



## Barham Park Trust Committee

**Thursday 27 January 2022 at 11.30 am**

Conference Hall - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

Please note that this meeting will be held as a socially distanced physical meeting with all members required to attend in person.

Guidance on the safe delivery of face-to-face meetings is included at the end of the agenda front sheet.

**Due to current restrictions and limits on the socially distanced venue capacity, any press and public wishing to attend this meeting are encouraged to do so via the live webcast. The link to attend the meeting will be made available [HERE](#)**

### Membership:

**Members:**

**Councillors:**

M Butt (Chair)  
Krupa Sheth (Vice-Chair)  
Farah  
McLennan  
Stephens

**Substitute Members:**

**Councillors:**

Knight  
Southwood  
Tatler

**For further information contact:** Natalie Connor, Governance Officer  
Tel:020 8937 1506; Email: [natalie.connor@brent.gov.uk](mailto:natalie.connor@brent.gov.uk)

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**[democracy.brent.gov.uk](http://democracy.brent.gov.uk)**

## **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 or personal interests in the items on this agenda and to specify the item(s) to which they relate.

**3 Minutes of the previous meeting** 1 - 8

To approve the minutes of the previous meeting held on 1 September 2021 as a correct record.

**4 Matters arising (if any)**

To consider any matters arising from the minutes of the previous meeting.

**5 Strategic Property Matters Relating to Barham Park** 9 - 16

This report provides an update on various strategic property matters in relation to Barham Park.

**Ward Affected:**  
Sudbury

**Contact Officer:** Chris Whyte, Operational  
Director Environmental Services  
Tel: 020 8937 5342  
Email:chris.whyte@brent.gov.uk

**6 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 her representative before the meeting. Any decisions taken urgently under this heading must comply with the provisions outlined in paragraph 39 of the Council's Access to Information Rules (part 2 of the Constitution).

**Date of the next meeting: To be advised.**

### **Guidance on the delivery of safe meetings at The Drum, Brent Civic Centre**

- We have revised the capacities and floor plans for event spaces to ensure they are Covid-19 compliant and meet the current social distancing guidelines.
- Attendees will need to maintain the necessary social distancing at all times.
- Signage and reminders, including floor markers for social distancing and one-way flow systems are present throughout The Drum and need to be followed.
- Please note the Civic Centre visitor lifts will have reduced capacity to help with social distancing.
- The use of face coverings is strongly encouraged with hand sanitiser dispensers located at the main entrance to The Drum and within each meeting room.
- Those attending meetings are asked to scan the coronavirus NHS QR code for The Drum upon entry. Posters of the QR code are located in front of the main Drum entrance and outside each boardroom.
- Although not required, anyone attending in person is also encouraged to undertake a lateral flow test in advance of the meeting. These are available at the Civic Centre and can be booked by the following link <https://www.brent.gov.uk/your-community/coronavirus/covid-19-testing/if-you-dont-have-symptoms/>



Brent

## MINUTES OF THE BARHAM PARK TRUST COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 1 September 2021 at  
10.00 am

**PRESENT:** Councillor M Butt (Chair), Krupa Sheth (Vice-Chair) and Councillors Stephens, McLennan and Farah.

**Also Present:** Councillor Daly (local ward councillor)

### 1. Election of Chair & Vice Chair

**RESOLVED** to appoint Councillor Muhammed Butt as Chair and Councillor Krupa Sheth as Vice-Chair of the Trust Committee for the 2021-22 Municipal Year.

Members also took the opportunity to thank Councillor McLennan for her work as former Chair of the Trust Committee.

### 2. Apologies for Absence

None.

### 3. Declarations of interests

Councillor Stephens declared a personal interest as a Sudbury local ward councillor.

### 4. Minutes of the previous meeting

**RESOLVED** that the minutes of the previous meeting held on Tuesday 1 September 2020 be agreed as a correct record.

### 5. Matters arising (if any)

None.

### 6. Public Representations

Prior to consideration of the main agenda Councillor Muhammed Butt (as Chair) advised the Trust Committee that he had accepted a number of requests to speak at the meeting from a range of stakeholders in relation to matters due to be considered on the agenda.

Each representative was then invited to address the meeting with the following comments highlighted.

Councillor Daly (local ward councillor) was the first to address the Trust Committee highlighting local views in relation to potential development of the cottages at 776-778 Harrow Road and impact on Barham Park. Members were reminded of the

affection and affinity within which the park was held by the local community and their commitment towards ensuring its character was maintained and not lost or adversely impacted by any new local development. Whilst pointing out that local residents were not opposed to redevelopment, Councillor Daly felt it important to recognise this was on the basis that any development did not have an overbearing impact both in terms of design and biodiversity of the park or restricted public access to the site.

