

Wormwood Scrubs Charitable Trust Committee Minutes

Wednesday 14 December 2022

PRESENT

Committee members: Councillors Alex Sanderson (Chair), Bora Kwon and Dominic Stanton

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

Advisors to the Trust: Steve Hollingworth (Assistant Director, Leisure, Sports and Culture), Osama El-Amin (Trust Manager), Vicki Abel (Trust Development Manager), Emma Jerrard (Senior Events Manager), Catherine Field (Events Manager), Carmen Lomotey (Principal Corporate Accountant), Nicholas Falcone (Senior Corporate Accountant) and Neil Morrison (Senior Law Enforcement Officer)

Clerk: Debbie Yau

External Guests: Stuart McKay (Audit Partner, MHA Macintyre Hudson), Secret Cinema: Kath Tomlin (Community Manager), Carly Morrell (Production and Location Director), Amy O'Brien (Producer), William Ma (Location Manager) and Rob Haworth (Production and Licensing)

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

Referring to the second last paragraph under the OPDC Local Plan, Miriam Shea (Co-opted member) requested to change the wording to:

“Miriam Shea noted that a meeting between OPDC and the Committee might be arranged to discuss the proposals under the Local Plan.”

RESOLVED

The minutes of the meeting held on 7 September 2022 were agreed as an accurate record, subject to the change above.

4. WORMWOOD SCRUBS CHARITABLE TRUST ANNUAL REPORT AND FINANCIAL STATEMENTS FOR YEAR ENDED 31 MARCH 2022

Steve Hollingworth (Assistant Director, Leisure, Sports and Culture) briefed members on the Wormwood Scrubs Charitable Trust (the Trust) Annual Report and Financial Statements for the year ended 31 March 2022. He highlighted the following significant developments:

- Delivering a financial surplus of £92,592 as it continued to benefit from increased rental income, albeit not all of which was expected to recur in future years.
- Continuing to provide the site for temporary buildings for the Kensington Aldridge Academy (KAA) school in the aftermath of the Grenfell Tower fire.
- Engaging consultants to develop a £3.9m plan to improve biodiversity (funded by High Speed 2 (HS2)), consulting with the public and presenting masterplan proposals.
- Engaging in the development of the Old Oak and Park Royal Development Corporation Local Plan, to ensure it did not impact adversely on the Scrubs.
- Procuring a new grounds maintenance contract focussed on greater community involvement.
- Continuing to work closely with the Friends of Wormwood Scrubs through the two Friends who were co-opted members of the governing committee.
- Hiring a Trust Manager to help develop strategic direction and deliver on the charitable objectives of the Trust.

Nicholas Falcone (Senior Corporate Accountant) outlined the financial review of the Trust. He said that the general unrestricted income fund for 2021/22 was £1,030,969. The main income sources were the short-term KAA occupation and carpark related incomes.

Stuart McKay (Audit Partner, MHA Macintyre Hudson) took members through the Audit Finding Report 2021/22 (Appendix B, pages 44 - 55) and the Letter of Representation 2021/22 (Appendix C, pages 56 - 58), in particular the following:

- The nature and the scope of audit work being undertaken.
- Views about the qualitative aspects of the Trust's accounting practices and financial reporting.
- Unadjusted and adjusted misstatements.
- Matters specifically required by Auditing Standards to be communicated to those charged with governance (such as fraud and error).
- Expected modifications to the Auditors Report.
- Material weaknesses in the accounting and internal control systems.
- Any other relevant and material matters relating to the audit.

The Chair and Stephen Waley-Cohen (Co-opted member) appreciated the reports which were thorough, clean and straight-forward.

