



**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**

<b>Wards Affected:</b>	Wembley Central
<b>Key or Non-Key Decision:</b>	Not applicable
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
<b>List of Appendices:</b>	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
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> (Name, Title, Contact Details)	Natalie Zara, Head of Executive & Member Services Tel: 020 8937 1716 Email: <a href="mailto:natalie.zara@brent.gov.uk">natalie.zara@brent.gov.uk</a>

## **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