

ALICE PARK TRUST SUB-COMMITTEE

Minutes of the Meeting held

Tuesday, 6th December, 2016, 4.00 pm

Councillor Rob Appleyard	-	Bath and North East Somerset Council
Councillor Michael Norton	-	Bath and North East Somerset Council
Councillor Geoff Ward	-	Bath and North East Somerset Council
Councillor Lin Patterson	-	Bath and North East Somerset Council (non-voting)
Paul Hooper	-	Independent Co-opted Member (non-voting)
Sujata McNab	-	Independent CO-opted Member (non-voting)

11 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting. He informed the Sub-Committee that he would be chairing this meeting but would then stand down as Chair due to other commitments.

12 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer explained the emergency evacuation procedure.

13 ELECTION OF VICE CHAIRMAN (IF REQUIRED)

It was noted that Councillor Martin Veal, the previous Vice Chair was no longer a member of the Sub-Committee. No Vice-Chair was required for this meeting.

14 APOLOGIES FOR ABSENCE AND SUBSTITUTION

There were no apologies for absence or substitutions.

15 DECLARATIONS OF INTEREST

Councillor Appleyard stated that he had sought advice from the Council's legal team regarding his position on the Sub-Committee. The legal team had confirmed that he could remain a member of the Sub-Committee. Councillor Appleyard went on to declare that he was attending this meeting as a Trustee rather than as a member of the Council and that he would consider all issues discussed with an open mind.

The Legal Services Manager explained that B&NES Council was the sole trustee for Alice Park and that the Councillors appointed to this Sub-Committee were acting as representatives of the sole trustee. They should take a mutually non-biased approach to decision making.

16 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no urgent items.

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

(a) Public Questions

Janet Marton had submitted a number of questions and these were circulated at the meeting along with the responses that had been provided. Further information was required in respect of question 1 and a written response would be provided within 5 days.

A copy of the questions and responses are attached as *Appendix 1* to these minutes.

(b) Public Statements

The following members of the public made statements regarding the provision of a skate park in Alice Park.

Toby Young
Evie Campion-Dye
Ann Churchill
Richard Young
Anna Caron

A copy of the statements submitted is attached as *Appendix 2* to these minutes.

(c) Petition

Richard Young presented a petition to the Sub-Committee containing 1,087 signatures. The wording of the petition was:

“To ensure the funding already allocated to the development of a skate park in Alice Park is used for this purpose; to recognise the high levels of local support for this facility, as evidenced through the consultation exercise: and thereby moving without further delay to developing the skate park.”

The petition would be logged and a response would be sent to the lead petitioner.

18 **MINUTES OF PREVIOUS MEETING - 22 AUGUST 2016**

The minutes of the meeting held on 22 August 2016 were confirmed as a correct record subject to the following amendment:

Item 2 – Election of Vice Chairman – line 4 to read “Councillor Veal was elected Vice Chairman of the Sub-Committee.”

19 **APPOINTMENT OF INDEPENDENT CO-OPTED MEMBERS**

The Chair welcomed the two new co-opted non-voting members, Paul Hooper and Sujata McNab to the Sub-Committee.

20 **ALICE PARK - VALUATION OF LAND, PROPERTY PLANT AND EQUIPMENT**

The Sub-Committee considered a report which provided details of equipment held by the Alice Park Trust including current values, as requested at the last meeting.

Councillor Appleyard asked which formulae were applied to reach the current values and whether these reflected market value. The Group Accountant explained that surveyors had been instructed to carry out this work and that the values quoted were based on the rental value of the property.

Sujata McNab queried whether rent reviews were carried out annually.

In response to a query from Councillor Appleyard officers confirmed that the funds received from the sale of Cottage No. 2 were paid to the Trust and that this was shown in the accounts attached as an appendix to the report.

RESOLVED to note the treatment of assets, used to build the annual returns that are submitted to the Charity Commission each year.

21 **PROPERTY AT ALICE PARK**

The Sub-Committee considered a report which provided details about the sale of Cottage No. 2 at Alice Park and how the proceeds of this sale had been spent.

The Group Accountant explained that the cottage had been sold under the right to buy scheme for £90k. This income was paid to B&NES Council and had subsequently been used to support the Trust via a grant in kind in line with the Trust deeds.

