



## Barham Park Trust Committee

**Thursday 8 October 2015 at 3.00 pm**

Board Room 2 - Brent Civic Centre, Engineers Way,  
Wembley HA9 0FJ

### Membership:

#### Members

#### Councillors:

Pavey (Chair)

Denselow

Hirani

McLennan

Southwood

**For further information contact:** Tom Cattermole, Head of Executive and Member Services

0208 937 5446 [thomas.cattermole@brent.gov.uk](mailto:thomas.cattermole@brent.gov.uk)

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**The press and public are welcome to attend this meeting**

# Agenda

Introductions, if appropriate.

Apologies for absence.

Item	Page
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<b>1</b>	<b>Declarations of interests</b>	
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Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

<b>2</b>	<b>Minutes of the previous meeting</b>	1 - 4
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<b>3</b>	<b>Matters arising (if any)</b>	
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<b>4</b>	<b>The letting of Unit 4, The Lounge, Barham Park Building Complex</b>	5 - 14
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To update the Trust on the marketing campaign and to make a decision regarding the letting of Unit 4 The Lounge.

**Ward Affected:**  
Sudbury

**Contact Officer:** Richard Barrett, Property and  
Asset Management  
Tel: 020 8937 1334 richard.barrett@brent.gov.uk

<b>5</b>	<b>Any other urgent business</b>	
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Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.

**Date of the next meeting:            Wednesday 28 October 2015**



Please remember to set your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.



## MINUTES OF THE BARHAM PARK TRUST COMMITTEE Tuesday 8 September 2015 at 7.20 pm

PRESENT: Councillor Pavey (Chair), and Councillors Denselow, Hirani, McLennan and Southwood

Also Present: Councillors Butt and Perrin

### 1. **Delayed start**

The Chair apologised for the delay in starting the meeting caused by not being able to access the meeting room.

### 2. **Declarations of interests**

Councillor Hirani repeated the declaration he made at the previous meeting concerning his involvement in developing outdoor gyms in Brent.

### 3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 2 July 2015 be approved as an accurate record of the meeting.

### 4. **Matters arising**

#### *Verbal update - outdoor gym*

The Chair referred to the decision at the previous meeting to locate the outdoor gym according to option A and added that further representations had been received concerning the air quality at this location and the operation of the fun fair. Chris Whyte (Operational Director, Community Services) reported that the air quality did not pose a problem and that the operator of the fun fair was satisfied with the proposed location of the gym. The decision to proceed with option A was confirmed.

#### *General update to Trust Members on Property Matters*

The Chair reported that further to the previous meeting, eleven applications for use of the Lounge had been received of which four had been interviewed and a choice was to be made on which one of two would be selected. It was the intention to make a decision by the end of the following week. The decision had been delegated to the Chair and Property Advisor to make and if they were unable to agree the matter would be referred back to the Trust Committee. The Trust members noted the current position.

Councillor Southwood emphasised the need to adopt a sustainable position on the letting of the Card Room (Unit 1) pursuant to the decision taken at the previous meeting.

## **5. General update to Trust Members on Property Matters**

Richard Barrett (Property Advisor to the Trust) referred to a number of items discussed at the previous meeting that had been deferred for further discussion at this meeting. He drew attention to paragraph 3.1 of the report before the Trust Members which provided an update on the letting of Unit 8. Trust Members went on to discuss a maintenance profile plan. It was explained that the calculation of a service charge was based on internal repair requirements and that, whilst an incoming tenant would be required to take on the responsibility for the internal upkeep of the building, it would be unreasonable to expect prospective tenants to bear full responsibility for any major works that might be found to be necessary, such as roofing, window, wiring etc. works. A maintenance profile plan would inform the Trust Members of what further works were required. A view was put to the meeting that this approach undermined the tendering procedure which had not made clear that a prospective tenant might not be made responsible for some aspects of the maintenance of the building. It was explained that this would be a matter of negotiation with an incoming tenant and that it reflected on the Trust, as landlord, acting in a reasonable way.

Richard Barrett reported that the Barham Park Veteran's' Club (the Vets) had supplied a copy of their constitution and membership. He read from these documents and undertook to circulate them to the Trust Members after the meeting. In response, Trust Members expressed their continuing concern over the membership criteria and the actual operation of the club and were reluctant to take any decision on formalising the club's occupation of Unit 2 until they had received re-assurances as to the clubs inclusivity. It was therefore agreed to ask the Council's Equality Team to discuss with the club how it might up-date its constitution to better reflect the approach to diversity that the club was expected to endorse.

