



Resources and Public Realm Scrutiny Committee

Thursday 26 October 2023 at 6.30 pm

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

Please note this will be held as a physical meeting which all Committee members will be required to attend in person.

The meeting will be open for the press and public to attend or alternatively can be followed via the live webcast. The link to follow proceedings via the live webcast is available [HERE](#)

Membership:

Members

Councillors:

Conneely (Chair)
Long (Vice-Chair)
Aden
Ahmadi Moghaddam
Akram
S. Butt
Georgiou
Miller
Mitchell
J. Patel
Shah

Substitute Members

Councillors:

Afzal, Begum, Collymore, Ethapemi, Fraser, Molloy, Rajan-Seelan, Ketan Sheth and Smith.

Councillors:

Kansagra & Maurice
Lorber & Matin

For further information contact: Natalie Connor, Governance Officer
Tel: 020 8937 1506; Email: Natalie.Connor@brent.gov.uk

For electronic copies of minutes and agendas please visit:
[Council meetings and decision making | Brent Council](#)

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 significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then 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 of 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 or trade union).

(b) The interests 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 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 is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item **Page**

1 Apologies for absence and clarification of alternate members

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 item on this agenda and to specify the item(s) to which they relate.

3 Call-In: Barham Park Trust Committee - Barham Park Trust Annual Report & Accounts 2022 - 23 1 - 28

To consider a call-in in respect of the following decision taken by the Barham Park Trust Committee on 26 September 2023:

Barham Park Trust Annual Report and Accounts 2022 - 23

4 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 in accordance with Standing Order 60.

Date of the next meeting: Tuesday 7 November 2023



Please remember to set your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public. Alternatively it will be possible to follow proceedings via the live webcast [HERE](#)

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 Brent	Resources and Public Realm Scrutiny Committee 26 October 2023
	Report from the Corporate Director of Governance
Call-in: Barham Park Trust Committee decision on Barham Park Trust Annual Report & Accounts 2022 - 23	
Wards Affected:	Wembley Central
Key or Non-Key Decision:	Not applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	Three: Appendix 1: Call-In Form Appendix 2: Report to Barham Park Trust Committee (26 September 23) - Barham Park Annual Report and Accounts 2022-23 Appendix 2a: Appendix 1 Barham Park Trust Committee report (26 September 23): Annual Report of the Barham Park Trust to the Charity Commission for the 2022/23 financial year Appendix 2b: Appendix 2 Barham Park Trust Committee report (26 September 23): Accounts of the Barham Park Trust for the 2022/23 financial year Appendix 2c: Appendix 3 Barham Park Trust Committee report (26 September 23): Independent Examiner's Review of the accounts of the Barham Park Trust for the 2022/23 financial year. Appendix 3: Call-In Protocol
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Natalie Zara, Head of Executive & Member Services Tel: 020 8937 1716 Email: natalie.zara@brent.gov.uk

1.0 Executive Summary

- 1.1 A decision made by the Barham Park Trust Committee (which has been established as a Cabinet Committee) in respect of the Barham Park Trust Annual Report and Accounts for 2022 - 23 has been called-in for consideration by the Resources and Public Realm Scrutiny Committee, in accordance with Standing Order 14.

2.0 Recommendation(s)

- 2.1 That the Committee considers the call-in and agrees to one of the following outcomes:
- 2.1.1 The Committee does not wish to refer the matter back to the decision maker or to Council, at which point the decision is deemed to be confirmed and takes effect immediately following the meeting; or
 - 2.1.2 The Committee decides to ask the Barham Park Trust Committee to reconsider the decision, in light of any observations of the Committee; or
 - 2.1.3 Having had regard to the advice of the Corporate Director of Governance or Corporate Director of Finance & Resources, the Committee considers the decision is contrary to the Council's Budget or Policy Framework, at which point it refers the matter to the next practicable meeting of the Council, subject to the provisions of Standing Orders.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 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". The Trust was registered with the Charity Commission in June 1963 and is regulated by that body. The Council as sole trustee conducts the various governance and management arrangements (including the preparation of the Trust Accounts and Annual Report) on behalf of the Trust through the Barham Park Trust Committee, which has been established as a Committee of the Council's Cabinet.
- 3.2 There is a statutory requirement on the Barham Park Trust to produce an Annual Report, including the Accounts each financial year which following their approval by the Trust are then submitted to the Charity Commission.

