



## Barham Park Trust Committee

**Tuesday 9 September 2025 at 10.00 am**

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

Please note this will be held as a physical meeting which all members of the Trust Committee 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:

M. Butt  
Donnelly-Jackson  
Farah  
M. Patel  
Krupa Sheth

#### Substitute Members

##### Councillors:

Benea, Grahl, Knight, Nerva & Rubin.

**For further information contact:** Abby Shinhmar, Governance Officer  
Tel:020 8937 2078; Email: [abby.shinhmar@brent.gov.uk](mailto:abby.shinhmar@brent.gov.uk)

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[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 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
<b>1 Appointment of Chair and Vice Chair for the 2025-26 Municipal Year</b>	
To confirm the appointment of Councillor Muhammed Butt as Chair and Councillor Mili Patel as Vice Chair of the Trust Committee for 2025-26.	
<b>2 Apologies for Absence and Clarification of Alternate Members</b>	
<b>3 Declarations of Interests</b>	
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.	
<b>4 Minutes of the Previous Meeting</b>	1 - 4
The approve the minutes of the previous meeting held on Monday 24 February 2025 as a correct record.	
<b>5 Matters Arising (if any)</b>	
To consider any matters arising from the minutes of the previous meeting.	
<b>6 Barham Park Trust Annual Report and Accounts 2024/25</b>	5 - 24
This report presents the Annual Report for the Barham Park Trust for the financial year of 2024/25.	
<b>Ward Affected:</b> Wembley Central	<b>Contact Officer:</b> Benjamin Ainsworth, Head of Finance, Finance and Resources Tel: 020 8937 1731 <a href="mailto:Benjamin.Ainsworth@brent.gov.uk">Benjamin.Ainsworth@brent.gov.uk</a>
<b>7 Operational and Strategic Update Relating to Barham Park Estate, HAO 2HB.</b>	25 - 34
This report provides an update on the operational and strategic property matters related to the Barham Park Estate.	
<b>Ward Affected:</b> Wembley	<b>Contact Officer:</b> Tanveer Ghani, Director - Property and Assets

## 8 Exclusion of the Press & Public

The following items are not for publication as they relate to the category of exempt information set out below, as specified under Part 1, Schedule 12A of the Local Government Act 1972:

Agenda Item 7: Barham Park Operational and Strategic Update Report - Appendix 1 (Lease Valuations and New Rents).

This appendix has been classified as exempt under Paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

## 9 Any Other Urgent Business

Notice of items to be raised under this heading must be given in writing to the Deputy Director Democratic & Corporate Governance or their representative before the meeting in accordance with Standing Order 60.

**Date of the next meeting:** To be arranged as required



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](#)



## MINUTES OF THE BARHAM PARK TRUST COMMITTEE

**Held in Boardrooms 1 & 2, Brent Civic Centre on Monday 24 February 2025 at 10.00 am**

**PRESENT:** Councillor M Butt (Chair), M.Patel (Vice-Chair) and Councillors Donnelly-Jackson, Farah and Krupa Sheth.

### 1. **Apologies for Absence and Clarification of Alternate Members**

Apologies for absence were received from Alice Lester (Corporate Director Neighbourhoods & Regeneration).

### 2. **Declarations of Interests**

None declared.

### 3. **Minutes of the Previous Meeting**

**RESOLVED** that the minutes of the previous meeting held on Wednesday 4 December 2024 be agreed as a correct record.

### 4. **Matters Arising (if any)**

None.

### 5. **Operational Property Matters and 776 and 778 Harrow Road Restrictive Covenant(s) Update 24**

Denish Patel (Head of Property) introduced a report from the Director Property & Assets providing an update on various operational & strategic property matters relating to the Barham Park Estate as well as modification of the Restrictive Covenants on 776 and 778 Harrow Road.

In presenting the report the Trust Committee were advised:

- Of the background to the proposed modification of the restrictive covenants on 776 and 778 Harrow Road, which it was noted had been subject to an independent valuation (as detailed within Appendix 1 (classified as exempt) of the report) in accordance with Charity Commission guidelines. As a result of the proposed modification to the restrictive covenants a sum of £200,000 had been negotiated with the current owner of the site (Zenaster) to reflect the assessed market value of the modification, which the Committee were advised (subject to any required Charity Commission approval) would be allocated to the Trust's restricted funds in line with Charity Commission guidance on disposals. This was recognised as providing a significant one-off financial benefit for the Trust with the funds used to support the delivery of longer-term

benefits and ongoing maintenance of the Barham Park Estate without impacting on the net use of the park space.

- Other operational matters outlined included a proposed increase in the allocation of funding for Year 1 repair works to account for additional VAT costs as well as an update on progress regarding lease renewals and negotiations. This included the proposed lease re-gear (mid lease amendment) to remove Unit 6 from ACAVA's demise as it was surplus to their requirements enabling the Trust to market and re-let the unit on the best terms possible, aligning with its charitable objectives.

The Trust Committee was also advised of the progress with negotiations relating to Units 1 & 2 and Unit 7 as well as proposals being developed with the Council to enable the surrender of the lease on Unit 8 by the end of March 2025 allowing the Trust to re-market the unit.

