

Alice Park Trust Sub-Committee

Date: Thursday, 25th January, 2024

Time: 12.00 pm

Venue: Kaposvar Room - Guildhall, Bath

Councillor Alex Beaumont

Councillor Deborah Collins

Councillor Oli Henman

Councillor Saskia Heijltjes

Councillor Joanna Wright

Co-opted members non-voting: Mary LaTrobe-Bateman and Bryan Johnson

Chief Executive and other appropriate officers

Press and Public



Corrina Haskins

Democratic Services

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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 Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.

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 - Thursday, 25th January, 2024

at 12.00 pm in the Kaposvar Room - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer 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 4.4 Appendix 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 STATEMENTS, PETITIONS OR QUESTIONS

7. MINUTES OF THE MEETING OF 24 NOVEMBER 2023 (Pages 7 - 12)

8. ALICE PARK PUBLIC CONVENIENCES (Pages 13 - 22)

9. REVIEW OF PARKS AND GREENSPACES SERVICE LEVEL AGREEMENTS FOR ALICE PARK (Pages 23 - 32)

10. ALICE PARK TRUST ANNUAL REPORT 2022-2023 (Pages 33 - 48)

11. ALICE PARK TRUST – 2023/24 FINANCIAL UPDATE – QUARTER 3 (Pages 49 - 50)

12. ALICE PARK TRUST - FUTURE FINANCIAL INDEPENDENCE (Pages 51 - 54)

13. REQUESTS TO USE ALICE PARK

To update the Sub-Committee on requests to use Alice Park.

14. ALICE PARK PLAY AREA PROJECT UPDATE

To update the Sub-Committee on the Alice Park Play Area Project.

15. PARKING/BLUE BADGE PARKING

To discuss parking/blue badge parking at Alice Park.

16. DATE OF NEXT MEETING

To agree a date for the next meeting.

The Democratic Services Officer for this meeting is Corrina Haskins who can be contacted on 01225 394357.

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ALICE PARK TRUST SUB-COMMITTEE

Minutes of the Meeting held

Friday, 24th November, 2023, 11.30 am

Councillor Alex Beaumont	- Bath and North East Somerset Council
Councillor Deborah Collins	- Bath and North East Somerset Council
Councillor Oli Henman	- Bath and North East Somerset Council
Councillor Saskia Heijltjes	- Bath and North East Somerset Council
Councillor Joanna Wright	- Bath and North East Somerset Council
Mary LaTrobe-Bateman	- Co-opted Member
Bryan Johnson	- Co-opted Member

29 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting, including new co-opted member, Bryan Johnson.

30 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer drew attention to the emergency evacuation procedure.

31 APOLOGIES FOR ABSENCE AND SUBSTITUTION

There were no apologies for absence or substitutions. The Chair asked that thanks and best wishes be passed on to Shaine Lewis, Legal Officer on his retirement from the Council.

32 DECLARATIONS OF INTEREST

There were no declarations of interest.

33 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no urgent items.

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

There were no items from the public.

35 MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes be confirmed as a correct record and signed by the Chair.

36 ALICE PARK TREESCAPE TRAIL

The Chair reported that she had been approached by Bath Urban Treescapes, a voluntary organisation, in relation to creating a trail for Alice Park and she had invited Fiona Bell to the meeting to brief the Sub-Committee on the plan.

Fiona Bell circulated a copy of the Bath Urban Treescapes maps and reported that:

1. Bath Urban Treescapes had produced 4 trails in the local area, information was available on the website and users could scan a QR code to get an electronic map with facts about trees.
2. Paper maps were also available, and these could be provided on request.
3. Following an offer from a company to produce free tree plaques, Bath Urban Treescapes was working with B&NES tree officers to install the plaques.
4. She had emailed B&NES Councillors to ask for suggestions of other trails and Cllr Joanna Wright had responded to suggest Alice Park.

Alice Park Trust Sub-Committee members welcomed the proposal for a tree trail for Alice Park and thanked Fiona Bell for her attendance and contribution.

RESOLVED that the development of a tree trail for Alice Park be supported.

37 **TREE PLANTING - LAMBRIDGE COUNCILLOR EMPOWERMENT FUND**

The Chair reported that:

1. She and Cllr Saskia Heijltjes, as ward members for Lambridge, were looking to use part of the Ward Councillor Empowerment Fund for 2023-2026 to finance the planting of additional trees in Alice Park.
2. The ward members would be looking at providing extra seating in the park with the rest of the fund.
3. She had met with Tree Officer, Sally Crudge to discuss a long-term vision resulting in a plan being drawn up for the for sourcing, planting, and establishing of 14 trees at the cost of £2400.50.

In response to questioning, she stated that 14 was the number recommended for the park and had not been limited by budget and that sponsorship had been considered, but tree planting was a good use of the empowerment fund, and it did not preclude tree sponsorship in the future.

RESOLVED that the proposal for the additional 14 trees in Alice Park funded by the Lambridge Councillor Empowerment Fund be supported.

38 **EVENTS**

The Sub-Committee noted that this had been deferred from the previous meeting to give Members an opportunity to consider the options.

Cllr Deborah Collins commented that it would be useful to have the support and expertise of B&NES officers while maintaining some discretion in relation to fees to reduce charges where there was community benefit and increase charges where there was community disbenefit. The Director of Place Manager confirmed that it was within the gift of the Trust to maintain discretion.

In response to questioning, it was confirmed:

1. The £83 (plus VAT) application fee would be charged at the time of application to cover the costs associated with processing the application. This charge would be payable even if the Trust did not want to charge for the actual event.
2. In other parks, there was an option for a one-off administration fee to cover a number of low-key community events over a year. This option could be explored in relation to Alice Park.
3. In terms of timescales, if it was a small community event, this could be managed quite quickly through emails, but for larger events, a Safety Advisory Group for Events (SAGE) committee would meet 8 weeks before the event.
4. Officers would not recommend a dual pathway for applications through the Trust and the Council as this could cause confusion and would not achieve the Trust's aim of having a clear and robust process.