Background

3.3 The Barham Park Trust Committee took a decision at its meeting on Tuesday 26 September 2023 to approve the Annual Report and Barham Park Trust Accounts for 2022 – 23. The decision taken by the Trust Committee was as follows:

RESOLVED having noted the receipt of written submissions from Francis Henry and Councillor Lorber in advance of the meeting relating to the presentation of the accounts:

- (1) *To approve the Annual Report and Barham Park Trust Accounts for 2022-23.*
- (2) *To note the Independent Examiner's review of the Barham Park Trust Accounts for 2022 – 23.*
- (3) *To authorise officers to update the Charity Commission with the Barham Park Trust Annual Report and Accounts for 2022 – 23.*
- (4) *To confirm, in relation to the future examination of the Trust Annual Accounts, that the Trust had agreed to continue with the current arrangement for independent examination by the Council's Head of Audit & Investigation (as detailed within Option 1 in section 3.5 of the report).*

3.4 Consideration of the Accounts and Annual Report followed their initial withdrawal from the agenda of the Trust Committee on 5 September 2023 to enable review of the Charity Commission template used as a basis for preparing the Accounts and further clarification on this being provided at an additional Trust Committee arranged specifically for that purpose on 26 September 2023.

3.5 The subsequent decision to approve the Trust Annual Report and Accounts for 2022 – 23 taken by the Barham Park Trust Committee at its meeting on 26 September 2023 has been called-in by five members of the Council, with details of the call-in attached as Appendix 1 to this report.

3.6 The report on which the called-in decision was based has been attached at Appendix 2 to this report.

3.7 The procedure for dealing with the call-in and the conduct of the Scrutiny Committee meeting is attached at Appendix 3 of this report.

4.0 Stakeholder and ward member consultation and engagement

4.1 None specifically applicable to this report.

5.0 Financial Considerations

5.1 There are no direct financial considerations arising from this covering report. The financial considerations relating to the called-in decision have been

detailed within the report to the Barham Park Trust Committee (attached as Appendix 2) which formed the basis of the original decision made.

6.0 Legal Considerations

6.1 There are no direct legal considerations arising from this covering report. The procedure for dealing with the call-in and options available to the Resources & Public Realm Scrutiny Committee have been set out in Appendix 3 of the report with the legal considerations relating to the called-in decision having been detailed in the report to the Barham Park Trust Committee (attached as Appendix 2 of this report) which formed the basis of the original decision made.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 There are no direct Equality, Diversity & Inclusion considerations arising from this covering report.

8.0 Climate Change and Environmental Considerations

8.1 There are no direct climate change and environmental considerations arising from this covering report.

9.0 Communication Considerations

9.1 There are no direct communication considerations arising from this covering report.

Report sign off:

Debra Norman

Corporate Director of Governance

CALL-IN FORM

For the Attention of: The Head of Executive and Member Services

From: Councillor Paul Lorber

Date: 29 September 2023

Decision: Barham Park Trust Committee Meeting - 26th September 2023

1. To approve the annual report and Barham Park Trust Accounts 2022/23
2. To note the Independent Examiner’s review of the Barham Park Trust accounts for 2022/23
3. To authorise officers to update the Charity Commission with the Barham Park Trust annual report and accounts for 2022/23
4. To confirm, in relation to the future examination of the Trust Annual Accounts, that the Trust had agreed to continue with the current arrangement for independent examination by the Council’s Head of Audit & Investigation (as detailed within Option 1 in section 3.5 of the report).

