



Barham Park Trust Committee

Wednesday 28 January 2015 at 2.30 pm
Barham Park Lounge, Harrow Road, Sudbury, HA0
2HB

Membership:

Members

Councillors:

Pavey (Chair)
Crane
Denselow
Hirani
McLennan

Site Visit

Members are reminded that a site visit of Barham Park will be conducted at 1.00pm on the day of the committee meeting.

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

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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 The Future of Barham Park Trust - Alternative Models of Governance 5 - 12

Following the report that was presented to members of the Barham Park Trust Committee on 15 October 2014 and after obtaining specialist legal advice, this report sets out for consideration alternative models in relation to the future governance and management of the Barham Park Trust.

Ward Affected:
Sudbury

Contact Officer: Sue Harper, Strategic Director
Environment and Neighbourhoods
Sue.harper@brent.gov.uk
Arnold Meagher, Principle Housing and
Litigation Lawyer.
Arnold.meagher@brent.gov.uk

5 Property Update and Proposals for the Future Uses and Tenure Arrangements of the Unlet Units at Barham Park. 13 - 22

The report outlines the successful planning appeal and subsequent letting of various Units to the Association for Cultural Advancement through Visual Art (ACAVA). The report also provides an update on the status of the various units at Barham Park and seeks approval of future use, marketing and tenure arrangements.

Ward Affected:
Sudbury

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

6 Provision of Outdoor Gym and site location

23 - 26

The report details a proposal for the provision of an outdoor gym at Barham Park for the Trust's consideration. The funding is available from S106 monies and by a grant from Wembley National Stadium Trust and would therefore be at no cost to Barham Park Trust.

Ward Affected:
Sudbury

Contact Officer: Gerry Kiefer, Head of Sports
and Parks Service
Tel: 020 8937 3710 gerry.kiefer@brent.gov.uk

7 Annual Report 2013/14

27 - 34

This report presents the annual report for the Trust for 2013/14. The annual report outlines the work undertaken on behalf of the Trust during the year, including the improvement works undertaken in accordance with the decision of the Trust Committee in February 2013.

Ward Affected:
Sudbury

Contact Officer: Mick Bowden, Operational
Director, Finance
Tel: 020 8937 1460 mick.bowden@brent.gov.uk

8 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.



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- 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 15 October 2014 at 7.00 pm

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

Also Present: Councillor Perrin

1. **Declarations of interests**

None declared.

2. **Election of Vice Chair**

RESOLVED:

That councillor McLennan be appointed Vice Chair for the municipal year 2014/15.

3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 3 December 2013 be approved as an accurate record of the meeting.

4. **Matters arising**

The Chair noted that the committee had at its last meeting decided to pursue an appeal against the decision of the Local Planning Authority to refuse permission for the change of use of the premises at Barham Park. The appeal had been upheld by the Planning Inspectorate.

5. **Annual Accounts 2013/14**

Mick Bowden (Operational Director, Finance) introduced the report to the committee presenting the annual accounts for the Trust for 2013/14. The accounts had been subject to independent examination by the Head of Audit and Investigations and the independent examiner's report was attached as Appendix 1 for the committee's consideration. No issues had been raised by the independent examiner. Mick Bowden advised that the Trust had incurred expenditure of £164,032 in 2013/14 on refurbishment of the building complex and the park. £10,926 interest had been earned, leaving a balance of £475,204. General expenditure on the running and maintenance of the park and buildings reduced by £15,091 from 2012/13 and income decreased by £13,564. As a consequence, the net contribution of Brent council had reduced by £1,527 to £51,188.

The committee questioned why the rental income from Virgin Media had reduced from £13,524 in 2012/13 to £6,500 in 2013/14. Further details were sought

regarding the ad-hoc lettings. An explanation was requested for the significant increase in NNDR payment from 2012/13 to 2013/14.

Mick Bowden explained that there had been a review of charges to Virgin Media in 2012/13 which had resulted in additional income for that year; however, the standard charge going forward would be £6,500. The NNDR payment included a proportion of the payment for 2012/13 which had been made within the 2013/14 financial year, thereby reducing the 2012/13 figure to £9,990 and increasing the 2013/14 figure to £18,331. The actual yearly NNDR payment was approximately £14,000. The committee was informed that ad-hoc lettings included any one-off lettings made.

RESOLVED:

that the annual accounts for 2013/14 be approved.

6. The Future of Barham Park Trust

Kathy Robinson (Senior Lawyer) presented a report to the committee regarding the governance arrangements for the Barham Park Trust. The report set out the existing arrangements, which had been implemented in November 2012, and noted that it was in line with guidance provided by the Charity Commission to periodically review these arrangements. Members were asked to consider whether such a review should be undertaken to identify the governance model best suited to serve the Trust's charitable purposes. At present the Council as a corporate body was the sole trustee for Barham Park Trust. This trustee function was the responsibility of the Cabinet and was carried out by the Barham Park Trust committee as a sub-committee of the Cabinet. A legal alternative to the current governance arrangement was to transfer the assets to a new or existing charitable body with some or no connection to the Council. Any such changes would require the approval of the Charity Commission as the regulatory body. Further details on alternative options including the financial and practical viability of those options would require expert input by lawyers and tax advisers outside of the Council and would incur an estimated cost of £4000 to £6000.

The committee welcomed the proposed approach and acknowledged that it was good practice for charitable organisations to periodically review their governance arrangements. Members emphasised that the review should be open to all possible options and commented that it represented an opportunity to explore and learn from best practice. Highlighting the importance of community input, the committee sought details of the terms of reference that would be set for the independent advice to be obtained. It was further queried whether officers were familiar with alternative governance models adopted by local authorities in similar circumstances. With reference to the estimated costs of the review, the Chair questioned whether this represented value for money and queried from where the funds would be drawn. Members sought details of the anticipated timeline for completion of the review and queried whether there were items that the Trust would have to consider prior to this.

