
Stourbridge Area Committee – 27 September 2010

Report of the Area Liaison Officer

Mary Stevens Maternity Home and Public Park Charity

Application from the Mary Stevens Hospice for permission to erect a shed in the Hospice grounds

Purpose of Report

1. To consider the following request to erect a shed in the grounds of the Hospice

Background

2. Ernest Stevens made various donations of property to the Council, which were to be used for specific purposes. These have been identified as individual Trusts and detailed below.
 - a) Mary Stevens Maternity Home and Public Park Charity
 - b) Mary Stevens Park, Recreation Ground and Park, Norton
 - c) Stevens Park, Quarry Bank
 - d) Stevens Park and Recreation Ground Foundation, Wollescote
3. Members will be aware that the four Ernest Stevens Trusts are now combined under the control of this Committee, with the Members acting as Trustees of those trusts.
4. The original Trust Deed dated 13 February 1931, in respect of the former Mary Stevens Maternity Home and Public Park, was amended by Schemes of the Charity Commissioners dated 14 July 1988 and 3 October 1989 to allow the Council, acting as trustee, to grant a lease to The Mary Stevens Hospice.
5. It is this lease, dated 30 November 1990, which regulates the tenancy. Clause 2(12) states that the Tenant requires both the written consent of the Landlord and the necessary planning permission for the erection of additional buildings or alteration to the existing buildings. Clause 2(13) states both the purposes for which the premises are to be used and includes ancillary uses.
6. In a letter received by the Council on 7 July 2010, the Mary Stevens Hospice requests the permission of the Trustees to erect a shed in the grounds of the Hospice to increase the amount of storage for donated items received for fundraising events. (included at Appx1).
7. The Hospice has also submitted a planning application, which has been approved under delegated authority.

Finance

8. There are no financial implications to the Trustees

Law

9. The Council is successor to the former Stourbridge Council by virtue of the Local Government Act 1972.

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.

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.

The Law relating to Trusts which are charitable is contained in various Acts; the main ones being the Charities Acts 1960, 1992 and 1993, and the Trustee Investment Act 1961.

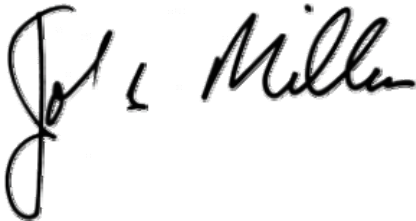
Equality Impact

10. The trusts have been set up to benefit the public of the Borough or certain geographical areas of the Borough as outlined in the Deeds of Gift

Recommendation

11. It is recommended that:-

The Committee consider the request contained in paragraph 6



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John Millar
Area Liaison Officer

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List of Background Papers

Correspondence and enclosures received from the Mary Stevens Hospice on 7 July 2010