

# **ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE**

**WEDNESDAY 31<sup>ST</sup> JULY 2013**

**AT 6:00 PM  
COMMITTEE ROOM 1  
THE COUNCIL HOUSE  
PRIORY ROAD, DUDLEY**

**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**

**STEVE GRIFFITHS  
DEMOCRATIC SERVICES MANAGER  
Tel – 01384 815235  
Email: [steve.griffiths@dudley.gov.uk](mailto:steve.griffiths@dudley.gov.uk)**

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

## **IMPORTANT NOTICE**

### **MEETINGS IN DUDLEY COUNCIL HOUSE**

Welcome to Dudley Council House

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:  
SG

Your Ref:

Please Ask For:  
Steve Griffiths

Telephone No:  
01384 815235

23<sup>rd</sup> July, 2013

Dear Councillor

**ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE**  
**WEDNESDAY, 31<sup>ST</sup> JULY, 2013**

You are requested to attend a meeting of the above Committee to be held on Wednesday, 31<sup>st</sup> July, 2013 at 6.00 p.m. in Committee Room 1 at the Council House, Priory Road, Dudley to consider the business set out in the agenda below.

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 22<sup>nd</sup> April, 2013 (attached)

5. FINANCIAL STRATEGY FOR THE STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST (PAGES 1 – 6)

To consider the report of the Lead Officer

6. ERNEST STEVENS TRUST – MARY STEVENS HOSPICE – CONSENT FOR BUILDING WORKS (PAGES 7 – 12)

To consider a report of the Director of Corporate Resources

7. ERNEST STEVENS TRUST – WOLLESCOTE HALL – GRANT OF A LEASE/LICENCE (PAGES 13 – 15)

To consider a report of the Director of Corporate Resources

8. STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST – GRANT APPLICATION (PAGES 16 – 18)

To consider a report of the Treasurer.

9. 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 (substitute Councillor Kettle)

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

Wollaston and Stourbridge Town Ward – Councillor Sykes

## **ERNEST STEVENS TRUSTS MANAGEMENT COMMITTEE**

Monday, 22<sup>nd</sup> April, 2013 at 5.30pm  
Committee Room 4, The Council House, Dudley

### **PRESENT:-**

Councillors Cowell, Hanif, Partridge, Mrs Rogers and Sykes

### **OBSERVER:-**

Councillor Elcock

### **OFFICERS**

Assistant Director of Law and Governance, Democratic Services Manager  
and Principal Tax Accountant (Directorate of Corporate Resources)

---

#### **1        SUBSTITUTE MEMBERS**

The Assistant Director of Law and Governance advised the Committee of the provisions of Council Procedure Rule 5.2. This Rule provided that a substitute member could only be appointed if he/she was otherwise eligible to serve on the Committee.

The Council had established the Committee to include one representative from each of the six wards concerned. A view was taken that a substitute member may only be appointed in place of another Councillor who represented the ward concerned. In these circumstances, Councillor Elcock remained as an observer for the duration of the meeting.

---

#### **2        ELECTION OF CHAIR**

RESOLVED that Councillor Cowell be elected as Chair of the Committee for the remainder of the municipal year.

---

#### **3        ELECTION OF VICE-CHAIR**

RESOLVED that Councillor Hanif be elected as Vice-Chair of the Committee for the remainder of the municipal year.

---

#### **4        APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillor C Wilson.

---

---

5            DECLARATIONS OF INTEREST

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

Councillor Mrs Rogers – Non-pecuniary interests as Chair of the Friends Group for Mary Stevens Park and Swinford Common and in relation to her involvement with the Project Implementation Team - Heritage Lottery Bid for Mary Stevens Park.

Councillors Hanif and Partridge – Non-pecuniary interests as attendees at meetings of the Friends of Parks Groups.

---

6            TERMS OF REFERENCE OF THE COMMITTEE

The Committee received a report of the Director of Corporate Resources on the terms of reference approved by the Council on 25<sup>th</sup> February, 2013 and associated issues.

A Member requested that copies of the deeds of gift and associated Trust documentation be provided to all Members of the Committee. The Chair also asked for clarification of the boundaries of the former Lye and Wollescote Urban District Council. The Assistant Director (Law and Governance) undertook to pursue this in consultation with colleagues in his Division.

RESOLVED

That the report be noted.

---

7            STEVENS PARK AND RECREATION GROUND FOUNDATION TRUST  
– GRANT APPLICATION

The Committee considered a report of the Director of Corporate Resources on a request from Stourbridge and District Scout Council for a grant from the Stevens Park and Recreation Ground Foundation Trust.

The Committee was minded to defer the application to enable further information to be obtained and for the full application form to be circulated to all Members. It was also noted that the Scout Council had recently applied for funding from the Norton, Pedmore and Stourbridge East and Wollaston and Stourbridge Town Community Forum.

Members also referred to the possibility of publicising the availability of funding from the Trust more widely within the area of benefit.