RESOLVED:

- (i) that a consultant be procured to draw up a maintenance profile plan and that the plan be reported to a future meeting of the Trust Committee;
- (ii) that a report be submitted to the next meeting of the Trust Committee on the outcome of the work carried out by the Council's Equality Team with the Barham Park Veterans' Club before a decision is taken on leasing the snooker and billiard rooms (Unit 2) to the club.

## **6. Any other urgent business**

There was no urgent business to consider.

A request was made for the toilets within the snooker and billiard rooms to be opened up for walkers at week-ends. Richard Barrett (the Trust Property Advisor) undertook to investigate the possibilities for providing toilet facilities for people using the park.

It was agreed that an item be included for the next meeting of the Trust Committee on the provision of security around the park and that a representative of the Safer Neighbourhood Team be requested to attend the meeting.

**7. Date of next meeting**

It was agreed to postpone the next meeting from 15 October to a date later in the month.

The meeting closed at 8.15 pm

M PAVEY  
Chair

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 <b>Brent</b>	<p style="text-align: center;"><b>Barham Park Trust Committee</b> 8th October 2015</p> <p><b>Report from the Barham Park Trust Property Adviser</b></p>
Ward(s) affected: Sudbury	
<b>The Letting of Unit 4 The Lounge, Barham Park Building Complex, 660 Harrow Road, Wembley, HA0 2HB</b>	

## **1.0 Summary**

To update the Trust on the marketing campaign and to make a decision regarding the letting of Unit 4 The Lounge. (Shown Green on the plan at Appendix I)

## **2.0 Recommendations**

That the Trust Committee decide to lease the Lounge either to Pivot Point Community Development Foundation or Friends of Barham Library in accordance with the published criteria and to instruct the Trust's Property Adviser to complete the lease on the main terms as set out in the marketing particulars for a term of up to 15 years .

## **3.0 Detail**

- 3.1 The marketing of Unit 4, The Barham Park Lounge commenced on Thursday 21<sup>st</sup> May 2015 with the deadline to receive the non-binding open market tenders ending on Friday 10<sup>th</sup> July 2015 at 12.00pm.
- 3.2 Advertisements for the Unit were placed in the Brent and Kilburn Times on the 21<sup>st</sup> May 2015 and the 11<sup>th</sup> June 2015. An advertisement was also placed in the Brent Magazine that is distributed to residents throughout the borough. A marketing board was also placed on the site.
- 3.3 Over 130 sets of marketing particulars were distributed to individuals and organisations. These consisted of applicants for similar properties held on the Council's Property and Projects Unit's data base; community groups, borough wide voluntary organisations and charities held on the Council's Ward Working Unit's data base; relevant individuals and organisations who took part in the Trust's previous marketing exercise in 2012; individuals and organisations who have rung up requesting the marketing particulars.

The marketing particulars were also sent to CVS Brent who were asked to distribute them to any relevant organisations who they considered would be interested. A number of individuals and organisation also downloaded the marketing particulars directly from the Council's web page.

- 3.4 Eleven Tenders were received by the deadline. The tenders were opened under Council procedures on the 13<sup>th</sup> July 2015 by a senior officer from the Council's Democratic Services Unit and a senior officer from the Council's Property and Projects Unit.

Bids were received from the following organisations and individuals:-

1. Goodnews Ministries International.
2. Zahua Chang (Twinkle Stars Nursery School).
3. Friends of Barham Library.
4. The Alpha and Omega Christian Fellowship.
5. Markuz Us Sunnah.
6. Marcia Williams (Bellamy Centre).
7. Yasanthini and Perumal Reddiar.
8. Pivot Point Community Development Foundation.
9. The Science of Spirituality Charitable Trust UK.
10. Fulah community.
11. Community Café.

- 3.5 On the 14<sup>th</sup> July 2015 the received tenders were given to the Trust's Property Adviser and the Trust's Chair, both of whom had been authorised to select a suitable tenant at the 28<sup>th</sup> January 2015 Barham Park Trust Committee meeting.

