



Barham Park Trust Committee

27 January 2022

Report from the Operational Director, Environmental Services

Strategic Property Matters Relating to Barham Park, 660 Harrow Road, Wembley HA0 2HB

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| Wards Affected: | Sudbury |
| Key or Non-Key Decision: | Non-key |
| Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act) | Open |
| No. of Appendices: | None |
| Background Papers: | None |
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1.0 Purpose of the Report

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

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

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

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

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

2.0 Recommendation(s)

That the Barham Park Trust Committee RESOLVES:

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

3.0 Detail

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

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

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

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

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

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

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

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

4.0 Financial Implications

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

5.0 Legal Implications

- 5.1 The land (including the building) known as Barham Park was given by George Titus Barham on trust to the Council in 1938. The terms of the Trust are "*to preserve the same for the recreation of the public in such manner and subject to such regulations in all respects as the Council may from time to time think proper*".
- 5.2 The procurement implications are set out in section 6 of the report below.

6.0 Procurement

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

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

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

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

7.0 Equality Implications

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

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

8.0 Consultation with Ward Members and Stakeholders

8.1 Officers meet regularly with Ward Members.

9.0 Human Resources/Property Implications (if appropriate)

9.1 Nothing specific other than noted in this report.

Report Sign Off:

Chris Whyte

Operational Director of Environmental
Services