


<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">WORMWOOD SCRUBS CHARITABLE TRUST COMMITTEE</p> <p style="text-align: center;">27 June 2016</p>	
<p>MANAGERS REPORT</p>	
<p>Report of the Director for Safer Neighbourhoods and the Director for Finance and Resources, Environmental Services</p>	
<p>Open Report</p>	
<p>Classification: For decision and noting Key Decision: No</p>	
<p>Wards Affected: College Park and Old Oak</p>	
<p>Accountable Director: David Page, Director for Safer Neighbourhoods</p>	
<p>Report Author: Mark Jones, Director for Finance and Resources David Page, Director for Safer Neighbourhoods</p>	<p>Contact Details: Tel: 020 8753 6700 mark.jones@lbhf.gov.uk</p>

1. Executive Summary and Decisions Sought

1.1. All matters in this report are for noting, there are no decisions for this Committee meeting.

2. HS2 Bill - Proposed Wetland Mitigation Legal Agreement

2.1. LBHF officers secured an assurance from HS2 regarding the proposed wetland mitigation proposals to enter into a legal agreement to deliver appropriate environmental improvements on the Scrubs.

2.2. Officers are continuing discussions with HS2 on the drafting of the agreement and hope to finalise the agreement shortly. An update will be provided once completed.

Committee to Note

3. HS2 Bill - Additional Provision 4 (AP4) – Re-Routing of Stamford Brook Sewer through the Scrubs

3.1. In October 2015 HS2 consulted on their HS2 Bill AP4 which proposed to re-route the Stamford Brook Sewer through the northern section of Wormwood Scrubs.

3.2. Subsequently, the council submitted a Petition in October 2015 which covered the:

- principle of needing to re-route the sewer through the Scrubs and;
- approach to executing the works in order to minimise harm and disruption and to cover the costs of making good the Scrubs on completion of the works.

3.3. HS2/ LBHF Legal Agreement

3.4. LBHF were scheduled to appear at Select Committee on 11 January 2016. However, HS2 agreed to enter into a legal agreement which would detail the assurances previously offered to the council through negotiations. The legal agreement would mean that:

- HS2 will have to consult with LBHF regarding the implementation of the authorised works, with particular regard to mitigating the impact of the works on the ecology and the enjoyment of the users of Wormwood Scrubs.
- HS2 will supply method statements and have regard to any reasonable representations made by LBHF.
- HS2 will have to agree, within reason, the ongoing future maintenance of any manholes to access the sewer.

3.5. Officers are currently in discussions with HS2 regarding the drafting of the agreement and hope to finalise the agreement shortly. An update will be provided once completed

Committee to Note

4. OPDC - Draft Local Plan

4.1 The OPDC carried out public consultation on their Draft Local Plan during February and March 2016. Their draft policy states that the Scrubs is 'a cherished public open space and important ecological asset ... carefully considered improvements would be carried out in agreement with the Wormwood Scrubs Charitable Trust, the council and in discussion with the local community'.

4.2 LBHF set out a response which raised concerns that the Local Plan:

- should state minimum sizes for areas of new public open space to the north of the Grand Union Canal to avoid over reliance on Wormwood Scrubs;
- that any new development in the OA should seek to provide open space, play facilities to avoid over reliance on the Scrubs
- access to and around the Scrubs need to consider its natural character and;
- needs to work closely with the council in developing any proposals and any subsequent impact on ongoing management and maintenance costs.

The OPDC is currently reviewing all comments which will feed into the drafting of the Local Plan which will then be the subject a further public consultation (Regulation 19) intended to take place in early 2017.

Committee to Note

5. Fundraising

- 5.1. Officers are in discussion with UKPN and ClearChannel regarding the small compound on the northeast side of Wormwood Scrubs. These negotiations are going well though it is too early to give detailed financial figures.

