
From: Julia Marks

Sent: 23 December 2022 20:42

To: Democratic.Services <Democratic.Services@dudley.gov.uk>

Cc: Cllr. Timothy Crumpton <Cllr.Timothy.Crumpton@dudleymbc.org.uk>; michael troon

Subject: [EXTERNAL EMAIL] Re: 5G application - Wollescote Park.

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Dear EST Committee

Re:5G mast in Wollescote Park

Friends of Wollescote Park (FOWP) committee do not agree with the proposed next steps to negotiate terms with the Telecommunications company. FOWP remain opposed to the mast, which is in breach of the Deed of Gift. FOWP feel that insufficient action has been taken to oppose the mast and protect the park.

In respect to the minutes of the meeting held on the 27th September 2022, these are not representative of the discussion held; omitting the concerns of the FOWP members that attended in opposition of the mast. FOWP would like the minutes to be amended.

Kind regards

Julia Marks
Chair FOWP

On Thu, 22 Dec 2022, 12:01 Democratic.Services, <Democratic.Services@dudley.gov.uk> wrote:

Hello All,

Further to the special meeting of the Ernest Stevens Trust Management Committee on Tuesday 27th September 2022, I wrote to the agents of the Operators saying that the Trust could not agree to a lease agreement in respect of rights in respect of the above, as this would be a breach of the conditions of the Deed of Gift and the Charity Act legislation. I also stated that the Trust would be

prepared to discuss other locations for the 5G equipment but no response in respect of this offer was received. Copies of the recommendations from the Committee and the letter/email sent are attached.

As discussed at the last Committee, the Trust has now received a letter from the solicitors acting on behalf of the Operators stating that the Trust has up to 9th January 2023 to contact the writer to discuss and negotiate the rights as much as possible or alternatively they will make an application under paragraph 20 of the Telecommunication Code to the Lands Tribunal for the rights to be imposed on the Trust.

Following consultation with Chair, the Council (Trust) will now proceed to communicate/negotiate with the other side to agree more favourable rights for the Trust. On conclusion of the negotiations, a further report will be presented to Committee and an application for a Scheme to be obtained from the Charity Commission.

If you have any further queries, please let me know.

Regards,
Mandy Wilcox
Principal Lawyer
Law & Governance - Legal Services
Finance & Legal
Dudley Council
4 Ednam Road, Dudley, DY1 1HL
01384 815310
www.dudley.gov.uk

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----- Forwarded message -----

From: "Mandy Wilcox (Law and Governance)" <Mandy.Wilcox@dudley.gov.uk>

To: Mike Williams>, Judith Ferrarin >Cc: "Mark Bieganski (Corporate Landlord Services)" <Mark.Bieganski@dudley.gov.uk>

Bcc:

Date: Fri, 30 Sep 2022 07:32:49 +0000

Subject: Ernest Stevens Trust Committee - Wollescote Park Cricket Pitch - 5G

Good Morning Both,

Thank you for attending the Trust Committee on Tuesday evening this week.

I am instructed to inform you that the Council, as Trustee, does not give its consent to enter into a lease code agreement, on the basis that it is unable to do so because this would be a breach of the Deed of Gift and the provisions of the Charities Act 2011.

However, the Council, is prepared to meet with you to discuss alternatives sites for the required equipment and I suggest that you contact Mark, who I have included in this email.

Regards,

Mandy Wilcox

Principal Lawyer

Law & Governance - Legal Services

Finance & Legal

Dudley Council

4 Ednam Road, Dudley, DY1 1HL

01384 815310

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