Councillor Muhammad Butt thanked Councillor Daly for highlighting views expressed by the local community and then invited Paul Lorber, representing the Friends of Barham Park Library (FoBL) (as an online participant) to address the Trust Committee.

Paul Lorber advised he was speaking in support of the lease of Unit 7 in the Barham Park building to the Friends of Braham Park Library in order to provide a Dementia Hub working in partnership with The Memory Lounge, with the process having been ongoing over the previous two years. This had involved FoBL having secured Neighbourhood Community Infrastructure Levy (NCIL) funding to support the associated internal refurbishment works. As a result the organisation was now keen to finalise the necessary lease approval so that the next stage, in terms of any planning approvals required, could begin on what he pointed out was a much needed community development. The Dementia Hub would be operated in partnership with the Memory Lounge and provide community support, outreach work and private consultations for individuals suffering with Dementia and their families. In addressing the Trust Committee Paul Lorber advised that FoBL, working collaboratively with the Council and Trust, were keen to secure a successful conclusion to the process so that the community could benefit as soon as possible from the scheme.

Councillor Butt thanked Paul Lorber for his comments and then invited Mr Danny Maher to speak representing Ashford Place & Community Action on Dementia (CAD).

Danny Maher representing Ashford Place & Community Action on Dementia also took the opportunity to highlight his support for the letting of Unit 7 within the Barham Park Building for use as a dementia centre and hub providing crucial support to those in need within the community. He advised members that in addition to the NCIL funding which had been secured, the scheme had also been awarded funding from the Big Lottery and were confident of additional funding streams in the future to continue to support the project. As a result, he was also keen to encourage members to make a decision as soon as possible on the lease arrangements in order to support the wider work being undertaken in relation to the provision of Dementia support across Brent.

Councillor Butt thanked Danny Maher for his comments and the positive work being undertaken by his organisation in order to ensure Brent was a dementia friendly borough.

As a final contribution, Councillor Butt then invited Mr Shivakumar Gurung representing Tamu Samaj UK (Nepalese Community Centre) to speak as one of the Trust's tenant organisations.

Shivakumar Gurung highlighted the benefits arising from Tamu Samaj UKs tenancy within the Barham Park building, which had enabled them to continue holding various community events as well as providing continued cultural, learning, and social opportunities for the Nepalese community in Brent. Whilst grateful for use of the building the opportunity was also taken to highlight the need for a specific community and religious centre within the borough for the wider Nepalese community in Brent

Councillor Butt thanked Shivakumar Gurung for his comments and in recognising the range of community based organisations currently supported within the Barham Park building, felt it important to highlight how this reflected the overall approach across the borough in making Brent welcoming to all communities.

In noting the comments and issues raised, Councillor Butt thanked everyone who had spoken for their participation.

## 7. **Annual Report & Accounts 2020-2021**

Olga Bennet (Head of Finance) introduced a report presenting the Annual Report and Accounts for the Barham Park Trust for 2020/21. In considering the report Members noted:

- The work undertaken on behalf of the Trust as detailed within the Annual Report, which had included repair and improvement works to the park and ongoing work to secure tenants for the various buildings on site;
- The accounts had been subject to an independent examination by the Head of Audit & Investigations, with the outcome attached as Appendix C to the report on the agenda. This had confirmed that there were no issues regarding the accounts that needed to be brought to the attention of the Trust Committee;
- During 2020/21 the Trust had incurred expenditure of £96,283 on maintenance of the building complex and park, which had comprised £60,383 of unrestricted funds expenditure and £35,900 of restricted funds. The Trust had generated £81,300 receipts from rental income and interest earned although members were advised this also included £76k of cumulative rental income due but not yet paid. Given the potential impact this had on the Trust's assets in terms of unrestricted cash funds, members were being asked to approve work being undertaken on development of a longer term financial strategy for the Trust to ensure it was able to continue operating on a viable and sustainable basis;
- The current position in respect of the restricted funds balance as at 31 March 21 and progress of works for which funding had previously been allocated, as detailed within sections 3.12 – 3.14 of the report.

Having noted the update provided and support for the development of the longer term financial strategy in order to ensure the park and its facilities could be sustained over the long term as an important asset for the local community, the Trust Committee **RESOLVED** to:

- (1) Approve the annual report and the Barham Park Trust's Accounts for 2020/21.
- (2) Note the Independent Examiner's Review of the Barham Park Trust's Accounts for 2020/21.

