

Notice of Lower Central Gardens Trust Board

Date: Monday, 20 May 2024 at 10.00 am

Venue: HMS Phoebe, BCP Civic Centre, Bournemouth BH2 6DY



Membership:

Chairman: To be elected

Vice Chairman: To be elected

Cllr M Gillett
Cllr A Hadley

Cllr J Martin
Cllr B Nanovo

Cllr L Williams
Mr R Boon

All Members of the Lower Central Gardens Trust Board are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=6086>

If you would like any further information on the items to be considered at the meeting please contact: Sinead O'Callaghan or email sinead.ocallaghan@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email press.office@bcpCouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

Date Not Specified

**DEBATE
NOT HATE**



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests



What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer
(janie.berry@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

AGENDA

Items to be considered while the meeting is open to the public

1. Election of Chairman

To elect a Chairman of the Lower Central Gardens Trust Board, until the first meeting of the 2024/25 municipal year.

2. Election of Vice-Chairman

To elect a Vice-Chairman of the Lower Central Gardens Trust Board, until the first meeting of the 2024/25 municipal year.

3. Apologies for Absence

To receive any apologies for absence.

4. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance. Declarations received will be reported at the meeting.

5. Minutes of the Previous Meeting

1 - 6

To receive the minutes of the meetings held on 20th March 2024.

6. Lower Central Gardens Trust Board May Report

7 - 20

The report provides service update information to the Lower Gardens Trust Board to demonstrate the Council 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 as requested by the Board:

- Proposed Scheme of Officer Delegations
- Events programme updates & new proposal
- Concessions cashless payment accessibility
- Planting
- Operational service updates

7. Next Steps - Future Meeting Dates and Work

To note, discuss and agree items of business for the Trust Board to consider at future meetings. Also, to agree dates of future meetings.

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

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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

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LOWER CENTRAL GARDENS TRUST BOARD



Report subject	Lower Central Gardens Trust Board May Report
Meeting date	20 May 2024
Status	Public Report
Executive summary	<p>The report provides service update information to the Lower Gardens Trust Board to demonstrate the Council 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.</p> <p>Items as requested by the Board:</p> <ul style="list-style-type: none"> - Proposed Scheme of Officer Delegations - Events programme updates & new proposal - Concessions cashless payment accessibility - Planting - Operational service updates
Recommendations	<p>It is RECOMMENDED that the Trustees:</p> <ul style="list-style-type: none"> a) approve the Officer Scheme of Delegations for operational activities. Any policy changes or new activities are to be referred to the trust board for discussion. b) note the annual events programme, including those already approved by the board and continuation of other annual activities. c) provide a recommendation decision on the proposed Summer Skate trial event. d) review the established perennial planting noting BCP Council budgetary, resource and facility changes and advise on any supplementary proposals the Board wishes to pursue.
Reason for recommendations	To allow the smooth running of the gardens, continued public enjoyment of garden events and for time sensitive matters to be dealt with by officers.
Portfolio Holder(s):	Councillor Andy Hadley; Councillor Mike Cox

Corporate Director	Interim Vacancy
Report Authors	Kate Langdown – Director of Environment Amanda Barrie – Director of Commercial Operations Helen Wildman – Head of Leisure & Events Matti Raudsepp – Director of Customer & Property
Wards	Not applicable
Classification	For update, information and decision

Background

1. The Lower & Central Gardens Trust (LCGT) was created in 1873 under an Indenture (legal agreement) between BCP Council's predecessor body the Bournemouth Commissioners and Sir George Eliot Meyrick Tapps Gervis. The day-to-day control and management of the Lower Central Gardens and hence the charity, was varied by s.29 Bournemouth Borough Council Act 1985. This vested in the Council the general power to use, control and manage the Lower Central Gardens.
2. The object of the charity is the provision of open space, and public building for the purpose of recreation and enjoyment of the public.