Date of decision: 26 September 2023

Five non-cabinet members making request (Note: all five members do not have to be listed on or sign the same form):

	Name of councillor	Signature <i>(only required if submitted in hard copy)</i>
1	Paul Lorber	Via email
2	Anton Georgiou	Via email
3	Hannah Matin	Via email
4	Sunita Hirani	Via email
5	Kanta Mistry	Via email

Please provide below an explanation as to why you are calling in the decision and if you are calling in all or part of the decision:

(Note: according to the Protocol On Call-in (Part 5 of the Constitution), call-in requests will not be considered valid if they:

- are used as a means of gaining information/understanding or discussing general concerns with Members and officers,*
- duplicate a call-in on the same issue within the previous six months,*
- are based on reasons already discussed by the relevant Scrutiny Committee prior to the decision being made,*
- concern a decision of the Cabinet referring a matter to Full Council for consideration*
- concern operational management decisions, or*
- are otherwise considered by the Chief Executive to be frivolous, vexatious or clearly outside the call-in provisions.)*

1. To approve the annual report and Barham Park Trust Accounts 2022/23

- The accounts are produced on the wrong basis, inconsistent with previous years.
- The accounts are wrong and misleading.
- The accounts do not show correct figures for both income and expenditure, incurred by the Trust.
- The accounts do not show sufficient analysis and detail of main expenses.
- The accounts do not show the correct interest earned due.
- The accounts show a charge for consultants' fees, which were due to be met by the Council and not the Trust.

2. To note the Independent Examiner's review of the Barham Park Trust accounts for 2022/23

- The review carried out is inadequate and failed to identify numerous mistakes as set out above.

3. To authorise officers to update the Charity Commission with the Barham Park Trust annual report and accounts for 2022/23

- No such submission should be made until the correct accounts are presented, as any such submission would lead to reputational damage to the Trust.

4. To confirm, in relation to the future examination of the Trust Annual Accounts, that the Trust had agreed to continue with the current arrangement for independent examination by the Council's Head of Audit & Investigation (as detailed within Option 1 in section 3.5 of the report).

- In view of the above concerns, the appointment and nomination of the person to carry out future independent review also needs to be reconsidered.

Please provide below an outline alternative course of action to the decision being called in:

- 1. To approve the annual report and Barham Park Trust Accounts 2022/23**
 - The accounts are corrected to truly reflect the financial results of the Trust.
- 2. To note the Independent Examiner's review of the Barham Park Trust accounts for 2022/23**
 - The Independent Examiner to be provided with information about the Trust and assisted in preparing a proper scope of work to be undertaken as part of any reviews.
- 3. To authorise officers to update the Charity Commission with the Barham Park Trust annual report and accounts for 2022/23**
 - The corrected accounts need to be reviewed and approved again before submission.
- 4. To confirm, in relation to the future examination of the Trust Annual Accounts, that the Trust had agreed to continue with the current arrangement for independent examination by the Council's Head of Audit & Investigation (as detailed within Option 1 in section 3.5 of the report).**
 - The appointment and nomination of the person to carry out future independent review should be reconsidered in the light of the conclusions of the Scrutiny Committee deliberations and recommendations.

Please return this form to a representative of the Head of Executive and Member Services, by email (from your individual email address) james.kinsella@brent.gov.uk at or in hard copy (with signatures) and in person to the Governance Team on the fourth floor of Brent Civic Centre.

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Barham Park Trust Committee
26th September 2023

**Report from Director of Environment
and Leisure**

ANNUAL REPORT AND ANNUAL ACCOUNTS 2022-2023

Wards Affected:	Wembley Central
Key or Non-Key Decision:	Non-key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Three Appendix 1: Annual Report of the Barham Park Trust to the Charity Commission for the 2022/23 financial year; Appendix 2: Accounts of the Barham Park Trust for the 2022/23 financial year; Appendix 3: Independent Examiner's Review of the accounts of the Barham Park Trust for the 2022/23 financial year.
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Jekaterina Popova, Head of Finance, Finance, Finance and Resources Department. E-mail: Jekaterina.Popova@brent.gov.uk Tel: 020 8937 1463

1 Purpose of the Report

- 1.1 This report presents the annual report for the Barham Park Trust for 2022/23. There is a statutory requirement to produce an Annual Report, including the Accounts each financial year.

2 Recommendation

For the Barham Park Committee to:-

- 2.1 Approve the Annual Report and Barham Park Trust's Accounts for 2022/23.
- 2.2 Note the Independent Examiner's Review of Barham Park Trust's Accounts for 2022/23.

- 2.3 Authorise officers to update the Charity Commission with the Annual Report and the Accounts for 2022/23 of Barham Park Trust.
- 2.4 Consider options for the examination of annual accounts in the future and approve to proceed with the recommended Option 1.

