

 <p><b>h&amp;f</b> the low tax borough</p>	<p><b>London Borough of Hammersmith &amp; Fulham</b></p> <p><b>WORMWOOD SCRUBS CHARITABLE TRUST COMMITTEE</b></p> <p><b>11 DECEMBER 2013</b></p>
<p><b>MANAGER'S REPORT</b></p>	
<p><b>Report of the Director for Safer Neighbourhoods and the Director for Finance and Resources, ELRS</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification:</b> For Decision and for noting. <b>Key Decision:</b> No</p>	
<p><b>Wards Affected:</b> College Park and Old Oak</p>	
<p><b>Accountable Executive Director:</b> Lyn Carpenter, Executive Director for ELRS</p>	
<p><b>Report Authors:</b> Mark Jones, Director for Finance and Resources David Page, Director for Safer Neighbourhoods</p>	<p><b>Contact Details:</b> Tel: 020 8753 6700 E-mail: mark.jones@lbhf.gov.uk</p>

## 1. Executive Summary and Decisions Sought

At the last meeting of the Committee it was explained that a key priority for the Trust is to improve its financial position and eliminate the loss currently being made as soon as possible.

- 1.1. The Committee is asked to approve the following:
- That the Committee adopts the Scheme of Delegation set out in section 2.
  - That KPMG are appointed as auditors for the 2013/14 and 2014/15 accounts (Section 3).
  - To authorise the Director for Safer Neighbourhoods to enter into an agreement with Earls Court and Olympia Limited in consultation with the Committee Chair, to allow occasional vehicle parking on the 'Red Gra' area, as set out in Section 5. This is an arrangement that has been in place with the Police for a number of years. The expected income is around £25k.
  - To delegate to the Chairman the power to decide whether it would be in the interests of the Trust to open negotiations with the hospital about the terms of the licence to use the car park (see Section 7).
- 1.2. The Committee is asked to note the following:
- That in January 2014 the Director for Safer Neighbourhoods intends to make a proposal to enter into an agreement with the Norman J event management team to allow a Family Music Event in September 2014,

as set out in Section 4. As the value will be around £50k, this would be a decision for the Chairman.

- That the Director for Safer Neighbourhoods will enter into an agreement with the Metropolitan Police, to allow occasional vehicle parking on the 'Red Gra' area, as set out in Section 6.
- The work that is going on to determine whether it would be in the interests of the Trust to introduce a charge for car parking at weekends, as set out in Section 8.
- The low levels of crime reported in the Community Safety update in Section 9.
- The work going on to examine the potential to sell the tied cottage (see Section 10).
- The work going on in relation to grounds maintenance (see Section 11).
- The letter sent by the Chairman to TFL and other bodies concerning the potential impact of HS2 (Section 12 and Annexe A).

## **2. Scheme of Delegation**

- 2.1. The Wormwood Scrubs Charitable Trust Committee is authorised by Full Council to make any decision on behalf of the Trust.
- 2.2. However, the Committee is not likely to meet frequently enough always to be in a position to make timely decisions for the Trust. It is therefore proposed that the Committee authorises the Director of Safer Neighbourhoods to take any decisions having a financial consequence of up to £100,000. If such a decision has financial consequences of more than £20,000 it will always be made after consultation with the Chairman.
- 2.3. Such decisions taken outside the Committee cycle will be circulated and reported to Committee members for information. Additionally any expenditure over £1000 and under £100,000 will be listed and made available to members of the committee for transparency purposes.
- 2.4. The Committee will make all other decisions with financial consequences of more than £100,000.
- 2.5. This is an interim arrangement expected to last only until the Full Council meeting in January 2014. At that meeting Council will be requested to designate the Chairman of the WSCT Committee as its agent. This will allow the Chairman to have delegated power to make decisions up to £100,000, with the Director of Safer Neighbourhoods making decisions up to £20,000. The Committee would still reserve decisions of more than £100,000 to itself.
- 2.6. These thresholds have been chosen to mirror the levels of authority exercised by Cabinet, Cabinet Members and senior officers for ordinary Council business. The Committee could choose other thresholds if it wished to do so.

### **3. Appointment of Auditors**

- 3.1. Since the 7 October 2013 Committee meeting, KPMG have signed off the Trust's accounts and concluded their audit for the 2012/13 financial year. There were no amendments to the accounts and Trustee's Report which were presented to Committee before they were finalised.
- 3.2. The Trust must now appoint an auditor for its 2013/14 accounts as KPMG's engagement was for one year. KPMG have confirmed that for the next two years their fee for the Trust's audit would remain consistent with the 2012/13 fee of £12,000. An annual inflationary increase would apply which would make the proposed fees £12,300 for 2013/14 and c.£12,700 for 2014/15 (assuming inflation remained constant). These figures exclude expenses, which for the 2012/13 audit were £300.
- 3.3. KPMG are the auditors for the council's main accounts. 2012/13 was the first year they audited either the main accounts or the Trust's accounts (previously both audits were undertaken by the Audit Commission). It is recommended that KPMG are engaged by the Trust for 2013/14 and 2014/15 to maintain consistency and enable the Trust to continue to benefit from KPMG's knowledge of Council's systems and synergies with the audit of the main accounts.