- In terms of the Trust's financial position, members were advised that current cash reserves totalled £638,206, although it was noted the financial position remained challenging given the ongoing cost of maintenance work identified as required to the Estate. Work therefore continued with occupying tenants to clear the outstanding rent arrears (totalling £34,000) with it anticipated that most would be cleared by the end of March 2025 and rent reviews also having been completed, resulting in an annual income uplift of £15,671.
- In terms of Parks & Estate Management the Trust Committee noted the ongoing work being undertaken to address drainage issues in the events field as well as the outcome of a recent Barham Park Tree Survey, which had identified essential tree maintenance work as required in high traffic areas of the park. Given the need to ensure timely completion of the required safety and maintenance works, members were advised of the use of unrestricted funds to cover the cost identified (£18,055) given current pressures on the restricted fund pending the receipt of the income to be generated as a result of the potential modification of the restrictive covenants relating to 776 and 778 Harrow Road.
- Of the progress in developing the formal and informal consultation agreed to inform the future strategic estate redevelopment proposals and business case for expanding the estates permissible use, prior to submission to the Charity Commission.

The Chair thanked officers for the update provided and then invited comments in response to the report, with the following issues raised:

- Clarification was sought on the background to establishment of the Restrictive Covenants, which the Trust Committee was advised had first been introduced in August 2011 as a means of preserving the best interest of the Park, area's character and limiting development on the site at 776 & 778 Harrow Road. It was confirmed that no Restrictive Covenant had been in place prior to 2011 with the proposed modification felt to satisfy Charity Commission guidance on land disposal on the basis that the Trust (as legal beneficiary of the covenants) had the right to negotiate their modification or discharge; the proposal would

not reduce the Trust landholdings (as the properties had already been sold) and would also been in the Trust's best interests in terms of generating funds to support its charitable objectives.

- Assurance was sought that the ongoing work being undertaken to develop the future estate strategic redevelopment proposals and business case for expanding the estates permissible use as well as proposed modification of the Restrictive Covenants in support of the ongoing maintenance of the estate and Trust's charitable objectives would be subject to the necessary approval being sought from the Charity Commission. In response, confirmation was provided that the necessary approval would be sought from Charity Commission, as required.

As no further issues were raised the Chair made the Trust aware of a written representation which had been received in prior to the start of the meeting from a local resident regarding the proposed modification of the Restrictive Covenant and operational property issues outlined in the report, which it was confirmed had been noted.

In thanking officers for their ongoing work and acknowledging the efforts being made to safeguard the future and financial sustainability of the Barham Park Estate in a way that would enable continued community and public benefit in line with the Trust's charitable objectives, the Trust Committee **RESOLVED** (having noted the exempt information contained within the appendices to the report) to:

- (1) Approve the modification of the restrictive covenants at 776 and 778 Harrow Road, as detailed in paragraphs 3.8-3.11 of the report and delegate authority to the Director of Property and Assets to execute a deed with Zenaster Properties Ltd for the agreed sum of £200,000, subject to (2) below.
- (2) Approve seeking Charity Commission consideration of the Qualified Surveyor's Report (included as an exempt appendix to the report) and authorisation under Section 105 of the Charities Act to modify or discharge the covenants.
- (3) Approve an increase in the allocated funding for Year 1 works from £268,950 plus professional fees to £352,221 to account for VAT and seek Charity Commission approval to utilise restricted funds.
- (4) Authorise the Director of Property and Assets to negotiate and finalise the lease re-gear for Unit 6 with ACAVA.

## 6. **Exclusion of the Press & Public**

There were no items that required the exclusion of the press or public.

## 7. **Any Other Urgent Business**

There were no items of urgent business.


It was noted that should any further meetings of the Trust Committee be required during the year these would be arranged as needed.

The meeting was declared closed at 10:10 am

COUNCILLOR MUHAMMED BUTT

Chair



	<b>Barham Park Trust Committee</b> 9 September 2025
	<b>Report from Director of Property &amp; Assets</b>
<b>Annual report and Annual Accounts 2024-25</b>	

<b>Wards Affected:</b>	Wembley Central
<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>	Three Appendix 1: Annual Report of the Barham Park Trust to the Charity Commission for the 2024/25 financial year; Appendix 2: Accounts of the Barham Park Trust for the 2024/25 financial year; Appendix 3: Independent Examiner's Review of the accounts of the Barham Park Trust for the 2024/25 financial year.
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Benjamin Ainsworth, Head of Finance, Finance, Finance and Resources Department. 020 8937 1731 Email: <a href="mailto:Benjamin.Ainsworth@brent.gov.uk">Benjamin.Ainsworth@brent.gov.uk</a>  Ravinder Jassar, Deputy Director of Finance, Finance and Resources Department. Tel: 020 8937 1487 E-mail: <a href="mailto:Ravinder.Jassar@brent.gov.uk">Ravinder.Jassar@brent.gov.uk</a>

## 1 Purpose of the Report

- 1.1 This report presents the annual report for the Barham Park Trust for 2024/25. 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 2024/25.

- 2.2 Note the Independent Examiner's Review of Barham Park Trust's Accounts for 2024/25.
- 2.3 Authorise officers to update the Charity Commission with the Annual Report and the Accounts for 2024/25 of Barham Park Trust.

### **3 Detail**

#### Annual Accounts for 2024/25

- 3.1 The Annual accounts for 2024/25 have been prepared on a receipts and payments basis using the current template provided by the Charity Commission. The receipts and payments template is deemed to be more appropriate due to its 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.

The Trust's accounts form part of Brent Council's group accounts. Until 2023/24, to consolidate with the council's accounts, Barham Park's accounts were initially prepared on accruals basis and then adjusted to a receipts and payments basis. For the financial year 2024/25, the Trust has transitioned fully to a cash accounting basis. This change has been implemented to facilitate a smooth transition to the Trust's newly established bank account and to simplify internal financial processes, particularly in view of the previous operational reliance on cash advances from Brent Council. It is intended that this cash-based approach will continue for future financial years, subject to the Trust's profits remaining within the statutory threshold limits that permit simplified reporting under the applicable accounting framework.

