

**Ernest Stevens Trusts Management Committee – 20<sup>th</sup> April 2015**

**Report of the Strategic Director (Resources and Transformation)**

**Ernest Stevens Trust – Car Parking at Mary Stevens Park, Stourbridge**

**Purpose of Report**

1. To update the Trustees on the current position concerning the car parking at Mary Stevens Park, Stourbridge.

**Background**

2. The Management Committee will be aware that at its meeting on 9<sup>th</sup> September 2014, the Committee following the attendance of Councillor T Crumpton (Cabinet Member for Children's Services and Lifelong Learning) resolved that the comments of the Cabinet Member for Children's Services and Lifelong Learning be noted and that continuing work to monitor the car parking situation be supported.
3. Subsequently the Council received an email on 18<sup>th</sup> November 2014 from the Charity Commission stating that it had received concerns from Margot James MP about the accessibility by the beneficiaries to use the above park and car parking facilities. Please see appendix 1.
4. The Council instructed specialised charity law solicitors to act on its behalf in the Council's capacity as the sole corporate trustee of the Charity and the Solicitors replied to the Charity Commission on 10<sup>th</sup> February 2015. Please see appendix 2.
5. The Charity Commission replied to the solicitors on 3<sup>rd</sup> March 2015. Please see appendix 3.
6. The specialist solicitors are in the process of replying to the Charity Commission in respect of the points raised and the current position.

**Finance**

7. There are no current financial implications to the Trustees in respect of this correspondence.

## **Law**

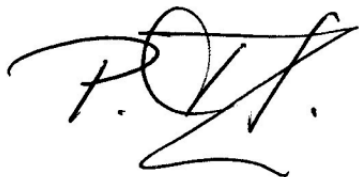
8. The Council is the registered Trustee of the charity and in accordance with the Council's Constitution has delegated the administration of the Charity to this Management Committee.
9. Section 139 of the Local Government Act 1972 empowers the Council to accept, hold and administer gifts of property, 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.
10. 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**

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

## **Recommendation**

12. That the Committee notes the current position concerning the car parking at Mary Stevens Park, the ongoing correspondence with the Charity Commission and the legal advice being obtained.



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**Philip Tart**  
**Strategic Director (Resources and Transformation)**

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