



Brent

Barham Park Trust Committee

Wednesday 11 October 2017 at 6.00 pm
Boardrooms 5-6 - Brent Civic Centre

Membership:

Members

Councillors:

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

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above.

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence	
For the Committee to note any apologies for absence.	
2 Declarations of interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Minutes of the previous meeting	1 - 4
To approve the minutes of the previous meeting as a correct record.	
4 Matters arising (if any)	
To consider any matters arising from the minutes of the previous meeting.	
5 General Update	5 - 8
This report presents a summary of the latest issues relating to Barham Park.	
6 Implementation of Public Space Protection Orders	9 - 12
This report presents a briefing on wider proposals to introduce Public Space Protection Orders (PSPOs) across Brent's parks (including Barham Park) to curb anti-social behaviour.	
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. Any decisions taken urgently under this heading must comply with the provisions outlined in Standing Order 16 (a) of the Council's Constitution.	

Date of the next meeting: 7 March 2018

(Note: the meeting scheduled for 12 December was brought forward to 11 October 2017 at the direction of the Committee)



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 Held on Tuesday 18 July 2017 at 6.00 pm

PRESENT: Councillor McLennan (Chair), Hirani (Vice-Chair) and Councillors Farah and Miller

1. **Apologies for Absence**

Apologies for absence were received from Councillor Southwood.

2. **Declarations of Interests**

None declared.

3. **Minutes of the Previous Meeting**

RESOLVED: that the minutes of the previous meeting held on 12 April 2017 be approved as an accurate record of the meeting.

4. **Matters Arising (If Any)**

There were no matters arising.

5. **Update on Operational Issues Relating to Barham Park**

Chris Whyte (Operational Director Environment Services) introduced the report updating members on the operational issues relating to Barham Park. The committee heard that a job description had been created for the proposed Projects Officer post and recruitment to the position would be pursued as part of a wider reorganisation of the council's Environmental Services directorate. Members' attention was drawn to the twelve month summary provided by the Safer Neighbourhood Team (SNT), which identified that eleven crimes had been reported in the Park, two stop and searches had been performed and twelve calls for police attendance in the park had been received. The SNT reported a reduction in street drinking in the park and confirmed that the park was patrolled daily.

Sarah Chaudhry (Head of Property) updated the committee with regard to property issues for Barham Park, confirming that the lease for Unit 1 of the Barham Park Buildings complex (Card Room) had been signed and was ready for completion following the expiry of a statutory notice period. A tenancy at will had been entered to allow early access by the tenants from the 30 June 2017. The lease for Unit 2 (Snooker Room) had also been agreed with the Barham Park Veterans and would be completed following the expiry of the statutory notice period.

In discussing the report, the committee cautioned sensitivity in the language used to discuss incidents of crimes in the park. Noting that a new ice-cream vendor was

needed for the park, Members questioned what arrangements were in place to ensure that this was filled for the summer period. In response, Amanda Haines (Resources Manager) confirmed that a vendor had been secured for the interim and the council would re-tender after the summer.

RESOLVED: That the report from the Strategic Director of Regeneration and Environment providing an update on the operational issues relating to Barham Park Trust Committee be noted.

6. **Annual Report 2016-2017**

Gareth Robinson (Head of Finance) presented the Annual Report and Accounts 2016-2017 for the committee's consideration. The Annual Report identified that as at 31 March 2017, the charity held cash reserves of £464,374. In accordance with the decision of the Trustees, all future receipts would be used for improvements within Barham Park. Specific comment was sought from the committee on Section D of the Annual Report, which set out the main achievements of the charity during the 2016-2017 year. An overview of the accounts was then provided to the committee and members' attention was drawn to the report of the Independent Examiner who had concluded that there was no indication that the requirements to keep accounting records and accounts in accordance with the Charities Act 2011 had not been met.

In the subsequent discussion, the committee sought a further breakdown of the costs recorded under the heading 'Consultancy' and were informed that the £3,997 comprised two different spends; a survey of the properties on site conducted by Rider Levett Bucknall for £2,247; and an MMP Design survey exploring possible improvements for the park cost £1,750. The committee agreed that the information provided in Section D of the Annual Report was a good summary of the achievements of the Trust for 2016-2017.