### **4. Open Air Events**

- 4.1. There is potential to generate income for the Trust by using the Scrubs for a family music festival. This would be organised by Norman J event management team and is proposed to take place in the Scrubs early September 2014.
- 4.2. The event organisers are preparing an event outline document which is due to be ready in January 2014. There is potential for net income of £50k from a two day event. The event content would include two daytime family music events in the south east of the Scrubs, with ten thousand attendees expected each day.
- 4.3. The event plan will set out the arrangements for the management of the crowd, waste, noise, grass protection, setup/breakdown and stakeholder relations. The plan will identify potential issues and ways to address them. A formal "Safety Advisory Group" will be formed to steer the event in a sustainable way.

### **5. Renting Lorry Parking Spaces to Olympia**

- 5.1. Earl's Court and Olympia Limited has shown an interest in using the 'Red Gra' as a marshalling area for large exhibition delivery vehicles. Red Gra is situated south-east of the Scrubs, off Scrubs Lane Car park. The firm will use the space on an ad hoc basis, no more than 14 times during the next calendar year.
- 5.2. The firm will provide lighting, noise management, site security and a residents contact point. The Red Gra area has been used previously for

temporary parking for filming and the police during the Notting Hill Carnival. The Olympia project will be trialled during April 2014. The net potential income is £25k.

## **6. Charging the Metropolitan Police for parking for the Notting Hill Carnival**

- 6.1. A community fee of £1.5k was charged for the first time for the Notting Hill Carnival in 2013. The Trust will be negotiating an increasing fee schedule for future years.

## **7. Review Licence for the Car Park with the Hospital**

- 7.1. Hammersmith Hospital have historically used the car park for a mixture of staff and visitor parking. The rent has not been reviewed for a number of years. It is proposed that officers establish whether it would be in the interests of the Trust to re-open negotiations with the hospital. It is proposed that the Chairman be given the authority on behalf of the Trust to decide whether to do that.

## **8. Introduction of Parking Charges at Weekends**

- 8.1. A survey monitoring weekend car park usage was completed over 3 weekends in October 2013. The purpose of the survey was to ascertain the potential impact of introducing a weekend parking charge. The current parking provision covers Mon-Fri 8am-6:30pm, £2.20 per hour with a minimum charge of £1.10. At present there is no charge at weekends or on a bank holiday.

The survey results are as follows:

### **Linford Christie Car Park Usage - Weekend**

Date	Number of Vehicles	
	11am	4pm
<b>Sat 12 October 2013</b>	<b>82</b>	<b>16</b>
<b>Sun 13 October 2013</b>	<b>145</b>	<b>22</b>
<b>Sat 19 October 2013</b>	<b>27</b>	<b>19</b>
<b>Sun 20 October 2013</b>	<b>147</b>	<b>26</b>
<b>Sat 26 October 2013</b>	<b>23</b>	<b>19</b>
<b>Sun 27 October 2013</b>	<b>151</b>	<b>27</b>

The current usage would suggest the following potential income based on a nominal £1 per day charge being introduced at the weekends:

<b>Average Usage Weeks</b>	<b>192 (11am) 52</b>	<b>43 (4pm) 52</b>	
<b>Potential Income (£1)</b>	<b>£9,967</b>	<b>£2,236</b>	<b>Total £12,203</b>

Assumptions being made are as follows:

- Does not account for seasonal variation in usage
- Income based on a minimal £1 per day usage
- Cars counted do not return/remain for the later count (double counting)
- Charging does not decrease usage

8.2. Work is ongoing with LBHF parking Department and Environmental Legal to ascertain whether the car park is subject to the Road Traffic Regulation Act (Section 55). RTRA 55 requires that on-street penalty charge income must be used for enforcement purposes and to improve road transport provision.

8.3. Surrounding streets currently abide by the same parking restriction and are also free at weekends. Unless local parking control was also changed the introduction of a weekend charge in the Wormwood Scrubs car park may result in a migration of parking from the car park to local 'free' streets. The Council will therefore be consulted before any change is implemented.

## **9. Community Safety Update**

9.1. On Wormwood Scrubs itself there was only one crime reported to the Police between April and September 2013. That crime related to drugs and may have been identified as a result of a proactive drugs operation.