Members agreed unanimously that the option for utilising the support of the Council was preferable to the Trust independently managing its own process for events but agreed that further work was required on the detail.

RESOLVED that Alice Park Trust Sub-Committee agrees in principle to adopt the Council's events process for all future events held within the curtilage of the park (outside the café area) with further details to be agreed in consultation with the Council's events team.

39 **ALICE PARK PLAY AREA PROJECT - UPDATE**

The Head of Parks and Green Spaces introduced the report which recommended a way forward on progressing with the Alice Park play area project.

The following comments were raised:

1. The Chair reported that in early 2022 Alice Park Trust had undertaken a consultation process resulting in 300 responses and she did not see any value in undertaking a further consultation as recommended within the report.
2. Members expressed concern about the length of time it would take to apply for CIL funding with no guarantee that it would be successful.
3. It was suggested that it would be preferable to bid for CIL funding whilst at the same time identifying funds from another source, such as a corporate sponsor to pay for the sketch design (approximately £5k) in order to move the project forward.
4. It was noted that Alice Park Trust did not need to follow the Council's procurement process.

Following the comments raised, the Head of Parks and Green Spaces undertook to put together a one-page brief and speak to architects about the project on the basis that the consultation process had already been undertaken.

Bryan Johnson undertook to lead on submitting the CIL application on behalf of Alice Park Trust.

The Alice Park Trust Sub-Committee would meet informally once a month as the Alice Park Play Area Group with a view to moving the project forward.

40 **ALICE PARK COMMUNITY GARDEN LEASE UPDATE**

The Director of Place Management introduced the report which had been requested by the previous Chair of the Sub-Committee to formalise the position of the Alice Park Community Garden (APCG).

The Chair challenged some of the detail of the report in relation to the APCG volunteers as they had contacted her to advise that the wording did not accurately reflect their views. She confirmed identifying an individual to sign a lease was difficult for APCG, as a group of volunteers, in terms of liabilities.

Cllr Deborah Collins expressed the view that APCG was a valuable community asset and the amount of income to require it to be formalised was trivial. She confirmed that she was in favour of maintaining the status quo whereby APCG could operate without a lease.

Cllr Saskia Heijltjes concurred with this view and stated that APCG was an important space for children using the park.

This view was supported by other members of the Sub-Committee.

In response to a question about the best way forward in terms of events organised by the Community Garden, the Director of Place Management undertook to report back on this issue.

RESOLVED that Alice Park Trust Sub-Committee agrees not to pursue the signing of a lease with the Community Garden in view of the community benefits provided by the garden.

41 **ALICE PARK TOILETS**

The Director of Place Management introduced the report which outlined the options for the future provision of the public conveniences in Alice Park to either continue with the existing contract until 2029 or buy out of the contract.

Brian Johnson raised a number of questions in relation to the existing contract as follows:

1. What were the specific SLAs in place for evaluating Healthmatic's service effectiveness?
2. What had been Healthmatic's performance against these SLAs throughout the contract, especially in the past 12 months?
3. What were the penalties or remedies available to the council if Healthmatic fails to meet the SLAs?
4. What were Healthmatic's contractual reporting obligations regarding SLA compliance, maintenance issues, etc.?
5. How could the council request detailed information from Healthmatic about issues related to the facilities?
6. What specific maintenance and upkeep responsibilities were included in Healthmatic's remit?

It was agreed that these detailed questions be taken back to Council officers with a view to reporting back to the next meeting and that further discussion on the item be deferred until that date.

RESOLVED that a decision be deferred pending further information.

42 **REQUEST TO HOLD A CORPORATE EVENT IN ALICE PARK**

JW reported that L&C Mortgages Ltd had approached the Trust about holding a corporate event in Alice Park on Thursday 6 June 2024. The Sub-Committee noted that the company would need to apply according to the new process for events, but a decision was required on whether the proposed event was acceptable in principle.

The following comments were raised by members:

1. As this was a corporate event taking up an area of the park, there was a community disbenefit. In view of this, it would be appropriate to charge more than the standard fee for this event, £1,000 a day for the three-day period when the public use of the park would be impacted.
2. It would also be appropriate to ask the company to contribute to Bath Area Play Project, a charity which used the park to organise play events for children during the summer holiday.
3. A proportion of the money from the event should be used towards redeveloping the children's play area (not 100% as this was too restrictive in view of the Trust's financial position).
4. It was noted that the company proposed to increase consultation with local residents, and this was welcomed in view of concerns expressed by some local residents following the event held in June 2023.
5. A bond should be requested to insure against any damage to the park.

RESOLVED that Cllr Joanna Wright and Cllr Deborah Collins go back to the organiser with the views raised by Alice Park Trust Sub-Committee.

43 **PARKING/BLUE BADGE PARKING AT ALICE PARK**

In view of time restraints, it was agreed that this item would be deferred to the next meeting.

44 **ALICE PARK TRUST - OPTIONS FOR FUTURE FINANCIAL INDEPENDENCE**

In view of time restraints, it was agreed that this item would be deferred to the next meeting.

45 **ANY OTHER BUSINESS**

Climate Emergency

Cllr Deborah Collins suggested that the Trust consider what could be done in Alice Park to address the climate emergency. Keith Rowe, Parks Manager, undertook to report back on best practice.

Memorial Bench for Nick Allen

The Chair confirmed that a memorial bench for Nick Allen had now been installed in

Alice Park at the cost of £440 which was funded by donations.

Painting of Alice Park Notice Boards

The Sub-Committee thanked Mary LaTrobe-Bateman for painting the notice boards.

School Participation

The Chair suggested working with the two local schools, St Mark's and St Saviour's so that young people could have a voice on the Sub-Committee.

