



Barham Park Trust Committee

Tuesday 22 October 2013 at 7.00 pm

Boardroom - Brent Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Lead Member Councillors:

Portfolio

Crane	Lead Member for Regeneration and Major Projects
Denselow	Lead Member for Customers and Citizens
Hirani	Lead Member for Adults and Health
Mashari	Lead Member for Environment and Neighbourhoods
R Moher	Deputy Leader/Lead Member for Finance and Corporate Resources

For further information contact: Bryony Gibbs, Democratic Services 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 financial or other interest in the items on this agenda.	
2 Minutes of the previous meeting	1 - 4
3 Matters arising	
4 Barham Park Trust Annual Report and Annual accounts	5 - 14

This report presents the annual report and accounts for the Trust for 2012/13.

Ward Affected:
Sudbury

Contact Officer: Jenny Isaac, Operational
Director, Neighbourhood Services
Tel: 020 8937 5001 jenny.isaac@brent.gov.uk

5 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.

Date of the next meeting: Date Not Specified



- Please remember to **SWITCH OFF** your mobile phone 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 Wednesday 13 February 2013 at 7.00 pm

PRESENT: Councillor R Moher (Chair), Councillor Jones (Vice-Chair) and Councillors Crane and Powney

Also Present: Councillor Lorber

Apologies were received from: Councillor Hirani

1. Declarations of interests

None declared.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 8 January 2013 be approved as an accurate record of the meeting.

3. Matters arising

Councillor Lorber reiterated the concern that he had raised at the previous meeting that the accounts presented to the meeting for 2011/12 were not sufficiently detailed to enable the committee to approve them.

The Chair noted that this concern had been addressed at the previous meeting; the Charity Commission had agreed the approach taken and the committee had approved the accounts.

4. Deputations

With regard to the report setting out the proposals for improving Barham Park building complex and park, the Chair confirmed that she had received legal advice that anyone who was either involved in an organisation who had submitted a bid or who had been involved in submitting a bid should not be permitted to speak as that would be contrary to the process that had already been confirmed and published. There had been no requests to speak from individuals unconnected to a bid.

5. Proposals for Improving Barham Park Building Complex and Park

Jenny Isaac (Assistant Director, Neighbourhood Services) introduced a report to the committee which set out a series of proposals for letting the Barham Park building complex, rejuvenating the park's open space, and the allocation of capital funding.

It was highlighted that a supplementary paper had also been circulated setting out a schedule of amendments to the main report. The committee noted these amendments to the main report as detailed in the supplementary paper provided.

Richard Barrett (Assistant Director Property and Assets) advised the committee that the Barham Park building complex comprised several units, which, with the exception of three of these units, had been divided into 7 lots and marketed between August and September 2012. Bids were able to be submitted in respect of any number or combination of the 7 lots advertised. The assessment criteria had been supplied to all bidders as part of the property particulars and had focussed on four key aspects; financial positioning; proposed use; the bidder's ability to deliver the proposed project, and; the bidder's financial offer (rent). The results of the scoring process were set out at paragraph 3.7 of the supplementary paper. With reference to this, Richard Barrett highlighted that there was an error on the table shown, noting that Friends of Barham Library should have been marked against lot 3 and not lot 4. The meeting was assured that this error had been made during the preparation of the papers for the committee and not during the assessment process. The recommended preferred bidder was the Association for Cultural Advancement through Visual Art (ACAVA) which had bid for lots 1, 3, 4, 5 and 6. The bid had received the second highest score of the bids assessed and their plans for the complex met the charitable objectives of the Trust. The highest scoring bid had been received from Nikita Patel and was for lot 2 only. It was not recommended that this bid be pursued as the rental income would be less than that generated through ad-hoc lettings.

