

# **Wormwood Scrubs Charitable Trust Committee Minutes**

**Wednesday 29 January 2020**

## **PRESENT**

### **Committee members**

Councillor Wesley Harcourt (Chair), Councillor Alexandra Sanderson, Councillor Belinda Donovan, Stephen Waley-Cohen and Miriam Shea

### **Advisors to the Trust**

Richard Gill, David Burns, Nigel Brown, Chris Harris, Stephen Hollingworth

Amrita Gill (Clerk)

Stephen Dean and Tina James (Grant Thornton)

Chris Shirley (Kensington Dragons FC)

## **1. MINUTES OF THE LAST MEETING**

**OPDC Local Plan** (Page 2) – Miriam Shea asked that Friends of Wormwood Trust be amended to Friends of Wormwood Scrubs.

### **RESOLVED**

The minutes of the previous meeting were agreed as a correct record.

## **2. APOLOGIES FOR ABSENCE**

No apologies for absence.

## **3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **4. WORMWOOD SCRUBS CHARITABLE TRUST STATEMENT OF ACCOUNTS 2018/19**

Stephen Hollingworth, Advisor to the Trust provided a summary of the Trustee's Report and an overview of the year. It was noted that the correct value of the in-year surplus was £226,945. The Trust's land included the Linford Christie Athletics Stadium, Pony Centre, three-bedroom cottage and the single storey parks depot, all of which were valued at £1 in total. It also included the car park valued at £5,000,000 as at 31<sup>st</sup> March 2018. The main source of income was achieved

through the use of the car parks that append Wormwood Scrubs and private car park income from the licence to Hammersmith Hospital Trust. Exceptional income was also generated from the Kensington Aldridge Academy and this remained stable. In addition, the main source of resources expended were payments in respect of grounds maintenance.

Stephen Waley-Cohen reported the lack of presence of idverde staff, particularly during the weekends to monitor dog walkers. He felt that this needed to be reviewed and better managed.

Chris Harris, Advisor to the Trust provided an overview of the Statement of Accounts 2018/19 noting that the Trust's balance sheet was broadly stable. The Trust achieved net incoming resources of £226,945. The out-turn represented an improvement on the budgeted position of £207,591.

Stephen Waley-Cohen expressed his concerns around the increase in the Auditors fees compared to the previous Auditors, especially as the accounts had been yet been completed by Grant Thornton.

Members enquired why there had been a delay in the submission of the final accounts. The Auditors explained that they were appointed in November 2019. This delay was due to the high degree of staff churn of the previous auditors and as a result this deferred the assurance process.

Chris Harris explained that the accounts needed to be submitted to the Charity Commission by the end of the week. If the accounts were submitted later, there would be no financial penalties, but the submission would show as having been submitted after the deadline.

Members noted their disappointment around the late appointment of the Auditors, given that the Committee had made the decision to appoint Grant Thornton at the June meeting.

The Auditors provided an overview, noting that the following key areas were being addressed:

- Further clarification needed to be provided around the ownership of the land. Chris Harris had drafted a paper on this.
- Evidence was requested on the valuation of the car park so this could be assessed. This was also submitted.
- Auditors were working to establish how the reserves for the Trust could be represented to remain compliant with the Charity Law
- Advisors to the Trust noted that there were no indicators of impairment.
- Cash in bank figure should be treated as a debtor.

The Auditors explained that they had hoped to resolve the above in the next few days and a final finding report would be submitted to the Council.

Members explained that in principle they were happy to approve the Statement of Accounts and Trustee's report, as majority of the concerns related to technical matters. Members agreed that the management representation letter and 2018/19

financial accounts should be circulated to the Committee, once these were approved by the Auditors.

## **RESOLVED**

1. The Committee noted the contents of the annual risk assessment
2. The Committee agreed to delegate authority to the Assistant Director Leisure, Sport & Culture, Stephen Hollingworth in consultation with the Chair of the Committee, Councillor Wesley Harcourt to approve the audited 2018/19 Financial Accounts, and the management representation letter.

## **5. MANAGER'S REPORT**

Stephen Hollingworth, Advisor to the Trust, presented the report.

### **Linford Christie stadium**

Stephen Hollingworth noted that all handwash basins were now fully operational, following the replacement of the boiler. In addition, amended Heads of Terms had been issued to KDFC and formal agreement was being sought from the club.