3 Detail

Annual Accounts for 2022/23

- 3.1 It has been revealed that the correct up-to-date Charity Commission accounts template has not been used to prepare Barham Park Trust's accounts. An evaluation has also been conducted to assess whether the accruals accounts template or the receipts and payments template is more appropriate for the Trust. The receipts and payments template was deemed to be more appropriate due to its more concise format and the size of the Trust. This template also provides a clear picture of the charity's activities and financial position whilst aiding readability and interpretation. Annual accounts for 2022/23 have therefore been prepared on a receipts and payments basis using the current template provided by the Charity Commission. There was no impact on the Trust's financial position as a result of this change.
- 3.2 The Trust's accounts form part of Brent Council's group accounts and for the purpose of consolidation need to be prepared on accruals basis initially and then adjusted to a receipts and payments basis. The Council's accounts are audited by an external audit firm who provide an assessment of whether the accounts give a true and fair view of the financial position of the Authority.
- 3.3 Officers have also contacted the Charity Commission to obtain confirmation that this approach is satisfactory and that no further actions are required to satisfy the Charity Commission reporting requirements. A response has not been received at the date of despatch of this report.
- 3.4 A number of further improvements are planned for 2023/24 to make financial reporting more efficient and transparent. A new bank account is planned to be opened for the Trust so that its funds are held separately from the Council in an interest-bearing account. Any arrangements and transactions with the Council will be reviewed and actioned via bank transfers.

Examination of Annual Accounts

- 3.5 The Charity Commission has set a threshold below which independent audit of financial statements is not required. For England and Wales this was set at either gross income exceeding £1,000,000 or gross income exceeding £250,000 and gross assets exceeding £3,260,000. As Barham Park Trust falls below this threshold, there is no requirement for the financial statements to be independently audited. The Trust therefore has the option to either:

Option1: Continue with the current arrangement for independent examination by the Head of Audit and Investigation, or

Option 2: Commission an external accountancy firm to carry out the audit. This will attract additional costs that are estimated to be between £3k and £4k.

- 3.6 Taking into account the size of the Trust and process improvements planned for 2023/24 to simplify the accounts and aid their interpretation, it is recommended that Option 1 is agreed.

Annual Report for 2022/23

- 3.7 The annual report is set out for consideration by the Committee. It outlines the work undertaken on behalf of the Trust during the year, which included the repair and improvement works on the park and ongoing work to secure tenants for the various buildings on the site.
- 3.8 As stated in paragraph 3.5, as Barham Park Trust falls below the threshold set by the Charity Commission, there is no requirement for financial statements to be independently audited. Therefore, an Independent Examiner's Report is an accepted way for smaller charities to present their accounts as allowed for by the Charities Act 2011.
- 3.9 The accounts have been subject to an independent examination by the Head of Audit and Investigation. The Independent Examiner's Report is attached to this report and is set out in Appendix 3. There were no recommendations raised.
- 3.10 In 2022/23 the Trust incurred costs of £66,586 on maintenance of the building complex and the park, which was funded from the income generated in-year. The Trust generated £91,607 income from funfairs, rental charges and interest earned, including a £27,092 cash advance from the Council.
- 3.11 As at 31 March 2023, the Trust had a rental debtor of £39,625 and a £12,533 payment that was due but not yet paid. These have been recognised as debtors and creditors on the Council's side and the Council gave a net £27,092 cash advance to the Trust in order to aid the Trust's cashflow position and avoid a detrimental effect of outstanding debt on the Trust's financial position. In 2022/23 the cash advance has been reported on a separate line in the income section to aid transparency. The Council has also paid interest to the Trust on the cash advance. The Trust continues liaising with tenants and expects all arrears to be cleared by March 2024.
- 3.12 The Trust has achieved a surplus of £25,021, net of receipts and payments, and increased its total cash funds. As at 31 March 2023, the Trust had £222k in unrestricted funds and £353k in restricted funds.
- 3.13 Following approval by the Trust Committee, the annual report and accounts for 2022/23 will be submitted to the Charity Commission – the deadline for submission is 31st January 2024. In practice the documents are submitted shortly after the Trust committee meeting.

