

Alice Park Trust Sub-Committee

Date: Wednesday, 3rd February, 2021

Time: 2.30 pm

Venue: Virtual Meeting – Public Access via YouTube

<https://www.youtube.com/bathnescouncil>

Councillor Rob Appleyard (Chair)

Councillor Paul Myers

Councillor Joanna Wright

Co-opted members non-voting: Graham Page (Independent Member) and Bill Shaw
(Independent Member)

Chief Executive and other appropriate officers

Press and Public



Marie Todd

Democratic Services

Lewis House, Manvers Street, Bath, BA1 1JG

Telephone: 01225 394414

Web-site - <http://www.bathnes.gov.uk>

E-mail: Democratic_Services@bathnes.gov.uk

NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings**

The Council will broadcast the images and sounds live via its YouTube channel <https://youtube.com/bathnecouncil>

The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group.

Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Wednesdays notice must be received in Democratic Services by 5.00pm the previous Friday.

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

Decision Making Powers of the Sub-Committee:

1. To discharge the Council's role as Corporate Trustee for the Alice Park Trust, in line with Charities Commission guidance. The objects of the Alice Park Trust are for use as a public park and children's recreation ground.
2. To agree the Trust's annual budget and business plan.
3. To approve the use of any reserves.
4. To agree the Trust's annual accounts.
5. To receive and respond to the audit findings relating to the annual accounts.
6. To receive reports on the effective day to day management and financial performance of the Trust.
7. To allow interested parties to give their view on the performance and direction of the Trust.

Alice Park Trust Sub-Committee - Wednesday, 3rd February, 2021

**at 2.30 pm in the Virtual Meeting - Zoom - Public Access via YouTube
<https://www.youtube.com/bathnescouncil>**

A G E N D A

1. WELCOME AND INTRODUCTIONS
2. APOLOGIES FOR ABSENCE AND SUBSTITUTION
3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* an **other interest**,
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

The Chair will announce any items of urgent business accepted since the agenda was prepared under the Access to Information provisions.

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

6. MINUTES OF THE MEETING OF 7 DECEMBER 2020 (Pages 7 - 12)

To confirm the minutes of the meeting held on 7 December 2020 as a correct record.

7. CHAIR'S UPDATE

To receive an update from the Chair including:

- Submission of accounts to the Charity Commission
- Tennis Courts
- Forthcoming workshop on 15 February

8. POLICIES FOR ALICE PARK (Pages 13 - 28)

To consider whether to agree policies for issues such as drones, sky lanterns and barbeques in Alice Park. A copy of the B&NES policy on both barbeques and drones

is attached along with the current byelaws relating to parks.

9. COMMERCIAL ACTIVITIES IN ALICE PARK (Pages 29 - 30)

To consider the attached paper submitted by Graham Page, Independent Member of the Sub-Committee.

10. MULTI-USE GAMES WALL (Pages 31 - 32)

To consider the feasibility survey prepared by Graham Page, Independent Member, regarding the provision of a multi-use games wall in Alice Park.

11. OUTDOOR GYM EQUIPMENT

To discuss whether the Sub-Committee wishes to further investigate the provision of outdoor gym equipment in Alice Park.

Graham Page, Independent Member, has previously investigated this. He notes that some of the possible areas for such equipment, as laid out in the plan for the extension of the path around the perimeter of the park have now become unviable due to work on the skate park and the extension of the community garden. He suggests that the Sub-Committee consult fitness orientated commercial users for their views on what may be useful to them.

12. SOCIAL MEDIA ISSUES

To discuss whether there is a need for a dedicated website which is the sole point of reference for anybody who wishes to contact the sub-committee on any issues relating to the use of Alice Park.

13. DATE OF NEXT MEETING

To consider when the Sub-Committee should hold its next meeting.

The Democratic Services Officer for this meeting is Marie Todd who can be contacted on 01225 394414.

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ALICE PARK TRUST SUB-COMMITTEE

Minutes of the Meeting held

Monday, 7th December, 2020, 3.00 pm

Councillor Rob Appleyard (Chair)	- Bath and North East Somerset Council
Councillor Paul Myers	- Bath and North East Somerset Council
Councillor Joanna Wright	- Bath and North East Somerset Council
Graham Page	- Independent Member

8 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

9 APOLOGIES FOR ABSENCE AND SUBSTITUTION

There were no apologies for absence.

10 DECLARATIONS OF INTEREST

There were no declarations of interest.

