

Wormwood Scrubs Charitable Trust Committee Minutes

Wednesday 15 December 2021

PRESENT

Committee members: Councillors Alexandra Sanderson (Chair), Belinda Donovan and Helen Rowbottom

Co-opted Members: Stephen Waley-Cohen and Miriam Shea

Advisors to the Trust: Stephen Hollingworth (Trust Manager), Carmen Lomotey, Chris Harris, Heather Marsh, Neil Morrison, Paul Buzsaki and Magdalena Niedzwiedz

Amrita White (Clerk)

External: Joe Sale (MacIntyre Hudson)

This meeting was held remotely. A recording of the meeting can be found at:
<https://youtu.be/Zg8Wnl4abXE>

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

RESOLVED:

That the minutes of the meeting held on 8th September 2021 were approved.

Steve Waley-Cohen (Co-opted Member) noted that the following amendment be made to the previous minutes

Amend

Stephen Waley-Cohen (Co-opted Member) expressed his concerns on the delay of the project timetable and asked the Trust advisors to explore options on how this could be brought forward by Spring 2022 if possible.

4. ANNUAL REPORT AND STATEMENT OF ACCOUNTS 2020/21

Chris Harris, Advisor to the Trust, presented the report and provided a brief overview of the key points arising from the Statement of Account and Trustee's

report 2020/21. It was noted that the Trust delivered a surplus for the year of £48,984. This surplus was substantially underpinned by the additional income from the Kensington Aldridge Academy's occupation of the Scrubs.

Joe Sale (MHA MacIntyre Hudson) provided a summary of the Audit Findings report for the year ended 31st March 2021, noting the following key points:

- The audit was conducted remotely, and MHA MacIntyre Hudson had liaised with the finance team virtually whilst examining accounting books and records which were sent digitally.
- MHA MacIntyre Hudson remained independent to the Trust within the meaning of regulatory and professional requirements.
- An overview was provided on the key areas of audit focus which had been identified as part of the overall audit strategy and how they had been resolved.
- The audit work on the financial statements was now substantially complete and the Auditors anticipated issuing an unqualified audit opinion for the year ended 31st March 2021 for the Charity.
- The audit findings and the areas reviewed were outlined, these included audit misstatements, risk of fraud and error in the financial statements, accounting policies and accounting estimates.
- The fee for the audit of the financial statement of the Trust for the year ended 31st March 2021 was also summarised.

Miriam Shea (Co-opted Member) felt that the audit process appeared to be clearer and improved in comparison to last year. Referring to page 12 of the Trustee's Report (Appendix A) she asked for further clarification to be provided on risk 4 as part of the risk assessment schedule. In response Steve confirmed that there was no live agreement in place to repair the Wormwood Scrubs car park with the hospital.

Miriam Shea (Co-opted Member) noted that the hospital carpark lease was last renegotiated in 2013 and asked Officers to ascertain when the lease was due for renewal and for this matter to be revisited at a future Committee meeting.

Action: Steve Hollingworth

Referring to the Trustee's Report (Appendix A) Stephen Waley-Cohen (Co-opted Member) made suggestions to update the document with further information regarding the Compulsory Purchase Order issued by HS2, further consultation being held on the conservation management plan, protestors leaving the Scrubs in September 2021 and the discussions held with the Kensington Dragons Football Club to improve their facilities on the Scrubs. He also requested that the charity correspondent address on page 17 of the Trustee's report be updated.

Action: Steve Hollingworth

Stephen Waley-Cohen (Co-opted Member) asked for further clarification to be provided on the treatment of the rental income for the pony centre and the single-story parks depot and asked if this would be credited to the Trust. In response Chris noted that a response would be circulated to the Committee once this had been investigated.

Action: Chris Harris

RESOLVED:

That the Committee:

- Approved the Trustee's Annual Report, attached as Appendix A.
- Approved the 2020/21 financial accounts for Wormwood Scrubs Charitable Trust ("the Trust"), incorporated as part of the Annual Report (Appendix A to the Annual Report).
- Approved the management representation letter (attached as Appendix B).
- Noted the contents of the annual risk assessment (contained in the Trustee's report on page 12).
- Noted that the accounts remained subject to change until the final audit opinion was issued and delegated authority to the Assistant Director Leisure, Sport & Culture in consultation with the Chair of the Committee, to approve any changes to the 2020/21 financial accounts, Annual Report and the management representation letter required as part of the finalisation of the audit process.