- (3) Authorise officers to update the Charity Commission with the Annual Report and the Accounts for 2020/21 of the Barham Park Trust.
- (4) Authorise officers to prepare a financial strategy in respect of the Barham Park Trust for consideration at a future meeting of the Trust Committee.

## 8. Options for funding the exterior renovation of the Barham Park building

Chris Whyte, Operational Director Environmental Services, introduced a report setting out options for funding exterior renovation of the Barham Park building.

In considering the report members noted the extent of the renovation works required and issues identified as a result of the deterioration of the exterior of the building, which included damage to window frames and the interior of the building; heat management and increased energy use, higher carbon emissions and costs and the impact on the buildings overall appearance and tenanted activities. Work funded by the Trust had already been undertaken to survey the renovation works required in relation to the windows and external condition of the building which would be compliant with its local Listed Building status and modern building standards, with a breakdown of the costs detailed within section 3.25 of the report.

Whilst the Trust had been unsuccessful with previous funding bids to support the renovation works through both the Neighbourhood Community Infrastructure Levy (NCIL) and Lottery Heritage Fund process it had been possible to secure approx. £167k through the Public Sector Decarbonisation Scheme towards the required works. This had been on the basis of the building having been identified as a priority due to energy conservation needs with the potential also identified to support this with an application for capital funding from the Council, although it was noted this would be subject to provision of the necessary business case and assessment against other priorities. In order to fund the remaining balance of the estimated project costs, members were also being asked to consider use of the remaining uncommitted restricted funds within the Trust Accounts totalling £228k, which subject to approval, it was noted would also require consent by the Charity Commission. Given the benefits associated with the renovation works in terms of both current and future use of the building and its ability to generate rental income for the Trust in support of them being able to continue functioning effectively, members were supportive of the approach outlined in terms of the proposed use of the available uncommitted element of their restricted funds to fund the exterior renovation works. Members also noted that discussions remained ongoing with the Lottery Heritage Fund regarding the potential use of any other available grant schemes.

Having noted the extent of the renovation works required and importance of the building as a community asset and in terms of the ongoing operation of the Trust it was **RESOLVED**:

- (1) To note and agree to the proposal for officers to investigate sources of funding in relation to the exterior renovation of the Barham Park Building and for the Operational Director for Environmental Services to approach the Council regarding seeking council capital funding towards funding the exterior renovation of the Barham Park building.



- (2) To approve that the total sum of £258,000 towards the part of the items of expenditure as set out in paragraphs 3.24 and 3.25 of the report for funding the exterior renovation of the Barham Park building, be paid from the Trust's remaining uncommitted restricted funds and permanent endowment arising from the sale proceeds of 776 and 778 Harrow Road, Wembley HA0 2HE.
- (3) That officers seek permission of the Charity Commission to spend the estimated sum stated in the resolution in (2) above from the Trust's uncommitted restricted funds using the procedure set out in section 282 of the Charities Act 2011.
- (4) That officers be authorised to submit the necessary application for permission to the Charity Commission and authority be delegated to the Operational Director Environmental Services to progress the application and deal with any issues, requirements and queries arising that are raised by the Charity Commission.
- (5) That officers be authorised to give public notice of this resolution if it is directed to do so by the Charity Commission pursuant to section 283 of the Charities Act 2011.

## 9. **General Update Report**

Chris Whyte, Operational Director Environmental Services, introduced the report providing an update on operational issues at Barham Park along with current progress on a range of projects.

Members were provided with operational updates in relation to the following issues:

- General operational works – Members noted that operational grounds maintenance works continued to be undertaken by the Council's main contractor Veolia.
- Security and anti-social behaviour - as detailed within section 3.2 of the report, with members noting the incidents identified and ongoing work with the police to monitor and address them supported by the Public Space Protection Order covering all Brent's parks and open spaces.
- Rough sleeping with the Park - as detailed in section 3.4 of the report, with members noting the ongoing work being undertaken with St Mungo's and other partners to address the issue and support those individuals sleeping rough to access accommodation and other assistance according to their needs.
- Grass and meadows - with members noting the continued progress and improvements being made to the range of grasslands and associated wildlife within the park, as detailed within section 3.6 of the report.
- Fire Security System - with members noting the ongoing briefings being provided for tenant representatives on operation of the system, which continued to perform well, as detailed in section 3.8 of the report.
- The progress being made in relation to works previously approved through the Trust's Restricted Funds, as detailed within section 3.17 – 3.24 of the report.

