



MINUTES OF THE BARHAM PARK TRUST COMMITTEE
Held in the Conference Hall, Brent Civic Centre on Tuesday 10 September
2024 at 10.00 am

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

Also Present: Councillor Lorber

1. **Appointment of Chair and Vice Chair for 2024-25**

RESOLVED to confirm the appointment of Councillor Muhammed Butt as Chair and Councillor Mili Patel as Vice Chair of the Trust Committee for the 2024-25 Municipal Year.

2. **Apologies for Absence and Clarification of Alternate Members**

Apologies for absence were received from Councillor Krupa Sheth, with Councillor Nerva attending as a substitute.

3. **Declarations of Interests**

No interests were declared at the meeting.

4. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on Wednesday 24 January 2024 be agreed as a correct record.

5. **Matters Arising (if any)**

None.

6. **Barham Park Trust Annual Report and Accounts 2023-24**

The Trust Committee were advised that consideration of the Trust Accounts and Annual Report 2023-24 had been withdrawn from the agenda and would be resubmitted for consideration at an additional meeting of the Trust to be arranged for that purpose.

7. **Barham Park Strategic Property Review**

Tanveer Ghani, Director Property and Assets introduced a report updating the Trust on the strategic options identified for addressing current challenges in relation to the Barham Park Estate in order to enhance and support delivery of the Trust's charitable purposes on a sustainable long term basis.

In recognising the operational and financial challenges identified in terms of the ongoing management and viability of the Estate, members were reminded that the

Trust Committee had authorised the appointment of an architect in January 2022 to comprehensively review the Estate. The goal was to develop options that would meet the needs of current and future occupants while creating a more welcoming, safe, accessible and functional building and park. Following presentation of the original feasibility study to the Trust Committee in September 2023 three options had been identified as a means of revising the Estate and providing a balance between potential commercial, retail and community use going forward. These had been detailed in section 3 of the report based on:

- Bronze – minimum interventions to optimise space;
- Silver – more significant internal interventions and additional space; and
- Gold – significant interventions, including external building extensions.

The Trust Committee were advised of the supporting options appraisal undertaken in terms of developing a recommended way forward, which had been designed to take account of the Estate's current usage and financial efficiency of each option in terms of level of investment required. Having assessed the options identified, the preferred option recommended to the Trust had been the Bronze proposal. This had been on the basis of its assessed financial efficiency and also focus on quality of space and more flexible and sustainable use of units that would be provided including the provision of community space.

The Trust Committee were advised that the report also outlined the key risks needing to be considered in terms of the approach adopted moving forward, which included not only the revenue position of the Trust but also need to identify the necessary investment in terms of development costs and also need to secure consent from the Charity Commission to amend the Trust's charitable purpose. This would be required in order for the Trust to engage in activities outside their existing objectives that would support an expansion in permitted uses for the Barham Estate building in order to attract a broader range of tenants (including commercial) enabling its use to be optimised in support of the Trust's objectives.

In terms of provisional costs relating to delivery of the bronze option, the Trust Committee noted these would involve interventions, such as refurbishing and removing partition walls, to improve the space's attractiveness, accessibility, and functionality with the estimated cost identified as £1.7m requiring income generation of £160,707 per annum. When assessed against the Silver and Gold options this had been identified as providing the most prudent and sustainable choice given the level of investment and supporting income required as well as the ability to achieve a more balanced use between commercial and the protection of community space.

In terms of wider engagement and consultation, the Trust Committee was advised that subject to approval of the development option, the process moving forward would involve engagement and focussed consultation with tenants and users of the building on the bronze option based on the further details provided within section 3.24 – 3.27 of the report.

In thanking Tanveer Ghani for presenting the report, Councillor Muhammed Butt (as Chair of the Trust) also took the opportunity to acknowledge the various correspondence received in relation to the review process and thanked those who submitted them for their representations.