Turning to the three units that had not been subject to the marketing process which comprised the Children's centre, the Sports and Parks Service Depot, and the Snooker and Billiard rooms, Richard Barrett advised that it was proposed that the Trust make an overriding lease for these units to the Council. It was also proposed that Lot 7 (the Card Room) be included in this lease in the short term. This arrangement would enable the regularisation of the existing arrangements and would ensure that either the trust would receive a guaranteed income from these units, or that the value of the rent would be offset against the council's contribution to the management of the Park. As the Depot was used exclusively for Barham Park, it was considered that there should be no rental charge made for that unit.

The committee's attention was drawn to the proposals regarding the capital investment required to improve the condition of the Barham Park Building complex and to implement the core first phase projects which formed the first steps towards realising the 20 year vision for the park. Richard Barrett advised that following assessments of the condition of the building complex, a schedule of required works had been developed and costed at £227,050. These works, if conducted, would bring the buildings into acceptable condition and enable them to be let. Jenny Isaac advised that the 20 year Vision for the Park had been developed following extensive engagement of the local community and other stakeholders and aimed to bring local people together and provide a resource which would help to enhance the lives of local people. Seven core areas of landscape improvements underpinned the vision. These improvements included enhancements to paths; the creation of a range of different habitats such as meadows and wetlands; restoration of the walled, formal gardens; the possibility of creating and developing play areas; and over the longer term, the potential for a café in the park. The total cost of proposed landscape improvements for the core first phase projects was estimated

at £394,000 and in time, this would reduce the costs of grounds maintenance in the park

Mick Bowden (Deputy Director of Finance) outlined the financial implications of the proposed property lettings and noted that combined with the existing income from use of the park by the fun fair and ice cream concessions, which amounted to approximately £9,000, the projected income for the Trust was £96,000 per annum.

Responding to queries put by the committee, officers confirmed that all bidders had been provided with full information regarding the scoring process and assessment criteria. Jenny Isaac advised that the proposed capital investment did exhaust the funds obtained through the sale of two properties by the Trust. Noting this, the committee asked that a report be brought to a future meeting outlining anticipated sources of funding for subsequent development of the park in line with the 20 year vision that had been set out.

During the course of the meeting Councillor Lorber attempted to make interventions but following the legal advice received the Chair did not permit the interventions to be part of the committee meeting.

RESOLVED:

(i) that the Association for Cultural Advancement through Visual Art (ACAVA) be appointed as the preferred bidder for lots 1, 3, 4, 5 and 6.

(ii) that the Assistant Director Property and Asset Management in consultation with the Assistant Director Neighbourhood Services be delegated authority to enter into appropriate lease arrangements with the preferred bidder.

(iii) that a tenancy or tenancies be granted to Brent Council of the land shown edged red on Appendix 2 to the report at market rent on terms to be agreed for use in accordance with the charitable purpose of the trust for a period or periods of up to 25 years. The intention is that this space will then be utilised by the Council for the Children's Centre and a sub-let to the Barham Park Veterans Club or such other future use as appropriate.

(iv) that the finalisation of the terms of the tenancy or tenancies to be granted to the council be delegated to the Assistant Director of Property and Asset Management, in consultation with the Assistant Director for Neighbourhood Services, to act in the best interests of the Trust.

(v) that a licence be granted to Brent Council to provide grounds maintenance from the depot at nil cost provided the service is for the sole benefit of Barham Park.

(vi) that the lounge area (Lot 2) continues to be used for ad-hoc lettings in accordance with the recreational purposes of the Trust.

(vii) that the letting rates for the ad-hoc lettings as set out in paragraph 3.27 of the report be approved.

(viii) that officers enter into a Service Level Agreement between the Barham Park

Trust and Brent Council to enable the day to day management of the Park and building (including lettings).

(ix) that officers seek the requisite permissions from the Charity Commission to proceed with these lettings and officers advertise at the appropriate time the proposed disposal of public open space under Section 123 of the Local Government Act 1972 and the Charities Act 2011 and if there are objections to refer the objections to the Charity Commission.