- The progress in relation to works associated with tree planting and replacement, the Queen Elizabeth II Silver Jubilee Garden and Walled Garden Pool as detailed within section 3.25 – 3.28 of the report.

In addition to the operational issues identified above, members also received updates in relation to the following specific property and tenancy related issues:

- Barham Park building Unit 7: Members noted the update provided by Amin Soorma (Property Services) regarding the ongoing negotiations with the lead tender applicant (The Friends of Barham Library FoBL) and their proposed partner organisation the Memory Lounge, for a Dementia Centre at Unit 7 with the main outstanding issue being whether the proposed use represented a sub-letting or was considered a partnership in terms of operation of any lease arrangements. Whilst the tender marketing process had been clear that a sub-lease would not be considered, the provisionally accepted tenant of Unit 7 (FoBL) and the Memory Lounge project had envisaged use of the vacant unit as a partnership rather than sub tenancy arrangement and had also been successful in securing NCIL funding to provide significant investment for refurbishment works. Having noted the options identified and being keen to support a partnership arrangement, members were minded to delegate a final decision on the letting of Unit 7 to the Operational Director for Environmental Services in consultation with the Chair of the Trust Committee.
- Barham Park building Unit 8: Members noted the update provided in relation to renewal of the lease for Unit 8 to the Children Centre. Members were reminded that approval had been given at the previous meeting on 1 September 2020 to the underletting of Unit 8 (The Children’s Centre) by Brent Council’s Children and Young People Service to a voluntary sector provider, the Young Brent Foundation (YBF), on the same rental terms as the lease in respect of the Unit between the Trust and Brent Council, subject to the satisfactory clearance of financial checks. These had now successfully been completed with members therefore supporting approval of the lease renewal for a further five years on the basis set out in section 3.11 – 3.13 of the report. It was noted that this would also require consent by the Charity Commission, given the Council was considered to be a “connected person” to the Trust and be subject to an independent valuation in relation to the market rental. Subject to this and the sub-lease transaction being completed the YBF would continue to facilitate the Children’s Centre services at the location with there being no change to the conditions of the lease between the Trust and Brent Council nor to the annual rent, which YBF would reimburse to the Council’s Children and Young People Service. The lease to Brent Council in respect of Unit 8 would continue until the 27<sup>th</sup> October 2021 when the current five-year lease expired.
- Barham Park building Unit 2: Members noted that the current lease on the Barham Park Veterans Club (Wembley) expired on 6 September 2021 with the organisation having indicated they wanted to renew for a further four years. The passing rent was currently £3k p.a. with members supporting the modest increase proposed to £3.5k phased over the four year period in recognition of the Club’s charitable status and as an organisation that served elderly members of the community with no income other than its membership fees. The Veterans Club had also indicated they would be willing to proceed with the renewal on this basis.

- Having recognised the potential impact which the Covid-19 pandemic was having on tenants' ability to meet their rent commitments members were advised that a formal application process had been established (following approval by the Trust Committee in September 2020) enabling the Trust's tenants in respect of the Barham Park Building to request a full or partial rent deferral or rent negotiation. As an update members were advised that no applications had, at this stage, been received although further details had been provided for ACAVA. Members were supportive of the approach outlined having noted the ongoing impact which the accrual of rent arrears would have on the longer term operation of the Trust and its ability to maintain the estate. As a result, members were supportive of the measures being taken to reach negotiated solutions with those organisations currently in arrears having also noted the legal recovery powers available, should these be required in order to protect the Trust's assets at any stage in the future.
- 776-778 Harrow Road: Members noted the update provided in relation to the current position on the two cottages on the site which were located within Barham Park. Whilst these had been subject to a previous freehold sale this had been subject to a restrictive covenant which had required the site to be retained as two residential units. Given the submission of a recent planning application (subsequently withdrawn) to redevelop the site with multiple residential units members were being asked to consider how any future re-development proposals (given ongoing interest in the site) which included seeking to amend the terms of the restrictive covenant, should be dealt with. Whilst noting the concerns expressed locally, members felt there was a need to explore the possibilities of amending the current restrictive covenants with the owners of 776-778 Harrow Road, in order to assess any financial benefit that may be available towards supporting the ongoing future and operation of the Trust. In supporting these discussions, however, a clear assurance was provided that this would be on the basis of the outcome not having been predetermined and with any final decision being subject to further consideration and approval by the Trust Committee in advance of any formal legal process being undertaken.

