

Ernest Stevens Trusts Management Committee – 20th April 2015

Report of the Strategic Director (Resources and Transformation

Ernest Stevens Trust – Mary Stevens Hospice Summer Fete on 5th September 2015

Purpose of Report

1. To consider a request from The Mary Stevens Hospice to have a real ale stand where one local brewer would provide their ales as well as a pimm's and prosecco stall at the Summer Fete on 5th September 2015.

Background

2. The Hospice hope to increase the number of local businesses and suppliers to promote local items to the wider community. The alcohol would be limited and restricted to the real ale stand and pimm's/prosecco stall. The Hospice hope this year for the fete to appeal to a much wider cross-section of the local community where the Hospice will be able to introduce them to the fantastic work that the Hospice does. This would hopefully increase monies raised by the Hospice which would allow the Hospice to continually improve and enhance the service provided to the community.
3. In the Deed of Gift dated 13th February 1931 made between Ernest Stevens (1) The Mayor Alderman and Burgesses of the Borough of Stourbridge (2) there is a restriction as follows:-

“No intoxicating beverages shall be made or sold or consumed on these premises except as may be ordered by any resident or visiting medical practitioner”

In the lease dated 30th November 1990 made between the Borough Council of Dudley (1) The Mary Stevens Hospice (2), the Hospice covenant to use the premises as a hospice for the provision of care of patients who are resident in the former County of Worcestershire or in adjoining areas or elsewhere within the area of the West Midlands Regional Health Authority and who are suffering from chronic or terminal illnesses and for the purposes ancillary thereto. The hospice also covenant not to carry on or permit or suffer to be carried on upon the premises any trade of noxious or offensive nature.

4. The Hospice will need to download and complete an application form for a temporary event, giving the Council (Licensing Section) 10 clear working days notice. A copy of the notice will also need to be served on the Police and Environmental Health. The area of land with the stalls will need to be sectioned

off and only hold 499 people (including staff organising the event) as a maximum number of people in attendance.

Finance

5. There are no financial implications to the Trustees.

Law

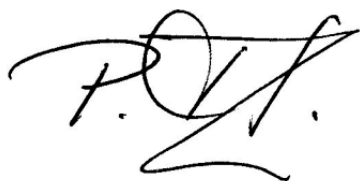
6. The Council is the registered Trustee of the charity and in accordance with the Council's Constitution has delegated the administration of the charity to this Management Committee.
7. Section 139 of the Local Government Act 1972 empowers the Council to accept, hold and administer gifts of property,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

Equality Impact

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

Recommendation

10. That the Committee consider the request made by the Hospice, as above, in respect of the Fete.



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Philip Tart
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