Councillor Appleyard queried the figures shown in Appendix 1 of the report stating that he recalled the Council grant being shown in the previous report as the same figure each year rather than a lump sum of £90k in 2004/05.

Councillor Ward queried whether the Trust should be run in a more viable way in future being mindful of costs and seeking alternative sources of funding other than the Council. He was surprised at the lack of maintenance that had been carried out in the park.

Councillor Appleyard agreed that there was a need to raise funds and increase the income of the Trust. He felt that it would be helpful to receive more clarity regarding events and income generation within the park.

Sujata McNab asked how the plans for Alice Park fit in the with wider park strategy.

RESOLVED:

- (1) To note the report.
- (2) To request further information regarding the charging regime for events within the park at the next meeting.

22 SUBMISSION OF THE 2015/16 ANNUAL RETURN TO THE CHARITY COMMISSION

The Sub-Committee considered a report regarding the submission of the Annual Return for 2015/16 to the Charity Commission. The Trust was also asked to consider details around policies held by the Trust and financial controls.

Members discussed the adequacy of financial controls and Sujata McNab queried whether these had been reviewed. It was proposed that a summary of the Council's financial controls should be circulated via email to the Trust Board members to enable them to satisfy themselves that these were appropriate.

RESOLVED:

- (1) To agree the content of the submission to the Charity Commission as set out in Appendix 1 of the report.
- (2) To adopt the relevant Council policies for the Alice Park Trust.
- (3) To request that a summary of the Council's financial controls be circulated to the Sub-Committee to allow members to satisfy themselves that the controls are appropriate.

23 OPTIONS FOR IMPROVEMENTS AT ALICE PARK

The Sub-Committee considered a report presenting more detailed proposals for the expenditure of £97k on a skate park and also broader investment in the park infrastructure (including play).

Officers explained that the Council has allocated £97k within its capital programme for the development of a skate park in the East of Bath. Alice Park was the only location deemed suitable. The Sub-Committee could request that the Council considers fully allocating this funding for the development of a skate park, request that the Council considers allocating the funding to alternative improvements to the park or could decide not to request capital funding from the Council at all.

The report set out detailed proposals for a skate park and also suggestions for facility improvements in the park such as a circular path and play area improvements.

Councillor Appleyard stated that he was happy with the detailed skate park proposals which gave context and scale to the project showing that it would not be dominant. He noted that the park needed refurbishment as there had been a lack of investment, however, this could be considered at a future meeting. He stated that the Council had allocated funds specifically for a skate park and that the Trust should accept the offer of £97k or there was a risk that this investment in the park could be lost. There was currently very little in the park for older children and teenagers and the skate park would provide this.

Councillor Appleyard expressed some concern regarding potential conflicts of interest for sub-committee members and stressed the importance of being able to consider issues with an open mind. Councillor Patterson supported this view. The

Legal Services Manager confirmed that independent co-opted members had signed up to avoiding conflicts of interest when they joined the sub-committee.

Councillor Ward was surprised that the debate on this issue was so polarised. He agreed that the park was dated and needed investment but felt that future plans for the park should be considered as a whole with the skate park proposal forming part of these considerations. The Trust should take into account financial implications, maintenance and facilities required. He had some concerns regarding the consultation that had taken place because it had not set out all the options but had only made reference to a skate park. It was important to consider the sustainability of a skate park and he proposed that wider consultation should take place regarding future plans for Alice Park. This consultation should set out all the available options.

Sujata McNab felt that the proposals were difficult to navigate and wanted to understand how these fitted into the wider strategy for the park. Some details were missing such as the budget required going forward. She also had some concerns about the consultation process.

Councillor Patterson stated that the skate park proposal was not new and that it had been under consideration for a number of years. She stated that the funding from the Council was ring-fenced and that she did not want further delay. She had concerns that any delay could lead to the funding being lost altogether.

The Finance Manager explained that although the funding was currently ring-fenced the Trust Sub-Committee could request that it be reallocated to fund alternative improvements to the park. She also explained that the Trust would ultimately be responsible for the maintenance costs of the skate park if they wished to pursue this option. The £97k that had been allocated was capital funding and so could not be used for revenue purposes.

Paul Hooper felt that a contingency fund would be required in case the project ended up costing more than the allocated £97k. He also pointed out that “through life funding” had to be considered because there were no funds allocated from the Council towards maintenance.

