

Friends of West Park Meeting 29th November 2021

Minutes

1) Apologies –

Apologies from Chair of WPLT Andrew Buckingham and Trustee Bill Herbert. DBC Emailed post meeting.

In attendance from the WPLT Neil Brimer Chaired the meeting, Tony Cooper, Rob George, Martyn Hunter, Paul Black, Ward Councillors Mills and Durham, Durham Police, WestPark Academy, DBC Civic Enforcement Team, TEWV NHT Trust, Bussey and Armstrong, Jonathan Miller alongside members of the community.

Welcome and Introductions: Neil welcomed attendees and thanked everyone for supporting the Friends. This was the largest meeting of the Friends to date. Neil introduced those Trustees present

2) West Park Levy Trust Update

▪ Trustee Update / Future Recruitment

The creation of the Westpark Levy Trust which was delayed due to both Covid and the elapsed time taken by the Charity Commissioners to approve the creation of the Trust. The Westpark Levy Trust is a charity and operates within their regulations and guidance.

The appointment of Kingston Property Services to replace CDCF to collect the Levy on behalf of the Trust following a competitive tender exercise. A number of organisations expressed an interest for the contract and Kingston was judged by the Trustees as providing best value as they were:

- i. the lowest cost with best service delivery outcomes
- ii. a company specialising in running and collecting similar fees and levies for a large number of organisations
- iii. prepared to pursue the historical collection of debts from the owners who were not up to date with payments

The trustees will continue to monitor the costs of collection and other administrative fees including legal, accountancy and audit fees to ensure good value. The Levy collection was an initial two year contract with options to extend.

NB Introduced the original Trustees and the newly inducted trustees who gave a brief synopsis of who they were and their background, Neil explained the previous recruitment process via the annual newsletter and social media. The Trust would like to recruit additional new trustees and this will be communicated in the annual newsletter and social media. Trustee PB expressed his desire for the trust to represent the wider community as following a request in last year's newsletter and on via social media three new Trustees have come forward bringing the total to 7. Currently the Trust has failed to attract any diversity on to the Board and this is now a priority. There is an open invitation to residents and other stakeholders to apply to join as a trustees. The Trust will also be approaching individuals and local organisations to create a more diverse board of Trustees alongside welcoming applications in the new year.

The community expressed uncertainty about roles and responsibility and said a clearer role description may be useful.

Later in the meeting Alan Green from the community expressed an interest in applying.

There were concerns expressed about the amount of communication from the trust to the community during the pandemic especially as the normal friends meetings had been postponed during the lock down. Members of the community felt questions asked to Trust hadn't been answered fully. The trustees felt they had given all of the appropriate information that was in their gift but would look again at the issues raised.

The community thought increased communication was essential and ideas around increased use of the notice boards, additional mailings to properties, the return of the friends meetings could all help in this regard. The trustee explained they don't currently hold an email database of people just a property list and currently relied on people emailing or messaging via social media. Paul a new trustee, with a professional background in communications and governance, committed to ensure that moving forward the Trust would establish clear, accessible communications channels to enable levy payers, friends and other stakeholders to have open access to relevant information. This will begin with a communications' strategy to support better communications including: ways to publish and distribute information in print form more regularly, and to provide easy access to Trust documentation including Agendas, meeting dates, minutes and discussion papers.

- Accounts

A copy of the WestPark Financial statement for the period ending 31st January 2021 was available at the meeting and are available via the Charity Commission website. The Trustees explained the transition from the Steering Group Chaired by DBC and the Levy custodian County Durham Community Foundation transferred responsibility and benefits of the levy to the West Park Levy Trust.

The handover of funds to the Trust at its inception, which were originally collected and held by County Durham Community Foundation(CDCF). £132,932 was transferred to the Trust, being the current total held within the Levy Fund at the time of transfer.

Members of the community felt this hadn't been explained enough or the process which had gone through via the charity commission. Also there were questions about the choice of governance arrangements. The trustees felt the current arrangements mirrored what had previously been done and expected the Trust to be the permanent home of the West Park Levy, but the trust has wider charitable objectives than those of the Levy.

The community asked about the impact of the new housing development which also has a levy of a different amount to the WestPark Levy and it was explained that currently the WestPark Levy Trust has no role to play and the responsibility for the developments lay with the various developers led by Bussey and Armstrong in one section and Thirteen Homes and the local authority in the other.

