

ALICE PARK TRUST SUB-COMMITTEE

Minutes of the Meeting held

Wednesday, 30th September, 2020, 1.30 pm

Councillor Rob Appleyard (Chair)	- Bath and North East Somerset Council
Councillor Paul Myers	- Bath and North East Somerset Council
Councillor Joanna Wright	- Bath and North East Somerset Council
Graham Page	- Independent Member

1 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the virtual meeting.

2 APOLOGIES FOR ABSENCE AND SUBSTITUTION

There were no apologies for absence.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

The Chair explained that he had agreed to consider one item of urgent business at this meeting. Members were asked to give approval for the Council's Legal Department to act for both the Trust and the Council to finalise the lease for the skate park in Alice Park. This would avoid the Trust incurring any further legal charges. The reason for urgency was that a decision needed to be made prior to the next meeting to enable the lease to be finalised.

The Legal Services Manager explained that the Trust has received independent legal advice regarding the lease for the skate park from VWV Solicitors. The Charity Commission had given approval for the Trust to enter into the lease. The lease must now be registered with the Land Registry and approval was being sought for the Council's legal team to act on both sides of the transaction.

In response to a question from Cllr Myers, the Chair confirmed that this was purely a process and not a negotiation. He also confirmed that if there were to be any changes to the Heads of Terms then the Sub-Committee would be consulted on these.

RESOLVED:

- (1) To agree that the Council's legal team act for both the Alice Park Trust and the Council to finalise the lease for the skate park in Alice Park.

- (2) To delegate authority to the Democratic Services Officer, in consultation with the Chair, to approve the completion of the lease.

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

The Chair informed the Sub-Committee that some questions had been received from Carly McKeever. The questions had been circulated to members of the Sub-Committee and made available to the public on the Council website.

Responses would be prepared and circulated within five working days of this meeting. *(A copy of the questions and responses is attached as an Appendix to these minutes).*

6 **MINUTES OF THE MEETING HELD ON 22 JANUARY 2020**

The minutes of the meeting held on 22 January 2020 were confirmed as a correct record.

7 **UPDATE REPORT AND RECOMMENDATIONS REGARDING THE ALICE PARK CAFE LEASE**

The Sub-Committee considered a report which provided an update on the Alice Park Café lease negotiations following the meeting held on 22 January 2020 and advised members of the following issues:

- A summary of discussions with the current tenant.
- A proposal to discontinue with a marketing strategy and to deal directly with the tenant.

Cllr Appleyard informed the Sub-Committee that lease terms have been discussed and negotiated which provide a good position for both the Trust and the current tenant. There was a will on both sides to move forward.

Graham Page and Cllr Myers requested that, if negotiations failed and there was subsequently a need to revert to openly marketing the tenancy as originally planned, then this should be discussed at a Sub-Committee meeting prior to any action being taken. This would give members the opportunity to review the situation and to reconsider the trading terms if necessary.

RESOLVED:

- (1) To enter into direct negotiations with the current tenant.
- (2) To delegate to the Corporate Property Officer, in consultation with the Chair of the Sub-Committee, the authority to finalise the terms and to ensure completion of the necessary legal documents and formalities with the current tenant, if satisfactory terms are negotiated. This may require a tenancy at will (or appropriate document) to be put in place whilst the lease is documented.

The meeting ended at 1.55 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services