(x) that the vision for the park at Barham Park as detailed in paragraph 3.35 of the report, the core elements required to improve the open space as detailed in paragraph 3.36 to 3.44 of the report and the final concept design for the park attached at Appendix 4 to the report be approved.

(xi) that the long standing arrangements whereby the Grounds Maintenance Service for the park is provided by Brent Council be noted.

(xii) that officers pursue options for a café on the site.

(xiii) that the works and services as set out in paragraph 3.30, 3.31 and 4.3 of the report at an estimated cost of £227,100 (including VAT) to enable the letting of Barham Park Building be approved.

(xiv) that the works and services as set out in paragraph 4.9 of the report at an estimated cost of £394,000 (including VAT) to improve park infrastructure for recreational purposes of the residents of Brent be approved.

(xv) (that officers seek the necessary permissions from the Charity Commission to proceed with the capital expenditure.

(xvi) that officers be delegated the authority to procure and let contracts in accordance with the Council's relevant Contract Standing Orders and Financial Regulations for the building and park works and services as detailed in paragraphs 4.3 and 4.9 following receipt of the necessary Charity Commission approvals.

(xvii) that officers be asked to publish and post the necessary public notices to comply with Section 123 2A the Local Government Act 1972 and the Charities Act 2011.

6. **Any other urgent business**

None.

The meeting closed at 7.42 pm

R MOHER
Chair



Barham Park Trust Committee
22 October 2013

**Report from the Deputy Director of
Finance**

For information

Wards affected:
ALL

Annual Report and Accounts 2012/13

1.0 Summary

1.1 This report presents the annual report and accounts for the Trust for 2012/13.

2.0 Recommendation

2.1 That the Barham Park Trust Committee approves the annual report and accounts.

3.0 Detail

Annual Report and Accounts for 2011/12

3.1 At its meeting on 8 January the Barham Park Trust Committee approved the annual reports and accounts for 2011/12 and the three earlier years (2006/07, 2008/09 and 2009/10) for which only summary financial figures had previously been submitted.

3.2 At that meeting the Committee was informed that the basis for the preparation of the accounts would be changed for 2012/13 onwards to reflect the approach agreed with the Charity Commission, including the use of distinct cost centres to enable a clearer segregation of the finances of the Trust and the Council.

Annual Report and Accounts for 2012/13

- 3.3 The draft report and accounts are set out for consideration by the Committee. The accounts provide a greater level of detail than available in 2011/12, the figures for which are shown for comparative purposes.
- 3.4 During 2012/13 the Trust incurred expenditure of £20,579 on surveys for the future development of the park and building funded from the cash funds held in reserve. After taking account of interest earned of £12,521 this has led to the cash balance of the Trust reducing by £8,058 to £628,310.
- 3.5 General expenditure on the running and maintenance of the park and buildings reduced by £4,717 and income increased by £12,887. As a result the net contribution from Brent Council has reduced by £17,604 to £52,715.
- 3.6 Following approval by the Trust Committee the accounts will be subject to an independent examination prior to submission to the Charities Commission. It is proposed that this be referred to the Head of Audit and Investigations to undertake this activity. The deadline for the final submission of the annual reports and accounts is 31 January 2014.

4.0 Financial Implications

- 4.1 As at 31 March 2013 the cash position of the Trust amounted to £628,310 as set out in 3.4 above.

5.0 Legal Implications

- 5.1 The annual reports and accounts are required under the Charities Act 2011.