Committee to Note

6. Filming and Events Update

- 6.1. An additional 5K run took place in May. It was well received and has already been booked for next year.
- 6.2. The Fair (CAT Group) is in discussions with the Council to have a 10,000 to 15,000 people mass participation music event in the Scrub next year.
- 6.3. Annual events and Red Gra filming bookings are at a similar level to last year's bookings.

Committee to Note

7. Community Safety Update

- 7.1. Quarter Four was relatively quiet with dog related incidents and homeless persons not making a major impact on the amenity. Juveniles on scrambler bikes and stolen mopeds continue to make the occasional appearance, but usually make themselves scarce on the arrival of a marked vehicle.
- 7.2. The ongoing friction between dog walkers and the traveller's pony & trap is being addressed, but video evidence will be needed to determine fault if it is to be resolved. New body-worn video cameras have been issued to staff and they will help in gathering evidence and dealing with byelaw and dog control act offences.

Month	Jan 2016	Feb 2016	Mar 2016
Incident:			
ASB	1	0	0
Dogs	1	2	2
Homeless	1	0	0
Vehicle Related	1	0	0
Byelaw	0	3	2
Crime	0	1	1
Health & Safety	0	1	1
Patrols	21	36	32

Committee to Note

8. Parks Management/Grounds Maintenance update

8.1. Outdoor Gym behind the Linford Christie Stadium

The contractor has started on site and although the work is running slightly behind schedule, we anticipate that the new gym will be ready by the end of June. To enable sufficient space for the new equipment, we will extend the footprint of the gym into part of the paved area. The benches will be replaced and the paving re-laid, which will improve the entrance area to the stadium.

8.2. Children's Play area near the end of Erconwald Street/ close to the Old Oak Centre

Work has also started to install play equipment for younger children, close to the existing play area for 8 to 14 year olds. This will be completed and opened by the school summer holidays.

Blocks of native shrubs were planted in March, between the new play equipment and Braybrook Street, to reduce the visual intrusion of the play area.

8.3. Grounds maintenance update

Oak Processionary Moth (OPM) has been found on some of the boundary trees. We have taken an approach this year of only treating infestations where they are in areas of high footfall and/or in/near children's playgrounds. Looking at evidence of how OPM is spreading this would appear to be along the railway corridor and so until Network Rail seriously start tackling the problem our efforts will be fruitless.

Grass cutting has been a busy time with the warm and damp weather making the grass grow at a phenomenal rate. This isn't such an issues on the scrubs as the majority of grass is not cut on such a great frequency as general parks grass.

We have several illegal encampments along the northern boundary. Officers from Parks and Parks Police are working with St. Mungos Homeless Charity and UK Border Agency to move individuals on and also check they are legally in the country. We will be working with our contractors to remove the debris left behind one these areas have been vacated.

- 8.4. Officers are investigating the Environmental Stewardship Scheme run by Natural England.
- 8.5. A date for a walk of the boundary to look for possible income or other opportunities is being arranged for July or August.

Committee to Note

9. Questions from Sir Stephen Waley-Cohen

- 9.1. The new Friends of Wormwood Scrubs co-opted committee member has raised a number of questions about the Trust and how it operates. This section of the managers reports is designed to answer those questions.
- 9.2. With the Council as the sole corporate trustee of the Trust there are a number of financial linkages between the Trust and the Council. The contract with Quadron is one of those. It is a fixed price arrangement where the costs are shared between the Trust and the council parks on a proportional basis. This takes into account the nature of the service provided (litter picking, cleansing, leaf clearance, sports pitch maintenance and grassed area maintenance) and the size of the areas served. The cost borne by WSCT also reflects the costs of parks officers and client side management.
- 9.3. The Trust receives financial assistance from the Council where costs are covered that would otherwise fall to the Trust. In 2015/16 these were estimated at over £300,000, made up mainly by the net cost of operating the Linford Christie Stadium, and the costs of parks policing and planning officer time. In addition, the Council has met capital costs of £670,000 of essential refurbishments over the last three years. In 2013/14 the Council made a one-off revenue grant to the Trust of £99,500 to support its finances.
- 9.4. **Cleansing**
Anything over one cubic metre is defined as a 'fly-tip' and under the terms of the contract this is additional work. The general grass areas are scheduled for cleansing daily, however in reality this is not always realistic. Copse areas are scheduled for cleansing on an annual basis although where problems are identified these will be addressed through the course of normal work. There are some issues with accessing the copse although opening them up could lead to additional anti-social behaviour.
- 9.5. **Management of informal path**
This is not included within the contract and officers don't believe it would enhance the site. The site is managed predominantly for nature conservation and recreation, and most visitors will come dressed to walk in areas with no formal footpaths. There are areas within the scrubs where the ground conditions mean it is naturally wet and no amount of woodchip would deal with this e.g. along the north-east footpath from Scrubs Lane – this has a concrete roadway underneath it.

