

Alice Park Trust Sub-Committee

Date: Monday, 13th December, 2021

Time: 10.30 am

Venue: Brunswick Room - Guildhall, Bath

Councillor Rob Appleyard (Chair)

Councillor Sally Davis

Councillor Joanna Wright

Co-opted members non-voting: Holly Dabbs 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 Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control. Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds live via the internet www.bathnes.gov.uk/webcast. 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 Monday notice must be received in Democratic Services by 5.00pm the previous Wednesday.

Further details of the scheme can be found at:

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

5. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

6. 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 - Monday, 13th December, 2021

at 10.30 am in the Brunswick Room - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out on the Agenda.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTION

4. 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.

5. 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.

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

7. MINUTES OF THE PREVIOUS MEETING (Pages 7 - 10)

To confirm the minutes of the meeting held on 16 September 2021.

8. CHAIR'S UPDATE

To receive an update from the Chair including:

- Friends of Alice Park proposal
- To consider Alice Park Trust becoming a member of 3SG

9. ALICE PARK ANNUAL REPORT AND STATEMENT OF ACCOUNTS 2020-21 (Pages 11 - 26)

To consider and approve the Statement of Accounts and Annual Report for the year ending 31 March 2021 for submission to the Charity Commission.

10. QUARTERLY BUDGET MONITORING REPORT (Pages 27 - 30)

To note and consider the quarterly budget and forecast report for the Alice Park Trust, including the recommendations laid out in Section 4.

11. SKATE PARK LOCATION (Pages 31 - 36)

The sub-committee is asked to approve the revised plan showing the location of the skatepark as set out in appendix 1 of the report.

12. UPDATE ON THE ALICE PARK PLAY AREA PROJECT (APPA)

To receive an update from members on the Alice Park Play Area Project workstreams:

- Public consultation and engagement - Joanna and Holly
- Finance and community giving - Rob and Bill
- Equipment sourcing and overall play area plan - Sally and Rob

13. ALICE PARK COMMUNITY GARDEN PROJECT (Pages 37 - 44)

To consider the attached correspondence from the Alice Park Community Garden Project and Alice Park Café.

14. DATE OF NEXT MEETING

To consider when the sub-committee next wishes to meet.

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

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

Bath & North East Somerset Council	
MEETING/ DECISION MAKER:	Alice Park Trust Sub-Committee
MEETING/ DECISION DATE:	13 December 2021
TITLE:	Alice Park Trust Sub-Committee – Annual Report for the year ending 31st March 2021
WARD:	Lambridge
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <ol style="list-style-type: none"> 1. Statement of Accounts to 31st March 2021 (Receipts and Payments account) 2. Trustees' Annual Report to 31st March 2021 3. Draft Independent Examiners Review 4. Charity Commission Reporting – Extract of Accounting Requirements 	

1 THE ISSUE

- 1.1 To agree the Statement of Accounts for Alice Park Trust for year ending 31st March 2021. (Appendix 1)
- 1.2 To agree the Annual Report for Alice Park Trust for year ending 31st March 2021. (Appendix 2)

2 RECOMMENDATIONS

- 2.1 Agree and sign the financial statements of Alice Park Trust for year ending 31st March 2021 and their submission to the Charity Commission.
- 2.2 Agree and sign the annual report for Alice Park Trust year ending 31st March 2021 and submission to the Charity Commission.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Expenditure incurred for Alice Park Trust in 2020/21 was £41,309; this was offset by income of £19,907.
- 3.2 The deficit of £21,402 has been subsidised from the Bath & North East Somerset Council Parks revenue budget, to ensure the Trust operates on a going concern basis. This is the same process that has been undertaken in previous years.

- 3.3 Net Assets of the Trust are valued at a cost of £189,664. Net assets include investments held, land at Alice Park, car park, cottage number one, tea chalet and storage shed, public conveniences, tennis courts, garden shelter and play equipment.
- 3.4 The accounts for 2020/21 have been prepared by the Council's Finance team and have been independently examined by One West (appendix 3). The Independent Examination has concluded and the Independent Examination Report will be signed off once the Accounts and Annual Report has been signed.
- 3.5 The accounts (appendix 1) for the Trust are prepared on a cash basis, in line with reporting requirements and guidelines issued by the Charity Commission (appendix 4)
- 3.6 An annual report for the Trust has also been prepared for submission to the Charity Commission (appendix 2).
- 3.7 Subject to Covid closures, the park was open for public access throughout the year, including use of the tennis courts and tea chalet, and has been suitably maintained. The cottage property was let and the income used in the upkeep of the park.
- 3.8 All members of the Alice Park Trust Sub-Committee during the period April 1st 2020 to 31st March 2021 are listed in the Annual Return.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The terms of reference of the Charitable Trust Board require it to receive an annual report from the Trust Sub-Committee after submitting any annual report to the Charity Commissioners.
- 4.2 The trustees, in making decisions surrounding the objectives and activities of the charity, have regard to the Charities Commission public benefit guidance when exercising any powers or duties to which the guidance is relevant.

5 RATIONALE

- 5.1 The Trust is required to sign off accounts and an annual report prior to submission to the Charities Commission every year.

6 OTHER OPTIONS CONSIDERED

- 6.1 None.

7 CONSULTATION

- 7.1 The Section 151 and Monitoring Officer have had opportunity to review and input into this report.

