

## ALICE PARK TRUST SUB-COMMITTEE

### Minutes of the Meeting held

Thursday, 16th September, 2021, 2.00 pm

Councillor Rob Appleyard (Ch) - Bath and North East Somerset Council  
Councillor Sally Davis - Bath and North East Somerset Council  
Councillor Joanna Wright - Bath and North East Somerset Council  
Holly Dabbs - Independent Member (non-voting)  
Bill Shaw - Independent Member (non-voting)

#### 1 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting, and, in particular, Holly Dabbs the new independent member.

#### 2 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 3 APOLOGIES FOR ABSENCE AND SUBSTITUTION

There were no apologies for absence.

#### 4 DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chair drew members' attention to the recent email that had been sent by the Democratic Services Officer setting out the requirement to complete a declaration of interest form.

#### 5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

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

Some questions had been submitted by Paul Hooper. A copy of the questions and responses were circulated to members of the sub-committee and a copy is attached as *Appendix 1* to these minutes.

Graham Page made a statement to the sub-committee regarding health and safety issues in the park, Cottage No. 2 Alice Park, and the lease arrangements for the skate park and the tennis courts. He thanked officers for their responses to the issues he had raised. A copy of the statement is attached as *Appendix 2* to these minutes.

In response to a question from the Chair, Mr Page confirmed that he was raising these issues as the Independent Member on the Charitable Trust Board.

The Chair explained that there are some aspects of the lease process that still need to be finalised and that officers have been asked to progress these. He stated that he shared the concern regarding what had happened with regard to Cottage No. 2 Alice Park, but noted that in December 2020 the sub-committee had agreed to recognise the error, accept that compound interest has been paid to the Trust and noted that there was no further action that can be taken. The Charity Commission has now closed its enquiry into this matter following receipt of the Council's explanation. The matter is now considered to be closed.

Work will be carried out to relocate the gate by the café and officers will ensure that its construction complies with current health and safety guidance.

## **7 MINUTES OF THE MEETING OF 29 MARCH 2021**

The minutes of the meeting held on 29 March 2021 were confirmed and signed as a correct record.

## **8 CHAIR'S UPDATE**

The Chair gave an update on the following matters:

- Correspondence has been received from the Alice Park Community Garden with a request to establish a more formal arrangement for the use of the gazebo area within the park. They have requested more clarity regarding the management arrangements.
- The Chair has asked officers from the Property and Legal teams to investigate the issues raised. He recognised the importance of maintaining a good relationship with the volunteers and this matter will be considered at a future meeting. It was noted that the community garden is volunteer led by a community group which provides excellent value to the park. The sub-committee congratulated the community garden group on their success in the Bath in Bloom competition winning the overall community champion category.
- Correspondence has also been received from the leaseholder of the Alice Park Café regarding the impact on the café of renting out the gazebo area. The café also rents an additional area of land which can be used for events. It is important for arrangements to be fair to all.
- The Trust has been asked to reduce the amount of support it receives from the Council and to become more financially self-sufficient. Revenue has increased slightly over the last year. The sub-committee has aspirations for the park but does not currently have sufficient resources to achieve these. In future a quarterly budget monitor report will be brought to sub-committee meetings to enable members to keep up to speed with the financial situation of the Trust.

## 9 BATH AREA PLAY PROJECT INVOICE

The Chair stated that the play area has had very little improvement for some time. The Bath Area Play Project has carried out some consultation work regarding the play area and has produced a report which has been circulated to sub-committee members. They will carry out some further consultation to gain a better understanding of the type of adventure play equipment and traditional play equipment that is required.

The sub-committee has previously agreed to make improvement of the play area one of its key priorities. The Alice Park Play Area project (APPA) has been set up and is looking to carry out a major refurbishment of the play area. The project will be made up of the following strands:

- Public consultation and engagement – Cllr Joanna Wright and Holly Dabbs
- Finance and community giving – Cllr Rob Appleyard and Bill Shaw
- Equipment sourcing and overall play area plan - Cllrs Sally Davis and Rob Appleyard

Each strand will be able to co-opt people to their group (but not to the sub-committee) and will provide a short update and timelines at future meetings.

The Bath Area Play Project has submitted an invoice for the work it has carried out. It is hoped that this will be covered by Community Infrastructure Levy (CIL) funding in due course but needs to be paid from the Alice Park Trust budget in the meantime.

