

15 Sep 2021

Udney Park Playing Fields Trust
2 Beverley Ct, Teddington, TW11 8ST

Dear Lord Fink and Mr Spotswood,

“The London Plan is absolutely clear that you cannot have a loss of open space. I note (Merchant Taylors War Memorial Ground) was donated by Lord Beaverbrook specifically for use as rugby union pitches, it would be a scandal and outrage if they were lost. You should keep green space in London and rugby pitches should be regarded as sacrosanct”. (Mayor Boris Johnson, Conservative, London Mayors Question Time, July 15th, 2015).

“My heart does not bleed for Quantum, they knew they were buying a green space in a Borough that protects its’ green spaces” (Lord True, Conservative, Richmond Council Leader, Dec 2016, confirming Local Green Space designation)

Local stakeholders in Udney Park have been passed the response from AHH Group to Munira Wilson’s letter to Lord Fink on 6th September, 2021. This letter is our response. Thank you for your prompt response to the letter to Lord Fink. However, we do not find it acceptable that Lord Fink has delegated what should be his personal response to a fellow Parliamentarian on an important constituency matter to another AHH Group Director. Furthermore, the letter starts by claiming that Mrs Wilson’s “contains inaccuracies in your letter central to the points you raised”. As Directors of AHH Group you have a fiduciary duty to challenge the historic information given to you by other Directors responsible for acquiring Udney Park and then failing in their speculative attempts to build on the Playing Fields. You have both joined a company in the two primary leadership positions that claims to be “ethical” and create “positive social impact”, that uses a “.org” domain (primarily reserved for not-for-profit organisations), that includes an NHS and Homes England logo on its’ headed paper. The sale of Udney Park in 2021 is a test of your companies’ real values and your own leadership. We urge you to appraise yourselves of the situation today, instead you have merely repeated old, discredited arguments which as this letter points out, themselves “contain inaccuracies central to the points raised”.

1.0 Correcting the inaccuracies claimed by AHH Group in Ms Wilson’s letter

Your letter seeks to portray AHH Group Directors as passive relative to the “investors” in the decision making about Udney Park and that Ms Wilson is “inaccurate” to seek intervention from the Chairman of AHH Group. On the contrary, as Chairman and CEO you are responsible for recommendations as “asset manager” to investors in Udney Park, the largest beneficiary of which is AHH Group.

1.1 “This site is not owned by AHH Group”

The Wilson letter does not claim Udney Park is owned outright by AHH. Companies House confirms that Teddington Development LLP has two "persons with significant control"; Affordable Housing and Healthcare Group Limited (“AHH Group”) and Quantum Homes Limited. We understand the AHH Group business model and that the Teddington Development LLP has other investors. In AHH Group, your umbrella entity, Lord Fink is Chairman. In Quantum Homes Limited only Mr Shaffer and Mr Hines are "active" Directors. You confirm that Lord Fink has a personal interest in Udney Park, and the Directors of AHH also have financial interest in the outcome.

1.2 “Quantum were engaged by the LLP as the asset manager”

This statement implies that the Teddington Development LLP was created, bought Udney Park, and then decided to “engage” Quantum as the asset manager. This sequence is incorrect, the Directors of Quantum Group in 2015 decided to buy Udney Park, created the LLP for that purchase and sought investors to fund the scheme. As new AHH Directors you may not be aware that the Quantum Teddington investor prospectus is a public document, because Trinity College Oxford were an investor in Quantum Teddington LLP. As Trinity is subject to the Freedom of Information Act, the prospectus became public. In 2020 Trinity College sold their stake, recording that: “we look forward to investing in something less controversial”.

1.3 “The LLP has taken the decision to sell the site”

As the “asset manager” AHH, takes the first 10% of any profit plus 50% of the remaining gain and we assume prepares the recommendations to the Teddington Development LLP investors, who voted in favour of your proposal to sell Udney Park. AHH instructed Savills to sell Udney Park for "investment and development". Hence, AHH Group and its Chairman and CEO has a decisive and active role in the future of Udney Park. Your letter tries to suggest to us that Lord Fink has scope to influence in the recommendation by AHH Group to Teddington Development LLP to sell Udney Park to a commercial bidder. We find it unlikely that a business-person as experienced as Lord Fink would take his Chairmanship lightly, especially when he has personal interest and the decision carries so much reputational risk to AHH.