5. MANAGER'S REPORT

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

Update on Kensington Dragons Grant Agreement

Steve noted that the funding agreement between the Wormwood Scrubs Charitable Trust and Kensington Dragons Football Club (KDFC), to award grant funding of £250,000 to the Club had been completed. This was to contribute to the delivery of upgrading and providing new sports pitches and circulation areas on the Trust's property at the Linford Christie Stadium.

The presence of trees on the southern boundary and the Football Association's requirement for larger run-off areas to the pitches had required a revision to KDFC's proposals. Proposals were included as Appendix 1 to this report, which provided one larger pitch rather than two smaller ones and a spectator area. The Committee was recommended to delegate the final realignment to the Trust Manager in consultation with the Chair.

The Committee unanimously agreed this recommendation.

HS2 Bill Alternative Ecological Mitigation -Master Plan

Heather Marsh, Advisor to the Trust noted that a contract had been tendered for a specialist consultant, to carry out in-depth public consultation and engagement on the biodiversity masterplan. The tender closed on 1st November with one bid submitted at a cost of £22,540. The bid was from a community company with considerable experience in community engagement, including projects concerned with the natural environment. The consultant had understood the brief well and appeared capable of carrying the commission. The Committee was recommended to approve the appointment of this consultant, subject to satisfactory references and standard checks.

Stephen Waley-Cohen (Co-opted Member) noted that he was in favour of this proposal and asked for further clarification to be provided on the timelines. In response Heather noted that if the Committee agreed to this recommendation,

then the appointment of the consultant would take place in early January 2022, with an aim to carry out an engagement programme in Spring 2022.

The Committee unanimously agreed this recommendation.

HS2 Update

The Chair noted the following typo on page 61 of the agenda pack:

- Stamford Brewer Sewer needed to be amended to Stamford Brook Sewer

Heather provided an update and noted that HS2 had started the construction of the UTX site, the access road, and the Stamford Brook Sewer site. She updated Members on the current progress and programme for the following key areas, Stamford Brook Sewer and haul route, UTX site, temporary trackway from Braybrook Street and easements

Stephen Waley-Cohen (Co-opted Member) requested that sufficient explanatory signage be put in place when the low rope fencing was completed.

Action: Heather Marsh

Steve provided a progress update on the preliminary notice of Compulsory Purchase Orders served by HS2 for the areas adjacent to Old Oak Common Lane and the UTX site. Further details of the plans were included under plan 2, 3 and 3.1 of the Manager's report. The Trust had responded with a number of clarifications and queries, including confirmation that the land would be returned following the completion of work.

Stephen Waley-Cohen (Co-opted Member) noted that it was essential for the Trust to have a written guarantee to ensure that the land would be returned by HS2 upon the completion of the works. Steve explained that although HS2 had provided verbal assurances to return the land to the Trust, the Trust representatives took a prudent approach and were pursuing the option to obtain a written agreement from HS2. This was an ongoing matter, and the Trust representatives were still waiting for HS2 to provide further confirmation.

Steve noted that the protestors have vacated the site and all remaining items and rubbish have been removed.

Community Safety

Neil Morrison, Advisor to the Trust outlined the role and works undertaken by the Law Enforcement Officers (LET) in Wormwood Scrubs and provided a summary of the key points. It was noted that the LET was launched in April 2021 following the amalgamation of various teams. The main objectives and of the Team and the details of the work carried out by the Team around Wormwood Scrubs since mid-July 2021 were summarised.

From mid-July to end of November 21, Officers had reported 425 various interactions. LET Officers had patrolled Wormwood Scrubs daily. Officers had also engaged with residents, visitors, dog walkers, hospital workers, event organisers, public gym users, stakeholders, and facility users.

