

Democratic Services

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Date: 22nd October 2013

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To: The Trustees of the Recreation Ground, Bath

Councillor Tim Ball
Councillor David Dixon (Chair)
David Durdan
Don Earley

Chief Executive and other appropriate officers
Press and Public

Dear Trustee

Meeting of the Trustees of the Recreation Ground, Bath: Wednesday, 30th October, 2013

You are invited to attend a **Meeting of the Trustees of the Recreation Ground, Bath**, to be held on **Wednesday, 30th October, 2013** at **2.00pm** 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, 30th October, 2013
at 2.00pm 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

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: 2ND OCTOBER 2013 (Pages 5 - 8)

To approve as a correct record the Minutes of the previous meeting held on Wednesday 2nd 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. APPOINTMENT OF CO-OPTED TRUSTEES (Pages 9 - 18)

To consider the report of the Recreation Trust Project Adviser regarding the appointment of Co-opted Trustees

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, 2nd October, 2013, 4.00 pm

Chair: Councillor David Dixon
Councillor Tim Ball
David Durdan
Don Earley

1 EMERGENCY EVACUATION PROCEDURE

The Administrator drew attention to the emergency evacuation procedure

2 APOLOGIES FOR ABSENCE

There were no apologies for absence

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: 18TH JULY 2013

It was **RESOLVED** that the minutes of the meeting held on Thursday 18th July 2013 be confirmed as a correct record and signed by the Chair

6 STATEMENTS

The Chair invited members of the public who had given due notice to make their statements.

Steve Osgood stated that he had given notice of 10 Questions. The Chair stated that Questions were no longer to be submitted to the meeting and that he would therefore receive a response from Trustees/Officers in due course. Mr Osgood raised a query regarding the intent/outcome of a recent meeting of the Trustees with Bath Rugby. The Chair replied that no decisions had been taken at that meeting.

Mr Osgood had given notice of a statement regarding Bath Rugby's consultation held on a match day last Saturday and the low number of Charity beneficiaries that had attended. The Statement was noted.

A member of the public stated that he welcomed the publishing of the temporary licence for erection of the East Stand.

Keith McGarrigle had given notice of a statement regarding the condition of the Recreation Ground after the East Stand had been removed. He produced some photographs for the Trustees to see the damage caused to the Ground. The Trustees discussed the matter. The Chair stated that there was a 4 week period to remedy its condition after the Stand was removed which he personally considered was insufficient. Dave Durdan agreed and pointed out that there was also the issue of car parking on the Ground. The situation could be better managed. The Statement was noted.

7 **REVENUE ACCOUNTS AND BALANCE SHEET 2012/13**

The Trustees considered the report of the Group Accountant which (1) gave details of the Recreation Ground 2012/13 financial outturn spend against budget and the balance sheet as at 31st March 2013; and (2) recommended approval of the financial accounts for 2012/13 as shown in Appendices 1 and 2 of the report.

The Lead Adviser to the Trustees reported on the matter and informed the meeting that the details were still draft and subject to external audit. There was an outstanding issue of the Council loan which needed some clarification. He recommended that the financial accounts for 2012/13 be noted subject to external audit and advice in the context of the new Recreation Ground Trust and that a report would be submitted to the next meeting.

After a short discussion, it was **RESOLVED** to approve the revised recommendations.

8 **FINANCE MONITORING 2013/14**

The Trustees considered the report of the Place Finance Manager which (1) gave a finance update of current issues impacting on the 2013/14 accounts and presented the amended budget and forecast for 2013/14; and (2) recommended that the budget monitoring position for 2013/14, and any issues arising, be noted.

The Chair introduced this item. The Lead Adviser to the Trustees stated that options would be provided at the next meeting on the way forward.

RESOLVED to note the budget monitoring position for 2013/14 and issues arising and that options would be provided at the next meeting.