RESOLVED

The Committee agreed to:

1. Approve the Trustee's Annual Report and the 2021/22 financial accounts for Wormwood Scrubs Charitable Trust incorporated therein (Appendix A).
2. Note the contents of the risk assessment schedule 2021/22 (Appendix A - pages 28 & 29).
3. Note the contents of the Audit Findings Report from MHA Macintyre Hudson (Appendix B).
4. Approve the management Letter of Representation (Appendix C) and resolve to sign and return this to MHA Macintyre Hudson.
5. Note that the accounts remain subject to change until the final audit opinion is issued and delegate authority to the Assistant Director, Leisure, Sport & Culture, Steve Hollingworth in consultation with the Chair of the Committee, to approve any changes to the 2021/22 Financial Accounts, Annual Report and the management representation letter required as part of the finalisation of the audit process.

5. MANAGER'S REPORT

HS2 Update

Steve Hollingworth (Assistant Director, Leisure, Sports and Culture) gave an update on HS2. He said that the planting of seed at the Stamford Brook Site would be carried out under warmer weather, and that the UTX site would be returned upon the completion of the station by 2029.

Responding to the request of Stephen Waley-Cohen (Co-opted member), Steve Hollingworth agreed to put up sufficient number of signs explaining why the sites were blocked off and what measures had been planned to be taken to protect the sites.

ACTION: Steve Hollingworth

Green Flag Application Submission

Vicki Abel (Trust Development Manager) briefed members that a Green Flag Management Plan (Appendix 1) for the Wormwood Scrubs would be submitted in January 2023 for the Green Flag Award the judges of which would then visit the Scrubs on a day between May and July 2023. The Green Flag spaces would be reviewed periodically to ensure they still met the standards of the Green Flag Award.

Expressing appreciation for the detailed Plan, Miriam Shea (Co-opted member) enquired about the involvement of idVerde in the process. Vicki Abel said that idVerde had been in close interaction with the Council's Park Manager in maintaining the site. In drawing up the Management Plan, the Parks Team had consulted and liaised with a range of other teams and departments including idVerde.

At the requests of Stephen Waley-Cohen, Steve Hollingworth undertook to circulate the Green Flag Application for the Friends of Wormwood Scrubs to comment, and to circulate the idVerde management plans for members' reference.

ACTION: Osama El-Amin

Site Entrance Improvements

Osama El-Amin (Trust Manager) reported the progress of the site entrance improvements work. He said that the work contract was awarded to a different supplier whose quote was significantly lower which negated the need for the Trust to match a contribution of £20,000. The work was expected to commence on 23 January 2023 and last for 4 to 6 weeks depending on the weather conditions.

Noting the new quote was 20% lower for the same specification of work, Councillor Dominic Stanton asked for the rationale behind. Osama El-Amin noted that the main difference was the transport of soil off-site. The original contractor planned to dispose the soil off-site while the new one would re-use the soil on-site. Moreover, the new contractor was a larger company which had more tools and equipment and hence could complete the same work quicker and cheaper.

Hedge Laying Programme

Osama El-Amin updated members on the hedge laying programme. He said that for the additional 325m of hedge that needed to be laid, about 200m would be laid at a cost of £19,200 between January and March 2023 to minimise disruptions to ground nesting birds.

Stephen Waley-Cohen considered the cost of hedge laying at a rate of about £96 per meter very expensive. Osama El-Amin noted that as the expenditure might bring an impact to the Trust's budget, he planned to seek external funding to cover the cost. Stephen Waley-Cohen remarked that while hedging was desirable for the meadow in the north-west region of the Scrubs, it was not needed anywhere else. He hoped that some brilliant contractor might deploy alternative methodology to lay the hedge at a lower cost.

Members noted that local volunteers had been instrumental in undertaking hedge laying activities. Stephen Waley-Cohen advised the officers to give sufficient notice for the volunteers to line up the schedules for the required work.

Kensington Dragons Update

Osama El-Amin gave an update on the progress of works undertaken by Kensington Dragons Football Club (KDFC).

Stephen Waley-Cohen sought details of the funding and lease agreement entered with KDFC in 2021. Osama El-Amin said he understood the agreement lasted for 2 years. Steve Hollingworth noted that the funding amounted to £250,000 over the life of the lease. He undertook to re-circulate the related paper to refresh members' memory.