11 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

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

Derek Swift and Janet Marton had both submitted questions to the sub-committee. The Chair informed the members that responses would be prepared and sent to the questioners within 5 working days of the meeting.

(A copy of the questions and answers are attached as Appendices 1 and 2 to these minutes).

13 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 30 September 2020 were confirmed as a correct record.

14 CHAIR'S UPDATE

The Chair gave an update on the following matters:

(a) Skatepark

The skatepark has been constructed but some additional work still needs to be completed, including landscaping, other cosmetic work and the provision of permanent fencing between the skatepark and the sandpit. The area is currently fenced off as the skatepark is not yet open to the public.

(b) Tennis Courts

The legal process to approve the lease has been concluded. However, due to the impact of Covid-19, the Council's tennis concession had not been tendered. The project needs to be completed within 2 years to avoid having to go back to the Charity Commission for further approval (there are around 18 months remaining).

The Chair agreed to contact the Head of Leisure and Projects Development to clarify the position regarding the tennis courts.

(c) Café Lease

The formal legal agreement has now been completed. The former leaseholder now has a new lease and both parties are happy with the new agreement. The Chair congratulated Tony Hickman and his team and thanked them for all they have done to enhance the park and to provide such an excellent facility for the local community.

(d) Community Garden

The Chair reported that a request has been received to carry out some improvements at the entrance to the community garden. Some funding has been secured for this work and there will be no cost to the Trust. Improvements will be made to the gate, and some hedging will be provided. This will improve the area and will provide a better connection to the wooden structure already in place. The use of the wooden structure by community groups could also generate a small income for the Trust. The area will remain available to the local community. The Sub-Committee supported this proposal.

The Chair agreed to ask the volunteers who run the community garden to contact the B&NES Council Parks Team to discuss future maintenance of the hedge.

(e) Independent Member Vacancy

The vacancy for an independent member of the Alice Park Trust Sub-Committee has been advertised. Interviews will shortly be arranged, and it is hoped that a new member will be appointed before the next meeting.

(f) 10-Year Plan

The Council currently gives an annual grant to the Alice Park Trust to support its running costs. However, in the current economic climate, it is important for

the Trust to become more self-sufficient so that the amount of subsidy provided by the Council can decrease over time. It was agreed that the sub-committee should set out a 10-year plan to increase revenue opportunities for the park. The agreement of a new café lease will help towards this. A rate card is in place to charge commercial users of the park a small fee when carrying out their activities. This has raised about £1,800 so far and it is hoped that this will increase in the future. Most commercial users have responded positively to this approach. It would be helpful to find someone who could take on the booking process for events in the park before the summer activities begin.

(g) Community Engagement Plan

Members supported the proposal for the Trust to develop a community engagement plan and noted that more discussion on this was required outside of a formal meeting environment. Graham Page suggested that the creation of a “Friends of Alice Park” group should also be explored.

RESOLVED: To arrange a workshop to discuss the scope and objectives for both a community engagement plan and a 10-year business plan for the Trust.

15 ALICE PARK BUDGET 2020/21

Paul Webb, Finance Manager, presented the budget report. He informed members that income from the tennis courts had decreased this year and that income from events was higher than budgeted for. The majority of costs were fixed. The Council had budgeted for a subsidy of £24k and this was now likely to be about £21,800 this year.

RESOLVED: To note the report.

16 SALE OF COTTAGE NO. 2, ALICE PARK

The Sub-Committee considered a report which provided an update on the sale of Cottage No. 2 at Alice Park. It was noted that the Sub-Committee had accepted this position in 2016 and that the Charity Commission has now closed its enquiry into this matter following receipt of the Council’s explanation.

RESOLVED: To note the report.

17 POLICIES FOR ALICE PARK

The Sub-Committee discussed whether policies should be put in place to cover activities such as sky lanterns and barbeques within the park.

Graham Page noted the potential areas for conflict within the park such as the use of electronically propelled vehicles and drones. He felt that some form of regulation would be helpful.

Cllr Wright suggested that the Sub-Committee could adopt the regulations currently in place for the parks managed by B&NES Council as this would provide clarity

throughout the district.

Paul Pearce, Parks Team Leader, informed members that B&NES Council does not permit barbecues within its parks unless there are facilities provided to enable them to do this safely. Drones are not allowed within the parks. He stated that it is useful to have guidelines in place but if any behaviour constitutes a public nuisance then this is a matter for the police.