Delegation of authority

3. Further to the Draft Scheme of Officer Delegations shared with the Board in March 2024. The LCGT board is asked to feedback and advise on any further amends with the aim of reaching formal authorisation of the delegation of operational activities as laid out in Appendix 1 to the relevant directorates within the Council to support the timely operational delivery of functions and services that reflects the way of working since the Charity was established.

Concessions cashless payment accessibility

4. The BCP Council concessions within the Lower Gardens (1 catering kiosk and 1 mini-golf course) are operated by its Seafront Service, using cashless payment systems. Over recent years we have seen a significant reduction in the number of people wanting to pay with cash and like many operators, 4 years ago the Council adopted a card only payment system at Seafront outlets.

Most of our customers prefer to pay by card or phone, which has proven to be more efficient, with contactless payments enabling faster transactions and reducing queues. This also means we do not incur the costs or security risks of storing and handling cash, enabling us to operate a more efficient service for residents and visitors. To help inform visitors, our websites advise that we only accept card payments and signage is displayed at each of our outlets and payment stations.

Following a successful motion to Council asking for a review of cash-only payments across Council services, we will be working with colleagues in finance to understand accessibility implications for those without regular access to banking services.

LCG 2024 Activities and Events

Changes Are Made - 19th June

5. Event raising awareness of Knife Crime, details are still being confirmed but planned activities within the Lower Gardens is entertainment from the bandstand.

Bournemouth Air Festival - 29th – 31st August

6. No change to previous years with Beat Retreat and unarmed combat as well as a small bar with entertainment in the bandstand

Arts By The Sea Festival – 27th – 29th September

7. Installations and walkabout entertainment as well as a program of music from the bandstand.

Christmas Tree Wonderland – 14th November 2024 – 1st January 2025

8. Ice Rink and Christmas lighting installations throughout the Lower Gardens as in previous years.
9. As per previous years there are few smaller events planned such as duck race's or bandstand performances.

Trial Event Proposal Summer Skate

10. A proposal to BCP Council has been submitted for a summer roller rink with bar, big screen and catering for six weeks during July and August in the Lower Gardens. The proposed dates for this are Friday 19th July – Monday 26th August 2024.
11. Summer SKATE aims to be an inclusive event, which supports Dorset Mind. It activates health, which matches the Bournemouth Gardens heritage. Not only SKATE but a supporting calendar of events includes yoga mornings, a big screen to show a family movie nights, free to attend SKATE sessions for local school's and hospice charities and plus events such as 80's nights, Motown/soul nights, and even SKATE with film nights.
12. The proposed event aligns with the ambitions of Bournemouth Town Centre Partnership Group. A multi-agency initiative aimed to deliver action for the town centre, made up of key partners including BCP Council, community groups and organisations.

Site and grass protection

13. Environment Directorate have been initially consulted and have raised concerns as to the proposed area within gardens, which will still be recovering from ground damage from the ice rink given the extended wet ground conditions experienced meaning the grass won't take the extra use. It is likely to kill off the new growth and be detrimental to the look of the gardens leaving a large area of dead grass. The events and parks team have however proposed a potential alternative site within the gardens for consideration.
14. The event proposer has composed a grass protection plan, and a tree protection plan.

Big Screen

15. The big screen is proposed to show family friendly films with a classification of U and promotion of local events and businesses.

Catering

16. The catering proposed is a catering unit serving tacos to include vegan and vegetarian options

Bar

17. The proposed bar operating hours are from 1100hrs to 2200hrs offering a mix of alcoholic and non-alcoholic drinks as well as free drinking water.

