



## Wimbledon and Putney Commons Conservators

### Chairman's Annual Report 2016

Reflecting on the past twelve months in preparation for delivering this report, I am aware of the enormous amount of work that has been taking place, not only actually on the Commons, but also on the Board.

Much has been achieved, though we know that there still remains much to do in fulfilling our charitable objects which are to maintain the natural aspect and state of the Commons, ensuring they are available for the enjoyment of exercise and recreation of users.

I would like to start with some thanks. Firstly, to Keith Luck who was Chairman during the first seven months of the new Board's existence, standing down in October 2015. Having been Chairman myself since November, I fully recognise the time-commitment involved in this role and appreciate why Keith decided that he could no longer balance this with his own full-time job.

Secondly, to Nicholas Evans who took the decision, I am sure not lightly, to resign as an Elected Conservator in November. We are grateful for his contributions during his time on the Board.

Thirdly, to Shirley Gillbe who has continued as Vice-Chairman throughout. Her input continues to be invaluable as, indeed, does that of all Trustees.

I would also like to thank the Board for the confidence they have placed in me in renewing my appointment as Chairman of the Conservators for 2016. It is a privilege to hold this position as we all strive to act in the best interests of the Charity.

Not surprisingly with seven views on the Board, there is a good deal of lively and, at times, contentious debate, but I believe this is healthy. A Board needs variety in its membership to bring differing viewpoints to the table. It has been a challenging time but I thank my fellow Trustees for their commitment and hard work.

There are two further things I would like to say at this point:

Firstly, the Board carefully considered what action to take following the resignation last November of an elected Conservator. Having taken legal advice, it concluded that the balance between the remaining elected and non-elected Conservators sufficiently satisfied the statutory requirements of the 1871 Act and that expending further substantial resources on a By-Election so soon after last year's election was not an appropriate use of the charity's funds. It agreed, however, to keep the position under review.

Secondly, the Board agreed to suspend the Committee structure at its November 2015 Board meeting and to meet more frequently to enable timely collective

decisions on all matters affecting the governance of the Charity. In February 2016 the Board agreed that it would adopt the two substantive Sub-Committees recommended in the Governance Review once the Putney Hospital issues are resolved.

Two very substantial matters have affected the Commons this year.

Firstly, Putney Hospital and the Charity Commission Formal Action Plan.

We asked the lawyers we appointed to advise us to provide a report on progress which we could use to update this evening's meeting. It reads as follows:

*"Since our last General Open Meeting on 2 December 2015, we have proceeded with the Formal Action Plan set out by the Charity Commission in its letter of 22 October 2015 and adopted by the Conservators at their meeting on 11 November 2015.*

*The first step was to appoint an independent law firm and after approaching three firms, we appointed Charles Russell Speechlys LLP ("CRS") on 7 January 2016. They were given a large amount of documentation and undertook a thorough review with all Conservators. On the 7 April 2016 they produced a report and recommendations, including that we should obtain specialist counsel's advice on the key technical question of whether the Conservators were required to comply with Sections 117-121 of the Charities Act 2011 ie obtain a qualified surveyor's report – a QSR - giving a valuation to be taken into account when granting the easement. Simon Taube QC advised in two written Opinions in April that Sections 117-121 did not apply to this Charity because it had been incorporated by an Act of Parliament which gave the Conservators power to dispose of land, and therefore exempted the Conservators from the Sections.*

*The effect of this opinion was to fix the relevant date of valuation at 14 February 2012, which could otherwise have been later. The Conservators still had a general fiduciary duty to ensure that the terms on which the easement was granted were the best that could reasonably have been obtained for the charity having regard to all circumstances, and they should therefore have obtained an independent expert valuation on which they could base their judgement.*

*CRS therefore recommended that we proceed with the Charity Commission's Formal Action Plan and, following discussion at the June Board, we have resolved to do so. CRS are now instructed to produce a shortlist of surveyors they recommend and undertake a formal procurement process to enable us to choose one firm, instruct them and obtain a retrospective valuation at 14 February 2012. They advise that they expect to have this valuation in a few weeks' time and will then be in a position to ascertain whether the Charity has incurred any loss, and if it has, how and from whom the Charity should seek any redress. CRS are keeping the Charity Commission informed of progress."*

We all very much hope that the information that we need to bring this process to a close will indeed be available within the next few weeks.

