

LOWER CENTRAL GARDENS TRUST BOARD

WEDNESDAY, 20TH MARCH, 2024

Present: Councillor Matthew Gillett in the Chair

Cllr S Bartlett, Cllr L Williams, Cllr J Martin,
Cllr B Nanovo and R Boon

35 Apologies for Absence

There were no apologies for absence received.

36 Declarations of Interests

Councillor Bartlett declared a non-pecuniary interest to agenda item 5, as a Director of BH Live Enterprises.

37 Minutes of the Previous Meeting

RESOLVED that

The minutes of the meeting held on 15 January 2024 were approved, subject to the inclusion of Tracy Jose's Proposal to the Board in the seventh paragraph of Minute number 34.

38 Tracy Jose Proposal to the Board

Tracy Jose presented a verbal proposal to the Board for a Sculpture to be erected in the Lower Central Gardens as a symbol of positive change in Bournemouth, following the tragic death of her grandson Cameron Hamilton. The Board was presented with a wooden model of the proposed Hands Sculpture and was given details of the proposed location, specifications and cost.

Tracy explained the intention of the sculpture was to be a symbol of hope, growth and positive community togetherness for the community to show the continued and lasting positive change it was hoped that Cameron's tragic death would bring.

The Board thanked Tracy for her heartfelt proposal.

It was agreed that the officers would discuss the proposal with Tracy following the meeting.

39 Lower Central Garden Trust Board - March 2024 Service Update

The Director of Environment and the Director of Commercial Operations presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The report provided a service update to the Lower Gardens Trust Board to demonstrate the Council's commitment to maintain the public gardens known as "The Lower Central Gardens" in Bournemouth for the recreation and enjoyment of the public in accordance with the terms of the Charity Scheme made by the Charity Commission on the 13 May 2011.

Items included:

- Christmas event proposals for 2024 and 2025 – 2032
- Knife Crime Month of Action paper - Request for usage of Lower Central Gardens

- Proposed Scheme of Officer Delegations

Christmas event proposals for 2024 and 2025 – 2032

The Lower Central Gardens Trust Board was asked to review and comment on the proposals for the Christmas Tree Wonderland event for 2024 which included the procurement of an ice rink for a one-year period.

The Lower Central Gardens Trust Board was asked to review and comment on the proposals to tender the opportunity for the Christmas Tree Wonderland Events for 2025 – 2032, following the end of the current and proposed contracts related to the 2024 event.

The Board considered the proposals and made the following comments:

- In response to a query raised regarding the length of the contract the Board was advised that the specification had not been finalised for the longer-term contract. A duration of seven years was proposed which would allow an operator to look at what they could provide and what level of investment they would have been willing to make as a part of the contract.
- In response to a query raised regarding the condition of the site where the Ice Rink was to be placed, the Board was advised that due to the extended period of wet weather, the area had not had a chance to recover.
- The Board raised concerns regarding the future condition of the site where the Ice Rink was to be placed and discussed whether the Ice rink should continue due to the damage it had caused to the gardens. Additionally, concerns were raised regarding the Ice Rink, Christmas Market and Christmas Tree Wonderland being grouped in one contract.
- The Board was advised that the operator could find the contract less attractive if the ice rink, Christmas market, and Christmas lights offer were not offered together.
- In response to a query raised regarding work that was done to maintain the site after use at Christmas, the Board was advised that the ground was reseeded and worked on but had been unable to recover due to weather.
- The Board considered the positive feedback the Christmas events in the gardens had received from residents and visitors of BCP.
- The Board was informed that the Christmas market and lighting had a contract for 2024, whereas the ice rink needed a new contract for 2024.
- In response to a query raised regarding the recommendation, the Board was advised that the one-year ice rink tender for 2024 and the wider Christmas Tree Wonderland offer were two separate offers and would be two separate contracts for the Board to consider.
- In response to a query regarding the ice rink and the drainage of the surrounding grass area, the Board was informed that drainage measures could be discussed with the operator while finalising the offer. Options for drainage could be explored to ensure the grass would be more protected.
- The Board was advised that the intention was that the Christmas wonderland would be supplied by an external operator from 2025 onward without the Council having to deliver anything directly.
- In response to a query raised regarding the location of the Christmas Wonderland, the Board was advised that the location was selected to encourage visitors into the town centre, towards businesses and through to the seafront in support of the wider economics of the town centre.
- In response to a query about the contract length, the Board was advised that changing it could affect vendor interest, although it was uncertain without market testing.

RESOLVED that the Trustees support the one-year ice rink tender for 2024 with the condition that work is done to look at the options for a hardier form of grass.