- 3.2 A new bank account for the Trust has been opened and cash funds of £712,207 accumulated until 31<sup>st</sup> March 2025 were transferred to the bank account following a meeting with the Head of Property to review and approve the draft receipts and payments accounts for 2024/25. The Trust now operates two separate bank accounts:

- 1. Interest-bearing deposit account offering an Annual Equivalent Rate (AER) of 2.50%
- 2. Non-interest-bearing current account

To optimise interest earnings on the available funds, £700,000 was transferred to the interest-bearing deposit account. The remaining £12,207 was allocated to the non-interest-bearing current account to cover operational liquidity needs.

#### Annual Report for 2024/25

- 3.3 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.
- 3.4 As stated in paragraph 3.1, 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.

- 3.5 The accounts have been subject to an independent examination by the Deputy Director Organisational Assurance & Resilience. The Independent Examiner's Report is attached to this report and is set out in Appendix 3. There were no recommendations raised.
- 3.6 During the financial year 2024/25, the Trust incurred a total expenditure of £75,716 including building maintenance and insurance premiums. The expenditure for the trust was paid using receipts generated within the same financial year.
- 3.7 The Trust received total income of £149,717, which was derived from activities such as funfairs, rental charges, and interest earnings.
- 3.8 As of 31<sup>st</sup> March 2025, the Trust have the following assets:
- £342,228 unrestricted funds
  - £369,978 restricted funds
  - £22,577 other monetary assets
  - £939,071 asset representing the valuation of the Barham Park Building Complex
- 3.9 As of the end of the 2024/25 financial year, the Trust reported a current liability of £16,034. This amount primarily reflects outstanding costs associated with a recent rental review, ongoing building maintenance, and a cash advance related to unpaid invoices owed to Brent Council. The Trust has achieved a surplus of £74,001, net of receipts and payments, and increased its total cash funds from £638,206 reported in 2023-24 to £712,207 reported in 2024-25.
- 3.10 Following approval by the Trust Committee, the annual report and accounts for 2024/25 will be submitted to the Charity Commission – the deadline for submission is 31<sup>st</sup> January 2026. In practice the documents are submitted shortly after the Trust committee meeting.

#### Comparison between 2023/24 and 2024/25

- 3.11 Total payments for the financial year 2024/25 increased by £9,621 compared to the previous year. This rise is primarily due to a £5,650 increase in building maintenance costs relative to 2023/24. Additionally, the issuance of credit memos totalling £4,875 which reversed rental invoices for the period when a unit was reported as vacant, further contributed to the overall increase in expenditure.
- 3.12 Total receipts for the financial year 2024/25 rose by £20,599 compared to the previous year. This increase was primarily driven by a £10,908 increase in property rental income. Additionally, funfair revenue grew by £6,710, and investment interest increased by £2,981, reflecting the growth in accumulated funds over recent years.
- 3.13 The annual rental increase accounted for 2% of the total rental receipts, while the retrospective rental adjustment, backdated to 2019, contributed a 21% of the total rental receipts. It is important to note that the 2023/24 cash receipts included a cash advance for unpaid debt of £44,500 whereas in 2024/25, using newly adopted cash accounting procedures, the unpaid balance £22,577 is stated in other monetary assets rather than as a cash advance. Hence, the overall increase in income is £43,176 which is a notable 33.4% rise.

- 3.14 Proactive credit control measures account for the decrease in arrears for 2024/25. The total overdue debt has reduced significantly by 49% in 2024/25. The percentage decrease in debt is calculated using the cash advance reported in 2023/24 of £44,500 compared to net assets reported in 2024/25 of £22,577. The unpaid debt remains on Brent council's balance sheet. Once the debt is paid, the net receipts are transferred to Trust's balance sheet and the funds are transferred to the bank. Officers are proactively engaging with the tenants to clear the remaining debt relating to Q1 and Q2 of 2025/26, as the arrears for 2024/25 have been cleared.

#### Restricted funds

- 3.15 The restricted funds balance as of 31<sup>st</sup> March 2025 amounted to £369,978 reflecting resources designated for specific purposes in accordance with the Trust's policy. Approval from both the Committee and the Charity Commission is required before the restricted funds can be spent. The Committee needs to be satisfied that the proposed use of the restricted funds is in accordance with the terms of the Trust. £352,221 out of the current restricted funds are expected to be used for urgent repairs in 2025/26 subject to approval by the Charity Commission.

### **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 Equity, Diversity and Inclusion Considerations**

- 6.1 None.

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

- 7.1 None.

### **8 Human Resource/Property Implications**

8.1 None

**9 Climate Change and Environmental Considerations**

9.1 None other than those identified within the main report.

**10 Communication Considerations**

10.1 None other than those identified within the main report.

**Report sign off:**

***Tanveer Ghani***

Director of Property and Assets

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## Trustees' Annual Report for the Period

From 01.04.2024

Period start date To 31.03.2025

Period end date

Charity name: Barham Park Trust

Charity registration number: 302931

## Objectives and Activities

	SORP reference	
Summary of the purposes of the charity as set out in its governing document	Para 1.17	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 in relation to those purposes for the public benefit, in particular, the activities, projects or services identified in the accounts.	Para 1.17 and 1.19	The benefit is the provision of Barham Park and building for recreational purposes.
Statement confirming whether the trustees have had regard to the guidance issued by the Charity Commission on public benefit	Para 1.18	The Trustees (Brent Council is the sole trustee) receive legal advice with respect to their regard to the guidance issued by the Charity Commission on public benefit. Members of the Barham Park Trust Committee receive training on that role when they are first appointed. Training included a wide range of information including governance, conflicts of interest and public benefit.