8 RISK MANAGEMENT

- 8.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

Contact person	Paul Webb, Finance Manager paul_webb@bathnes.gov.uk
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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CHARITY COMMISSION
FOR ENGLAND AND WALES

Charity Name
Alice Park Trust

No (if any)
304650

Receipts and payments accounts

CC16a

For the period
from

Period start date
01/04/2020

To

Period end date
31/03/2021

Section A Receipts and payments

	Unrestricted funds	Restricted funds	Endowment funds	Total funds	Last year
	to the nearest £	to the nearest £	to the nearest £	to the nearest £	to the nearest £
A1 Receipts					
Rental Incomes	17,905	-	-	17,905	14,701
Tennis Court Income	46	-	-	46	373
Events Income	1,905	-	-	1,905	220
Investment Income	-	51	-	51	134
Income - deficit subsidised by B&NES	21,402	-	-	21,402	29,192
Community Infrastructure Levy	-	-	-	-	43,200
	-	-	-	-	-
	-	-	-	-	-
Sub total (Gross income for AR)	41,258	51	-	41,309	87,820
A2 Asset and investment sales, (see table).					
	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total receipts	41,258	51	-	41,309	87,820
A3 Payments					
Grounds Maintenance SLA	11,258	51	-	11,309	10,871
Play Equipment SLA	8,574	-	-	8,574	8,406
Tree Management SLA	2,390	-	-	2,390	2,343
Public Convenience Maintenance	16,002	-	-	16,002	15,655
Other Property/Parks Maintenance	2,284	-	-	2,284	2,791
Other - Audit Fees	750	-	-	750	250
Other - Legal Fees	-	-	-	-	704
Pathways Project (partly CIL funded)	-	-	-	-	46,800
	-	-	-	-	-
Sub total	41,258	51	-	41,309	87,820
A4 Asset and investment purchases, (see table)					
	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total payments	41,258	51	-	41,309	87,820
Net of receipts/(payments)	-	-	-	-	-
A5 Transfers between funds	-	-	-	-	-
A6 Cash funds last year end	-	-	-	-	-
Cash funds this year end	-	-	-	-	-

Section B Statement of assets and liabilities at the end of the period

Categories	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B1 Cash funds		-	-	-
		-	-	-
		-	-	-
	Total cash funds	-	-	-
	(agree balances with receipts and payments account(s))	OK	OK	OK
		Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B2 Other monetary assets		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
B3 Investment assets	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
	Majedie Investments plc ordinary 10p shares	Restricted	-	651
	COIF charities deposit account 951170001C - 32911/05	Restricted	-	897
	COIF charities special range 965060001C - 32911/04	Restricted	-	4,880
	COIF charities special range 115410001C	Restricted	-	11,843
			-	-
B4 Assets retained for the charity's own use	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
	Land at Alice Park	Unrestricted	54,000	-
	Property - cottage one	Unrestricted	33,000	-
	Tea Chalet & Storage	Unrestricted	4,000	-
	Car Park	Unrestricted	2,500	-
	Toilets - Land & Buildings	Unrestricted	27,000	-
	Tennis Courts	Unrestricted	18,750	-
	Garden Shelter	Unrestricted	14,250	-
	Play Equipment	Unrestricted	17,893	-
			-	-
B5 Liabilities	Details	Fund to which liability relates	Amount due (optional)	When due (optional)
			-	
			-	
			-	
			-	
			-	
Signed by one or two trustees on behalf of all the trustees	Signature	Print Name	Date of approval	



Trustees' Annual Report for the period

From	Period start date			To	Period end date		
	01	04	2020		31	03	2021

Section A Reference and administration details

Charity name Alice Park Trust

Other names charity is known by Alice Park

Registered charity number (if any) 304650

Charity's principal address Bath and North East Somerset Council

Guildhall

High Street

Bath

Postcode

BA1 5AW

Names of the charity trustees who manage the charity

Bath & North East Somerset Council is the sole corporate trustee. This is administered through the Alice Park Trust sub-committee.

	Alice Park Trust sub-committee members	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1	Cllr Rob Appleyard	Chair		
2	Cllr Paul Myers	Vice Chair		
3	Cllr Joanna Wright			
4	Graham Page		From 01/04/2020 to 16/02/2021	
5	Bill Shaw		From 06/01/2021	
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20				

Names of the trustees for the charity, if any, (for example, any custodian trustees)

Name	Dates acted if not for whole year

Names and addresses of advisers (Optional information)

Type of adviser	Name	Address

Name of chief executive or names of senior staff members (Optional information)

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Section B Structure, governance and management

Description of the charity's trusts

Type of governing document (eg. trust deed, constitution)	Trust Conveyance & Charity Commission Scheme dated 17 December 1973
How the charity is constituted (eg. trust, association, company)	Trust
Trustee selection methods (eg. appointed by, elected by)	The Council is the sole corporate Trustee. This is administered by the Alice Park Trust Sub-Committee. Members of the Sub-Committee are appointed by the Charitable Trust Board and Independent Members are appointed following an approved selection process consisting of a public advertisement and formal interview.

Additional governance issues (Optional information)

You **may choose** to include additional information, where relevant, about:

- policies and procedures adopted for the induction and training of trustees;
- the charity's organisational structure and any wider network with which the charity works;
- relationship with any related parties;
- trustees' consideration of major risks and the system and procedures to manage them.

Terms of Reference for the Sub-Committee is available on the Council's public website.

Summary of the objects of the charity set out in its governing document

The key object of the charity is that the Alice Park is to be used as a public park as a memorial to the wife of Herbert Montgomerie MacVicar of Batheaston.

Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)

The trustees, in making decisions surrounding the objectives and activities of the charity, have regard to the Charities Commission public benefit guidance when exercising any powers or duties to which the guidance is relevant.

The park was open for public access throughout the year, including use of the tennis courts and tea chalet, and has been suitably maintained. The cottage property was let and the income used in the upkeep of the Park.

Additional details of objectives and activities (Optional information)

You **may choose** to include further statements, where relevant, about:

- policy on grantmaking;
- policy programme related investment;
- contribution made by volunteers.

**Summary of the main
achievements of the charity
during the year**

Section E

Financial review

Brief statement of the charity's policy on reserves

At present the charity does not operate at a surplus to allow itself to build up reserves. The contribution from Bath & North East Somerset Council meets the in-year operational deficit for the financial year.

Should the trust have reserves in future years then the use of reserves would be managed and approved by the Alice Park Trust Sub-Committee as per its Terms of Reference.

Reserves that are restricted would be held specifically for the required purpose and unrestricted reserves would be held for the general support of the Trust.

Details of any funds materially in deficit

N/A

Further financial review details (Optional information)

You **may choose** to include additional information, where relevant about:

- the charity's principal sources of funds (including any fundraising);
- how expenditure has supported the key objectives of the charity;
- investment policy and objectives including any ethical investment policy adopted.

The Alice Park was funded through incomes raised through the activities of the charity and from contribution made by Bath & North East Somerset council.

Section F

Other optional information

Section G

Declaration

The trustees declare that they have approved the trustees' report above.

Signed on behalf of the charity's trustees

Signature(s)	Rob Appleyard	
Full name(s)	Rob Appleyard	
Position (eg Secretary, Chair, etc)	Chair	
Date		

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The Alice Park Trust 2020/21 Accounts – Independent Examiner's Report

To confirm, I have:

- examined the accounts under section 145 of the 2011 Charities Act.
- followed the procedures laid down in the general Directions given by the commission under section 145(5)(b) of the 2011 Act.
- stated whether particular matters have come to my attention.

Basis of my examiner's report

My examination was carried out in accordance with the general directions given by the Charity Commission. An examination includes a review of the accounting records kept for Alice Park and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations concerning any such matters.

The objective of the review was to provide reasonable assurance that the financial statements were accurate and free from material misstatement. Reasonable assurance is a high level of assurance, but it does not guarantee detection of a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually, or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of these financial statements.

Independent examiner's statement

In connection with my examination, no matter has come to my attention which gives me reasonable cause to believe that in any material respect the requirements have not been met. Those such requirements were as follows:

- to keep accounting records in accordance with section 130 of the 2011 Charities Act, and;
- to prepare accounts which accord with the accounting records and comply with the accounting requirements of the 2011 Charities Act.

From my examination of the records, it is my opinion that I can provide reasonable assurance that the Alice Park Trust financial statements are free from material misstatement.

NOTE: During my examination and through my liaison with those responsible for the maintaining the accounts of the Alice Park Trust I concluded the following:

1. Alice Park Trust has a gross income of less than £250,000 and is therefore entitled to prepare the accounts on a "Receipts and Payments" basis. Correspondence with the Charity Commission received in January 2021 provided confirmation for the basis of preparation.
2. Any deficit at year end is funded from the Council's general fund, which is reflected as income in the Trust's accounts.

Independent Examiner: Tariq Rahman (Audit Manager, IT and Finance)

Address of Independent Examiner:

Audit West, Bath & North East Somerset Council, Guildhall, Bath, BA1 5AW

Date accounts examined: 26th November 2021

Tariq Rahman

Audit Manager, Finance and IT

Appendix four – Extract of accounting requirements per Charities Commission website.

4.1.2 Charities with a gross income of over £25,000 but not exceeding £250,000 in the relevant financial year (legal requirement)

Basis of preparation: accounts must be prepared either on the receipts and payments or the accruals basis; if on an accruals basis, they must be prepared in accordance with the 2008 Regulations and the applicable SORP. The commission provides packs for [receipts and payments](#) or [accrual accounting by non-company charities](#) which are available through GOV.UK. These provide a template to produce accounts in the required form.

External scrutiny: accounts must be subject to outside scrutiny but trustees may choose either independent examination or audit by a registered auditor, unless the charity's governing document stipulates one or the other. In exceptional circumstances, the commission has the power to require an audit.

Type of trustees' annual report: a trustees' annual report must be prepared but it may be simplified (see [section 7](#)).

Information to be sent to the commission: these charities must complete an annual return. The named charity contact on the commission's records will receive an annual return notification. Submission of the annual return is online.

The annual return, trustees' annual report and accounts must be filed with the commission, within 10 months of the end of the charity's financial year.

Full document details can be found here:

<https://www.gov.uk/government/publications/charity-reporting-and-accounting-the-essentials-march-2015-cc15c>

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Bath & North East Somerset Council	
MEETING/DECISION MAKER:	Alice Park Trust Sub-Committee Meeting
MEETING/DECISION DATE:	13 December 2021
TITLE:	Alice Park Trust – 2021/22 Budget and Forecast Update – Q2
WARD:	Lambridge
AN OPEN PUBLIC ITEM	
List of attachments to this report: N/A	

1 THE ISSUE

- 1.1 The purpose of this report is to update the Alice Park Trust Board on the 2021/22 budgets and current year financial position.
- 1.2 The report will also raise considerations for the 2022/23 budget.

2 RECOMMENDATIONS

- 2.1 The Alice Park Trust Sub-Committee is asked to note and consider the report, including recommendations laid out in Section 4.