RESOLVED:

- (1) To request the Parks Team Leader to circulate details of the B&NES regulations which are in place for the parks managed by the Council.
- (2) To consider this matter at the next meeting.

18 **MEMORIAL TREES AND BENCHES**

The Sub-Committee discussed whether they should accept the principle of memorial trees and benches within the park.

Graham Page stated that this could raise revenue for the park and also provide an opportunity to improve the benches.

Cllr Myers pointed out that there would be a cost implication, as long-term maintenance would be required. Any policy agreed should be clear about the obligation to maintain and replace the trees and benches.

Paul Pearce, Parks Team Leader, explained that B&NES Council has two approaches to memorials. People can either sponsor a bench and maintain it themselves or sponsor a bench for a 10-year period. There is a need for someone to manage the process.

Cllr Wright stated that Alice Park has a number of trees already and that there will be opportunities for tree planting elsewhere in the authority area which people could donate to.

Cllr Appleyard stated that there could be one bench with a number of memorial plaques on it.

RESOLVED: To discuss this issue further at the forthcoming workshop and bring a proposal to a future meeting.

19 **SURVEY OF ALICE PARK**

The Sub-Committee considered a report by Graham Page giving details of a survey he had carried out within the park. This identified areas of work that needed to be carried out to improve the appearance of the park such as ironwork, benches, markings in the car park area, signage, the gate at the entrance to London Road and repairs to the tennis hut.

Cllr Appleyard thanked Graham Page for carrying out the survey. He noted that these works would require some resources and felt that the sub-committee should

focus on the more urgent aspects in the first instance.

RESOLVED: To discuss with Council Officers the best way to carry out a refresh on the following areas within the park:

- Park entrance and car park area.
- Gate providing access to London Road to ensure that this opens and closes properly as this could be a health and safety issue.

20 **MULTI-USE GAMES WALL**

The Sub-Committee considered a proposal to install a multi-use games wall in the park. This may require some ongoing maintenance.

Graham Page felt that an impact analysis should take place before a final decision is made including how it would affect interactions with other park users.

RESOLVED: That Graham Page carry out a SWOT analysis of this proposal and bring a report to the next meeting for consideration.

The meeting ended at 4.12 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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Policies for B&NES Council Parks

(a) Barbeques

Two designated barbecue areas have been created in Victoria Park featuring specially modified picnic tables with facilities for disposable barbecues.

The areas also include bespoke heat-proof bins for disposing of metal barbecues safely.

Barbecues must only be used in the designated areas and people using them elsewhere in the park will be asked to extinguish them.

Users are also reminded to dispose of their BBQs and other rubbish properly and ensure that children and pets are supervised at all times in these areas.

BBQs are still prohibited in other parks throughout B&NES.

(b) Drones

Drone flying is not permitted from Bath & North East Somerset Council's parks and open spaces, unless you have permission for drone filming from the Bath Film Office. Please see the section on filming below. All drone flying in Bath & North East Somerset has to comply with the UK Drone Safe Code.

In general, drone flying must meet the following criteria from the Drone Safe Code: -

- Always keep your drone in sight
- Stay below 120m (400 ft)
- Follow the manufacturer's instructions for flying the drone
- Exclusion zone - keep the right distance from people and property i.e. minimum of 50m (150 ft) and around crowds and built up areas this distance goes up to 150m (500 ft)
- You are responsible for each flight (failure to comply could result in criminal prosecution)
- Stay well away from aircraft, airports and airfields

Someone flying a drone also needs the landowner's permission. In order to comply with the Drone Safe code exclusion zone, a person flying a drone would either have to have their own marshalls to create the 50m / 150m exclusion zone (depending on location) or to barrier off the flying area to ensure that the drone cannot come within 50m / 150m of anyone. Since Parks will not allow a member of the public to barrier off any part of any park, drone flying is not allowed in B&NES parks and open spaces.

Filming with a drone

An individual or legal entity such as a production company may submit an application form to film with a SUA (small unmanned aircraft i.e. a drone) to the Bath Film Office.

The conditions for filming include the compliance with the Drone Safe code regarding the exclusion zone as above i.e. the people who film with drones either have their own marshalls to create the 50m/150m exclusion zone or to barrier off the flying area to ensure that the drone cannot come with 50m/150m of anyone.