Following a discussion concerning previous funding decisions, it was suggested that a report on the financial strategy be submitted to the next meeting. Reference was also made to income derived from activities associated with the use of the Trust's assets, which was used to offset the maintenance of land and property from the Council's mainstream resources. The Committee requested clarification at a future meeting concerning the role of this Committee in dealing with the income of the Trust and the operational role of the Directorate of the Urban Environment in maintaining land and buildings from mainstream Council resources.

In response to additional questions, the Committee was advised that the Ernest Stevens Trust Management Committee had been established as a Committee of the Council. As such, its meetings were subject to the provisions of the Local Government Act 1972 and the access to information procedure rules contained in the Council's Constitution. The Committee had no obligation to include a 'Public Forum' on the agenda. Members of the public were, however, entitled to attend for the public proceedings and the right of any person to address the Committee was at the discretion of the Chair.

Under the relevant legislation applicable to Council Committee meetings, it was not permissible to include an agenda item for 'Any Other Business'. However, it would be appropriate to include an item for questions to be asked under Council Procedure Rule 11.8 at future meetings.

#### RESOLVED

- (1) That the request for grant funding submitted by Stourbridge and District Scout Council be deferred for further information.
- (2) That the Committee receive an update at the next meeting on the various issues referred to above.

The meeting ended at 6.23 p.m.

CHAIR

---

**Ernest Stevens Trusts Management Committee –**  
**Report of Assistant Director of Corporate Resources**  
**Stevens Park and Recreation Ground Foundation Trust**  
**31<sup>st</sup> July 2013**

**Purpose of Report**

1. To consider the financial strategy for the 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, Wollescote 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 the area of the former 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. However, in the past, the Trustees have tended to apply the criteria that the grant should be a maximum of £5000 or 50% of the total cost of a capital project.
9. In November 2008 the Trustees agreed to set aside the undistributed income of the Trust for the 5 years 2008/09 to 2012/13 which currently amounts to £66,000.
10. At a previous meeting of the former Finance (Stevens Bequests) Sub. Committee, the Trustees agreed 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.
11. This Committee has the delegated power to act on behalf of the Trustee, Dudley MBC for the 4 Ernest Stevens Trusts as shown in paragraph 2.

**Financial Strategy**  
**Reserves Policy**

12. As set out in paragraph (8) above the Trustees have previously agreed to maintain the value of the original endowment by adjusting it for inflation and property and investment valuations. If the value of the capital falls it has to be maintained by using the undistributed income, which could result in no funds being available for awarding grants and the amount of funds in reserve.
13. Appendix 1 sets out the calculation of the original endowment adjusted for inflation and other valuations as at 31<sup>st</sup> March 2013 .
14. The land and buildings is currently being revalued as at 1<sup>st</sup> April 2013, by the Management and Valuations team, within the Directorate of Corporate Resources.
15. This policy is not a requirement of the trust deed, however members should agree a policy on reserves or state the reason for not having a policy.

## **Criteria for awarding grants**

16. The trust deed sets out the details of how the Trust income may be spent. This is shown in paragraphs 4-6 above.
17. The deed does not indicate whether a grant can be awarded for capital or revenue purposes nor does it specify a maximum amount nor the time that must elapse between an award being made and another application by the same body being submitted.
18. In the past the members agreed the criteria that the grant should be for capital, for a maximum of £5000 or 50% of the project cost. However members can use their discretion and award grants outside this criteria.
19. Previously applicants have been able to apply for further funding from the Trust after two years from the date of the meeting which agreed the previous award. However members could use their discretion to consider grants earlier.
20. At the Stourbridge Area Committee Meeting in November 2008 it was agreed that for the next five years interest earned on the capital of the Ernest Stevens Trust fund be set aside for the repair of the gates at Mary Stevens Park, Stourbridge. However any application for funding from the Stevens Trust, of exceptional merit, should be considered on an individual basis over the next five years. Currently the amount set aside from 2008/09 to 2012/13 is £66,000.
21. Appendix 2 shows the applicant and the value of any awards in the past 5 years.
22. Members need to consider what conditions, if any, they want to impose outside those stated in the Trust deed in order to award grants.

## **Finance**

23. The income of the trust in 2012/13 was approximately £17,000 and it is expected that this will not significantly change in 2013/14.
24. The Council undertakes to maintain the parks through its revenue budget. In 2012/13 the maintenance costs were as follows:

Mary Stevens Centre	£1,481
Mary Stevens Park	£88,676
Stevens Park- Wollescote	£73,538
Stevens Park- Quarry Bank	<u>£57,979</u>
TOTAL	<u>£221,674</u>

25. The Council also collects income from activities in the parks and buildings which is shown its revenue accounts and used to finance this maintenance.

Mary Stevens Centre	£0
Mary Stevens Park	£30,826
Stevens Park- Wollescote	£ 3,919
Stevens Park- Quarry Bank	<u>£ 2,450</u>
TOTAL	<u>£37,195</u>

26. Members need to consider the treatment of any future income.

### **Law**

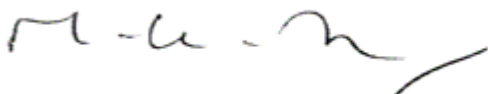
27. The Council is successor to the former Stourbridge Council by virtue of the Local Government Act 1972.
28. Section 139 of the Local Government Act, 1972 empowers the Council to accept, hold and administer gifts of property, where it enables them to discharge any of their functions, and where the gifts are for the purposes of benefiting the inhabitants of their area.
29. The law relating to Trusts, which are charitable, is contained in various acts, the main one being the Charities Act 2011.
30. 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.