Comparison between 21/22 and 22/23

- 3.14 Overall expenditure has increased by £5,481 when compared to last year. This is predominantly because additional one-off costs have been incurred to commission a feasibility study to consider the use of the Barham Park building and its condition in the long-term.
- 3.15 Total income shows a reduction of £31,992, which is largely due to rental income received in advance in the previous financial year which related to rental periods in 2022/23.

Restricted funds

3.16 The restricted funds balance as at 31st March 2023 remains at £353,152. In order for the restricted funds to be spent, this expenditure needs to be approved by both the Committee and the Charity Commission. The Committee needs to be satisfied that the proposed use of the restricted funds is in accordance with the terms of the Trust.

4 Financial Considerations

4.1 Financial implications are included in the body of the report.

5 Legal Considerations

5.1 In accordance with the Charities Act, the Trust Committee must ensure that accounting records are kept in respect of the charity which are sufficient to show and explain all the charity's transactions and prepare a statement of accounts.

5.2 If a charity's gross income in any financial year does not exceed £250,000, the charity trustees may, in respect of that year, elect to prepare — (a) a receipts and payments account, and (b) a statement of assets and liabilities, instead of a statement of accounts.

5.3 An independent audit of financial statements is required if the charity's gross income in that year exceeds £1 million, or the charity's gross income in that year exceeds £250,000 (the accounts threshold) and at the end of the year the aggregate value of its assets (before deduction of liabilities) exceeds £3.26 million.

5.4 Where those thresholds do not apply and the Charities gross income in a financial year exceeds £25,000, the accounts of the charity for that year must, be examined by an independent examiner, and that independent person can be someone who is reasonably believed by the trustees to have the requisite ability and practical experience to carry out a competent examination of the accounts.

6 Equality, Diversity and Inclusion Considerations

6.1 None.

7 Consultation with Ward Members and Stakeholders

7.1 None.

8 Human Resource/Property Considerations

8.1 None

Appendix 1: Annual Report of the Barham Park Trust to the Charity Commission for the 2022/23 financial year;

Appendix 2: Accounts of the Barham Park Trust for the 2022/23 financial year;

Appendix 3: Independent Examiner's Review of the accounts of the Barham Park Trust for the 2022/23 financial year.

Report sign off:

Chris Whyte

Director for Environment and Leisure

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Trustees' Annual Report for the period

From	Period start date			To	Period end date		
	Day 01	Month 04	Year 2022		Day 31	Month 03	Year 2023

Section A Reference and administration details

Charity name Barham Park Trust

Other names charity is known by Barham Park Trust

Registered charity number (if any) 302931

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	London Borough of Brent	Barham Park Trust Committee		Not applicable as corporate sole trustee
2				
3				
4				
5				
6				
7				
8				
9				
10				

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)	<p>The voluntary conveyance dated 22 October 1936 between George Titus Barham (1) and Wembley UDC (2) copy annexed.</p> <p>Related documents</p> <ul style="list-style-type: none"> • 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.

Members of the Barham Park Trust Committee received training in July 2022 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.

During the year of 2022-23, activities including those of community tenants returned to a more typical pattern following the Covid-19 pandemic. Several organisations organised activities and events, both within the Barham Park building and using the park.

The park of Barham Park recontinued as one of the most visited parks within the Brent area. The park includes a range of features including a Walled Garden, other gardens, trees and open woodland, amenity grassland and a meadow, a children’s playground and an outdoor gym.

The park hosted a Fun Fair on two occasions, guided walks and healthy walking activities. A Remembrance Day event was held in November 2022.

Working with the Council, Brent Council’s Property Services and Parks Service continued to work to progress operational issues, and to prepare capital projects towards commissioning both for the buildings and for the park.

One of those projects is a strategic review of the use of the building to look at opportunities to improve the quality of the accommodation and income generation.

Following the earlier works to re-landscape the Queen Elizabeth II Jubilee Garden, planting was conducted during the winter of 2022/23. Twenty standard-sized trees were planted in an open woodland. A low wall was restored. These works were funded by grants provided by Brent Council.

Summary of the main achievements of the charity during the year

The Barham Park Trust continued to maintain Barham Park for visitors from local areas of Brent and from elsewhere. The Barham Park building hosted tenants of community organisations. The Park and building hosted several events. Barham Park also provides a range of landscaping and biodiversity.