### Additional information (optional)

You may choose to include further statements where relevant about:

	SORP reference	
Policy on grant making	Para 1.38	The Trust may make grant applications.
Policy on social investment including program related investment	Para 1.38	
	Para 1.38	

Contribution made by volunteers		
Other		

## Achievements and Performance

	SORP reference	
Summary of the main achievements of the charity, identifying the difference the charity's work has made to the circumstances of its beneficiaries and any wider benefits to society as a whole.	Para 1.20	<p>During the year of 2024-25, the Barham Park Trust met thrice. Details of the meetings and decisions are available on the Brent Council website at Browse meetings - Barham Park Trust Committee (<a href="http://brent.gov.uk">brent.gov.uk</a>)</p> <p>The Trust considered the annual report and accounts for the year 2024/25, a summary of operational and strategic matters. In the short-term, preparations continue for works on the exterior of the building.</p> <p>The Trust's tenants, primarily of the Barham Park building, continued their activities during the year. The tenants include ACAVA (Association for Cultural Advancement through Visual Art), the Friends of Barham Library (Community Library), Tamu Samaj (Nepalese Community Centre), the Veterans, and through the Children's Centre. Some of the tenants also organised a range of activities for the wider public, particularly those organised through the Community Library. A number of new lettings are taking place for vacant properties with EchoVibe Hub and Friends of Barham Library subject to lease agreements.</p> <p>Within the park, a visiting funfair was hosted for two visits during the spring and summer of 2024; and contributes towards the funding of the Trust. The park hosted a number of community events during the year; and a weekly walking for health group. A tree planting event was organised by a residents and tenants association. The role of community organisations and volunteers in the life of Barham Park and in organising many of the above activities is acknowledged.</p> <p>Within the park, the establishment of plants continued in the restored Queen Elizabeth II Jubilee Garden. This project was funded</p>



		<p>by NCIL (Neighbourhood Community Infrastructure Levy) grants funded by Brent Council. The park of Barham Park continued as one of the most visited parks within the Brent area. The park has features including a Walled Garden, other gardens, trees and open woodland, amenity grassland and a meadow, a children's playground and an outdoor gym. Barham Park hosted the Borough Remembrance Day event held in November 2024. The Barham Park Walled Garden achieved a Silver Gilt award in the London in Bloom 2024.</p>
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#### **Additional information (optional)**

You may choose to include further statements where relevant about:

Achievements against objectives set	Para 1.41	
Performance of fundraising activities against objectives set	Para 1.41	
Investment performance against objectives	Para 1.41	
Other		

## Financial Review

Review of the charity's financial position at the end of the period	Para 1.21	<p>As at 31<sup>st</sup> March 2025, the charity held cash reserves of 712,207. Out of the total cash reserves, the sum of £342,228 relates to unrestricted funds and sum of £369,978 relates to restricted funds. There was no expenditure from the Trust's restricted funds in the 2024/25 financial year up to 31 March 2025.</p> <p>In accordance with the decision of the trustees, any future receipts will be used for improvements within Barham Park.</p>
Statement explaining the policy for holding reserves stating why they are held	Para 1.22	The unrestricted funds are used for building maintenance, repairs, insurance etc. The restricted funds are resources designated for specific purposes in accordance with the Trust's policy. Approval from both the Committee and the Charity Commission is required before the restricted funds can be spent. The Committee needs to be satisfied that the proposed use of the restricted funds is in accordance with the terms of the Trust.
Amount of reserves held	Para 1.22	£712,207
Reasons for holding zero reserves	Para 1.22	
Details of fund materially in deficit	Para 1.24	
Explanation of any uncertainties about the charity continuing as a going concern	Para 1.23	

### Additional information (optional)

You may choose to include further statements where relevant about:

The charity's principal sources of funds (including any fundraising)	Para 1.47	Charity's principal source of funds is from rental income from Barham Park building and fun fairs held at Barham Park.
Investment policy and objectives including any social investment policy adopted	Para 1.46	
A description of the principal risks facing the charity	Para 1.46	
Other		

## Structure, Governance and Management

Description of charity's trusts:		
Type of governing document (trust deed, royal charter)	Para 1.25	<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"> <li>The conveyance dated 1<sup>st</sup> February 1937 between Florence Elizabeth Barham (1) and the Mayor Alderman and Burgesses of the Borough of Wembley (2) copy annexed</li> </ul> <p>The Assent dated 1<sup>st</sup> February 1938 between James Williamson and Kenneth Ewart Tansley (1) and the Mayor Alderman and Burgesses of the Borough of Wembley (2) copy annexed.</p>
How is the charity constituted? (e.g unincorporated association, CIO)	Para 1.25	London Borough of Brent as sole trustee
Trustee selection methods including details of any constitutional provisions e.g. election to post or name of any person or body entitled to appoint one or more trustees	Para 1.25	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 information (optional)

You may choose to include further statements where relevant about:

Policies and procedures adopted for the induction and training of trustees	Para 1.51	
The charity's organisational structure and any wider network with which the charity works	Para 1.51	
Relationship with any related parties	Para 1.51	

