



MINUTES OF THE BARHAM PARK TRUST COMMITTEE

Held on Monday 14 January 2019 at 6.00 pm

PRESENT: Councillor McLennan (Chair), and Councillors Agha, Farah, M Patel and Krupa Sheth

Also Present: Councillors Daly and Stephens

1. **Apologies for Absence**

There were no apologies for absence.

2. **Declarations of interests**

None declared.

3. **Minutes of the previous meeting**

RESOLVED: that the minutes of the previous meeting held on 4 September 2018 be agreed as an accurate record.

4. **Matters arising (if any)**

None.

5. **Amendment to the Annual Accounts of the Barham Park Trust Committee**

The committee received a report presenting amended annual accounts for financial years 2015/16, 2016/17 and 2017/18 for consideration and approval. The Charity Commission had requested that the accounts be revised in order to show that the funds for the sale of 776 and 778 Harrow Road were classed as restricted funds. The amended accounts had been subject to an independent examination by the Head of Audit and Investigations and the resulting reports were provided as appendices to the report. Arnold Meagher (Head of Litigation and Dispute Resolution) drew the committee's attention to paragraph 3.4 of the report which set out a further minor amendment to the accounts for 2017/18. It was highlighted that as at 31 March 2018, the total Trust balance amounted £463,808 which was £1,349 less than the figure reported to the Trust Committee on 4 September 2018. This change was due to a correction of the figure brought forward from 2016/17 which officers had identified as a result of revising the accounts for 2017/18. With the permission of the Trust, the annual report for 2017/18 would be amended to reflect these changes.

The Chair thanked the officers for their introduction to the report.

RESOLVED:

- i) That the amended accounts for the 2017/18 financial year as set out in Appendix A and any necessary minor consequential amendments to the Annual Report for the 2017/18 financial year be approved for submission to the Charity Commission before 31 January 2019;
- ii) That the amended accounts for the financial years 2015/16 and 2016/17 as set out in Appendices C and E be approved for submission to the Charity Commission;
- iii) That the Independent Reviews of the Accounts by the Independent Examiner for the financial years 2015/16, 2016/17 and 2017/18 as set out in Appendices B, D and F be noted;
- iv) That Officers be authorised to update the Charity Commission with the above-mentioned amended and updated accounts for the aforementioned financial years and the Annual Report;
- v) That authority be delegated to the Operational Director for Environmental Services to deal with any issues arising regarding Barham Park Trust's accounts with the Charity Commission.

6. Approval to apply to Charity Commission for permission to incur specified items of expenditure on Barham Park from restricted funds

A report was presented to the committee by Arnold Meagher (Head of Litigation and Dispute Resolution) and Leslie Williams (Project Officer) seeking the approval to request permission of the charity commission to spend a number of items of expenditure on and for the benefit of Barham Park from the restricted funds of the Trust. It was proposed that the expenditure was drawn from the Trust's restricted funds as there were insufficient unrestricted funds available. Additionally, the council was unable to subsidise the expenditure due to budgetary pressures. If approval was granted by the Trust Committee, officers would submit the application to the Charity Commission to be considered under its powers under section 282 of the Charities Act 2011.

Leslie Williams explained that the proposed items of expenditure included works to the trees, event field drainage works and preparing a schedule of works in respect of all the existing windows, doors, frames and similar structures of the Barham Park building. It was highlighted that the latter item of expenditure related to drawing up the schedule of works and not the completion of the works. The schedule was needed to support the required planning application. The Trust's attention was subsequently drawn to the estimated costs for each item of expenditure as detailed at paragraph 3.1 of the report, totalling circa £167k, and the subsequent explanation of each item. It was noted that each item of expenditure was deemed prudent for the upkeep and preservation of the land at Barham Park for use by the public and in keeping with the spirit of the gift of the land.

The Chair thanked officers for their introduction to the report.

RESOLVED:

- i) That the proposed items of expenditure up to the total estimated sum of £167k as set out in the table in paragraph 3.1 of the report, to be paid from the Trust's restricted funds and permanent endowment arising from the sale proceeds of 776 and 778 Harrow Road, Wembley HA0 2HE, be approved;
- ii) That officers seek permission of the Charity Commission to spend the estimated sum stated in resolution i) (£167k) from the Trust's restricted funds using the procedure set out in section 282 of the Charities Act 2011;
- iii) That officers be authorised to submit the necessary application for permission to the Charity Commission and authority be delegated to the Operational Director Environmental Services to progress the application and deal with any issues, requirements and queries arising that are raised by the Charity Commission;
- iv) That officers be authorised to give public notice of this resolution if it is directed to do so by the Charity Commission pursuant to section 283 of the Charities Act 2011.

7. General Update Report

Presenting the general update report to the committee, Chris Whyte (Operational Director, Environment Services) advised that it was now intended to make the Project Officer position permanent and as a consequence, the remit of the position would be extended to include the other parks of the borough. The role was currently funded by the council and would not be funded by the Trust.

Leslie Williams (Project Officer) advised that the report provided an update on the works undertaken since the last reporting period in September 2018, including repairs to the hardstanding in front of the War Memorial, improvements to the old greenhouse area and urgent repairs being carried out to an area of the Barham Park buildings. This latter matter had necessitated a hold on any decision regarding the letting of Unit 7 of the Barham Park building complex. Chris Whyte advised that a meeting would be held with the bidders to clarify matters and it was anticipated that the letting process would be concluded by the end of the month.

The Chair thanked the officers for their contribution to the meeting.

RESOLVED: that the issues set out in the general update report be noted.

8. Any other urgent business

None.

The meeting was declared closed at 6.17 pm

COUNCILLOR MARGARET MCLENNAN
Chair