Restoration work continued on several features in the park, while the Barham Park Trust is conducting a review of the building and how best to maintain the building into the future.

Section E

Financial review

Brief statement of the charity's policy on reserves

As at 31 March 2023 the charity held cash reserves of £575,183. Out of this total sum of £575,183, the sum of £222,031 relates to unrestricted funds and the sum of £353,152 relates to restricted funds. There was no expenditure from the Trust's restricted funds in the 2022/23 financial year up to 31 March 2023.

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)	Chris Whyte	
Position (eg Secretary, Chair, etc)	Director for Environment and Leisure: Officer with delegated authority to deal with day to day trustee functions of the Trust.	

Date

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Receipts and payments accounts

For the period from	Period start date 01/04/2022	To	Period end date 31/03/2023
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Section A Receipts and payments

	Unrestricted funds to the nearest £	Restricted funds to the nearest £	Endowment funds to the nearest £	Total funds to the nearest £	Last year to the nearest £
A1 Receipts					
Hall Hire, Fun Fair & Ice Cream Concessions	-			-	-
Property Rental Income	-			-	3,089
Ad-hoc lettings	-			-	14,625
Fun Fair	36,337			36,337	28,172
Car Parking	-			-	-
Catering Rights	-			-	-
Rental Income - Virgin Media	4,875			4,875	6,500
Rental Income - Other	1,625			1,625	50,009
Brent Council Contribution	-			-	-
Children Centre	11,300			11,300	11,300
Interest earned	10,378			10,378	9,903
Cash Advance	27,092			27,092	-
	-			-	-
Sub total (Gross income for AR)	91,607	-	-	91,607	123,599
A2 Asset and investment sales, (see table).					
	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total receipts	91,607	-	-	91,607	123,599
A3 Payments					
Maintenance and Wardens	55,375			55,375	54,438
Premises - Utility	-			-	-
Premises - Insurance	2,500			2,500	2,500
Premises - Security	-			-	700
Premises - Cleaning	-			-	-
Premises - Repairs and Maintenance	-			-	-
Premises - Other	-			-	-
Supplies and Services	-			-	-
Waste Disposal	-			-	-
Trees - felling and planting	-			-	-
Machinery Repairs	-			-	-
FM running Costs	-			-	-
NNDR	-			-	-
Surveys	-			-	-
Consultancy	8,711			8,711	-
General contingency	-			-	3,467
	-			-	-
Sub total	66,586	-	-	66,586	61,105
A4 Asset and investment purchases, (see table)					
	-	-	-	-	-
Buildings Refurbishment	-	-	-	-	-
Sub total	-	-	-	-	-
Total payments	66,586	-	-	66,586	61,105
Net of receipts/(payments)	25,021	-	-	25,021	62,494
A5 Transfers between funds	-	-	-	-	-
A6 Cash funds last year end	197,010	353,152	-	550,162	487,668
Cash funds this year end	222,031	353,152	-	575,183	550,162

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

Categories	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B1 Cash funds	Cash	222,031	353,152	-
		-	-	-
		-	-	-
	Total cash funds	222,031	353,152	-
	(agree balances with receipts and payments account(s))	OK	OK	OK
B2 Other monetary assets		-	-	-
		-	-	-
		-	-	-
		-	-	-

	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
B3 Investment assets			-	-
			-	-
			-	-

	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
B4 Assets retained for the charity's own use	Barham Park Building Complex	Endowment fund		939,071

	Details	Fund to which liability relates	Amount due (optional)	When due (optional)
B5 Liabilities			-	
			-	
			-	

Signed by one or two trustees on behalf of all the trustees	Signature	Print Name	Date of approval

Barham Park Trust

2022-23 Accounts: Supplementary Audit Review

1 Introduction

- 1.1 The Audit and Investigations Service (A&I) were asked to act as an independent examiner and review the draft Barham Park Trust (“the Trust”) 2022-23 accounts which will be submitted to the Charities Commission.