Kathy Robinson explained that the brief for the independent legal and tax advice had not yet been drafted but advised that it would be sufficiently broad to capture all appropriate alternatives. In response to a question she suggested to the committee

that any public consultation in relation to the future governance should take place after the receipt of expert advice; to do so before would be premature since the advice would inform any future debate. Details of alternative governance models used by other local authorities were not known at this stage. Mick Bowden advised that the costs of obtaining this advice would form part of the general expenditure of the Trust. Kathy Robinson added that the availability of experts had not been explored but it was anticipated that the subsequent report could be submitted to the committee in the New Year. Tom Jeffrey (Operational Director, Neighbourhood Services) confirmed that there would be issues requiring the committee's consideration prior to this time.

The Chair invited contributions from the audience. A comment was made that should a proposal include that members of the community be represented on the trust, it would be important that they lived in the community and were aware of the history and origins of the Trust. It was recommended that the Trust make use of the detailed advice and guidance provided by the Charity Commission and that a wide brief should not be provided to the lawyers from whom the independent advice would be sought. A concern was raised that money would be spent unnecessarily on seeking independent tax advice. A view was expressed that the rationale for exploring alternative governance arrangements was unclear as the significant decisions had already been taken with respect to disposals of the buildings. A further concern was voiced regarding the future financial implications for the council of pursuing alternative governance arrangements.

The Chair confirmed that the council would liaise with the Charity Commission throughout the process and advised that the points raised would be taken into consideration. The committee agreed if there were any changes to the trust in the future, it was committed to ensuring that anyone joining the Trust would be fully aware of the its history and role in the community. A member noted that the Trust was responsible for the buildings and the park land, and it was important that the governance arrangements supported the Trust in managing the land and buildings to best meet the charitable purposes defined. Members agreed that the brief for the procurement of independent advice should be drawn up in consultation with the Chair and that regular updates be provided to members of the committee.

RESOLVED:


that officers explore further options for the management of the Trust and obtain independent expert Trust advice on the alternative models.

7. Any other urgent business

None.

The meeting closed at 19:52

M PAVEY
Chair

 Brent	<p style="text-align: center;">Barham Park Trust Committee 28 January 2015</p> <p style="text-align: center;">Report from the Strategic Director, Environment and Neighbourhoods and the Director of Legal and Procurement</p>
For Action	Wards Affected: Sudbury
The Future of Barham Park Trust – Alternative Models of Governance	

1.0 Summary

- 1.1 Following the report that was presented to members of the Barham Park Trust Committee on 15 October 2014 and after obtaining specialist legal advice, this report sets out for consideration alternative models in relation to the future governance and management of the Barham Park Trust.
- 1.2 There are five options and officers recommend that Members decide to continue with the current management and governance arrangements regarding the Barham Park Trust. Officers are recommending that Members agree to the first option of continuing with the current governance arrangements. However, this is a recommendation from officers and it is up to Members to decide which option to choose and how they wish to proceed. If Members wish to choose one of the other four options, this will need to be referred to the full Cabinet for a final decision.

2.0 Recommendations

- 2.1 That Members choose option 1 as set out in paragraphs 3.8 and 3.9 of this report to continue the current governance and management arrangements for the Barham Park Trust.

3.0 Detail

Background

- 3.1 The land (which includes various buildings) known as Barham Park was given by George Titus Barham on trust to the Council in 1938. The terms of the trust are ‘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’. It was registered with the Charity Commission in June 1963 and is regulated by that body.

- 3.2 The land is held by the Council on trust and accordingly can only be used in furtherance of its stated charitable purpose. In making decisions about the trust property and finances, the Council must act in the best interests of the trust and must be mindful of any conflict of interest.
- 3.3 Until 2012, the Executive made decisions about the Trust in its ordinary executive meetings. It was made apparent from the content of those reports that the decisions were in relation to the Trust. In 2012, it was decided to create a more apparent and defined separation of roles and the Executive established a sub committee, the Barham Park Trust Committee, to deal with decisions regarding the Trust land, property and finances. Over the past two years decisions have been made in accordance with the governance arrangements set out in that report and separate accounting systems have been established.
- 3.4 While the current arrangements provide a significant improvement on the previous position, the Council as trustee has a responsibility to periodically consider whether the current arrangements best serve the charitable purposes and whether alternative arrangements should be explored.
- 3.5 At the meeting of the Barham Park Trust Committee on 15th October 2014, a decision was taken to obtain independent expert trust law advice in this regard.
- 3.6 Brent Legal Services obtained advice from Bircham Dyson Bell, which specialises in the law of trusts and charities, regarding the options and alternative models regarding the management of the Barham Park Trust and the advantages and disadvantages of those respective options. In addition to the advice on the law of trusts and charities, further specialist advice on local government law was obtained from Nigel Giffin QC.
- 3.7 The five options which Bircham Dyson Bell have proposed regarding the future governance of the Barham Park Trust and they are set out below. For all five options, the Council would still have powers to make byelaws in respect of Barham Park.

Option 1 – Maintain the status quo

- 3.8 There are a number of advantages with this option. The functions regarding the management of the Barham Park Trust have been properly and lawfully delegated to the Barham Park Trust Committee. This option is perhaps the least likely to affect the longer-term financial stability of the Trust, since any annual subsidy from the Council would continue to be justifiable on the basis that the Council is the legal owner of the land. There would be less need to rely on outside sources of funding and the arrangements would be much easier to review than would be the case were the land to be transferred to another legal entity. This option would also allow flexibility as the Council currently has very broad powers regarding the running of Barham Park, which would not necessarily be possible under an alternative structure. This option provides the greatest scope for the involvement of the local community as meetings of the Barham Park Trust Committee are held in public and members of the community have been accustomed to being consulted on decisions that might have an impact on Barham Park or the way it might be used.
- 3.9 One disadvantage with this option is that the Council continuing to meet the various costs of running the Barham Park Trust, including the grounds maintenance costs, the day to day management costs for the Park and the buildings and the cost of

providing the advice of the Council's in-house legal team and other experts in advising the Barham Park Trust Committee. However, it does mean that the Council has control over the subsidy it gives to the Barham Park Trust. One concern is the potential for conflicts of interest between acting in the best interests of the Council and that Barham Park Trust, which do not arise often. However, such concerns can only be eliminated totally if the Council gives up all direct or indirect involvement with the administration of Barham Park.

