

## Bath & North East Somerset Council

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| MEETING/<br>DECISION<br>MAKER:             | <b>Alice Park Trust Sub Committee</b> |                                      |
| MEETING/<br>DECISION<br>DATE:              | <b>25 June 2018</b>                   | EXECUTIVE FORWARD<br>PLAN REFERENCE: |
| TITLE:                                     | <b>Alice Park Footpaths Update</b>    |                                      |
| WARD:                                      | Lambridge                             |                                      |
| <b>AN OPEN PUBLIC ITEM</b>                 |                                       |                                      |
| <b>List of attachments to this report:</b> |                                       |                                      |
| Plan of additional paths                   |                                       |                                      |

### 1 THE ISSUE

- 1.1 During the last Alice Park Trust sub-committee meeting, a motion was raised regarding the connection of pathways on site to allow circular walking and that this should be considered in greater detail at a subsequent meeting. It was noted that additional paths would increase maintenance costs that are currently not budgeted for.
- 1.2 The on-going maintenance of the park is 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'.
- 1.3 With the corporate financial deficit position, commitment to maintain additional assets could not be asserted in the current climate.
- 1.4 Pathway installation costs have been identified as £43,200 and a successful CIL application has been made which could allow the construction. This application is provisional as has not been formally signed off by the cabinet member at this time.
- 1.5 Should it be agreed to claim the £43k CIL funding allocation, it will be prudent to identify the construction type of the asset and its durability/likely need for repairs and to start generating reserves to allow for future maintenance of the asset.

### 2 RECOMMENDATION

- 2.1 That maintenance requirements of the new pathways are identified prior to acceptance of the CIL money. That once identified, a plan to generate these costs from revenues is identified (events, concessions, tennis/boules hires) and put to a sinking fund for specific use.

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

- 3.1 The maintenance of the park is 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 Financial pressures within B&NES creates a situation where further costs can’t be absorbed and that improvement works and associated maintenance costs must be funded separately.
- 3.3 Strategic actions should strive to increase park revenues in order to self-fund such park improvements.
- 3.4 These park improvements should be prioritized alongside those that halt further depreciation of the park fabric/facilities and that is sustainably affordable going forward.

### **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 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 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 Alice Park Trust sub-committee cost the likely maintenance requirements of a path (consider the most durable path type). That they devise a sinking fund to fund this maintenance from park revenues.

### **6 RATIONALE**

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

### **7 OTHER OPTIONS CONSIDERED**

- 7.1 Not to install additional paths

## 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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| <b>Contact person(s)</b>   | <i>Mark Cassidy 01225 396811</i> |
| <b>Background papers</b>   | <i>N/A</i>                       |
| <b>Please contact the report author if you need to access this report in an alternative format</b> |                                  |

Key: Additional paths in red