- 3.6 The 11 bids received were evaluated by the Trust's Property Adviser who submitted his scoring and ranking of bids to the Trust Chair. Subsequently the Chair confirmed he had also reviewed all bids and concurred with the ranking order. The top four bids were from Friends of Barham Library, Markuz Us Sunnah, Pivot Point Community Development Foundation and The Science of Spirituality Charitable Trust UK.

- 3.7 Following this initial evaluation and in accordance with the marketing particulars, Application Assessment Form ( Appendix II) which stated, "After the initial process, the Barham Park Trust reserves the right to introduce additional processes at which stage, applicants will be re-scored based on the criteria in this scoring sheet.", it was decided by the Trust Chair and Trust Property Adviser that the top four evaluated tender bidders would each be invited to make a 15 minute presentation to the Members of the Barham Park Trust Committee, followed by an interview lasting 30 minutes.

- 3.8 On the 11<sup>th</sup> August 2015 the seven tender bidders who did not progress to the next stage of the evaluation process were informed by letter, that their tender bids would not be progressed.

- 3.9 The top four evaluated tender bidders made their presentations to Members on Friday 21<sup>st</sup> August 2015. The outcome of this process was that the Trust's



Property Advisor and the Chair of the Trust Committee decided that the top two bids had been received from The Friends of Barham Library and Pivot Point and that their bids should be taken forward. The scores of the two final bids are shown in Appendix III. The other two short-listed bids, Science of Spirituality Charitable Trust UK and Markaz Us Sunnah were informed on the 9<sup>th</sup> September 2015 that their tender bids would not be taken any further.

3.10 Accordingly the Trust Chair announced at the 8th September 2015 Barham Park Trust Committee meeting that the decision as to who would be the preferred tender bidder and therefore the tenant of the Unit, was between the Pivot Point Community Development Foundation and the Friends of Barham Library. He also advised the meeting that the decision as to the selected tenant would be taken post-meeting and reported back to the Trust Committee.

3.11 Subsequent to that meeting of 8 September 2015, in the interests of greater openness, transparency and accountability it was decided that the final decision should be made by the Committee itself.

#### **4.0 Property Adviser's review and opinion**

4.1 Following the above decision the Property Adviser reviewed the two original bid proposals and assessed both bids against the original criteria used at Stage 1 to short list the bids and taking into account the information resulting from the presentations and the interviews.

4.2 **Financial Standing** – Both bidders have passed a credit check and are considered suitable for the rent. Pivot Point is considered a slightly stronger bid due to stronger landlord references. No change to original score.

4.3 **Proposed Use of Building** – Both bids were particularly strong in this area. The Friends bid was slightly stronger as the Pivot Point bid, as highlighted by the Presentation to Members, appeared to suggest a focus on term time usage. No change to original score.

4.4 **Deliverability and Viability** – Pivot Point is considered to be the stronger bid in this category due to their track record of community engagement in the Borough over a number of years and therefore their proven experience and the set up of the organisation. No change to original score.

4.5 **Financial Offer** - Both bidders offered a rental of £7,000 per annum. No change to original score.

4.6 **Commitment to Equalities and open to use by all of the Community** - Both bidders satisfactorily confirmed their commitment to equality. No change to original score.

4.7 In conclusion the Property Adviser remains of the opinion that Pivot Point bid is the stronger of the two short-listed bids.

## **5.0 FINANCIAL IMPLICATIONS**

- 5.1 The Trust will receive a rental income from the letting of this Unit at a commercial rent.

## **6.0 LEGAL IMPLICATIONS**

- 6.1 A disposal or letting of Trust land to another charity for similar charitable purposes is not subject to the procedural requirements in the Charities Act 2011, (applicable to a disposal to any other third party or a connected person like the Council). In this case it is noted that Pivot Point Community Development Foundation and the Friends of Barham Library do have similar charitable purposes to the Barham Park Charitable Trust.

- 6.2 The statutory requirements under the Charities Act 2011 relating to any other disposal or letting of land are summarised as follows:

- 6.2.1 Any disposal or letting of Trust land for more than 7 years to a third party, (who is not a charity with similar purposes), can only be authorised by the Trustees after considering a written report prepared by a qualified surveyor as to the marketing and the valuation of the land on the basis that the terms proposed for the disposal are the best that can be reasonably obtained.