9.2. There were two crimes recorded in the same period in 2012/13, and three recorded in the same period in 2011/12. Reported crime levels are low on Wormwood Scrubs and are falling year on year as a result of the effective partnership between the Council's Parks Police and the Metropolitan Police. The table below provides more detail:

Wormwood Scrubs	2011/12	2012/13	2013/14
Burglary	0	0	0
Criminal Damage	0	0	0
Drugs	0	1	1
Fraud or Forgery	0	0	0
Other Accepted Crime	0	0	0
Other Notifiable Offences	0	0	0
Robbery	0	0	0
Sexual Offences	1	0	0
Theft and Handling	1	0	0
Violence Against the Person	1	1	0
Total	3	2	1

## **10. Sale of Tied Cottage**

- 10.1. The Trust is under a fiduciary duty with regard to its property and as such it is at risk of breaching this duty if it does not make good economic use of this building, such as disposing of it. Officers are therefore examining the benefits to the Trust of selling the tied cottage. If it were in the interests of the Trust, it would be presented to the Committee for decision. Any receipt would flow into the Trust's accounts.

## **11. Grounds Maintenance**

- 11.1. Officers will hold a discussion with the contractor to examine whether there is scope to alter the specification to reduce the costs to the Trust.
- 11.2. Work is ongoing to improve biodiversity, with fruit trees and native perennials planted this year. Groundwork and HCGA have done some work in the grasslands and woods near the redgra area. The contractor has done some bramble clearing in the north. Tree contractors have assisted with creation of loggeries and basking areas in grassland.
- 11.3. At present two schools run their own 'Forest Schools' on the site and are not charged. It is believed there is potential to make significant improvements and officers are following up with Elisa Douglas.

## **12. Letter to Transport for London About the Potential Impact of HS2**

- 12.1. The text of the letter sent is at Annexe A.

## ANNEXE A

**Wormwood Scrubs Charitable Trust**  
**First Floor**  
**77 Glenthorne Road**  
**London W6 0LJ**

Registered Charity Number 1033705  
Contact: Mark Jones, [mark.jones@lbhf.gov.uk](mailto:mark.jones@lbhf.gov.uk), 020 8753 6700

25th November 2013

Mr Richard De Cani, Director of Strategy and Policy  
Transport for London  
Sent by email to: [Decaniri3@tfl.gov.uk](mailto:Decaniri3@tfl.gov.uk)

Mr Philip Rutnam, Permanent Secretary  
Department for Transport  
Sent by email to: [Philip.Rutnam@dft.gsi.gov.uk](mailto:Philip.Rutnam@dft.gsi.gov.uk)

Mr Kit Malthouse, GLA London Assembly Member  
Sent by email to: [kit.malthouse@london.gov.uk](mailto:kit.malthouse@london.gov.uk)

Mr Boris Johnson, Mayor of London  
Sent by email to: [mayor@london.gov.uk](mailto:mayor@london.gov.uk)

Dear Sirs,

### **HS2 and its Impact on Wormwood Scrubs Common and Related Environs**

The Wormwood Scrubs Charitable Trust is responsible for the Wormwood Scrubs Common in West London, having been created by the Wormwood Scrubs Act 1879.

The London Borough of Hammersmith and Fulham is the sole corporate trustee of the Trust and when acting in that capacity must act in the interests of the Trust. The Trust's charitable objective is to ensure that the park is used for the exercise and recreation of Londoners.

The Trust has been aware that one or more of the options that TfL are investigating to connect the London Overground network to the planned Old Oak Common High Speed 2/Crossrail station would require the construction of a viaduct on land to the north of the Scrubs. Whilst the need for development is recognised, there is a risk that plans may have a detrimental impact on the Scrubs. As you may well be aware the Scrubs is a much treasured asset for local people and indeed for residents across north, west and central London. It is also an important breeding ground for birds, and a centre for biodiversity in the midst of a large built up area.

Any construction work and resulting development that impinges on this valuable open space will not be consistent with the use of the Scrubs for exercise and recreation as laid out in the constitution of our charity and would be very unwelcome and vigorously opposed.

We welcome economic regeneration and the prospects that such development brings for local residents, however we ask that all such work is undertaken demonstrating respect for the local environment and in this case specifically Wormwood Scrubs Common.

The Trust understands that there are no concrete plans yet released and will reserve its formal position until such time as firm plans are published.

The Trust requests that it should be properly and formally consulted as early on as possible in the process and that such consultation should recognise that the Trust is a separate body to the London Borough of Hammersmith and Fulham.

Yours Sincerely,



**Cllr. Joe Carlebach**  
**Chairman**  
**Wormwood Scrubs Charitable Trust Committee**  
**London Borough of Hammersmith & Fulham**

cc: Wormwood Scrubs Charitable Trust Committee