In terms of comments raised by the Trust Committee clarification was sought on the proposed level of income identified as required to support delivery of the bronze option, which it was confirmed would be required to cover repayment of the initial capital investment to deliver the proposed redevelopment works as well as to cover the costs for ongoing maintenance and improvement of the building and Estate. In support of this approach, it was proposed that implementation would be undertaken on a phased basis beginning with decisions being sought on a number of operational property related matters (dealt with under item 8 on the agenda) in terms of regularising leases, carrying out urgent repairs and, subject to Charity Commission approval, expanding the permitted uses to attract a broader range of tenants to improve cash flow. This phased and incremental investment approach had been designed to address immediate concerns whilst providing the basis to support sustainable long-term growth and was felt to present the most responsible, pragmatic and strategic path forward for the future vision of Barham Park.

In supporting the approach identified, the Trust Committee **RESOLVED**:

- (1) In relation to the Strategic Property Review options outlined within the report, to adopt development option 1 (bronze) with redevelopment and strategic investment beginning in 2031.
- (2) To authorise officers to develop proposals for expanding the Trust's charitable purposes to be submitted for approval to the Charity Commission to allow broader uses of the buildings and bring a report on the proposals to a future Trust Committee meeting.

8. **Operational Property Matters Relating to Barham Park**

Denish Patel, Head of Property, introduced a report which provided an overview of the Barham Park Estate building's condition, summarising the essential findings and recommendations from a recent Building Survey regarding necessary repairs and associated costs in the short, medium, and long term which also were designed to enable the operational activities required to support delivery of the overarching property strategy by 2031 to be undertaken.

In outlining the operational activities on which decisions were being sought, The Trust Committee was advised these included:

- transfer of the current delegated authority for the day-to-day management of the Barham Park Estate from the Director for Environmental Services (now Director, Public Realm) to the Director of Property and Assets in order to reflect a recent Council senior management restructure.
- the following landlord activities (aligned with delivery of the strategic redevelopment option approved by the Trust in 2031) to ensure that vacant units were available as required whilst income was maintained for the Trust:
 - Lease Renewals for Unit 1 (Tamu Samaj UK), Unit 2 (Veterans' Club (Wembley), and Unit 8 (Brent Council - Children Centre);
 - Vacant Unit 7 Re-activation for "meanwhile use" reflecting a flexible and pragmatic approach towards use of the unit with an alternative temporary use to be sought if agreement could not be reached with Friends Of Barham Library;

- Implementation of Service Charges and a more robust programme of rent arrears management;
- Undertaking essential repairs to the Barham building valued at £269k (as detailed in section 3.20 – 3.26 of the report) in order to ensure the building remained safe and functional and mitigate the need to address more significant and expensive issues in the future whilst also ensuring compliance with the necessary safety standards and reducing the financial burden on the future redevelopment.

The Trust Committee were also asked to note the position regarding ongoing negotiations regarding a potential amendment to the restrictive covenants on 776 and 778 Harrow Road. Members were reminded the current owner had obtained planning permission for development of the site and was now seeking to negotiate the necessary changes to the restrictive covenant on the site with any funds generated as a result becoming available for use by the Trust to support future works and the proposed redevelopment activity.

In terms of the Trust's current financial position, members were advised of the financial constraints currently impacting on its operation with the reliance on restricted funds no longer felt to be a sustainable long-term solution and the operational property activities therefore outlined in the report (including the expansion of revenue streams through broadening tenancy options, implementation of service charges, effective arrears recovery, lease renewals, and potentially unlocking income from covenant modifications) recognised by the Trust Committee as necessary to support ongoing delivery of their charitable objectives and longer term plans and the proposals designed to balance the need for ongoing operational viability, short-term financial stability and property management with the broader strategic objective of redevelopment in 2031.

Having outlined the specific proposals, the Trust Committee was advised of the plans by officers to make direct contact with each tenant to discuss individual concerns and provide further detail on the timetable for consultation and what that process would involve with the consultation designed to provide a framework within which further information could be shared and concerns addressed proactively with all tenants. Given views already expressed by tenants the Trust Committee advised they were keen to ensure this process was commenced as soon as possible.

In thanking officers for their ongoing work and acknowledging the efforts being made to transform use of the Estates assets to enable continued community and public benefit in line with its charitable objectives, the Trust Committee **RESOLVED** to:

- (1) Delegate day-to-day Trustee functions and decision-making authority to the Director of Property and Assets, replacing the Director, Public Realm (formerly the Operational Director for Environmental Services, as detailed within paragraph 3.4 of the report.
- (2) Authorise the Director of Property and Assets to renew the expired leases for Units 1, 2, and 8 and regularise any associated subtenancies, as outlined in paragraph 3.7 of the report.