BATH & NORTH EAST SOMERSET DISTRICT COUNCIL

PARKS & PLEASURE GROUNDS

BYELAWS

Attention is drawn to the byelaws with respect to pleasure grounds and in particular the following matters

- 1 Vehicles must be driven at a responsible speed with consideration for public safety.**
- 2 All vehicles, cycles and horses must be kept on the roads.**
- 3 Dogs are banned from children's play areas, and certain other land. Elsewhere, dogs may have to be kept on leads, or the area may be a scoop area. Look out for the signs.**
- 4 Persons must not cause damage to any turfed areas, flower beds, trees, shrubs or ornaments nor remove any turf or soil.**
- 5 Persons must not climb on trees, barriers, fences, ornaments etc.**
- 6 No persons shall skate on rollers to the danger of other persons lawfully using the footways.**
- 7 To sell or advertise any article or commodity is strictly forbidden without permission.**
- 8 Persons shall not erect a tent, stand or any other structure without permission.**
- 9 Overnight stays in caravans, vans or any other vehicle are not permitted.**
- 10 All hard ball games are not permitted except in designated areas.**
- 11 A person shall not play any musical instrument, wireless or other audio equipment to the inconvenience of others.**
- 12 Any person infringing any byelaw may be asked to leave the pleasure ground and if that person fails to obey, an officer of the council can remove that person from the ground or seek assistance from the police to do so. (offenders may be liable to a fine not exceeding £50).**

Head of Operational Services

made under Section 104 of the Public Health Act 1913
by the Bath City Council with respect to PLEASURE GROUNDS.

CITY OF BATH

1. Throughout these Byelaws the expression "the Council" means the Bath City Council and the expression "the grounds" means the grounds listed in Schedule 1 to these Byelaws.

2. An act necessary to the proper execution of his duty in the ground by an officer of the Council, or by any person or servant of any person employed by the Council, shall not be deemed an offence against these Byelaws.



3. A person shall not
(i) climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other erection;
(ii) without reasonable excuse remove or displace any wall or fence in or enclosing the ground, or any barrier, railing, post or seat, or any part of any erection or ornament, or any apparatus used in the laying out or

BYELAWS

(iii) remove or displace any soil or plant.

4. A person shall not...
Made by the Bath City Council, with respect
to Pleasure Grounds

5. A person shall not cause or suffer any dog belonging to him or in his charge to remain in the ground unless such dog be and continue to be under proper control, and be effectually restrained

- (i) from causing annoyance to any person;
- (ii) from worrying or disturbing any animal or waterfowl;
- (iii) from excavating any lake, pond or stream, or any panning or boring, pool or other water.

A.G.MEECHAM,
Director of Administrative and Legal Services,

BATH.

CITY OF BATH

BYELAWS

made under Section 164 of the Public Health Act 1875
by the Bath City Council with respect to PLEASURE GROUNDS.

1. Throughout these byelaws the expression "the Council" means the Bath City Council and the expression "the ground" means the grounds listed in Schedule I to these byelaws.
2. An act necessary to the proper execution of his duty in the ground by an officer of the Council, or by any person or servant of any person employed by the Council, shall not be deemed an offence against these byelaws.
3. A person shall not in the ground
- (i) climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other erection;
 - (ii) without reasonable excuse remove or displace any wall or fence in or enclosing the ground, or any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the ground;
 - (iii) remove or displace any soil or plant.
4. A person shall not, except in pursuance of a lawful agreement with the Council, or otherwise in the exercise of any lawful right or privilege, ride, drive, or bring, or cause or suffer to be ridden, driven, or brought into the ground any cattle, sheep, goats or pigs, or any beast of draught or burden.
5. A person shall not cause or suffer any dog belonging to him or in his charge to remain in the ground unless such dog be and continue to be under proper control, and be effectually restrained
- (i) from causing annoyance to any person;
 - (ii) from worrying or disturbing any animal or waterfowl;
 - (iii) from entering any lake, pond or stream, or any paddling or boating pool or other water.

Provided that in that part of the Royal Victoria Park known as the

Botanical Gardens, that part of Henrietta Park known as the Blind Garden, and in the Parade Gardens, a dog shall not be deemed to be under proper control unless it is on a lead.

Provided also that a person shall not cause or suffer any dog belonging to him or in his charge other than a guide dog in the charge of a blind person to enter or remain in any enclosed ground or enclosed part of a ground listed in Schedule II to these byelaws which by notice affixed or set up in a conspicuous position is reserved by the Council as a Children's play area.