Option 2 – Appoint additional trustees alongside the Council

- 3.10 This option involves appointing additional trustees to act alongside the Council in the governance and management of Barham Park. This option reduces the potential for conflicts of interest that might arise between the Council and the Barham Park Trust and helps to avoid any perception of bias. Another advantage of having independent trustees is that this would allow individuals to be selected on the basis of their particular skills or expertise and bring new perspectives in the management of the Barham Park Trust.
- 3.11 There are some significant disadvantages with this option. This option will inevitably mean the Council relinquishing some control over the Barham Park Trust and its assets. It is possible that this could cast doubt over the financial stability of the Trust if it becomes more difficult in future for the Council to justify its continued financial support. Furthermore, as the Trust is not currently self-sufficient, unless alternative sources of funding were identified in advance, it may be difficult to justify this option as being in the best interests of the Trust and its beneficiaries.
- 3.12 Under the current legislation, only members of the Cabinet may be appointed to an Executive committee –in this case, the Barham Park Trust Committee - so additional trustees could not be appointed to that Cabinet sub-committee. Therefore, this option seems to entail two layers of decision-making - one internal to the Council about how it should act as trustee and one at trustee level, involving the Council's representative(s) alongside the other trustees. The difficulty of having additional trustees to act alongside, and in addition to the Council, is that this would provide an unwieldy and unsatisfactory structure which would be likely to cause confusion in the future.

Option 3 – Appoint a corporate trustee

- 3.13 This would involve the establishment of a new corporate entity (most likely a company limited by guarantee) with the specific object of supporting the Barham Park Trust. This entity would be appointed as sole trustee (hereafter referred to as “the Corporate Trustee”) of the Trust in place of the Council, which would instead become the sole company member (rather like a sole shareholder) of the Corporate Trustee. In effect, the Corporate Trustee would be a wholly owned subsidiary of the Council which, in structural terms, would sit as an additional layer between the Council and the Barham Park Trust. This model is similar to the current arrangements involving Brent Housing Partnership, albeit that is a much larger organisation.
- 3.14 The Corporate Trustee's board of directors could include one or more Council representatives. If the majority of the directors were independent, this would significantly avoid conflicts of interest. The directors would act as agents or appointees of the Corporate Trustee and, as such, would have a shared responsibility for ensuring that the Corporate Trustee fulfilled its duties when

managing the Trust. The directors would therefore need to be aware of, and adhere to, the duties of a charity trustee when making decisions about the management of the Trust (as well as about the Corporate Trustee) but they would not themselves be charity trustees or become personally liable as such.

- 3.15 As sole member of the Corporate Trustee, the Council would retain overall control of the make-up of its board (as the Companies Act reserves certain fundamental rights to members, including a statutory right to remove directors from office). It would also be possible to reserve additional rights to the Council – such as the sole right to appoint directors, and the right to be consulted under certain circumstances – in its Articles of Association but this would not make the Council a charity trustee under the definition set out in the Charities Act 2011.
- 3.16 There are a number of advantages with this corporate trustee option. This option would enable a clear separation between the Council and the Trust, without loss of overall Council control. Liability for decisions affecting the Trust would rest with the Corporate Trustee, not its individual directors. Although it would retain control over the make-up of the board of directors (and hence the decision-makers), the Council itself would not be involved in the decision-making process, thereby avoiding conflicts of interest at Council level. As the Council would remain at the top of the group structure and therefore, in essence, the “owner”, there would be no reason for it to discontinue or vary its financial or other support of the Trust, as might be the case were Barham Park to be transferred to another body. In relation to providing financial support to the corporate trustee, the Council has the power to provide such support under its grant-making powers under section 164 of the Public Health Act 1875 (which confers a power to “support or contribute to the support of public walks or pleasure grounds provided by any person whomsoever”) and section 1 of the Localism Act 2011 (known as the “general power of competence”).
- 3.17 There are some disadvantages with this option. One drawback is that this would create additional administration, especially the introduction of a new corporate entity into the structure. As a company, the Corporate Trustee would be required to file annual returns and accounts with Companies House, which would be the responsibility of its board of directors. In practice, however, these requirements are not onerous. The other concern is whether there may be sections of the local community which may not want control in the running of Barham Park and the Trust to be removed from the Council. Although it is possible for the Council to take back control of the Barham Park Trust and the running of Barham Park if the corporate trustee was in serious difficulties, this process of taking back control of the management of Barham Park would be expensive, administratively burdensome and could take a considerable period of time to complete and resolve. Another disadvantage is that this creates a complicated structure for what is a small trust.

Option 4 – Establish a new corporate charity to take on ownership and control of Barham Park

- 3.18 This option would be similar in many respects to that described in option 3 as set out above except that it would involve winding up the Trust and transferring all of its assets to a new corporate entity (either a company limited by guarantee or a charitable incorporated organisation). The new entity would, in effect, replace the existing charitable trust altogether.
- 3.19 As this option would involve the creation of a new charity (albeit with purposes identical to those of the Barham Park Trust), it would provide the opportunity to modernise the Trust documentation governing how the Park is to be run, while still

leaving room for the making of new or replacement regulations and bye-laws by the Council in the future. This option would also give rise to a number of the advantages associated with a corporate trustee – i.e. it would enable the appointment of independent directors, for example, and the Council could still retain overall control by becoming the sole corporate member.

- 3.20 The main disadvantage of this option would be the disappearance of the existing charitable trust, which might give rise to concerns among members of the local community that their voice would be lost and that their use of the Park would be adversely impacted in some way – even if this was not the intention in practice. These concerns might be greater if the decision was made to have an entirely independent board, without the presence of Council representatives, as the means by which the Council would nonetheless be able to exert control might not be appreciated. Equally, the local community might feel that a completely new charity was too far removed from the status quo, or not in keeping with Mr Barham’s original wishes with regard to who should manage the Park. Also, as similar with option 3, this option would mean additional administration and cost in setting up a new corporate charity and this would also create a complicated structure from what is a small trust.
- 3.21 Equally, from the Council’s perspective, this arrangement might have the appearance of being rather more at arm’s length than at present, which may make the Council’s continued financial support of the charity more difficult to justify in the longer term – particularly if, in practice, the charity was seen to be operating efficiently with little or no Council oversight or intervention. Were the charity to become too independent of the Council, it might risk losing its subsidy which, in the absence of alternative income streams, would not be in the Trust’s best interests. One concern is that the Council’s powers to take back full control of Barham Park if the new corporate charity ran into difficulties would be more limited than options 1 and 2 above and even more difficult and cumbersome than option 3 above.