Craig Rogers Fun Fair

The Chair advised that she had been contacted by Craig Rogers Fun Fair to request a reduction in the price previously agreed to attend Park in the Dark as there had been a poor turnout due to bad weather.

Members did not agree to this request.

RESOLVED that Craig Rogers Fun Fair be asked to fulfil the charge of £556 which had been agreed in advance by all parties.

46 **DATE OF NEXT MEETING**

It was agreed that a date be identified before the end of January avoiding Mondays-Wednesdays.

The meeting ended at 1.30 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

Bath & North East Somerset Council		
MEETING	Alice Park Trust Sub-Committee	
MEETING	25 Jan 2023	
TITLE:	Alice Park Public Conveniences	
WARD:	Lambridge	
AN OPEN ITEM CONTAINING AN EXEMPT APPENDIX		
<p>List of attachments to this report:</p> <p>Appendix 1 – Example Contract Repayment Fee calculation (exempt pursuant to Paragraph 3 of Schedule 12A Local Government Act 1972 (as amended) - information relating to the financial or business affairs of any particular person).</p>		

1 THE ISSUE

- 1.1 This report seeks to set out the contractual arrangements currently in place for the provision of public conveniences at Alice Park.
- 1.2 This information was previously provided in 2019 for review and has therefore been updated to reflect current cost implications for subsequent review.

2 RECOMMENDATION

The Committee is asked to;

- 2.1 Consider two options for the future provision of the public conveniences in Alice Park
 - (1) Continue as now, with services provided as part of the wider contract the Council holds with Healthmatic until 2029.
 - (2) To allow the Council to buy them out of the existing contractor and allow Alice Park Trust to appoint a new operator to clean and maintain the facilities.

3 THE REPORT

- 3.1 The public conveniences in Alice Park are currently incorporated into the Council’s Provision and Investment of a Public Convenience Service Contract with Healthmatic. This contract is managed by the Council’s Environmental Services team.

- 3.2 The contract commenced on 6th January 2014 and is set to run until 5 January 2029, with a potential 5 year extension.
- 3.3 As part of the contract, significant investment to modernise the facilities was undertaken. The capital costs associated with the works undertaken at Alice Park is incorporated into the monthly maintenance and servicing charge made by the contractor. The repayment costs for the works are therefore being written off over the term of the contract.
- 3.4 This report intends to set out options for consideration by Alice Park Trust on the operation of the facilities from April 2024.

Annual Charge

- 3.5 A breakdown of the annual net contract cost attributed to Alice Park for Year 10 of the contract is set out in appendix 1.
- 3.6 The rate is adjusted in line with annual CPI inflation rates (capped at 2%) every January (the anniversary of the contract).
- 3.7 The income from the 20p user fee offsets the annual charge applied.
- 3.8 The annual contract fee covers all capital works, on-going maintenance and repair of the building in line with the Lease. It also covers cleaning and provision of consumables, utilities, collection and banking of income, emergency call out work, and recording and responding to complaints and customer queries.

Opening hours

- 3.9 The public conveniences located in all parks covered by the Healthmatic contract open and close at pre-set summer and winter times as advertised to visitors on the Councils website. The current opening hours for the parks toilets are 7am – 6pm, they close at the later time of 9pm in the winter.
- 3.10 However, where there is customer demand, there is of course flexibility in this arrangement. The opening hours at Alice Park are altered at the request of the local boules club to allow for later tournaments.
- 3.11 The rationale in not making the toilets available 24/7 is to deter vandalism and homeless occupation of the facilities.

Service Contract

- 3.12 The Council is permitted to vary its public toilet provision at any time during the contract period. In order to remove the facilities in Alice Park from the Healthmatic contract, a variation notice would need to be served providing a minimum of 3 months' notice.
- 3.13 Should the Trust opt to instruct officers to remove Alice Park from the Council's public convenience service contract, a proportion of the capital investment in the facilities would need to be repaid to Healthmatic. The Contract sets out the formula to be used in this scenario. Appendix 1 sets out an example of the repayment formula. This appendix is exempt from wider sharing due to reasons of commercial confidentiality.

3.14 A significant investment was made in modernising the facilities at Alice Park. As previously noted, the repayment of this investment is made through the combined annual capital and revenue contract fee. Appendix 1 sets out an example of the repayment fee that would be payable should this site be removed from the Healthmatic contract.

Lease

3.15 In conjunction with the contract, the Council's Property Services team agreed a full repairing Lease with the contractor for occupation and maintenance of the building to operate the public conveniences.

3.16 The current terms of the Lease do not allow for termination without the contractors consent. There is no break clause within the Lease which could be readily applied to a decision to remove the Alice Park site from the service contract. This would need to be negotiated with Healthmatic.

3.17 The break clauses within the Lease allows for termination on:

(1) 5th January 2029

(2) In the event the service contract is terminated in its entirety.

(3) In the event that the landlord wishes to redevelop the premises

3.18 Property Legal advise that a variation to the current terms of the Lease would be required, with Healthmatic's consent.

4 STATUTORY CONSIDERATIONS

4.1 The Council is sole corporate trustee of the Alice Park Trust. The Alice Park Trust's 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 Trust's objects and the duties it owes pursuant to the Charities legislation.

4.2 Members in their capacity as 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

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The financial implications are contained within the body of the report.

6 RISK MANAGEMENT

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

6.2 The current arrangements allow for continued upkeep and maintenance by the Contractor to ensure the facilities are fit for purpose for the remaining term of the contract. These are unknown costs to the Council as this risk currently sits with the contractor.

7 CLIMATE CHANGE

7.1 This report is being provided for information only about Alice Park Trust options for the future provision of public conveniences, and therefore does not include any decisions that have a direct impact on Climate Change.

8 OTHER OPTIONS CONSIDERED

8.1 None

9 CONSULTATION

9.1 Those consulted in preparing this report include officers in Property, Legal, Parks and Finance teams.

9.2 The Council's Monitoring Officer, Section 151 Officer and Corporate Director have had the opportunity to input to this report.

