

Democratic Services

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Date: 15th November 2013

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To: The Trustees of the Recreation Ground, Bath

Councillor Tim Ball
Councillor David Dixon (Chair)
Stephen Baddeley
Elizabeth Bloor
Derwent Campbell
David Durdan
Don Earley
Simon Emery
Geoffrey Fairclough
Michael Laughton

Chief Executive and other appropriate officers
Press and Public

Dear Trustee

Meeting of the Trustees of the Recreation Ground, Bath: Wednesday, 20th November, 2013

You are invited to attend a **Meeting of the Trustees of the Recreation Ground, Bath**, to be held on **Wednesday, 20th November, 2013** at **4.00pm** in the **Illustrious Suite - Sports and Leisure Centre, North Parade Road, Bath**.

Access is gained via the car park beneath the Sports Centre with the entrance being to the left at the rear of the car park.

The agenda is set out overleaf.

Yours sincerely

David Taylor
for the Trustees

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes or reports relating to any item on this Agenda should contact David Taylor who is available by telephoning Bath 01225 394414 or by calling at the Riverside Offices, Keynsham (during normal office hours).
- 2. Public Speaking at Meetings:** Members of the public may make a statement for up to 3 minutes. Advance notice of the speaker and the subject is required not less than ten minutes before the meeting commences.
- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting David Taylor as above.
- 4. Attendance Register:** Trustees should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

Meeting of the Trustees of the Recreation Ground, Bath – Wednesday 20th November 2013 at 4.00pm in the Illustrious Suite - Sports and Leisure Centre, North Parade Road, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chair will ask the Administrator to draw attention to the emergency evacuation procedure as set out under Note 6.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

At this point in the meeting, declarations of interest are received from Trustees in any of the Agenda items under consideration at this meeting. Trustees are asked to indicate:

- (a) The Agenda item number in which they have an interest to declare; and
- (b) The nature of their interest

Any Trustee who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Trust's Legal Advisor before the meeting to expedite dealing with the item during the meeting

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

5. MINUTES OF PREVIOUS MEETING (Pages 5 - 6)

To approve as a correct record the Minutes of the previous meeting held on Wednesday 30th October 2013

6. STATEMENTS

To consider any Statements from members of the public regarding matters that are not to be considered at this meeting

7. FINANCE MONITORING (Pages 7 - 10)

8. TRUST BANK ACCOUNT - THIRD PARTY MANDATE (Pages 11 - 12)

9. APPOINTMENT OF FINANCIAL ADVISORS (Pages 13 - 16)

10. DATE OF NEXT MEETING

The Administrator for this meeting is David Taylor who can be contacted on
01225 - 394414

MEETING OF THE TRUSTEES OF THE RECREATION GROUND, BATH

Minutes of the Meeting held

Wednesday, 30th October, 2013, 2.00 pm

Councillor David Dixon (Chair)

David Durdan

Don Earley

Michael Laughton

1 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure

2 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Tim Ball

3 DECLARATIONS OF INTEREST

There was none

4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

5 MINUTES OF PREVIOUS MEETING: 2ND OCTOBER 2013

The Minutes of the previous meeting held on Wednesday 2nd October 2013 were confirmed as a correct record and signed by the Chair.

6 STATEMENTS

There was none

7 APPOINTMENT OF CO-OPTED TRUSTEES

The Trustees considered a report by the Recreation Trust Project Adviser regarding the appointment of Co-opted Trustees.

He reported on the process leading up to a shortlist of 9 candidates who were interviewed by a Panel on 16th and 25th October. He circulated a list of the persons recommended by the Interviewing Panel to be appointed as Trustees.

The Chair referred to the high calibre of the candidates and he outlined the range of skills and experience that they would bring to the Recreation Ground Trust.

RESOLVED that the following be appointed as Trustees:

Stephen Baddeley
Elizabeth Bloor
Derwent Campbell
Simon Emery
Geoffrey Fairclough
Michael Laughton

The Chair stated that the Recreation Ground website would be updated accordingly.

8 NEXT MEETING

The Chair stated that the next meeting would be held on Wednesday 20th November 2013 at 4pm in the same venue of the Illustrious Suite, Bath Sports and Leisure Centre, if available.