3 2021/22 FINANCIAL PERFORMANCE

- 3.1 Forecast spend for the financial year ending 31st March 2021 is £41,577. Forecast income is £20,583, resulting in a forecast deficit position for the Trust of £20,994.
- 3.2 In previous years, Bath and North Somerset Council have funded the Trust's deficit through its Parks revenue budgets. In 2018/19 the funded deficit was £23k and in 2019/20 the deficit increased to £30k due to one-off improvement costs. In 2020/21 the funded deficit dropped down to £21k.
- 3.3 The estimated deficit for the Trust in 2021/22 was budgeted at £21,305. This is in line with the deficit for 2020/21, with budgeted increases in maintenance costs being offset by increased property rental income.
- 3.4 Using the latest information available, the current forecast deficit is £311 less than budgeted, with additional grounds/parks forecast expenditure outside of the SLA lower than last year and expected Events income to surplus last year's total.

3.5 It should be noted that whilst most budget lines are straight forward to forecast against, additional parks expenditure outside of the service level agreement and events income are harder to estimate, as they are often reactive and subject to demand levels.

3.6 Forecast financial performance for Alice Park for financial year ending 31st March 2021 is detailed in the table below:

	20/21 Outturn	21/22 Budget	21/22 Forecast	21/22 Variance
EXPENDITURE	£	£	£	£
Ground Maintenance SLA	11,309	11,535	11,535	0
Play Equipment SLA	8,574	8,745	8,745	0
Tree Management/Maintenance SLA	2,390	2,438	2,438	0
Public Conveniences	16,002	16,359	16,359	0
Independent Examination Fees	750	500	500	0
<i>Other costs -</i>				
- other grounds/parks expenditure	2,284	2,284	2,000	(284)
	41,309	41,861	41,577	(284)
INCOME	£	£	£	£
Investment Income - Dividends	(31)	(31)	(31)	0
Investment Income - Interest	(20)	(20)	(2)	18
Property Rental Income	(17,905)	(18,600)	(18,600)	0
Tennis Court Income	(46)	0	0	0
Events Income	(1,905)	(1,905)	(1,950)	(45)
	(19,907)	(20,556)	(20,583)	(27)
Forecast Trust (Surplus) / Deficit	21,402	21,305	20,994	(311)
<i>Additional income subsidy from B&NES</i>	<i>(21,402)</i>	<i>(21,305)</i>	<i>(20,994)</i>	<i>(311)</i>
Revised Forecast Trust (Surplus) / Deficit	0	0	0	0

4 2022/23 BUDGET CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The long-term aim is for the Trust to become financially self-sufficient, reducing and ultimately removing the need to rely on council subsidy to balance its budget.
- 4.2 In order to facilitate this, it is recommended that the Sub-Committee continues to focus on its 10-year plan, which focuses on expanding income generation within the Park. Income generated from events held within the Park continues to increase, a good sign that the Trust is already moving to a more commercial outlook.
- 4.3 The Service Level Agreements (SLAs) with the council's Parks department are still to be reviewed and formalised, which in turn will allow for a more transparent and robust financial planning process. Assessment of these will be communicated to the Trust in due course.
- 4.4 It is also recommended that income and expenditure expectations for 2022/23 are considered so that the Quarter 3 Financial Update to the Sub-Committee can also propose a Trust budget for 2022/23.

Contact person	Paul Webb, Senior Finance Manager paul_webb@bathnes.gov.uk
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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Bath & North East Somerset Council	
MEETING	Alice Park Trust Sub-Committee
MEETING DATE	13 December 2021
TITLE	Skatepark Location Plan
WARD	Lambridge
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Plan of Skatepark – Appendix 1</p> <p>Original Plan of Skatepark – Appendix 2</p>	

1 THE ISSUE

- 1.1 In 2019, the sub-committee agreed the positioning of the skatepark and leased area. Due to the fence positioning, when the skatepark was constructed it was in a different position from that which was originally agreed. Therefore, the revised location plan now needs to be formally approved by the sub-committee.

2 RECOMMENDATION

- 2.1 The sub-committee is asked to approve the revised plan showing the location of the skatepark as set out in appendix 1.

3 STATUTORY CONSIDERATIONS

- 3.1 The Council is sole corporate trustee of the Alice Park Trust. The Alice Park Trust Sub-Committee's terms of reference are to undertake the operational management functions in respect of the Alice Park site and its resources, in accordance with the Trust's objects and the duties it owes pursuant to the charities legislation.
- 3.2 Members, in their capacity as sole corporate trustee must administer the Trust in good faith, abiding strictly to the objects of the Trust and administering the Trust for the benefit of the public which may at times conflict with the interests of the Council.

