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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**

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### **List of Background Papers**

Application forms

Accounts

Constitution

Bank Statements

Quotes