



Barham Park Trust Committee

Thursday 2 February 2017 at 7.00 pm
Boardrooms 5-6 - Brent Civic Centre

Membership:

Members

Councillors:

McLennan (Chair)
Hirani (Vice-Chair)
Farah
Miller
Southwood

For further information contact: Bryony Gibbs, Governance Officer
020 8937 1355; bryony.gibbs@brent.gov.uk

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

Item	Page
1 Declarations of Interests	
Members are invited to declare at this stage of the meeting, any relevant personal, prejudicial and discloseable pecuniary interests in any matter to be considered at this meeting.	
2 Minutes of the Previous Meeting	1 - 4
The minutes of the previous meeting of the committee held on 7 September 2016 are attached for members' consideration.	
3 Matters Arising from the Minutes	
Members may seek updates on the current position of any matters referred to in the minutes of the previous meeting.	
4 Property Update, Barham Park Building Complex, 660 Harrow Road, Wembley	5 - 8
The Committee will receive a report from the Barham Park Trust Property Adviser updating trustees on matters relating to the letting of several units of the building complex and maintenance plans.	
5 Park Matters - Infrastructure Projects	
The committee will receive a verbal report from the Head of Environmental Improvement.	
6 Finance Matters - Maintenance Costs	
The committee will receive a verbal report from the Head of Finance.	
7 Any Other Urgent Business	
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: **to be agreed.**



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.

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MINUTES OF THE BARHAM PARK TRUST COMMITTEE **Wednesday 7 September 2016 at 6.00 pm**

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

Also Present: Councillors Perrin and R Patel

1. Declarations of interests

The following interests were declared by Members as Trustees:

- (i) Councillor McLennan declared a personal interest in relation to Agenda Item No.5 (Barham Park Veterans' Club), by virtue of the fact she had been approached by residents of the Club.
- (ii) Councillor Hirani declared a personal interest in relation to Agenda Item No.5 (Barham Park Veterans' Club), by virtue of the fact he too had been approached by residents of the Club.

2. Appointment of Vice Chair

RESOLVED that Councillor Krupesh Hirani be appointed as Vice-Chair of the Committee for the remainder of the 2016/2017 Municipal Year.

3. Minutes of the previous meeting

The minutes of the previous meeting, held on Wednesday 27 January 2016 were approved as a correct record.

4. Matters arising

There were no matters arising from the minutes of the previous meeting held on Wednesday 27 January 2016.

5. Barham Park Veteran's Club

The Chair welcomed to the meeting, Mr Ratilal Patel, resident of Barham Park Veterans' Club who had also been invited to speak at a meeting of the Council's Equalities Committee to be held later in September.

The Chair said that the Council's Equalities Team was very happy with the work being carried out at the Club and that the Trust would continue to support the Club by working closely and in partnership with the Club and the Council's Equalities Team.

RESOLVED that the Trust celebrate and recognise the achievements of the Club to date and that the Committee receive an update by way of a report, in six months' time.

6. **Barham Park Trustees Annual Report 2015-16**

The Trust considered its Annual Report for 2015/2016, which showed that, as at 31 March 2016, the Charity held cash reserves of £457,085 and that, in accordance with the decision of the Trustees, any future receipts would be used for improvements within Barham Park.

The Trust noted the achievements and performance of the Charity during the year and that these were the subject of a separate report and discussion later in the Agenda.

In conjunction with the Annual Report, the Trust also considered an independent examiner's report who was responsible for:

- (a) Examining the accounts under Section 145 of the Charities Act 2011;
- (b) Following the procedures laid down in the general directions given by the Charity Commission under Section 145(5)(b) of the Act; and
- (c) Stating whether particular matters had come to his or her attention.

The Independent Examiner's Statement, contained within his report, highlighted that there had been approximately £20,000 expenditure on repairs and maintenance which, in his view, had not been fully accounted for and which should have been recharged by the Council but was not.

The Statement also highlighted that improvements in processes with regards to the recording of income by Parks Services would be made by the Council's Head of Finance to ensure that all income for the current year, and beyond were being correctly recorded by the Service.

In summary, the Independent Examiner concluded that the requirements to keep accounting records and to prepare accounts which accorded with those records in accordance with the requirements of the Act, had not been met.

In addition, a Trustee said he was uncomfortable with the Trust rolling forward in excess of £400,000 and asked how this money was to be spent.