Option 5 – Outright transfer to another charity

- 3.22 It would be open to the Council to transfer the Trust in its entirety to another body (either pre-existing or newly created) with similar objects, completely severing its ties with Barham Park in the process. There is much to be said for this option from a pure charity law perspective, as the recipient charity would operate at a complete remove from local authority control, thereby removing the potential for conflicts of interest of the types described above. It is possible that an independent charity would be more successful in terms of fundraising than has perhaps been the case with the current Barham Park Trust. Corporate donors and high-net-worth individuals are often reluctant to donate to charities associated with public bodies, as there is a commonly held perception that the assets and activities of such charities are subject to state or local authority control. Were the charity transferred away from the Council altogether, this would no longer be a cause for concern.
- 3.23 As with option 4 above, however, there may be the potential for considerable resistance from the local community if this route was taken – not least because a completely independent charity might decide not to adopt the Council’s practice of holding meetings in public and otherwise giving the local community the opportunity to be heard. One concern is that the Council would have no power to take back control of Barham Park if future serious difficulties arose after the Council transferred the Trust and its assets to another charity.

Timescales and Way Forward

- 3.24 With regard to options 3 to 5, it is difficult to give precise timescales for completion. A broad estimate is 6 to 12 months taking into account the Council's decision making processes and the work needed to set up a company, to set up a corporate trustee and/or to set up a charity. Furthermore, changing the governance arrangements of the Barham Park would require the agreement of the Charity Commission.
- 3.25 If Members are minded to choose option 1, this is a decision that can be made by the Barham Park Trust Committee to continue with the current governance arrangements. If Members are minded to pursue another option (ie any of options 2 to 5) regarding changing the future management and governance of the Barham Park Trust, this would need to be approved by the full Cabinet committee and Members of the Trust Committee would then be invited to recommend that their preferred option (which does not include keeping the status quo) is submitted to the Cabinet for consideration. It would be wise and advisable for the In this scenario, officers would recommend that the Cabinet should go out to consultation on a preferred option before making a final decision regarding changes to the Barham Park Trust's governance arrangements.

4.0 Financial Implications

- 4.1 Options which involve setting up a separate legal entity will require the advice and assistance of external solicitors and are therefore more costly in the short term than maintaining the status quo. Although the cost should be met from Trust funds, there is a shortfall between income and expenditure which is met by the Council.
- 4.2 The cost of the advice obtained from Bircham Dyson Bell will be met from the Barham Park Trust and the advice from external Counsel on the local government aspects will be met by the Council.
- 4.3 The treatment of VAT incurred in running and maintaining the park will need to be carefully considered in any change in the management of the Trust.

5.0 Legal Implications

- 5.1 These are set out in the body of the report.

6.0 Diversity Implications

- 6.1 There are no diversity implications.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None are envisaged though at least three of the five options set out in section 3 of this report will involve considerable officer time which will be met from current staffing resources.

Background Papers


Report to Barham Park Trust Committee of 15 October 2014
Charity Commission Guidance
Brent Council Constitution

Contact Officers

Sue Harper
Strategic Director, Environment and Neighbourhoods

Arnold Meagher
Principal Lawyer (Housing & Litigation)
Legal and Procurement

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 <p>Brent</p>	<p>Barham Park Trust Committee 28 January 2015</p> <p>Report from the Barham Park Trust Property Adviser</p>
<p>Wards affected: Sudbury</p>	
<p>Property Update and Proposals for the Future Uses and Tenure Arrangements of the Unlet Units at Barham Park.</p>	

1.0 Summary

- 1.1 To confirm to the Trust the successful planning appeal and subsequent letting of various Units to the Association for Cultural Advancement through Visual Art (ACAVA).
- 1.2 To update the Trust with regard to the status of the various units at Barham Park and to seek approval in regard to their future use, marketing and tenure arrangements.
- 1.3 To clarify the position with regard to the covenants and controls relating to 776 & 778 Harrow Road, where a planning application has recently been rejected for the development of this site.

2.0 Recommendations

- 2.1 That the Trust approve the marketing of the Card Room (Unit 1) for a possible Café A3 and/or D1 use and to authorise the Property Adviser to the Trust in conjunction with the Trust Chair to select and let the unit to a suitable tenant on terms to be agreed.
- 2.2 That the Lounge (Unit 4) be marketed for a D1 and/or an A3 Use depending on the outcome of the marketing of the Card Room, or marketed in conjunction with the Card Room as a D1 use and to authorise the Property Adviser to the Trust in conjunction with the Trust Chair to select and let the unit to a suitable tenant on terms to be agreed.
- 2.3 That the Trust directly lease the Snooker and Billiard Rooms, (Unit 2), to the current occupiers, The Barham Park Veterans' Club (Wembley), under appropriate leasing arrangements to ensure compliance with the aims of the Charitable Trust. The terms

of the lease to be as set out below in Para 3.6 or as amended by the Property Adviser to the Trust in conjunction with the Trust Chair/

- 2.4 To obtain an independent valuation of the terms proposed between the Council and the Trust so that another application can be made to the Charity Commission for consent to lease the Children's Centre (Unit 8) to the Council as Nursery Education Grant funded childcare open 5 days per week with children centre sessions being delivered in evenings and at weekends and to agree the Council can sub-let the space to a third party for similar use only.
- 2.5 That the Trust confirms it concurs with the views expressed by the Council's Parks Department as set out in Para 3.10 below and authorises Officers of the Trust to formally comment in similar terms on any future planning application for the houses at 776 & 778 Harrow Road.

