

# Wormwood Scrubs Charitable Trust Committee Minutes

Tuesday 15 December 2020

## PRESENT

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

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

**Advisors to the Trust:** Sharon Lea, Joanne Woodward, Stephen Hollingworth, Matt Rumble, Richard Gill, Carmen Lomotey, Heather Marsh, Farrah Rossi, Masum Choudhury, Peter Wilson, Sebastian Dunnett, Omoregie Adesuwa

Amrita Gill (Clerk)

This meeting *was held remotely. A recording of the meeting can be found at:*  
<https://youtu.be/1ocPiXrmlvE>

### 1. APPOINTMENT OF CHAIR

#### **RESOLVED:**

That Councillor Alexandra Sanderson was unanimously agreed as Chair of the Committee for the municipal year 2020-21.

### 2. APPOINTMENT OF CO-OPTED MEMBERS

#### **RESOLVED:**

Sir Stephen Waley-Cohen and Miriam Shea, representatives of the Friends of Wormwood Scrubs, were unanimously agreed as co-opted members of the Committee for the municipal year 2020-21.

### 3. APOLOGIES FOR ABSENCE

There were no apologies for absence.

### 4. ROLL CALL AND DECLARATIONS OF INTEREST

The Chair carried out a roll call to confirm attendance. There were no declarations of interest.

### 5. MINUTES OF THE LAST MEETING

#### **RESOLVED:**

That the minutes of the meeting held on 6<sup>th</sup> October 2020 were approved.

## **6. MANAGER'S REPORT**

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

### **HS2 Bill Alternative Ecological Mitigation (AEM)**

Steve Hollingworth noted that the AEM works were progressing in three stages. A conservation management plan had been circulated to the Friends and Members of the Committee for comments. The masterplan presented at the last Trust meeting had been discussed by the subgroup on 29<sup>th</sup> October 2020. Detailed designs would be developed along with a 10-year management and maintenance plan to maximise habitat improvement for wildlife and increase biodiversity after the masterplan had been agreed so that the project could be tendered.

The Chair noted that following her discussions with the consultants, the updated plans would be completed by the 11<sup>th</sup> January 2021 and a sub-group meeting would be held shortly after.

### **HS2 – Compensation Code Temporary access to Trust Land**

Steve Hollingworth noted that this would be discussed alongside item 7.

### **Update on leases**

Steve Hollingworth noted that officers had a positive meeting with Kensington Dragons Football Club (KDFC), and most actions had been resolved. However, KDFC requested a change from a 25 year to a 40-year lease. Steve Hollingworth noted that further advice needed to be obtained and the Council was exploring this option with the Property team.

The Chair requested that clear guidance be gathered from the Property team and circulated to members before a decision was made.

The Committee unanimously agreed to delegate authority to the Chair to approve the extension of lease to 40 years once further guidance and advice was received.

**Action: Steve Hollingworth**

### **Tennis Courts**

Steve Hollingworth noted that a licence to use the old tennis courts to the South of Linford Christie Stadium by the Hospital's development contractor had resulted in the discovery of asbestos. Therefore, the asbestos would need to be removed before the tennis courts could be used. Part of the cost for this would need to be offset against the income received for the licence.

It was noted that the details of the lease and the extent of the repairs required for the residential property Park Lodge were still being explored so that an options paper could be presented to the Committee.

The Chair asked for further clarification to be provided around the timeframe for resolving the asbestos issue. Steve Hollingworth explained that he didn't have details on the exact timeframe for removing the asbestos. However, work would commence to ensure that this was removed as soon as possible.

Councillor Helen Rowbottom asked that the area be clearly sign posted, notifying the public of the works that would be carried out for the asbestos.

### **Implementing Strategic Governance Review Recommendations**

Steve Hollingworth noted that the terms of reference for this review were still awaiting legal advice. The Committee would be updated when this was completed.

The proposed job description for the project manager role to support the implementation of the review recommendations had been circulated to Members for comments.

The Chair asked for further clarification to be provided on the key responsibilities for the Project Manager role and how these differed from the Development Manager. In response Steve Hollingworth provided an overview of the roles and responsibilities of the Project Manager, noting that this would be a dedicated full-time position to closely support the Trust. The Project Manager would be responsible for writing the reports, managing the business plan and developing good relationships with all stakeholders for the Scrubs. The Wormwood Scrubs Development Manager was also a full-time position and would specifically support the work of the ecological, biodiversity and mitigation plans for the Scrubs.

Members requested that a breakdown of the roles and responsibilities for all the various members of staff (to support the Trust) be circulated to the Committee.

**Action: Steve Hollingworth**

### **Community Safety Update**

Steve Hollingworth provided an overview and noted that the very high visitor numbers on the Scrubs seen during the Covid-19 pandemic had reduced with the onset of colder weather but still were above normal.

