

## Wimbledon and Putney Commons Conservators – November 2021

### Notes of the Conservators' General Open Meeting held on Monday 29 November 2021 at the London Scottish Golf Club, London SW19 5NQ

Conservators: Diane Neil Mills, Elected (Chairman)  
Sue Bucknall, Elected  
David Hince, Elected  
Peter Hirsch, Elected  
Michael Johnston, Elected  
Mike Rappolt, Appointed MoD  
Oliver Bennett MBE, Appointed DEFRA  
Nigel Ware, Appointed Home Office

Officers: Mr Stephen Bound, Chief Operations Manager

Guest Speaker: Jack Rowland, Maintenance Manager, WPCC

Approximately 22 Levy-payers and other members of the general public.

#### 1. Welcome from the Chairman

Ladies and Gentlemen,

Good evening. On behalf of the Wimbledon and Putney Commons Conservators, it is my great pleasure to welcome you to our 2021 General Open Meeting. My name is Diane Neil Mills and it is my enormous honour to serve as the Chairman of the Conservators.

It is almost exactly two years to the day since we last convened an open meeting in person, which by chance was held in this exact venue, making this evening's meeting particularly special.

And I would therefore once again like to thank the London Scottish Golf Club, for so very kindly hosting the meeting in this historic clubhouse that embodies so much of the Commons' rich heritage.

We recognise the commitment and interest in the Commons that tonight's attendance reflects and we would like to thank everyone for their support.

At the same time, we recognise that not everyone is comfortable or able to attend and we record our appreciation for the support of our absent friends, particularly those who are unwell or struggling.

Despite all of the advantages inherent in electronic communications, I think it is fair to say that the experience of the past two years has also made us all acutely aware of the importance and value of physical interaction.

That said, the pandemic is unfortunately not yet behind us and given the latest developments, it seems that we are once again entering a period of heightened uncertainty. And needless to say, the importance of the Commons will remain at the fore as a source of solace and inspiration for many.

I would now like to introduce the Conservators:

Oliver Bennett, DEFRA appointed Conservator  
Sue Bucknall, elected Conservator  
David Hince, elected Conservator  
Mike Rappolt, MOD appointed Conservator  
Nigel Ware, Home Office appointed Conservator

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I would like to offer apologies on behalf of Peter Hirsch and Michael Johnston, elected Conservators. Also joining us this evening is our Chief Executive, Stephen Bound, and Jack Rowland, who heads our Maintenance Team.

I would also very much like to thank Angela Evans-Hill for organising this evening's meeting.

And finally, I should remind you that the central purpose of holding a second open meeting during the calendar year is to provide the local community with a further opportunity to share their views on the Commons with us. We have compiled the agenda with that aim in mind and hope we are successful in achieving that objective. As indicated in the agenda, all questions will be taken following the formal presentations.

Thank you very much.

### 2. Chairman's Update

Diane Neil Mills

Ladies and Gentlemen,

As many, if not all of you, are aware, this year marks 150 years since the Act that created Wimbledon and Putney Commons came into effect. And although the pandemic has disrupted our plans to celebrate this important milestone, in many ways, the anniversary could not have fallen at a more meaningful moment, during a time at which the importance of the Commons has so dramatically been brought to the fore.

The 150th anniversary also occurs at a time when we are looking to the long-term future of the Commons through the development of a masterplan and alongside this, a review of our constitution.

We embarked upon this important endeavour in 2018 and despite the delays due to COVID and other challenges that we have faced, we are well on our way to defining the key parameters of a comprehensive framework that will ultimately allow the vision to be achieved.

In essence, the masterplan sets out a series of initiatives for both the natural and built environments of the Commons and the way in which these projects will be delivered. And I would like to say a few words about each of these areas.

#### 1. Natural Environment

As the events of the past two years have so clearly demonstrated, the natural landscape is the most important asset of the Commons and protecting and preserving this piece of wilderness is a core constitutional duty of the Conservators. And although there is a specific responsibility for the Conservators to preserve the natural state of the Commons as far as possible, this does not mean that there should be no intervention. For without any intervention, the Commons would eventually become a large area of woodland.