2.0 Correcting the inaccuracies in the AAH Group response to Ms Wilson MP

Your letter to Mrs Wilson recycles failed arguments still apparently trying to justify the AHH scheme. Your case was tested in depth at a 14-day Public Inquiry when AHH presented 90,000 pages of evidence to make your case for the claimed "benefits". The AHH Planning Application was opposed by Munira Wilson MP, her Conservative predecessor Tania Mathias MP, Richmond Council (under Conservative and Lib Dem control), the London Mayor, Sport England, Historic England, Natural England as well the Udney Park Playing Fields Trust and The Teddington Society as a combined "Rule 6" party (approved by the Planning Inspectorate to represent the community). The Planning Inspector ruled comprehensively that the collective harm of your scheme significantly outweighed any alleged "benefits" you claimed.

2.1 “Investors worked with residents to gain support for the development”

It was not the “investors” that enacted the AHH Group attempts at “community engagement”, it was Directors of AHH, Mr Shaffer, Mr Hammond and Mr Hobson and staff they controlled that “worked with residents”. Of course, as Directors of AHH Group, the company with “significant control”, they are also “investors”.

2.2 “Other residents were directly opposed to their plans”

It is correct that the AHH "community engagement" caused local division of opinion. Three clubs supported the AHH plan, two of whom joined the AHH-funded CIC with the promise of access to a free 4G-pitch. A 3rd club, London Scottish FC, received a £4,000 donation from AHH and was asked simultaneously to support the AHH Planning Application, a position which was subsequently repudiated by the Chairman of LSFC. When the Planning Application was made, AHH’s role in the funding of the 4G-pitch was downgraded to a 3-year guarantor leaving the clubs to seek funding.

Mr Dunn, Chair of the Udney Park Foundation seeking to acquire the Playing Fields, has worked hard to heal the division AHH caused when he created the Udney Park Foundation to buy, protect and operate the playing fields. Notably, Teddington RFC (which shares a Director with the AHH-funded CIC who also gave evidence for AHH at the Inquiry) have joined Mr Dunn to back the Udney Park Foundation and its new Policy-aligned vision for the fields.

2.3 “Investors sought to take a wider view of the benefits”

The benefits claimed by AHH were assessed by stakeholders and those authorised to evaluate them, and was the main argument propagated by Mr Warren QC for AHH. Those with statutory power dismissed the benefits relative to harm caused:

2.3.1 “Affordable Housing” was evaluated, Richmond Council disputed the C2 description, only accepting that the AHH Plan was C3 at the Inquiry. Since then, changes to the London Plan (March 21) and the ruling by Judge Holgate in July 2020 in the Rectory Homes case, *(the focus being on how a dwelling is used rather than how it is described)*, have clarified the definitions between C2 and C3.

Evidence was submitted to the Inquiry that showed the only difference in apartment design and services provided between the C3 development at Teddington Riverside and the C2 AHH Plan for Udney Park was the provision of slide-under oven doors in AHH flats. AHH was not offering inclusive healthcare services for residents at Udney Park nor any low-cost housing units for the Richmond Housing Partnership.

2.3.2 “Sport” benefit/harm was evaluated. AHH submitted expert evidence that playing fields were a liability (in contrast to claims in the Savills brochure) to justify carving up the Park for residential use. Sport England and the England and Wales Cricket Board invested in legal representation for the Public Inquiry to oppose AHH.

2.3.3 “Ecology” benefit/harm was evaluated, ecologists acting for AHH found 8 protected species at Udney Park in April 2016 and AHH revealed this information only in January 2018, having submitted data to the Environment Impact Assessment Appeal and the draft Local Plan Public Consultation claiming that no protected species were present. The AHH Application claimed ecology benefits, Natural England, the statutory body, and the Council Biodiversity Officer submitted evidence against the Planning Application and commenced evaluation for Udney Park to be designated as a Site of Metropolitan Interest for Nature Conservation.