Following on from the updates provided, Members were keen to recognise the role played by the park and facilities managed and maintained by the Trust as an important community asset and need to ensure a co-ordinated approach to address the strategic property issues and works identified in terms of securing future use of the Trust's assets for the benefit of the local community. Having noted the representations made at the start of the meeting, members were also keen to ensure that discussions continued with partner organisations in order to secure maximum use and value of all available assets.

As no further issues were raised it was **RESOLVED** on the basis of the discussion at the meeting:

- (1) To note the issues set out in the report and agree that members of the Trust Committee be invited to undertake a site visit in order to meet current occupiers and inspect the Barham Park Building.
- (2) To delegate authority to the Operational Director for Environmental Services in consultation with the Chair of the Trust Committee to decide on how to


- proceed moving forward regarding the letting of Unit 7 of the Barham Park Building.
- (3) To note that an independent valuation is being undertaken in respect of Unit 8 of the Barham Park Building (Children's Centre) and thereafter, that officers will make arrangements for a public notice to be provided regarding the proposed lease renewal of Unit 8 to the Council.
  - (4) To delegate authority to the Operational Director for Environmental Services to consider responses and objections in relation to the public notice regarding the proposed renewal of the lease in respect of Unit 8 of the Barham Park Building and address such issues in an application to the Charity Commission to seek consent to enter into the lease with the Council.
  - (5) To delegate authority to the Operational Director for Environmental Services to apply to the Charity Commission to seek their consent for the Trust to enter into a further five year lease with the Council in respect of Unit 8 of the Barham Park Building with consent to sublet the property to an organisation to continue the Children's Centre service on similar terms to the previous lease which was signed on 28 October 2016.
  - (6) Subject to consent of the Charity Commission, to delegate authority to the Operational Director for Environmental Services to make arrangements for the Trust to enter into a five year lease with the Council in respect of Unit 8 of Barham Park Building at a market rental set by the independent valuer.
  - (7) To delegate authority to the Operational Director for Environmental Services to enter into a lease renewal with the Barham Park Veterans Club (Wembley) in respect of Unit 2 of the Barham Park Building as set out in section 3.15 of the report.
  - (8) To authorise the Operational Director for Environmental Services to enter into discussions with the owners of 776-778 Harrow Road to explore the possibilities of reaching agreement to amend the restricting covenants on that property for the benefit of the Trust.

10. **Any other urgent business**

No items of urgent business were raised at the meeting, with members noting that should it be required, a further meeting of the Trust would be arranged to consider any further strategic property matters arising from the updates which had been provided.

The meeting was declared closed at 10.55 am

COUNCILLOR M.BUTT  
Chair

 <b>Brent</b>	<b>Barham Park Trust Committee</b>  27 January 2022
	<b>Report from the Operational Director, Environmental Services</b>
<b>Strategic Property Matters Relating to Barham Park, 660 Harrow Road, Wembley HA0 2HB</b>	

<b>Wards Affected:</b>	Sudbury
<b>Key or Non-Key Decision:</b>	Non-key
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	None
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Chris Whyte, Operational Director, Environmental Services Tel: 020 8937 5342 Email: chris.whyte@brent.gov.uk  Leslie Williams, Project Officer, Environmental Services Tel: 020 8937 5628 Email: Leslie.williams@brent.gov.uk  Denish Patel, Head of Property, Property and Assets Tel: 020 8937 2529 Email: Denish.patel@brent.gov.uk  Amin Soorma, Estate Surveyor, Property and Assets Tel: 07867 189828 Email: Amin.soorma@brent.gov.uk

## 1.0 Purpose of the Report

- 1.1 The infrastructure of the Barham Park Estate is subject to a range of issues and conditions that are affecting the efficient running of the Estate. In order to shift away from short term infrastructure solutions, which invariably result in transient benefits and lasting difficulties, the Barham Park Trust wishes to create a new and much needed vision for the improvement of the Barham Park estate

accommodation in a holistic way. This will involve the exploration of the Estate's spatial and socioeconomic character and its potential as a sustainable estate that meets the needs of current and future occupiers and users.