The meeting ended at 2.10 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

The Recreation Ground Trust, Bath	
Meeting:	Recreation Ground Trustees
Date:	20 November 2013
Title:	Finance Monitoring 13/14
Status:	An open public item
Appendices:	1. Budget Monitoring 2013/14

1. Purpose of report

- 1.1 The report gives a finance update of current issues impacting on the 2013/14 accounts and presents the amended budget and forecast for 2013/14.

2. Recommendation

- 2.1 To note the budget monitoring position for 2013/14 and any issues arising.

3. Financial Implications

- 3.1 Included in the report

4 Report

- 4.1 The current budget position documented in Appendix 1 gives the budget and forecast for the whole financial year commencing 1 April 2013 to 31 March 2014, with actual expenditure and income to Period 7 - 31 October 2013. This is following advice from the Charity Commission.
- 4.2 Currently there is an anticipated overspend on the Trust budget of £36,928 for this financial year.
- 4.3 There has been little movement from the forecast reported previously, with the Trust heading for an overspend in the financial year. This is due to the one-off costs of taking forward the Strategic Review to its conclusion. The forecast now includes some of the additional costs of having to account for VAT charges on expenditure. There is an on-going review on how this position can be mitigated over the coming months.

- 4.4 Without these one-off costs and under normal circumstances the Trust's revenue is more than enough to generate a surplus.
- 4.5 There is a rent review under way in respect of Bath Rugby's main lease which could have a beneficial effect on the current forecasted deficit.
- 4.6 Current spend figures now largely include VAT adjustments recognising the independent status of the Trust and its own VAT position. This has had an impact of increasing costs for the Trust.
- 4.7 Work is in progress towards appointing independent advisors re final accounts, vat and audit.
- 4.8 Considerable work is being undertaken to give the Trust independent banking arrangements, with new coding and authorisation structures to ensure independent governance when creating new financial commitments for the Trust.

5 Advice sought

- 5.1 Project Advisor to the Recreation Ground Trust
- 5.2 Lead Advisor to the Recreation Ground Trust

Contact	Stephen Rann, Group Accountant, Place Finance. Tel 01225 396683
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APPENDIX 1			
BATH RECREATION GROUND TRUST			
BUDGET MONITORING 2013/14			
1st April 2013 - 31st March 2014			
	<u>2013/14</u>	<u>2013/14</u>	<u>2013/14</u>
	<u>Budget</u>	<u>Actual to</u>	<u>Forecast</u>
		<u>31st October</u>	
Income :			
Bath Rugby Club	150,000	11,614	150,000
Other leases	6,500	3,250	6,500
Other Income	24,000	10,133	24,000
Car Parking Income	29,100	27,171	29,100
Recovery of Insurance Charges	2,344		2,344
Total Income	211,944	52,168	211,944
Expenditure :			
Grounds Maintenance	42,076	34,175	61,597
Security of Premises	1,150	1,793	1,793
Administrator	0	0	0
Management & Administration - Grounds	13,000	4,474	13,000
Management & Administration - Property	18,817	0	18,817
Management & Administration - Legal	5,000	5,355	10,000
Management & Administration - Finance	2,500	474	2,500
Parking Permits	1,800	942	1,800
Fees	950	0	950
Strategic Review	26,400	9,893	52,000
Valuation Advice	10,000	10,418	10,418
Management Plan	7,500	0	5,000
Health and Safety Inspections	5,700	1,050	5,700
Servicing Trust meetings	3,800	870	1,900
Web Hosting and Development	1,000	500	1,000
Business Rates	18,713	931	18,713
Repairs & Maintenance	24,789	17,427	24,789
Site Improvements	4,000	3,103	4,000
Electricity	400	246	400
Property Insurance	9,102	987	9,102
Water/sewerage Charges	1,964	1,609	3,200
Miscellaneous Expenditure	0	1,744	2,193
Total Expenditure	198,661	95,990	248,872
Net Surplus / (deficit)	13,283	(43,822)	(36,928)

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The Recreation Ground Trust, Bath	
Meeting:	Recreation Ground Trustees
Date:	20 November 2013
Title:	Trust bank account – third part mandate
Status:	An open public item
Appendices:	

1. Purpose of report

- 1.1 To seek a resolution from the trustees in connection with the bank account being established for the Trust.