- (3) Authorise the Director of Property and Assets to let Unit 7 for meanwhile use as outlined in paragraph 3.8 of the report.
- (4) To approve the use of restricted funds, under existing Charity Commission permissions, to carry out essential repairs (year one) identified in the Watts analysis, valued at £269k plus professional fees, ensuring the building remains safe and compliant, as detailed within paragraphs 3.20 to 3.26 of the report.
- (5) Note that the Director of Property and Assets will implement service charges for all tenants under their lease terms, starting from the 2025-26 fiscal year, as detailed in paragraph 3.9 of the report.
- (6) Note that the Director of Property and Assets will continue negotiations with Zenaster Properties Ltd for the potential amendment to the restrictive covenant at 776 and 778 Harrow Road, as outlined in paragraph 3.12 of the report.
- (7) Note that the Director of Property and Assets will finalise terms, submit necessary applications to the Charity Commission, address any related issues, and, if required by the Charity Commission under Section 283 of the Charities Act 2011, provide public notice of this resolution.
- (8) Note that the Director of Property and Assets will seek to agree on repayment plans with tenants in arrears, which may include re-gearing leases to ensure sustainability. If an agreement cannot be reached or a default occurs, leases may be terminated for breach, as detailed within paragraph 3.10 of the report.
- (9) Authorise the Director of Property and Assets to seek the consent of the Charity Commission where required to fulfil the recommendations in this report.

9. **General Update Report**

Leslie Williams (Projects Officer, Parks Service) introduced the report providing an update on operational issues at Barham Park along with current progress on a range of projects.

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

- The resumption of the full range of activities in the tenanted units within the Barham Park building following the pandemic, with officers (on behalf of the Trust) thanking the tenant organisations and volunteers for their support in organising a range of community events.
- Park events – as detailed within section 3.2 - 3.7 of the report, with members having noted and welcomed the range of events successfully hosted within the Park including Irvin's Fun Fair, a range of events being hosted through Barham Library including health and wellbeing activities and support for people with dementia, a community bulb and tree planting event and health related walks and activities.
- Security and anti-social behaviour - as detailed within section 3.8 – 3.9 of the report, with the Trust Committee noting the continued focus in addressing litter

- and (although reduced) anti-social behaviour focussed around the building along with the impact arising from introduction of the Public Space Protection Order within parks and open spaces across the borough.
- General operational works – Members noted the change in the contractor appointed to undertake operational grounds maintenance works which, with effect from 1 August 2023, had changed from Veolia to Continental Landscapes Ltd with the Barham Park Walled Garden having been entered into the London in Bloom Awards for 2024.
 - Grass and meadows - with members noting the continued progress and improvements being made to the range of grasslands and associated wildlife within the park, as detailed within section 3.12 of the report and welcoming its contribution to the Council's wider biodiversity and climate change activities.

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

- The progress being made in relation to works previously approved through the Trust's Restricted Funds, as detailed within section 3.14 – 3.18 of the report. These included the works being undertaken to maintain trees across the Estate, introduce enhanced events field drainage and renovate and edge existing pathways.
- The progress in relation to the funding of other works associated with planting and maintenance of open woodland, the Queen Elizabeth II Silver Jubilee Garden (including additional planting undertaken by the Community Library in the central "well" feature), the rebuild of the wooden pergola and further restoration works to the Walled Garden Pool as detailed within section 3.19 – 3.22 of the report.

As no further issues were raised, Councillor Muhammed Butt (as Chair) thanked officers along with tenant organisations, volunteers and users of the park for their efforts in supporting the maintenance and management of the park and facilities given their importance as a community asset.

As no further issues were raised it was **RESOLVED** to note the updates provided within the report.

10. **Exclusion of the Press & Public**

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

11. **Any Other Urgent Business**

No items of urgent business were raised at the meeting, with members noting that further meetings of the Trust Committee would be arranged as required moving forward during the year.

The meeting was declared closed at 10.22 am

COUNCILLOR MUHAMMED BUTT
Chair