It was reported that a spreadsheet was to be produced, quarterly, to show any movements incurred.

RESOLVED that a report be prepared and circulated to Trustees in good time prior to the next meeting of the Committee to detail any significant movements in income or expenditure.

7. **Barham Park Trust Officer Delegations**

The Trust considered a report, which updated Trustees on the current delegation arrangements that related to the Barham Park Trust Management Team, together with a proposal that the day-to-day trustee functions and decision-making of the

Barham Park Trust be delegated to the Council's Operational Director of Environmental Services.

RESOLVED that:

- (i) The day-to-day trustee functions and decision-making of the Barham Park Trust, be delegated to the Council's Operational Director of Environmental Services; and
- (ii) The Council's Operational Director of Environmental Services be asked to prepare a monthly report to the Chair of the Committee in order that any issues can be shared with Trustees on a more regular basis.

8. **Property Update, Barham Park Building Complex, 660 Harrow Road, Wembley**

The Trust considered a report, which updated Trustees on property matters in respect of the Barham Park building complex and also sought authorisation of proposals for the completion of leases for Units 2 and 4 therein.

Prior to the report and its recommendations being fully considered, it was **RESOLVED** that Recommendation 2.4 to the report be **AGREED** as follows:

That the Barham Park Trust Property Adviser be authorised to proceed with completing the lease in respect of Unit 2, the Snooker and Billiards Room, with the Barham Park Veterans' Club on terms agreed by the Trust Committee on 28 January 2015.

The Chair welcomed to the meeting, Paul Lorber and Philip Bromberg (Friends of Barham Library) (FOBL), both of whom had requested to speak on this matter.

Mr Bromberg questioned what possible motive the Committee could have for further delaying the lease and urged that the matter be resolved in order that the FOBL could get on with providing good library services there.

RESOLVED that:

- (i) The content of the update report regarding the properties at the Barham Park building, be noted;
- (ii) The Barham Park Trust Property Adviser be authorised to proceed with completing the lease in respect of Unit 2, the Snooker and Billiards Room, with the Barham Park Veterans' Club on terms agreed by the Trust Committee on 28 January 2015.
- (iii) The Barham Park Trust Property Adviser be authorised to complete the lease in respect of Unit 4, The Lounge, by 7 October 2016; and
- (iv) In conjunction with Resolution (iii) above, the Barham Park Trust Property Adviser, in consultation with the Chair of the Committee, be authorised to agree the length of the rent-free lease and negotiations on the rent collected by Friends of Barham Library.

9. **Safer Neighbourhood Team**

The Committee was advised of ongoing problems associated with drinking and sleeping rough but that the Safer Neighbourhood Team was working with local organisations and the Police to make the neighbourhood safer.

The Committee thanked officers for the update and **AGREED** that this matter (and Park Matters) be placed as the first two substantive items to be considered on future agendas for meetings of the Committee.

10. **Park Matters**

The Committee was advised that water had gotten into the new gym area but that this had been remedied. Members were also advised that a new drainage system was being installed at the playground, which would mean the playground being closed during the winter months and would reopen in the spring.


The Committee was further advised of tarmac improvements with effect from 19 September 2016 and the installation of wooden type bollards there.

11. **Any other urgent business**

There was no other urgent business.

The meeting closed at 7.40 pm

COUNCILLOR M MCLENNAN
Chair

 Brent	<p>Barham Park Trust Committee 2 February 2017</p> <p>Report from the Barham Park Trust Property Adviser</p>
Ward Affected: Sudbury	
Property Update, Barham Park Building Complex, 660 Harrow Road, Wembley	

1.0 SUMMARY

- 1.1 The purpose of this report is:
- 1.2 To update the Trust on the marketing outcome of Unit 1 The Card Room.
- 1.3 To update the Trust on granting the lease for Unit 2 The Snooker and Billiards Room (The Veterans).
- 1.4 To update the Trust on granting the lease for Unit 4 The Lounge.
- 1.5 To update the Trust on granting the lease for Unit 8 The Children's Centre.
- 1.6 To update the Trust on the position of Unit 7 the Mess Room.
- 1.7 To update the Trust on the installation of an integrated fire alarm system.
- 1.8 To update the Trust on the Maintenance Plan for the building complex.

2.0 RECOMMENDATIONS

- 2.1 There are no further recommendations to the 7th September 2016 Report from the Barham Park Trust Property Adviser.
- 2.2 A recommendation to the Barham Park Trust that * be approved as the preferred bidder for Unit 1 The Card Room

* (A recommendation will be made after the 26th January 2017 second stage presentation process).