Gardens Planting

Background

18. BCP Council moved to perennial planting across its managed parks and open spaces following a decision made by Council in February 2023 to remove funding for annual bedding and alternatively invest in a perennial planting approach to support

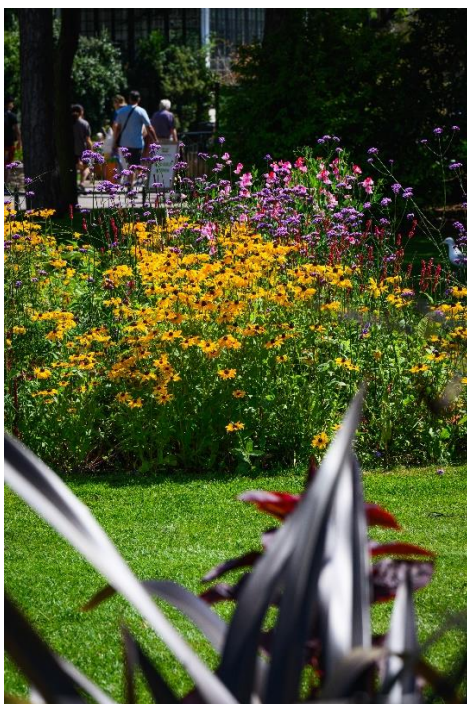
alignment with the Council's Climate and Ecological declaration across council-maintained flower beds in all our destination parks and spaces including LCG.

19. No formal legacy Council or BCP Council policy for planting is known to have existed planting having historically been designed and delivered as part of operational decisions within approved Council budget with styles and themes changing over years in line with The Bournemouth Borough Act 1985 Section 26 (3) stating *The Council may purchase or acquire botanical specimens and exhibits*.
20. In December 2023 a decision was taken to permanently cease the operation of a plant nursery at King's Park Drive (King's Park Nursery) which prior to the decision to move to perennials in February 2023 was the subsidised provider of LCG bedding plants, and instead seek alternative community uses for the site in line with the Bournemouth Borough Council Act 1985.
21. Perennial planting was introduced in LCG alongside other parks in Spring 2023 with planting continuing to establish itself.
What do we mean by flowering perennial planting?
22. Perennial herbaceous plants, shrubs and grasses that have a long life-cycle and are more suited to the climate and ecology of the site. BCP Council is not alone in its approach with many Council's having already or seeking to make the change which much of the horticultural industry is moving towards. Chelsea Flower Show showcasing the interest created through perennial planting schemes.
23. We understand this change may not have been to everyone's taste, however similarly many others understand and support the need to think about sustainability, the way we look after our planet and the importance of providing habitat as well as year-round interest in our beds. We will continuously review this as these beds mature and thrive, adding additional colour and interest with bulbs. In Autumn 2023 5000 bulbs were planted to enhance the colour show of the new planting including Daffodils and Crocus.
24. A further 5000 bulbs are proposed for planting for Spring 2025, Tulips as examples to provide enhanced Spring/Summer vibrancy to the beds and surrounds.

Benefits	Disadvantages
Improves ecological biodiversity throughout the town, helps pollinating insects	Some garden users may prefer the aesthetics of bedding plants
Provides flowers, foliage and texture throughout the year	Period of establishment required
Opportunity to engage our place shaping GI strategy and support realisation of BCP's Climate and Ecological declaration	
Greater spectrum of plant choice e.g. foliage, flower, seed head, height form and seasonal variation and sensory impacts	
Robust and adaptable to changing weather patterns	
Positive impact on our carbon footprint. Reduced watering, minimal topsoil replenishment required, less plastics	
Plants can be kept, divided, and reused	

25. Summer 2023 Photos – First season of establishment





26. Should the Board wish to explore further self-funding enhancements to the existing planting and beyond that proposed to be funded by the Council opportunities include identifying and working with community groups, volunteers and organisations to enhance provision and/or exploration of a flower bed memorial scheme initiative to compliment the current bench, plaque and tree memorial policy.

Public Conveniences

27. Evidence of drug related anti-social behaviour in the Lower Gardens public toilets, particularly affecting the Changing Places facility has been identified. This can regrettably result in the facility not being available on occasions or left in a condition that is unacceptable for the needs of legitimate users. Increased cleansing visits are now being introduced and additional support from the anti-social behaviour team and Police is being sought in order to address the issues arising.

Graffiti Removal

28. Work has commenced within the LCG in line with summer preparations to remove graffiti from Council owned assets and with agreement from utilities assets. Work already completed includes the bandstand and the cafe building with works now underway to action the green (power) boxes in the shrub borders and the old underpass walls and gates leading to Bobbies.