3.0 Detail

- 3.1 Following a formal re-numbering of the various spaces within the Barham Complex of Buildings they are now known as Units 1-10, 660 Harrow Road Wembley HA0 2HB. The plan in Appendix I shows each unit and the current occupational status.

ACAVA (Units 3,5,6,9 and 10)

- 3.2 On the 9th September 2014 the Planning Inspectorate upheld the Trust's planning appeal for change of use for Units 6, 10 and 3 from D1 and Sui Generis respectively, to a B1 Use. It also formalised a D1 Use (previously Sui Generis) for Unit 4, The Lounge. Subsequently, on 16th September 2014, the Trust was able to complete a 15 year lease to ACAVA for the above units.

ACAVA will now hire these units out to artists as studio space as well as engage in community activity as part of their own charitable objectives. As such, Sudbury Ward Councillors have already met with representatives of ACAVA to start a local arts project, which is anticipated to start in March 2015. ACAVA are also exploring opportunities to work on projects with Borough community organisations such as the Sudbury Neighbourhood Forum.

The Remaining Units (Nos. 1,2,4,7 and 8)

- 3.3 (i) On the 13th November 2014 the Charity Commission withheld approval for the Trust to lease Units 1, 2 and 8, (the Card Room, Snooker and Billiard Rooms and the Children Centre), to the Council, due to issues regarding the Council being a "Connected Party" and therefore giving rise to a perceived concern that the valuations, undertaken by the Council's internal valuer, were not sufficiently arms-length.

(ii) In light of this opinion from the Charity Commission, it is now proposed that the Trust directly determine and review the use and occupation and possible tenure arrangements, with regard to the following Units:-

3.4 Unit 1-The Card Room

(i) In 2012 a Barham Park Users Consultation was undertaken which identified that there was a demand for a café within the Barham Park. Following that Report the Trust decided that officers should pursue options for a café within the site as part of the previous marketing campaign. It was considered that Unit 1 might be suitable for such a use, but it did not attract a bid in isolation of the bids for the other Units.

(ii) After the previous marketing campaign it was considered more practical for the Council to market and let the Unit. Therefore the proposal was accepted for the

Council to take a lease of the space and to then regularise its current ad hoc usage by the Barham Park Veterans' Club and the Council, and then market the Unit for a café use. However, following the recent letter from the Charity Commission, if the Trust agrees, the premises will be re-marketed and let directly by the Trust to a selected tenant. Note if a café operator is secured this will then require a planning application for change of use, even with the retention of the current D1 use.

The recommendation is for the Property Adviser in conjunction with the Chair Trust to select the tenant. It is suggested that the selection criteria be published in advance so that interested parties will be aware of the weighting to be attached to any rental offer and also to the quality criteria. This will allow the Trust to emphasise the aims of the Charitable Trust and to encourage applications from community-focused organisations

The Trust has already received an offer from the Friends of Barham Library, (FOBL), for the Card Room and the Trust maybe minded to pursue this offer as the FOBL has charitable status with similar aims, in certain respects, to the Trust's. Alternatively the Trust could suggest to the FOBL that they may wish to consider participating in the tender process, should the Trust decide to approve the recommendation to instruct officers to conduct another marketing campaign for this Unit. As mentioned above the Vets currently make occasional informal use of this space and they will be similarly advised of the intention to market the space should the Trust so approve.

(iii) It should be noted that The Card Room, is of a simple timber frame construction. It is in poor condition and will require considerable expenditure to secure any long term use. Any ingoing tenant will need to not only install catering facilities, but will also need to expend a comparatively large sum of money on the Unit to carry out basic and essential improvements. Thus if a suitable tenant is not procured through this marketing process, it may then be necessary to consider demolition of the building as the cost of repair would not be economic for the Trust to undertake as a speculative project.

3.5 **Unit 2-The Snooker and Billiard Rooms**

(i) Unit 2 is occupied by the Barham Park Veterans' Club (the Vets) under no formal tenure. In order to regularise this historic position, previously the Trust had agreed to let this Unit to the Council, (subject to Charity Commission consent), who would then sublet this Unit to the Vets. As mentioned above the Charity Commission did not grant consent to this proposal. Therefore the recommendation is that the Trust deal direct with the Vets.

3.6 As the Vets have been in occupation for a considerable period it is considered a priority to regularise that occupation rather than seek possession and market the unit. Similarly it is suggested that the rent should be staggered so as to allow the Vets a period of time to adjust to the more formal relationship. Therefore it is recommended that the Trust adhere to the terms which were agreed between the Vets and the Council which are not immediately market value but are considered to be a reasonable compromise. Thus the following, are the main terms for the sub-lease that was to be granted by the Council to the Vets and are now recommended to the Trust:

The lease to be for a 4 year term outside the security of tenure provisions of the 1954 Landlord and Tenant Act, with a stepped rent and service charge of:-

Year 1–Rent Nil; Service Charge and Insurance Nil.

Year 2- Rent £1,000 per annum (pa); Service Charge and Insurance £500pa.

Year 3- Rent £2,000 pa; Service Charge and Insurance £1,000 pa.

Year 4- Rent £3,000 pa; Service Charge and Insurance £1,500 pa.

These terms were agreed with the Vets, however on the 19th May 2014 the Vets' legal representative wrote to the Council rejecting these terms. The objections are believed to be resolvable and therefore Officers will need to re-engage with the Vets in order to persuade them to accept the above terms.

3.7 **Unit 4 -The Lounge**

(i) Since the refurbishment the Barham Park Lounge, (which has now created two areas for separate, simultaneous, hire), it has been made available for hire by the Community at rates of hire agreed by the Trustees. However the take up of this facility by the local community has been very low. An analysis of take up since refurbishment shows approximately eight lets per month mainly to two religious groups for, on average, five hours per week.

Income to date is £6,045. Additional income anticipated from December 2014 to March is £2,875. Total likely income from lets from April 2014 to March 2015 is £8,920.