## Reference and Administrative details

Charity name	Barham Park Trust
Other name the charity uses	
Registered charity number	302931
Charity's principal address	Brent Civic Centre Engineers Way Wembley 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
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## Corporate trustees – names of the directors at the date the report was approved

Director name		

## Name of trustees holding title to property belonging to the charity

Trustee name	Dates acted if not for whole year	

## Funds held as custodian trustees on behalf of others

Description of the assets held in this capacity	
Name and objects of the charity on whose behalf the assets are held and how this falls within the custodian charity's objects	
Details of arrangements for safe custody and segregation of such assets from the charity's own assets	

### Additional information (optional)

#### 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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## Exemptions from disclosure

Reason for non-disclosure of key personnel details

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## Other optional information

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## Declarations

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

Signed on behalf of the charity's trustees

Signature(s)		
Full name(s)		
Position (eg Secretary, Chair, etc)		
Date		

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CHARITY COMMISSION  
FOR ENGLAND AND WALES

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

CC16a

For the period from	Period start date 01/04/2024	To	Period end date 31/03/2025
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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 £
<b>A1 Receipts</b>					
Fun Fair	40,651		-	40,651	33,941
Property Rental Income	76,708			76,708	21,300
Brent Council Contribution		-	-	-	
Interest earned	15,532	16,826		32,358	29,377
Cash Advance		-	-	-	44,500
Other		-	-	-	-
<b>Sub total (Gross income for AR)</b>	<b>132,890</b>	<b>16,826</b>	<b>-</b>	<b>149,717</b>	<b>129,118</b>
<b>A2 Asset and investment sales, (see table).</b>					
	-	-	-	-	
	-	-	-	-	-
<b>Sub total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total receipts</b>	<b>132,890</b>	<b>16,826</b>	<b>-</b>	<b>149,717</b>	<b>129,118</b>
<b>A3 Payments</b>					
Maintenance Costs	67,560	-	-	67,560	59,670
Credit Memos	4,875	-	-	4,875	-
Premises - Insurance	3,281			3,281	3,125
NNDR				-	-
Surveys				-	-
Consultancy		-	-	-	3,300
<b>Sub total</b>	<b>75,716</b>	<b>-</b>	<b>-</b>	<b>75,716</b>	<b>66,095</b>
<b>A4 Asset and investment purchases, (see table)</b>					
Buildings Refurbishments	-	-	-	-	
	-	-	-	-	
<b>Sub total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total payments</b>	<b>75,716</b>	<b>-</b>	<b>-</b>	<b>75,716</b>	<b>66,095</b>
<b>Net of receipts/(payments)</b>	<b>57,174</b>	<b>16,826</b>	<b>-</b>	<b>74,001</b>	<b>63,023</b>
<b>A5 Transfers between funds</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>A6 Cash funds last year end</b>	<b>285,054</b>	<b>353,152</b>	<b>-</b>	<b>638,206</b>	<b>575,183</b>
<b>Cash funds this year end</b>	<b>342,228</b>	<b>369,978</b>	<b>-</b>	<b>712,207</b>	<b>638,206</b>

## 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 £
<b>B1 Cash funds</b>		342,228	369,978	-
		-	-	-
		-	-	-
	<b>Total cash funds</b>	<b>342,228</b>	<b>369,978</b>	<b>-</b>
	(agree balances with receipts and payments account(s))	OK	OK	OK
		Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
<b>B2 Other monetary assets</b>	<b>Details</b>			
	Rental Income due to the Charity	22,577	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
<b>B3 Investment assets</b>	<b>Details</b>	Fund to which asset belongs	Cost (optional)	Current value (optional)
			-	-
			-	-
			-	-
			-	-
<b>B4 Assets retained for the charity's own use</b>	<b>Details</b>	Fund to which asset belongs	Cost (optional)	Current value (optional)
	Barham Park Building Complex	Endowment fund	-	939,071
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
<b>B5 Liabilities</b>	<b>Details</b>	Fund to which liability relates	Amount due (optional)	When due (optional)
	Surveying and Inspection Costs	Unrestricted Funds	11520	
	Building Maintenance Costs	Unrestricted Funds	1,264	
	Cash Advance due to the Council	Unrestricted Funds	3250	
Signed by one or two trustees on behalf of all the trustees	Signature	Print Name	Date of approval	

# Barham Park Trust

## 2024-25 accounts: Independent Examiner's Report

### 1 Introduction

- 1.1 I report on the accounts of Barham Park Trust ("the Trust") for the period 1<sup>st</sup> April 2024 to 31<sup>st</sup> March 2025.

### 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 therefore my responsibility as the independent examiner 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 and scope of independent examiner's report

- 3.1 The independent examination was carried out in accordance with the general directions given by the Charities Commission.
- 3.2 An independent examination is a form of external scrutiny that provides a *limited check* on specific matters. The examination includes a review of the accounting records kept in respect of the Trust and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts and seeks explanations for any such matters.
- 3.3 An independent examination contrasts significantly to that of an 'audit' and should therefore not be mistaken as such. The procedures undertaken as part of the examination do not provide all the evidence that would be required in an audit, and consequently, I do not express an audit opinion on the view given by the accounts. For the avoidance of doubt, I do not express an opinion as to whether the accounts give a 'true and fair view'.