RESOLVED: To agree payment of the invoice for £2k which has been submitted by the Bath Area Play Project.

## 10 HEALTH AND SAFETY AND SAFEGUARDING ISSUES IN ALICE PARK

The sub-committee considered a report submitted by Graham Page, Independent Member of the Charitable Trust Board. The report raised some health and safety and safeguarding issues in Alice Park. Responses to the concerns raised were provided by council officers.

Cllr Joanna Wright stated that she would be meeting youth services in the park to discuss how the Trust and the Council can work more positively with young people. She agreed to report back following the meeting.

Members noted the officer responses provided.

## 11 CHARITIES COMMISSION RULING - COTTAGE NO. 2, ALICE PARK

The Sub-Committee considered a report by Graham Page, Independent Member of the Charitable Trust Board, expressing concerns regarding the disposal of Cottage No. 2 Alice Park.

Members noted that this matter has been fully discussed, reparations for the sale of the cottage have been made, accounting processes adjusted to the satisfaction of the Charities Commission and the matter is now considered closed.

**12 ALICE PARK LEASING ARRANGEMENTS**

The Sub-Committee considered a report submitted by Graham Page, Independent Member of the Charitable Trust Board regarding the leases for the skate park and tennis courts in Alice Park.

Members noted that some elements of the leases were still to be finalised and that all necessary agreements will be reported back to the sub-committee and completed in due course.

**13 WILDLIFE MEADOW**

Cllr Joanna Wright informed the sub-committee that she has volunteered to plant some wildlife meadow seeds in the area adjacent to the London Road. This will encourage more greenery and will be paid for by Cllr Wright.

**14 CO-OPTION OF MEMBERS TO THE SUB-COMMITTEE**

Bill Shaw suggested that a member of the community garden voluntary group should be co-opted to the sub-committee.

The Chair stated that the Council is the sole corporate trustee for the Alice Park Trust and that the composition of the sub-committee is laid down by the Charitable Trust Board. It is important to ensure that nobody on the sub-committee has a vested interest and that everyone works for the benefit of the park as a whole.

A "Friends of Alice Park" organisation could be set up which could then lobby and influence the overarching sub-committee to give other organisations and members of the public a stronger voice. The Chair agreed to look into this proposal following discussions with the Legal Services Team Leader.

**15 TENNIS COURTS**

Bill Shaw passed on thanks from the U3A organisation for the new improved tennis court facilities in Alice Park.

**16 DATE OF NEXT MEETING**

It was agreed that the next meeting will be held in early December.

The meeting ended at 2.45 pm

Chair .....

Date Confirmed and Signed .....

Prepared by Democratic Services

**ALICE PARK TRUST SUB-COMMITTEE – 16 SEPTEMBER 2021**  
**PUBLIC QUESTIONS/STATEMENT FROM PAUL HOOPER**

I understand from the June issue of “Local Look” that the Alice Park skatepark is now open.

Whilst the skatepark has opened some seven months later than the COVID-adjusted date published in the October/November 2020 issue of Focus, with no doubt increased costs to reflect this, the project has yet to be fully delivered.

Significant products are still awaited:

1. Making good the damage caused to the grassed area by plant accessing the skatepark site through Alice Park.
2. The noise attenuation promised in the project deliverables: landscaping and screen planting.

When are these products to be delivered?

With the absence of the key project deliverable of noise attenuation work, it appears that the Alice Park Sub-Committee/BANES Council has knowingly and deliberately introduced unmitigated noise pollution to Alice Park and the surrounding community! This is either through negligence or an all-consuming desire to open the skatepark at any cost. What are you going to do about it? Close the skatepark to stop the pollution? Compensate the users of Alice Park and the local community? If nothing is done, this is clear evidence that the current administration actively supports and encourages noise pollution.

For an administration that is so focused on reducing/eliminating pollution is this not a rather embarrassing and illegal position to find themselves in?

The willingness to destroy the iconic boating pond/sandpit to provide sufficient room for fencing to rectify the unnecessary design change to the skatepark is hugely disappointing. How can this be justified? Remember, the user survey conducted by the Alice Park Cafe identified the skatepark as the lowest user priority for Alice Park!

