

ALICE PARK TRUST SUB-COMMITTEE

Minutes of the Meeting held

Monday, 22nd August, 2016, 5.00 pm

Councillor Rob Appleyard	-	Bath and North East Somerset Council
Councillor Michael Norton	-	Bath and North East Somerset Council
Councillor Martin Veal	-	Bath and North East Somerset Council
Councillor Lin Patterson	-	Bath and North East Somerset Council (non-voting)

1 ELECTION OF CHAIRMAN

Councillor Veal moved and Councillor Appleyard seconded to elect Councillor Norton as Chairman of the Sub-Committee.

RESOLVED that Councillor Norton be elected as Chairman of the Alice Park Sub-Committee.

2 ELECTION OF VICE CHAIRMAN (IF REQUIRED)

Councillor Veal moved and Councillor Norton seconded that Councillor Veal be elected Vice Chairman of the Sub-Committee.

RESOLVED that Councillor Veal be elected Chairman of the Alice Park Sub-Committee.

3 TERMS OF REFERENCE

The Sub-Committee **RESOLVED** to note and approve the terms of reference circulated with the agenda papers.

4 APPOINTMENT OF INDEPENDENT MEMBERS TO THE SUB-COMMITTEE

The Sub-Committee noted that it was required to appoint two independent members with non-voting rights to assist in the running of the trust. The roles had been advertised and 10 applications had been received.

Councillor Appleyard suggested a term of office of two years for the independent members with the option to serve one further term. This would ensure that the membership was refreshed on a regular basis.

Councillor Veal moved and Councillor Norton seconded that the term of office for the independent members be three years minimum with the option to serve one second term if required. This could be reviewed in future as necessary.

The Sub-Committee then discussed arrangements for the shortlisting and appointment of the independent members. Councillor Appleyard proposed that a member other than the Chairman of the Charitable Trust Board should sit on the

interview panel. He also felt that all four councillors on the Sub-Committee should be involved in the shortlisting process and pointed out the community mandate of the local ward members.

Councillor Veal expressed reservations about ward member input into this process. The Alice Park Trust had a wide remit and this required a global rather than a parochial view.

Councillor Norton pointed out that the recruitment was a two stage process and that ward councillor input could be helpful at the first stage.

It was noted that training for trustees and councillors serving on outside bodies would take place in October.

Officers confirmed that the independent members would be able to claim travel and subsistence allowances as set out the in the members' allowances scheme.

RESOLVED:

- (1) To agree that the term of office for the independent members be three years with the option to serve one second term if required. This can be reviewed as necessary. *(Councillor Veal moved, Councillor Norton seconded).*
- (2) To agree that all four members of the Alice Park Sub-Committee take part in the shortlisting process for the independent members, using a scoring criteria provided by officers as a guide. *(Councillor Norton moved, Councillor Appleyard seconded).*
- (3) To delegate to the chair of the Charitable Trust Board, the Chair of the Alice Park Trust Sub-Committee and Group Manager for Neighbourhood Environmental Services, the role of interviewing and appointing the two most suitable candidates. *(Councillor Norton moved, Councillor Veal seconded).*
- (4) To agree to shortlist a maximum of six applicants for interview. *(Councillor Norton moved, Councillor Veal seconded).*
- (5) To agree that in addition to the independent members the Sub-Committee can seek the advice of additional specialists when discussing specific issues as and when it sees fit. *(Councillor Norton moved, Councillor Veal seconded).*

5 ALICE PARK INVESTMENTS

The Sub-Committee were asked to review financial investments held on behalf of the Alice Park Trust and to decide how those that have expired should be re-invested.

Officers explained that the funds held had now matured. It was noted that by investing in the COIF (Charities Official Investment Fund) the return of any sum being invested would be guaranteed. There was one cash fund instant access account that currently paid 0.45% per annum. The investment was fixed term although officers were not able to confirm the exact length. It was noted that a three to five year term was likely to provide a higher rate of interest; however, a judgement

would have to be made as to the future forecast for interest rates over the next few years.

On motion by Councillor Veal, seconded by Councillor Norton it was:

RESOLVED

- (1) To recommend reinvestment of expired financial investments held by the Alice Park Trust at 31 March 2016 into the Charities Official Investment Fund (COIF).
- (2) To request officers to identify the best available COIF investment for a one year term.
- (3) To invest the funds for a one year term in the first instance and to review this decision in one year's time.

