

BATH AND NORTH EAST SOMERSET

BOARD OF TRUSTEES OF THE RECREATION GROUND, BATH

Wednesday, 27th October, 2010

Present:

Councillors Chris Watt and David Hawkins

39 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Vic Pritchard.

40 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure as set out on the agenda.

41 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were no declarations of interest made.

42 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

43 QUESTIONS AND STATEMENTS

A question had been submitted by Ian Barclay and a response was circulated.

Keith McGarrigle had submitted a late question regarding the nature of the discussions with the Charity Commission and the reason for the postponement of the meeting.

In response, Councillor Watt explained that the postponement of the meeting had not been due to timing of discussions with the Charity Commission but had been put back in the hope that this meeting could be used to launch the forthcoming consultation exercise. Unfortunately, that had not been possible. With regard to releasing details about the discussions, Councillor Watt responded that it would not be appropriate to release details of commercially sensitive information in advance of the consultation.

Keith McGarrigle asked a question about the enforcement of the parking charges. Councillor Watt responded that the Traffic Order was in place and asked for an update from the Strategic Director (Service Delivery). He explained that the issue with clubs being on different leases had now been resolved and they would be able to start enforcing in the first week in November.

44 MINUTES - 14TH JULY 2010

On a motion from Councillor Hawkins, seconded by Councillor Watt, it was

RESOLVED that the Minutes of the meeting of 14th July 2010 were confirmed as a correct record and signed by the Chair.

45 UPDATE ON GENERAL MANAGEMENT ISSUES

The Board considered a report giving them an update on various issues including balloon flights, planning consents, grounds maintenance and provision of toilet facilities. With specific regard to the toilets, Councillor Watt mentioned that the provision of the temporary toilet facilities by the Rugby club for all users of the Grounds was a useful example of the more collaborative approach of the new Rugby club management.

In response to a query from Councillor Watt, the Parks and Estates Manager explained the nature and timescales for the de-compacting work that needed to take place. Two applications had been done in the last year and selective work was planned for the spring.

Keith McGarrigle asked a question about the bar that the Rugby club had put up and the fact that refreshments vans were spreading onto the open side of the Recreation ground. The Strategic Director explained that he had written to the Operations Director of the Rugby club concerning the bar; an apology had been received and it should now have been removed. They had also discussed the refreshments vans and the Rugby club had been told that they would have to seek permission for this, they could not interfere with any other bookings and the Trust would want to charge a fee.

On a motion from Councillor Hawkins, seconded by Councillor Watt, it was

RESOLVED to note the contents of the report.

46 MANAGEMENT OF THE TRUST'S AFFAIRS - BUSINESS CASE FOR TRUST ADMINISTRATOR

The Board considered a report outlining proposals for the appointment of a single officer dedicated to the Trust's affairs, replacing the current arrangement of several officers providing services. The Strategic Director explained the perceived benefits of a single Administrator as being one point of contact, the officer being on site, greater efficiency and focus and a reduction in cross charging.

In response to a question regarding the specific savings that would be achieved on the amounts quoted in the business case, the Strategic Director explained that the £15,000 on grounds administration would be saved and approximately half of the £18,500 for property administration. Some of the legal and financial costs would be reduced and he was confident that the savings would at least cover the cost of the post.

There was some discussion about the amount of the property administration charge and how that was broken down, as Members were surprised at the amount. The Strategic Director responded that one key role for the new person would be to

commission services to keep prices down and enable the Trust to fully account for all costs.

Councillor Watt commented that one of the main complaints he received about the administration of the Trust's affairs was how complicated it was to make a booking. One single point of contact for this would make it a lot simpler, hopefully lead to more bookings and ensure that the charging policy was being applied consistently. Peter Downey welcomed this and gave an example to illustrate current booking problems.

In response to a number of enquiries relating to the range of tasks covered and the recruitment process, the Strategic Director confirmed that the job description would be subject to proper evaluation and standard recruitment practices would apply. The Chair asked the Strategic Director to investigate any options for the role to be managed by a different body (although it was noted that the Trust cannot be the employer), and the relative merits of the Council or another body being the employer. The Director agreed to provide full details of the role and employment arrangements to Trustees before any appointment was made.

[NB: a discussion on a later agenda item highlighted the need to add 'Marketing and promotion' to the list of responsibilities covered by this role.]