3.0 DETAIL

- 3.1 The tender marketing of Unit 1 The Card room closed 17th October 2016. Four tenders were received. After a bid scoring exercise the lower two scored applicants were removed from the process, with the other two going through to a second stage presentation process on 26th January 2017. A decision will be made on the successful bidder thereafter.
- 3.2 The draft lease for Unit 2 the Snooker & Billiards Room (The Veterans) incorporating the revised equalities and diversity section has been sent to the Baham Park Veterans Club. They have yet to respond. A schedule of conditions for the property needs to be agreed.
- 3.3 The lease to The Friends of Barham Library completed on 7th October 2016.
- 3.4 The lease for Unit 8 the Children's Centre completed on 28th October 2016 with Barnados operating the service. The position on the £11,300 per annum rental payment needs to be resolved between Council Services.
- 3.5 As agreed at the last Barham Park Trust meeting the marketing of Unit 7 the Mess Room and Store, essentially a toilet and store area measuring 51 square meters, is on hold until the completion of all the outstanding leases at the Barham Park Buildings.
- 3.6 The integrated fire alarm system to service the 10 Units within the Barham Park Building Complex needs to be commissioned in line with the 7th September & 7th January 2016 approval by the Trust. The Council's Surveyor acting for the Trust has recently obtained revised CAD drawings of the buildings and will move forward with commissioning a Fire Officer to report on the type of system to be installed.
- 3.7 The Maintenance Plan for the Building Complex required a Mechanical & Electrical (M&E) Survey and a separate Conditions Survey (CS). As agreed at the 7th September 2016 Barham Park Trust meeting, Rider Levett Bucknall tender for both the Conditions and M & E Surveys combined at £2,247 was approved and the Councils Surveyor acting for the Trust will move forward with commissioning the surveys now that revised CAD drawing are available for the buildings.

4.0 FINANCIAL IMPLICATIONS

- 4.1 Unit 1 the Card Room is to be let on Full Repairing & Insuring terms as the property requires substantial works. Other Units at The Barham Park Buildings are on Internal Repairing & Insuring terms. Therefore there

should be a minimal impact on the overall service charge budget for the other Barham Park Buildings when the Card Room lease completes.

- 4.2 The lease completion of Unit 4 The Lounge on 7th October 2016 will generated a £7,000 per annum rental after an initial 7 months' rent free period.
- 4.3 The expenditure on the integrated fire alarm system previously reported at £13,250.60 needs to be undertaken at an early stage to ensure that the Units are aligned with the current legislation and the integrity of the building fabric is maintained.
- 4.4 The Maintenance Plan that includes the Condition and M & E Survey is anticipated to cost £2,247 as per tender from Rider Levett Bucknall.

5.0 LEGAL IMPLICATIONS

- 5.1 Legal Services have confirmed that the 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)
- 5.2 The statutory requirements relating to any other disposal or letting of land are summarised as follows.
 - 5.2.1 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 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. Subject to the proviso that a disposal to a connected person is subject to the consent of the Charitable Commission, which may specify additional requirements to those specified in this paragraph.
 - 5.2.2 Any disposal of recreational charity land or letting for more than two years to a third party or a connected person, (who is not a charity with similar purposes), must be notified in the local press and on site and provide at least one calendar month for people to make representations.

6.0 DIVERSITY IMPLICATIONS

- 6.1 There are no direct equalities implications arising from this report, other than the ones already mentioned above and in previous reports.

7.0 STAFFING/ACCOMMODATION IMPLICATIONS

7.1 None

8.0 BACKGROUND PAPERS

8.1 Charity commission guidance.

8.2 28th January 2015, 2nd July 2015, 8th October 2015 and 27th January 2016, 7th September 2016 Barham Park Trust Committee Reports.

8.3 British Standard Institute BS 5839-1: 2013 – Fire detection and fire alarm systems for buildings. Code of practice for design, installation, commissioning and maintenance of systems in non-domestic premises.

Contact Officers

Amin Soorma
Estate Surveyor
Resources Department
Amin.Soorma@Brent.gov.uk
0208 937 4202

Sarah Chaudhry
Head of Property
Resources Department
sarah.chaudhry@brent.gov.uk
020 8937 1705

SARAH CHAUDHRY
Head of Property