6. No person shall on any footway in the ground skate on rollers, skate-boards, wheels or other mechanical contrivances to the danger of other persons lawfully using the footway.

7. A person shall not, except in the exercise of any lawful right or privilege, bring or cause to be brought into the ground any barrow, truck, machine or vehicle other than -

- (i) a wheeled bicycle, tricycle or other similar machine;
- (ii) a wheel-chair or perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid,

and shall not except in the exercise of any lawful right or privilege ride any bicycle, tricycle or other similar machine in any part of the ground.

Provided that this prohibition shall not apply where upon an application to the Council they grant permission for the driving or riding of any vehicle over any part of the ground upon such occasion and for such purposes as are specified in the application.

Provided further that where the Council set apart a space in the ground for the use of any class of vehicle, this byelaw shall not be deemed to prohibit the driving in or to that space by a direct route from the entrance to the ground of any vehicle of the class for which it is set apart.

8. A person who brings a vehicle into the ground shall not wheel or station it over or upon

- (i) any flower bed, shrub, or plant, or any ground in course of preparation as a flower bed, or for the growth of any tree, shrub or plant;
- (ii) any part of the ground where the Council by a notice board affixed or set up in some conspicuous position in the ground prohibit its being wheeled or stationed.

9. A person shall not in the ground ride or drive any vehicle at such a speed and in such a manner as to cause danger to other persons in the ground or without reasonable consideration for such persons.

10. A person shall not affix any bill, placard, or notice to or upon any wall or fence in or enclosing the ground, or to or upon any tree, or plant, or to or upon any part of any building, barrier, or railing, or of any seat, or of any erection or ornament in the ground.

11. Where the Council set apart any such part of the ground as may be fixed by the Council, and described in a notice board affixed or set up in some conspicuous position on the ground, for the purpose of any game specified in the notice board, which, by reason of the rules or manner of playing, or for the prevention of damage, danger, or discomfort to any person in the ground may necessitate, at any time during the continuance of the game, the exclusive use by the player or players of any space in such part of the ground, a person shall not in any space elsewhere in the ground play or take part in any game so specified in such a manner as to exclude persons not playing or taking part in the game from the use of such space.

12. A person shall not in the ground

(i) except as hereinafter provided erect any post, rail, fence, pole, tent, booth, stand, building, or other structure:

Provided that this prohibition shall not apply where upon an application to the Council they grant permission to erect any post, rail, fence, pole, tent, booth, stand, building, or other structure, upon such occasion and for such purpose as are specified in the application;

(ii) sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article, unless in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, he is authorised to sell or let to hire in the ground such commodity or article.

13. A person shall not in the ground

(i) bathe, wade, or wash in any boating lake or in any ornamental lake, pond, stream, or other water;

(ii) without reasonable excuse foul or pollute any such water.

14. A person shall not in the ground intentionally obstruct, disturb, or annoy any other person in the proper use of the ground, or intentionally obstruct or disturb any officer of the Council in the proper execution of his duty, or any person or servant of any person employed by the Council in the proper execution of any work in connection with the laying out or maintenance of the ground.

15. A person shall not by playing any musical instrument or operating or causing or suffering to be operated any wireless set, gramophone, amplifier, tape recorder or similar instrument make, cause or suffer to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the ground.

16. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding fifty pounds.

17. Every person who shall infringe any byelaw for the regulation of the ground may be removed therefrom by any officer of the Council, or by any constable, in any one of the several cases hereinafter specified: that is to say -

- (i) Where the infraction of the byelaw is committed within the view of such officer or constable, and the name and residence of the person infringing the byelaw are unknown to and cannot be readily ascertained by such officer or constable.
- (ii) Where the infraction of the byelaw is committed within the view of such officer or constable, and, from the nature of such infraction, or from any other fact of which such officer or constable may have knowledge, or of which he may be credibly informed, there may be reasonable ground for belief that the continuance in the ground of the person infringing the byelaw may result in another infraction of a byelaw, or that the removal of such person from the ground is otherwise necessary as a security for the proper use and regulation thereof.

REPEAL OF BYELAWS

18. The byelaws with respect to pleasure grounds which were made by the Mayor, Aldermen and Citizens of the City of Bath on the 9th day of October 1923 and were allowed by the Minister of Health on the 18th day of December 1923, are hereby repealed.