### **Equality Impact**

31. 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**

32. It is recommended that the Members consider:
- The Reserves Policy for the Trust
  - The Criteria for awarding grants from the Trust
  - The Finance of the Trust.



**Assistant Director of Corporate Resources (Lead Officer)**

Contact Officer: Diane Robbins

Telephone: 01384 811394

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

APPENDIX 1

	As at 31/03/1993	31/03/2013		
Permanent Endowment	467572	618899		
Represented :				
Land & Buildings	366500	461850		
Equity Shares	50536	100406		
Fixed Interest shares	50536	56643		
	<u>467572</u>	<u>618899</u>		
INDEXATION				
Mar-93	139.3			
Mar-13	248.7			
INDEXATION FACTOR	0.7854	367210		
REVALUED FUND	834782		618899	215883
ACCUMULATED FUND AS 31st MARCH 2013			317509.57	250716
			<u>936408.57</u>	<u>34833</u>
Less set aside for gates			-66793.86	
			<u>869614.71</u>	
AVAILABLE FOR GRANTS AFTER ADJUSTING FOR INDEXATION			34833	

**APPENDIX 2**

**2007/08**

		£	Paid	time extension
05/09/2007	St Marys Oldswinford	Repairs of the building	5000	26/09/2007
11/11/2007	Lye Cricket Club	Pavillion project	5000	200911
21/01/2008	Valley Rd Youth Centre	Cyberbus	5000	2 x 2500 200803/200808
10/03/2008	The Friends of Wollescote Park	Repairing terracing at front of Wollescote Hall	5000	200810
10/03/2008	The Green Fingred Gang	Decking Table & Bar/q	1131	200805
			<u>21131</u>	

**2008/09**

17/11/2008	Wollescote St Andrews Scout Group	Toilets & Kitchen	4000	200809
17/11/2008	Lye Town Football Club	Clubhouse	5000	201007
			<u>9000</u>	

**2009/10** NO GRANTS AWARDED

**2010/11**

	15th Stourbridge (Norton St Michael's)				
28/06/2010	Scout Group	Renovate Scout HQ	5000		
27/09/2010	Wollescote St Andrews Scout Group	Garage area refurbishment	4947	201011	
			<u>9947</u>		

6 months March 2011 to 8/9/2011, meeting 17/10/2011 indefinite ext but need reg updates

**2011/12**

17/10/2011	Lye Cricket Club	Cage and covers	1150	5/12/2011
			<u>1150</u>	

**2012/13**

15/10/2012	Stourbridge Glassboys	Football kit and equipment	415	12/12/2012
			<u>415</u>	

NB Meeting 17/11/2008 agreed to ring fence income unless for exceptional circumstances

**Ernest Stevens Trusts Management Committee – 31<sup>st</sup> July 2013**

**Report of the Director of Corporate Resources**

**Ernest Stevens Trust – Mary Stevens Hospice – Consent for Building Works**

**Purpose of Report**

1. To consider the request for building works for a two-storey annexe extension on the North East facing elevations to the Mary Stevens Hospice, and internal refurbishment.

**Background**

2. Mary Stevens Hospice is part of the Ernest Stevens Trust and Dudley Borough Council are the Trustees. The function of Trustee has been delegated to the Ernest Stevens Trusts Management Committee by the Council's constitution.
3. The lease to Mary Stevens Hospice at paragraph 2(12) requires the tenant not to at any time during the continuance of the term hereby granted, erect or permit to be erected any additional buildings without the consent in writing of the Council and in the event of such permission being given permission from any planning authority should be gained.
4. The Hospice has recently been awarded a capital grant of £500,000 from the Department of Health to fund an extension and internal refurbishment and requires the consent of the Council, as Trustees, for the redevelopment to go ahead.
5. Planning Permission has been granted for the proposed works under P13/0654.

The works proposed are as follows:

- Extend within the roof space to accommodate a new community nursing service.
- Convert a multiple occupancy patient ward into three single rooms.
- Development of a Sacred Space to better meet the needs of the black and minority ethnic community.
- Refurbishment of the Inpatient Unit reception to improve security, access and patient privacy.

6. The proposal aim to significantly improve the services for the community and widen access to reach under-represented members of society.

### **Finance**

7. There are no financial implications to the Trustees

### **Law**

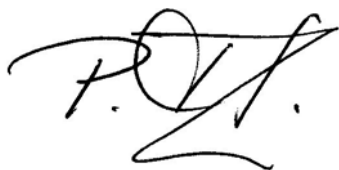
8. The Council is the registered Trustee of the charity and in accordance with the Councils Constitution has delegated the administration of the charity to this Management Committee.
9. Section 139 of the Local Government Act 1972 empowers the Council to accept, hold and administer gifts of property, 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 Acts 1960, 1992, 1993 and the Trustees Investment Act 1961.