51 incidents had been recorded at the Scrubs to date this year. This compared to 77 incidents in 2019 of which 21 related to homelessness. It was noted that professional dog walkers now required a licence, and this was implemented from October 2020.

Members asked what the process was for supporting homelessness on the Scrubs during the winter months. In response Steve Hollingworth explained that the Adult Social Care team would be notified of any homelessness related concerns. In addition, a hotline number would also be made available.

### **Grounds Maintenance and Site Management Update**

Steve Hollingworth noted that the damage caused by all-weather pitches by many unauthorised users during lockdown was repaired and bookings had commenced.

It was noted that the request to repair the access road from Scrubs Lane was being progressed with part of the funding coming from KAA's obligation to repair the road on completion.

The Committee unanimously agreed to delegate authority to the Chair to work with officers to resolve the access road issue and approve the funding for the repairs.

Stephen Waley-Cohen (Co-opted Member) asked for an update to be provided on the progress for the new management contract for the maintenance of the grounds. Steve Hollingworth noted that this was included under agenda item 7.

Stephen Waley-Cohen (Co-opted Member) asked for an update to be provided on the procurement process for the Linford Christie Stadium. Matt Rumble, Advisor to the Trust provided an overview of the next steps, noting that work was still ongoing to prepare the procurement strategy, however the Council was making good progress. Officers would provide a timetable, setting out each stage of the procurement process at the next meeting.

It was noted that Matt Rumble would share the procurement documents with the Committee for comments, prior to the launch of the procurement process.

**Action: Matt Rumble**

### **Events**

Steve Hollingworth noted that no events had been held at the Scrubs during the Covid-19 pandemic.

### **Audit and Accounts - Update on the 2018/19 and 2019/20 Accounts**

Steve Hollingworth explained that the audit of 2018/19 had been concluded and final accounts were filed with the charity commission. The process to appoint an auditor for the 2019/20 financial year was now underway.

### **Financial Forecast 2020/21**

Steve Hollingworth provided an overview of the key points and noted that the budget for 2020/21 was set with an anticipated surplus of £103,864 to be added to the Trust's reserves. The current forecast (as at 25<sup>th</sup> November 2020) was a much-reduced surplus of £8,395 which was £95,470 worse than budget (£1,209 better than last reported).

Income from pay and display and parking meters had increased since the introduction of cashless parking, but the Covid-19 lockdown had significantly impacted on income since March 2020.

The Chair asked if the Council was using Ringo across all the carparks. In response Steve Hollingworth noted that Ringo was rolled out across the borough and overall had proven to be successful.

Carmen Lomotey, Advisor to the Trust, explained that the option to introduce 7 days a week parking charges at the Wormwood Scrubs Charitable Trust car park had been explored. An enquiry was made with the Transport Parking Divisions team. For these operational hour changes to be implemented a permanent Traffic Regulation Order was required. The administrative cost to introduce 7 days a week parking was £1,764.

It was noted that the Traffic Orders team required official approval from the Committee before they could proceed.

The Committee unanimously agreed for a formal response to be drafted by Carmen Lomotey and sent to the Traffic Orders team for this to be explored further. The Chair also requested that adequate parking restrictions were introduced to the roads immediately surrounding the area in line with the carpark.

**Action: Carmen Lomotey**

**RESOLVED:**

That the Committee:

- Noted the audit update and the audit procurement strategy for 2019/20
- Noted the 2020/21 financial forecast
- The Committee unanimously agreed to delegate authority to the Chair to approve the extension of lease to 40 years for KDFC once further guidance and advice was received
- Unanimously agreed to delegate authority to the Chair to work with officers to resolve the KAA access road issue and approve the funding for the repairs.
- Unanimously agreed for a formal response to be drafted by Carmen Lomotey and sent to the Traffic Orders Team for this to be explored further.
- Noted all other matters in the report.

**7. GROUNDS MAINTENANCE UPDATE REPORT**

Richard Gill, Advisor to the Trust, presented the report.

Richard Gill provided an update on the new management contract for the maintenance of the grounds. The plan was to publish an OJEU advert pre-Christmas and expressions of interest would be received by the end of January 2021. An evaluation would be carried out in February 2021 and a request for tenders for the GM Contract would be made. The AEM works were proposed to be tendered in the summer of 2021 and the new GM contract would not start until February 2022.

Richard Gill noted that there would be an opportunity to include a Member of the Trust on the tender evaluation panel. The Chair agreed that that it would be useful to have a Member of the Trust and a Co-opted Member on the panel.

Stephen Waley-Cohen (Co-opted Member) asked when the tender specification would be put together. In response Richard Gill explained that a draft specification had already been set out and this would be sent with the expressions of interest. It was noted that this document would be circulated to Committee Members to review and make comments.