The masterplan sets out some 18 initiatives for the natural landscape such as wetland planting around pond edges, restoration and creation of meadows, opening up of horse rides, planting of native tree saplings and desilting of ponds. All will improve biodiversity and increase resilience and we are hoping to deliver a major habitat restoration or creation project over the course of the next three years.

The masterplan also identifies the need to invest in the footpaths and improve signage, recognising the delicate balance between facilitating access, protecting fragile habitats and maintaining the natural state as far as possible. Whilst facilitating access is important, the unique

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opportunity provided by the Commons to develop and practise navigation skills using natural landmarks mustn't be lost.

We are hoping to carry out the consultation on the natural environment aspects of the Commons in the spring and look forward to receiving the feedback.

### 2. Built Environment

Parliamentary intent for the Commons to be kept open, unenclosed and unbuild upon in the 1871 Act is clear. Notwithstanding this, at the time at which the Commons were constituted, there were a number of buildings serving a variety of purposes and there was no stated intention in the Act for these buildings to be removed. Rather, the Act provided for the buildings to be kept in good order and for a further six lodges to be built for staff accommodation.

The evaluation of the built heritage, which was carried out by historic buildings architect Barry Stow as part of the masterplan, assesses the important contribution made by the historic buildings including the Grade II listed windmill and this clubhouse, as well as the historic monuments and cottages that are dispersed across the Commons. It also assesses the substantial investment requirements of the built heritage, which has suffered due to both a lack of funding and in some cases a lack of constitutional clarity.

This lack of clarity in a few key areas has necessitated endless legal opinions over the decades, which are occasionally contradictory and, in any event, not definitive, paralysing investment decisions. Constitutional reform in this area is critical to provide a sound legal basis for future investment.

The preferred route to amend the constitution in this area is via a scheme under the Charities Act and to that end we successfully engaged with the Charity Commission in 2018 and gained their full support. Unfortunately, in response to developments elsewhere, the Charity Commission decided to review the scope of their powers in this area, which has delayed the process. Notwithstanding this setback, we remain committed to finding a way forward and with the continuing support of two eminent local barristers, George Laurence QC and Francesca Quint, who continue to so generously and brilliantly assist us in this area on a voluntary basis, I am confident that this will be the case.

### 3. Delivery

Delivery of the masterplan will only be possible with the necessary funding and we are hoping to bolster our fundraising efforts for that purpose. As I have previously mentioned, we are also considering a reform of the levy though despite any increase in the levy, external funding will almost invariably be needed to fund major capital projects.

The levy, which at present stands at £31 per year, generates roughly 70 percent of our £1.9 million annual revenue. Unfortunately, this no longer meets our requirements and investment in the estate has suffered as a result. Despite the strong intellectual arguments for extending the levy area, this would require primary legislation, with the inherent costs and risks which we do not feel we could support at this time. We do however understand that the quantum of the levy could be amended by secondary legislation and this is therefore our preferred route forward.

Ultimately any specific proposal to increase the levy would have to be evidence based and ensure that the levy remains affordable. The willingness of the community to support any increase will be tested through public consultation, which we hope to conduct in conjunction with the masterplan. Needless to say, political support to take forward any parliamentary procedure to amend the constitution is essential. I am therefore pleased to report that we have shared our emerging thoughts on the levy with the three MPs who represent the levy area and all are supportive of taking forward the proposals for consultation purposes.

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We are also in the process of sharing our thoughts with the three local authorities who collect the levy on our behalf to understand any concerns that they may have.

In closing, I would just like to say that when we embarked upon this undertaking, although we recognised its importance, I don't think we fully appreciated just how critical it was to resolving a number of intractable problems that have plagued the Conservators for a very long time. In ordinary times, tackling these issues would represent a major undertaking. But as we know all too well, we live in extraordinary times and confronting these issues with the pandemic as the backdrop has at times made even seemingly straight-forward tasks unbelievably difficult.