### **Equality Impact**

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

### **Recommendation**

12. It is recommended that the consent of the Ernest Stevens Trust Management Committee be formally recorded to allow the extension and internal refurbishment to the Mary Stevens Hospice on terms and conditions to be negotiated and agreed by the Director of Corporate Resources.

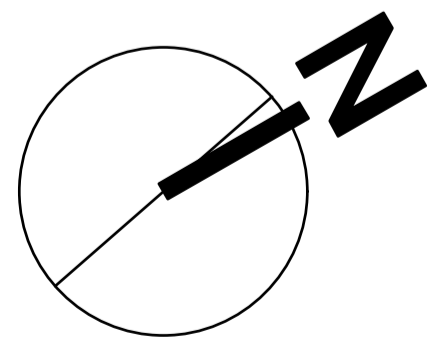


.....  
**Philip Tart**  
**Director of Corporate Resources**

Contact Officer: Sonia McLean – Property Manager  
Telephone: 01384 815321  
Email: [sonia.mclean@dudley.gov.uk](mailto:sonia.mclean@dudley.gov.uk)

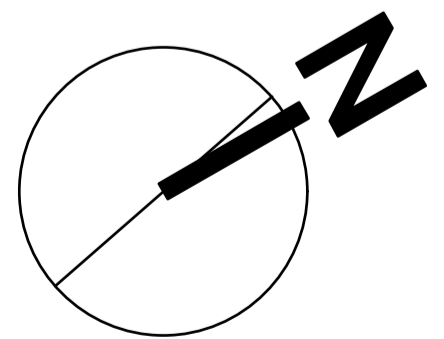
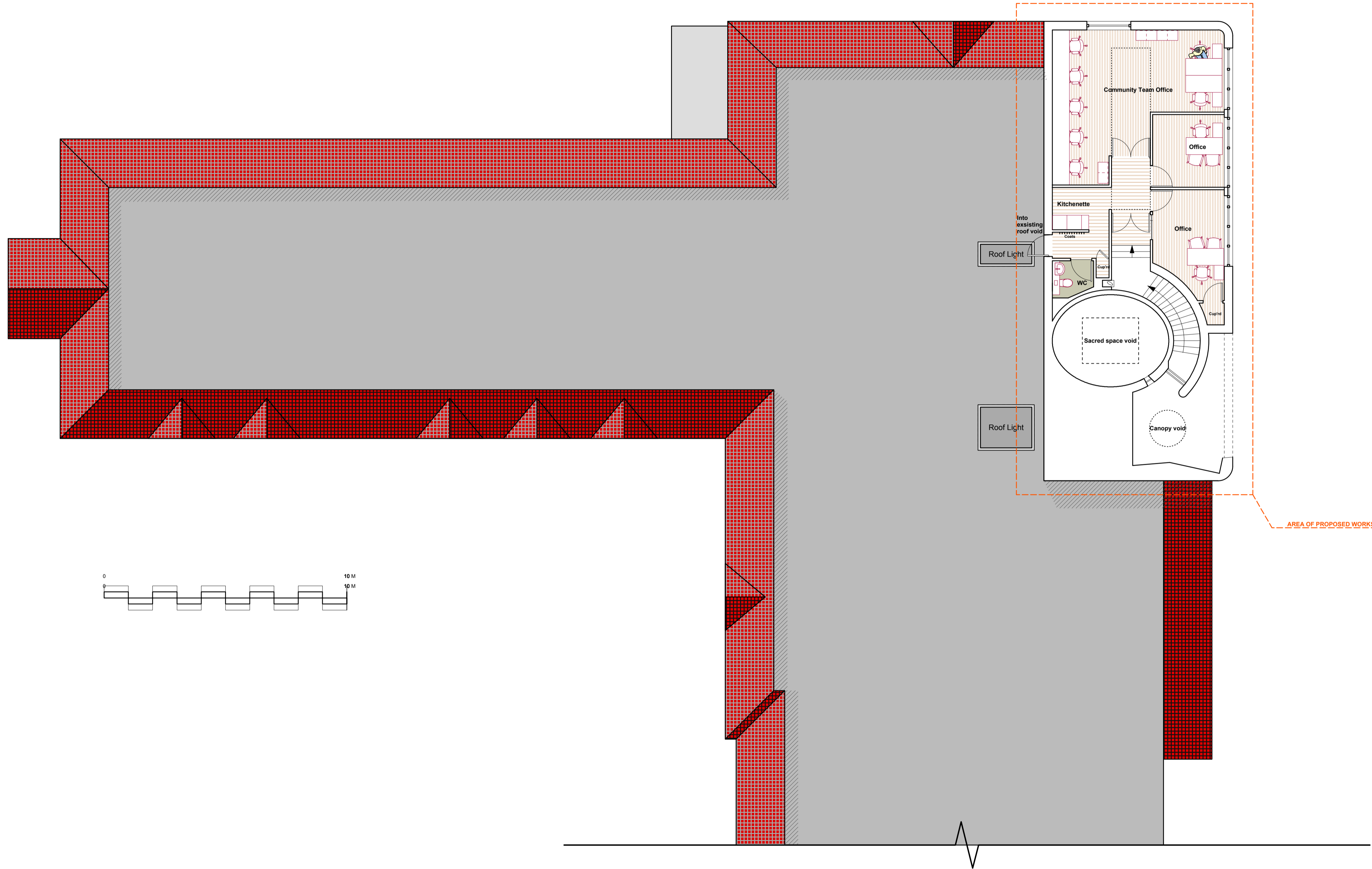
### **List of Background Papers:**

- Drawings of the proposed works.