9.6. **Clearing brambles (or at least preventing further spread)**

This is outside the contract. Officers have generally dealt with bramble clearance using volunteers which Quadron have often sourced and are always happy to support.

9.7. **Clearing other undergrowth, and tree management generally**

Tree management is dealt with via the parks team and council arboriculture contract on and as and when required basis all of which is chargeable.

9.8. **Maintenance of fencing**

This is dealt with via the parks team and dealt with as and when required via a third party contractor, all of which is chargeable.

9.9. **Management of sports pitches – incentives/discouragement of leaving litter**

Management of the sports pitches is undertaken as part of the contract including bookings, ongoing maintenance and end of season maintenance. Where clubs leave excessive litter there is a mechanism to deal with this via the sports bookings terms and conditions.

9.10. **Control of ragwort (a legal requirement on a landowner) and similar noxious weeds**

It is not a legal requirement for the Trust to control ragwort on Wormwood Scrubs. The Dangerous Weeds Act 1950 states that ragwort and other similar plants should be controlled in areas promoted or maintained for grazing, neither of which is applicable to Wormwood Scrubs. Dealing with Japanese Knotweed is included within the ecological mitigation agreement being negotiated with HS2 Ltd. The contractor does treat/remove Giant Hogweed as it is found.

9.11. **Quadron performance compared with that at Little Wormwood Scrubs**

It is unfair to make a comparison due to the differing specifications, the way the site is managed and staffing/management structures. Wormwood Scrubs is approximately 5 times bigger than Little Wormwood Scrubs.

9.12. The parks team can be contacted via the following methods:

Telephone: 020 8748 3020 (this is the council contact centre and they will either take a message or put callers through to an officer if they are available)

Email: parks@lbhf.gov.uk

9.13. The Old Oak Community Centre was sold on a long lease to the Family Housing Association who sublet to Old Oak Housing Association. There is a peppercorn rent.

The Lodge is also tied accommodation. It is one of a small number in the council where the tenants have a different relationship with the council than

was originally agreed. They are being individually reviewed by officers and members.

9.14. At the present time the Trust cannot afford to pay allowances to co-opted committee members, even if such a payment ultimately were to find its way to the Friends of Wormwood Scrubs. The practice to date has been that the co-optees do not claim allowances. If any incidental expenses are incurred such as child care or travel expenses, the Council is happy to pay such claim.

9.15. With all of the exciting changes and external influences on Wormwood Scrubs it is likely a dedicated officer will be recruited who can be the main link with the Trust, oversee the HS2 work and develop a strategic 10-year plan.

Committee to Note

10. Financial Forecast 2016/17

10.1. The latest financial forecast for Wormwood Scrubs Charitable Trust (“the Trust”) for 2016/17 is summarised below and is detailed in Annexe A. Financial transactions for the financial year to date are set out in Annexe B.