SCHEDULE I

Alexandra Park	Moorfields Children's Playground
Alice Park	Moorlands
Combe Down Recreation Ground	Parade Gardens
Hedgemoad Park	Picnic Park
Henrietta Park	Royal Avenue
Innox Park	Royal Victoria Park
Larkhall Recreation Ground	Sydney Gardens
Magdalen Gardens	Twerton Roundhill

SCHEDULE II

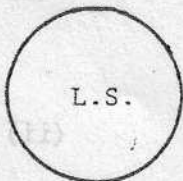
1. The whole of the ground known as Moorfields Children's Playground.
2. That part of the Royal Victoria Park known as the Lower Common Children's Playground.
3. Those parts of the following grounds designated by the Council as children's play areas;

Alice Park
Sydney Gardens

The COMMON SEAL of the BATH CITY COUNCIL was hereunto affixed this 5th day of April 1982 in the presence of:-

(Sgd.) A.G. MEECHAM

Director of Administrative and Legal Services.



The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 9th day of June 1982.

Signed by the authority of the Secretary of State, Home Office, London.
27th May 1982.

(Sgd.) G.I. de DENEY

An Assistant Under Secretary of State.



CITY OF BATH



BYELAWS

Made by the BATH CITY COUNCIL, relating
to CONTROL OF DOGS AND REMOVAL OF
CANINE FAECES

N.C. ABBOTT
Chief Executive
BATH

BATH CITY COUNCIL

BYELAWS RELATING TO CONTROL OF DOGS AND REMOVAL OF CANINE FAECES

Byelaws made by the Bath City Council under Section 164 of the Public Health Act 1875, Section 15 of the Open Spaces Act 1906 and Sections 12 and 15 of the Open Spaces Act 1906 with regard to public walks, pleasure grounds or open spaces.

EXTENT

1. (i) Byelaw 3 applies to the public walks and pleasure grounds, or parts thereof, described in Schedule 1, hereafter referred to as the "dog prohibited areas".
- (ii) Byelaws 4 and 5 apply to the public walks and pleasure grounds described in Schedule 2, hereafter referred to as the "canine faeces removal areas".
- (iii) Byelaw 6 applies to the public walks and pleasure grounds, or parts thereof, described in Schedule 3, hereafter referred to as the "dogs on leads areas".
- (iv) Notice of the effect of those byelaws shall be given by signs placed in conspicuous positions at the entrances to each of the dog prohibited areas, and at the entrances or on the approaches to the canine faeces removal areas and dogs on leads areas.

INTERPRETATION

2. (i) In these byelaws:-

"The Council" means the Bath City Council.

- (ii) For the purpose of these byelaws the keeper of the dog shall be deemed in charge thereof, unless the Court is satisfied that the dog had been placed in or taken into the charge of some other person at the time when an offence under these byelaws had been committed.

- (iii) In paragraph (ii) above, "the keeper" shall include the owner of the dog or any person who habitually has it in his possession.

DOGS PROHIBITED FROM THE GROUNDS

3. (i) No person in charge of a dog (other than a registered blind person in charge of a dog), shall without reasonable excuse, permit the dog to enter or remain in any of the dog prohibited areas.
- (ii) An Officer of the Council, or any constable may require a person in charge of a dog which has entered any of the dog prohibited areas to remove the dog therefrom.

REMOVAL OF CANINE FAECES

4. Every person in charge of a dog (other than a registered blind person in charge of a dog) which is in any of the canine faeces removal areas who, without reasonable excuse, fails to remove forthwith from any such area any faeces deposited by the dog shall be guilty of an offence.
5. For the purposes of compliance with Byelaw 4 the following provisions shall apply:-
 - (i) It shall be a sufficient removal from the canine faeces removal area if the faeces are deposited in a receptacle in any such area which has been provided for that purpose by the Council.
 - (ii) Without prejudice to the generality of the foregoing, it shall not be a reasonable excuse that a person in charge of a dog did not have with him any means of removal of the faeces.

DOGS ON LEADS

6. No person in charge of a dog shall, without reasonable excuse, permit a dog to be in the dogs on leads areas unless the dog is held on a lead and is restrained from behaviour giving reasonable grounds for annoyance.

REMOVAL OF OFFENDERS

7. Any person offending against any of these byelaws in a pleasure ground may be removed from the pleasure ground in which the offence is being committed by a constable or by an officer of the Council.