Contact person	
Background papers	
Please contact the report author if you need to access this report in an alternative format	

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Bath & North East Somerset Council	
MEETING:	Alice Park Trust Sub-Committee
MEETING DATE:	25 January 2024
TITLE:	Review of Parks and Greenspaces Service Level Agreements for Alice Park
WARD:	Lambridge
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
Appendix 1 – Parks and Greenspaces SLA	

1 THE ISSUE

1.1 To review the Service Level Agreement (SLA) for Parks & Green Spaces with the Alice Park Trust Sub-Committee (the Sub-Committee), which was first written in 2016/17.

2 RECOMMENDATION

Alice Park Sub-Committee is asked to;

2.1 Note and agree the review of the Service Level Agreement set out at Appendix 1

2.2 Agree a single point of contact into the Council for reporting of issues and/or works required with the Park.

2.3 Agree a maintenance and repair scope, as set out in the SLA and note inflationary rises in line with other Council-owned parks and based on the annual budget setting process.

2.4 Agree process for major improvement works and identifying funding.

3 THE REPORT

3.1 Both the Council’s financial position and the Alice Park Trust financial position necessitate a review of the SLA, which was written in 2016/17.

3.2 Historically, the Council has not shown the full costs of providing services to Alice Park Trust (the Trust). A review of all services provided to the Trust from the Council will enable the Trust to make informed decisions with regards to both expenditure incurred and income generated. The long-term aim of the Trust is to

become financially self-sustaining, through income from events, S106, fundraising and grants.

- 3.3 The revised SLA accurately shows the costs associated with delivering the service to Alice Park, and is in line with the costs for Council parks/green spaces.
- 3.4 In order to manage the process for agreeing works and maintain an audit trail and provide timely updates to the Trust, the proposal is to agree a single point of contact into the Council, as outlined below:
 1. Request submitted through Parks & Greenspaces mailbox
 2. Parks & Greenspaces will assign to appropriate Officer in Parks
 3. Officer determine the following:
 - a. H&S risk – action taken as soon as possible to address, and if deemed a Corporate Landlord property repair the officer will log the issue with the Property Helpdesk. If outside SLA, the Trust to be invoiced retrospectively
 - b. Works order issued, in line with SLA's or Property Team instructions and the Trust informed when works will be programmed
 - c. Request not part of the SLA
 - i. The relevant Council Officer will provide the Trust with costs {via submission to the Sub-Committee i.e.. A formal response?}
 - ii. Trust to determine whether they have suitable funds and agreement to proceed; if approved
 - iii. Relevant Officer Officer to issue works order and provide programme timeline for delivery

This removes the Trust contacting individual officers and ambiguity over who is responsible.

- 3.5 Requests for major improvement works to be discussed at the Sub-Committee and identify funding streams for each stage of the process.
- 3.6 This will give a full audit trail to the Trust of programme of works, along with costs for maintaining and improving the Alice Park. It enables the Trust to get back onto an even keel with an agreed co-ordination and communication process in place.

4 STATUTORY CONSIDERATIONS

- 4.1 The Sub-Committee must operate within the parameters of its Terms of Reference, Charity legislation and Charity Commission Guidance.
- 4.2 In discharging the Council's function as sole corporate trustee for the Alice Park Trust the Sub-Committee must operate within the scope of local government law. Elected Members of the Sub-Committee must act in accordance with the Localism Act 2011 and the Councillor Code of Conduct.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

The cost of the three existing Parks SLAs (Grounds Maintenance, Tree Maintenance and Play Area/Equipment Maintenance) totals £23,634 in 2023/24. The proposed SLA in year one (which includes tri-annual sand replacement)

would total £27,083. The extra cost will be factored into the Trusts 2024/25 budget setting and future year funding considerations.

6 EQUALITIES

6.1 No specific considerations

7 CLIMATE CHANGE

7.1 A well-run park supports local biodiversity and can help cities be more resilient to climate change by improving air quality and absorbing carbon from the atmosphere.

8 OTHER OPTIONS CONSIDERED

None.

9 CONSULTATION

9.1 This report was drafted in consultation with the Section 151 Officer and Monitoring Officer.

Contact person	Chris Major
Background papers	
Please contact the report author if you need to access this report in an alternative format	

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**Service Level Agreement (SLA) – Between Alice Park Trust and Parks & Greenspaces Team
Summary Covering Ground Maintenance; Trees; and Play**

09th January 2024

1. Grounds Maintenance SLA

General Work Category	Area of Work	Description	SLA Budget/ Price On Application
Grounds maintenance	Main grassed areas – Trimax tractor	Tractor mower with Operator weekly between March and October = £943 [2 visits per month for 8 months x 2hr = 32hrs x Hourly Rate]	Included in SLA Budget
Grounds maintenance	Main grassed areas – Ride on rotary mower	Ride-on mower with Operative every two weeks between March and October = £1,425 [2 visits per month for 8 months x 3.5hrs = 56hrs x Hourly Rate]	Included in SLA Budget
Mowing and Collect	Fine lawn areas – Iseki mower	Iseki mower with Operative every two weeks between March and October = £5,009 [2 visits per month for 8 months x 1.5hrs = 24hrs x Hourly Rate]	Included in SLA Budget
Mowing and Collecting	Wildflower Area by Pond	Iseki mower with Operative in Autumn = £92 [1 annual visit x 4hrs = 24hrs x Hourly Rate]	Included in SLA Budget
Mowing, Strimming, Blowing, General Weeding and Litter Pick	Outside verges; Play area; Grass bank; tennis courts edge; Other areas	4x person Operative crew, with appropriate equipment, every two weeks between March and October = £1,135 [60hrs per month for 8 month x Hourly Rate]	Included in SLA Budget
Hedge Cutting	Hedge-cutting: London Road/ West Lodge	3x Operatives x 1 day, scheduled in February = £481 [24hrs in Sept x Hourly Rate]	Included in SLA Budget
Hedge Cutting	Hedge-cutting: Yew Hedge	4x Operatives x 4 days, scheduled in September = £2,579 [120hrs in Sept x Hourly Rate]	Included in SLA Budget