Rev	Description	By	Date	Rev	Description	By	Date
D	New access to first floor	jee	30/04/13				
C	Bedroom and community team refurbishments omitted	Kf	31/10/12				
B	Soilstubs in quiet room and managers office	jee	26/10/12				





PROJECT **COMMUNITY CARE SERVICES**

DRAWING **PROPOSED FIRST FLOOR LAYOUT**

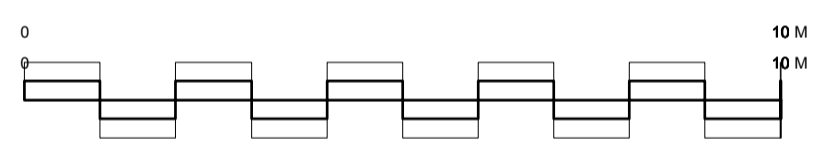
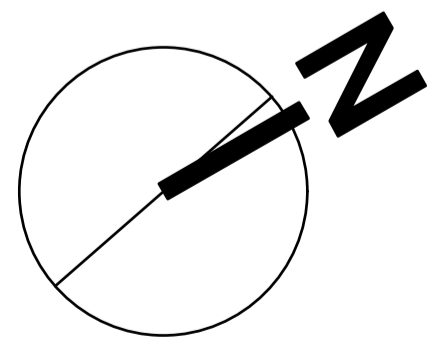
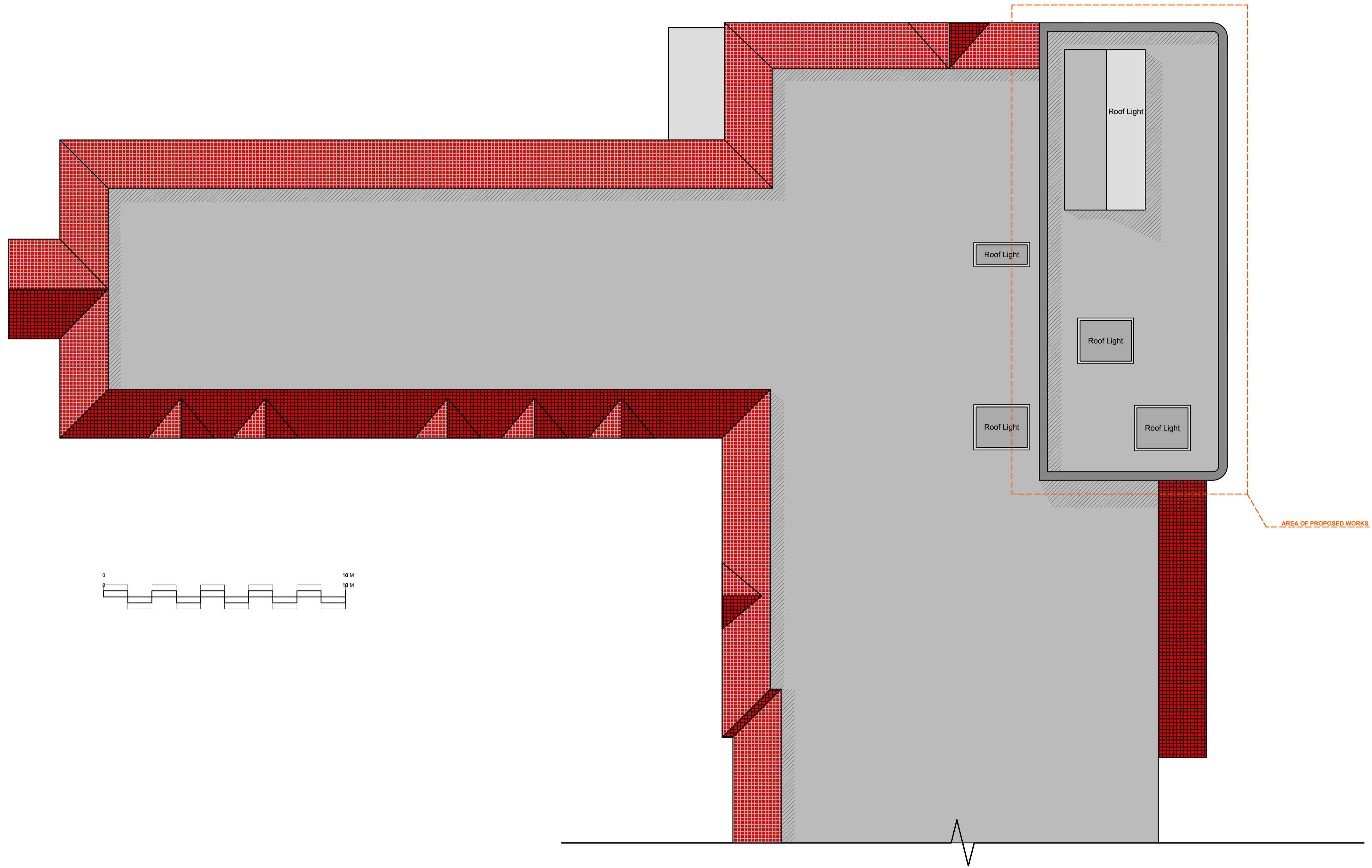
SCALE **1:100** SIZE **A1**