4 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

4.1 The Council will build, manage, insure and reinstate the site at the end of the lease term.

5 RISK MANAGEMENT

5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

6 EQUALITIES

6.1 There are no equalities implications arising directly from this report.

7 CLIMATE CHANGE

7.1 There are no climate change implications arising directly from this report.

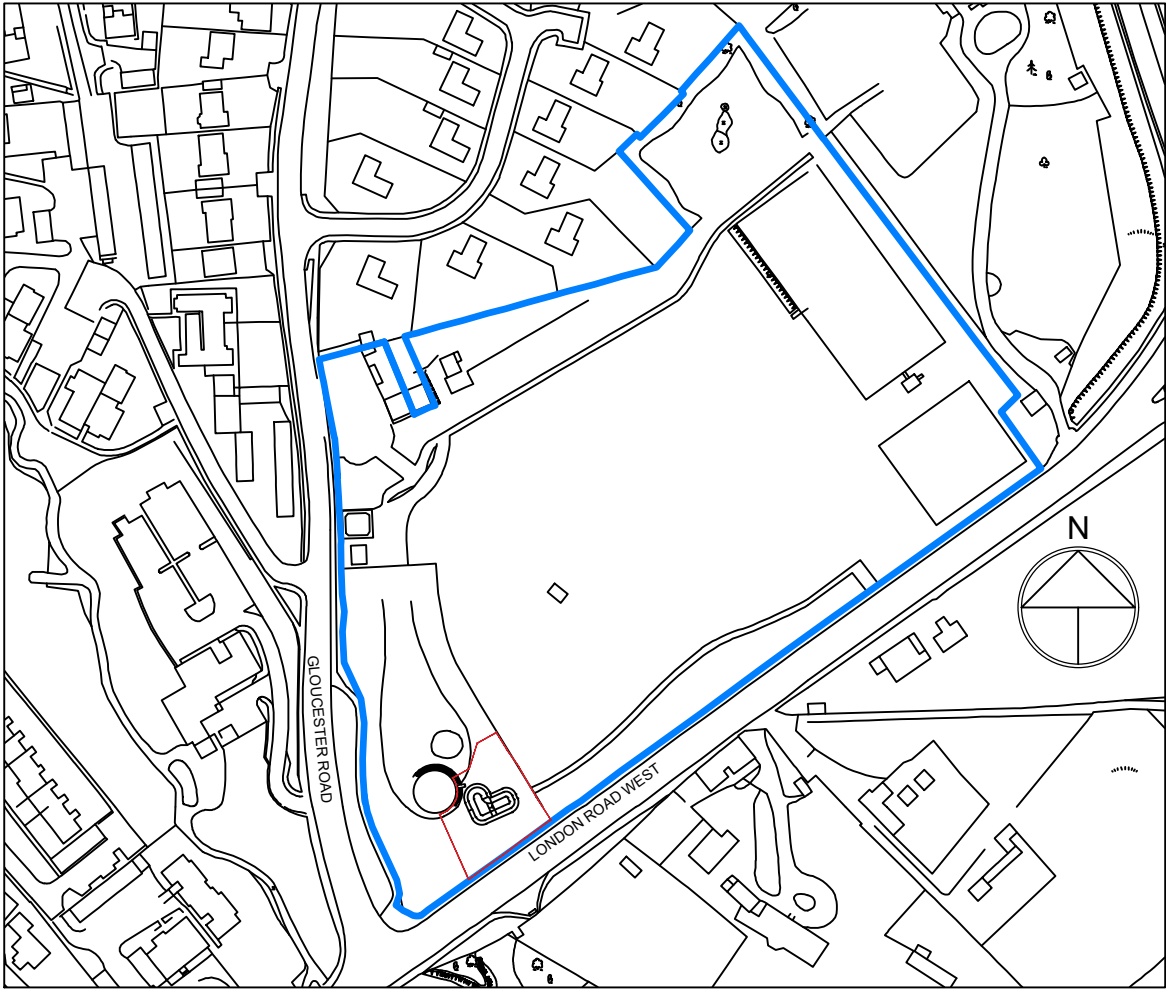
8 OTHER OPTIONS CONSIDERED

8.1 None.

9 CONSULTATION

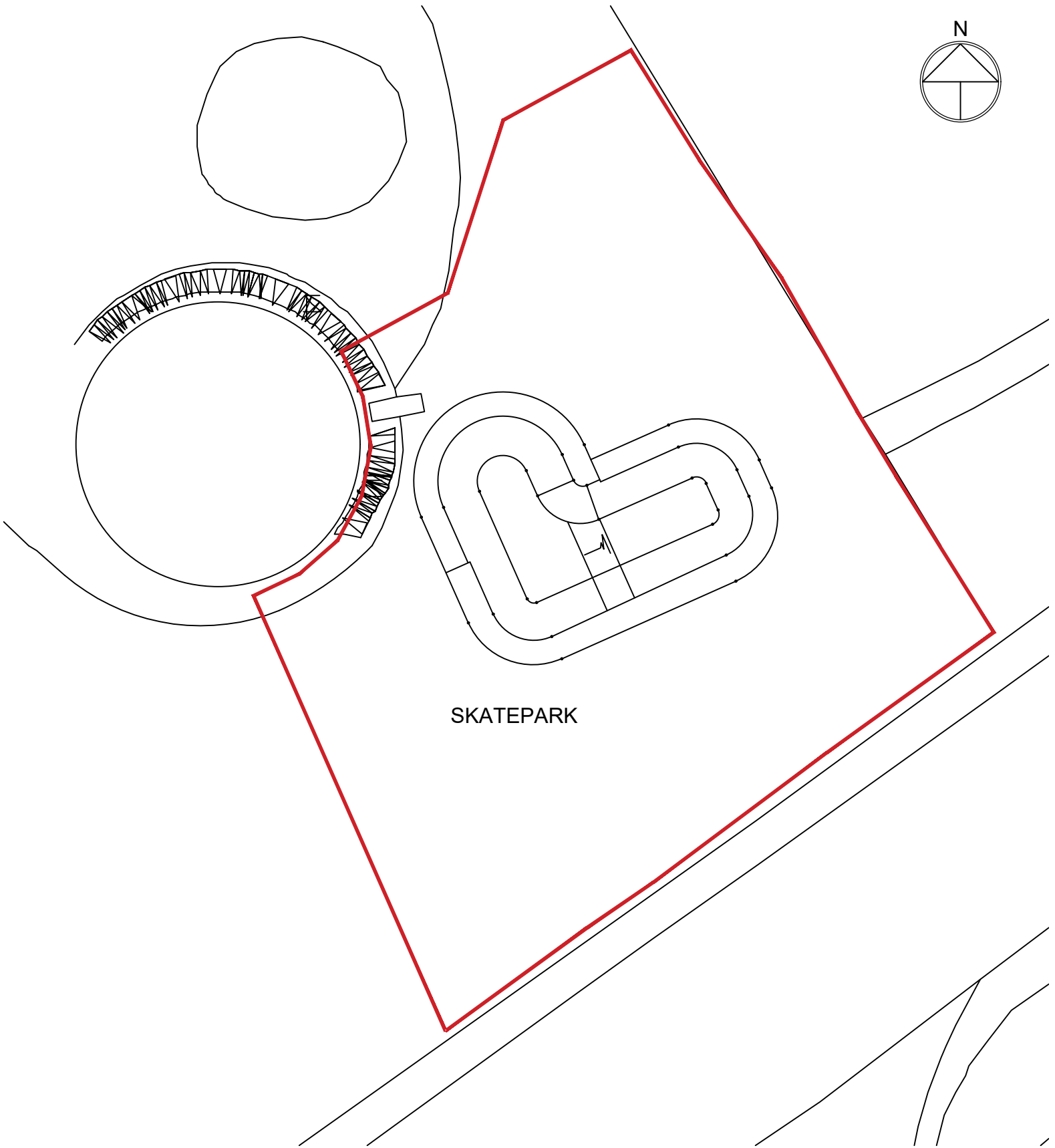
9.1 The report has been cleared by the s151 Officer and the Monitoring Officer.