- 1.2 The Barham Park Trust Committee of 1<sup>st</sup> September 2021, authorised officers to prepare a financial strategy in respect of the Barham Park Trust for consideration at a future meeting of the Trust Committee.
- 1.3 The Estate at Barham Park currently involves a complex interaction of issues and challenges, which limits the way the building can be used, managed and modernised. To develop a sound financial strategy and to shape the Estate in a constructive and positive way is to move beyond short-term solutions and narrow focus that create increasing stress on limited financial resources.
- 1.4 In October 2021, members of the Barham Park Trust committee, accompanied by officers, carried out a visit of the Estate to see for themselves the condition of the Estate, the works required and the limited capacity of the Trust to deal with these issues in a holistic way. Various works are required to the building to maintain the building to a good standard and prevent issues in the future.
- 1.5 In exploring future sustainable options for the Estate, it is important to recognise the different constituent parts - the building, the idiosyncratic needs of occupiers and users, the community and the environment, and the available financial resources. For example, it is impossible to make a financial decision without there being social and economic implications and vice versa.
- 1.6 The best way of minimising negative impacts of the constraints and maximising benefits to the Estate is to look for solutions that solve more than one problem at a time, which creates rich possibilities for linking the various strands. The appointment of an architect can help to problem solve the future of the Estate in a holistic way and provide options to link the various strands. A more holistic approach is required in terms of the strategic improvement of the buildings and the accommodation in order to take stock of the refurbishment requirements of the whole estate.
- 1.7 Officers will prepare an outline brief without preconceived ideas so that a detailed brief can emerge under the architect's guidance and experience. The broad feasibility options will then flow naturally from the detailed analysis of the Trust's key criteria, which will be identified through an iterative process.
- 1.8 The path from the Trust's initial requirements to the architect's detailed advice will be through an intensive investigation of all the relevant facts of the Estate by the architect as the prime problem solver. The architect will be responsible for putting forward several product or service options, with corresponding pricing levels, which will enable the Trust to develop a comprehensive financial strategy that it can afford. This approach will work by generating a number of ideas from low to high range concepts (e.g. "Gold, Silver and Bronze" rankings representing differing grades of cost and quality of options) on the assumption that within these ideas there will be some quality idea that has not previously been identified.
- 1.9 In practical terms, the aspiration of Trust members is that the Estate becomes more cost effective to run, thereby yielding more and improves on multiple dimensions of performance at the same time. Ideally, the Estate should benefit

from fundamental improvements in the building, enjoy strong diverse income growth, be sufficiently flexible to adapt for future uses thereby improving the lettings potential and meet the idiosyncratic needs of customer groups.

- 1.10 The alternative narrow focus on marginal and incremental improvements is that this creates major resource cost implications and a disconnect between the challenges and the available resources to run the Estate in the longer term. The architect will be required to apply their impartiality and creativity when developing design proposals. They will help to support the Trust's strategic decision-making, carry out feasibility studies, help develop a project brief and advise on the procurement route.
- 1.11 It is proposed that the Council funds the architect fees from the Council's capital programme that in principle has committed funds for this innovation project. The Trust is not proposing to directly fund this expenditure because the Trust:
- (i) has committed all its available restricted funds and
  - (ii) has limited unrestricted funds due to unpaid rent.

## **2.0 Recommendation(s)**

### **That the Barham Park Trust Committee RESOLVES:**

- 2.1 To delegate authority to the Operational Director for Environmental Services, in consultation with the Chair of the Trust Committee, to appoint an architect for the initial options appraisal of the Barham Park Building at 660 Harrow Road, Wembley, HA0 2HB and for the procurement for the appointment of an architect to be carried out pursuant to Contract Standing Order 86.
- 2.2 To delegate authority to the Operational Director for Environmental Services to seek the approval of the Council to meet the cost of the architect's report as aforementioned from Council resources.
- 2.3 To delegate authority to the Operational Director for Environmental Services in consultation with the Chair of the Trust Committee for officers to prepare a financial strategy for the Barham Park Trust once the options appraisal has been completed.
- 2.4 Following the decisions of the Trust Committee of 1 September 2021 to delegate authority to the Operational Director for Environmental Services regarding the letting of Unit 7 of the Barham Park Building and the lease renewals regarding Units 2 and 8 of the Barham Park Building, to agree for the Trust not to enter into new leases in respect of Units 2, 7 and 8 of the Barham Park Building pending the completion and consideration of the options appraisal of the architect and thereafter, to agree for the Operational Director Environmental Services to decide on the way forward regarding those three units.

## **3.0 Detail**

- 3.1 The Committee reports and a subsequent walkabout visit by the Barham Park Trust highlighted the needs to Trust members of the poor condition of the exterior of the building. The interior of the building is in variable conditions with some issues affecting the tenants' use of the building. Moreover, the

configuration of space, rooms, units and access circulation could potentially benefit from improvements and optimisation to improve usability.