And yet I find myself not in a state of despair but optimism with an overwhelming sense of gratitude for the support, understanding and dedication of all those who make this endeavour possible, notably the staff whose commitment and sense of duty has never faltered, always putting the interests of the Commons ahead of their own, particularly during the very challenging times of the past two years.

I would also like to thank my fellow Conservators for their energy, tenacity and willingness to contribute, always with the charity's best interests at heart. And finally, we are indebted to the local community, whose ongoing support and passion for the Commons makes the collective effort so worthwhile.

Thank you.

### **3. Financial Highlights** Nigel Ware

Good evening.

I am going to give you a brief update on the development of WPCC's finances in the current financial year which started on 1 April.

This half year has again been affected by Covid but since July there has been a return to a degree of normality in our operations.

Our unrestricted income for the 6-month period to the end of September was £935,000 which was £83,000 more than at the same time last year but £18,000 below budget.

Our unrestricted expenditure in the six months was £944,000 which was £64,000 below budget but £65,000 higher than for the first half of the last financial year. Our expenditure for that half year included £28,000 of non-recurring property related expenditure which was held over from last year.

The net result is that at the end of September we had incurred an operating loss on unrestricted funds of £9,000 which was £46,000 better than budgeted and £18,000 better than at the same time last year. This loss is before taking account of the non-cash adjustments we have to make at the end of the financial year in respect of the Local Government Pension Scheme.

The main item of restricted expenditure during the half year was £28,000 spent on re-surfacing Sandy Ring which was paid for out of the donations from the horse-ride appeal.

Our investment portfolio continues to perform well and it achieved a gain of £138,000 in the half year which had increased by a further £102,000 up to last Thursday, its weekly dealing day. The value will have reduced since then as a result of the market decline as a result of the discovery of the Omicron virus variant.

Our cash balances have remained satisfactory with the figure at the end of October being £144,000.

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For the remainder of the year, I expect our operating loss to increase as the second half of our financial year generally produces a negative result. Overall, our finances are in reasonably good shape, notwithstanding the difficulties of the last twenty months, and we are, of course, fortunate to have the support of our investment portfolio.

### 4. Operational Review

Stephen Bound

It's been a funny old 6 months. Compared to last year, when we saw unprecedented numbers of people on the Commons because COVID restrictions prevented them from going elsewhere, this summer and autumn has been much quieter. However, that's not to say that COVID has had no impact. Last year our staff team by and large managed to avoid infection, but this year a number of us have been unfortunate enough to catch the virus. In a small busy team like ours, a handful of absences can have a big impact on our ability to keep on top of workloads.

In addition to COVID enforced absences, due to resignation and long-term illness we lost two of our 3 staff at the Richardson Evans Memorial Playing Fields over the summer. Recruiting replacements has proved really difficult – and the consensus seems to be that young people are not going into sports grounds management these days. Therefore, we have had to muddle through the early part of the season with input from our Maintenance Team, contract staff and casual staff. Our Grounds manager Gary Jepson has been putting in long hours to make sure that we maintain the high standard of sports facilities that we are known for – and I'm grateful to everyone who has pulled together to make sure that the pitches have been ready for our regular users to enjoy.

Moving from the day to day to the long term, over the summer we completed a comprehensive review of the Business Plan for the Commons. The Plan contains a number of exciting projects for the next 3 years but perhaps the biggest change to come out of the review is the recognition of a need for a greater emphasis on conservation of the Commons. I'm sure that many visitors aren't aware that the Commons have been designated a Site of Special Scientific Interest and a Special Area of Conservation. The Commons contain both habitats and species of national importance and balancing the protection of these habitats and species with the needs of the large numbers of visitors is one of the key challenges for us. As well as the impact of visitors, we need to be mindful of the impacts of climate change – and ensure that, as far as possible, we create resilient habitats which can thrive despite the more extreme climatic conditions that we are already beginning to experience. Our DEFRA appointed Conservator, Oliver Bennett is going to talk more about conservation in a minute – so I won't say anymore on this subject.