**Service Level Agreement (SLA) – Between Alice Park Trust and Parks & Greenspaces Team
Summary Covering Ground Maintenance; Trees; and Play**

09th January 2024

Hedge Cutting	Hedge-cutting: Pyracantha in car park and by house; privet by house	3x Operatives x 1 day, scheduled in September = £481 [24hrs in Sept x Hourly Rate]	Included in SLA Budget
Hedge Cutting	Hedge-cutting: top of tennis court hedge	2x Operatives x 2hrs, scheduled in September = £84 [4hrs in Sept x Hourly Rate]	Included in SLA Budget
General maintenance tasks	Cutting off epicormic growth	3x Operatives x 1.5hrs, scheduled in March = £96 [4.5hrs in March x Hourly Rate]	Included in SLA Budget
General maintenance tasks	Leaf collection	8x Operatives x 22.5hrs, scheduled in March = £4,700 [180hrs in Autumn/ Early Winter x Hourly Rate]	Included in SLA Budget
General maintenance tasks	Misc gardening tasks – tending of shrub beds on large yew hedge lawn; taking bind weed off yew tree hedge; blow paths down after every visit; litter picking; cutting cornus	4x Operatives x 2 days, during Spring & Summer = £1,252 [60hrs x Hourly Rate]	Included in SLA Budget
General maintenance tasks	Misc gardening tasks - cutting and dead heading daffodils	1x Operative x 4hrs, scheduled in September = £92 [4hrs x Hourly Rate]	Included in SLA Budget
General maintenance tasks	Weeding & trimming shrubbery around wildlife pond	Volunteers	Volunteer time
Survey	Inspection	Surveys for Improvement Works	POA

2024/25 SLA Fee for Grounds Maintenance: £18,369

**Service Level Agreement (SLA) – Between Alice Park Trust and Parks & Greenspaces Team
Summary Covering Ground Maintenance; Trees; and Play**

09th January 2024

2. Tree Maintenance SLA

General Work Category	Area of Work	Description	SLA Budget/ Price On Application
Survey	Inspection	Inspecting trees and prioritising works, based on 19 hours Inspector time per annum (currently 156 trees in Alice Park)	Included in SLA Budget £871
Works	Tree surgery & clearance	Emergency Response following call-out (storm or incident based). Based on average 2 callouts per year that require tree surgery/ clearance at average £237 per callout	Included in SLA Budget £474
Admin	Tree management admin	Dealing with tree related enquiries from the public & council officers/ members/ initial insurance claim responses. Based on 20 hrs per annum of Tree Manager time.	Included in SLA Budget £1124
Admin	Tree Works	Work specification, instruction and actual work (internal or external contract)	POA
Admin	Insurance/ Public Liability	Preparing a case for Insurance Claims	POA
Survey	Specialist Inspection	Specialist surveys (disease & decay)	POA
Works	Tree Works	Tree surgery for planned routine maintenance work	POA
Works	Tree Planting	Sourcing funding, tree selection and technical advice/ design, tree orders, tree storage and care in yard, tree planting in soft ground or in hard surface pits, tree establishment (weeding/ watering/ replacement)	POA (some works might be eligible for external funding)
Exclusions	Specific Exclusions to SLA Budget	Organizing and carrying out works to trees and vegetation emanating from private land (dealt with via letter to landowner/ householder to action works). Arranging and carrying out works to vegetation other than trees ('a tree' is defined as a perennial plant with a single, woody, self supporting stem, usually un-branched for some distance above the ground). Installation of tree planting pits in hard surfaces in new locations. The design and implementation of new landscaping schemes for grounds will be at additional cost, for which quotations can be provided. The responsibility for works undertaken to trees at Alice Park by other parties without prior agreement with the Parks Tree Manager.	POA

**Service Level Agreement (SLA) – Between Alice Park Trust and Parks & Greenspaces Team
Summary Covering Ground Maintenance; Trees; and Play**

09th January 2024

		Internal investigations of trees using specialist equipment (as per Specialist Inspection)	
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2024/25 SLA Fee for Tree Inspection & Emergency Works: £2,469

**Service Level Agreement (SLA) – Between Alice Park Trust and Parks & Greenspaces Team
Summary Covering Ground Maintenance; Trees; and Play**

09th January 2024

3. Play Area and Equipment Maintenance SLA

General Work Category	Area of Work	Description	SLA Budget/ POA
Survey	Inspection	Weekly inspections of play equipment will take place by the Council's Play Inspectors [52 weeks of the year, 1 hour average per week for routine / operational inspections, depending on leaf fall, repairs etc. = £2,385]	Included in SLA Budget
Maintenance	Repair & Maintenance	<i>Materials – small parts and replacements annually</i> Routine repairs and maintenance - actual work required depends on wear and tear Swing seats x2 plus carriage = £101 Bushes, shackles, cap covers and quick links = £105	Included in SLA Budget
Maintenance	Repair & Maintenance	<i>Materials – play sand</i> Sand is renewed every three years [20 tonnes of play sand delivered to Alice Park costs £2,500; Tractor plus driver five hours £420; and Labour 16 hours £734 = £3,654	Included in SLA Budget every 3rd Year
Maintenance	Litter collection	Litter picking and general tidying of play areas	Cleansing Dept/ Volunteers
Improvements	Capital replacement	Annual/ in year replacement programme of play equipment	POA – capital budget request
Exclusions	Specific Exclusions to SLA Budget	Design of play areas; specification of new equipment or layouts; consultations and surveys relating to new designs; procurement of play equipment & contractors; contract/ project management; implementation of play schemes.	POA – capital budget request

2024/25 SLA Fee for Play Inspection & Remedial Works: £2,591 + £3654 for play sand replacement (needs replacing from April 2024)

Every 3 years the play sand will need replacing, so current estimate of the cost every 3rd year would be the additional £3654 (subject to price increase). This will begin from 2024/25 with the next replacement of sand happening 2027/28.