On a motion from Councillor Hawkins, seconded by Councillor Watt, it was

RESOLVED

1. to note the enclosed business case analysing the financial impact of appointing a dedicated Trust Administrator to replace services provided by various Council officers; and
2. to approve the appointment of a Trust Administrator, subject to the points raised in discussion.

47 LETTINGS REPORT

The Board considered a report containing an update on the lettings since April 2010, and known future lettings.

On a motion from Councillor Hawkins, seconded by Councillor Watt, it was

RESOLVED to note the lettings update.

48 BATH RECREATION GROUND TRUST FINANCIAL MONITORING REPORT 2010/11

The Board considered a report giving details of the financial position to 30th September 2010.

The Chair highlighted that there were a number of items not picked up in the figures including some cross charges and the income from the East stand, and asked that future financial monitoring reports were either presented as a cash flow report or a year end position. He also requested that the outstanding cross charges could be chased up.

On a motion from Councillor Hawkins, seconded by Councillor Watt, it was

RESOLVED to note the spend to date for 2010/11.

49 REVIEW OF CHARGING STRUCTURE

The Chair referred to the revised charging structure that had been circulated at the meeting and checked that members of the public had a copy. He explained that the charging structure was largely working well, but feedback had suggested that some issues needed revisiting;

- An increase in the number of parking permits associated with a sports booking;
- A reduction by half for the cost of bookings when they are for the exclusive benefit of children and young people;
- Moving the Rotary fireworks event from category A to category B as it makes no contribution to the Trust's charitable objectives.

A query was raised about the specific ages that would apply for children and young people and the Chair responded that the age ranges normally used by Children's Services were children up to the age of 13 years, and young people from 13 to 19 years of age (or longer if specific criteria apply). He asked that the age definitions could be checked (including consulting Sport England) and then included within the charging structure document.

There was some discussion about schools' ability to use the Recreation ground, which Councillor Watt would like to encourage. Further work could be done to explore other facilities and options to enable this.

On a motion from Councillor Hawkins, seconded by Councillor Watt, it was

RESOLVED to adopt the revised charging structure with the amendments proposed during the debate.

50 UPDATE ON PROGRESS WITH THE CHARITY COMMISSION

[This was a verbal report only.]

Councillor Watt explained that it now appeared that there was the basis for an agreement and all parties (Trust, Council, Charity Commission and Rugby club) understood what needed to happen to resolve the two long-term abuses. This will be put into the public domain as a consultation exercise which will set out the proposed land uses and how they resolve the abuse to the Trust. It is hoped to launch this in November and it will probably include manned displays at the Recreation ground and the Podium, a booklet, details on the website and a series of meetings for beneficiaries to give their views.

Following this consultation, a report will come back to the Trust which will lead to the Trust asking the Charity Commission to publish a new scheme. The Charity Commission have given a firm deadline of 31st March 2011 for receipt of a proposal.

There was some discussion about whether other land including Firs Field would form part of the proposals and how land designated as open space would be handled in the process. The Chair gave an assurance that full details regarding status of any additional land including designation, size, proposed value (informed by independent valuation), long-term security etc would be included within the consultation.

The meeting ended at 3.00 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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**RECREATION GROUND TRUST BOARD MEETING
27th OCTOBER 2010**

There have been no requests to make a statement at this meeting.

QUESTIONS AND ANSWERS - PUBLIC

01

Question from:	Ian Barclay
<p>Further to the answer given to my question at the Rec Ground Trust meeting on 14 July 2010, please could the "current abuse of Trust property caused by the presence of the Rugby Club on the Recreation Ground" be broken-down into the various aspects of the Rugby Club's presence on the Rec that constitute the abuse, and that need resolving.</p>	
Answer from:	Councillor Chris Watt
<p>The abuse of Trust property is caused by the very presence of the Rugby Club, a professional enterprise operated for commercial gain, on land that was left in trust for the purposes set out in the objects of the Recreation Ground Charity.</p> <p>The abuse can only be rectified by developing a scheme whereby the detriment to the beneficiaries caused by the loss of trust assets is balanced by benefits accruing from replacement or return of assets of equal utility in the pursuit of the objectives of the trust.</p>	

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A written question by Mr Keith McGarrigle to the meeting of The Bath Recreation Ground Trustees Meeting at The Guildhall Bath on 27th October 2010 .