Rev	Description	By	Date	Rev	Description	By	Date
E	Roof level with proposed roof light positions added	WR	07/05/13				
D	New access to first floor. Kitchenette added	jee	30/04/13				

**0599/003 (E)** - STATUS  
 PROJECT AND DRAWING NO. CLIENT  
**MARY STEVENS HOSPICE**

Danks Warehouse  
 Diglis Basin  
 60 Diglis Road  
 Worcester  
 WR5 3BW  
 tel 01905 358626





COMMUNITY CARE SERVICES

PROPOSED ROOF PLAN

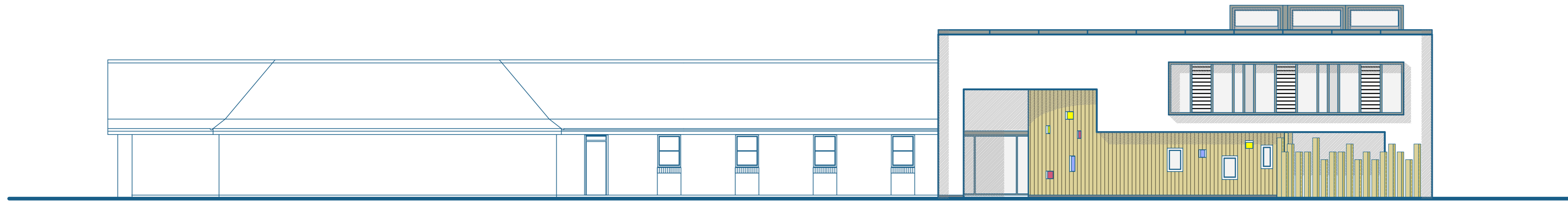
1:100 A1

Rev	Description	By	Date	Rev	Description	By	Date

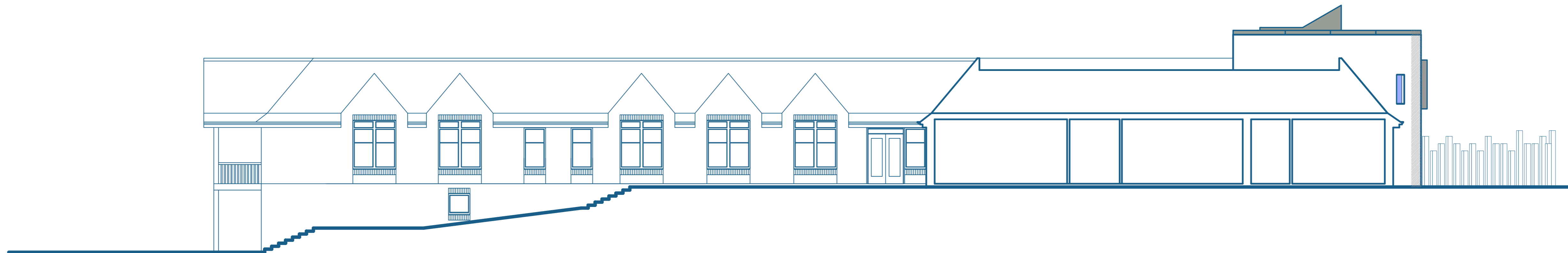
0599/004 (-)  
 PROJECT AND DRAWING NO. STATUS  
 MARY STEVENS HOSPICE  
 CLIENT

Danks Warehouse  
 Diglis Basin  
 60 Diglis Road  
 Worcester  
 WR5 3BW  
 tel 01905 358626