Contact person	Paul Pearce – Team Leader, Parks and Trees Paul_Pearce@bathnes.gov.uk Tel: 01225 396879
Background papers	Skatepark Lease
Please contact the report author if you need to access this report in an alternative format	



LOCATION PLAN - Scale 1:2500

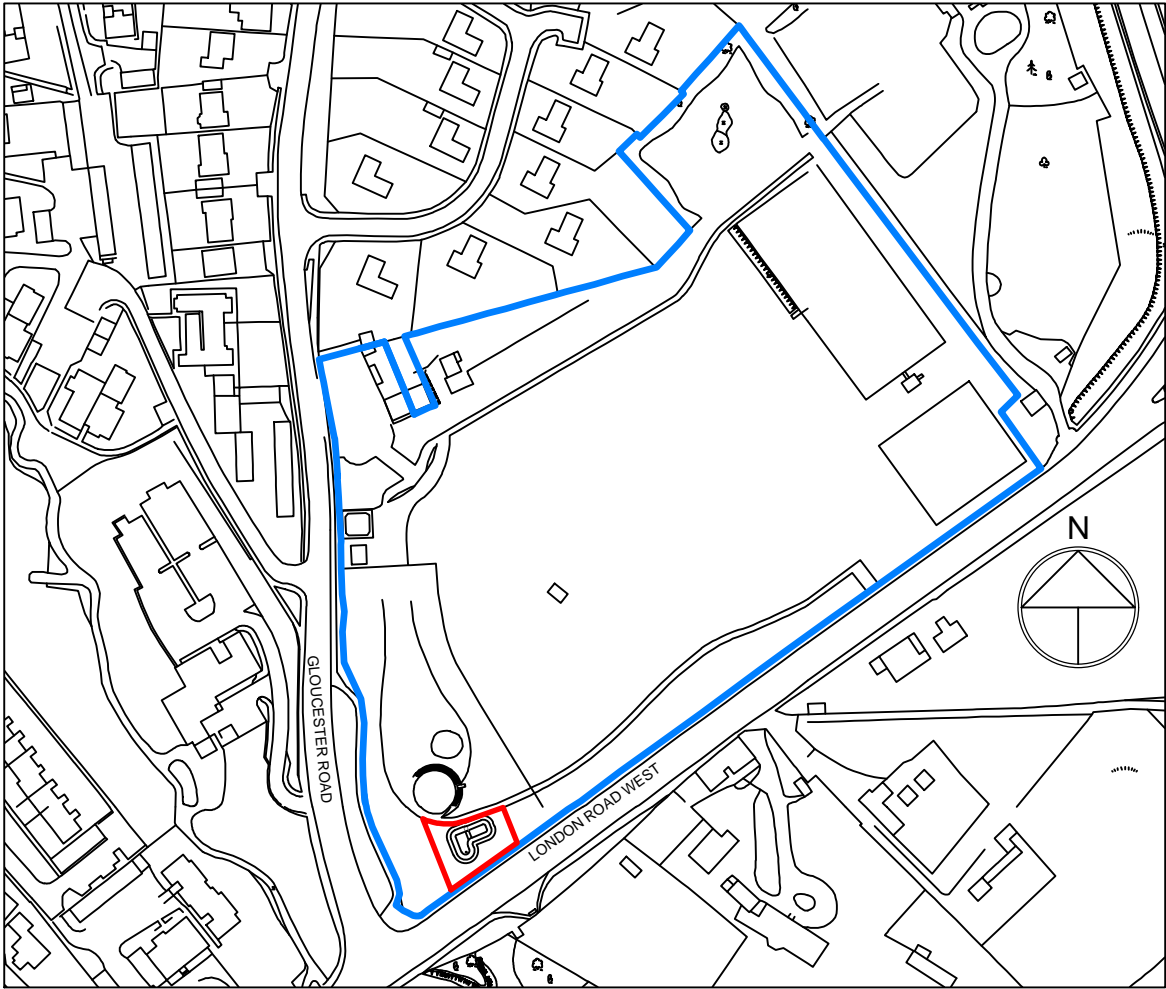
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SKATEPARK

