

# Notice of Lower Central Gardens Trust Board

Date: Monday, 12 May 2025 at 10.00 am

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



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## Membership:

**Chairman:** To be elected

**Vice Chairman:** To be elected

**Membership of the Lower Central Gardens Trust Board to be appointed at the full Council meeting on 6 May 2025.**

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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=6278>

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](mailto:sinead.ocallaghan@bcpCouncil.gov.uk)

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

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](https://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
CHIEF EXECUTIVE

1 May 2025

**DEBATE  
NOT HATE**



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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](mailto: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 Chair

To elect a Chair of the Lower Central Gardens Trust Board, until the first meeting of the 2026/27 municipal year.

## 2. Election of Vice-Chair

To elect a Vice-Chair of the Lower Central Gardens Trust Board, until the first meeting of the 2026/27 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 - 2

To confirm and sign as a correct record the minutes of the meeting held on 27 January 2025.

## 6. Lower Central Gardens Trust Board Meeting 12 May 2025

3 - 8

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 include:

- 2025 – 26 Event Programme
- Arts & Makers Market
- Westover Gardens Kiosk site retendering
- General Grounds Maintenance

The report provides information to note whilst also seeking support and approval from the board. The report furthermore asks the board to give consideration as to topic items for future reports.

## 7. Exclusion of Press and Public

In relation to the items of business appearing below, the Committee is asked to consider the following resolution: -

‘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 Paragraph 5 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.'

**8. Verbal Update regarding Concessions in the Lower Central Gardens**

To receive a Verbal Update regarding the Concessions in the Lower Central Gardens.

Verbal  
Report

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.

## **LOWER CENTRAL GARDENS TRUST BOARD**

**MONDAY, 27TH JANUARY, 2025**

**Present:** Councillor Matthew Gillett in the Chair

Councillors Cllr J Martin (Vice-Chair), Cllr B Nanovo  
and Cllr L Williams

**51 Apologies for Absence**

There were no apologies for absence received.

**52 Declarations of Interests**

There were no declarations of interest.

**53 Confirmation of Minutes**

The Minutes of the meeting held on 20 May were confirmed as accurate records and signed by the Chair.

**54 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.

**55 Lower Central Gardens Trust Board Meeting Update January 2025**

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 service update information to the Lower Central 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 include:

- Christmas event proposals for 2025 - 2030
- Art & Makers market update

The Committee discussed the report and the Christmas event proposals for 2025 - 2030 that they received from the proposed event operators.

The Lower Central Gardens Trust Board then went back into public session.

**RESOLVED that:**

- a) Trustees support the following:

- (i) the draft plans for the Christmas offer for 2025 - 2030 ahead of pre planning submission.
- (ii) the proposal for the operation of the Art & Makers market for 2025.

Voting: Unanimous

**56 Financial Statements 2023-24**

The Commission and Charity Accountant presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

It is a statutory requirement to agree the annual financial statements for the Lower Central Gardens Trust and submit them to the Charity Commission by 31 January each year.

The Board are asked to review and agree the financial statements and the Letter of Representation prior to them being signed off by Cabinet Member for Climate Response, Environment and Energy.

The Board considered the financial statements of 2023/24 and made the following comments:

- In response to a query raised regarding reduced turnover, the Board was advised that the mini golf concession had been closed for a period, resulting in decreased turnover.
- The Board was advised that the mini golf course had experienced a period of closure and had only been open during school holidays and on weekends for several months, which resulted in a decrease in income.
- In response to a query regarding the funds contributed by BCP Council, the Board was advised that the council's contributions had still exceeded the revenue generated by the Lower Central Gardens.

**RESOLVED that the Board agree the financial statements and the Letter of Representation for the financial year 2023-24.**

Voting: Unanimous

**57 Next Steps - Future Meeting Dates and Work**

The Board discussed and suggested items that they wished to be included on future meeting agendas.

It was agreed that a walk through the Lower Central Gardens would be organised to provide the Board with an opportunity to review the condition of the grass.

**Duration of the meeting:** 10.00 - 11.08 am

Chairman at the meeting on  
Monday, 27 January 2025

## LOWER CENTRAL GARDENS TRUST BOARD



Report subject	<b>Lower Central Gardens Trust Board Meeting 12 May 2025</b>
Meeting date	12 May 2025
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 include:</p> <ul style="list-style-type: none"> <li>• 2025 – 26 Event Programme</li> <li>• Arts &amp; Makers Market</li> <li>• Westover Gardens Kiosk site retendering</li> <li>• General Grounds Maintenance</li> </ul> <p>The report provides information to note whilst also seeking support and approval from the board. The report furthermore asks the board to give consideration as to topic items for future reports.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>a) The Board authorise Officers to carry out a tendering exercise to seek best value for the Westover Gardens Kiosk operation for between 5- 7 years and, following evaluation of the tenders, to award a lease to operate to the successful applicant.</p> <p>b) To authorise the minor changes in the current arrangements, to include use of half to the 'art store' for storage and subject to any planning permissions to install an additional wooden decking area. To also include within the new lease, subject to approvals, the use of the wider area near the aviary for specific events.</p> <p>c) Confirm if the Trustees wish to appoint a board member as part of the evaluation panel.</p>
Reason for	To allow the smooth running of the gardens and for time sensitive