Councillor Appleyard proposed that the Sub-Committee accept the offer from the Council and with external funding look to find a solution to provide the necessary revenue funding. He felt that the Trust should work with the community to monitor the skate park and receive regular updates. This was supported by Councillor Patterson.

Councillor Norton explained that the Sub-Committee could request that the Council reallocate the funds to provide other facilities for the park if it wished. He did not feel in a position to make an informed decision on the provision of a skate park at this meeting and felt that members should consider the park as a whole.

Councillor Patterson pointed out that there was a great deal of support for a skate park and that it would be counter-productive to ask for further consultation. She felt that the Council had let down Alice Park and that it should have plans for future investment in the park. She did not feel that the consultation process had been flawed in any way.

Councillor Norton stated that he could see the advantages of a skate park but that other options also needed to be explored in more detail.

Councillor Appleyard put forward a proposal that he and Councillor Patterson undertake further consultation with local residents and interested parties and report the outcome to the next meeting of the Sub-Committee.

There was also a suggestion that the Bath City Forum could carry out further consultation on this issue. A balanced view was required to assist the Sub-Committee in its deliberations. The wording of any further consultation should be agreed in advance by the Sub-Committee.

RESOLVED that the Sub-Committee determine that a skate park development is in line with the Trust's objectives and determine that, in principle, the skate park be progressed subject to:

- (1) Further information, analysis and reassurance on viability.
- (2) Establishing whether the Council will permit alternative use of the allocated funds.

24 **ALICE PARK SWOT (STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS) ANALYSIS**

The Sub-Committee received a report setting out a critical review of Alice Park in order to make recommendations for improvement works and to offer a context for prioritising any expenditure in the future with a view to compiling a comprehensive management plan.

RESOLVED:

- (1) To instruct officers to submit a draft Management Plan to the next Sub-Committee meeting based on the SWOT analysis contained in the report.
- (2) To use the analysis of Alice Park to set the context for future funding priority decisions with a view to seeking future Capital funding for 2018/19 from the Council which will be the next available opportunity to submit an application.
- (3) To note the following priorities for expenditure when making a capital bid to the Council:
 - (a) To widen the age range catered for by the play area. The existing equipment provides more play for younger children; the layout is poor as most of the space is taken up with cradle swings. Furthermore there is limited play value due to a very narrow range of equipment i.e. predominantly swings.
 - (b) The completion/continuation of the circular footpath for a variety of users including toddlers, children, wheelchair users, joggers etc. The longer pathway behind the tennis courts has been costed at an additional £8k, which would take it outside any available funding.

- (c) The redesign and replanting of the area between the World War 1 memorial area and the yew hedge, to include renovating of the Plaque area, removing the old shrub borders and cherry trees and replanting with fastigate trees to create a more formal look and under plant with a curving swathe of flowering bulbs and incorporate lavender and roses to accentuate the formality of the area. This could be a phased project to be completed in 2018 i.e. the 100 year anniversary of World War 1.
- (4) To agree the following works that will be undertaken as part of the winter works schedule and which are identified in the SWOT (Appendix 1 of the report):
- To paint the railings and Alice Park Sign at the main entrance (maximising the use of volunteers and the probation service where possible).
 - To remove the circular bed in front of the nursery and return to lawn.
 - To plant successional spring flowering bulbs (January to May) in the lawn in front of the nursery.
 - To lift the canopy of the Lime Trees in the Car Park and those overhanging the Tennis Courts.
 - To remove weed tree seedlings.
 - To mow out the blind daffodils.
 - To clean and repaint the benches in the War Memorial area.
 - To moss kill the tennis courts.
 - To cut back the shrub growth from northern boundary returning it to the line of holly.

25 **ROUTINE TREE PROGRAMMED WORKS 2016/2017**

The Sub-Committee considered a report regarding routine tree works. The annual tree inspection had been carried out in October 2016. The inspection identified essential tree works required including the felling of 4 trees that were over 10m tall. These trees have to be removed due to their poor and deteriorating condition. The risk of branch failure would become unacceptably high if they were not removed. Replacement trees would be planted during the winter.

RESOLVED to note the recommendations of the Tree Inspector to fell four trees in Alice Park.

26 **DATE OF NEXT MEETING**

RESOLVED to hold the next Sub-Committee meeting in March on a date to be confirmed.

The meeting ended at 6.40 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services