Litter Bin Provision

29. The lease agreement for the provision of litter bins within LCG has come to an end. The existing bin stock is now largely beyond economical life and in a poor visual condition with an annual cost of the provision is £20,800.
30. Following the success of the introduction of the 1100lt euro bins in 2019 which reduced the levels of uncontained waste, enabled the ability to service bins more frequently via RCV collections, coupled with a forthcoming Litter Bin policy across BCP to standardise bin provision, an interim operational decision has been taken to not renew the contract at this time. The site will be monitored this Summer for any adverse impact and any additional capacity needs actioned.
31. Officers are working with Planning Services to explore the use of wooden casing surrounds to house the 1100lt bins to improve their aesthetic appearance whilst maintaining the enhanced capacity these units provide the gardens. This also benefits from a lower cost of replacement in the event of vandalism or fire. Explorations are also underway to consider the feasibility of a housed bin storage area along Exeter Lane to resolve the current unsightly lines of bins outside the BH2 entrance to Lower Gardens.

Summary of financial implications

32. There are no financial implications arising from this report.

Summary of legal implications

33. There are no legal implications arising from this report. Operational changes applied are not in conflict with the overall objective of the Trust, that being the provision of open space for the purpose of recreation and enjoyment of the public.

Summary of human resources implications

34. There are no human resource implications arising from this report.

Summary of sustainability impact

35. The land contained within the Trust continues to be managed in a way that seeks to protect its future with the implemented move to more sustainable planting to improve biodiversity and growing impacts of climate change and weather conditions.

Summary of public health implications

36. Access to good-quality, well-maintained public spaces can help to improve physical and mental health by encouraging individuals to walk more, to play sport, or simply to enjoy a green and natural environment. Parks create important opportunities for social integration and health and wellbeing outcomes. Lower Central Gardens positively contributes towards this outcome.

Summary of equality implications

37. Safe access to the Public Conveniences including the Changing Places facility will be monitored following additional activities and investment as outlined in the paragraph 27 of the report.

Summary of risk assessment

38. Access to public conveniences to be monitored.

Appendices

Appendix 1 Proposed Scheme of Delegations

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Lower Central Gardens Trust Proposed Scheme of Delegation

Object of the Charity & Role of Board Members

The object of the charity through the Trust Board as detailed in the Bournemouth Borough Council Act 1985 and the Charity Scheme dated 13 May 2011 (required and approved by the Charity Commission) is to ensure the provision of open space, and public building for the purpose of recreation and enjoyment of the public.

The cost of managing, maintaining, and developing the garden in accordance with the Act is largely met through the Council's revenue accounts, any ad hoc allocated capital, community infrastructure levy (CIL) or external grant funding. Some income is received by the Trust from concessions and events undertaken within the gardens and donations; however this income does not match overall expenditure incurred within the Trust land.

Historical Undertakings

Since formation of the Charity, day to day management of the Trust assets has historically informally been undertaken by a group of officers representing Parks, Events, Property Services (now Estates), Communities, Finance and Legal Services. The Board meets formally twice per year for updates on activities and to sign off annual accounts.

Officer Scheme of Delegations – Lower Central Gardens Trust

To formalise arrangements for day to day management of the trust land; The Board delegates the day to day trustee functions and decision making to the Chief Operations Officer through the Operations Directors Management Team in consultation where necessary with the Director of Finance and Director of Law & Governance who shall collectively be known as the Lower Central Gardens Trust Management Team, to whom are delegated such executive powers relating to their service areas as are necessary to carry out the day to day trustee functions and, in so far as they relate to Lower Central Gardens Trust matters.

To oversee the operational management of Lower Central Gardens on behalf of the Trust acting in its charitable purpose of a garden for recreation and enjoyment of the public in doing so:

- ensure Trust Board Members are kept informed and that appropriate matters are raised at the Board for decision.
- ensure annual accounts are presented for submission to the Charity Commission.
- to meet as and when required to make a discrete decision noting the Charity Trust Board must hold at least two ordinary meetings each year. One such meeting in each year must involve the physical presence of those formally appointed as Trust Board Members.