Another change to come out of the Business Plan is a restructure of the staff team. We have taken the decision not to replace my old role of Chief Operations Manager and to use the money saved to place more troops on the ground. The Litter and waste operative – who we recruited on a temporary basis in the spring to focus on emptying bins and keeping the Commons clear of litter' has become a permanent role. In addition, we're employing a new member of the Maintenance Team, in part to help us to keep on top of the additional conservation work we aim to achieve – and we are currently in the process of recruiting an Admin Assistant to help out in the increasingly busy Ranger's Office.

Finally, and perhaps most excitingly on staffing we are recruiting a Fundraising Manager. As you are all hopefully aware, WPCC is a charity, but over the years we haven't really made the most of this when it comes to grant applications, appeals, legacies and donations. I suspect this is a reflection of two things. Firstly, if you're going to do fundraising properly, it takes significant amounts of time and effort – and it's not something that existing staff have been able to tack onto their day jobs. Secondly, I suspect that having a steady source of income from the levy has reduced the incentive for the organisation to go out in search of funding. What has become clear is that we cannot maintain the Commons and their infrastructure to the standard that we would like with the resources that we have. We see a full-time dedicated fundraiser as key to achieving

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our aspirations for the Commons. This new role will need to work closely with the Friends of Wimbledon and Putney Commons – and with you, the local community, if they are going to succeed. If any of you have thoughts on how you and organisations you are involved with can help and support the fundraiser, please do get in touch.

As I said at the beginning, it has not been the easiest of years – so I just wanted to end by thanking the entire staff team and all the volunteers for their hard work and commitment and by thanking you, the local community for your ongoing support and good will. Thank you.

### **5. Conservation Update** Oliver Bennett MBE

The key conservation issue that I would like to inform the meeting about is the work we have been doing to put in place a comprehensive plan for managing and enhancing nature on the Commons, which Diane referred to earlier on.

This work has been led by Peter Haldane who is the Commons' Conservation and Engagement Officer, with input from the other Conservators, the staff and members of the Wildlife and Conservation Forum, which I chair.

This land management plan will help us to protect the rare plants, animals and birds that live on the common. It will set out exactly what we need to protect, and how best to protect it. We need the plan as protecting the environment on the Common is very complicated due to the large range of pressures it faces. These include the large number of visitors we have, climate change, changes in the way the land has been managed over the years and pollution. The plan will also identify opportunities for improving the value of the commons for nature, help us to communicate our plans to the local community and help us to access more funding to deliver the work that is needed.

To give you a flavour of what the plan will achieve, we have been putting together the finishing touches for the chapter of the plan that deals with the rare wetlands on the Common. The chapter has diagnosed a number of problems for the wetlands, including them drying out and their rare plants going extinct. It has identified how to restore the water table to these areas and has proposed that we reintroduce the extinct plants. The chapter is helping us to enter into a discussion with other charities about how we can restore these areas as a team and how to get funding for the work.

More information about that exciting project will come out in the next few months and there will be a number of opportunities for people to feed into it and the wider development of the land management plan. If anyone wants to find out more about the conservation on the site and the wider work we are doing please sign up to our mailing list, join our volunteer groups or join the Facebook nature notes page.

We are also very interested in hearing from people with specialist environmental expertise or with the time to help monitor and guide the management of nature on the common by joining our Wildlife and Consideration Forum.

You can get in touch with me if you're interested or would like more information.

### **6. Maintenance Activities on the Commons** Jack Rowland, Head of Maintenance

Jack Rowland, Head of Maintenance, gave a presentation on the wide variety of work that his team carry out on the Commons.