In response to a question asked by the Chair, Neil noted that the Team was adequately resourced to patrol the College Park and Old Oak Common Ward as well as the Scrubs.

The Chair requested that more patrols took place around Braybrook Street due to an uptake in antisocial behaviour within this area. Neil noted that this was currently being prioritised by the Team and regular patrols were taking place on a daily basis.

Councillor Belinda Donovan suggested creating fridge magnets or stickers incorporating the Team's contact details to help publicise its work.

Action: Neil Morrison

Miriam Shea (Co-opted Member) noted that it was essential for the broader community to have accessibility to a dedicated phone number for the Team when this was available. She also highlighted the ongoing concerns amongst the Friends of the Scrubs, in relation to safety and the need for more regular patrols to be carried out by the Team in the Scrubs.

Grounds Maintenance and Site Management Update

Footpath surfacing trials

Heather Marsh noted that the sandy loam continued to be spread along several well-trodden routes as a trial to mitigate for the wet conditions on the Scrubs. Wood chippings had also been spread to the woodland footpaths.

Meadow signage

Heather noted that the signs requesting people to restrict their access to the meadow areas had been taken down and were in storage at the Wormwood Scrubs depot. The proposal was to request the contractor to reinstate these before the birds start to nest in 2022.

Traffic management

Heather noted the Committee approved the installation of a secure traffic management system to the access road from Scrubs Lane at the previous Committee meeting. However, the Council's contracts board did not approve a direct award to the contractor and requested that the contract be tendered to achieve best value. The tender for this contract has been issued and was due to close on the 20th of December 2021.

Depot Wall

Heather noted that a section of the wall adjoining Burlington Danes Academy had required demolition due to health and safety concerns. A timber hoarding was in place to secure the site boundary and a planning application for rebuilding the wall would be submitted next year. £17.5k had been spent on demolition, hoarding and materials, and the new wall including planning application and associated costs was estimated at around £20k.

Shrub and tree works

Heather noted that following a request to improve health and safety on the Quietway route behind the prison, tree canopies had been lifted and shrubs cut

back to open out this route and improve sightlines. Operations to improve the health and safety of trees within the woodland belts would be carried out by Council contractors during December.

Signage

Heather noted that the supply and installation of three lockable noticeboards was approved by the Committee at the previous meeting. Suitable locations were agreed, and the noticeboards were installed in early December 2021. A plan of the Scrubs and basic information about the site would be installed in the noticeboards. Keys were available to the Friends of the Scrubs to add their own information.

Stephen Waley-Cohen (Co-opted Member) asked for an update to be provided on the progress of the works that were due to be carried out for the hedge located near the meadow area on the East and South side of the Scrubs. In response Heather provided a progress update on this matter, noting that Groundwork Trust would lay the first 100 metres of the hedge.

Procurement of a new Ground Maintenance contract

Steve noted that the final tenders were returned on 22nd September and the results were submitted to the Contract Assurance Board. Idverde had been appointed as the contractor for Lot 3 Wormwood Scrubs, following their submission of a competitive bid which also scored highly on quality.

The contract price for the ground's maintenance was within budget and finance colleagues were currently looking at the associated costs of managing the contract, by looking back at previous charges included and looking forward on the support required for the new contract. A detailed breakdown and full cost of the ground's maintenance would be provided at the next Committee meeting.

Stephen Waley-Cohen (Co-opted Member) suggested that an alternative location be explored for the learning resources hub.

Action: Steve Hollingworth

Play Equipment Braybrook Street

Heather noted that an application had been submitted to HS2's Community and Environment fund for the supply and installation of additional equipment at Braybrook Street play area. A decision was expected before Christmas.

Weekend Parking Charges

Steve noted that the introduction of weekend parking charges was in hand but had been slightly delayed. A traffic order had been drafted and was expected to be operational in around 6 weeks.

Events

Steve noted that an 'Adult Sports Day' was planned for 11th September, with around 2,000 attendees. This would be a day of sports, music and food. The organisers successfully held a similar, though smaller, event in Fulham in 2021.

Members noted that it would be useful to receive further information in relation to timings and associated charges for the event.