6 ALICE PARK STATEMENT OF ACCOUNTS 2015/16

The Sub-Committee considered the Statement of Accounts and the Annual Report for the Alice Park Trust for the year ending 31 March 2016.

Officers confirmed that under item B4 of the accounts the values listed were historic and not current values. This met the statutory requirements.

Councillor Appleyard pointed out that Cottage Two had been transferred to the Somer Community Housing Trust and had then been sold under right to buy legislation. Officers confirmed that the proceeds of the sale had been used for the day to day running of the park in line with the formal Trust documents. Officers explained that in 2013/14 the Alice Park Trust accounts had been restated, to ensure correct financial treatment of the transaction, and had been signed off by the Leader of the Council as Trustee at the time. The income from the sale of the cottage was recorded in those accounts.

Councillor Veal asked whether there had been a service level agreement (SLA) for the income generated from the property sale. Officers stated that this had been dealt with via the Trust deeds. Councillor Veal asked for clarification of this issue from the Legal Team at the next meeting.

The Sub-Committee requested further information regarding the property sale and use of the proceeds of the sale and asked officers to bring a report to the next meeting regarding this matter. The Sub-Committee also requested more information about the equipment in the park and the current values.

It was noted that the Alice Park Trust was currently being supported through funding from Bath and North East Somerset Council and that this did not currently include costs around financial advice.

On motion from Councillor Veal, seconded by Councillor Norton it was:

RESOLVED:

- (1) To agree the Statement of Accounts for the Alice Park Trust for the year ending 31 March 2016.
- (2) To agree the Annual Report for the Alice Park Trust for the year ending 31 March 2016.
- (3) To request officers to provide the following further information at the next meeting:
 - Full details of the sale of Cottage Number Two and how the proceeds of this sale had been spent.
 - Details of the park equipment including current values.

7 **SERVICE LEVEL AGREEMENTS AND EVENT MANAGEMENT**

The Sub-Committee discussed areas of responsibility for Alice Park and how the park might be managed in the future. This took into account the setting of future goals, undertaking emergency work as well as the setting of routine service level agreements to cover Grounds Maintenance, Trees and Play, Events and Estates Management.

It was noted that the Trust was keen to negotiate preferential rates for services with the Council. Councillor Appleyard stressed the need to recognise community benefit alongside raising funds for the Trust. Any profits made from the use of the park would have to be returned to the Alice Park Trust.

When considering any proposed use the Sub-Committee must consider whether this falls within the Trust's objectives, and if so, whether to permit the use requested. If it permits the use then it must decide on what terms, in order to ensure effective use of the park whilst minimising any conflict between the different users to which the park is subject to under the terms of the trust deeds.

On motion by Councillor Appleyard, seconded by Councillor Norton it was:

RESOLVED:

- (1) To agree the detail of the Service Level Agreements as outlined in Appendix A of the officer report.
- (2) To agree that decisions about requests for works to be undertaken, or events to be approved that fall outside of the Sub-Committee cycle be delegated to the Group Manager for Neighbourhood and Environmental Services, following consultation with the three voting members of the Sub-Committee with decisions being ratified at the subsequent meeting of the Sub-Committee.
- (3) To agree that urgent works required under health and safety legislation be delegated to the Group Manager for Neighbourhood and Environmental Services to action promptly.
- (4) To agree that the principle for agreeing events and the charges levied for events in Alice Park be agreed as set out in section 5 of the officer report.

8 **REPORT ON ALICE PARK CONSIDERING THE SKATE PARK PROPOSAL AND ALTERNATIVE PARK IMPROVEMENTS**

The Sub-Committee noted that £110k of capital funding had been provisionally allocated by the Council for the installation of a skate park within the east of Bath locality in February 2014. The only site that was appropriate for such a structure was found to be Alice Park.

A public consultation led by the Council in December 2014 came out with a two thirds majority vote for the skate park. However, there remained strong local feeling about the proposal.

Discussions with skate park designers suggested that £110k would deliver only a limited project and with additional offers of support from third parties outline proposals for a scheme with a value of up to £150k had been commissioned.