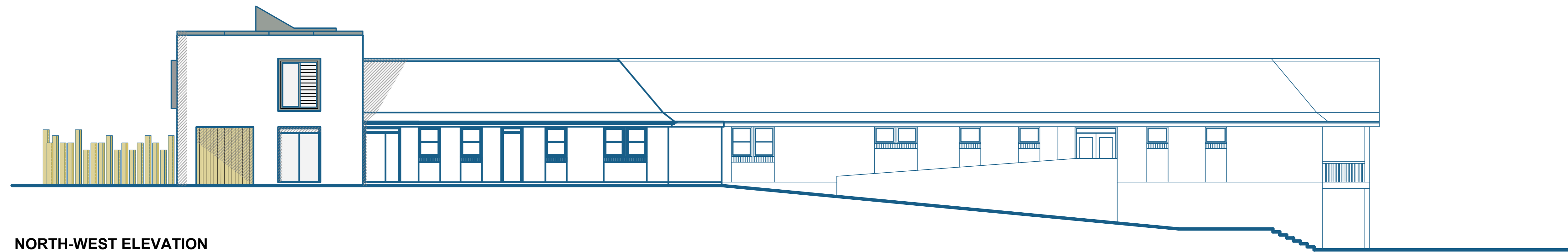




**NORTH-EAST ELEVATION**



**SOUTH-EAST ELEVATION**



**NORTH-WEST ELEVATION**

**COMMUNITY CARE SERVICES**

PROJECT

**PROPOSED ELEVATIONS**

DRAWING

**1:100 @ A1**

SCALE SIZE

Rev	Description	By	Date	Rev	Description	By	Date

**0599/005 (C)**

PROJECT AND DRAWING NO.

STATUS

**MARY STEVENS HOSPICE**

CLIENT

Danks Warehouse  
Diglis Basin  
60 Diglis Road  
Worcester  
WR5 3BW  
tel 01905 358626

**kke**  
architects

**Ernest Stevens Trusts Management Committee – 31st July 2013**

**Report of the Director of Corporate Resources**

**Ernest Stevens Trust – Wollescote Hall – Grant a Lease/Licence**

**Purpose of Report**

1. To consider the request for a lease/licence of a room to WRVS Good Neighbours at Wollescote Hall, Stevens Park, Stourbridge.

**Background**

2. Wollescote Hall is part of the Ernest Stevens Trust and Dudley Borough Council are the Trustees. The function of Trustee has been delegated to the Ernest Stevens Trusts Management Committee in the Council's constitution.
3. WRVS have been in occupation of a room on the First Floor of Wollescote Hall for a number of years with no formal lease/licence in existence.
4. WRVS wish to formally regularise their occupation of this room for the purpose of providing a Good Neighbours Scheme to Older People within the Dudley Borough.

**Finance**

5. There are no financial implications to the Trustees

**Law**

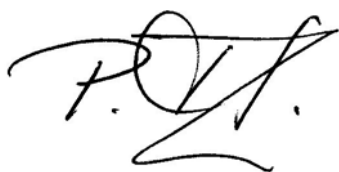
6. The Council is the registered Trustee of the charity and in accordance with the Councils Constitution has delegated the administration of the charity to this Management Committee.
7. Section 139 of the Local Government Act 1972 empowers the Council to accept, hold and administer gifts of property, where it enables them to discharge any of their functions and where the gifts are for the purposes of benefiting 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 Acts 1960, 1992, 1993 and the Trustees Investment Act 1961.