The availability of this space for community hire is made known via marketing of the facility on the Council's web page and on notice boards within the park. However as interest is low and therefore generally the rooms are underutilised, the Trust may wish to consider if the Unit could be put to a better use by attracting a more permanent use/tenant. In fact the Planning Inspector who presided over the planning appeal, referred in Paragraph 10 of his decision, to the fact that even before the refurbishment, the facility had an underutilisation of 89%. He stated that "a significant underutilisation which calls the need for such a facility in this location into question". Therefore in order to ascertain whether this Unit would generate a better financial return than is currently being received, it is recommended that the Trust markets the Unit to seek to identify a tenant that will bring in an improved revenue income and for a use that fulfils the Trust's charitable objectives. Any proposed tenant will need to use the space within the current Use Class D1, or apply for a change of use in order to comply with the conditions of the original conveyance of Barham Park and its buildings. A café/restaurant in this Unit may be considered more of a viable proposition than in Unit 1.

The recommendation is for the Property Adviser in conjunction with the Chair Trust to select the tenant. It is suggested that the selection criteria be published in advance so that interested parties will be aware of the weighting to be attached to any rental offer and also to the quality criteria. This will allow the Trust to emphasise the aims of the Charitable Trust and to encourage applications from community-focused organisations

(ii) It should be noted that the Trust has recently received two approaches, one from the PIVOT Point Community Development Foundation to lease Unit 4 and another from The FOBL, who have made an offer to lease the former Parks Reception room (separately from the main Lounge area) in conjunction with their offer to lease the Card Room. The Trust may wish to accept one of these approaches as these Organisations both have charitable status with similar aims in certain respects, to the Trust's. Alternatively they could ask these two organisations to participate in a tender process, should the Trust decide to conduct another marketing campaign for Unit 4.

Unit 7 – Parks Depot

This Unit is held on licence by the Council and utilised by Veolia as a store and work area within the Park.

3.8

Unit 8 -The Children's Centre

(i) The Executive on the 14th October 2013 approved the letting of Unit 8 for use as a Children's Centre to the Council from the Barham Park Trust. It was agreed that it would be leased for a term of 5 years at a rent of £11,000 per annum. However The Charity Commission, as previously mentioned, has not granted consent for this letting, citing the need to obtain an independent valuation of the proposed terms. Therefore it is recommended that this independent valuation be obtained from the District Valuer and that, once received subject to Charity Commission consent the Trust completes a lease to the Council on appropriate terms.

(ii) In addition, the Trust should note that in the 21 July 2014 Cabinet Report from the Strategic Director of Children and Young People, (Extension of Childcare at Treetops, Barham Park and St Raphael's Children's Centres), it was recommended that the Cabinet approve the re-designation of the children's centre satellite delivery at Barham Park Children's Centre (currently 1.5 days per week) as Nursery Education Grant-funded childcare provision for two, three and four year olds open five days per week, managed by a private, voluntary or independent early years provider, with children's centre sessions being delivered in the evenings and at weekends and seeks permission for the proposed changes from the Barham Park Trust. Any lease to the Council will therefore require it to have the ability to sub-let to a third party.

3.9

776 & 778 Harrow Road Wembley

(i) Within the Barham Park Estate there are two semi-detached houses which were sold via auction on the 12th August 2011. When sold a restriction was put on the Title which covenanted:

To use each house as a single dwelling house and the associated garages, as garages.

Not to divide each property into two or more dwellings or residential units.

Not erect any building or structure, except a green house or a shed.

Not to carry out any development within the meaning of Section 55 of the Town and Country Act 1990 in or upon the property.

(ii) However, on 28th May 2014 the current owner submitted a planning application to demolish the existing 2 semi-detached dwelling houses and for the erection of 4 new dwelling houses, being 2 two storeys high, (2 x 3 bed), and 2 three storeys high, (2 x 5 bed), with converted loft space, provision for car parking, bin stores and hard and soft landscaping to the front and associated amenity space and fencing.

The planning application was rejected on the 15th November 2014 with the reasons for the objection stated in Appendix II of this report. The Council's Sports and Parks Service had a number of concerns about this planning application and it is thought that the Trust would have had the same concerns as the Councils' in this regard.

3.10

(i) The failure of this planning application does not preclude the owner from submitting another planning application for these two sites. If consent was granted on a future application, the owner would still need to approach the Trust to request and negotiate a lifting of the restrictive covenants listed above. Such an application would have to alleviate any previous concerns that were raised with the last planning application.

(ii) These concerns include the fact that any new development should not have a negative impact on the amenity space of the park; that there is enough parking space within the boundary of the site to ensure that occupiers of the residential units and their visitors, do not park on the general entrance to the park, or on the grass.

(iii) There will also be concerns that any increase in vehicular access to the site does not endanger pedestrians or park users. The design of the residential units will need to compliment their location within Park. This part of the Park also has poor drainage and any soakaways should not compound this problem.

(iv) Other concerns include the fact that any proposed new development should have enough private amenity space relative to the size of the properties. so that any activities that residents would undertake within their amenity space have enough space. This will preclude the residents pursuing such activities in the park, which would be prohibited.

It is understood the owner may be discussing his proposal to redevelop this site with the local Sudbury RA however he has made no approach to the Trust since the failure to obtain planning consent.

4.0 FINANCIAL IMPLICATIONS

4.1 A potential increase in rental income for the Trust if Units 1 and 4 are successfully marketed and leased to tenants, for a use that is compatible with the Trust's charitable objectives.