Councillor Appleyard pointed out that a petition containing 500 signatures had been received requesting a skate park. The park was well supported by families but there were currently no specific facilities for 9-14 year olds. During the consultation he could not recall any mention of a “sub-optimal” design. If necessary further funds could be raised in the community or a modular development could be undertaken. It was noted that the London Road Partnership was currently holding the funds that it had raised for the skate park. He stated that the Council had agreed to allocate the funding to the provision of a skate park and should listen to the community and take into account the results of the consultation.

Officers explained that the design of a skate park had to be age appropriate and contain adequate complexity to retain the interest of users. The funding available could alternatively provide play equipment for older children.

Councillor Veal stated that interest in skateboarding was not currently on the increase. There was a skate park at Victoria Park which was accessible from the east of Bath. He did not feel that a scaled down version of the project would work and favoured reallocating the capital funding to improving the infrastructure of Alice Park (as outlined in Option 4 in the report). This would provide a greater range of facilities and would provide a more inclusive scheme for all.

Councillor Patterson did not agree that Victoria Park was accessible for 9-14 year olds. The route was along a busy main road or involved 2 buses. There was a large amount of support for the skate park and she felt that the Council should find a way to provide this facility.

Councillor Norton stated that he felt that the Victoria Park facility was accessible. He expressed concerns about the type of facility that could be provided with the funding that was available and whether this would meet the requirements.

Councillor Appleyard then stated that he believed Councillor Veal, as Cabinet member and ultimately budget holder for Community Services had a conflict of interest and should not be involved in voting on this decision. He stated that the decision should be deferred until this issue was clarified by the legal team. Officers confirmed that the set-up of the Alice Park Sub-Committee had been agreed in

consultation with the legal team. The Group Manager, Neighbourhood and Environmental Services agreed to clarify this issue.

Councillor Patterson stated that, if a decision were made not to provide a skate park, despite Council agreeing a budget for this and the public consultation showing a majority of people in favour, then there should be further consultation as to what should be provided in the park. She felt that people would feel betrayed and that this would be harmful to the Council's reputation if the skate park development did not go ahead.

On motion by Councillor Veal, seconded by Councillor Norton it was:

RESOLVED to ask officers to report back with further detail on Option 1, to enable the Trustees to assess the sub-optimal design of the skate park within the budget available (including the £25K from the London Road Partnership) to enable the Trustees to determine if Option 1 represents value for money, alongside further detail on Option 4 being presented.

9 **REQUEST BY LARKHALL FOOTBALL CLUB TO MARK OUT FOOTBALL PITCH LINES IN ALICE PARK**

Larkhall Football Club use Alice Park for three separate informal training sessions for approximately 60 children aged 5-11 each week during the football season. The club now wishes to use the park for weekly matches for the under 8's team and has asked for permission to mark lines in the lawn area for this purpose.

Councillor Appleyard queried whether marking lines in this way would restrict the use of part of the park for other users. He also asked whether the team would be charged for wear and tear and expressed concern regarding the parking area.

Councillor Veal explained that the purpose of the request was to assist young children to play football. This was not a full sized pitch and would be a chalk surface. He suggested that this could be trialled for one year.

On motion by Councillor Norton, seconded by Councillor Veal it was:

RESOLVED:

- (1) To grant permission to Larkhall football club for one season only to mark out a formal football pitch for under 8's (half size pitch) as a trial. The Trust to charge Larkhall Football Club for the exclusive use of marked pitches during matches and to cover the costs of increased grounds maintenance. The fee levied to be delegated to the Group Manager for Neighbourhood and Environmental Services in consultation with the Chair of the sub-Committee to determine. A public consultation be undertaken including opportunities provided for all parks users to provide feedback on the arrangement throughout the trial period (to be coordinated by the Council's Parks department).
- (2) To agree that at the end of the trial a longer term recommendation be made to the Sub-Committee by the Parks Department based upon the public consultation, feedback, and the implications on the maintenance and remediation of the park grounds as determined through the trial.

10 **DATE OF NEXT MEETING**

RESOLVED that the next meeting be held on Tuesday 29 November 2016 at 4pm.

The meeting ended at 7.05 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services