

<b>Bath &amp; North East Somerset Council</b>		
MEETING/ DECISION MAKER:	<b>Alice Park Trust Sub-Committee</b>	
MEETING/ DECISION DATE:	<b>27 March 2017</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		N/A
TITLE:	<b>Draft Management Plan Alice Park</b>	
WARD:	Lambridge	
<b>AN OPEN PUBLIC ITEM</b>		
<p><b>List of attachments to this report:</b></p> <p>Please list all the appendices here, clearly indicating any which are exempt and the reasons for exemption</p> <p>Appendix 1 Draft Management Plan for Alice Park</p>		

## **1 THE ISSUE**

1.1 At the meeting of the last sub-committee (6.12.16) Members of the Trust requested that a draft management plan be presented in March 2017.

## **2 RECOMMENDATION**

2.1 That the Alice Park Trust sub-committee agree the draft management plan subject to any amendments that they may wish to make

## **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

3.1 The Council's Parks Team will undertake the work agreed in the Service Level Agreement but additional works will need to identify alternative sources of funding.

## **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

4.1 The Council is sole corporate trustee of the Alice Park Trust. The 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.
- 4.3 One highly important consideration for the APT sub-committee to consider, when deciding upon the issue of expenditure generally but specifically in respect of the skateboard park is, that the income from the Endowment and arising from the Trust Property is currently insufficient to maintain the park without a subsidy from B&NES's corporate funds, and therefore a very clear legal basis would be required in order to enable B&NES as trustee to permit any project to go ahead, if that would involve future expense. The Trust must secure the funding for the works and future maintenance, insurance etc before it commits to expenditure. There is also a potential conflict between B&NES's duty of prudence as trustee of the Trust and its interest in improving recreational facilities for its inhabitants as local authority.
- 4.4 The objects of the trust require the land bequeathed to be used as a public park and children's recreation ground. The sub-committee must consider whether any proposed use 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 uses to which the park is subject to under the terms of the trust deed.

## **5 THE REPORT**

- 5.1 The management plan (appendix 1) covers a five year period based on a SWOT analysis reported to the last meeting.
- 5.2 The plan follows the format for the Green Flag management plans (The Green Flag Award is the benchmark national standard for publicly accessible parks and green spaces in the United Kingdom)
- 5.3 Some of the proposals remain uncostered until the priorities are set others can be carried out within a change of ground's maintenance regime.
- 5.4 An annual report will be submitted to the Sub Committee detailing progress based on the agreed plan.

## **6 RATIONALE**

- 6.1 The Management Plan should be reviewed annually to consider progress and for the Committee to be made aware of any issues that have arisen.
- 6.2 The Management Plan allows for priorities to be set as and when funding allows and to respond promptly to any future funding opportunities

## 7 OTHER OPTIONS CONSIDERED

7.1 Not having a management plan prevents the subcommittee from measuring progress or taking a strategic view about future works/projects.

## 8 CONSULTATION

8.1 It is a management document and generally management plans are not consulted upon. They are however shared with Friends groups where these exist.

## 9 RISK ASSESSMENT

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

<b>Contact person</b>	<i>Michael Rowan x 6811</i>
<b>Background papers</b>	<i>None</i>
<b>Please contact the report author if you need to access this report in an alternative format</b>	