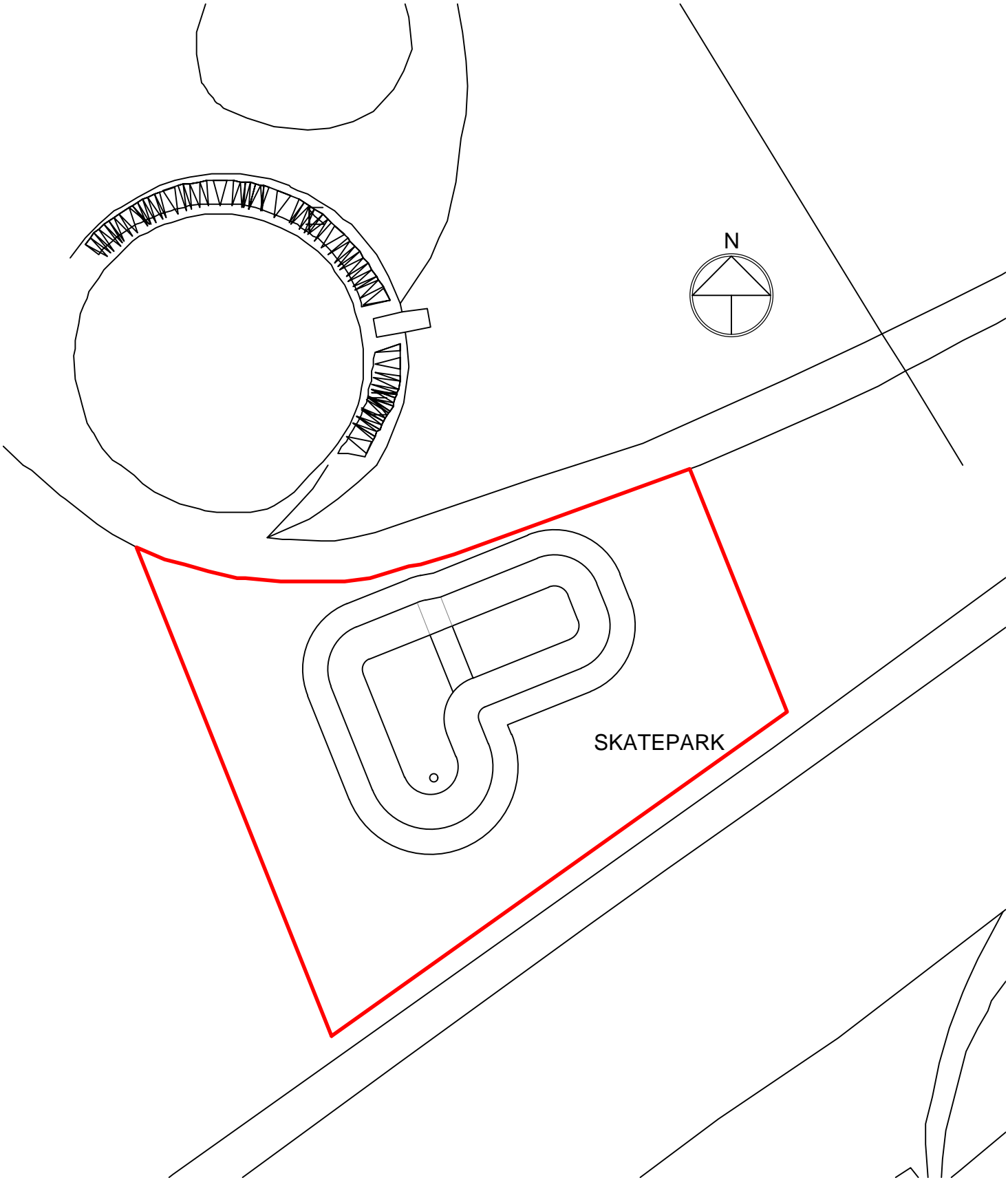
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		<div>DRAWING TITLE LEASE PLAN SKATEPARK</div>	<div>Scale 1:250 @ A3</div>	<div>Rev</div>
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LOCATION PLAN - Scale 1:2500

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		DRAWING TITLE LEASE PLAN SKATEPARK	Scale 1:250 @ A3	Rev
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Alice Park Community Garden Project (APCG)
September 2021

The committee have some requests to make with regard to the future of the project in Alice Park

- APCG be allowed to continue to run autonomously as an asset of the Park until such time as the management committee relinquishes responsibility to the Trust Sub-Committee.
- Commercialization of the Barn be restricted, prioritising activities in line with the mission of the project, to allow access for all.
- Bookings for the barn to continue to be managed by APCG. This would include groups with access to the garden who should be approved by APCG & subject to established terms & conditions.
- APCG to be defined as not for profit community Group.
- Annual financial contributions should be subject to available funds.
- The barn is recognized as an asset of the APCG project in Alice Park by permission of the landowner.

Informal correspondence with Trustees from the management committee has revealed that they are tasked by the sole Trustee, the Council, to move to a more financially balanced position. To address this park users are required to give a contribution to the upkeep of the park. This is set out as part of a 10yr plan. An amount of £50/yr has been suggested to the community project to 'demonstrate fairness to other commercial users'.

