

**ALICE PARK TRUST SUB-COMMITTEE – 6 DECEMBER 2016**

**PUBLIC QUESTIONS FROM JANET MARTON**

Agenda Item 11 - Property at Alice Park

- (1) If Cottage 2 should not have been disposed of by B&NES, surely the right to buy scheme should not have applied. Has there been compensation to the trust for the sale of the property at below market value?

The RTB sale of Cottage 2 took place on 27th September 2004 as evidenced by the proprietorship register of the official title copy obtained just after this date. This was five years after the transfer to Somer Housing and so was in effect a sale by Somer under the preserved right to buy of their secure tenant. The disposal under RTB is legally effective and the Trust cannot undo that transaction. The Trust can only regularise the position by accounting for the proceeds of sale together with interest.

The Trust has not been compensated for the difference in the value of receipt that would have been obtained from a sale at open market value as against a sale at a discount under the RTB scheme. At the time of sale, the cottages had tenants who had assured tenancies with security of tenure. In the circumstances a market value was not applicable. It should also be noted that the Charity operates with a significant annual deficit and only remains solvent due to the grant in-kind received from the Council.

It is for the trustees to satisfy themselves that they have obtained best value and if not satisfied then to raise this with the Council. This would place trustees in a conflict situation with the Council and each party would need to be separately advised.

Agenda item 13 – Options for Improvements at Alice Park

- (1) Does the money budgeted for the skatepark include money for the following:
- (a) landscaping, including shrubs to mask the impact of a piece of concrete in the centre of green space and making good damage to grass during construction?

Landscaping as described in the Canvas document is included in the price i.e. shrubs around the seating area, banking up the grass around the skate park and decorating the walls to blend in with the landscape – several masonry paint finishes available. Making good damage to the grass will be commensurate with the position and damage e.g. levelling and reseeding in places.

- (b) the removal and replacement of the boules pitch?

Yes

- (c) measures to mitigate the impact of a skate park on other park users and those who live in or near the park? (Measures would be needed to address concerns of those who oppose the skate park in a designated green space).

No other measures, either on or off site are included in the price.

- (d) Contingency for overruns

Included (*Canvas are going to send over some costed plans but they were not ready at midday of 5 December*).

- (2) What are the estimated annual maintenance costs and insurance for the skate park options and the other options?

Canvas will return after 1 year to undertake snagging on the skatepark, to be agreed jointly with B&NES Council and Canvas and they also provide for an additional 24 year guarantee on their work. None of the outdoor assets such as bins, benches and play equipment are insured in any Council parks. A new skate park would be classed as a new piece of play equipment and be included in the play inspection regime.

- (3) Given that the trust deed focuses on provision for children under 14 years of age, how would this affect the decision on the size of the skate park if the skate park option is chosen?

The designs have been created for everyone: each design allows for a range of skills, from beginner upwards. There is nothing that a beginner cannot use and the real difference is in the way that a beginner or an intermediate or an advanced rider would use the skatepark, not the actual skatepark features themselves. At Royal Victoria Park, the design was crafted to allow advanced riders to gain most from the deep bowls, however for Alice Park all the features cater for all levels of rider.

- (4) As tennis courts and other facilities are not well maintained, what are the implications for the available funds for maintenance of other facilities if the skate park is approved? Would these then be neglected?

The tennis courts are on a maintenance schedule separate from the skate park.

- (5) The little children's play area is the one which is most used every day of the week and is in serious need of improvement. What are the trust's plans for this area, if the skate park option is pursued, especially given the increase in children under 5 in the area?

The Trustee Committee will have to apply for funding to upgrade the play area, just as the B&NES Council Parks Team bids for capital money each year to refurbish all the other play areas in the county.

- (6) Given equal opportunity concerns, should wheelchair access to all areas of the park be a priority to facilitate equal access for all users?

This is an issue for the Trust to decide rather than officers of the Council.