upon announcing your arrival through the intercom machinery at the door. Once inside, you will be directed to the meeting room.

The agenda and reports for this meeting can be viewed on the Council's website [www.dudley.gov.uk](http://www.dudley.gov.uk) (Follow the links to Councillors in Dudley and Committee Management Information System).

Yours sincerely



Director of Corporate Resources

**AGENDA**

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. APPOINTMENT OF SUBSTITUTE MEMBERS

To report the appointment of any substitute members serving for this meeting of the Committee.

3. DECLARATIONS OF INTEREST

To receive declarations of interest, in accordance with the Members' Code of Conduct.

4. MINUTES

To approve as a correct record and sign the minutes of the meeting held on 31<sup>st</sup> October, 2013 (attached)

5. STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST – GRANT APPLICATIONS (PAGES 1 - 4 )

To consider a report of the Treasurer

6. LAND AND BUILDINGS REVALUATION FIGURES (PAGES 5 - 7 )

To consider a report of the Treasurer

7. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE RULE 11.8 (IF ANY)

**To: All Members of the Committee:**

Cradley and Wollescote Ward – Councillor Partridge

Lye and Stourbridge North Ward – Councillor Hanif (Vice-Chair)

Norton Ward – Councillor Mrs Rogers

Pedmore and Stourbridge East Ward – Councillor C Wilson

Quarry Bank and Dudley Wood Ward – Councillor Cowell (Chair)

Wollaston and Stourbridge Town Ward – Councillor Sykes

**ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE**

Wednesday, 31<sup>st</sup> October, 2013 at 6.00pm  
Wollescote Hall, Stevens Park, Wollescote Road, Stourbridge

**PRESENT:-**

Councillor Cowell (Chair);  
Councillor Hanif (Vice-Chair);  
Councillors Partridge, Mrs Rogers, Sykes and C Wilson

**OFFICERS**

Democratic Services Manager (Lead Officer), Solicitor, Principal Tax Accountant and Assistant Principal Officer (Democratic Services) – Richard Sanders (Directorate of Corporate Resources).

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9            **DECLARATIONS OF INTEREST**

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

Councillor Cowell – Non pecuniary interest in view of her being invited to serve as a Trustee of Mary Stevens Hospice.

Councillor Mrs Rogers – Non-pecuniary interests 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.

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10           **MINUTES**

**RESOLVED**

That the minutes of the meeting held on 31<sup>st</sup> July, 2013 be approved as a correct record and signed, subject to the addition of the words “whichever is the lower” at the end of resolution (2) (a) (i) of minute number 5 (Financial Strategy for the Stevens Park and Recreation Ground Foundation Trust).

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11           **FINANCIAL STRATEGY FOR THE STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST**

The Committee considered a report of the Treasurer providing an update on the revaluation of the Trust property and the amount available for distribution as grants.

The report indicated that the land and buildings had been revalued as at 1<sup>st</sup> April, 2013, by the Council's Management and Valuations Team. The updated valuations and the changes from the previous valuation as at 1<sup>st</sup> April, 2008 were set out in Appendix 1 to the report. The valuation of other assets as at 31<sup>st</sup> July, 2013 were set out in Appendix 2.

The Principal Tax Accountant explained the manner in which the Trust held funds; the Permanent Fund, which comprised the original assets of the Charity at current valuations, which could not be used without the special permission of the Charity Commission and the Unrestricted Fund, which comprised the amount available for distribution, subject to the conditions of the Trust. The required value of the Permanent Fund after adjustment for inflation, together with the amount necessary to maintain the Permanent Fund at the required value were indicated in Appendix 3 to the report. Reference was also made in the report to the sum reserved for the financial contribution towards the overall project costs at Mary Stevens Park, Stourbridge. The resultant accumulated fund was shown in Appendix 3.

On the basis of deducting from the Unrestricted Fund the sums necessary to maintain the Permanent Fund at its required value and that held in reserve for the Mary Stevens Park project contribution, the Principal Tax Accountant advised that the sum of £61,142.plus an estimated income of £17,000 would be available for distribution in 2013/14. The Principal Tax Accountant advised further, however, that the Committee should exercise some caution in the distribution of the funds.

A number of questions were asked and responded to by the Principal Tax Accountant. In this regard, the background to the Charities Official Investment Fund and the Trust's holdings in the Fund were explained, together with the reasons for the fall in the level of funding in real terms since 1993.