### **7. MoD and WPCC** Mike Rappolt, MOD Appointed Conservator

## **The historic link between the MOD and WPCC.**

The 1871 Act states that the Secretary of State for War shall appoint a Conservator. Some of you may be wondering why this is. I certainly did when I was appointed by the MoD as I have to confess I have absolutely no military connections. So, we thought perhaps a few words about the historic link between the MoD and WPCC might be of interest to you. I discovered some surprising military things in connection with the Commons such as Kaiser Bill and dragons. So, without further ado let me get on or I won't meet the 10 minutes that I have been allocated.

The earliest references I can find to military activity on the Commons is that many duels were fought on Putney Heath. In May 1652, a duel between George, the third Lord Chandos, and Colonel Henry Compton ended with Compton being killed. In 1684 Charles II reviewed his forces on Putney Heath and from 1767 to 1799 George III loved his military reviews of the Guards and the Surrey Volunteers on Wimbledon Common.

But the major initial link to the MoW was the fact that in the 19<sup>th</sup> Century the Windmill was the headquarters of The National Rifle Association. The National Rifle Association was founded in 1859 and based on Putney Heath & Wimbledon Common. Its founding aim was "for the promotion of marksmanship in the interests of Defence of the Realm and permanence of the Volunteer Forces, Navy, Military and Air". In 1878 Edward Walford wrote "These annual gatherings are attended by the élite of fashion, and always include a large number of ladies, who generally evince the greatest interest in the target practice of the various competitors, whether it be for the honour of carrying off the Elcho Shield, the Queen's Prize, or the Shield shot for by our great Public Schools, or the Annual Rifle Match between the Houses of Lords and Commons." So quite a social occasion.

The use by the NRA of Wimbledon Common was enshrined in the 1871 Act and I quote – "Subject to the provisions of this Act, the Conservators shall permit the body known as the National Rifle Association exclusively to occupy and use, from year to year, as a rifle shooting ground and place for an encampment, for all purposes of the annual meeting of the Association, the whole, or, at the option of the Association, any part of the area, being part of Wimbledon Common, which is described on the deposited plans by being thereon encircled with a brown line, together with the butts, targets, and other conveniences for rifle shooting for the time being thereon...."

However, after various accidents including Volunteer Field Day on Easter Monday 1874 which left 100s of acres burned and, in 1889, at the final NRA meeting before transfer to Bisley, an unfortunate grave digger in Putney Vale Cemetery was killed by a stray bullet.

In 1891 the final Volunteer review took place with, believe it or not, Kaiser Wilhelm II taking the review (perhaps the WPCC is lucky not to be under German bye-laws!)

We now move on to the 1<sup>st</sup> World War. The 1914 Defence of the Realm Act took 200 acres of Wimbledon Common to build a training camp for soldiers and as of the 20<sup>th</sup> of September 1915 the public were excluded from the area. This area of the Common was requisitioned to create an Army training ground and temporary billets for recruits. 192 barrack blocks were located by Camp Road. 240,000 troops passed through the camp during the War. Two training aircraft from the Royal Flying Corps were stationed near the Windmill, but only saw action once, in January 1916. This ended in disaster as one plane stalled and the other clipped a chimneypot and tree before crash landing in a garden. Not surprisingly the temporary airfield was abandoned soon afterwards.

Mercifully, only one bomb landed on Wimbledon (by the Ridgway) but failed to explode.

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And of course, Wimbledon and Putney Commons played a major part in the Second World War as well. Trenches were dug as defensive positions and rows of posts were erected across open spaces to prevent aircraft or gliders landing. Concrete 'dragon's teeth' acted as barriers for tanks, a concrete pill-box was built within the Old Pound on Parkside and heavy anti-aircraft guns were sited near the Windmill adding to defences.

An ammunition dump was concealed in the trees by Queensmere and barbed wire marked the boundaries with the army camp near the Windmill. Another camp, near Southside Common, housed Italian prisoners of war who tended crops of corn and vegetables grown on parts of the Common not used for army activities.