ACTION: Steve Hollingworth

Thames Valley Harriers (TVH) Clubhouse

Steve Hollingworth presented the progress of the project and highlighted that the current TVH business plan, the latest set of financial accounts along with an

income generation plan had been circulated to the committee for feedback. The Committee was asked to approve a £40,000 grant to TVH for this project and delegate development of a funding agreement to officers.

Stephen Waley-Cohen said he hoped the on-site café which would be open to the wider community could sustain its operation.

The Chair and Councillor Dominic Stanton indicated approval for the project subject to certain conditions. Steve Hollingworth assured that the terms of accessing the facility by the wider community and the opening hours would be stated in the agreement before any funding was granted to TVH. This agreement would be circulated to committee members. He added that they planned to meet TVH once after the trial period with the caterer was over.

ACTION: Osama El-Amin

Linford Christie Stadium Proposal by The Friends of Wormwood Scrubs

Stephen Waley-Cohen referred to the Linford Christie Stadium proposal and said he agreed with the Chair that given the full agenda of the current meeting, it was prudent to discuss the proposal in detail and approve it or otherwise at the next Committee meeting.

Vehicle Access Off Scrubs Lane

Osama El-Amin presented the feasibility study on the most appropriate route for vehicular access onto the Scrubs. He clarified that results of this study were expected to be shared with relevant officers on the week commencing 19 December 2022 and recommendations from this study would form the basis of future events planning procedure and would be shared with committee members once complete.

Ecological baseline and monitoring programme

Vicki Abel presented the plan of idVerde to undertake an ecological baseline survey across a calendar year from January 2023 to January 2024, which together with all the surveys carried out in the last 6 years, would be fed into the Biodiversity Masterplan.

Miriam Shea expressed thanks for this good initiative which undertook repeat surveys to generate longitudinal data.

LNR Status for Meadow Area

Vicki Abel presented the proposal to designate the meadow area (illustrated in red on page 65) as a Local Nature Reserve (LNR) which would provide the opportunity of creating bylaws and/or public space protection orders (PSPOs) to protect this area which was the most floristically diverse and attracted a wide variety of bird species. The bylaw and PSPOs would be enforced along with signages and public education. She noted that once the application and approval process which took about six months was complete, Natural England would formally recognize the LNR and add it to the designated site database.

The Chair said the Committee was happy to approve the application.

ACTION: Vicki Abel

Tree planting

Vicki Abel presented the priority tree works undertaken as part of the reinstatement works for the 15 trees lost on the site through the Stamford Brook Sewer work under the HS2 development. She noted that in addition to trees, shrub and whip planting was proposed to gap up the hedge along the northern boundary with the railway line.

In reply to Miriam Shea's question, Vicki Abel noted that the whips and the new hedges were on the right side of the railway boundary, stretching along as fencing but not getting too close to avoid anything overhanging.

Secret Cinema Summer 2023

Kath Tomlin (Community Manager, Secret Cinema) introduced her colleagues: Carly Morrell (Production and Location Director), Amy O'Brien (Producer), William Ma (Location Manager) and Rob Haworth (Production and Licensing).

Kath Tomlin and her colleagues presented Secret Cinema's proposal to undertake one show on the Scrubs in summer 2023. They briefed members on the Secret Cinema's experience, safe management of events, noise management plan, light management, site demise. Ingress and egress, liaison with residents, recruitment, work experience students, local charity fundraising, community and charity outreach, dedicated residents' webpage and so on.

The Chair expressed concerns on noise and ecological impacts, and disturbances brought by the audience as some might choose to leave the site through short-cuts passing through the residence.

Rob Haworth noted from his past experience that audience tended to stick with the rules in taking the designated routes to and from the venue and the entrances would actually have dictated the routes to be taken. On noise and ecological impacts, Rob said that they never received residents' complaints about noise in the past. The consultants engaged for the ecology management plan understood the needs to mitigate the issues arising from hosting the event. For example, light would only be used along the footpath.

Stephen Waley-Cohen was concerned as to how people could be stopped from stepping on the scrubs adjacent to the site on the east instead of walking along the Scrubs Lane. He said that just a few hundred people doing so would already cause significant impacts to the ecology there, and complaints of the birds and plants therein were nowhere to be heard.