- 3.2 The Barham Park Trust has an aspiration that the Barham Park building should be an inviting and thriving centre for tenants and user groups, and at the centre of the park, the building and the park should complement each other as part of the whole estate.
- 3.3 The Barham Park building is a Locally Listed Building and a feature of the local Neighbourhood and of Brent. It is envisaged that any changes would be in keeping with the Local Listing.
- 3.4 It is proposed that an architect be appointed to consider the feasibility of improvements to the building; and as appropriate to prepare designs, approvals, seek consents and prepare specifications. A procurement exercise and subsequent works could follow consideration of the architect's report subject to approval from the Trust.
- 3.5 Consideration will need to be given to the potential impact of the current occupation, uses, leases and tenancies of the Estate on the design proposals. The impact of existing tenancies will be subject to the terms of the existing leases and lease break mechanisms. These impacts will be considered in more detail with the architect. Whether vacant possession is required for the works will depend on the nature of the works that can be carried out with the tenants remaining in situ.
- 3.6 The strategy will also need to consider the needs of the park at Barham Park. The park is part of the Barham Park estate and may also benefit from renovation and enhancement of infrastructure and features. Progress on the building and the park during recent years are summarised in the table below.

<b>Project</b>	<b>Progress</b>
Building exterior: Windows Schedule, Planning Permission, and funding package.	Current technical discussions between Property, Planning, Energy and other teams with the Decarbonisation's team of surveyors. Detailed and costed schedule expected in January 2022.
Barham Park building; for example, boiler for two units, fire sensor / alarm system; source of a damp issue repaired.	Various works to maintain buildings and to reduce potential future issues.
Barham Park building: exterior and interior needs, best use of space, modernisation.	Needed. The focus of this report.
Park trees: surveys, tree surgery to manage the tree stock.	Completed
Tree planting and open woodland	NCIL grant awarded
Ponds in Walled Garden and one in park.	Two restored; one in progress.
Pathways and hard surfacing	Some sections re-surfaced; but more works required.



Events Field drainage: surveys, works specification.	On Procurement portal, January 2022.
Queen Elizabeth II Silver Jubilee Garden	Hard landscaping completed; soft landscaping to follow.
Grasslands: creation of meadow area	More diverse grasslands created.
Park features, walls, hard-landscaping, existing and new features	Restoration and renovations required.
Earlier: Enhanced playground; installation of Outdoor Gym; installation of path around the northern parts of Barham Park.	Installed.

- 3.7 Several approaches have been made during recent years to the Heritage Lottery Fund for renovation of the Barham Park building and the park. To date it has not proved possible to identify a grant scheme with criteria that would match the needs for renovation of the building or of the whole estate.
- 3.8 The lead-time between design and completion of works will depend on the option selected, which will determine the scale of the works. Procurement stages can include appointment of an architect, feasibility and design work, approvals, planning permission, specification, procurement, evaluation of tenders, award of main contract, mobilisation, works, and start of re-use. A typical project with similar characteristics can last between 12 to 24 months.
- 3.9 At the preliminary stages of analysis to identify options, there will be no impact on existing tenants/occupiers - save for the following:
- 3.10 Vacant Unit 7: Negotiations have taken place with the lead tender applicant, the Friends of Barham Library (FOBL) and their proposed partner organisation the Memory Lounge for a Dementia Centre at Unit 7. At its meeting on 1 September 2021, the Barham Park Trust Committee report gave delegated authority to the Operational Director for Environmental Services in consultation with the Chair of the Trust Committee to decide on how to proceed moving forward regarding the letting of Unit 7 of the Barham Park Building. It is proposed that the Trust agrees for no decision to be made on the letting of Unit 7 at this stage, and instead a decision is made after careful consideration of the options appraisal of the architect. This is to ensure that any decision is consistent with the overall holistic approach and direction of travel.
- 3.11 Unit 8 Barham Park Children's Centre: At its meeting on 1 September 2021, the Barham Park Trust Committee gave delegated authority to the Operational Director for Environmental Services to apply to the Charity Commission to seek their consent for the Trust to enter into a further five year lease with the Council in respect of Unit 8 of the Barham Park Building with consent to sublet the property to an organisation to continue the Children's Centre service on similar terms to the previous lease which was signed on 28 October 2016. The children's centre services continue to be delivered from this premises through the Young Brent Foundation who are in occupation. However, if the children's centre closes or moves away from delivering services to young children and their families from this premises, a clawback of capital could be made by the Department for Education ("DfE") – a broad brush estimate of the clawback amount that would apply, as at the date of this report, is £93k. The DfE clawback mechanism calculation is linked to the original capital amount and the

number of years remaining from date of grant. Evaluation of future options for the Estate will need to consider the potential for capital clawback by the DfE. The valuation was obtained in November 2021 and the statutory consultation has been taking place between 10 December 2021 and 21 January 2022. It is proposed not to apply to the Charity Commission for permission for the Trust to enter into a lease with the Council in respect of Unit 8 at this stage until after careful consideration of the options appraisal of the architect. Thereafter, the Operational Director Environmental Services will decide whether to apply to the Charity Commission for permission and arrange for the Trust to extend the lease with the Council if the permission of the Charity Commission is granted.