RESOLVED:

- i) that the Annual Report and Accounts 2016-2017 be agreed;
- ii) that the independent review of the accounts 2016-2017 be noted;
- iii) that officers update the Charity Commission with the Annual Report and Accounts 2016-2017.

7. **Officer Time Analysis**

Gareth Robinson (Head of Finance) presented a report examining officer time spent supporting Barham Park Trust and its activities. Members' attention was drawn to the methodology employed and the key findings identified, including financial implications for the Trust if the costs were to be recharged. It was highlighted that the majority of officer time had been spent in relation to leases for the Barham Park buildings complex, though producing reports and dealing with Freedom of Information requests were also common themes in the work undertaken. The total costs of the officer time spent in support of the trust were calculated as £59,055 for 2016/2017 and £14,269 for the 2017/2018 year to date. If these costs were to be charged to the Trust annually, they would equate to approximately 60 per cent of the income generated by the Trust.

The committee welcomed the report, noted that the council provided a large financial subsidy to the Trust by funding officer support, and sought comparative information for other parks maintained by the council. Councillor Miller noted his level of concern with the unusual amount of officer time spent on activities not directly related to the running of the park and how much more usefully it could be employed. Gareth Robinson emphasised that with the exception of costs relating to the physical maintenance of a park, much of the other work undertaken by officers would not be required for other parks. Chris Whyte confirmed that work was currently underway to analyse the spend on parks to support a further comparative analysis and this would be provided for the next meeting of the committee.

RESOLVED: that the amount of officer time spent on Barham Park Trust and its activities as set out in the report from the Head of Finance be noted.

8. **Any Other Urgent Business**

Councillor McLennan acknowledged receipt of a communication from the Vice Chair of the Sudbury Residents' Association and advised that officers would consider the suggestions provided as part of the forthcoming work to review the governance arrangements for the Trust. A report on the Trust's governance arrangements was expected to be brought to the next meeting of the Committee, which would be rescheduled for October 2017.

The meeting was declared closed at 6.27 pm

COUNCILLOR MARGARET MCLENNAN
Chair

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Barham Park Trust Committee 11 October 2017

Report from Operational Director, Environmental Services

For Information

General Update Report

1.0 Summary

1.1 This report presents a summary of the latest issues relating to Barham Park.

2.0 Recommendations

2.1 That the Barham Park Trust Committee note the issues set out in this report.

3.0 Operational Issues

3.1 The Safer Neighbourhoods Team report no significant concerns from their perspective. No crimes have been reported to them although a number of warnings have been issued with respect to street drinking.

3.1 Nevertheless, it is known that a number of homeless males continue to sleep in the park, in particular in the fire exit area of the Barham Park Children's Centre.

3.2 There was an incident reported of people starting fires in the doorway of Barham Park Building on 6th September, when between 7pm and 7:30 pm the foliage was set alight. Matches have also been pushed under the door during the daytime.

3.3 There have also been other attempted fires and youths have been seen sitting by the front door allegedly taking drugs and dropping litter. One tenant has called for a metal gate for the front door and the deployment of a CCTV camera to curb these problems.

3.4 The wall at the Rose Garden was reported as requiring repair and quotes have now been obtained.

3.5 On Saturday 9 September a report was received by the Fire Brigade of a fire alarm going off. It transpired that the alarm noise was coming from one of the ACAVA units. Tenants have subsequently called for the provision of a comprehensive Fire Alarm system throughout the whole complex of buildings, which is now under consideration.

3.6 A report was made that two benches in the Queen Elizabeth II Silver Jubilee Garden had gone missing. It was discovered that these outdoor benches had been taken indoor for use by one of the tenants and had been renovated. These benches have now been returned to their usual location.

4.0 Letting

4.1 The lease of Unit 2, the Veterans Club was completed on the 7th September

5.0 Financial Update

5.1 Currently, the Trust Income is broadly on track for £80k, with the Funfair Income already received. The Funfair income is lower than last year due to the number of days requested by the Funfair provider. The Trust is still awaiting the ACAVA payment for £11k, which will come in towards the end of September.

However, there has been very little Parks expenditure, which last year was approximately £20k. The Investment Strategy will bring clarity to this line – until then, it is forecast at £1k expenditure per month, which is at the lower end of past year costs. The expected Veolia cost will be charged in the following weeks, alongside the Children Centre income from the Council for £11k.