TOTAL Ground Maintenance; Trees; and Play SLA:

2024/25 Budget Cost: £27,083

POA costs may vary [+ or -] depending on pay awards; structural/ re-organisational changes within the Council; or excessive inflationary pressures. Annual SLA inflationary increases will be communicated to the Trust in advance and will be influenced by the factors influencing the cost of service delivery mentioned above.

Bath & North East Somerset Council	
MEETING/ DECISION MAKER:	Alice Park Trust Sub-Committee
MEETING/ DECISION DATE:	25th January 2024
TITLE:	Alice Park Trust Sub-Committee – Annual Report for the year ending 31st March 2023
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 2023 (Receipts and Payments account) 2. Trustees' Annual Report to 31st March 2023 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 2023. (Appendix 1)
- 1.2 To agree the Annual Report for Alice Park Trust for year ending 31st March 2023. (Appendix 2)

2 RECOMMENDATIONS

- 2.1 Agree and sign the financial statements of Alice Park Trust for year ending 31st March 2023 and their submission to the Charity Commission.
- 2.2 Agree and sign the annual report for Alice Park Trust year ending 31st March 2023 and submission to the Charity Commission.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Expenditure incurred for Alice Park Trust in 2022/23 was £40,383; this was offset by income of £20,398.
- 3.2 The deficit of £19,985 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 £189,610. 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 2022/23 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 has been signed off.
- 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 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 2022 to 31st March 2023 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
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CC16a

Receipts and payments accounts

For the period from	Period start date 01/04/2022	To	Period end date 31/03/2023
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Section A Receipts and payments

	Unrestricted funds to the nearest £	Restricted funds to the nearest £	Endowment funds to the nearest £	Total funds to the nearest £	Last year to the nearest £
A1 Receipts					
Rental Incomes	19,050		-	19,050	19,050
Tennis Court Income	-		-	-	-
Events Income	1,025		-	1,025	1,598
Investment Income		323	-	323	39
Income - deficit subsidised by B&NES	19,985		-	19,985	22,290
B&NES Ward Councillor Empowerment Fund			-	-	1,464
	-	-	-	-	-
Sub total (Gross income for AR)	40,060	323	-	40,383	44,441
A2 Asset and investment sales, (see table).					
	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total receipts	40,060	323	-	40,383	44,441
A3 Payments					
Grounds Maintenance SLA	11,443	323	-	11,766	11,535
Play Equipment SLA	8,920	-	-	8,920	8,745
Tree Management SLA	2,487	-	-	2,487	2,438
Public Convenience Maintenance	16,710	-	-	16,710	16,359
Other Property/Parks Maintenance	-	-	-	-	3,400
Other - Audit Fees	500	-	-	500	500
Other - Legal Fees		-	-	-	-
Other - Tree Planting		-	-	-	1,464
Sub total	40,060	323	-	40,383	44,441
A4 Asset and investment purchases, (see table)					
	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total payments	40,060	323	-	40,383	44,441
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

	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B2 Other monetary assets		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-

	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
B3 Investment assets	Majedie Investments plc ordinary 10p shares	Restricted	-	580
	COIF charities deposit account 951170001C - 32911/05	Restricted	-	914
	COIF charities special range 965060001C - 32911/04	Restricted	-	4,880
	COIF charities special range 115410001C	Restricted	-	11,843
			-	-

	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
B4 Assets retained for the charity's own use	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	-
			-	-

	Details	Fund to which liability relates	Amount due (optional)	When due (optional)
B5 Liabilities			-	
			-	
			-	
			-	
			-	

Signed by one or two trustees on behalf of all the trustees	Signature	Print Name	Date of approval



Trustees' Annual Report for the period

		Period start date			Period end date		
From	01	04	2022	To	31	03	2023

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 Sally Davis			
3	Cllr Joanna Wright			
4	Mark Roper		From 13 October 2022	
5	Bill Shaw		Until 10 May 2022	
6	Holly Dabbs		Until 6 October 2022	
7	Mary LaTrobe Bateman		From 12 October 2022	
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
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)

<p>You may choose to include additional information, where relevant, about:</p> <ul style="list-style-type: none"> • 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. 	<p>Terms of Reference for the Sub-Committee is available on the Council's public website.</p>
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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 tea chalet, and has been suitably maintained. The cottage property was let and the income used in the upkeep of the Park.

The 6 tennis courts within the park are in use under a new operator.

Alice Park Community Garden is actively supported by a group of volunteers ensuring a space for the benefit of the health and wellbeing of all the community, creating a rich addition to the park.