Voting: For – 3 Against – 3

The Chair gave a casting vote for the recommendation.

RESOLVED that the Trustees support the proposed Christmas offer for 2025 - 2030 which aligns the three contracts of ice rink, Christmas market and lighting concepts.

Voting: For – 3 Against – 3

The Chair gave a casting vote for the recommendation.

Knife Crime Month of Action paper - Request for usage of Lower Central Gardens

In 2023 the Government introduced The Serious Violence Duty ensuring that councils and local services work together to share information and target interventions to prevent and reduce serious violence.

The Duty aimed to ensure that agencies were focused on their activity to reduce serious violence whilst also providing sufficient flexibility so that the relevant organisations could engage and work together in the most effective local partnership for any given area.

On 31 January 2024, in line with the legislation, the Safer BCP Community Safety Partnership published its Serious Violence Strategy. BCP Council had worked closely with partners and completed a Serious Violence needs assessment which had highlighted the most prevalent serious violence offences occurring in the conurbation. These were:

- Sexual offences
- Knife-related offences
- Robbery
- Domestic Abuse

Following the Serious Violence Strategy, and multi-agency working, an action plan was formulated to address the issues highlighted. The BCP Community Safety Partnership (a statutory crime and disorder reduction partnership) had formulated an action plan to tackle the priority offences. One of the projects will be the Knife Crime Awareness Month, which would comprise 5 weeks of action, prevention, education and engagement between 15 April to 18 May 2024, with the objective to reduce the number of people carrying knives in BCP, and in particular in Bournemouth, and thereby reduce the number of knife-related offences.

The Board praised the idea and fully supported the proposal.

RESOLVED that Trustees' grants permission for the Lower Central Gardens to be used for a variety of activities during the Knife Crime Month of Action

Voting: Unanimous

Proposed Scheme of Officer Delegations

The Lower Central Gardens Trust Board considered a revised draft scheme for officer delegations following feedback at the September 2023 meeting in relation to the operational activities as laid out in Appendix 1. The revised scheme set out delegations under the direction of the Council's Chief Operations Officer and the relevant directorates within the Council to support the timely operational delivery of functions and services that reflected the way of working since the Charity was established.

The Vice-Chair raised concerns regarding the time the Board had been given to consider the delegations. Following some Board discussion, it was proposed that the Board take some time to consider the delegations and to make any suggestions.

RESOLVED that consideration of the Officer Delegations be deferred until the Board meeting on 20 May 2024 for the Board to have more time to consider the report.

40 Verbal Update on Financial Matters raised at the last meeting

The Board was provided with verbal responses to the financial queries raised in the last meeting of the Board held on 15 January 2024.

The Commission and Charity Accountant advised the Board of the following:

In response to Cllr Nanovo's query from the audit findings report, the Board was advised that BCP Council was the sole managing trustee and HMRC accepted that the activities of the Trust could be either subsumed within BCP Council's VAT registration or for the Trust to be separately registered for VAT. The Trust was part of BCP Council's VAT registration.

In response to Cllr William's query regarding a separate bank account for the Lower Central Gardens Trust, the Board was advised that BCP Council acknowledged the external audit findings regarding the Trust having a separate ledger and bank account. However, as the Trust's activities were subsumed within BCP Council's wider parks operations it was deemed impractical to separate them and so the Trust uses BCP Council's bank account. BCP Council as the sole managing trustee accepted the risk that was inherent in this decision. This arrangement had been in place since the Trust's inception, which preceded BCP Council.

41 Next Steps - Future Meeting Dates and Work Programme

The Board discussed and suggested items that they wished to be included on future meeting agendas. It was agreed that the following items would be brought to the next meeting in May:

- Accessibility of the cashless system used in Lower Central Gardens concessions.
- The Annual Planting

42 Urgent Business - Art and Makers Market

Following the receipt of a written request The Lower Central Gardens Trust Board was asked to consider an update regarding the Art and Makers Market. The Chair requested that an item of urgent business be added to the agenda in accordance with the Constitution.

The Board received a verbal update regarding the Art and Makers Market. The Board was advised that the management of the Art and Makers Market would be put out to tender for a five-year agreement. The Art and Makers Market was previously managed in-house by the Council. A management agreement would enable the market to continue as a valued community asset.

Following some Board discussion the Board noted the update and expressed their support for the continuation of the Art and Makers Market.

43 Exclusion of Press and Public

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

Duration of the meeting: 1.00 - 2.37 pm

Wednesday, 20th March, 2024

Chairman at the meeting on
Wednesday, 20 March 2024