6.0 Diversity Implications

- 6.1 None

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None

Background Papers

Barham Park Trust Committee – 8 January 2013, Reports and Annual Accounts

Contact Officers:

Mick Bowden
Deputy Director of Finance
020 8937 1460

Jenny Isaac
Operational Director, Neighbourhoods
020 8937 5001



Trustees' Annual Report for the period

From	Period start date			To	Period end date		
	Day 01	Month 04	Year 2012		Day 31	Month 03	Year 2013

Section A Reference and administration details

Charity name

Other names charity is known by

Registered charity number (if any)

Charity's principal address

Brent Civic Centre, Engineers Way
Wembley
Middlesex
Postcode HA9 OFJ

Names of the charity trustees who manage the charity

	Trustee name	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1	LB Brent	Barham Park Trust Committee		Not applicable as corporate sole trustee
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				

Names of the trustees for the charity, if any, (for example, any custodian trustees)

Name	Dates acted if not for whole year

Names and addresses of advisers (Optional information)

Type of adviser	Name	Address

Name of chief executive or names of senior staff members (Optional information)

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Section B Structure, governance and management

Description of the charity's trusts

Type of governing document
(eg. trust deed, constitution)

The voluntary conveyance dated 22 October 1936 between George Titus Barham (1) and Wembley UDC (2) copy annexed

Related documents

- the conveyance dated 1st February 1937 between Florence Elizabeth Barham (1) and the Mayor Alderman and Burgesses of the Borough of Wembley (2) copy annexed
- the Assent dated 1st February 1938 between James Williamson and Kenneth Ewart Tansley (1) and the Mayor Alderman and Burgesses of the Borough of Wembley (2) copy annexed

How the charity is constituted
(eg. trust, association, company)

London Borough of Brent as sole trustee

Trustee selection methods
(eg. appointed by, elected by)

Not applicable – the Council as local authority is the sole trustee. The London Borough of Brent is statutory successor to the Borough of Wembley.

Additional governance issues (Optional information)

You **may choose** to include additional information, where relevant, about:

- policies and procedures adopted for the induction and training of trustees;
- the charity's organisational structure and any wider network with which the charity works;
- relationship with any related parties;
- trustees' consideration of major risks and the system and procedures to manage them.

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Summary of the objects of the charity set out in its governing document

The land is be held on trust to preserve the same for the recreation of the public in such manner and subject to such regulations in all respects as the Council may from time to time think proper

Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)

The benefit is the provision of Barham Park and building for recreational purposes.

The Trustees received training on 8 January 2013 date and this included a wide range of information including governance, conflicts of interest and public benefit.

Additional details of objectives and activities (Optional information)

You **may choose** to include further statements, where relevant, about:

- policy on grantmaking;
- policy programme related investment;
- contribution made by volunteers.

Section D

Achievements and performance

Summary of the main achievements of the charity during the year

On 13th February 2013 the Barham Park Trustees decided to release £227,000 to improve the Barham Park Building Complex. A specification of work has been prepared and tendered and these tenders are currently being analysed for accuracy and affordability within the budget cap set out above.

In addition at the February Barham Park Trust Committee meeting a decision was made to let a proportion of the building to the Association for Cultural Advancement through Visual Art (ACAVA). This fits with the trusts recreational purpose and will generate an income, helping to improve the trust's financial position. Heads of Terms have been agreed and the lease is currently with Solicitors for completion.

In addition an offer of the remaining space has been made to the Council. This offer is due to be considered at a future Executive meeting. Charity Commission approval and other statutory consents will also be required dependent upon the decision of the Executive.

Alongside this, work has been carried out to develop a 20 year vision for the open space. Local residents and stakeholders were consulted and the long term plan has been agreed by the Trustees. The Trustees also agreed to release £394,000 for investing in the park to begin delivering the vision.

A range of park improvements were also delivered including:

- Herbaceous bedding scheme updated summer 2012,
- area of the Queen Elizabeth gardens cleared for planting improvement works.
- Herbaceous bed adjacent to the car park stripped and replanted with lavender sp.

During 2011/12 the Trust disposed of two former park-keeper lodges generating a receipt of £620,000. The sale contained a condition which prevented development of the site without consent. The current owner of the two properties has approached the Trust to seek a relaxation of this condition so as to demolish the current buildings and construct a small residential scheme. Officers on behalf of the Trust are considering this approach and will report accordingly. Any proposal will also require the consent of the Local Planning Authority

Section E

Financial review

Brief statement of the charity's policy on reserves

As at 31 March 2013 the charity held cash reserves of £628,310

In accordance with the decision of the trustees any future receipts will be used for improvements within Barham Park.

