

## **LOWER CENTRAL GARDENS TRUST BOARD**

**MONDAY, 5TH DECEMBER, 2022**

**Present:** Councillor Lawrence Williams in the Chair

Councillors Cllr S Bull (Vice-Chairman),  
Cllr S Bartlett, Cllr V Slade and Mr R Boon

**Apologies:** Cllr M Greene

### **12 Election of Chairman**

Councillor Bull took the Chair for this item of business.

Councillor Williams was elected Chairman of the Board until the first meeting of the 2023/24 municipal year.

Voting: unanimous

### **13 Election of Vice Chairman**

Councillor Bull was elected Vice Chairman of the Board until the first meeting of the 2023/24 municipal year.

### **14 Apologies**

Apologies for absence had been received from Councillor Mike Greene.

### **15 Declarations of Interests**

Councillor Bartlett advised that he was a Director of BH Live.

### **16 Confirmation of Minutes**

The minutes of the meetings held on 20 December 2020 and 12 January 2022 were agreed as true and correct records.

Voting: unanimous

### **17 Lower Central Gardens Trust Board Meeting**

The Joint Service Unit Head – Environmental Services 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 provides a range of Trust and Service update information to the Lower Gardens Trust Board on specific items as requested by the Board of Trustees.

Items covered include:

- Governance
- Finance
- Events
- Concessions trading

- Operational service updates

The report provides information to updates to note whilst also seeking support and approval from the board for confirmation of Terms of Reference and of associated operational delegation of business-as-usual activities. The report furthermore asks for support for the implementation of an Events Policy and for the board to give consideration as to topic items for future reports.

#### Governance

The Board received a presentation from the Senior Solicitor, which focussed on the role and remit of the Board.

Following a question, it was advised that the Pavilion did fall within the land under the remit of the Trust. The Legal Team was undertaking a piece of work to understand exactly what land was included under the remit of the Trust. The outcome of this review would be reported to the Board when the work was concluded.

It was discussed that there may be potential conflicts for the Board to consider when evaluating the best needs of the Gardens as a leisure facility, as per the intents of the bequeathment and commercial events. It was explained that the maintenance of the pavilion was chargeable, which was always included as a cost in the accounts.

It was further discussed that whilst there were large financial figures involved with the running of the pavilion, but it seemed that the Trust have no input in the running of it. It was advised that the Trust Board should have input regarding leaseholder arrangements with BH Live.

It was explained that the Trust Board had various options to consider as to what constituted the best interests of the charity and use of the Gardens, there was discretion.

#### Finance:

It was advised that the annual accounts needed to be filed with the Charity Commission by 31 January 2023, to sign them off, so a meeting would be held in late January to allow the Board to sign them off. If there were any changes to the final accounts, from the draft ones which had been circulated, the Board would be notified.

#### Delegation to Officers:

The Board was asked to reconfirm the delegation afforded to the Grounds Maintenance Team for general maintenance and planting in the Gardens. Any major changes would continue to be brought to the Board for agreement. As there had been membership changes on the Board, it was advised that it was good practice to reaffirm this delegation.

Whilst the reaffirmation of day-to-day changes was accepted, it was felt that there was some vagueness of what constituted issues that needed to come before the Board. It was suggested that a matrix, detailing what should come to the Board, should be drawn up for use in such situations. However, it was recognised that some works could be time critical and therefore there may need to be discussion with the Chair of the Board. It was agreed that a list detailing examples of works that would need agreement of the Board be brought back to the next meeting of the Trust.

The proposed replanting Policy was discussed and it was highlighted that it could be contentious, due to it being famous and an attraction for visitors. It was acknowledged that this would require quite a change in policy. It was advised that planting is being looked at across the whole of the BCP conurbation. This included consideration for ecological and sustainable planting.

It was suggested that this could present an opportunity for the Council to look at other established Victorian gardening options, possibly to include sculpture and water.

#### Events:

The Board was advised that there was a good established internal mechanism and audit for dealing with events. The Lower Gardens were considered a key point for animation in the centre of town. There has been tension over the years, that it is a soft landscape, which needed managing.

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The annual ice rink installation was now making a surplus of income, which helped with funding for the Winter Wonderland event.

Concessions and Trading:

It was advised that Covid had made quite a big negative impact on trade but it seemed that figures had recovered to pre-covid rates.

In response to a question about the development of the maker's market pods, and could work be done to make them more sustainable and aesthetically pleasing, it was explained that whilst new designs had been drawn up, there currently was not the money allocated to such works.

**RESOLVED that the trustees support and approve the following:**

- a) reaffirming the Terms of Reference for the Trust;**
- b) reaffirming a delegation of day-to-day and business as usual activities to the Director of Environment and Director of Destination and Culture. Any major changes or new activities are to be referred to the trust board;**
- c) the implementation of a Lower Central Gardens Events Policy;**
- d) allow Street Food Corner Licences to be signed by the Head of Parks & Bereavement Services on behalf of the Trust; and**
- e) the trustees indicate which matters they require to be on the Forward Plan for the Lower Central Gardens Trust and the scope of any formal report from BCP Council officers.**

Voting: Unanimous

## **18 Future Meeting Dates**

It was advised, as previously discussed that a meeting would be held towards the end of January 2023, to allow for the consideration and sign-off of the annual Trust accounts. Democratic Services were currently collating responses for the circulated dates for this meeting.

The Trust Board agreed that they would like to meet twice more before the end of the municipal year and it was agreed in principle that a further meeting be held in March 2023.

It was suggested that the delegation of planting matrix be circulated to the Board members outside of the meetings and if possible this be signed off in January 2023.

**Duration of the meeting:** 2.00 - 3.10 pm

Chairman at the meeting on  
Monday, 5 December 2022