**Action: Richard Gill**

Richard Gill noted that it was proposed that the area of the new AEM works (predominantly the western side of the Scrubs) was not included in the GM contract at this stage. It would instead remain with the contractor responsible for

the implementation and management of the AEM works. This would have two significant advantages as outlined below:

- An extended defects liability period for the works would be provided by the contractor.
- The establishment period would be paid for from the AEM works budget providing a significant saving to the Wormwood Scrubs GM budget for at least five years.

Miriam Shea (Co-opted member) expressed her concerns around two separate contractors managing the Scrubs simultaneously and noted that it would be useful for the Members of the Trust to have clarity on how the expenses would be managed going forward for each contractor including the management of the trees. In response Richard Gill noted that a financial specification for all the contractors would be circulated to Committee Members.

**Action; Richard Gill**

### **RESOLVED:**

That the Committee:

- Approved the management of the AEM works as separate from the GM contract scope for a five-year defect's liability period, then would be added to the contract.
- Approved the management of Trees of Wormwood scrubs within Lot 4 of the GM contract scope.
- Noted all other matters in the report.

## **8. HS2 ALTERNATIVE ACCESS REPORT**

Steve Hollingworth introduced the report and summarised the key points. It was noted that the report outlined the ecological and other implications of the route from Braybrook Street approved under the government's HS2 Act (2017) and the actions needed by the Trust and other organisations to enable an alternative access point and route from Old Oak Common Lane to be used instead.

HS2 already had authority to do this under the Act of Parliament, including access to certain parts of the Scrubs. The Trust had taken legal advice and had no powers to stop these works. However, there was significant concern over the potential impact on the ecology of the Scrubs and the amenity of residents living in Braybrook Street, and the Trust would do all it can to protect valuable wildlife and local people.

The Council was working hard on behalf of the residents, Scrub users and the Trust to provide an alternative access, that was far less disruptive to residents and had potentially less impact on the ecology of the Scrubs; by proposing a different access from Old Oak Common Lane.

Steve Hollingworth gave a presentation to help understand the steps required to deliver the alternative access route from Old Oak Common Lane. He showed slides of the indicative maps for the access roads, images of where the roads would be placed and the route to the sewer realignment works by light vehicles to carry out vegetation clearance across the Scrubs. An overview of the outline programme for the alternative access road, including ecological considerations and surveys was also provided.

The Chair noted that the Committee had received a series of questions and comments from residents regarding the alternative access route, covering the following topics:

- Maps showing the HS2 site footprint
- Details of the tree and ecological Surveys
- Details of HS2's species translocation plans
- Plans for the lizard colony and to protect wildlife.
- Contact details for the independent ecologist
- A detailed schedule of the 24-hour piling works.
- A guarantee that any felled trees would be replaced by mature trees

Officers provided detailed responses during the course of the meeting. Full details can be viewed [here](#)

Councillor Belinda Donovan asked if bat surveys had been carried out. In response Sebastian Dunnett noted surveys conducted had identified very low numbers of bats around the northern embankment of the Scrubs and further details of this could be found in the protected species report 2018.

Councillor Belinda Donovan asked for further clarification to be provided on the size of the land for the HS2 access route. In response Peter Wilson noted that the area required by the access road from Braybrook Street was approximately 1800 square metres.

Stephen Waley-Cohen (Co-opted Member) expressed his concerns around the overuse of the meadow area, whilst these works would be carried out. He asked if the Council had any plans to mitigate these concerns. Steve Hollingworth explained that if access was provided via Old Oak Common Road, then the main access via Braybrook Street would be retained. It was felt that there wasn't a high volume of footfall coming in via the Old Oak Common Lane access. Richard Gill provided an overview of how the footfall could be mitigated and reduced to help with some of the of the extra pressure on the paths. The Council would work alongside HS2 to ascertain their plans so that appropriate measures could be put into place. In addition, extra signage would be put into place to support the public.

Stephen Waley-Cohen (Co-opted Member) asked what measures were put in place to oversee the relocation of lizards and vegetation. In response Sebastian Dunnett, Advisor to the Trust outlined the steps taken by the Council to mitigate the impact on the lizard colony.

The Chair suggested to stake out the area that HS2 was permitted to access under the governments HS2 Act (2017), to provide residents with the opportunity to view the extent of the site. Steve Hollingworth said that HS2 were planning to proceed with this in early 2021.

Sharon Lea, Advisor to the Trust noted that HS2 had offered to do further engagement with residents. Therefore, there would be an opportunity for residents to clearly understand what HS2 were intending to do. A meeting would be held with HS2 on 16<sup>th</sup> December 2020 to discuss the concerns raised by residents and how these could be resolved. The Council would be working to deliver the programme

to meet the required timescales for the alternative access route. The Council would work alongside HS2 to reduce the impact of the works on residents and to protect the wildlife and the ecology of the Scrubs.

Members thanked officers for their hard work and efforts.

**RESOLVED:**

That the Committee agreed the recommendations included in the report.

Meeting started: 6:30pm  
Meeting ended: 8:30pm

Chair .....

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