

QUESTIONS FROM DEREK SWIFT

1. In Section E of the Annual Report of the Charity submitted to the Charity Commission in January 2020 there is the following statement:

“Should the trust have reserves in the future years then they would be managed within the same processes as those held by Bath & North East Somerset Council and as prescribed by their financial regulations”

What in essence does this mean? If there was a surplus in the future would the Council be able to claim back past subsidies? If that is possible then the accounts would look very different.

Response

Bath and North East Somerset Council will not claim back past subsidies, the Trust's annual deficit subsidised by the Council has been funded from within the Council's prior year's revenue outturn. There are no conditions attached to past subsidies. The processes referred to are around financial controls. The use of any possible reserves generated in future years would be for the sub-committee to allocate as it sees fit and as per its published Terms of Reference.

2. In Section D of the Annual Report of the Charity submitted to the Charity Commission there are the following statements:

- a. “working in conjunction with local volunteers, a new self-sustaining wildlife garden has been created in the pond area of the client”

How has the trust built on the goodwill of those volunteers? What have they done to reach out to those volunteers since the construction?

Response

The pandemic has prevented a natural development of the goodwill shown by volunteers, and when the conditions permit this focus will be opened up to the many possibilities their work has created.

- b. “Work is ongoing to ensure that the Trust's financial activities are clear and transparent. This includes reviewing current financial processes and procedures to allow for ease of income collection and monitoring of spend, to ultimately ensure clear understanding of financial performance.”

There are no accounts being set before the committee at this meeting and no interested member of the community has had a chance to comment on the accounts? This does not comply with the statement in the Annual Return

Response

The 2019/20 accounts will be presented to the sub-committee at its March meeting to review and approve prior to submitting to the Charity Commission. The deadline for this submission is 31 March 2021.

3. In the minutes of the previous meeting of 7 December 14 (e) it was hoped that a new independent member would be appointed. Will this be covered in the Chairman's statement?

Response

Mr Bill Shaw has been appointed as a new independent member. Mr Shaw attended the February meeting, and this was covered in the Chair's statement.

In the minutes of the previous meeting of 7 December 14 (f) the 10-year plan was referred to. When is this 10-year plan to be published?

Response

The 10-year plan will be published when finalised. The date is currently unknown as this is a work in progress.

4. In the minutes of the previous meeting of 7 December 14 (g) A Community Engagement Plan was to be developed. I see that a workshop is arranged for February. How were participants selected for this workshop? There are several of us who have shown a sustained and deep interest in the Park and none to my knowledge have been invited?

Response

The workshop is for sub-committee members only, to discuss the framework of consultation on community engagement, this will include further connections to the wider community on many aspects of developing the park.

5. In the minutes of the previous meeting of 7 December 15. A budget was presented yet in answers to one of my points I was advised that the budget was incorrect as it did not have all income in it. Has the budget now been revised?

Response

The response to the previous question raised on the 2020/21 budget was as follows, "The budget paper was prepared in advance of the new lease being agreed and therefore is still reflective of the previous value."

Changes in expected income levels will be reflected when budgeting for 2021/22.

6. As a follow up to my question about the Independent examiner. The answers to my questions indicate that the Trustees would rather pay their in-house auditor £255 per annum rather than an independent professional firm do the work for nothing? This seems a bizarre response for a charity which is losing money? Why are the Charity happy to pay £255 for something when they do not need to? Most normal charities would leap at the offer of a pro-bono piece of work.

Response

The Trust needs to be assured that the work of its independent examiner/auditor is independent with no conflict of interest to ensure that an objective opinion can be provided. The Trust is aware of a pro-bono offer of support from a local professional firm but it is not satisfied that it can provide the required independence. That firm has a conflict of interest having acted for a counter-party in the renegotiation of a lease in conflict with the Alice Park Trust's interests.