#### RESOLVED

- (1) That the report be accepted
- (2) That the amount available for distribution in 2013/14, be noted.

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, 2013 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 Principal Tax Accountant stated and explained the income and expenditure referred to in the Notes to the Final Accounts, together with the valuation of land and buildings and the market value of investments. She also referred again to the amounts held in the Permanent and Unrestricted funds.

A number of questions were asked, to which the Principal Tax Accountant responded. In this regard, she confirmed that the accounts were required to show only the land holdings at Stevens Park, Quarry Bank, not the maintenance figures. Regarding a question about income from the use of football pitches, the Principal Tax Accountant indicated that the sum received was exceeded by the maintenance costs borne by Dudley MBC. Regarding received income from land and buildings, the point was made that the figures for 2013 did not differ from those for 2012 and the Principal Tax Accountant agreed to make relevant enquiries.

Reference was made to the improvement works to Mary Stevens Park and the former Mary Stevens Maternity Home and the Principal Tax Accountant agreed to arrange for updated valuations of other Stevens Trusts' properties to be submitted to the next meeting.

With reference to the attendance of grant applicants at meetings of the Committee, it was confirmed that the public were entitled to attend, except when the Committee moved into private session by resolution, but that they did not have an entitlement to speak, except at the invitation of the Committee. In the discussion, it was acknowledged that grant applicants should be notified of the decision of the Committee as soon as administratively possible.

#### 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, 2013, be approved by the Committee.
- (2) That the Chair be authorised to sign the accounts.

The meeting ended at 6.45 p.m.

CHAIR



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**Ernest Stevens Trusts Management Committee – 3<sup>rd</sup> February 2014**

**Report of the Treasurer**  
**Stevens Park and Recreation Ground Foundation Trust**

**Purpose of Report**

1. To consider the request for a grant from Stevens Park and Recreation Ground Foundation Trust.

**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 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 6<sup>th</sup> December 1929( Mary Stevens Park, Norton ) and 13<sup>th</sup> 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 area of the 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.

### **Applications**

#### **Age Concern Stourbridge & Halesowen**

9. The applicant is a registered charity (number 1096783) based at Mary Stevens Resource Centre, 221 Hagley Rd, Oldswinford, Stourbridge. Its aims are to promote independence for the elderly of the area and to offer day care facilities for the elderly of the area.  
Currently the charity has 106 day centre clients, of whom 43 people are from Lye and Wollescote.
10. An application has been made requesting £3000 as a contribution to a phone system £1320 and Victor Wet/Dry Mobile Bain Marie Trolley £1817.48.  
Both of these items have been purchased from existing funds because of the urgency of the situation.
11. The Statement of Financial Activities to 31<sup>st</sup> March 2012 show:  
Net incoming resources before transfers Unrestricted Funds of £3918  
Net incoming resources before transfers Restricted Funds of £5691

The accounts show that the charity received £209,451 in the year to 31<sup>st</sup> March 2012 (£209,612 - 2011) as a grant from DMBC.

The accounts also show that a grant of £4500 was given from the Halesowen Area Committee for the purchase of new chairs at the Green Lane Day Centre.

12. The funds held as at 31<sup>st</sup> March 2012 were:  
Unrestricted Funds £825,362  
Restricted Funds £24,764. (This comprises the unexpended balances of donations and grants held for specific purposes and details can be seen in the Accounts.)

The accounts show that the funds are held as Fixed Assets (£433,363) and Net Current Assets (£416,763)  
The net current assets include £405,135 cash in hand and at bank.

### **Friends of Swan Pool Park**

13. The applicant is not a registered charity but is an organisation properly constituted to improve the facilities in the park for the public. Membership is open to anyone wishing to attend the advertised meetings. The AGM in 2012 was attended by 9 people.

14. Through consultation, the improvements identified are the provision of a Youth shelter where young people can meet away from residential properties to reduce noise nuisance and up to six benches in various locations.

15. The applicant has obtained quotes for the project:

Youth Shelter	£9049.00 excluding VAT
3 Benches	£1826.55

A grant of £5000 is requested.

Dudley MBC have plans to replace 2 benches in 2014 and the group feel that it would like to do all the work together. 3 benches have already been purchased on behalf of the group.