2. A bank account for the Trust

- 2.1 As an independent charity, the Recreation Ground Trust should have its own bank account.
- 2.2 Since the finances of the Trust are currently held within the Council's accounts and managed by the Council's IT systems, a separate account for the trust is being created within the Council's banking environment. The Council's bank is National Westminster Bank plc.
- 2.3 Preparatory work to establish the account is taking place. The account cannot be brought into use until a number of underlying issues, including the loan from the Council to the Trust, have been resolved.
- 2.4 For the Trust's account to be created, NatWest require a resolution from the Trust agreeing to the creation of the account and authorising nominated Council officers to deal with it. The nominated officers are; Andrew Pate, Strategic Director of Resources, and Tony Bartlett, Head of Business Finance and Pensions.
- 2.5 The resolution specified in the Bank's third party mandate is reproduced below.

3 Recommendation

3.1 It is recommended that the following resolution is made:

It is resolved that Andrew Pate and Tony Bartlett are authorised to;

- complete and sign National Westminster Bank plc's Bankline Third Party Mandate
- instruct the Bank to disclose information relating to its accounts to Bath and North East Somerset Council (the Bankline Customer) and authorise the Bankline customer to give instructions (including payment instructions) in relation to the Accounts
- accept the Bankline terms

on behalf of the organisation.

Contact	Tim Darsley, Recreation Ground Trust Project Advisor. Tel 01225 477221
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The Recreation Ground Trust, Bath	
Meeting:	Recreation Ground Trustees
Date:	20 November 2013
Title:	Appointment of financial advisors
Status:	An open public item
Appendices:	None

1. Purpose of report

- 1.1 To recommend that a process for the appointment of independent professional financial advisors to the Trust be commenced.

2. The need for independent advice

- 2.1 Prior to the Charity Commission's Scheme, made on 12 June, Bath and North East Somerset Council was the managing trustee of the Recreation Ground Trust. This role was undertaken by a Trustee Board of three councillors.
- 2.2 The majority of support services to the Trust, such as financial and property advice and grounds maintenance, were provided by the departments of the Council. Specialist legal and valuation services were provided by external professionals.
- 2.3 The Scheme established a new independent trustee body, initially of four trustees. The appointment of further co-opted trustees to complete the trustee body has recently been completed.
- 2.4 As a matter of practicality, the first trustees decided to continue with the pre-existing advisory and support service arrangements until these could be reviewed and new arrangements put in place.
- 2.5 The trustees have ultimate responsibility for the affairs of the charity and must act solely in its best interests. To be able to do this, they need impartial and independent advice. It is considered that arranging for independent financial advice and for certain financial services is now a priority for the Trust.

3. Services required

3.1 It is considered that the following financial services are required:

- VAT advice, including on lettings, existing leases and new arrangements with Bath Rugby and the Leisure Centre Trust.
- The production of statutory accounts
- The audit of accounts
- Payroll
- Financial advice on operational matters.

4 Appointment process

4.1 It is anticipated that the services listed above could be provided by a single, medium sized firm of accountants. There are a number of such providers within the locality of the Recreation Ground.

4.2 It is proposed that a brief is prepared, detailing the required services and the qualifications and experience being sought. This would be forwarded to a selected list of suitable firms. A draft brief will be available at the meeting.

4.3 Quotations for each of the services would be invited, on a fixed price basis where appropriate. Presentations from and interviews with the most competitive firms would aid the selection of a provider offering the best value for the Trust.

4.3 It is suggested that one or more trustees are nominated to oversee the process, finalise the brief and participate in identifying a preferred provider. Their recommendation would be put to all trustees to decide on the provider to be appointed.

5 Advice sought

5.1 The Trust's legal advisor has reviewed this report and her comments upon it have been incorporated.

6 Recommendation

6.1 It is recommended that:

- 1. A process for the appointment of financial advisors as outlined above is commenced.
- 2. One or more trustees are nominated to oversee the process and to recommend to trustees the preferred provider for appointment.

Contact	Tim Darsley, Recreation Ground Trust Project Advisor. Tel 01225 477221
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