## **Equality Impact**

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

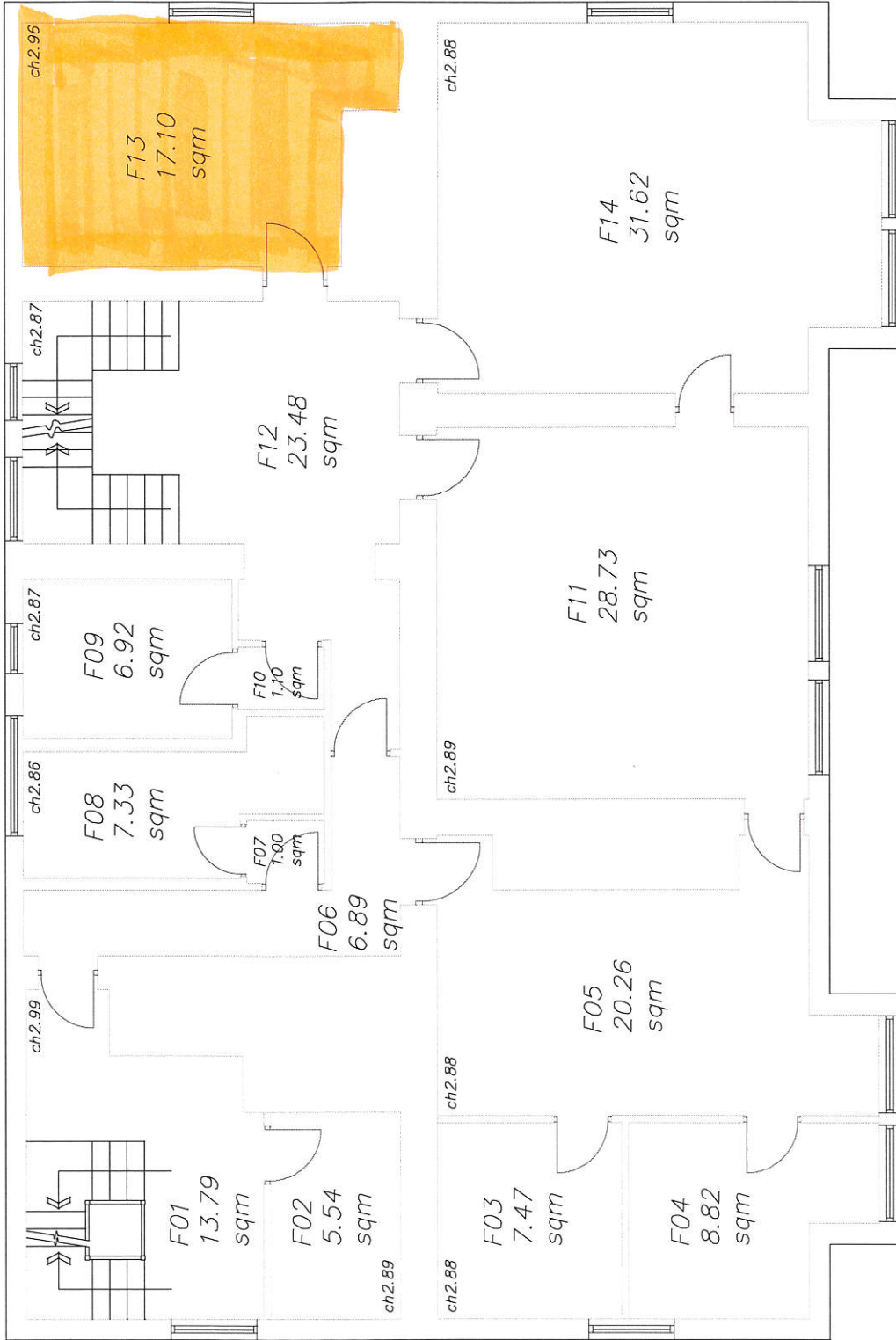
## **Recommendation**

10. It is recommended that the consent of the Ernest Stevens Trust Management Committee be formally recorded to grant a lease/licence of a room to WRVS Good Neighbours at Wollescote Hall, Stevens Park, Stourbridge on terms and conditions to be negotiated and agreed by the Director of Corporate Resources.



.....  
**Philip Tart**  
**Director of Corporate Resources**

Contact Officer: Sonia McLean – Property Manager  
Telephone: 01384 815321  
Email: [sonia.mclean@dudley.gov.uk](mailto:sonia.mclean@dudley.gov.uk)



FIRST FLOOR PLAN

---

**Ernest Stevens Trusts Management Committee – 31<sup>st</sup> July 2013**

**Report of the Treasurer**

**Stevens Park and Recreation Ground Foundation Trust – Grant Request**

**Purpose of Report**

1. To consider the request for a grant from Stevens Park and Recreation Ground Foundation Trust. This application was deferred at the previous meeting and copies of the application form have now been circulated separately to the Committee.

**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. Previously the management of the above trusts was delegated to the Stourbridge Area Committee. Members will be aware that following the consultation on Area Committees and the introduction of Community Forums, the four Ernest Stevens Trusts are now combined under the control of this Committee as Trustees.
5. In the application of the income of the Foundation, the Trustees have discretion to give preference to the area of the former Urban District of Lye and Wollescote and to meeting the needs of the people resident therein.
6. There is no set maximum amount stipulated in the Trust deed for a grant.
7. However, in the past, the Trustees have tended to apply the criteria that the grant should be a maximum of £5000 or 50% of the total cost of a capital project. At the Stourbridge Area Committee in November 2008 it was agreed that for 5 years commencing 2008/9, income from the trust would be ring fenced to contribute to the future repair of the gates and that grants would only be awarded in exceptional circumstances.

## **Applications**

### **Stourbridge and District Scout Council**

8. The applicant is a registered charity, which is responsible for the organisation and provision of scouting in the local area. Currently there are 7 groups in the Stourbridge Area providing facilities for over 700 adults and young people aged 6-25 years.
9. The main hall roof is leaking and although it has been temporarily repaired it needs to be replaced.
10. Following a Fire Risk assessment the building needs to have emergency lighting installed.
11. The cost of this project is £4850 and the applicant has requested a grant up to this amount.
12. The applicant has submitted accounts for the year to 31<sup>st</sup> March 2012, which show cash at bank and with the Scout Association of £16550.21.

## **Finance**

13. During the current financial year no grants have been awarded.
14. The income of the trust in 2012/13 is approximately £17,000 and it is expected that this will not significantly change in 2013/14.
15. At a previous meeting of the former Finance (Stevens' Bequests), Sub-Committee, Members agreed to maintain the "real" spending power of the bequest as a fundamental part of the investment strategy. The total sum shown in Paragraph 11 above could be spent without jeopardising the strategy. However, should the value of the investment fall, any income then generated would need to be reinvested and would not be available for disbursement.

## **Law**

16. The Council is successor to the former Stourbridge Council by virtue of the Local Government Act 1972.
17. 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.
18. 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.
19. The law relating to Trusts, which are charitable, is contained in various Acts, the main ones being the Charities Acts 1992 and 2011 and the Trustee Investment Act, 1961.



## **Equality Impact**

20. 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**

21. 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.robbsins@dudley.gov.uk](mailto:diane.robbsins@dudley.gov.uk)

## **List of Background Papers**

Application form and quote  
Accounts for year to 31<sup>st</sup> March 2013