PENALTY

8. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

REVOCATION OF BYELAWS

9. Byelaw 5 of the byelaws made by the Council on the 5th day of April 1982 with respect to Open Spaces and byelaw 5 of the byelaws made by the Council on the 5th day of April 1982 with respect to Pleasure Grounds are revoked with effect from the date on which these byelaws shall come into operation.

SCHEDULE 1

Part I

Grounds for which byelaws are made under Section 164 of the Public Health Act 1875:-

Alexandra Park Children's Play Area
 Alice Park Children's Play Area
 Bath Recreation Ground
 Brassmill Lane Open Space Children's Play Area
 Brickfields Open Space Children's Play Area, Lymore Avenue

SCHEDULE 1 (continued)

Part I (continued)

Corston View Open Space Children's Play Area
 Dartmouth Avenue Open Space Children's Play Area
 Green Park Children's Play Area
 Hedgemoad Park Children's Play Area
 Hillcrest Drive Open Space Children's Play Area
 Innox Park Children's Play Area
 Kelsons Field Children's Play Area, Upper Bristol Road
 Larkhall Recreation Ground Children's Play Area
 Moorfields Children's Playground, Monksdale Road
 Moorlands Children's Play Area, Englishcombe Lane
 Newbridge Road Open Space Children's Play Area
 Newton Road Open Space Children's Play Area
 Odd Down Playing Fields
 Parade Gardens
 Lower Common Children's Playground, Royal Victoria Park
 Sydney Gardens Children's Play Area
 Twerton Roundhill Children's Play Area
 Weston Recreation Ground Children's Play Area
 Widcombe Open Space Children's Play Area, Pulteney Road

Part II

Grounds for which byelaws are made under Section 15 of the Open Spaces Act 1906:-

Hawthorn Grove Children's Play Area
 Queen Square Lawn

Part III

Grounds for which byelaws are made under Sections 12 and 15 of the Open Spaces Act 1906:-

Calton Road Children's Play Area
 Springfield Farm Children's Play Area

SCHEDULE 2

Part I

Grounds for which byelaws are made under Section 164 of the Public Health Act 1875:-

Alexandra Park (excluding children's play area)
 Alice Park (excluding children's play area)
 Beazer Gardens
 Brassmill Lane Open Space (excluding children's play area)
 Brickfields Open Space, Lymore Avenue (excluding children's play area)
 Circus
 Corston View Open Space (excluding children's play area)
 Dartmouth Avenue Open Space (excluding children's play area)

SCHEDULE 2 (continued)

Part I (continued)

Green Park (excluding children's play area)
 Hedgemoad Park (excluding children's play area)
 Henrietta Park
 Innox Park (excluding children's play area)
 Kelsons Field, Upper Bristol Road (excluding children's play area)
 Larkhall Recreation Ground (excluding children's play area)
 Linear Park (area rear of Bellotts Road)
 Magdalen Gardens Open Space
 Newbridge Road Open Space (excluding children's play area)
 Newton Road Open Space (excluding children's play area)
 Royal Avenue
 Royal Victoria Park (excluding Lower Common children's playground)
 Sydney Gardens (excluding children's play area)
 Twerton Roundhill (excluding children's play area)
 Walcot Street Closed Burial Ground
 Weston Recreation Ground (excluding children's play area)

Part II

Grounds for which byelaws are made under Section 15 of the Open Spaces Act 1906:-

Beacon Hill Open Space
 Hawthorn Grove (excluding children's play area)

Part III

Grounds for which byelaws are made under Sections 12 and 15 of the Open Spaces Act 1906:-

Baxton's Field, Combe Down
 Entry Hill Open Space

SCHEDULE 3

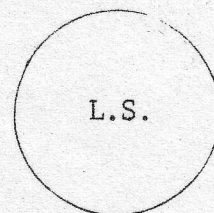
Grounds for which byelaws are made under Section 164 of the Public Health Act 1875:-

Alexandra Park (bowling green)
 Approach Golf Course, Weston Road
 Entry Hill Golf Course
 Henrietta Park (Blind Garden)
 Royal Avenue (bowling and putting greens)
 Royal Victoria Park (Botanical Gardens and Great Dell)
 St. James' Garden, Lower Borough Walls
 Sydney Gardens (bowling green)

The COMMON SEAL of the BATH CITY COUNCIL was hereunto affixed this 8th day of January 1991 in the presence of:-

(Sgd.) N C ABBOTT

Chief Executive

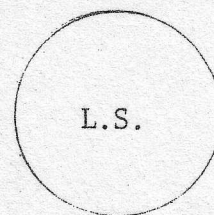


The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 25th March 1991.