2 Respective responsibilities of trustees and examiner

- 2.1 The charity's trustees are responsible for the preparation of the accounts. The charity's trustees consider that an audit is not required for this year under section 144(2) of the Charities Act 2011 (the 2011 Act) and that an independent examination is needed.
- 2.2 It is my responsibility to:
- Examine the accounts under section 145 of the 2011 Act;
 - Follow the procedures laid down in the general Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act; and
 - to state whether particular matters have come to my attention.

3 Basis of independent examiner’s report

- 3.1 This examination has been carried out in accordance with the general directions given by the Charities Commission. An examination
- 3.2 An independent examination is a form of external scrutiny that provides a limited check on specific matters. This limited form of check contrasts with an audit. The examiner is only required to confirm whether any material matters of concern have come to their attention, whilst a full audit is required to provide an opinion on whether a charity’s accounts give a ‘*true and fair view*’. An examination is therefore a limited form of scrutiny compared to an audit. It provides less assurance in terms of the depth of work which is to be carried out and is limited as to the matters on which the examiner reports.
- 3.3 An examination involves a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also involves a review of the accounts and the consideration of any unusual items and/or disclosures provided. The examiner must also consider whether any matters of concern have come to the examiner’s attention as a result of the independent examination that should be included in their report to enable a proper understanding of the accounts to be reached. The procedures undertaken therefore do not provide all the evidence that would be required in an audit and consequently no opinion is given as to whether the accounts present a “true and fair view” and the report is limited to those matters set out in the statement below.

4 Independents Examiner’s statement

- 4.1 Officers acting for the trustees have prepared receipts and payments accounts.

4.2 No matter has come to my attention, which gives me reasonable cause to believe that, in any material respect, the requirement:

- To keep accounting records in accordance with section 130 of the Charities Act; and
- To prepare accounts which accord with the accounting records and comply with the accounting requirements of the Charities Act have not been met, or
- To which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

Darren Armstrong – Head of Internal Audit and Investigations at London Borough of Brent

Relevant professional qualification or body: Chartered Institute of Internal Auditors (CMIIA, CIA)

Brent Civic Centre, Audit & Investigations, Floor 5, Engineers Way, HA9 0FJ

15 September 2023

PROTOCOL ON CALL-IN

1. INTRODUCTION

- 1.1 The basic premise of call-in is that it is a failsafe mechanism enabling non executive Councillors to make the Cabinet, Cabinet Committee, Cabinet Member or an officer making a key decision, re-consider a particular decision if it is of major concern or in Members' eyes profoundly flawed.
- 1.2 The statutory guidance on call-in states that there needs to be an appropriate balance between effectively holding the executive to account, being able to question decisions prior to them being implemented and allowing effective, efficient decision making. It also balances the need to make the process accessible and the need to ensure that call-in procedures are not abused or used to delay or slow down the decision making process.
- 1.3 As call-in can inevitably result in a delay to the implementation of decisions it should not be used for party political purposes to seek to further discuss a decision that some members do not agree with. Equally, the rights of non executive members to call-in a decision and exercise their right to question the decision, the decision maker and consider alternative options needs to be respected.
- 1.4 This protocol is designed to provide a locally agreed framework within which call-in can operate, a clear set of criteria against which an otherwise valid call-in request can be judged and a format for the effective conduct of the meeting considering the call in.

2. WHAT IS A CALL-IN?

- 2.1 A decision made by the council's Cabinet or a Cabinet committee, or a key decision by an officer, can be called in for review before it is implemented. Decisions can be called in by five non-executive members or by the Scrutiny Committee. If a Cabinet decision is called-in, that decision cannot normally be implemented until it has been considered by a scrutiny committee. An urgency procedure is in place in Standing Orders for any decision that cannot afford to be delayed.
- 2.2 The Scrutiny Committee is required to meet within 15 working days of the date on which a call-in is accepted as valid. The Committee may decide to refer the matter back to the Cabinet or other decision maker, along with the reasons why the Committee thinks it should be reconsidered. The Cabinet or other decision maker will then decide whether to implement the original decision or review the decision based on the views of the Scrutiny Committee. Alternatively the Committee can decide that the matter should not be referred back to the Cabinet or other decision maker in which case the original decision will be implemented.