Rob Haworth assured that mitigation measures would be carefully drawn up through planning, preparing site layout and programme activities, engaging experienced ecologists, working with team members etc to reduce those impacts.

Councillor Bora Kwon referred to residents' concerns expressed against the Notting Hill Carnival held yearly over a weekend towards the end of August and considered it helpful for Secret Cinema to step up its consultation and engagement with local residents for this 3-week show which was going to happen also in the summer. Kath Tomlin assured all relevant details would be published in the residents' webpage and hoped the residents found the family-friendly film appealing.

In reply to co-opted members' questions, Amy O'Brien said vehicles would be parked within the site demise. The Chair referred members to the Committee's earlier discussion on vehicular access off the Scrubs Lane.

Miriam Shea was concerned whether the Secret Cinema had been invited back by previous venue to host another event. Carly Morrell noted that the Secret Cinema planned to host Dirty Dancing at the same venue where Romeo and Juliet had been shown in 2018. However, due to the pandemic, Dirty Dancing was delayed and shown in Gunnersbury Park in 2022. She also noted that the Scrubs was the only Park they were aware of in Hammersmith and Fulham to be suitable for hosting the event. On the time needed to restore the Scrubs, Carly drew on the experience at the Gunnersbury Park where it took about 4 weeks under dry weather.

Amy O'Brien confirmed with Councillor Dominic that the Secret Cinema would bring in and away all infrastructure relating to the provision of water, electricity and sewer etc as it was noted such were not available on the Scrubs.

Stephen Waley-Cohen relayed the few complaints he had received from the residents as to why they were consulted before approval was yet to be given by this Committee. He was also concerned that the promotional leaflet did not have any reference to the Committee and referred the venue as Park instead of Scrubs which had been awarded LNR status for some of its sites. Stephen further noted that the Secret Cinema's proposal to host at the Waltham Forest had received strong opposition. He shared the same objection in hosting the said event at the Scrubs as there would be too many participants causing too many disturbances to the ecology and disruptions to local residents' enjoyment. As a member of the Friends of the Wormwood Scrubs and on behalf of the Trustee, he could not support this initiative. Stephen added that in case the project was voted to go ahead, he was keen to learn about the financial arrangements. Responding to his question, Amy O'Brien noted the overall average prices for VIP and general admission tickets for previous similar productions fell in the region of £55-60.

Councillor Bora Kwon said she was in favour of the project as it presented good opportunities for the residents. Taking into account the nature and timing of the event, she hoped that the Secret Cinema could maintain dialogues with local residents. Echoing her view, Councillor Dominic Stanton said he was broadly in favour. The Chair said she inclined to give approval and hoped that additional staff could be assigned to manage dispersal along the route from the site to minimise disruptions. The Committee agreed to delegate the officers to undertake the next steps.

ACTION: Osama El-Amin / Emma Jerrard

Alternative Ecological Mitigation (AEM) Masterplan

Vicki Abel presented the AEM Masterplan (version H) and the next steps pending approvals. She said that following consultation in summer 2022 by London Development Trust (LDT), the Land Use Consultants (LUC) had amended the Masterplan accordingly to include all those recommendations that would improve or enhance the biodiversity of the Scrubs.

Ben Shakespeare (Assistant Landscape Architect, LUC) presented with the aid of the powerpoint that he had circulated to officers before the meeting. He introduced the Ecological Enhancement Plan, evolution of the Masterplan, and proposal plans for 1. woodland management, 2. trees, 3. scrub management, 4. wildflower grassland management, 5. wetland habitat, 6. hedgerows, 7. sustainable urban drainage, 8. information boards, wayfinding and entrances, and 9. access.

Miriam Shea expressed concerns about the proposed locations of the pond and swales. She highlighted the heavy traffic around the football pitch during dispersal and noted people might cut across the proposed swales along the pitch. Moreover, she questioned the location of the pond given its elevation and suggested the northwest corner might be better suited.