- 3.12 Unit 2: At its meeting of 1 September 2021, the Barham Park Trust Committee gave delegated authority to the Operational Director for Environmental Services to enter into a lease renewal with the Barham Park Veterans Club (Wembley) in respect of Unit 2 of the Barham Park Building as set out in section 3.15 of that report. It is proposed that the Trust does not extend the lease in respect of Unit 2 at this stage until after careful consideration of the options appraisal of the architect. Thereafter, the Operational Director Environmental Services will decide whether arrange for the Trust to extend the lease with the Barham Park Veterans Club (Wembley). In the meantime, the Barham Park Veterans Club (Wembley) will remain in occupation of Unit 2 and pay rent for such occupation.

#### **4.0 Financial Implications**

- 4.1 The meeting on 1 September 2021 of the Barham Park Trust Committee resolved to approve the sum of £258,000 of the Trust's remaining uncommitted restricted funds and permanent endowment to be paid towards necessary exterior renovations of the building and the permission of the Charity Commission to use the Trust's restricted funds in this manner has been granted. That would also help to reduce further deterioration of the building. At its meeting of 14 January 2019, the Trust Committee resolved to pay the sum of £167,000 from its restricted funds towards certain items of expenditure and on 3 September 2019, the Trust Committee resolved to pay a further sum of £10,000 from its restricted towards the events field drainage survey and design. Those payments from the Trust's restricted funds were approved by the Charity Commission. There are no remaining resources available from the Trust's restricted funds and the Trust's receipts and payments account approximately balances on an operational level within individual years and over any series of years.
- 4.2 Expenditure for an architect at circa £25k and for subsequent works would need to be from Council resources as set out in paragraph 1.11 above.

#### **5.0 Legal Implications**

- 5.1 The land (including the building) 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*".
- 5.2 The procurement implications are set out in section 6 of the report below.

## **6.0 Procurement**

6.1 The estimated value of architectural services for the initial feasibility report (RIBA stage 1) would fall under low value contract under the Council's standing orders - CSO 86 (c). No formal tendering procedure would apply to low value contracts except that 3 written quotes must be sought and recorded. In accordance with CSO 88 (a) the relevant departmental Chief Officer has authority to award low value contracts.

6.2 The estimated contract value of the architect for the initial appraisal is £25k. The proposed architect contract is classed as a Low Value Contract under the Council's Contract Standing Orders. The relevant part of Contract Standing Order 86(c) states as follows:

"Save where required by European Procurement Legislation, no formal tendering procedures apply to Low Value Contracts except that at least three written quotes must be sought and the quotes sought and/or obtained shall be recorded. Where quotes are sought, advice must be sought from the Council's procurement officers about how to select the three organisations to be invited to quote and how to structure the quotation process. Low Value Contracts do however require formal approval for award according to Standing Order 88(a) from a duly authorised officer within the relevant Council department."

6.3 Officers will therefore seek written quotes from 3 architectural practices. Having evaluated bids received against published evaluation criteria, the Operational Director for Environmental Services will award the contract to the most economically advantageous bid pursuant to Contract Standing Order 88(a).

## **7.0 Equality Implications**

7.1 The proposed projects mentioned in this report will be subject to a screening for equalities impacts and where the potential for adverse impacts is identified, a full equalities impact assessment will be carried out and any requisite mitigating action taken.

7.2 It is probable that short-term there may be some impacts of some protected characteristics particularly for the more community-cantered tenants though this will depend on decisions that are made following consideration of the options appraisal of the architect. The longer-term aspiration is to provide enhanced facilities for community tenants and for park users.

## **8.0 Consultation with Ward Members and Stakeholders**

8.1 Officers meet regularly with Ward Members.

## **9.0 Human Resources/Property Implications (if appropriate)**

9.1 Nothing specific other than noted in this report.

**Report Sign Off:**

**Chris Whyte**

Operational Director of Environmental  
Services