recommendations	matters to be dealt with by officers.
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Portfolio Holder(s):	Councillor Andy Hadley – Climate Response, Environment & Energy
Corporate Director	Glynn Barton – Chief Operations Officer
Report Authors	Kate Langdown – Director of Environment Amanda Barrie – Director of Commercial Services Ed Alexander – Planning & Contracts Manager Helen Wildman – Head of Leisure & Events
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 for the purpose of recreation and enjoyment of the public.
3. The Trust Board must hold at least two ordinary meetings each year. One such meeting in each year must involve the physical presence of those Trust Board Members who attend the meeting. Other meetings may be held in person or by such suitable electronic means, including video-conferencing, as the Trust Board decide provided that the form chosen enables the Trust Board Members both to see and to hear each other.

## 2025 – 2026 Events Programme

4. South Coast Makers Market (1 day monthly 2025) – new small event proposal for 6 stalls within the tunnel path of local businesses and charities as an extension to the Bobby's market using hardstanding.
5. Arts by the Sea Festival (26 – 28 September 2025) – annual festival with arts installations and performances throughout the Lower Gardens, Seafront and Town Centre.



6. Run Bournemouth (11 - 12 October 2025) – annual running event primarily along the seafront between Bournemouth and Hengistbury Head with some elements utilising Pavilion Terrace, Street Food Corner and Pinewalk Bandstand.
7. Bournemouth Christmas (Nov & Dec 2025) – annual ice rink and Christmas lighting through the Lower Gardens. This year will see the entire contract through external organisation which will be contract managed through the events team.
8. Bournemouth Bay Run (Mar / April 2026 – date TBC) - annual running event with race village in front of the bandstand.
9. As per previous years there are a number of smaller minor events planning such as duck races and bandstand performances dealt with by the events team under the delegated authority for Commercial Operations.

### **Art & Makers Market**

10. The Art and Makers market went out for tender in 2024 with the view for an operator to take over the bookings and general maintenance of the space. No submissions were received so the operation is continuing in house for May.
11. The team received a proposal from Makers Space Markets to run the Art & Makers market from June 2025 – December 2025 as a trial with the view to undertake it longer term.
12. The proposed operator will take full responsibility of the site including bookings, general maintenance, paperwork and marketing. References and paperwork have been received as well as approval from the council's procurement team.
13. The Commercial team will undertake spot checks during this time and a full review will be undertaken in December 2025 for options for the operation for 2026 onwards.

### **Westover Road Kiosk Concession Retender**

14. The kiosk, currently trading as Picnic Park Deli, was installed on behalf of the Trust Board in 2016. It was part of a restoration of the Westover Gardens area which had become very tired. This unit replaced an old wooden kiosk next to the old aviary.
15. A tender exercise was carried out in 2016 for an operator and the current operator won that process. They have improved the area, and along with the new aviary building and cutting back some of the vegetation, the area is now busier, less intimidating and has less anti-social behaviour issues than previously.
16. The original lease term was for approximately five and half years but has had two extensions (a two year and one year extension) while resources have been sought to assist with the tender process.
17. Procurement have advised we are unable to offer any further extensions and must now go out to full tender.

### **Tender process**

18. The tender will be drafted working with colleagues across Procurement, Estates and Legal to ensure the tender and the subsequent lease meets the legal requirements.
19. It will be an open tender advertised on the [www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk) website.
20. The operator will be required to fit out the unit and maintain the kiosk during the term of the lease. They will also be required to provide external seating and to keep the leased area clean.
21. Whilst the tender will have a strong financial element, it will also seek to ensure a high quality offer selling hot and cold drinks, cakes and pastries and foods distinct from the variety of other foods available in the Gardens. The unit is not designed for high volume fried food and low-quality foods are not expected to be on sale.
22. There will be an expectation of the operator to use environmentally friendly products such as sustainable cardboard plates and wooden cutlery.
23. The need for some additional storage, decking (STPP) and event space has become evident during the current operation. There is currently a limited alcohol licence for 'on-sales' only.

#### **Post tender**

24. Once the tender deadline closes, the Environment and Procurement Teams will evaluate the submissions awarding to the successful applicant and arrange for the new lease to take effect from January 2026.

#### **Grounds Maintenance**

25. General grounds maintenance activities continue to be delivered throughout the gardens. 5,000 bulbs were planted this Spring to enhance the visual and biodiversity of the planted stock held.

#### **Summary of financial implications**

26. By going to the open market through a tender process for the Kiosk, it will allow for best value to be obtained.

### **Summary of legal implications**

27. All appropriate legal requirements as part of the retendering process will be followed

### **Summary of human resources implications**

28. No human resource implications identified.

### **Summary of sustainability impact**

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

### **Summary of public health implications**

30. 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**

31. There are no equality implications from this report the LCG remain a public open space for the benefit of all to enjoy.

### **Summary of risk assessment**

32. No risks identified

### **Background papers**

None

### **Appendices**

Appendix 1 Proposed plan of Kiosk site for retendering

## Appendix 1 Plan of proposed lease area