Currently, the Trust is on track to break-even, as expenditure is at approximately the same level. However, this does not include any long-term investment costs. This is why the dedicated officer costs are also not included.

	Forecast	Actuals to Date	Variance	Comments
	£	£	£	
Virgin	(6,500.00)	(3,250.00)	3,250.00	2 quarters to go
ACAVA	(43,000.00)	(10,750.00)	32,250.00	3 Quarters - 1 quarter missing
Other Rental Income	(1,000.00)	(1,000.00)	0.00	
Children Centre	(11,000.00)	0.00	11,000.00	To be recharged presently.
Irvin Funfair Income	(10,402.08)	(10,402.08)	0.00	Lower than last year - under investigation
Friends of Barham Library	(5,800.00)	(2,788.46)	3,011.54	10 months of rent
Tamu Samaj	(1,125.00)	(334.24)	790.76	On target
Utilities	800.00	585.28	214.72	
Building & Facility Management	15,000.00	4,995.00	10,005.00	Fire Alarm and other building costs
Park Works	12,000.00	(1,180.00)	13,180.00	Awaiting Investment Strategy - forecast £1k/month
VEOLIA Spend	51,235.66	0.00	51,235.66	VEOLIA costs in relation to Park - 2% inflation on last year.
	208.58	(24,124.50)	(24,124.50)	

6.0 Park Spend Comparison

6.1 A piece of work has been undertaken to compare capital spend at Barham Park with similar investment at the other main parks in Brent. The findings are set out in the table below.

6.2 Parks Spend Comparison

Spend in Parks is primarily made up of spend delivered by Veolia (regular maintenance and support). All parks have a support plan that is agreed by the Council with Veolia as part of the Veolia contract. They are all held within the Veolia contract spend with regard to Parks. The Council treats all parks equally within this contract, although Fryent Park is innately a very different park to Gladstone for instance. The Council asked for the individual breakdown on Barham Park, which was £50,231.04 in 2016/17. All other parks would use the same metrics to calculate the costs. Any differences would be solely through the requirements of the park (for instance a bigger park would be more expensive and a specific park might have a higher upkeep due to the nature of the shrubbery). However, there is a clear difference on the improvements to parks, which is shown below.

Parks	2015/16	2016/17	2017/18 + approved budgets in future years	Total
Gladstone	101,894.61	10,215.52	158,550.00	270,660.13
Roundwood	8,525.40	134,570.50	204,247.00	347,342.90
Barham*	178,450.00	61,245.00	172,945.00	412,640.00
Mt. Pleasant	73,080.00	-	-	73,080.00
Woodhouse	382,233.07	130,241.54	300.00	512,774.61
Total	744,183.08	336,272.56	536,042.00	1,616,497.64

* includes £178k of Barham own spend.

6.3 As one can see above, spend in Barham since 2015/16 and including already agreed capital budgets is at £413k, the second highest capital spend on parks. Only Woodhouse Urban Park, which is part of a major regeneration scheme, has a higher level of anticipated spend since 2015/16. This demonstrates that Barham Park has never been treated less well than the other Parks.

7.0 Park Investment and Projects

7.1 The Barham Trust meeting in April 2017 presented a report to the Committee summarising this recent investment in park infrastructure for Barham Park and proposing the appointment of a project officer to oversee the development of the park, manage budgets and seek external funding. Members heard that Barham Park had benefited from £400,000 of infrastructure investment and maintenance works between 2015 and 2017. The report set out the improvements achieved as a result of this investment and detailed potential options for future investment including drainage and planting improvements. The committee was advised that any future plans for park

development should take into account the investment need identified in the Building Condition and Mechanical and Electrical survey appended to the report, though it was highlighted that a detailed analysis of the required works would be necessary before a final recommendation could be made. The proposed project officer post, the costs of which were estimated to be £60k, would be responsible for taking forward investment projects in the park and ensuring the Trust achieved best. That post has been evaluated, consulted upon as part of a wider reorganisation of the council's Environmental Services department and advertised for recruitment internally, as is required by the council's recruitment policy. Unfortunately, no suitable candidates were forthcoming and an appropriately qualified candidate is now being sourced externally and an appointment is due in October.

- 7.2 A request has been made by a tenant for the replacement of windows as per a recommendation made by the council's Heritage Officer and this will be prioritised as an early part of the maintenance plan. Suitable quotes will be obtained for these works and a report will be produced for the Trust to consider at a subsequent meeting.