The gravel pits and sand dunes about the Common became marked with the tracks of Bren gun carriers which practiced there. In October 1943 the Conservators gave the War Department permission to use Kingsmere, from Monday to Friday, for the testing of waterproof vehicles.

An army assault course stood beside Rushmere pond for troop training and fitness. During air raids many bombs and V1s fell on the Common, including some that failed to explode and required excavation from a considerable depth.

The only German aircraft to land was a bomber which crashed onto the Royal Wimbledon Golf course and scattered burning wreckage over a wide area including the Common. Although the Commons were not used for aviation during the Second World War, Germany had other ideas. As part of their aviation plans, Wimbledon Common was earmarked to form the main airport for flying in troops and equipment during the siege of London. Heathrow on Wimbledon Common - what a lucky escape for us Wimbledon residents.

Since the second world war there has been little if no military use of the Commons although of course we have had some distinguished Conservators appointed by the MoD. To mention and to pay tribute to just a few:

In the '50s, 60's and 70's

Mr G W Lambert, Mr W H Curtis, Mr M H Hobs, Mr A E Windows and of course the Andrews: Sir Robert Andrew who served for 35 years to 2009 and Sir Ian Andrews who served for 8 years to 2017.

I would like to finish with this moving Childhood Memory of Wimbledon Common in Wartime written by John Ingham:

*The Canadian soldier in uniform paused from pushing his bike as we left Ann's Pantry with our meagre ration of boiled sweets. "I'm on holiday. Do you know where I can stay?" he asked, cheerfully enough. It was a sunny day in September 1940 and we were in West Place the row of old-world cottages on Wimbledon Common. Besides the sweet shop, the boss of the Roman Well Laundry lived there, and there was the yard of Hill's, the builders, where I sometimes used to play. I accepted the soldier's gum, "You could live in the bush house we've built on the Common" I answered.*

*He agreed without hesitation and for several mornings I would walk from my home at 4 Northview with a bowl of porridge and some apples. In return the soldier would show our gang how to make a sling tough enough to bring down wildlife for food, like he said he did in open country in Canada. He'd make whistles from a fresh sapling branch and he'd tell us wondrous stories.*

*It was an idyllic time for an eight-year old boy. As yet there were no bombs. But it couldn't last, though not because of Hitler. One morning as I carried out breakfast a policeman with two Canadian soldiers, who turned out to be armed MPs, asked me the question I can hear to this day. "Certainly, I've seen a soldier. We are looking after him in our bush house."*

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*They took him away and as he left escorted by the three in uniform, he gave me a glance. Only later, overhearing my parents whisper the word Deserter, did I realise what I had done. And I remember crying. Not long afterwards my parents decided we should be evacuated. We returned before the war ended, in time to shelter from incendiary bombs on the Common.*

*The ack-ack gun by the windmill brought down a Heinkel which burned to pieces on the Royal Wimbledon Golf Course and our front window was blown in. When the war ended our Northview gang built the biggest-ever bonfire. I still live half a mile from the actual place of this tale, and I might even find the actual bush!*

Thank you all for listening to me.

### 8. Friends Update

Sue Bucknall, Conservator (Friends)

Good evening

Thank you all for coming this evening and a particular thank you to all of you who are Friends of WPCC. Your contribution has helped us so much during the pandemic. You have already contributed to the Beverley Brook improvements and soon will be helping with the repairs to the two bridges over the Brook at the Wimbledon and Putney ends.

Unfortunately we have not been able to give much back to you in the form of thanks and celebrations but we hope to make up for this next year. Here are a few dates for your diary.

December 11th

WPCC will be hosting the annual Windmill Carol Service. It will take place near the Rangers office this year to ensure social distancing as this is always a popular event. It will take place at 4 pm and everyone is welcome.

Saturday, February 26th

We will finally be holding our 150 year celebratory event at AELTC with a Champagne Afternoon Tea in the Debentures' lounge together with an optional museum tour. The event will run from 3pm until 6pm. Friends will be able to buy priority tickets at £30 each from December 1st and the rest will be available to everyone a week later.