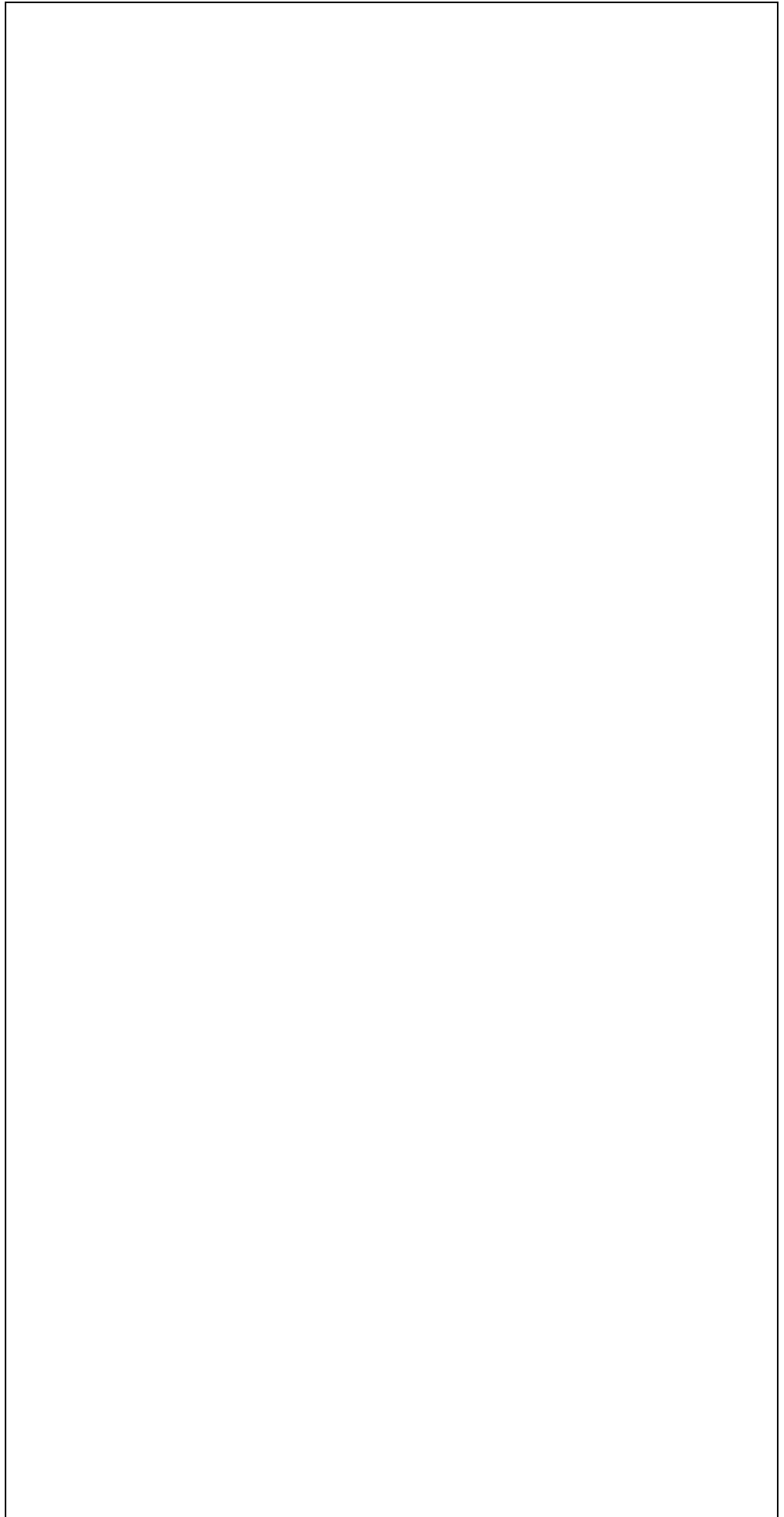
12 cherry trees were planted in early 2022 using funds from B&NES Ward Empowerment fund which will add an important avenue of tree line into the park benefitting both humans and the fauna of the local area.

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

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Section G Declaration

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

Signed on behalf of the charity's trustees

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

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The Alice Park Trust 2022/23 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:

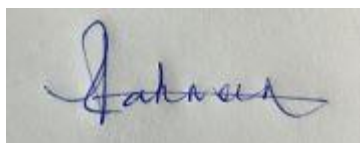
1. Alice Park Trust has a gross income of less than £250,000 and is therefore entitled to prepare the accounts on a "Receipts and Payments" basis. Correspondence with the Charity Commission received in January 2021 provided confirmation for the basis of preparation.
2. Any deficit at year end is funded 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: 01/12/2023

A rectangular box containing a handwritten signature in blue ink. The signature appears to be 'Tariq Rahman' written in a cursive style.

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:	25th January 2024
TITLE:	Alice Park Trust – 2023/24 Financial Update – Quarter 3
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 2023/24 financial position.

2 RECOMMENDATIONS

2.1 The Alice Park Trust Sub-Committee is asked to note and consider the report.

3 2023/24 FINANCIAL PERFORMANCE

3.1 In previous years, the Trust has run at an operating deficit, with expenditure to maintain the park exceeding the income generated by the Sub-Committee on behalf of the Trust. Consequently, in its role as Sole Trustee, Bath and North Somerset Council have funded the Trust's deficit through its Parks' revenue budgets.

3.2 For context, recent years' operating deficits were as follows:

- 2019/20 £29,192 (*due to one-off improvement costs*)
- 2020/21 £21,402
- 2021/22 £22,291
- 2022/23 £19,985

3.3 The estimated deficit for the Trust in 2023/24 was budgeted at £22,000 at the start of the financial year. This estimate was based on the previous year's financial position, allowing for an increase in maintenance costs.

3.4 Using the latest information available, the current forecast deficit is lower than budgeted, estimated as £18,594.

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 2024 is detailed in the table below:

	22/23 Outturn	23/24 Budget	23/24 Actuals	23/24 Forecast	23/24 Variance
EXPENDITURE	£	£	£	£	£
Ground Maintenance SLA	11,766	12,000	0	12,000	0
Play Equipment SLA	8,920	9,098	0	9,098	0
Tree Management/Maintenance SLA	2,487	2,536	0	2,536	0
Public Conveniences	16,710	17,070	0	17,070	0
Independent Examination Fees	500	500	0	500	0
<i>Other costs -</i> - other grounds/parks expenditure	0	1,800	440	2,210	410
	40,383	43,004	440	43,414	410
INCOME	£	£	£	£	£
Investment Income - Dividends	(29)	(14)	0	(14)	0
Investment Income - Interest	(294)	(690)	(510)	(798)	(108)
Rental Income	(19,050)	(19,050)	(15,828)	(19,050)	0
Tennis Court Income	0	0	0	0	0
Events Income	(1,025)	(1,250)	(1,085)	(1,641)	(391)
Ward Councillor Empowerment Fund	0	0	(1,770)	(1,770)	(1,770)
Other Income	0	0	(1,547)	(1,547)	(1,547)
	(20,398)	(21,004)	(20,740)	(24,820)	(3,816)
Forecast Trust (Surplus) / Deficit	19,985	22,000	(20,300)	18,594	(3,406)
<i>Additional income subsidy from B&NES</i>	<i>(19,985)</i>	<i>(22,000)</i>	<i>N/A</i>	<i>(18,594)</i>	<i>3,406</i>
Revised Forecast Trust (Surplus) / Deficit	0	0	N/A	0	0