### 4 Independent Examiner's statement

- 4.1 In connection with my examination, no matter has come to my attention:
- 1) Which gives me reasonable cause to believe that in any material respect the following requirements:
- To keep accounting records in accordance with section 130 of the 2011 Act; and

- To prepare accounts which accord with the accounting records and comply with the accounting requirements of the 2011 Act

have not been met; or

- 2) To which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

**Darren Armstrong CMIIA, CIA**  
**Deputy Director Organisational Assurance and Resilience (Head of Internal Audit)**

**London Borough of Brent**  
**Brent Civic Centre**  
**Engineers Way,**  
**HA9 0FJ**

**29 August 2025**

	<p style="text-align: center;"><b>Barham Park Trust Committee Meeting</b> 9 September 2025</p>
<p><b>Operational and Strategic Update Relating to Barham Park Estate HA0 2HB</b></p>	
<b>Wards Affected:</b>	Wembley Central
<b>Key or Non-Key Decision:</b>	Non-Key
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1 Schedule 12A of 1972 Local Government Act)	Part Exempt — Appendix 1: is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information)
<b>No. of Appendices</b>	One Appendix 1: Lease valuations and new rents (exempt)
<b>Background papers:</b>	None
<b>Contact Officer(s):</b>	Denish Patel, Head of Property 020 8937 2529 <a href="mailto:Denish.Patel@brent.gov.uk">Denish.Patel@brent.gov.uk</a>  Tanveer Ghani, Director of Property and Assets 020 8937 1722 <a href="mailto:Tanveer.Ghani@brent.gov.uk">Tanveer.Ghani@brent.gov.uk</a>

## 1.0 Executive Summary

- 1.1 This report provides an update on the operational and strategic property matters related to the Barham Park Estate. It includes progress on lease renewals, arrears management, and building works; updates on 776 and 778 Harrow Road; and outlines the current financial position of the Trust. It also details the ongoing strategic tenant engagement process in support of future redevelopment and the proposed expansion of the estate's charitable purposes.

- 1.2 The report further provides an update on the application made to the Charity Commission under Section 105 of the Charities Act 2011 regarding the use of restricted funds for building works and concerning 776 and 778 Harrow Road.

## 2.0 **Recommendations:**

- 2.1 That the Barham Park Trust Committee notes the operational and strategic updates within the report.

## 3.0 **Detail**

### **Operational Updates**

#### 3.1 **Lease Renewals and Lettings**

- 3.2 Since the last meeting of the Trust Committee, there has been good progress in regularising tenancy arrangements across the Barham Park Estate, aligning with both operational requirements and the Trust's long-term strategic objectives. The Trust Committee of 10 September 2024 provided delegated authority to the Director of Property and Assets to renew the expired leases of units 1, 2, and 8 and let unit 7 for meanwhile use. The Trust Committee report of 24 February 2025 provided an update on the Council's plans to vacate from unit 8 and for the unit to be marketed and relet.
- 3.3 Lease renewal for Unit 1, occupied by Tamu Samaj UK, has completed. The lease renewal for Unit 2, occupied by the Veterans' Club, is at an advanced stage. Both leases are for a five-year term and include phased rent increases. Rents have increased, reflecting the historically low starting points and the Trust's duty to optimise income from its assets. These increases have been informed by independent professional valuation advice and structured to align with the Trust's strategic priorities, ensuring leases are set on a more sustainable path toward greater consistency with prevailing rental values, while remaining appropriate to the charitable use of the estate. See confidential Appendix 1 which sets out the valuations and new rents.
- 3.4 In relation to Unit 8, the Council formally yielded up the property with vacant possession at the end of April 2025 and will pay rent to the Trust up to that date. Following a marketing exercise, the unit has been allocated to a new community-focused tenant, EchoVibe Hub, subject to a lease agreement. The new lease is substantially in an agreed form. The letting has been structured to reflect market-aligned terms while supporting the Trust's broader charitable objectives.
- 3.5 Once the lease renewals and new lettings are completed, including the re-letting of vacant Unit 8, the Trust's annual rental income is expected to increase by £17,820, reaching a total of £87,991 in the short term. An additional £2,250 is anticipated from scheduled rent uplifts for units 1 and 2, bringing the total to £90,241 per annum in the long term. This projected increase will help strengthen the Trust's financial position, support ongoing maintenance, and contribute to the achievement of its strategic objectives.

- 3.6 Heads of terms have been agreed with the Friends of Barham Library for the temporary occupation of vacant Unit 7. This arrangement would provide the Trust with short-term income while preserving flexibility for future redevelopment. Following this agreement, the prospective tenant has expressed interest in making external alterations, i.e., a new front entrance to improve accessibility. These proposals were not included in the original terms and may have implications for planning, heritage, and future redevelopment, and will therefore require careful consideration. In line with the Equality Act 2010, the Trust must consider reasonable adjustments to improve accessibility, taking into account cost, practicality, and overall impact. Officers have agreed to consider the proposals in principle, subject to submission of full architectural drawings, supporting statements, and any required consents. Final approval will rest with the Director of Property and Assets, ensuring alignment with the Trust's legal obligations, charitable objectives, and strategic plans for the estate.
- 3.7 In each case, the terms of renewals or new lettings ensure that the occupation of units remains consistent with the Trust's strategic priorities for long-term redevelopment in 2032 and long-term sustainability.
- 3.8 **Rent arrears and lease management**
- 3.9 Arrears across the estate have continued to decline, with outstanding debt from an existing tenant falling from £51,800 in March 2024 to £22,577 in March 2025, and further to £14,384 as at the date of this report, in respect to just one quarter's rent. This progress is encouraging and reflects positive engagement from the tenant following earlier financial difficulties related to the pandemic. Although the repayment plan aimed at clearing all arrears by March 2025 was only partially met, the tenant has remained in regular contact with Officers and continues to work towards full repayment. Officers consider it to be in the Trust's best interest to maintain this constructive approach, given the ongoing progress. However, the Trust reserves the right to take legal action, including forfeiture, under the lease terms, if necessary, as a last resort.
- 3.10 The proposed re-gear of ACAVA's lease to release Unit 6 from their demise has not yet advanced and discussions are ongoing.
- 3.11 Virgin Media, which vacated the premises, remains subject to ongoing legal proceedings for the recovery of outstanding arrears totalling £3,520.
- 3.12 There are currently no outstanding rent reviews. All scheduled reviews under the lease provisions were completed by mid-2024, resulting in a total annual rent increase of £15,671. The next cycle of rent reviews is expected in approximately five years, aligning with the expiry of leases – subject to redevelopment plans.
- 3.13 **Year one building works (pre-planned maintenance programme)**
- 3.14 The scope of required urgent works is based on the Watts report and OCR Surveying Ltd's site-specific recommendations. Planned improvements include