Will Councillor Watt please inform this meeting **precisely** what discussions took place between the Trustees and The Charity Commission at their last meeting which brought about the need to change the date of this meeting from 13th October to today 27th October ?

Would the Chair also ensure full details of that meeting are included in the minutes or in a separate report to accompany the minutes of today's meeting so that beneficiaries know the **honest** position of what is going on over Bath Rugby's use of the Charity's Recreation Ground now or in the future .

I also lodge this request as a new written question to which I would like a **proper** written answer

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BATH RECREATION GROUND
REVISED CHARGING STRUCTURE AT OCTOBER 2010

Definitions

- Standard Pitch means a pitch or space on the cricket outfield equivalent to one pitch.
- Whole Outfield means the entire space between the enclosed croquet/tennis area and the Premium Pitch, equivalent to 3 pitches.
- Premium Pitch means the main pitch used by Bath Rugby Club
- Whole Site means the Whole Outfield and the Premium Pitch
- Children – 5 – 13 year olds
- Young People – 13 – 19 year

Regular Sport Bookings

The pricing structure for amateur sport bookings where there is no admission fee for spectators on the Recreation Ground is:

Standard Pitch £70 per match.

Where no line markings are required and where children or young people are involved the fee is halved.

Each booking entitles the user to 15 parking permits per pitch / match and use of the cricket pavilion. Additional parking permits may be purchased at a rate of £3.50 each per match.

The proposed pitch fee compares to a current pitch fee of approximately £65 elsewhere in Bath on council run playing fields.

Event Bookings

The pricing structure for event bookings is dependant on the nature of the event and the organiser, and how closely it accords with the Trust's objectives. For events needing setting up and taking down days, half of the daily charge will be made for each day the organisers are on site but not open to the public. Where the event is for the exclusive benefit of children or young people the fee is halved. Events that preclude the use of other parts of the Recreation Ground, even though they may not be using those areas, will also incur the cost of booking those areas.

There are 3 categories of use:

Use Category A – Subsidised or at cost:

These are uses which either in part or wholly meet the Trust's objectives and which are raising funds solely for charity or are being arranged on a not for profit basis. In exceptional cases the Trustees may be minded to approve a further reduction on these rates.

Charges – the charges below relate to a match or period up to 4 hours. Charges for bookings exceeding this will be double. The basis for these charges is the standard pitch fee of £70 per match / period up to 4 hours. The whole outfield fee is 3 times the standard pitch fee as 3 pitches can be accommodated. The premium pitch fee is double the standard pitch fee, and the whole site fee is the cost of hiring the whole outfield and the premium pitch.

Standard Pitch £70

Whole Outfield £210

Premium Pitch £140 (generally only available during the period May to Aug)

Whole Site £350

Use Category B - Lower (subsidised) commercial / market rate:

These are uses which either meet the Trust's objectives but which are run by an organisation making a profit and / or charging an entry fee, or where the organisers are a charitable body but the use doesn't meet the Trust's objectives.

Examples: Bath Half Marathon, Forever Friends Concerts or Round Table Fireworks (The event is organised by the Round Table who give their time voluntarily; they work with schools actively promoting the Fire Brigade message to be safe on Bonfire Night; all profits from the event are donated to local charities.)

Charges - the charges below relate to a match or period up to 4 hours. Charges for bookings exceeding this will be double. The basis for these charges is that they are double the charges for use category A.

Standard Pitch £140

Whole Outfield £420

Premium Pitch £280

Whole Site £700

Use Category C – Commercial / Market Rate:

These are uses that do not meet the Trust's objectives and which are being staged for commercial or profit making purposes. These are income generators for the Trust to help it balance the books allowing it to fulfil its charitable objectives.

Example: Film Company or Bath Rugby Club (activities outside its lease)

Charges - the charges below relate to a match or period up to 4 hours. Charges for bookings exceeding this will be double. The basis for these charges is that they are double the charges for use category B. These are minimum commercial day rates, which will be increased in line with the commercial going rate for the type of function / activity proposed.

Standard Pitch £280

Whole Outfield £840

Premium Pitch £560

Whole Site £1,400

All charges quoted will be subject to the addition of VAT where appropriate.

The revised draft charging structure has been used to test a selection of bookings over the period 1st April to 30th June 2009. The results of this testing can be found in Appendix 3. These results form the substance for further refinement of the charging structure in discussion with the Trustees.

Reviewed October 2010

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