Given that the design change led to rectification work i.e., fencing, new paths, and alterations to the boating pond/sandpit; I trust these additional costs have been met by the party responsible for the design change decision and not by the taxpayer? I also hope that the yet to be delivered landscaping and screen planting were fully considered when planning the rectification work?

Parking in the Alice Park vicinity has been an issue for several years and has yet to be addressed. It could be extrapolated from the original skatepark survey commissioned by Cllr Appleyard that some 85% of skatepark users would be driven to the facility. Given the recent change in scope to allow adults to use what was always campaigned as a children’s play facility, this can only increase the number of vehicles commuting to Alice Park and parking in Alice Park and the surrounding area. Clearly, congestion and excessive parking on the Gloucester Road and the

arterial roads introduces risk and danger to pedestrians. When you consulted with the key stakeholders including: neighbours and residents of Alice Park; highways and the police; to discuss the potential increase in traffic and parking associated with the change in project scope, were they happy with this situation? What provision have you put in place for additional off-road parking?

Around half an acre of the dedicated children's play area (under 14s) remains, the other half an acre being lost to the skatepark, how do you plan to honour the Alice Park Conveyance dated [19/5/37](#) which stated that at least 4 acres of the hereditaments shall always be reserved exclusively for children up to 14 years of age?

## **Response**

Thank you for your continual interest in Alice Park Mr Hooper, and in particular the skatepark facility.

The skatepark is now open and being well used, observations indicate the majority of users are around the mid teenage range with a few older users. There is not a mechanism or a desire for the sub-committee to look to change that cohort.

There are a couple of small snagging issues being tended to prior to the sign off of the project by the council, one being the track mark across the grass to the location.

All actions have come within the designated budget.

The sub-committee is not aware of any increase in the noise levels and if you can provide evidence and data to indicate this is the case the committee will look at this. There will be accepted technical standards for which you can measure this data against and will only be validated data responded to. If there is a noise issue evidence should be gathered and a complaint made to BANES' Environmental Services who will investigate and take appropriate action should a statutory nuisance be found. There is no intention to do any more in this area unless a proven issue comes to light.

Following additional safety advice, the fencing separating the sandpit and skatepark was modified. The sub-committee has received no negative feedback from sandpit users over and above the two received prior to any changes when the full detail was unknown.

The sub-committee has and will continue to encourage those attending the park to arrive by means other than a motorised vehicle, and as the sub-committee's remit does not extend outside the park area we do encourage the right parking behaviours but this ultimately sits with the council highways department and your concerns should be placed with them.

All areas of the park are open to young children, with the recognition that the tennis courts should have adult supervision, and as the take up of family membership is high this indicates a growing younger involvement.

It's sensed this now exhausts the range of responses we can provide and will now look at the matter being closed

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## **Submission to Alice Park Trust Sub-Committee**

I appear as an independent member of the Charitable Trust Board. Following the last meeting it was agreed that these be brought back to the sub-committee. My thanks to Council officers for their responses.

### Safeguarding issues

Existing Gate to the playground in Alice Park opens INWARD.

I don't find the comments particularly credible -particularly the dog reference.

The access gate between the children's playground and the skatepark area does not affect the issue around dangers in the immediate area of the skatepark.

I would like the sub-committee to look again at the submission regarding fencing of the skatepark. Particularly in the light of misuse of the skatepark witnessed by the chair and myself and there have been two accidents as I am led to believe involving overshoots of the surrounding apron.

### Cottage No. 2

The Charities Commission have ruled that the previous sale of cottage number 2 was unlawful but in the light of representations by the council propose taking no further action. An FOI Request was declined of not being in the public interest. Surely it of interest to Alice Park Trust as it has suffered both the loss of a capital asset and the revenue it would raise. The details of this should at least go to the Charitable Trust Board.

### Leasing Arrangement

The tennis courts:

The explanations by officers have been very helpful and address most of my concerns, I look forward to this being translated into a document that can be approved by the Charitable Trust Board

The skatepark:

The new lease encroaches on the playground area and has impacted negatively on some playground facilities. Because of this, the safety and safeguarding issues still need to be addressed as do other issues such as access, maintenance, and ancillary works. I look forward to a revised lease being drafted and submitted to the independent solicitor appointed by the charities commission for their approval

**GRAHAM PAGE**

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