



MINUTES OF THE BARHAM PARK TRUST COMMITTEE **Wednesday 13 February 2013 at 7.00 pm**

PRESENT: Councillor R Moher (Chair), Councillor Jones (Vice-Chair) and Councillors Crane and Powney

Also Present: Councillor Lorber

Apologies were received from: Councillor Hirani

1. Declarations of interests

None declared.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 8 January 2013 be approved as an accurate record of the meeting.

3. Matters arising

Councillor Lorber reiterated the concern that he had raised at the previous meeting that the accounts presented to the meeting for 2011/12 were not sufficiently detailed to enable the committee to approve them.

The Chair noted that this concern had been addressed at the previous meeting; the Charity Commission had agreed the approach taken and the committee had approved the accounts.

4. Deputations

With regard to the report setting out the proposals for improving Barham Park building complex and park, the Chair confirmed that she had received legal advice that anyone who was either involved in an organisation who had submitted a bid or who had been involved in submitting a bid should not be permitted to speak as that would be contrary to the process that had already been confirmed and published. There had been no requests to speak from individuals unconnected to a bid.

5. Proposals for Improving Barham Park Building Complex and Park

Jenny Isaac (Assistant Director, Neighbourhood Services) introduced a report to the committee which set out a series of proposals for letting the Barham Park building complex, rejuvenating the park's open space, and the allocation of capital funding.

It was highlighted that a supplementary paper had also been circulated setting out a schedule of amendments to the main report. The committee noted these amendments to the main report as detailed in the supplementary paper provided.

Richard Barrett (Assistant Director Property and Assets) advised the committee that the Barham Park building complex comprised several units, which, with the exception of three of these units, had been divided into 7 lots and marketed between August and September 2012. Bids were able to be submitted in respect of any number or combination of the 7 lots advertised. The assessment criteria had been supplied to all bidders as part of the property particulars and had focussed on four key aspects; financial positioning; proposed use; the bidder's ability to deliver the proposed project, and; the bidder's financial offer (rent). The results of the scoring process were set out at paragraph 3.7 of the supplementary paper. With reference to this, Richard Barrett highlighted that there was an error on the table shown, noting that Friends of Barham Library should have been marked against lot 3 and not lot 4. The meeting was assured that this error had been made during the preparation of the papers for the committee and not during the assessment process. The recommended preferred bidder was the Association for Cultural Advancement through Visual Art (ACAVA) which had bid for lots 1, 3, 4, 5 and 6. The bid had received the second highest score of the bids assessed and their plans for the complex met the charitable objectives of the Trust. The highest scoring bid had been received from Nikita Patel and was for lot 2 only. It was not recommended that this bid be pursued as the rental income would be less than that generated through ad-hoc lettings.

Turning to the three units that had not been subject to the marketing process which comprised the Children's centre, the Sports and Parks Service Depot, and the Snooker and Billiard rooms, Richard Barrett advised that it was proposed that the Trust make an overriding lease for these units to the Council. It was also proposed that Lot 7 (the Card Room) be included in this lease in the short term. This arrangement would enable the regularisation of the existing arrangements and would ensure that either the trust would receive a guaranteed income from these units, or that the value of the rent would be offset against the council's contribution to the management of the Park. As the Depot was used exclusively for Barham Park, it was considered that there should be no rental charge made for that unit.

The committee's attention was drawn to the proposals regarding the capital investment required to improve the condition of the Barham Park Building complex and to implement the core first phase projects which formed the first steps towards realising the 20 year vision for the park. Richard Barrett advised that following assessments of the condition of the building complex, a schedule of required works had been developed and costed at £227,050. These works, if conducted, would bring the buildings into acceptable condition and enable them to be let. Jenny Isaac advised that the 20 year Vision for the Park had been developed following extensive engagement of the local community and other stakeholders and aimed to bring local people together and provide a resource which would help to enhance the lives of local people. Seven core areas of landscape improvements underpinned the vision. These improvements included enhancements to paths; the creation of a range of different habitats such as meadows and wetlands; restoration of the walled, formal gardens; the possibility of creating and developing play areas; and over the longer term, the potential for a café in the park. The total cost of proposed landscape improvements for the core first phase projects was estimated

at £394,000 and in time, this would reduce the costs of grounds maintenance in the park

Mick Bowden (Deputy Director of Finance) outlined the financial implications of the proposed property lettings and noted that combined with the existing income from use of the park by the fun fair and ice cream concessions, which amounted to approximately £9,000, the projected income for the Trust was £96,000 per annum.