Action: Steve Hollingworth

The Committee unanimously delegated authority to the Assistant Director Leisure, Sport & Culture in consultation with the Chair to approve the event planned for 2022, subject to receiving further information in relation to timings and associated costs for the event.

Parks Commission

Steve noted that the resident-led Parks Commission had launched in January 2020, and their twenty-two recommendations follow a year of extensive research and engagement with Council officers, residents, and other park users and stakeholders. Interim recommendations were made in June 2020 to support the re-procurement of the ground's maintenance contract.

The final recommendations were the product of enormous dedication, time, diligent research, and extensive discussion from each of the commissioners, and the council was greatly indebted to them for their efforts.

The Chair thanked the Commission for their hard work in developing their findings. She asked for an update to be provided on the progress to update the bylaws to prohibit fires in the parks within the borough. In response Steve noted this was still work in progress and that Trust Advisors and the LET were working in collaboration to resolve this matter.

Recruitment of a Trust Manager

Steve noted that the job description and the person specification for the recruitment of the Trust Manager had been changed to make the position more outward focussed, with the successful candidates having a real interest in the ecology of the Scrubs. Further consideration was now being given to include fund raising in this role or creating a further part time role to fulfil this opportunity.

Stephen Waley-Cohen (Co-opted Member) not in favour of including fund raising as a requirement for this role as this was a specialist skill set, therefore he felt that a separate post should be considered for this specific function.

Stephen Waley-Cohen (Co-opted Member) enquired what plans were in place to cover Heather's work, as she was leaving the Authority. In response, Steve explained that the vacant post would be advertised before Christmas, with a view to appointing a new Trust Manager in early 2022. He confirmed that in the interim period, Officers within Environmental Services would ensure that any outstanding work was covered.

Audit and Accounts

Steve noted The Trust Accounts, Annual report, and draft Audit Findings were presented under item 4.

Financial Forecast 2021/22

Carmen Lomotey, Advisor to the Trust summarised the financial forecast for the Trust for 2021/22 and gave a summary of the key points. The budget for 2021/22 was agreed with an anticipated deficit of £113,675 to be deducted from the Trust's reserves. The current forecast (as of 5th December 2021) was a £31,725 surplus, which was £145,401 better than budget. The main reasons for this was increased

parking income, reduced grounds maintenance costs and delayed project manager recruitment.

Stephen Waley-Cohen (Co-opted Member) requested that the budget for 2022/23 to reflect the updated costs be presented at the next Committee meeting.

Action: Carmen Lomotey

Any Other Business

The Chair asked for an update to be provided on the lease for KAA. In response, Heather explained that their lease expired in July 2021. It was noted that KAA would like to utilise the site to educate refugee children. The terms of the Planning consent had been revised accordingly and this had been granted. Therefore, these changes would need to be reflected in their lease. The Chair expressed some concerns around the school being on site without a valid licence and requested that this was investigated as soon as possible. Heather confirmed she would chase the Council's Legal team to action this request.

Action: Heather Marsh

Steve explained that the licence extension would need to be brought to a future Committee for approval. The Chair noted that an extraordinary meeting might be required before March 2022 to approve this, if this was necessary.

The Chair noted that Heather was retiring early next year. The Committee thanked her for all her hard work and support throughout her employment.

RESOLVED:

That the Committee:

- Delegate the final realignment of Kensington Dragons pitches to the Trust Manager in consultation with the Chair.
- Approve the appointment of a specialist consultant to carry out consultation and engagement on a master plan for Wormwood Scrubs.
- Delegated authority to the Trust Manager in consultation with the Chair to approve the event planned for 2022, subject to receiving further information in relation to timings and associated costs for the event.
- Noted the 2020/21 Audit approach as set out in Section 13 of the Manager's report.
- Noted the 2021/22 Financial Forecast as set out in section 14 of the Manager's report.
- Noted all other matters in the report.

6. PARKS COMMISSION REPORT

The Committee discussed this item under item 5 (Manager's report).

RESOLVED:

That the Committee noted, and commented, on the final report and recommendations of the resident-led Parks Commission.

Meeting started: 18:30pm
Meeting ended: 20:35pm

Chair

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