

Ernest Stevens Trusts Management Committee - 17th July 2017

Report of the Strategic Director Place

Lease to Mary Stevens Hospice

Purpose of Report

1. For the draft scheme of the Charity Commission to be noted and consent to be given to proceed with the scheme and lease to the Hospice.

Background

2. Land and property at Mary Stevens Hospice and Park were gifted to the Council, as Trustee, by Ernest Stevens, by way of a deed of gift dated 13th February 1931. The Council obtained a Scheme to grant to the Hospice a lease for a term of 50 years in 1988.
3. The Committee on 13th July 2016 resolved that subject to planning consent, independent legal advice and to the necessary approval of the Charity Commission, to consent to the proposed extension of lease and the proposed refurbishment and extension works to Mary Stevens Hospice, as contained in that report, on terms to be negotiated and agreed by the Strategic Director of Place.
4. All above requirements have been dealt with and attached to this report is a draft Scheme received from the Charity Commission to permit the lease to be granted to the Hospice for a term of 75 years.

Finance

5. There are no current financial implications to the Trust in respect of this report.

Law

6. 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.
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 benefitting the inhabitants of their area.

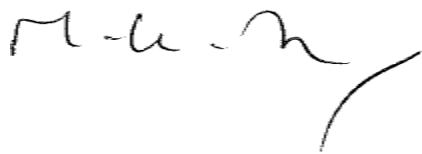
8. The law relating to trusts which are charitable is contained in various legislation. The key legislation being the Charities Act 1960, 1992, 1993, 2011 and the Trustees Investment Act 1961.
9. The power to appoint Committees and to delegate functions to Committees and Officers is set out in Sections 101 and 102 of the Local Government Act 1972

Equality Impact

10. The Trusts were set up to benefit members of the public living in certain geographical areas of the Borough as outlined in the Deeds of Gift. There are no specific implications for children and young people arising from this report.

Recommendation

11. It is recommended that the Trustees note the attached draft Scheme received from the Charity Commission and confirm that the Council can proceed to confirm the same with the Charity Commission and complete the lease with Mary Stevens Hospice on terms and conditions agreed.



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Mohammed Farooq
Lead for Law and Governance

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List of Background Papers

Draft scheme received from Charity Commission