Under this Scheme of Delegation all powers are vested in the relevant Corporate and Service Director with the overall management responsibility for the functions who may delegate further to Officers within the service responsible for specific activities.

General operational

To have overall responsibility for the operational management of the relevant area of service and for bringing forward such strategic plans and policies, and implementing all decisions,

including the allocation of resources within approved estimates, as are necessary to exercise the functions for which the service is responsible.

Director of Environment

The management & provision of business-as-usual grounds maintenance functions, cleansing services and public open space management. These are a guide as to typical types of activity and not an exhaustive list:

- a) Provision and management of BCP Council Grounds Maintenance & Cleansing employees appointed to work within the gardens and surrounding area
- b) Management response of flood & other severe weather incidents
- c) Provision and management of horticultural standards in line with BCP Council's area-wide Climate & Ecological Declaration
- d) Provision of litter bins including style of and management of cleansing standards in line with the Environmental Protection Act 1990 code of Practice for Litter & Refuse
- e) Undertaking of any necessary reinstatements/repairs following event activity and associated reimbursement of costs
- f) Management of minor lease and wayleaves (aviary, utilities, access agreements etc.)
- g) The procurement & purchase of materials to support business as usual activities.
- h) Provision of repairs from wear & tear of hard landscape features, street furniture, bins signage, and drainage.
- i) Management of relationship between BCP Council & The Parks Foundation and volunteers in relation to the Aviary within the gardens.

Director of Commercial Operations

The management and provision of business-as-usual concessions & events. These are a guide and not an exhaustive list:

- a) Authorisation of low impact events, representation & input for high impact events, a high impact event would encompass an event commercial in nature, and/or any event with substantial infrastructure that could impact the aesthetics or future maintenance of the gardens)
- b) Management of minor lease and wayleaves (café, t utilities, etc)
- c) Management of BCP Council catering outlets, street food corner, art exhibition & LG mini golf
- d) Management of Pavilion and Pavillon Car Park in line with existing BH Live contract conditions
- e) The procurement & purchase of materials and commissioned works to support business as usual activities

Director of Planning & Destination

- a) Tree inspections, risk management and arboricultural works including planting

Director of Customer, Arts & Property

- a) Toilets provision and maintenance
- b) Bandstand
- c) Building Stock maintenance
- d) Lighting provision and maintenance

Director of Housing & Communities

- a) Anti-social behaviour management

- b) Bylaw enforcement
- c) Liaison with Dorset Police on activities involving the gardens
- d) CCTV installation, monitoring and maintenance
- e) Regulation of food premises and licensable premises in the LCG

Director of Finance

- a) Production of annual LCGTB accounts for Charity Commission
The Trust is required to submit annual accounts and returns to the Charity Commission within ten months of the end of the financial year. The accounts summarise the money received and paid out by the Trust in the financial year and a statement is provided giving details of its assets and liabilities at the end of the year. The annual return is used to provide the Charity Commission with basic financial information, details of contacts, trustees and activities of the Trust.

Urgent Action

To act on behalf of the LCGTB & BCP Council in cases of urgency in the discharge of any function of the Council for which their Directorate or Service has responsibility, other than those functions which by law can be discharged only by the Council or a specific committee. This delegation is subject to the conditions that any urgent action:

(a) shall be reported to, and where practicable exercised in consultation with, the LCGT Board.

(b) shall take account of the advice of the Monitoring Officer and the Section 151 Officer

Matters for referral to LCGTB would include:

- a) Development of a future Strategic Management Plan of the Garden
- b) Sign off annual accounts
- c) High impact events, festivals or activities
- d) New infrastructure design and concepts
- e) Annual events programme
- f) New income generating schemes and initiatives.
- g) Grant bid applications
- h) Any proposed significant reduction or cessation of services

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