

From: Mandy Wilcox
Sent: 04 December 2014 11:40
To: 'fcemailteam@charitycommission.gsi.gov.uk'
Cc: Mohammed Farooq
Subject: FW: Ernest Stevens Trust - Deed of Gift dated 29th September 1930 - charity number 6017L

Dear Sirs,

Further to my last email on 2nd December, please see below for your further consideration, the comments from one of the members of the Trust Management Committee.

Kind regards,

Mandy Wilcox
Interim Principal Lawyer,
Corporate Litigation Team,
Law & Governance
Directorate of Corporate Resources
Dudley MBC
Tel No. 01384 815310
Email mandy.wilcox@dudley.gov.uk

From: Cllr. Heather Rogers [<mailto:Cllr.Heather.Rogers@dudleymbc.org.uk>]
Sent: 03 December 2014 15:57
To: Mohammed Farooq; Cllr. Jackie Cowell; Cllr. Mohammed Hanif (Members Office365); Cllr. Les Jones (Members Office365); Cllr. Ian Marrey (Members Office365); Cllr. Gaye Partridge (Members Office365); Cllr. Ian Kettle
Cc: Philip Tart; Steve Griffiths; Mandy Wilcox; Liz Stuffins
Subject: Re: Ernest Stevens Trust - Deed of Gift dated 29th September 1930 - charity number 6017L

Dear Mohommed,

Ernest Stevens did not give Stevens Park, Wollescote to the council. A Deed of Gift was made between himself as Donor, and the council as recipient, to hold the property in trust to remain as a public park and recreation ground.

All the other Deeds of Gift from Ernest Stevens are the same, Mary Stevens Park, Stevens Park, Quarry Bank and Mary Stevens Hospice, formerly the Mary Stevens Nursing Home.

The conditions in the second schedule were agreed to be upheld by the council, and are basically the same in all the Deeds of Gift so he did not change his views during the period from 1921 to 1931 when these properties were given to be held in trust for the public.

The wording must be correct as it gives an entirely different meaning to the information in the email, and exactly what the council can do with the property. Dudley MBC does not own the land but is a Charity Trustee.

Could this be corrected please with a further email to the Charity Commission?

Thank you.
kind regards

Heather

[Cllr. Heather Rogers](#)

['Working for you in Norton'](#)

[01384 824939](#)

From: Mandy Wilcox
Sent: 02 December 2014 11:55
To: 'fcemailteam@charitycommission.gsi.gov.uk'
Cc: Mohammed Farooq
Subject: Ernest Stevens Trust - Deed of Gift dated 29th September 1930 - charity number 6017L

Dear Sirs,

By the above Deed of Gift Ernest Stevens gave the property to the Council subject to the conditions set out in the second schedule. The Friends of the Wollescote Park wish to have the document amended to allow the public to play ball games on a Sunday and Good Friday. The condition that is of concern to the Trustees is "The Council shall be at liberty from time to time to make such reasonable charge or charges as it may determine for the use by adults of a portion or portions of the Parks and Recreation Grounds for Golf, Cricket, Football, Hockey, Tennis and bowls, Croquet, Boating, Swimming and/or other games and recreations approved by the Council but no games or sports shall be played or indulged in on a Sunday or Good Friday"

The Council proposes to carry out a wider consultation with the local residents and interested parties with regard to the request to amend the Deed of Gift to allow ball games on a Sunday and Good Friday and the result of the consultation will be presented to the Trustees. I now write to the Charity Commission to obtain its view on the potential courses of action and any legal implications concerning the possible amendment to the restriction of ball games on a Sunday and Good Friday. The Trustees have made no decision on this matter and wish to receive the views of the Charity Commission.

I look forward to hearing from you in respect of this matter.

Yours faithfully,

Mandy Wilcox
Interim Principal Lawyer,
Corporate Litigation Team,
Law & Governance
Directorate of Corporate Resources
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