About Alice Park Community Garden

APCG is a volunteer-led, not for profit community project, the definition of 'commercial' does not apply to us, in fact this would go against our status in relation to grant criteria.

The community garden has been running for the last 10 years in a previously undeveloped and wasteland area. In that time, unassisted, we have fundraised over £30,000 towards development including capital items such as the oak barn, sheds, greenhouses and seating.

This year alone volunteers have overseen £3,000 worth of maintenance improvements & development particularly with regard to the Oak Barn.*

We have paid approx £3,000 over the years in insurance, securing the barn and users since it was commissioned. This is now an ongoing expense of £200/annum. Barn hire for private use was created to alleviate this & maintenance costs but as a community resource offered at favourable rates, very little has been taken as a contribution & it could be replaced with a donation system. Last year hit a record high of £200 just breaking even with the insurance payment.

The project is independently financed & governed in a sustainable model.

All money raised for the project is put directly back in for community benefit; there is no commercial gain or profit made.

In principle support for The Alice Park Trust

As an integral part of the park APCG would like to contribute towards the managements' financial plan. However APCG **does not** consider itself to be 'commercial' so would ask that this category be reworded. We would also seek reassurance that any payments due to the sub-committee could be renegotiated if we did not have available resources. (A volunteer-led community project should not be required to prioritise fundraising for this.)

However we agree in principle a £50/year contribution is achievable.

The Community Barn

Alice Park Community Barn & Garden is a Community Asset, commissioned, funded, built, maintained and managed by APCG successfully for the last eight years. It is part of Transition Larkhall, an Unincorporated Community Group (which is a less formal version of a Charity), with no profit-making incentive, and a loyal group of hard-working volunteers.

The group is not looking to capitalise on income from the Barn as it is first & foremost a community resource with the founding principle of access for all; fee paying systems impose economic exclusivity that is against the mission statement and grant conditions for the project.

There is a booking system in place with terms & conditions that give consideration for neighbours, local residents, park visitors and user groups of APCG. All monies from hiring the Community Barn go into maintenance and particularly to pay for insurance for the Barn.

To support vulnerable groups that work in the garden, bookings need to be appropriate and adhere to the Terms and Conditions that APCG requires. We are best placed to deliver this. Therefore **we request that all bookings for the Barn are handled through the current APCG booking system.**

There is concern with regard to priority access to the Barn. User groups paying the Trust SC for access to the Park, have been encouraged to see the Barn as part of their agreement, resulting in double booking, confusion & damage to reputations.

This is not workable and highlights the need for clarity with regard to barn hire administration. The Trust's Terms and Conditions for Hire of the Park should exclude use of the Community Barn and direct hirers to contact APCG. Groups may of course book the Barn through APCG if it is available.

Regular User Groups

We want to encourage regular use of the garden and its facilities by appropriate user groups such as Forest School group 'Foxgloves' that uses the wider Park and the community garden. If there is a loss of income to the project through user groups hiring space through the Trust committee this way or through regular garden use by Forest School group 'Foxgloves', perhaps this could be used in lieu of the proposed annual fee? This would be one way to resolve the commercial payments problem.

Insurance of Asset

It has been noted that in the minutes of the AGM for the Trust management sub committee that a 'Wooden Gazebo' is listed as an £14,250 asset i.e: *belonging to the Trust*, If this refers to the APCG Community Oak Barn this should be corrected. If there is duplicate insurance then it would be valuable to address this too.

Closing statement

APCG is a highly regarded, much valued, award winning project, an active resource, which, along with the physical spaces, includes contributions in kind to the community eg: free educational workshops, a wellbeing space and produce. We hope that the committee recognises with pride the contribution the project makes to the profile of the park as a whole & that it is a successful model deserving the continued support & collaboration from the Trust and committee.

This letter is written in a week when the project has received another commendation. The Bath in Bloom judges from the RHS awarded us Gold and overall Champion winner of the Community Category. Representing excellence in horticultural achievement, environmental responsibility & community participation.

This reflects the success, vision and dedication of volunteers over the years and a system that is working well to deliver the very highest standards, championing health, wellbeing, biodiversity & low carbon lifestyles while making a significant contribution to the council's commitment to tackling climate change & providing physical proof that B&NES is genuine in its mission to be actively promoting health for residents and the environment.

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EMAIL FROM ALICE PARK CAFÉ

Hi Rob

Sorry to bother you, I know you are busy with the multitude of hats you have to wear, but if you kindly don the Trust hat for a moment, it would be appreciated.

As you know, along with most businesses in the hospitality sector have had a tough time over the last 18 months; however, the glimmer of light in the darkness has always been that, basically, meeting outdoors is now not only just good for you, it is proven to be much less bad for you than indoor meetings.

This in turn means that we have been hoping for more bookings for our marquee than previous years which, unfortunately, has not really materialised. What we have seen though, is an increase of use of the community garden oak building which - as I have been informed by two users - is free and therefore a more attractive proposition.

Normally, I wouldn't moan about these things but there is an obvious disparage between the two offerings; I pay an additional premium to use the space we have always used and it seems completely unfair to have separate systems; if me and the nursery have to pay towards the upkeep of the park, which neither of us have a problem with, it seems strange that if the community garden are venturing into commercial opportunities, however small, that there isn't a level playing field.

I know it's only a small thing and probably not even on your radar, but I thought you should know.

Let me know your thoughts when you have a couple of minutes.

Kindest regards

Tony

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