16. The applicant has supplied an income and expenditure account for the year ended 31<sup>st</sup> December 2013 which shows a surplus of £1.79 being bank interest.  
The Balance Sheet as at 31<sup>st</sup> December 2013 indicates that there is £2103.62 in the bank as at that date. This is also the balance on a bank statement supplied as at 8<sup>th</sup> April 2013 and a document from Lloyds Bank date stamped 15<sup>th</sup> January 2014.

17. The group has raised over £2000 towards this project and has applied to other bodies for grants including, £5000 from the Community Forum and Margaret Westwood Trust.

### **Finance**

18. During the current financial year no grants have been awarded.

19. The income of the trust in 2013/14 is approximately £17,000 and it is expected that this will not significantly change.

20. 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.

## **Law**

21. The Council is successor to the former Stourbridge Council by virtue of the Local Government Act 1972.
22. 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.
23. 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.
24. The law relating to Trusts, which are charitable, is contained in various acts, the main ones being the Charities Act, 1960, the Charities Act 1992 and 1993, and the Trustee Investment Act, 1961.

## **Equality Impact**

25. 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**

26. It is recommended that the Committee consider the request for a grant as detailed in the report.



### **Treasurer**

Contact Officer: Diane Robbins

Telephone: 01384 811394

Email: [diane.robbins@dudley.gov.uk](mailto:diane.robbins@dudley.gov.uk)

### **List of Background Papers**

Application forms

Accounts

Constitution

Bank Statements

Quotes

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**Ernest Stevens Trusts Management Committee – 3<sup>rd</sup> February 2014**

**Report of the Treasurer**

**Stevens Park and Recreation Ground Foundation Trust**

**Purpose of Report**

1. To update members of the land and buildings revaluation figures for the various trust funds.

**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. The land and buildings of each trust was revalued as at 1<sup>st</sup> April 2013 by the Management and Valuations Section within the Directorate of Corporate Resources of Dudley MBC. The revaluation is in accordance with the RICS Appraisal and Valuation Manual and reflects the various lease and licence arrangements in operation.

**Finance**

4. The revaluations are detailed in Appendix 1 and they will be reflected in the accounts to 31<sup>st</sup> March 2014

**Law**

5. The Council is successor to the former Stourbridge Council by virtue of the Local Government Act 1972.
6. 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.
7. 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.
8. The law relating to Trusts, which are charitable, is contained in various acts, the main

ones being the Charities Act, 1960, the Charities Act 1992 and 1993, and the Trustee Investment Act, 1961.

### **Equality Impact**

9. 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**

10. It is recommended that the Committee members consider the revaluations.



### **Treasurer**

Contact Officer: Diane Robbins

Telephone: 01384 811394

Email: [diane.robbins@dudley.gov.uk](mailto:diane.robbins@dudley.gov.uk)

<b>APPENDIX 1</b>	<b>1st April 2008</b>	<b>1st April 2013</b>	<b>Variation</b>
	<b>£</b>	<b>£</b>	
<b><u>Stevens Park and Recreation Ground Foundation Trust</u></b>			
Stevens Park & Wollescote Hall	428000	435000	7000 Adjustment made to reflect the value of the Stores / Industrial unit
Pedmore Field	13850	21900	8050 Agricultural land values and grazing rights have tripled over the last few years
Woodfield Avenue(Jordan Field)	20000	34500	14500 Increase in Grazing values
	<b>461850</b>	<b>491400</b>	<b>29550</b>
<b><u>Stevens Park Quarry Bank</u></b>			
Stevens Park Quarry Bank	64000	64000	0
	<b>64000</b>	<b>0</b>	<b>0</b>
<b><u>Mary Stevens Recreation &amp; Park</u></b>			
Mary Stevens Park	<b>1600000</b>	<b>1700000</b>	<b>100000</b> Park in Valuation as £1.00 Other components of valuation have risen
	<b>1600000</b>	<b>1700000</b>	<b>100000</b>
<b><u>Mary Stevens Maternity Home &amp; Public Park</u></b>			
Mary Stevens Centre	295000	640000	345000 Office rents in the area have changed since last valuation Increase due to the reversion being nearer than last time this was valued
Hospice	63500	110000	46500
	<b>358500</b>	<b>750000</b>	<b>391500</b>
<b>Total</b>	<b>2484350</b>	<b>3005400</b>	<b>521050</b>