

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Alice Park Trust Sub Committee	
MEETING/ DECISION DATE:	25 June 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Pond Area Update	
WARD:	Lambridge	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
None		

1 THE ISSUE

- 1.1 During the last Alice Park Trust sub-committee meeting, a motion was raised regarding refurbishment of the pond and that this should be considered in greater detail at a subsequent meeting. It was noted that there was no immediate Health & Safety concern.
- 1.2 There is already a management plan that considers the pond alongside all other improvements objectively and lists a matrix table of improvements on page 33-35 as a conclusion. The only direct pond action is to restore water flow to revitalise pond water in year 3 (2019).
- 1.3 The pond is very barren and is afforded very little maintenance in the current Service Level Agreement work schedule. An alternative action to 1.2 is that enhancement of plants would not necessarily require running oxygenated water (as duckweed creates its own oxygen) but there is vulnerability to damage from dog/duck trappings and pond ingress and anti-social behaviour which would have a resource implication re ongoing maintenance. This issue and that of health and safety may be partly overcome by the installation of a strong wire mesh (that sits just below the water surface) welded to legs that rest on the bottom of the pond therefore retaining an open and accessible appearance with some trample proof plantings at pond edge.
- 1.4 Point 4.4 gives very clear reference to the limited funds created by the Trust's endowment and which contributes towards the site maintenance. Council staff resource is more pressured than ever and further maintenance work operations cannot be absorbed.

2 RECOMMENDATION

- 2.1 That the above improvement works and associated on-going maintenance actions are costed up and decided upon alongside the other prioritised items that come from a reviewed management plan.
- 2.2 That consideration be given to the formulation of volunteers to assist the maintenance of enhanced areas.
- 2.3 That consideration be given to this potentially being an attractive boules area that may be more cost effective to retain/maintain than a pond.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The maintenance of the park is already in a financial deficit position as 'the income from the Endowment and arising from the Trust Property is currently insufficient to maintain the park without a subsidy from B&NES.
- 3.2 The underinvested pond currently affords little maintenance however improvement will create resource requirements re maintenance.
- 3.3 A cost/benefit analysis might suggest that a pond is a cost liability and a poorer investment than if used as a boules area (or equivalent).

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 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 Trustees 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 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.
- 4.4 One important consideration for the Alice Park Trust Sub-Committee to consider, when deciding upon the issue of expenditure, 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 and therefore a very clear plan to fund future expense will be required.

5 THE REPORT

- 5.1 That the committee review the 5 year management plan matrix and consider the pond against other priorities and developments.

6 RATIONALE

6.1 The Trust must work within its and the Councils financial constraints.

7 OTHER OPTIONS CONSIDERED

7.1 That the site could be used for a purpose that is more sustainably financed.

8 CONSULTATION

8.1 Finance and Legal Officers have had opportunity to review and input into this report.

9 RISK MANAGEMENT

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.

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Background papers	<i>N/A</i>
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