

ALICE PARK TRUST SUB-COMMITTEE

Minutes of the Meeting held

Monday, 3rd July, 2017, 4.00 pm

Councillor Rob Appleyard	-	Bath and North East Somerset Council
Councillor Michael Norton	-	Bath and North East Somerset Council
Councillor Geoff Ward	-	Bath and North East Somerset Council
Councillor Lin Patterson	-	Bath and North East Somerset Council (non-voting)
Paul Hooper	-	Independent Member (non-voting)
Sujata McNab	-	Independent Member (non-voting)

1 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

2 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer explained the emergency evacuation procedure.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTION

Apologies for absence were received from Tammy Randall – Finance Manager.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

6 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

Graham Page addressed the Sub-Committee regarding the provision of a skate park in Alice Park. He expressed concern regarding the size and location of the skate park and asked a number of questions, to which the Chair responded. A copy of the questions and responses is attached as *Appendix 1* to these minutes.

7 MINUTES OF THE MEETING OF 27 MARCH 2017

The minutes of the meeting held on 27 March 2017 were confirmed and signed as a correct record.

8 SKATE PARK UPDATE

The Chair explained that the Sub-Committee had met informally at Alice Park to look

at designs for the skate park. As a result of that meeting officers have been requested to arrange a meeting with the company that is designing the skate park on behalf of the Council to discuss ways in which the design could be refined.

Cllr Appleyard reported that he had now met with the designers and an officer and had further discussed the size and location of the skate park. It was now proposed that the petanque court would remain in its current position and that the skate park would “dog-leg” within the area of the trees. Landscaping could also be provided to improve the appearance of the facility. It was anticipated that the project would be delivered by the end of March 2018.

Members then discussed the following issues:

- Canvas, the designers, would consult with the user group and others as necessary. They would also take into consideration ways to decrease the noise generated by skate park users, such as a more sunken design and bunding around the outside of the structure.
- Michael Hewitt, Legal Services Manager, explained that the Trust would need to agree for the Council to lease the land for the use of a skate park. The Council would then construct the facility within the funding envelope available and provide maintenance as necessary.
- Cllr Appleyard explained that the original design had been scaled back having considered concerns expressed by local residents.
- Members noted that the original design had been very large and welcomed the smaller footprint. Paul Hooper still had concerns about the location as this area was often used for picnics and other park activities. He also stressed the need for a contingency fund for the project and a full risk assessment.
- Cllr Ward acknowledged that it was important to balance the requirements of some local residents for a skate park alongside the concerns of other residents about the effect it would have on the park as a whole. He felt that the skate park should not be too big and should not dominate. He was also keen to ensure that other park improvements take place. The recent survey carried out by Tony Hickman at the café had shown that park users wanted a number of other improvements and facilities. He hoped that there would be some remaining funding left for this purpose.
- Cllr Patterson did not agree with the proposal to scale back the size of the skate park as she felt it would not be challenging enough which could lead to it not being fit for purpose. She also had concerns regarding leaves from the trees falling onto the skate park.
- It was noted that planning permission for the skate park was not required as the work could be carried out under permitted development rights.

Cllr Ward then moved a motion which was seconded by Cllr Norton.

Following further discussion and minor amendments to the motion, in order to

speedily resolve the skate park issue and bring forward the possibility of early construction, it was RESOLVED unanimously:

- (1) That a final design be proposed which shall comply with the eight points below and that a public consultation be held in order to take into consideration in full the views of park users and local residents. With consideration of the Conveyance between Herbert Montgomerie McVicar and the Trustees of Alice Park, the Trustees agree to construction of a skate park on the following basis:
 - (a) It shall be of a size more proportionate (i.e. approximately 50% of the size of the original design) to the size of the park so that it shall in no way dominate the park or detract from the enjoyment of other park users and neighbouring residential occupiers.
 - (b) It will be designed for starter skate boarders in mind.
 - (c) It will be designed for maximum possible noise attenuation within the available budget.
 - (d) No trees will be cut, trimmed or removed for its construction. The Boules area will not be removed or relocated.
 - (e) A contribution of the allocated fund (as set out in resolution 2 below) will be gifted to the Trustees of the park for improvements in playground equipment.
 - (f) B&NES Council will oversee the construction and ensure that the Trustees' requirements are met with their costs met by the funds allocated.
 - (g) B&NES Council will be responsible for the regular safety inspection, maintenance and cleaning of the skate park through its whole life. Should it become dilapidated or neglected, the Council will be responsible for the cost of its removal and for the reinstatement of the ground.
 - (h) There will be suitable and sufficient screening and planting incorporated into the design as necessary.
- (2) The Group Manager, Neighbourhood Environmental Services, be requested to seek approval to add to the Cabinet forward plan, a request for the Cabinet Members to release the £97k provisional capital funding for the sole purpose of building a skate park in Alice Park and to allocate any remaining funds to be spend on wider park improvements. The funds to be spent in the 2017/18 financial year.

9 ALICE PARK TRUST STATEMENT OF ACCOUNTS 2016/17

The Sub-Committee considered a report which set out the Statement of Accounts for Alice Park Trust and the Annual Report for the year ending 31 March 2017.

It was noted that the expenditure incurred for the Alice Park Trust in 2016/17 was £35,486 which was offset by income of £23,583 and a donation from B&NES Council of £11,903.

Members noted that there was a deficit which had been met by the grant from the Council and also that £8k of the income specified had come from compound interest which was a one-off payment. It was noted that this could signify problems in the future if the Trust was not able to generate sufficient income. Members also felt that the income from events was currently low.

The Group Accountant agreed to send further details regarding restricted and unrestricted income streams to Sub-Committee members.

RESOLVED to:

- (1) Agree and sign the financial statements of the Alice Park Trust for the year ending 31 March 2017 and to submit the accounts to the Charity Commission.
- (2) To agree and sign the annual report for the Alice Park Trust for the year ending 31 March 2017 and to submit the report to the Charity Commission.

10 **CHARGES FOR EVENTS HELD IN ALICE PARK**

The Sub-Committee noted information setting out Council fees for land hire for events in parks and open spaces from 1 April 2017.

One event had been held in Alice Park this year:

Larkhall Festival - £380 (charity rate for 2 days)

The Trust had received income of £760 from events so far this year.

Members felt that there was a need for a more transparent process for dealing with events held in the park. The process for logging and charging for events did not seem to be very clear.

It was noted that the Sub-Committee had previously agreed to use the Council's events team to organise events within the park but that they could make different arrangements in the future if they wished.

Paul Hooper pointed out that a number of organisations use the park for activities such as keep fit and dance clubs. It was felt that these types of activities should be formalised.

Sujata McNab stated that the Trust should receive regular information regarding events held and the income generated.

Cllr Appleyard expressed concern at the £75 admin fee charged by the Council's events team as there was a need to generate more activities within the park and this could be prohibitive to smaller community events. Mark Cassidy explained that prices had increased last year and this had no effect on the number of events held.

11 **PEST CONTROL**

Mark Cassidy reported that the Pest Control Team had visited the park to deal with a rat problem and that this had cost £162 + VAT. The charge for 4 visits per year by the Pest Control Team would be £466 + VAT.

The meeting ended at 5.50 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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ALICE PARK TRUST SUB-COMMITTEE – 3 JULY 2017

PUBLIC STATEMENT AND QUESTIONS FROM GRAHAM PAGE

Statement

At the meeting of the Alice Park Trust Sub-Committee on 27 March 2017 it was agreed to recommend in principle the introduction of a skate park into Alice Park. This was consequent on two things:

- (1) A well organised campaign by those advocating such a facility; and
- (2) A feeling in the committee that a decision was long overdue.

Without further consideration it did not seem to be a very informed basis on which to take such a decision. It was apparent at the meeting that at least one councillor was conscious that there were concerns in the local community relating to this and a survey conducted by Tony Hickson, the Alice Park Café proprietor, suggested that if funds were available to devote to the Alice Park that there were other priorities that deserve consideration. Various groups of park users who have such concerns would like them to be seriously examined before the decision is finally taken and resources allocated. As a regular user of the park I share these concerns. I do not pretend to be a representative of those groups but in conversation with them I share their view that the following matters should be examined before a final decision is taken.