Signed by the authority of the Secretary of State, Home Office, London.
18th March 1991.

(Sgd.) C.L. SCOBLE

An Assistant Under Secretary of State



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Commercial Activities in Alice Park

Introduction

Councillor Appleyard has recently introduced a system for charging commercial users for using the park to carry on their activities. Whilst any form of revenue raising relating to the use of the park is very welcome, it has yet to be formally approved by the sub-committee.

Concerns

The situation needs to be regularized and the details of the system approved by the sub-committee.

An important consideration relates to information relating to the granting of permission. Since the passing of the of the Data Protection Act 2018, which places strict requirements on the acquiring and storage of data. To this end this end the sub-committee should be able to demonstrate that the information required meets the following criteria:

1. That the information is only given to those in the Trust who are required to deal with it,
2. The information gathered is limited to that necessary to grant a permission,
3. The information is properly stored, and
4. It is monitored for relevance and accuracy.

How is this to be achieved?

The second consideration relates to the process.

The sub-committee will need to be satisfied on the following:

1. How are commercial undertakings using the park identified? To be fair all such users need to be identified.
2. Who receives the information? If this to be delegated to whom will it be delegated?
3. What information is required of intending applicants?
4. What information is required in order that the application can be determined?
5. Who determines whether permission is to be granted /refused? (see below for comments on this.)
6. The fee structure to be charged. (see below.)
7. The recording by both the Trust and the person granted the permission that permission has been granted.
8. What appeal options are available to persons who feel they have been unreasonably refused permission?

Relevant Information

When granting permissions, the Trust will need to be satisfied of the following:

1. The identity of the applicant.
2. The nature of the business. e.g. fitness group, education, training.
3. Demonstration of competency to carry on those activities e.g. Registration with a competency granted organization, professional body.
4. Proper professional and public liability insurance.
5. Details of how the business operates in the park. Number of sessions, number of people involved, duration of sessions.
6. If the activity involves unsupervised supervision of children, the appropriate detailed authorisation that all involved in the running of the activity have the appropriate clearance from the debarring authorities.

The committee needs to determine the charging structure.

1. Are we issuing a permit to operate? i.e. a one- off payment of indeterminate length,
2. Are the Trust granting a licence? If so:
 - a. For how long?
 - b. Conditions to be observed
 - c. Process for renewing or withdrawing licence.
3. What is the amount of fee to be charged?
4. Are there going to be different fee levels for different types of activity?

How do recipients of licences/permits demonstrate they are allowed to operate?

Graham Page - Independent Member.

Multi-Games Play Wall

Feasibility Survey

Introduction

Multi-games play walls are a valuable addition to existing park sporting facilities. Generally, they form a boundary of an existing facility because their use requires a level playing area of durable material in front of them. Such an area requires to be enclosed to contain any balls used as part of the activity for which they are being used.

Wall Construction

The wall needs to be of sufficient height and width to facilitate the practice. For example, with football it will need to be a minimum of 1,5ms higher and wider than the goal painted onto its surface: for tennis it would need to be at least 4ms tall and the width of a tennis court. In addition, there would need to be protection behind the wall in the form of netting to mitigate against balls being lost and or danger to people moving behind the wall, This is important if the wall forms part of the perimeter of the site. Walls of this size need to be of substantial construction e.g. block or brick. Wood can be used but it tends to be noisier. More solid structures absorb sound better. Care needs to be taken that the siting of the wall does not obscure light from other parks of the park and or adjacent premises.

Introducing it into Alice Park

A group of existing users who have expressed an interest in such a wall are the existing tennis players. It could be incorporated in the proposals relating to the upgrading of the existing tennis courts. Situating the wall as part of the southern boundary of the park adjacent to London Road is highly practicable. However, under the existing proposals for upgrading the tennis courts it would not be available to other park users unless using the two courts were turned into a multi-games facility.

Placing it in any other part of the park would be difficult. It is difficult to find a level piece of ground that could be leveled and enclosed without substantial ground works. The area required probably some 3/400 square metres would be difficult to find without compromising facilities and/or the abundance of trees which give the park its character. The creation of such a facility from scratch would be costly.

These findings are put before the committee for their consideration.

Graham Page
Independent Member

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