- 6.2.2 Any disposal or letting of Trust land for 7 years or less to a third party (which is not a charity with similar purposes) can be authorised by the Trustees after considering the advice of a suitably qualified person.

## **7.0 DIVERSITY IMPLICATIONS**

- 7.1 Positive impacts have been identified in respect of age, pregnancy and maternity, race, religion or belief and sex as the property and services provided will be inclusive for everyone. In respect of the Unit, Trust Officers will encourage the tenant to advertise and promote their services in a manner ensuring the Unit and services are inclusive for all. A commitment to equalities and for the lounge to be open to everyone was one of the criteria that was used in the selection process.

- 7.2 The principle aim of this letting is to lease an under utilised valuable property asset and aligning its use and occupation with the charitable objectives of the Barham Park Trust, for provision of recreational facilities for the benefit of members of the public.

## **8.0 STAFFING/ACCOMMODATION IMPLICATIONS**

- 8.1 None.

## **9.0 BACKGROUND PAPERS**

1. Charity Commission Guidance.
2. 28<sup>th</sup> January 2015 and the 2<sup>nd</sup> July 2015 Barham Park Trust Committee Reports.

### **Contact Officers**

Richard Barrett  
Operational Director, Property and Projects  
Regeneration and Growth

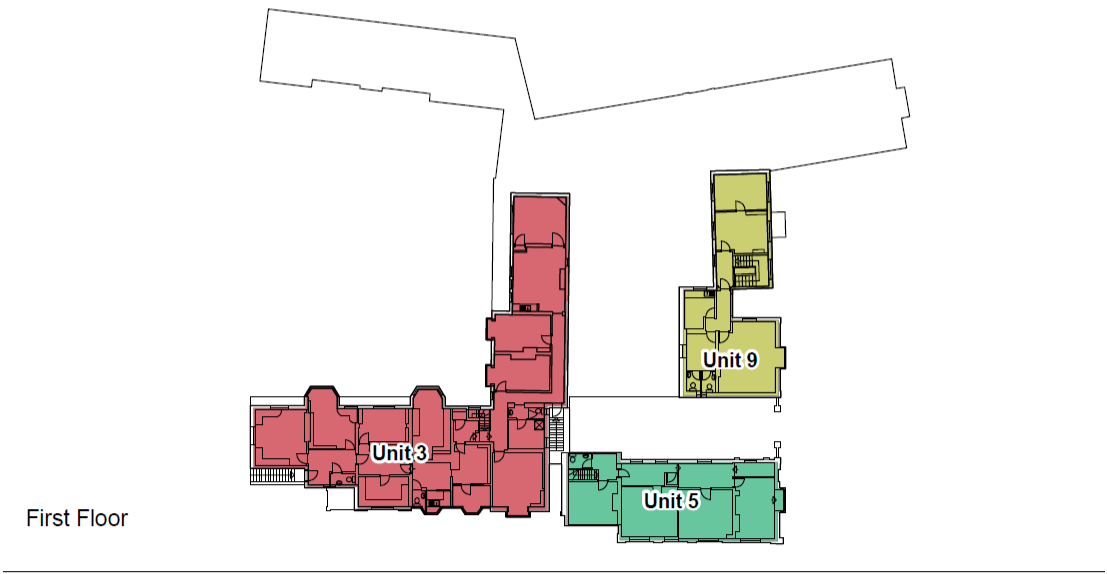
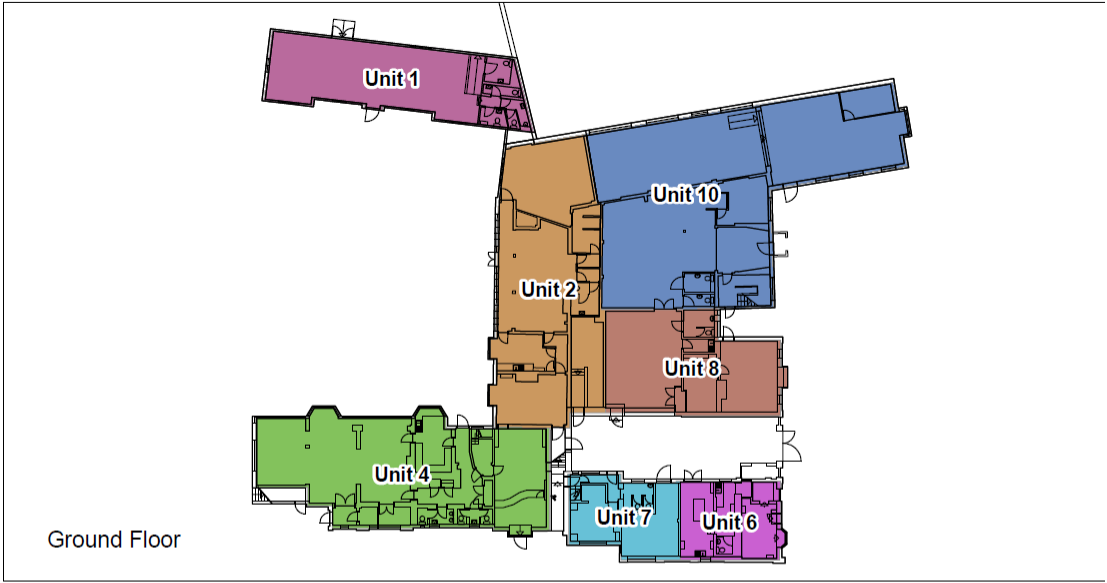
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Meeting  
Date