9 **EVENTS AND SPORTS LETTINGS UPDATE**

The Parks and Estates Manager submitted a report which provided the Trustees with the list of lettings made since September 2012 and the proposed events for the coming months. He commented on the condition of the Ground after events had been held and that he would be looking at repair and remediation works, particularly after removal of the East Stand. He informed the meeting of a provisional booking of a concert by Bath Rugby in June 2014.

In response to a query by a Trustee regarding payments for remediation works, he stated that there were charges for damage that was considered to be unreasonable. He went on to explain the process. A member of the public referred to the event of the Bath Fringe Spiegeltent that was held on the Rec and complained about the noise emanating from it which he considered was unreasonable and felt that stricter conditions should be included in the guidelines for holding such events. Councillor Tim Ball considered this was a fair point and requested that a report be made to the next meeting about the matter and how it could be rectified.

RESOLVED to (1) note the report; and (2) request that a report be made to the next meeting regarding the Bath Fringe Spiegeltent.

10 **FEES AND CHARGING STRUCTURE INCREASE**

The Trustees considered the report of the Parks and Estates Manager which (1) sought approval for the increase in the charging structure as informed by inflation indices, other events and sports charging as applied by the Council; and (2) recommended that the fees and charges be increased in line with the Consumer Price Index (CPI) for the period up to July 2013 with the figures being rounded to the nearest whole Pound for ease of administration.

The Chair introduced this report and supported an inflationary increase. There was a brief discussion about parking permits and the Chair stated that these were issued with bookings.

The legality of the subsidised commercial rate was questioned. This would be investigated and a report brought back to a future meeting on the structure of the changes.

RESOLVED that the fees and charges be increased in line with the CPI for the period up to July 2013 with the figures being rounded up to the nearest whole Pound for ease of administration.

11 **TO CONSIDER A DATE FOR THE NEXT MEETING**

The Chair stated that the next meeting would be held on 30th October 2013 (2pm) to appoint Co-opted Trustees and a further meeting would be held on 20th November 2013 (4pm). The meetings would be held if possible in the Illustrious Suite at the Bath Sports and Leisure Centre. A query was raised by a member of the public regarding the location of the venue and how it operates. The Chair replied that details would be published on the website.

The meeting ended at 4.55 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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The Recreation Ground Trust, Bath	
Meeting:	Recreation Ground Trustees
Date:	30 October 2013
Title:	Appointment of co-opted trustees
Status:	An open public item
Appendices:	<ol style="list-style-type: none"> 1. The advertisement for trustee positions 2. Trustee role description 3. Trustee person specification

1. Purpose of report

- 1.1 To recommend the appointment of co-opted trustees to complete the trustee body, as required by the Charity Commission Scheme.

2. The requirements of the Scheme

- 2.1 The Scheme specifies the first trustees of the reconstituted Recreation Ground Trust and these are all in place. The Scheme also specifies that not less than three co-opted trustees should be appointed to complete the trustee body.
- 2.2 When appointing co-opted trustees, the trustees must:
 - identify the needs of the charity regarding skills or knowledge of its trustees;
 - consider the extent to which appointees demonstrate the skills or knowledge; and
 - not appoint members of the Council.
- 2.3 Of the co-opted trustees, the trustees must appoint at least one whose skills and knowledge include an ability to represent those groups of beneficiaries that use the recreation ground, other than Bath Rugby Club.
- 2.4 In appointing co-opted trustees, the trustees must have regard to the desirability of advertising in the local and/or specialist press or using trustee brokerage services. Candidates must be asked to consider and declare any existing or potential conflicts of interest before appointment.
- 2.5 The appointment of a co-opted trustee must be made by the trustees at a meeting of which not less than 21 days' notice has been given.

3. Audit of existing skills and knowledge

- 3.1 An audit of the skills and experience of the first trustees was carried out in early August. This indicated that there were gaps in skills in; law, property, tax and VAT, events planning and management, sports development and finance and accounting.
- 3.2 These skills were included as areas of desirable expertise in the person specification drawn up for the trustee positions.