It was explained that the auditor set out the format of the financial statements but the Trust Treasurer would speak again so that the spend could be itemised in greater detail within the statement and information could be made available at each of the upcoming Friends meetings and details put in the minutes. The community expressed they wanted to see more detail to gain more clarity on where the Levy was spent.

The levy increases were questioned due to the amount currently held in cash, it was explained that the Levy was RPI indexed linked as described in the property title deeds since 2003 and the amount wasn't set by the trustees.

The community questioned why there wasn't a balanced budget each year, to reduce the build up of cash. It was explained that due to Covid major projects such as the 15th Anniversary Summer Celebration was cancelled, and the Play Park refurbishment installation had been postponed to early 2022, and manufacturing of the artistic notice boards had been delayed to winter 2021. Also it was explained major project may cost more than an annual levy collection so the trust has a policy of having up to two years worth of levy collection available to spend on projects.

An important benefit in having access to sufficient funds within the Trust is that the Trustees and other stakeholder could apply for external funding e.g. the National Lottery. Often there is a need to provide match funding. So for example, a £10,000 contribution by the Trust might help to leverage in a further £10k, £20k or £50k depending on the funder and the project.

The community had questions of why the majority of project spending was paid to DBC. The trustees explained there were quality and cost benefits to awarding grants to DBC to take on the responsibility of the projects as land owner of the strategic green spaces within west park. Although the relationship between the Trust and the Council meant the project ideas came from the community, advocated and led by the trust. A greater breakdown of these grants will be shared.

Levy background, Tony Cooper The levy was established to provide funds to ensure that the development could maintain a high level of landscaping and maintenance over and above the standard provision by the local authority in the case of cuts in service provision. Since the creation of the Park, Darlington Borough Council (DBC) has had to reduce its staffing levels and basic service provision for parks. In the last financial year, the Trust paid an additional £15,000 to DBC for additional grass cutting, litter collection and enhanced planting and maintenance. This has

helped West Park to again win the prestigious Green Flag award (South Park is the only other Darlington park with the award). Thanks were expressed Pippa and Wayne in the Countryside team and to the many volunteers who pick up litter and support work in the park.

The levy can also be used for community events and activities – in the past this has included a Music Festival.

Action: The Trust will it's grant making publish it's grant making policy which includes the eligibility and criteria for how individuals and organisations can apply for funds from the Levy.

The initial few years of the Levy was also supported by payments made to DBC as part of the Section 106 payments made by the developer to enhance community provisions as part of the costs to provide public benefits from the potential profits of the development. At today's rates this amount would be around £400,000.

Initially Bussey and Armstrong was the Levy holder, but from the outset it was planned that a Trust managed by Levy paying residents and other key stakeholders would be set up. Until 2020, the Levy was collected and managed by County Durham Community Foundation, a charitable trust which specialises in raising and dispersing funds for charitable and community purposes. CDCF requested in 2018 that the steering group seek out a new appropriate collection partner.

A detailed briefing note will be included within the January newsletter so that levy payers, conveyancing solicitors and potential buyers can access further relevant information.

- Annual Newsletter

Trustee Paul Black said he would take responsibility for an updated newsletter format for 2022 and each landlord / owner would receive a copy as in previous years.

- Green Flag

Trustee Neil explained about green flag as the independent standard of green spaces and we were please the Park had been awarded status once again.

3) 2021 Site Works– (DBC) – Unfortunately due to Staff Illness the Countryside team could not attend to deliver their report.

- Play area improvement Update

The trust confirmed that over £43,000 had been allocated to the refurbishment of the Play park, to expand it usability by member of the community.

- Wild Flower / Bulb Planting (WPLT)

The trust explained over the last 3 years £9000 had been spend on community bulb planning around the park and they would monitor the effects on bio diversity within the habitats before additional levy funds were spent, although community feedback on the annual wildflower meadow meant continued additional wild flower areas would be created across the green spaces including the water corridor.

- Notice / Interpretation Boards (WPLT)

The trustees explained that from the January 2020 consultation and feedback from the green flag process that signage and communication was limited so the trustees had embarked on new long term community notice and historic interpretation boards. The total budget for these are expected to be £48,000. The community requested more details on the project and these will be shared on the WestPark Levy Trust Facebook page and the Friends of West Park Facebook page.