Details of any funds materially in deficit

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Further financial review details (Optional information)

You **may choose** to include additional information, where relevant about:

- the charity's principal sources of funds (including any fundraising);
- how expenditure has supported the key objectives of the charity;
- investment policy and objectives including any ethical investment policy adopted.

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Section F Other optional information

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Section G Declaration

The trustees declare that they have approved the trustees' report above.

Signed on behalf of the charity's trustees

Signature(s)		
Full name(s)	Jenny Isaac	
Position (eg Secretary, Chair, etc)	Chair of Barham Park Management Group	
Date		

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Charity Name Barham Park	No (if any) 302931
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Receipts and payments accounts

For the period from	Period start date 01/04/12	To	Period end date 31/03/13
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Section A Receipts and payments

	Unrestricted funds to the nearest £	Restricted funds to the nearest £	Endowment funds to the nearest £	Total funds to the nearest £	Last year to the nearest £
A1 Receipts					
Hall Hire, Fun Fair & Ice Cream Concessions				-	27,933
Property Rental Income				-	17,791
Ad-hoc lettings	14,435			14,435	-
Fun Fair	9,866			9,866	
Car Parking	2,517			2,517	
Catering Rights	1,500			1,500	
Rental Income - Virgin Media	13,524			13,524	-
Rental Income - Brent Council	16,769			16,769	
Brent Council Contribution	52,715			52,715	70,319
Interest earned	12,521			12,521	16,368
				-	-
				-	-
				-	-
				-	-
Sub total (Gross income for AR)	123,847	-	-	123,847	132,411
A2 Asset and investment sales, (see table).					
	-	-	-	-	
Sale of 776 and 778 Harrow Road					620,000
Sub total	-	-	-	-	620,000
Total receipts	123,847	-	-	123,847	752,411
A3 Payments					
Maintenance and Wardens	65,314			65,314	76,767
Premises - Utility	4,960			4,960	5,697
Premises - Insurance	2,965			2,965	
Premises - Security	3,033			3,033	-
Premises - Cleaning	8,037			8,037	
Premises - Repairs and Maintenance	5,750			5,750	
Premises - Other	1,758			1,758	
Supplies and Services	115			115	12,369
Waste Disposal	1,423			1,423	
Trees - felling and planting	3,000			3,000	
Machinery Repairs	5,071			5,071	
NNDR	9,900			9,900	7,620
Surveys	20,579			20,579	
Sub total	131,905	-	-	131,905	102,453
A4 Asset and investment purchases, (see table)					
	-	-	-	-	
	-	-	-	-	
Sub total	-	-	-	-	-
Total payments	131,905	-	-	131,905	102,453
Net of receipts/(payments)	- 8,058	-	-	- 8,058	649,958
A5 Transfers between funds	-	-	-	-	-
A6 Cash funds last year end	636,368	-	-	636,368	-
Cash funds this year end	628,310	-	-	628,310	649,958

Section B Statement of assets and liabilities at the end of the period

Categories	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B1 Cash funds	Cash	628,310	-	-
		-	-	-
		-	-	-
	Total cash funds	628,310	-	-
	(agree balances with receipts and payments account(s))	OK	OK	OK
B2 Other monetary assets	Details	to nearest £	to nearest £	to nearest £
		-	-	-
		-	-	-
		-	-	-
B3 Investment assets	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
			-	-
			-	-
			-	-
B4 Assets retained for the charity's own use	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
	Barham Park Building Complex			904,880
B5 Liabilities	Details	Fund to which liability relates	Amount due (optional)	When due (optional)
			-	
			-	
			-	
Signed by one or two trustees on behalf of all the trustees	Signature	Print Name	Date of approval	