Ben Shakespeare referred to the Masterplan (Appendix 3) and noted the thin lines along the swales had pipes buried underground to collect water run-off so that people might walk on top to/from the football pitch. He said some refinement could be done to allow more people to pass through. Ben further noted that the location of the pond was proposed to move southward for it to collect water from the swales. It was now easily accessible from the hospital as well as Braybrook Street and keep people around the site. As regards the area in the northwest corner, Ben noted that the area would be less wet after the broken land drain there was repaired.

Welcoming the proposed amendments to the AEM Masterplan to enhance the biodiversity of the Scrubs, Stephen Waley-Cohen however said he needed more time to study the powerpoint slides which were received in the previous afternoon. He hoped to receive more details from LUC soon with a view to making minor suggestions for the proposed changes.

Members agreed to give approval in principle subject to minor amendments following a further meeting with LUC in January 2023.

ACTION: Vicki Abel

Financial Forecast 2022/23

Carmen Lomotey (Principal Corporate Accountant) briefed members that the budget for 2022/23 had been agreed with an anticipated net income outturn of £250,697 and that the current forecast was £36,085 less than this, a £214,611 net income outturn.

In reply to Councillor Stanton's questions, Carmen Lomotey and Steve Hollingworth noted that the income, if any, from the event hosted by the Secret Cinema would be taken into account for the next financial year after approval.

They also noted that the AEM Masterplan was made to ensure biodiversity of the Scrubs consequent to the HS2 development, thus the financial impact of the Masterplan, once approved, would be reflected in the budget.

Law Enforcement Team (LET) Update

Neil Morrison (Senior Law Enforcement Officer) presented the details of LET's work in and around the Scrubs since 26 August 2022. He reminded members to express views on the Dogs Public Space Protection Order consultation which was live until 15 January 2023.

The Chair said she was pleased to note the Wormwood Scrubs was on the list for highest number of patrols and hours on patrol.

RESOLVED

The Committee agreed to:

1. Note HS2 re-instatement progress.
2. Approve submission of an application for Green Flag accreditation, pending circulation to the Friends of Wormwood Scrubs for comment.
3. Take note of the 'Site Entrance Improvement' project update.
4. Approve £19,200 to continue and complete the hedge laying project.
5. Note the progress made by KDFC on the development of football pitch provisions at LCS.
6. Approve £40,000 grant to the Thames Valley Harriers, and delegate development of a funding agreement to officers.
7. Note the proposal delivered by the Friends of Wormwood Scrubs on the development of the Linford Christie Stadium.
8. Note the progress of a feasibility study into vehicle accessibility off Scrubs Lane.
9. Take note of the Ecological Baseline/Monitoring programme.
10. Approve the acquisition of 'Local Nature Reserve' status for the Meadow.
11. Note the Tree Planting plan for the new year.
12. Approve the Secret Cinema proposal and delegate to officers to undertake the next steps.
13. Approve version H of the Alternative Ecological Mitigation Master and note the next steps.
14. Take note on the Trusts' latest financial performance and forecast for Q3 2022/23.
15. Note the latest Law Enforcement update.

6. DATE OF NEXT MEETING

Members noted the next meeting would be held on 8 March 2023.

In response to the concerns raised by Stephen Waley-Cohen (Co-opted member) on the use of sandy loam for footpath surfacing before the mud took over it after the imminent heavy rains and warming, Steve Hollingworth (Assistant Director, Leisure, Sports and Culture) noted that idVerde would do the drainage work there the day after.

Stephen Waley-Cohen referred to his observation about the less satisfactory performance in ground maintenance and site management and asked for any update. Osama Al-min (Trust Manager) noted that discussion had been held with the idVerde ground maintenance staff and the Parks Team would continue to monitor their performance. He invited members to get in touch if more attention to the services was required.

ACTION: Committee members

Meeting started: 5.00 pm

Meeting ended: 7.14 pm

Chair

Clerk: Debbie Yau
Committee Coordinator
Governance and Scrutiny
07901 517470
E-mail: debbie.yau@lbhf.gov.uk