4 Recruitment process

- 4.1 Advertisements for the trustee positions were placed in the Bath Chronicle on 12 September and in Third Sector (a leading charity sector magazine) on 17 September (appendix 1). The positions were also promoted on the Trust's website and included in the brokerage service of the Charity Trustee Network.
- 4.2 An application pack was made available on the Trust's website which included; role and person specifications (appendices 2 and 3), the Scheme, the governing document and other supporting information. Candidates were invited to apply by letter accompanied by a CV.
- 4.3 Twenty three applications were received by the closing date of 4 October. These were considered by all the trustees and a shortlist of nine applicants were invited for interview. Because of the availability of candidates, interviews were held on 16 and 25 October.
- 4.4 The interviews were conducted by a panel of three trustees. Candidates were assessed in relation to the person specification by reference to their applications, their answers to a series of questions and other discussion. All candidates were asked to identify any potential conflicts of interest.

5 Recommended appointments

- 5.1 At the time writing, the panel had not completed all of its interviews. The panel's recommendations for the appointment of co-opted trustees will be provided at the meeting.

6 Advice sought

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

7 Recommendation

7.1 It is recommended that:

The applicants as recommended by the interviewing panel are appointed as trustees to the Recreation Ground Trust.

Contact	Tim Darsley, Recreation Ground Trust Project Advisor. Tel 01225 477221
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Appendix 1: The advertisement for trustee positions

The Recreation Ground, Bath

Appointment of Trustees

The Recreation Ground is a beautiful open space in the heart of Bath. It provides facilities for a range of sports and recreational facilities, a venue for events and is the home of Bath Rugby.

Following the establishment of the Charity Commission's Scheme, a new, independent trustee body is now in operation. The first trustees are seeking to appoint at least three further trustees to complete their number.

The Scheme provides the means to resolve long-standing property issues at the Rec. It opens opportunities to plan for the future, develop facilities and realise the full potential of this magnificent asset. The task ahead is ambitious and challenging but will be worthwhile and rewarding.

Our trustees should have an enthusiasm for the provision of recreational opportunities and be able to make the necessary commitment to the role. They will need strategic vision, analytical skills, creativity in finding solutions, and sound, independent judgement.

Trustees who can contribute one or more of the following areas of expertise would be particularly valuable to the Trust:

- Finance and accounting
- Property and valuation
- Law
- Sports development
- Event management

One of the trustees must have the skills and knowledge to be able to represent those groups of beneficiaries that use the Recreation Ground, other than Bath Rugby. Such a background might include sports development or some of the other areas identified above.

Because trustees must avoid acting if they have any conflict of interests or loyalties, representatives of individual sports clubs or interest groups are unlikely to be eligible. We are keen to achieve a diverse representative trustee body and we welcome applications from all sections of the community. The position of trustee is voluntary but out of pocket expenses will be paid.

Application is by letter and CV. Applications should address the core criteria and desirable experience set out in the person specification in the application pack.

The application pack and further information about the Recreation Ground Trust can be found on the Trust's website at www.bathrec.co.uk The closing date for applications is Friday 4 October.

The Recreation Ground, Bath is a registered charity – 1094519

Appendix 2: Trustee role description

The Trust is seeking to appoint at least three further trustees. These co-opted trustees will be appointed for a period of three years.

The general responsibilities of a trustee:

1. To be collectively responsible for the actions of the Trust and other trustees.
2. To ensure that the organisation complies with its governing document, charity law and any other relevant legislation or regulations.
3. To ensure that the organisation pursues its objects as defined in its governing document.
4. To ensure the organisation uses its resources exclusively in pursuance of its objects.
5. To contribute actively to the board of trustees' role in giving firm strategic direction to the organisation, setting overall policy, defining goals and setting targets and evaluating performance against agreed targets.
6. To safeguard the good name and values of the organisation.
7. To ensure the effective and efficient administration of the organisation.
8. To ensure the financial stability of the organisation.
9. To protect and manage the property of the charity and to ensure the proper investment of the charity's funds.
10. To appoint any staff of the Trust and to monitor their performance.