priority roof repairs to make the building weather-tight, render repairs, selective window replacements, external redecorations, and façade enhancements to both the park-facing and Harrow Road elevations. The project is expected to take approximately 10–12 weeks from start-on-site.

- 3.15 The works will be funded from the Trust's restricted funds (inclusive of VAT and professional fees). This figure represents an increase from the initial estimate of £268,950, primarily due to VAT obligations that the Trust cannot recover. The budget breakdown is as follows:

- £266,834 for refurbishment works
- £26,683 for professional fees
- £58,704 VAT allowance (20%)

As a result, the Trust's restricted reserves will be almost fully committed.

- 3.16 The Trust Committee should note that an application was submitted to the Charity Commission seeking approval to use £352,221 from restricted funds to deliver the year one building works. The Charity Commission has recently confirmed its approval to use restricted funds for this purpose.

- 3.17 A competitive tender was issued in May 2025 via the Pagabo Framework, by OCR Surveying Ltd (OCR), the Trust's appointed property consultant. The tender sought to appoint a contractor to deliver the Year 1 building works, with a submission deadline of 25 June 2025. Three bids were received; however, all exceeded the available budget. OCR is currently in dialogue with the bidders to explore opportunities for value engineering and scope adjustments to bring the project within budget. Once these revisions are finalised, the Director of Property and Assets will proceed to award the contract under delegated authority.

### 3.18 **Parks**

- 3.19 Essential tree maintenance works valued at £18,055 + VAT have now been commissioned following a competitive procurement process. These will be funded through unrestricted funds and are necessary due to storm damage identified in the 2024 Tree Survey.

- 3.20 Drainage on the events field remains a concern. The results of ongoing vertical drainage works being carried out by the grounds maintenance team are expected later this year and will inform future actions. The event field is also inspected before and after each funfair event.

- 3.21 The funfair is scheduled to take place on two occasions this year, with the total number of operational days (including set-up and de-rig) likely to exceed the 28-day threshold permitted for temporary uses under Permitted Development Rights. Normally, exceeding this threshold would require formal planning permission. However, the organisers, George Irvin's Funfair, contend that the long-standing nature of the event, having taken place on a similar basis for over ten consecutive years, establishes a lawful use that does not require further



planning consent. Officers are currently reviewing the planning position in consultation with colleagues in the Planning Service to determine whether the continued operation of the funfair requires a certificate of lawfulness or retrospective planning permission.

- 3.22 Expected revenue from the funfair this year is approximately £42,313 from two events over 34 operational days.

### 3.23 **Health and Safety and Compliance**

- 3.24 The Trust continues to work towards maintaining statutory compliance across all units and Officers are continuing to work with tenants to ensure all required safety documentation is in place and up to date, including asbestos, fire, gas, electrical and legionella risk assessments. Under the leases the tenants are responsible for complying with all health and safety laws relating to the property and occupation/use. EPC ratings have been updated, with all units achieving between C and D. An asbestos survey has been carried out of the whole building that made recommendations for very low/low risks asbestos control and management, which the Council will implement in due course.

### 3.25 **Finance update**

- 3.26 The Trust's financial position as at March 2025 is as follows:

- Unrestricted funds: £342,228, with a current liability of £16,034 (invoices due for surveying and professional fees not yet paid).
- Restricted funds: £369,978, before the anticipated commitment of £352,221 for year one building works.
- Lettings income: Currently £70,171 per annum, with projected increases as follows:
  - +£3,220 p.a. from lease renewals (Units 1 and 2)
  - +£14,600 p.a. from new lettings (Units 7 and 8)
  - +£2,250 term uplift (Units 1 and 2)
  - Total projected income: £87,991 p.a. once lease renewals and new leases are in place, gradually rising to £90,241 p.a from uplift.
- Funfair income: Forecast at £42,313 for 2025/26.
- Significant expenditure: The year one building works, valued at £352,221, will be funded from restricted reserves, with Charity Commission approval.

- 3.27 A new bank account/s (interest-bearing and non-interest-bearing accounts) for the Trust have been successfully established. Given the imminent drawdown for building repairs, restricted funds will be significantly reduced. Officers are also exploring alternative funding mechanisms for future capital works, including service charges and grant funding where possible.