2.3.4 “Heritage” benefit/harm was evaluated. Udney Park and Pavilion was founded and funded by Old Merchant Taylor’s as a memorial to their fallen in WW1. The surviving Pavilion was designed by an OMT and exhibited at the Royal Academy in 1924. AHH claimed that the heritage value ended with the removal of the internal memorial boards, Heritage England, the statutory body, submitted evidence against the Plan. It is extraordinary that Lord Fink, Baron of Northwood, would facilitate the sale of the Merchant Taylors School War Memorial Grounds to a commercial entity, his own sons are OMTs! The funding and opening in 1922 of the “MTS War Memorial Grounds” in Teddington is celebrated in the new MTS Pavilion in Northwood.

3.0 Conclusion

It is disappointing and we consider it unacceptable that Lord Fink has chosen to pass responsibility for this reply to Mr Spotswood rather than address this issue himself. Our Liberal Democrat MP, Munira Wilson, approached Lord Fink in his capacity as a Parliamentarian and Chairman of AHH Group, and it is based on balancing those interests that we would have expected him to respond. We question whether Lord Fink would have been so dismissive of our previous MP, Dr Tania Mathias, a Conservative who campaigned and was elected on a platform to protect Udney Park, or Lord True, who was the Conservative Leader of Richmond Council when Quantum bought Udney Park in 2015 and who was clear that your speculation would be in breach of the Local Plan and that the Council would “defend its green space”.

Lord Fink is Baron of Northwood, the home of Merchant Taylors School, the very organisation whose alumni founded and funded Udney Park Playing Fields in 1919 as a War Memorial to their fallen comrades. Lord Fink was made a Conservative Peer in January 2011, and so oversaw into legislation the Localism Act (2011) which introduced the Asset of Community Value designation and the National Planning Policy (2012) which introduced the Local Green Space designation. Udney Park Playing Fields now benefit from both designations enacted into law to protect green spaces as rare and precious as Udney Park. As the now Prime Minister said, “rugby pitches are sacrosanct” and the loss of Udney Park would be a “scandal and outrage”, an outrage which unless you reassess the facts and intervene, would be enabled by AHH Group with you both in the two primary positions of responsibility.

We propose as Chair and CEO you both have a duty to re-appraise the current situation at Udney Park with open minds, to at least consider taking different decisions to your predecessors. Instead, you have in our estimation wrongly tried to distance AHH Group from the “investors” in Quantum Teddington LLP. Furthermore, you have repeated a discredited story that seeks to portray your scheme to build on a playing field was really “a jolly good idea all along blocked by those pesky locals”. We suspect that those responsible for speculating on Udney Park 2015, when no other organisation made an unconditional bid for the whole Park, now regret their decision. 2021 presents an opportunity to make a better decision, with no regrets.

We respectfully repeat Mrs Wilson’s request that Lord Fink take up her proposal for an urgent meeting with her and Mr Dunn, who has signalled a willingness to increase the offer from the Udney Park Foundation, to discuss the future of Udney Park and not delegate this issue to another AHH Group Director. We await Lord Fink’s urgent and considered reply as the sale of Udney Park appears to be proceeding fast.

The Board of Udney Park Playing Fields Trust

Appendices overleaf:

Merchant Taylors School War Memorial Pavilion

Programme from the 1922 opening by Viscount Cave

Pathé News coverage of the 1922 opening

Newspaper report: a rugby ground for a War Memorial “what a splendid idea

MTS War Memorial Pavilion (2016, before vandalism during AHH ownership)



Programme from the 1922 opening by Viscount Cave



Viscount Cave is captured on Pathé News on 25th November 1922



Tatler Dec 6th, 1922 – a rugby ground for a War Memorial “what a splendid idea”

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What a splendid idea that was of somebody's as to the Merchant Taylors' School War Memorial! So many things of the kind are either useless or ugly, sometimes both, that it came as quite a relief to find that the O.M.T.'s had a far sounder idea, the purchase and equipment of a Rugby ground at Teddington. Lord Cave, himself an O.M.T., performed the opening ceremony a few days ago.

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