3.7 Spend and income will continue to be monitored by Bath and North East Somerset's Finance Team, while forecasts will continue to be updated in line with estimates on income and expenditure provided by the Sub-Committee.

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	

Bath & North East Somerset Council	
MEETING/DECISION MAKER:	Alice Park Trust Sub-Committee Meeting
MEETING/DECISION DATE:	25th January 2024
TITLE:	Alice Park Trust – Future Financial Independence
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 provide the Alice Park Trust Sub-Committee with a proposal to change the current funding arrangement to ensure future financial independence.
- 1.2 The report includes details on how the proposal could enhance the decision-making capacity of the Sub-Committee and allow for longer term financial planning.

2 RECOMMENDATIONS

- 2.1 The Alice Park Trust Sub-Committee is asked to note and consider the report, including recommendation to seek grant funding from Bath and North East Somerset Council as laid out paragraphs 3.1 to 3.9.
- 2.2 The Sub-Committee is also asked to consider the recommendation relating to chargeable officer time detailed in paragraphs 4.1 to 4.5.

3 ADDRESSING THE OPERATING DEFICIT

- 3.1 In previous years, the Trust has run at an operating deficit, with expenditure to maintain the park exceeding the income generated by the Sub-Committee on behalf of the Trust. Consequently, in its role as Sole Trustee, Bath and North Somerset (B&NES) Council have funded the Trust's deficit through its Parks' revenue budgets.
- 3.2 For context, recent years' operating deficits were as follows:
 - 2019/20 £29,192 (*due to one-off improvement costs*)
 - 2020/21 £21,402
 - 2021/22 £22,291
 - 2022/23 £19,985

- 3.3 The estimated deficit for the Trust in 2023/24 was budgeted at £22,000 at the start of the financial year. This estimate was based on the previous year's financial position, allowing for an increase in maintenance costs.
- 3.4 It has long been recognised that Trust does not generate enough income to cover the expenditure required to maintain the park to an adequate standard. However, the Sub-Committee continue to explore ways to become financially independent over the longer term.
- 3.5 The result of having an estimated operating deficit with B&NES continuing to fund this is that the Sub-Committee is unable to make clear decisions on how to spend its budget as there is no clear budget envelope to work within.
- 3.6 An alternative approach would be for the Sub-Committee to write to B&NES to agree a fixed annual grant. This grant would essentially replace the subsidy, but crucially would be an agreed value at the beginning of the year, rather than result in an unknown subsidy at year-end. This would provide more certainty for both parties.
- 3.7 Furthermore, should the Trust wish to make a larger investment in any one year, it would have the ability to retain any underspend in reserves, to drawdown in future years, further enhancing longer term financial planning and decision making.
- 3.8 Should B&NES be agreeable to a grant, it is entirely possible that they would seek to lower the grant value over time. The long-term ambition of the Trust has always been to become more financially sustainable, and should it be the case the grant value reduces over time, it again provides a medium to long term framework for the Trust to plan ahead.
- 3.9 Should the recommendation be accepted, and a grant offer is agreed with B&NES, any subsequent operating deficit would need to be funded from any available reserves. Should no reserves exist, or reserve balances be insufficient to meet the deficit, the Trust would need to formally request further financial support from the Council to the Council's S151 Officer.
- 3.10 Furthermore, should the Trust wish to increase the grant in future years it would again be expected request this formally from B&NES in a timeframe consistent with the Council's budget setting process so it can be considered as part of its formal budget proposals.

4 BATH AND NORTH EAST SOMERSET OFFICER TIME

- 4.1 To date B&NES Council officer time has been provided to the Trust through Service Level Agreements (SLAs), and in some cases officer time has been provided to the Trust free of charge.
- 4.2 Existing SLAs are being reviewed and will be presented to the Sub-Committee in separate reports.
- 4.3 It is important for the Alice Park Trust accounts to show a true and fair reflection of its expenditure and income. With regards to officer time that has to date been provided free of charge, should officer time increase materially beyond the historic baseline level then it would be appropriate that the Trust incurs a

charge for this time so that the accounts show any material increase in officer time and effort contributing to Trust activities when compared to prior years.

4.4 The baseline for staff time provided annually to the Trust has been broadly as follows:

- Lead Officer support – to be the Senior Responsible Officer for liaison with the Alice Park Sub Committee on behalf of the Council.
- Democratic Services Support – to administer meetings of the Alice Park Sub-Committee.
- Legal support – to ensure the Alice Park Trust sub-committee acts in compliance with the LGA 72 and charitable guidance.
- Finance support – to provide periodic updates on financial performance, provide a mechanism for the Trust to receive income, coordinate the independent examination of the Trust’s annual accounts, and subsequently submit the accounts to the Charity Commission.
- Parks support – to advise on and cost any additional requests for specific park expenditure.

4.5 It is recommended that the Trust pay for any additional B&NES Council officer time over and above the baseline outlined above. A schedule of hourly charges can be provided to a subsequent Sub-Committee meeting to support decision-making.

5 OTHER OPTIONS CONSIDERED

5.1 Leave the situation as is – this option is not supported as it prevents the Alice Park Trust from making longer term funding decisions by having a lack of clear budget availability.

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Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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