Activity	Outturn 2015/16	Budget 2016/17	Forecast 2016/17	Variance	Movement between years	Comments
Pay and Display Parking Meters	(337,117)	(292,489)	(293,860)	(1,371)	-13%	Parking income is £10k less when compared to income received in the prior period
Hammersmith Hospital Car Park Licence	(203,992)	(314,877)	(314,902)	(25)	54%	Forecast based on Q1 invoice
Other income from activities for generating funds	(80,964)	(78,919)	(63,254)	15,665	-22%	
Total Income and endowments	(622,072)	(686,285)	(672,016)	14,269	8%	
Grounds Maintenance	664,931	674,572	674,572	0	1%	Inflation 2015/16 is -1.04%
Contribution to Linford Christie Stadium	31,500	31,500	31,500	0	0%	
Other Expenditure	41,341	35,315	41,341	6,026	0%	Forecast based on 2015/16 Expenditure
Total Expenditure	737,772	741,388	747,413	6,026	1%	
Net income/(expenditure)	115,699	55,103	75,397	20,294	-35%	

10.2. The budget for 2016/17 was set with an anticipated £55,103 deficit to be drawn down from the Trust’s reserves. The forecast for 2016/17 is for a deficit is £75,397, which is £20,294 worse than budget.

10.3. The Trust’s opening cash balance for 2016/17 is £256,673. The latest forecast anticipates a drawdown of £75,397 (29% of the current cash balance), which would give a cash balance of £181,276 to carry forward to 2016/17. This is £20,294 worse than the original forecast drawdown on reserves.

10.4. Year to date parking income is lower than last year, with a reduction of 18% observed in 2016/17.

10.5. The other income line includes a forecast of £61,551 from filming and events in line with 2015/16 activity. It is hoped that an increase in activities on the Scrubs will reduce this variance as the year progresses.

- 10.6. Forecast inflation on the Quadron grounds maintenance contract is 1.45%. This will be confirmed and reported in the next update.
- 10.7. Two capital projects will be completed this financial year as part the Council's capital programme, which means that the cost does not fall to the Trust.

These are;

- The supply and installation of a play area for young children - this project has a budget of £55,000.
- The supply and installation of a pull up gym behind Linford Christie Stadium - this project has a budget of £30,000.

Committee to Note

11. Legal Comments

- 11.1. There are no proposed decisions requiring a legal comment for this meeting. Comments prepared by David Walker, Principal Solicitor 020 7361 2211.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

Current Financial Forecast

Wormwood Scrubs Charitable Trust		
Statement of Financial Activities for Year ended 31 March 2017		
Income and Expenditure	2016/17 Forecast	2015/16
	£	£
Income and endowments from:		
Donations and legacies		
Income from Charitable activities:		
Pay and Display Parking Meters	293,860	303,538
Hammersmith Hospital Car Park Licence	314,902	237,570
Other trading activities	61,551	79,261
Income from Investments	1,704	1,704
Other Income	0	0
Total Income and endowments	672,016	622,072
Expenditure on:		
Raising funds	0	0
Charitable activities:		
Costs of generating Parking Income	0	0
Contribution to Linford Christie Stadium	31,500	31,500
Non Routine Maintenance of Wormwood Scrubs	20,150	20,150
Routine Grounds Maintenance of Wormwood Scrubs	674,572	664,931
Governance Costs	20,585	20,585
Other expenditure	606	606
Total Expenditure	747,413	737,772
Net gains/(losses) on investments		
Net income/(expenditure)	(75,397)	(115,699)
Reconciliation of Funds		
Total funds brought forward	5,198,119	5,313,818
Total funds carried forward	5,122,722	5,198,119

Transactions to Date

Activity	Comments	Amount
Non Routine Maintenance of Wormwood Scrubs	Works on Redgra	3,746
Non Routine Maintenance of Wormwood Scrubs	Fencing works	3,711
Other expenditure	New switch on barrier	525
Hammersmith Hospital Car Park Licence	2016/17 Q1 Hospital Car Park Rental	(78,727)
Pay and Display Parking Meters	April receipts	(16,898)
Pay and Display Parking Meters	May receipts	(22,536)