5.0 LEGAL IMPLICATIONS

5.1 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)

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 authorized 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

5.2.2 any disposal or letting of Trust land for 7 years or less to a third party (who is not a charity with similar purposes) can be authorized by the Trustees after considering the advice of a suitably qualified person

5.2.3 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

5.2.4 any disposal of Trust land or letting to the Council or any other connected person is subject to:

(1) requirements as in 5.2.1, 5.2.2 and 5.2.3 depending on the terms of the disposal

(2) and the written consent of the Charity Commission

but the Charity Commission may at its discretion specify that the charity obtain a written report prepared by a qualified surveyor independent from the charity as to the marketing and the valuation of the land

6.0 DIVERSITY IMPLICATIONS

6.1 Please see the attached Equalities Analysis.

7.0 STAFFING/ACCOMMODATION IMPLICATIONS

7.1 None.

8.0 BACKGROUND PAPERS

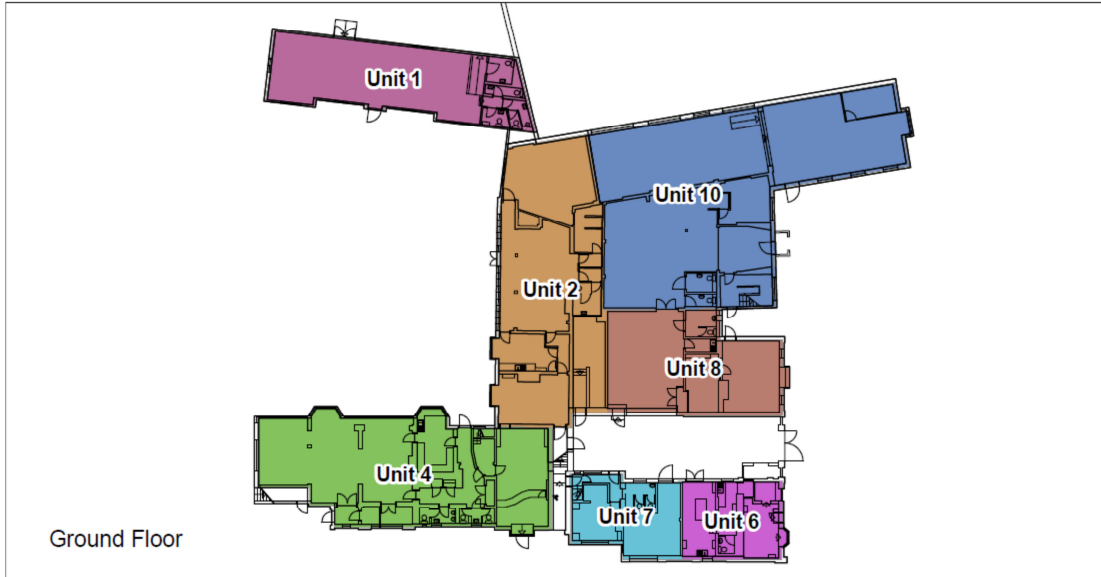
1. Charity Commission Guidance.
2. Brent Council Constitution.
3. 13th February 2013 Barham Park Trust Committee Report -Proposals for Improving Barham Park Building Complex and Park.
4. 14th October 2013 Executive Report- Leasing of Buildings, Barham Park, 656-660 Harrow Road, Sudbury HA0 2HB.
5. Appeal Decision by Michael Boniface MSc MRTPI
Decision date: 9 September 2014
The Barham Park Complex of Buildings











Contact Officers

Richard Barrett
Operational Director, Property and Projects
Regeneration and Growth
richard.barrett@brent.gov.uk 020 8937 1330.

Appendix I

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 |

NORTH



Meeting
Date

Version no.
Date

Appendix II

SCHEDULE "B"
Application No: 14/2078

PROACTIVE WORKING STATEMENT

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The scheme does not comply with guidance and no pre application discussions were entered into. The local planning authority delivered the decision in a timely manner

REASONS

- 1 The proposed development, by reason of the design, scale and proximity with the boundaries of the site with Barham Park together with the proportion of hard landscaping with the frontage of the site, constitutes a development which has a poor and over-bearing relationship with the park and is therefore detrimental to the setting of the adjoining public open space. The development is therefore contrary to policies BE2, BE7, and BE9 of Brent's Unitary Development Plan, policy CP17 and CP18 of Brent's Core Strategy, 2010, and guidance contained within Brent's Supplementary Planning Guidance 17 on Design Guide for New Development.
- 2 The submission fails to demonstrate that the proposed development, including demolition of the existing building and the construction of the new building, will not have an impact on the root protection zone of mature trees located within the adjoining Barham Park and is likely to have impact on the trees that are close to the eastern and southern boundaries of the application site. As such, the proposal is likely to have a detrimental impact on the quality and quantity of trees within Barham Park and is contrary to Policy CP18 of Brent's Core Strategy 2010, and Supplementary Planning Guidance 17 "Design Guide for New Development".
- 3 The proposal would result in the provision of substandard forms of accommodation by reason of the poor light and outlook for habitable room windows within units 1 and 2 and the absence of useable private amenity space provision for proposed Unit 1, and the inadequate provision and poor quality of outdoor amenity space for proposed units 2, 3 and 4 which would be detrimental to the enjoyment and amenities of future occupiers. The proposal is therefore contrary to policies BE6, BE7 and H12, of Brent's Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance 17: "Design Guide for New Development".
- 4 The submission fails to demonstrate that internal levels of noise and vibration for the proposed units will be acceptable (having regard to the standards described in BS8233:2014 and BS6472:2008) and as such, does not demonstrate that the proposal will result in a good standard of residential accommodation for future residents. The proposal is contrary with Policy EP2 of Brent's Unitary Development Plan 2004.

INFORMATIVES

- 1 The applicant is advised to submit plans showing the layout and area of all existing floors with any re-submission in order allow the accurate calculation of CIL liability.
- 2 The applicant is advised to seek pre-application advice from the Council prior to the submission of a revised planning application.

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Barham Park Trust Committee
28 January 2015

**Report from the Director of Environment
and Neighbourhoods**

For Action

Wards affected:
Sudbury

Provision of Outdoor Gym and site location

1.0 Summary

- 1.1 To consider whether the Trust wants an outdoor gym to be provided at Barham Park and if so to agree the location for the outdoor gym. The funding is available from S106 monies and by a grant from Wembley National Stadium Trust and is therefore at no cost to the Trust.

2.0 Recommendations

- 2.1 That Members agree that an outdoor gym be installed at Barham Park.
- 2.2 Select a preferred location for the outdoor gym from the options proposed in paragraphs 3.12 and shown on the attached plan.