Responding to queries put by the committee, officers confirmed that all bidders had been provided with full information regarding the scoring process and assessment criteria. Jenny Isaac advised that the proposed capital investment did exhaust the funds obtained through the sale of two properties by the Trust. Noting this, the committee asked that a report be brought to a future meeting outlining anticipated sources of funding for subsequent development of the park in line with the 20 year vision that had been set out.

During the course of the meeting Councillor Lorber attempted to make interventions but following the legal advice received the Chair did not permit the interventions to be part of the committee meeting.

RESOLVED:

(i) that the Association for Cultural Advancement through Visual Art (ACAVA) be appointed as the preferred bidder for lots 1, 3, 4, 5 and 6.

(ii) that the Assistant Director Property and Asset Management in consultation with the Assistant Director Neighbourhood Services be delegated authority to enter into appropriate lease arrangements with the preferred bidder.

(iii) that a tenancy or tenancies be granted to Brent Council of the land shown edged red on Appendix 2 to the report at market rent on terms to be agreed for use in accordance with the charitable purpose of the trust for a period or periods of up to 25 years. The intention is that this space will then be utilised by the Council for the Children's Centre and a sub-let to the Barham Park Veterans Club or such other future use as appropriate.

(iv) that the finalisation of the terms of the tenancy or tenancies to be granted to the council be delegated to the Assistant Director of Property and Asset Management, in consultation with the Assistant Director for Neighbourhood Services, to act in the best interests of the Trust.

(v) that a licence be granted to Brent Council to provide grounds maintenance from the depot at nil cost provided the service is for the sole benefit of Barham Park.

(vi) that the lounge area (Lot 2) continues to be used for ad-hoc lettings in accordance with the recreational purposes of the Trust.

(vii) that the letting rates for the ad-hoc lettings as set out in paragraph 3.27 of the report be approved.

(viii) that officers enter into a Service Level Agreement between the Barham Park

Trust and Brent Council to enable the day to day management of the Park and building (including lettings).

(ix) that officers seek the requisite permissions from the Charity Commission to proceed with these lettings and officers advertise at the appropriate time the proposed disposal of public open space under Section 123 of the Local Government Act 1972 and the Charities Act 2011 and if there are objections to refer the objections to the Charity Commission.

(x) that the vision for the park at Barham Park as detailed in paragraph 3.35 of the report, the core elements required to improve the open space as detailed in paragraph 3.36 to 3.44 of the report and the final concept design for the park attached at Appendix 4 to the report be approved.

(xi) that the long standing arrangements whereby the Grounds Maintenance Service for the park is provided by Brent Council be noted.

(xii) that officers pursue options for a café on the site.

(xiii) that the works and services as set out in paragraph 3.30, 3.31 and 4.3 of the report at an estimated cost of £227,100 (including VAT) to enable the letting of Barham Park Building be approved.

(xiv) that the works and services as set out in paragraph 4.9 of the report at an estimated cost of £394,000 (including VAT) to improve park infrastructure for recreational purposes of the residents of Brent be approved.

(xv) (that officers seek the necessary permissions from the Charity Commission to proceed with the capital expenditure.

(xvi) that officers be delegated the authority to procure and let contracts in accordance with the Council's relevant Contract Standing Orders and Financial Regulations for the building and park works and services as detailed in paragraphs 4.3 and 4.9 following receipt of the necessary Charity Commission approvals.

(xvii) that officers be asked to publish and post the necessary public notices to comply with Section 123 2A the Local Government Act 1972 and the Charities Act 2011.

6. **Any other urgent business**

None.

The meeting closed at 7.42 pm

R MOHER
Chair