4) Proposed New Projects

- Bike Track (Jonathan Miller Community Member / DBC)

Jonathan Miller a local community member described his and a small community group's ambition of improving the bike track in the park in the short and long term, their short term plan has been to work with DBC and WPLT to secure funds to have the track professionally assessed and recommendations made about design and safety to make the track more usable and easily maintainable, followed by a bigger vision for a plan for more substantial improvements. DBC and DBC split the cost of £2770, for this initial work to be started by February 2022.

- Fencing (WPLT)

The current fencing around the park is coming to the end of its serviceable life and the Council and the Trust are investigating options to renew fencing around the park.

- CCTV (Durham Constabulary – DBC Civic Enforcement Team)

Durham Constabulary and DBC civic enforcement spoke about the 312 Anti Social behaviour reports in the last twelve months and community concerns around ASB and they proposed at the meeting to install 2 CCTV sites (Play Area and Minors Crescent, Bike Track Park Entrance) to try and combat ASB and increase community confidence and gain evidence to support criminal convictions. The expected cost should be in the region of £20,000 for the first year with an ongoing cost of around £3,000 as the cameras would be linked to the town wide monitored network. The community members were supportive of this and the administrators of the West Park Darlington Neighbourhood Facebook group said they would post about the proposal to the wider community as the page was monitored by DBC and the Police. The Trust said it would consider a proposal for funding if it was received from the council to increase community safety within the park.

Darlington Council are also exploring the possibility of employing a community worker in the area for a year to work with young people.

5) Events – Current Thinking (WPLT)

It was explained that the Trust continued to have low confidence due to covid in delivering large community events and would aim now to put on a large community event to coincide with the anniversary of the Stockton – Darlington Railway in 2025, but would continue to work with DBC on smaller community events such as the litter picks, tree and bulb planting which can be delivered securely.

6) Community feedback –

- Resident

Residents who were in the process of selling a property spoke about their upset and concern about the changes mortgage lender had implemented around rent charges and the need for proof of paying the levy to satisfy solicitors, and the feeling, that Kingston, the levy collector employed by trust had an opaque charging structure.

- The Trust explained the changes hadn't been made by the trust but by mortgage lenders and that the Trust had worked with BHP Solicitors and paid for the creation of the template documents required to allow changes to be made to enable houses to be bought and sold for the lowest cost possible and that in selecting Kingston as the levy collector it had given responsibility in confirming levy payment were up to date for an appropriate fee. The nature of the levy is that it is a covenant and there is a requirement that the Levy is to be paid. Any unpaid Levy will automatically be the responsibility of the new owner and so conveyancing solicitors will need to request evidence that the Levy has been paid and up to date. The community expressed the feeling that the cost quoted by Kingston were not consistent, In some cases an administrative charge of £15 to provide proof that the Levy on a property was paid whilst others had accumulated much larger charges (one quoted £240) and asked for a breakdown of the cost to be made available. The trust agreed to speak to Kingston about this.

Local Businesses also pay into the Levy.

It was pointed out that local retailers and business based around the Village Green also make significant payments into the Levy Fund.

Non/payment increases.

Why pay do we have to pay double if you don't pay by DD/pay late

When the original Levy was agreed, It was set at £100 to be increased in line with the Retail Price Index (RPI) so that its value would remain constant. There was also an incentive for payers by offering a 50% discount by paying by Direct Debit so that there would be no additional costs for the collection of late or non- payments. Non Payment are recovered at the full rate while payment made are discounted at the time of the levy demand.

- Businesses / Organisations

West Park Academy welcomed the opportunity to support the friends meeting as one of the few venues with a large enough space to hold the meeting and that they wanted to continue playing a positive role in the local community

Durham Police encouraged everyone to sign up to their in the know campaign with more detail available on the community notice board adjacent to Tea With Alice.

West Park Hospital kindly attended the first hour of the meeting were sorry they couldn't stay longer but would like to be invited to future meetings

- 7) AOB - None but individuals were able to chat to trustees after the meeting about individual questions.

Community expressed thanks for the opportunity to be heard and the Trustees thank all those that attended

- 8) Time of next meeting : see Annual Newsletter in January 2022 with Friends meeting expected in the months of February, May August and November 2022 with dates to be confirmed with venues.