- 3.28 While the additional income of £17,820 - £20,070 per year from lease renewals and new lettings is welcome and provides some financial relief, the Trust's reserves will be significantly depleted after completing the year one building works. The Watts Building Survey identified £695,050 of necessary repairs over the next 10 years, including the current works. Without new income streams to replenish restricted funds, the Trust will face increasing challenges in maintaining the building in a safe and serviceable condition. It is therefore vital that the Trust continues to advance its redevelopment plans to diversify income and achieve the long-term financial stability required to fulfil its charitable objectives.
- 3.29 Service charges, although outlined in existing lease agreements, have not historically been applied. These are now scheduled to start from 2025/26, following completion of the first year of essential building works. This timing ensures tenants contribute only after tangible improvements have been delivered, aligning charges with visible investment in the estate. Officers are currently preparing a service charge budget based on projected ongoing maintenance costs. Charges will be allocated in line with each lease's provisions. This phased and transparent approach supports the Trust's financial responsibilities while remaining fair to tenants, and forms part of a broader strategy to improve long-term estate management and sustainability.

3.30 **Strategic matters**

**776 and 778 Restrictive Covenant modifications**

- 3.31 In respect of 776 and 778 Harrow Road, following approval by the Trust Committee in February 2025 an application was submitted to the Charity Commission seeking consent to modify or remove the covenants in exchange for a one-off payment of £200,000 to the Trust. As at the date of this report, a decision from the Charity Commission remains pending.
- 3.32 Subject to a decision from the Charity Commission, Officers will then be able to advise on related matters such as the boundary correction, the type of development coming forward and the value of the transaction.
- 3.33 **Proposed Redevelopment and Charitable Purpose Expansion:**
- 3.34 Work is ongoing to develop the long-term plan for Barham Park, in line with the 'bronze option' approved by the Trust Committee in 2024. Officers are close to completing Phase 1 of the tenant engagement process, which involved sending questionnaires to all tenants to gather feedback on current use and future aspirations. Responses have been received from Tamu Samaj (Unit 1), the Veterans Club (Unit 2), and ACAVA (Units 3, 5, 6, 9 and 10). A response from the Friends of Barham Library is still awaited; if none is received within 14 days, their input will be recorded as a nil return to enable work on Phase 2 to progress.
- 3.35 Phase 2, which will involve formal consultation on redevelopment proposals, is scheduled to begin in 2026. This timeline allows for careful planning and analysis of Phase 1 feedback. The outcomes of both phases will inform a

business case to be submitted to the Charity Commission, seeking approval to broaden the Trust's charitable purposes. This approval is a critical step toward enabling limited commercial use of the estate, key to supporting the Trust's long-term financial sustainability and delivering on its charitable aims. Officers are currently exploring funding options, including the potential use of Strategic Community Infrastructure Levy (SCIL), to support the proposed redevelopment. This includes assessing the types of proposals that could be developed to secure and ring fence funding for future implementation.

### **3.36 Approach to Strategic Property Management**

3.37 As part of good estate management, officers will review the Council's Property Strategy to identify best practice approaches that may be applicable to the Trust. This review will be considered alongside the outcomes of ongoing tenant engagement and consultation, ensuring that any recommendations are grounded in both operational realities and strategic priorities. A further update will be presented to the Trust Committee once the review and wider engagement process are complete.

3.38 Officers have received a tentative approach from advisers to a water company, for the temporary siting of a works compound at Barham Park to facilitate works to water infrastructure on the Harrow Road. The proposal is for a period of five months from October 2025. Currently, the applicant would like to place the compound in proximity to the entrance to the park near to Copland Avenue. At this stage Officers are awaiting more details of the proposed location and of the size of the compound. If it were to proceed, and subject to a license and fees, Officers would seek to ensure that access is maintained for park visitors and for the park's grounds maintenance contractor. Full reinstatement following the works will be expected by the licensee.

## **4.0 Financial Considerations**

4.1 The Trustees of Barham Park Trust have a fiduciary duty to ensure the Trust's long-term financial stability. When acting as Trustees, they must prioritise the Trust's financial interests over those of the Council.

4.2 The report details the Trust's challenging financial position and the need to generate more income.

4.3 The Trust is limited in its ability to recover VAT. It can only recover VAT on its non-business activities, and not on its business activities. Operating the park for the public's benefit is a non-business activity, so the Trust can recover VAT paid for tree maintenance. The Trust charges for renting out the building, which is a business activity. Therefore, the Trust cannot recover VAT on building maintenance. The Trust needs to budget for the total cost of the work on its building, including VAT.

## **5.0 Legal Considerations**

- 5.1 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 occasionally think proper”. It was registered with the Charity Commission in June 1963 and is regulated by that body.
- 5.2 Section 5 of the Charities 2011 Act states that it is charitable to “provide or assist in providing facilities for recreation or other leisure time occupation if the facilities are provided for social welfare”. This section of the Act has been complied with.
- 5.3 The restrictions on disposal under the Charities Act 2011 state that if disposition involve the grant of a lease for less than seven years the duty is to obtain and consider advice that the terms of the disposition are the best that can reasonably be obtained. The confidential Appendix 1 sets out the factors considered.

## **6.0 Equity Diversity and Inclusion Considerations**

- 6.1 Any proposals that come forward in due course must be assessed in compliance with the Trust’s equality duties. The recommendations in this report have been carefully reviewed and are confirmed to have no adverse impacts on equality, diversity and inclusion.

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

- 7.1 Officers meet regularly with Trust Committee Members and Ward Members.

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

- 8.1 These have been highlighted in the main body of the report.

## **9.0 Climate Change and Environmental Considerations**

- 9.1 None other than those identified within the main report.

## **10.0 Communication Considerations**

- 10.1 None other than those identified within the main report.

*Report sign off:*

**Tanveer Ghani**

Director of Property and Assets

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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