### **Site Management Update**

Richard Gill noted that the procurement process had begun to agree a new Ground Maintenance (GM) contract. The first stage was to approach the market to explore what options were available. A proposal was currently also being drafted to Cabinet.

Funding for a new cricket strip had been obtained. This would be an artificial wicket and allow cricket to be played at the Scrubs. The hospital car park was still intermittently crossed by excess water after heavy rain. This would be addressed in the AEM mitigation works in the coming years.

Miriam Shea noted her disappointed of the plan to extend the existing contract questioning why there had been a delay.

Stephen Hollingworth noted that AEM consultants would develop a biodiversity management plan for the Scrubs which would form part of the future plans.

### **Design Proposals**

Richard Gill noted that the appointed consultants, Land Use Consultants, had developed the ecological design proposals and a presentation was made on 9<sup>th</sup> January 2020 to the design team. The sites management and the potential intervention or development on surrounding sites had been considered to develop the masterplan proposals. The main proposals were outlined.

### **Community Engagement Strategy**

Councillor Alexandra Sanderson noted that the consultation plan needed to be more comprehensive given the level of the project. It would be practical to explore ways to engage residents and establish what consultation had already taken place to ensure the right residents/groups were being approached. Stephen Hollingworth noted that this would be built into the contract to ensure a wider consultation was delivered as per the request of the Committee.

**Action: Stephen Hollingworth**

The Chair enquired whether disabled people had been approached as part of the consultation process. David Burns noted that that the Disability Planning Group would be contacted to ensure this was progressed further.

**Action: David Burns**

### **Conservation Management Plan**

Richard Gill noted that the Conservation Management Plan (CMP) was not a detailed management and maintenance plan but would help to develop one. The CMP had been submitted to HS2 for comments before being made available to the Committee. Members requested that this document be circulated to the Committee to review.

**Action: Richard Gill**

### **Re-Routing Stamford Brook Sewer Legal Agreement**

Richard Gill noted that the design proposals for the re-routed Stamford Brook sewer and the UTX works would have an impact on the sites western end. A detailed design had not yet been proposed.

### **Potential Future Events on Wormwood Scrubs**

Stephen Hollingworth noted that the Council was actively seeking future events to take place on the Scrubs. Secret Cinema had been approached to build a temporary set on the Scrubs in 2021 to put on a performance over the summer for a 4-week period.

Councillor Alexandra Sanderson enquired what was the capacity of this event. Advisors explained that the capacity for each show would be approximately 4000 people. The Committee requested a paper to be brought to a future Committee addressing the potential risk to the Scrubs as a result of holding this event.

**Action: Stephen Hollingworth**

### **Community Safety Incidents**

Stephen Hollingworth noted that there had been no incidents of concern reported to the Parks Police. There was a total of 21 incidents relating to homeless people in 2019.

Councillor Alexandra Sanderson asked for further clarification to be provided on what happened to homeless people once these cases were report. In response Stephen Hollingworth explained that Parks Police would direct them to suitable places where they could go and access help and support.

### **Financial Outturn 2018/19**

Stephen Hollingworth reported that the Trust was anticipating a surplus of £226,945. The Trusts closing funds were £5,742,189, which included £5,000,001 of restricted funds.

### **Financial Forecast 2019/20**

Stephen Hollingworth noted that the 2019/2020 budget for the Trust was set with an anticipated surplus of £15,890 to be added to the Trust's reserves. An overview of the Trust's income, other income generated from activities and expenditure was provided.

## **6. REGENERATION MANAGER UPDATE AND APPOINTMENT OF CONSULTANTS FOR STADIUM FEASIBILITY**

David Burns, Advisor to the Trust, presented the report and noted that the Council's Cabinet had approved £397,000 of Community Infrastructure Levy (CIL) funding to be made available to the Trust for completion of the business case.

The final version of the specification and brief was approved by the Chair of the Trust

Committee in October 2019. Members requested that a copy of this be circulated to the Committee. The consultants were currently mobilising and reviewing the information that had been produced to date and would produce a report for the March Committee meeting.