3. THE CALL-IN PROCESS

- 3.1 A call in request must be submitted in accordance with the requirements of Standing Order 14 within 5 days of the relevant decision being made or in the case of a key decision made by officers within 5 days of the date on which the record of the decision is made publicly available in accordance with the Access to Information Rules. When submitting the call in request members must either complete the call-in form available [LINK] or include in their written request all the information required by the form. In particular this includes:
 - an explanation as to why they are calling in the decision and if they are calling in all or part of the decision(s).
 - an outline of the suggested alternative course of action.

3.2 When a call-in request is submitted to the Head of Executive and Member Services which meets the requirements of Standing Order 14(b)((i) – iv) the Head of Executive and Member Services will refer it to the Chief Executive, who, in consultation with the Head of Policy and Scrutiny (the council’s designated Scrutiny Officer) and the Corporate Director of Governance, will decide whether or not an otherwise valid call-in conforms with the following requirements of this protocol. The call-in request will be assessed against the following criteria:

- Is the call-in process being used as a means of gaining information / understanding or discussing general concerns with Members and officers? If this could be achieved through the general overview and scrutiny process or by talking to the relevant officer or lead member informally the call-in will not be valid,
- Does the call-in duplicate a recent call-in on the same issue? If the call-in duplicates another call-in made within the previous 6 months it will not be valid,
- Have the reasons for calling in the decision already been discussed by the Scrutiny Committee? If the reasons for calling in the decision have been discussed by the Scrutiny Committee prior to the decision being made the call-in will not be valid,
- Call-in of a decision of the Cabinet referring a matter to Full Council for consideration will not be valid,
- Call in of operational management decisions taken by officers will not be valid
- If the call in request is considered by the Chief Executive to be frivolous, vexatious or clearly outside the call-in provisions it may be deemed invalid.

Prior to deciding the validity the Corporate Director of Governance and the Head of Policy and Scrutiny may seek clarification from the members concerned.

4. THE CONDUCT OF THE CALL-IN MEETING

4.1 Scrutiny Committees are official committees of the council and it meets in public.

4.2 The purpose of a call-in meeting is for non executive members to examine and consider the decision made by the Cabinet, Cabinet Committee, or officers (in respect of key decisions) and for members of the committee to make suggestions and recommendations they consider appropriate to the decision maker. The Scrutiny Committee meeting provides an opportunity for members to seek clarification of the methodology used in enabling a decision to be made, as well as explore work undertaken by officers culminating in the matter coming before the decision maker .

4.3 The relevant Cabinet Portfolio Holder and chief officer (or his/her representative) will be invited to attend the scrutiny committee meeting to explain the reasons for the decision, respond to the issues raised in the call-in request and answer questions at the meeting.

4.4 It is the chair of the scrutiny committee’s responsibility to manage the meeting effectively by applying standing orders, maintaining good discipline and fostering a culture of respect. All contributions to the meeting should go through the chair and the chair should ensure that no purely personal disagreements or comments are allowed to continue.

4.5 To ensure that the meeting is effective the procedure at the meeting (subject to the Chair’s discretion) shall be as follows:

- (a) The chair will ask a representative of the members who called in the decision to set out the reasons for the call in for up to 5 minutes. In the event that different members have identified different reasons the chair may in their discretion as

more than one member to speak in which case the available time under (b) below shall be shared equally between the members.

- (b) The chair will consider whether to permit any member of the public who has made a request to address the meeting to do so, the rules relating to members of the public addressing a meeting as set out in Standing Orders apply. Members of the public can be allowed to speak for 2 minutes. If a number of requests to speak have been received then the chair should seek to limit the number of contributions to avoid hearing the same points repeated and should seek advice from the Head of Executive and Member Services about how this should be managed.
- (c) All of the members of the public who it has been agreed will address the meeting will be heard prior to the lead member and any relevant officers being asked to respond to the issues raised by the call-in.
- (d) The lead member shall then be invited to respond to the issues raised in the call in.
- (e) The chair will then invite members of the committee to question the lead member and officers and discuss the issues. Members who are not members of the committee but wish to ask a question can be invited to do so.
- (f) Having considered the call-in invite members of the committee are required to come to one of the following conclusions:
 - That the matter should be referred back to the decision maker for reconsideration with reasons for its request and what the committee wants the decision maker to do.
 - That it does not object to the decision and the decision can be implemented.

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