8.0 Future Governance Arrangements

- 8.1 The council's Legal Service has developed options to support a formal review of the governance arrangements of the Trust for consideration so they are more appropriate in meeting the needs of the Trust and its stakeholders. This appraisal will be considered and refined by the council's senior managers in consultation with Cabinet members and a report will be presented for a decision at the next Trust meeting.

9.0 Financial Implications

- 9.1 There are no other financial implications.

10.0 Legal Implications

- 10.1 There are no other legal implications.

Contact Officers

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Barham Park Trust Committee 11 October 2017

Report from Operational Director, Environmental Services

Proposals to Address Anti-Social Behaviour in Brent's Parks

1.0 Summary

- 1.1 This report presents a briefing on wider proposals to introduce Public Space Protection Orders (PSPOs) across Brent's parks (including Barham Park) to curb anti-social behaviour.

2.0 Recommendations

- 2.1 That the committee notes the legislative scope to enact Public Spaces Protection Orders in parks and public spaces.
- 2.2 That the committee notes that making a Public Space Protection Order will be an effective measure to address anti-social behaviour and environmental concerns, particularly littering, drinking, urinating, graffiti, vandalism, illegal encampments, dog fouling, bird feeding, using powered vehicles without express consent, threatening or behaving in way likely to cause harassment, alarm and distress.

3.0 Detail

- 3.1 Brent's current byelaws were enacted in 1977 and are quite outdated. A renewal exercise was conducted by the Parks Team in 2016 to ensure prohibited activities were relative to Brent's problem profile in parks, which has evolved over the years. An exercise to renew the Park byelaws was discontinued in March 2017.
- 3.2 Public Spaces Protection Orders work by imposing conditions on the use of the area so that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
- 3.3 Section 59 of the ASB Crime and Policing Act 2014 ("the Act"), gives a Local Authority the authority to restrict activity in a Public Place.
- 3.4 The PSPO is intended to specifically counter littering, drinking, urinating, graffiti, vandalism, illegal encampments, dog fouling, bird feeding, using powered vehicles without express consent, threatening or behaving in way likely to cause harassment, alarm and distress.

- 3.5 S.70 of the Act allows for a PSPO to supersede any byelaw once in operation.
- 3.6 A maximum fine for breach of Brent's current park byelaws is £20 and there has been no enforcement undertaken since it was enacted.
- 3.7 A maximum fine for breach of a PSPO is £100 and there is flexibility under the legislation to prosecute persistent offenders at court where they could be fined a maximum of £1000.
- 3.8 The final decision on making any PSPO will be made by the Strategic Director for Regeneration and Environment in consultation with the Lead Member for Environment. This procedure was decided by the Cabinet in April 2014.
- 3.9 If members of the public do not have access over privately owned land, then the PSPO cannot be enforced. Section 74(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 defines "public place" as any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
- 3.10 There is no time limit to implementing the PSPO order in the parks but existing Dog Control Orders will automatically transfer into a PSPO in October 2017, with no requirement to do anything other than changing the signage. It is good practice to publicise the automatic replacement of a dog control order into a PSPO to raise public awareness.
- 3.11 There is some consensus to implement this new approach subject to stakeholder acceptance in October / November 2017.

4.0 Way Forward

- 4.1 Brent's Parks Service are supportive of the implementation of a PSPO in all Parks in Brent and will undertake a problem profile analysis to identify what issues are prevalent to Brent's parks. This will shape the prohibitions.
- 4.2 There is also appetite to extend this to cemeteries and allotment sites and engage with relevant trusts and stakeholders who own or have a direct interest in parks and public spaces in Brent.
- 4.3 The Brent Community Protection Service (ASB Team) will conduct a consultation exercise with community groups, relevant stakeholders and the Police. The timeline for consultation is 4-6 weeks.
- 4.4 Further discussion with the Police on developing a policing plan if and when the orders are implemented is required. The Sudbury SNT endorse the approach and welcome the proposal and pledge to work with the council in implementing and applying the PSPO.
- 4.5 The Brent Community Protection Service (ASB Team) will engage neighbouring Boroughs who currently have PSPOs in the parks, to share best practice.

5.0 Financial Implications

- 5.1 There are no financial implications.

6.0 Legal Implications

6.1 There are no other legal implications other than those already set out in this report.

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