Whilst there has been a well-articulated desire for this facility, what is the actual need? If there are too few users (despite the input of private money) is the devotion to this one project of up to £100,000 justified, what will be the impact on existing users?

Questions

(1) How many people is it envisaged will use this facility, and what is the age range of those who wish to take advantage of it?

The number of people that will use the facility will depend upon the day / time / school holidays etc. Since the original petition of 500 signatories in 2014, a further petition was received by the Trustees last year which has revitalised the issue.

The new skatepark will be deliberately designed to be suitable for children of all ages – from the toddlers who use the nursery in the park to teens and beyond. A specialist consultant has been used to advise on design and location.

(2) What criteria were used to justify the selection of this particular site?

The decision to locate a skatepark in the east of Bath followed a petition from local residents for skatepark provision in the area. Locations examined for suitability included Larkhall Recreation Ground, Kensington Meadows and Alice Park. Larkhall

Recreation Ground was rejected, following a public meeting, because of its proximity to adjacent houses and the acoustics of the landscape –making it conducive to sound travelling well. The site also lacks toilets and other amenities. Kensington Meadows was rejected for similar reasons: its proximity to local residences, the lack of infrastructure (toilets and limited parking) and because of concerns about winter flooding. In contrast, Alice Park is a well-established destination park. It has toilets, car parking, a café, good public transport links, and other, popular, play and sporting facilities.

(3) Has any “impact analysis” been done to assess the effect that the introduction of a skate park might have?

Once the Alice Park location had been decided upon, the Council conducted an outline feasibility study within the park to identify the most suitable location, and consider some of the impacts. The Trust members have visited the site and are taking into account the views of park users before making a final decision on the scale and design.

In relation to the points about design, Cllrs Rob Appleyard and Chris Wright from the Trust will be meeting the skatepark design company this week to explore the parameters which could affect the proposed skatepark design, including exploring the latest concepts to mitigate noise, considering drainage implications of a flat design versus a bowl design and cost versus complexity etc.

If you are wondering about impact on other users, this was explored in the original consultation document which explored people’s concerns.

(4) How can the use of the skatepark by different age groups of differing ages and abilities in a confined space be reconciled?

The main method of separating different age groups is time. Younger children tend to be taken to the park earlier in the day, both on week days and weekends. Older children will use the park after school and on weekends, in the afternoons. We have found this to be the case at Midsomer Norton and at Royal Victoria Park. Where there is a mix of abilities, the less able tend to defer to the more able and the less able watch and learn where possible. There is also etiquette at skateparks whereby the older children look out for the younger riders.

(5) How in effect will a potentially dangerous activity be effectively managed and if necessary be regulated?

The skatepark will be built to the standard of BS EN 14974:2010 and should have a guaranteed life of 20+ years. Snagging will be undertaken at 1 year and any repairs undertaken then as part of the contract. The skatepark can be included in the weekly, quarterly and annual inspections of the adjacent play area as well, if directed by the Trust.

(6) Is the cost devoted solely to the of the introduction of the skate park without regard to the existing park users' needs identified by the survey in a time of scarce resources justified?

The capital funding of £100k was earmarked solely for the design and build of a new skate park by the Council Cabinet in 2014.

(7) Apparently a proportion of the money is to be provided from private sources. As these amounts are substantial, it is in the public interest that these sources be identified. Who are the donors and what are the amounts of the donations

The private contribution has been held by the London Road Partnership.

Any money donated to the council would be subject to a due diligence assessment and the source of the donation would be made public.

(8) If the project goes ahead, how will the costs be controlled? If there is an over-run from where will any additional costs be sourced?

The project budget will include a sufficient contingency and that spend on the project will be regularly monitored; however we cannot speculate on the theoretical case of an over-run. Project spend will be monitored by the Trust.

(9) Will this be subject to Planning Procedures?

No – due to the relatively limited size of the design, this constitutes 'permitted development' and therefore does not require planning consent. However, the Trust is taking the impact on the park extremely seriously and is currently scrutinizing the design and will be setting down a set of strict criteria for the skate park design to adhere to.

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