

SUBJECT:	BRAYFORD TRUST
DIRECTORATE:	CHIEF EXECUTIVE AND TOWN CLERK
REPORT AUTHOR:	CAROLYN WHEATER, CITY SOLICITOR

1. Purpose of Report

- 1.1 To seek Executive's endorsement of the new five- year business plan from the Brayford Trust.

2. Executive Summary

- 2.1 The report encloses the Brayford Trust's Business Plan for 2019/20 – 2023/4 (attached as Appendix 1). The Business Plan sets out the intentions of the Trust over the next five years and how the Trust has performed over the last 5 years.

3. Background

- 3.1 The Brayford Trust is both a company and registered charity and operates on a not for profit basis, with a remit to manage, conserve and develop Lincoln's Brayford Pool to the benefit of all.
- 3.2 In January 2010 the Trust entered into a revised lease with the Council for a term of 125 years, and a Management Agreement for the Pool (for five years) which required the Trust to produce a five year business plan for the Council's approval and to account to the Council for the delivery of such.
- 3.3 The lease sets out a number of obligations for the Trust such as:
- To manage the Pool in accordance with the Trust's charitable objectives
 - To keep it open and available for recreational use by the public
 - To provide moorings
 - To keep the Pool in good condition
 - To maintain and where necessary to shore up and pile the natural banks
 - To use reasonable endeavours to ensure a sufficient depth of water for navigation by dredging the pool.
- 3.4 The lease also requires the Trust to '*occupy operate use and manage the Pool in accordance with the principles of good environmental practice having regard to any statutory duties and proper purposes of protecting rare endangered or other specified species and their habitats including the swan population.*'

As can be identified from the details given below, the Trust is complying with these requirements as set out in the lease and continues to make considerable improvements to the Pool since that revised lease was entered into.

- 3.5 The Management Agreement with the Trust states that the Trust should:
- *Produce every five years a five- year business plan which should cover income and expenditure projection, cash flow projection, balance sheet forecast, any capital and revenue plans and how these are to be funded, objectives for the next five years and performance for the last five years.*
- 3.6 The attached five- year business plan sets out the background to the Brayford Pool and the Brayford Trust's leasehold position. As required, this then looks back and identifies achievements, with particular emphasis on the dredging and refurbishment of the moorings, outlining the fact that the moorings have been brought up to a high standard with only routine maintenance now being required.
- 3.7 Following discussions with the Council, the Trust has consulted with a cross section of organisations on the development of the business plan, the list of consultees is shown on page 4 of the plan and a response to the consultation is shown as Appendix 2.
- 3.8 Paragraph 4 of the plan, sets out in detail the works undertaken by the Trust on the moorings and the dredging, with the clear indication that it is the moorings which is the major source of income for the Trust.
- 3.9 Paragraph 4(m) has a dedicated paragraph on environmental and ecological issues, and this is welcomed. This makes reference to the report commissioned by the Council from the Wildlife Trust and the fact that the Trust has agreed in principle to a proposal from the Lincolnshire Rivers Trust to establish new habitat on the south bank of the Brayford Pool, initially to be on a pilot basis.
- 3.10 Paragraph 6 of the Plan sets out the financial outlook for the plan period. As indicated the sources of revenue for the Pool is the income received by the mooring fees along with the rents from the commercial lettings.

Whilst the actual details of the financial outlook are commercially sensitive, the plan does set out on the bottom of page 9, what the financial projections assume.

4. Strategic Priorities

4.1 Let's drive economic growth

The Brayford Trust's business plan priorities connect directly with the Council's objective of driving economic growth and enhancing our remarkable place. The Trust's management of the Pool and ancillary activities are an economic driver for the city and create a unique selling point for the city.

5. Organisational Impacts

5.1 Finance (including whole life costs where applicable)

As outlined in the report, with the exception of the commercially sensitive information which falls into Part B.

Officers have assessed the financial information contained in the Business Plan and have concluded that it demonstrates that the Trust will be able to continue to operate the Pool at a modest level over the next five years.

In April 2019 the Council has entered into an agreement with the Trust, which from April 2018 for 25 years the Council would pay an annual grant of £25,000 to the Trust towards the costs incurred by the Trust in complying with its obligations under the lease. This annual grant is to be reviewed every 5 years, and on that review date the amount shall be the financial contribution in force at the relevant review date or adjusted in accordance with the difference in consumer price index since the previous review date This grant has been included within the MTFs.

5.2 Legal Implications including Procurement Rules

Non arising from the report

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

6. Risk Implications

6.1 No other options have been considered, the Trust is required to produce this business plan.

7. Recommendation

7.1 Executive is asked to endorse the Brayford Trust's five year business plan for 2019/20 – 2023/24.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? Two

List of Background Papers: None

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