The second issue was the damage sustained to our iconic Windmill on the 2<sup>nd</sup> August 2015. Fortunately, no one was injured and our insurers settled the claim for the damage to the sails. Together with the Trustees from the Windmill Museum our officers worked hard to complete an application to the Heritage Lottery Fund under their "Our Heritage" scheme. We sought a £100,000 contribution to the £140,000 project and were delighted to receive the news in March that this had been agreed.

Working with local conservation architects Marcus Beale Associates and established millwrights IJP Owlsworth, the first stage of work to stop the water ingress through the tower has now begun. The millwrights will then paint the cap and the tower before installing the sails in the early autumn. We have been indebted to the generosity of local people in raising over £8,500 towards funding for this project.

This work forms the first phase in the restoration works to the Windmill and will ensure that, for the bicentenary of the Windmill in 2017, the structure will be looking at its best. Further works remain to be done to enhance the museum displays. The Windmill Museum operates entirely by volunteers, I see some of their Trustees here this evening, please do talk to them if you are interested in helping to volunteer.

Throughout the year the Board has endorsed a number of policies that underpin the governance of the organisation including on Health and Safety, Reserves, and Anti-Bribery and Corruption to name but three. We have also introduced a Risk-Management Strategy that is reviewed regularly to ensure we are focusing on the Charity's top risks. Funding for the management of the Commons is something that the Board keeps under constant review.

We have held our own volunteering activities on the Commons for many years, but in 2015 we introduced, our new affectionately named "Scrub Bashers" who have been regularly attending work sessions on Putney Heath, helping our staff to remove saplings and restore our rare and protected heathland habitats. Since July 2015 over 720 hours have been devoted to these activities and the transformation of our heathland has been quite dramatic. Thank you all for your support it is hugely appreciated.

The Wildlife and Conservation Forum, under the chairmanship of our DEFRA appointed Conservator, Dr Ros Taylor, was reshaped from the Natural History Sub-Committee as part of our wider restructuring of the community engagement activities following the Governance Review. The Forum goes from strength to strength and again we are assisted greatly by very many volunteers.

Building on the success of the same event last year, our third BioBlitz event is to be held this coming weekend. There are information leaflets available tonight. Please do come along and sign up for one or more of the activities. It is a wonderful event for children and adults alike. Last year experts from the Natural History Museum found a False Click beetle a very rare beetle indicative of an ancient and well-cared for environment. Dr Taylor has produced another excellent monitoring report of the work activities of the Wildlife & Conservation Forum and this can be viewed on our website.

The Board has established a Stakeholder Group to act as a consultative group for those with interests in the Commons. The group includes representatives of a range of different constituencies, including local Residents' Associations, Amenity Groups and various Commons' User groups. Through this group, information is being shared with a much wider audience. The Group has also been asked by the Board to assist with the preparation of a new Commons Strategy.

Officers also meet with Commons users, be they the Golf Clubs, runners, football and rugby clubs, horse-riders and others who operate leases or licences under our control. Staff have held several walks and talks, promoting different aspects of the site's management. Our most recent in April 2016 was attended by over 50 people focusing on the military associations with the Commons. Recently the CEO attended the AGM of the Wimbledon Society and gave a presentation to over 70 local residents about the Commons, their governance and the major challenges facing us. I know that he will be only too pleased to do the same for any other organisations which might be interested.

Our regular Commons News is now being widely circulated electronically. If you haven't already done so, please do sign up to receive these regular updates. The Annual Newsletter has also recently been circulated to properties within the Levy-paying area. This too again includes more information about activities on the Commons.

Our new website has also been very well received and is regularly updated. We hope that it will become the first port of call for people interested in the Commons but our Facebook and Twitter accounts also provide a valuable means for communicating with the wider public.

Simon will have more to say in a moment about operational issues around the management of the Commons but you have on your chairs copies of the Annual Conservation Report which highlights some of the most prominent work. I commend it to you.

I want to finish with a thank you to you all for your interest and support in the work we all try to do to conserve these wonderful open spaces that mean so much to us all. At last December's General Open Meeting I asked you on behalf of the Board to give us space to work through some of the issues confronting us. You responded and I know that Board are most grateful.

Finally I want to say a word about the staff. We are so fortunate to have such a dedicated team of people. Without their flexibility, enormous range of skills and knowledge the Commons would be a very different place. It has been a pleasure getting to know them more and learning what they all do.

Simon brings huge energy to his job as Chief Executive and is a tower of strength. So without further ado I shall hand over to him to give an overview and presentation of the accounts illustrating where are resources have been utilised for the benefit of managing the Commons.