Other duties:

1. To declare any conflict of interests while carrying out the duties of a trustee.
2. Attend meetings and consider papers in advance of meetings.
3. Participate in other tasks as they arise, from time to time, such as appointing trustees and staff, meeting with beneficiaries and users and representing the Trust.
4. Keep informed about the activities of the Trust and the wider issues which affect its work.

Specific skills:

In addition to the above, each trustee should use their specific skills, knowledge or experience to help the trustees reach sound decisions. This may involve; scrutinising board papers, leading discussions, focusing on key issues and providing guidance on new initiatives or other issues in which the trustee has special expertise.

Time consideration:

1. The trustees meet formally, in public, at least four times per year. Currently, formal meetings are held at the Recreation Ground in the afternoon and last about one and a half hours.
2. The trustees also meet informally, usually before formal meetings and occasionally at other times.
3. The Trust does not currently have any sub-committees.
4. Trustees should be able to visit the Recreation Ground when necessary to meet with staff, advisors, users and beneficiaries.
5. Frequent contact with staff and advisors by email and telephone will be necessary.
6. The time commitment for trustees is expected to be in the region of 2 days per month.

Other:

1. Expenses incurred by trustees on travel and subsistence are payable by the Trust
2. Trustee indemnity insurance is provided by the Trust

Appendix 3: Trustee person specification

The Trust is seeking to appoint at least three further trustees. We will select on the basis of evidence of how candidates meet core criteria and the extent to which they can contribute desirable expertise.

CORE CRITERIA:

Commitment

- 1 An interest in and enthusiasm for the provision and promotion of recreational opportunities.
- 2 An understanding of and commitment to the objects of the Recreation Ground Trust.
- 3 A willingness and ability to devote the necessary time and effort to the role of trustee.

Attributes

- 4 An ability to think and apply knowledge strategically, in the long term interests of the Trust.
- 5 An ability to think creatively and to explore options and possibilities.
- 6 An ability to analyse and evaluate management information and other evidence.
- 7 A willingness to listen and learn.

Communication and team working

- 8 An ability to communicate clearly and sensitively and to take an active part in discussions.
- 9 An ability to influence and engage.
- 10 An ability to work effectively in a group.
- 11 A willingness to express their own opinion in a reasoned way, while also listening to the views of others.
- 12 An ability to challenge constructively and ask questions appropriately.

Accountability

- 13 An ability to exercise sound and independent judgement.
- 14 A willingness to make and stand by collective decisions, including those which may be controversial.
- 15 An ability to manage difficult and challenging situations.
- 16 An ability to maintain confidentiality on confidential or sensitive information.

DESIRABLE EXPERTISE:

We are seeking to add to the skills and experience provided by the existing trustees. Co-opted trustees who can contribute one or more of the following areas of expertise would be particularly valuable to the Trust.

- Finance and accounting
- VAT
- Legal
- Property management and maintenance
- Valuation
- Sports development
- Event planning and management

One of the co-opted trustees must have skills and knowledge which include an ability to represent those groups of beneficiaries that use the Recreation Ground, other than Bath Rugby.

Such a background might include sports development or some of the other areas identified above.

Eligibility

Trustees must act solely in the best interests of the charity and must avoid acting if they may be affected by any personal conflicts of interest or loyalty. For this reason, representatives of individual sports clubs and special interest groups, including local residents' associations, are unlikely to be suitable as co-opted trustees.

Candidates will be asked to consider and declare any existing or potential conflicts of interest.

Some people are disqualified by law from acting as trustees including;

- anyone who has an unspent conviction for an offence involving deception or dishonesty,
- anyone who is an undischarged bankrupt,
- anyone who has been removed from trusteeship of a charity by the courts or the Charity Commission for misconduct or mismanagement, and
- anyone who is disqualified from being a company director under the Company Directors Disqualification Act 1986.

The Trust may conduct necessary checks, including DBS, on prospective trustees to ensure eligibility. All trustees will be required to sign a declaration that they are not disqualified.

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