3.0 Detail

- 3.1 In the summer of 2014, the Council bid on behalf of the Trust for external funding to create an outdoor gym in Barham Park. The application was successful and Wembley National Stadium Trust (WNST) Fund will provide £20,000 (approx. 50%) of the total costs for the supply and installation of the gym with the remaining money allocated from S106 funding. Funding the outdoor gym is therefore available at no cost to the Trust, however there will be ongoing inspection and maintenance costs associated with the provision of the gym.
- 3.2 Officers have put together a number of potential locations for the outdoor gym in Barham Park.
- 3.3 The outdoor gym would consist of a macadam base with a number of outdoor gym equipment stations spread across the macadam surface. Although the size will not be confirmed until bids are received, the approximate size of the outdoor gym would be 100m² with approximately eight pieces of equipment that would provide 12 stations or exercises.
- 3.4 Below is a list of the proposed locations within the Park along with each locations advantages and disadvantages. A site plan is attached as Appendix A with the letters associated with the table below shown on the plan.

- 3.5 A planning application would be submitted for the provision of the gym on the agreed preferred location.

Location Reference	Advantages	Disadvantages
A	Away from houses Provide opportunities for parents to exercise whilst child is in playground	Funfair would be located very close to the gym and may not be usable when the funfair is on site. Close to children's play area and may get heavily used by children who are not the target users of this equipment. Potential to create 'hang-out' area in park. May get complaints that it is located too close to the playground
B	Close to existing footpaths Central location so easily accessible from the east and west park entrances. Away from houses Visible from Harrow Road	Potential to create 'hang-out' area in park.
C	Close to existing footpath Close to entrance near Easily accessible from east entrance of park Visible from Harrow Road	Potential to create 'hang-out' area in park. Less accessible than option B Closer to Old Peoples Home off Copeland Avenue
D	Away from houses Centrally located	Potential to create 'hang-out' area in park Very close to historic core of park Somewhat 'tucked away'. Poor visibility from the road Close to the parks Building.

- 3.6 Officers preferred locations is location reference B

4.0 Financial Implications

- 4.1 The installation costs will be funded by external funding and s106 contributions. The ongoing inspection and maintenance costs will form part of the overall running costs of the park met by the Council's Sports and Parks service

5 Legal Implications


- 5.1 The terms and conditions of the grant from the Wembley National Stadium Trust (WNST) Fund are similar to grant terms applicable to other funds for recreational and sporting facilities and equipment .
- 5.2 The use of the land as a gym is consistent with the recreational purposes of the Trust and the Section 5 of the Charities Act 2011.



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 Brent	<p style="text-align: center;">Barham Park Trust Committee 28 January 2015</p> <p style="text-align: center;">Report from the Operational Director, Finance</p>
Wards affected: ALL	
Annual Report 2013/14	

1.0 Summary

1.1 This report presents the annual report for the Trust for 2013/14.

2.0 Recommendation

2.1 That the Barham Park Trust Committee approves the annual report for 2013/14.

3.0 Detail

Annual Report for 2013/14

3.1 The annual report is set out as an appendix for consideration by the Committee. It outlines the work undertaken on behalf of the Trust during the year, which included the improvement works in accordance with the decision of the Trust Committee in February 2013.

3.2 Following approval by the Trust Committee the annual report will be submitted to the Charity Commission – the deadline for submission is 31 January 2015.

4.0 Financial Implications

4.1 As at 31 March 2014 the cash position of the Trust amounted to £475,204.

5.0 Legal Implications

5.1 The annual report is required under the Charities Act 2011.

6.0 Diversity Implications

6.1 None

Background Papers

Barham Park Trust Committee Agenda – 13 February 2013

Contact Officers:

Mick Bowden
Operational Director, Finance
020 8937 1460



Trustees' Annual Report for the period

From	Period start date			To	Period end date		
	Day 01	Month 04	Year 2013		Day 31	Month 03	Year 2014

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 0FJ	

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.

--

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 16 September 2013 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.

Summary of the main achievements of the charity during the year

During the financial year work was undertaken to improve the Barham Park Building Complex and work commenced on delivering the vision for the open space, in accordance with the decision taken by the Trust Committee in February 2013.

The first works progressed to achieve the open space vision was the tendering for a company to project manage the parks works. Ig9 was awarded this contract in October 2013 and have been working closely with Council officers to move works forward.

A bank of approximately 100 ageing Leylandii trees located adjacent to the railway line were removed in February 2014 and an Invitation To Quote was issued at the end of March 2014 to three companies to bid for the installation of a path at the rear of the park which will link the park from East to West.

The Feb 2013 report agreed parks works to the value of approximately £393k and stated that officers would continue to seek other sources of funding to implement the remainder of the vision. Officers have been granted a further £200k from S106 monies for 2014/15 and so works will be underway in 2014/5 not only to progress the works identified in the Feb report but also to undertake further works in line with the vision including: horticultural works to restore/improve the existing gardens and beds; building works including repointing, improvements to the main entrance and the provision of an outdoor gym.

Following the authorisation by the Barham Park Trustees and the allocation of a budget £227,058 to bring the Barham Park Buildings up to a tenable standard, the refurbishment works were completed in February 2014. The works were delivered within budget, despite the inherent defects and hidden issues that became apparent during this refurbishment work. The final total expenditure was £224,000. The Units that formed part of this refurbishment works are now in the best condition that they have been in for decades. For the first time the Community Lounge, together with what is now its ancillary community room, is fully compliant with the Health and Safety regulations including those regulations related to fire safety. This unit is now fully accessible for disabled residents and other users. The conversion of the former Sports and Parks reception into a let-able community space for hire, will allow separate and simultaneous community hiring of the unit.

Following a successful marketing campaign and then a subsequent successful planning appeal by the Trust for a change of use, a 15 year lease was granted on the 16th September 2014 to the Association For Cultural Advancement Through Visual Art (ACAVA) who are an innovative and well established charitable arts organisation. They are now leasing 5 units within the Complex. Their presence on the site and within the borough will be an asset to the wider community and to the Trust in the fulfilment of its obligations to the community. They have already started to work in conjunction with the Council and local communities on arts based projects.

Brief statement of the charity's policy on reserves

As at 31 March 2014 the charity held cash reserves of £475,204
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

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.

Section F Other optional information

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)	Michael Pavey	
Position (eg Secretary, Chair, etc)	Chair of Barham Park Trust Committee	
Date		

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