**Action: David Burns**

### **RESOLVED:**

The Committee noted this item

## **7. PRESENTATION BY THE AEM CONSULTANTS**

AEM Consultants provided a presentation on the masterplan to improve ecology in Wormwoods Scrubs and noted the following key points:

- The Council was planning ecological enhancements, habitat creation and long-term management proposals for Wormwood Scrubs.
- An overview of the site history and issues was provided.
- The programme for the works would be presented at a public event. This would be advertised on the Council's website and OPDC streams of contacts.
- The event would potentially take place at the Linford Christie Stadium on Tuesday 11 February 2020 between 4-7pm.
- An outline of the site issues, including access, management and maintenance was provided.
- It was noted that the masterplan aimed to increase biodiversity of the site.
- A consultation would commence in the next planting season
- Works to existing and new features were presented. A pond had been integrated into the design which would include a borehole pump that would increase the biodiversity of the Scrubs.
- HS2 would be delivering some interventions whilst the ecological works would be carried out.
- Visitor experience would also be enhanced – looking at proposals to boost arrival experience, which included directional signage, ecological interpretation, and position. Proposals for artwork needed to be agreed with a local artist.

Councillor Alexandra Sanderson advised that it would be better suited to hold the event on a weekend to accommodate more people. Members noted that the timing between 4-7pm on a weekday didn't seem accessible for most people and a better turn out would be expected on a Saturday.

The consultants said that they would explore alternative dates to deliver the event on a Saturday and availability of the Kensington Aldridge Academy would also be sought.

Members enquired what was the total budget for the work. The consultants explained that subject to the Committee's approval, the master plan would be circulated to the cost consultant for a cost plan to be drafted.

The Chair noted that it was important to include an ecological board as part of the proposals.

The Chair thanked the consultants for the presentation and for their contributions made to the meeting.

The consultants noted that they would arrange a meeting with Richard Gill to go through the proposals in further detail.

#### **RESOLVED**

The Committee noted this item

### **8. FUNDING TOWARDS KENSINGTON DRAGONS DEVELOPMENT**

David Burns, Advisor to the Trust noted the possible next steps available to the Trust in relation to the proposals outlined by Kensington Dragons Football Club (KDFC) to provide improved grass pitches adjacent to Linford Christie Stadium (LCS). Including new hybrid pitch next to LCS. In addition, a draft Heads of Terms was presented as Appendix A.

The Committee was asked to consider the following:

- 1.1. Whether it wishes, in principle, to proceed with the KDFC Project as outlined as option 3 in paragraph 7 as outlined in the report, considering the charity law implications;
- 1.2. Subject to approval of the Trust in paragraph 2.1 as outlined in the report, to request Council officers on behalf of the Trust can approach the Charity Commission to seek the necessary consents and authorities as outlined in paragraph 4.2 in the report.
- 1.3. Subject to approval of paragraphs 2.1 and 2.2 as outlined in the report, requesting Council officers (Assistant Director of Growth and Head of Asset Strategy & Property Portfolio) to act on behalf of the Trust to further progress the heads of terms as outlined in the draft version contained in appendix A.

- 1.4. Subject to approval of paragraph 2.1 and 2.2 as outlined in the report and full due diligence outlined in paragraphs 2.5 and 2.6 as outlined in the report to agree the principle of a financial contribution in the project up to £350,000 as outlined under Option 3 in paragraph 7.
- 1.5. Subject to approval of paragraph 2.1 and 2.2 as outlined in the report, for Council officers on behalf of the Trust to seek a detailed business case from KDFC; KDFC to provide full financial information on funding for the project and full detailed specification of the works to be undertaken in respect of the project.
- 1.6. Subject to the approval of paragraph 2.1 and 2.2 as outlined in the report, decide how it would like to proceed with local resident consultation for proposed KDFC project.

The Chair asked how the Trust would recover its funds of £350,000, if these contributions were made to the project. Advisors to the Trust noted that a financial projection would be drafted.

Members also requested a proper analysis of the full forecast for the artificial pitches and this needed to be made transparent before a decision could be made. They Committee requested that Advisors on behalf of the trust to work with Kensington Dragons to explore alternatives to the Trust funding the works and this be presented at the next Committee meeting.

**Action: David Burns**

**RESOLVED**

The Committee supported all the recommendations in principle with the exception of 1.4.

Meeting started: 7:00pm  
Meeting ended: 9:15pm

Chair .....

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