Version no.  
Date



Barham Park Buildings, Barham Park,  
660 Harrow Road, Wembley, HA0 2HB



 Unit 1, Barham Park Charitable Trust	 Unit 6, ACAVA
 Unit 2, Barham Park Veterans' Club (Wembley)	 Unit 7, Veolia
 Unit 3, ACAVA	 Unit 8, Brent Council Children's Centre
 Unit 4, Barham Park Charitable Trust	 Unit 9, ACAVA
 Unit 5, ACAVA	 Unit 10, ACAVA



## Barham Park Unit 4 Application Assessment Form

Applicant's Name	
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Scoring Explanation	Score
Very Poor	1
Poor	2
Average	3
Good	4
Very Good	5

## 1. Financial Standing 10%

Criteria	Score
Individual / Company financial standing to include credit rating agency check.	
Individual / Company bank reference.	
Evidence of funds.	
Three years of audited accounts.	
Current or previous landlord's references.	
Sub Total	

Total Score out of 25		% Score	
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## 2. Proposed use of building 25%

Criteria	Score
Recreational as per Trust requirements and compatibility within an attractive park setting.	
Sensitive to park location.	

Total Score out of 10		% Score	
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## 3. Deliverability and Viability 25%

Criteria	Score
Applicants experience of delivering similar projects.	
Deliverability i.e. professional team, skills and resources to deliver the proposed use.	
Business plan cash flow forecast over 3 years.	
Sub Total	

Total Score out of 15		% Score	
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## 4. Financial Offer 15%

Criteria / Ranking	Score
Price (if below guide price = 0; if at guide price = 1; if 10% above guide price = 2; if 15% above guide price = 3; if 20% above guide price = 4; if 25% above guide price = 5)	
Sub Total	

Meeting  
Date

Version no.  
Date

Total Score out of 5		% Score	
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5. Commitment to Equalities and open for use by all of the Community 25%

Criteria			
Yes/No?			
Total Score out of 5		% Score	

<b>ADDED VALUE</b>	(Please circle or provide details).
How many permanent jobs will your proposal will create?	
Do you intend to pay any employees the Living London Wage.	YES/NO
How may apprenticeships will your proposal create?	
LB Brent and the Barham Park Charitable Trust is committed to the Greater London Authorities levels of fair pay, can you confirm your commitment to the same?	YES/NO
If the proposals involve redevelopment, which level of BREEAM will be targeted?	
If your proposals involve redevelopment, please confirm your commitment to secure by design?	YES/NO

After the initial process, the Barham Park Trust reserves the right to introduce additional processes at which stage, applicants will be re-scored based on the criteria in this scoring sheet.

Barham Park Unit 4 The Lounge – Tender Evaluation Scoring for final two short-listed bids

Page 13

	Criteria	Pivot Point	Friends of Barham Library	
Criteria				-
1	Financial Standing (out of 10)	6.8	6	
2	Proposed Use of Building (out of 25)	20	22.5	
3	Deliverability & viability (out of 25)	21.66	16.66	
4	Financial Offer (out of 15)	3	3	
5	Commitment to Equalities and open for use by all of the Community (out of 25)	25	25	
Total		76.46	73.16	

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