On May 22nd we will hold our postponed 150th year historical Games Day and our House of Commons Terrace reception and tour will now take place on July 26th at 6pm. More details next year.

For those Friends who enjoyed the virtual tour of the 9 Ponds with Alan Blower last winter. You will be pleased to hear that he will be offering another one for Friends entitled 'The Grand Houses of Rushmere'. As usual, all walks are free for Friends.

For those who prefer a real walk, our environment special Conservator is offering a walk for Friends of some of the areas of special scientific interest on the Commons.

Finally, our Art of the Commons competition is now in full swing. Since our launch on August 15th we have had over 300 excellent entries. There are excellent prizes to be won each month, as well as an art exhibition, an overall winner and, hopefully, a WPCC 150 years book.

Full details of the competition and all other matters are available on the WPCC website which is worth looking at on a regular basis.

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Finally, for all of those who are not yet Friends I do hope you will consider signing up so that together we can preserve our wonderful Commons, keeping them open and unenclosed for sport and leisure as set out in the Act of 150 years ago.

### 9. Questions

The Chairman opened the meeting up to questions.

#### Robin Healey

RH began by thanking the Conservators and staff for all the work they undertook to keep this hugely valuable local amenity available to everyone.

Q1. There was a court case currently being reported in the press of an incident on Acton Green where a cyclist had had an accident involving a dog and had sued the dog-owner. He asked if the Conservators were aware but it was a cautionary tale for all users of the Commons to be aware of and that dog owners and cyclists in particular should consider holding public liability insurance. He would forward copies of the press reports to the Chief Executive.

A1. The Chief Executive commented that he was not aware of the case and thanked RH for raising it. There had been an increase in the number of cyclists on the Commons recently and reports about the speed at which they were cycling. New signs had been put up on the Inner Windmill Road asking cyclists to take care when cycling and the Keepers had, the previous week, spent time out on the Commons talking to cyclists reminding them that this was a shared space and the need to take care.

Q2. RH noted that Merton Council had recently appointed a new Chief Executive and asked if the Conservators had met her and had any sense of whether she was sympathetic towards the Commons and the possibility of raising the Levy.

A2. The Chairman reported that meetings had been held with the three MPs whose constituencies fell within the Levy area: Richmond, Putney and Wimbledon and they were all very supportive of the need to look at the Levy and for the Conservators to take forward the consultation to consider increasing the Levy. Meetings had been scheduled with the three Councils: Merton, Wandsworth and Kingston in the new year. As well as being adjoining landowners, the Councils had, since 1990, collected the Levy on behalf of the charity. The Chairman also reported that she had had the pleasure of meeting Merton Council's new Chief Executive at the recent Remembrance Day Parade in the Village.

#### Alan Kerr

Mr Kerr echoed Mr Healey's thanks to the Conservators and staff. The Commons had been a vital resource for many people both local and not so local.

Q3. Was there any way to record the number of people using the Common on a consistent basis?

The Chairman responded that in 1976 the Conservators had brought forward a Private Bill to amend the Levy. This had not been successful but as part of that exercise, a survey of visitor numbers had been carried out on their behalf by Wandsworth Council. Visitor numbers had been recorded visually on three days in April and three days in July and the average of the six days was 5,200 per day with a peak of 10,600, which was suspected to be Easter Sunday.

These numbers were still quoted today but as part of the current constitutional reform initiative, the Conservators recognised the importance of quantifying visitor numbers and had looked at various ways to do this but that it was a difficult undertaking. It was hoped that something would be carried out in the next couple of years. Other factors gave an indication of an increase in visitor

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numbers, for example the amount of rubbish, which staff estimated had increased five-fold over the course of the pandemic.

Q4. Is there a speed limit on the Common for cycles?

The Chief Executive responded that there were not any speed limits in place for cyclists. It would be very difficult for us to measure and we therefore ask cyclists to cycle in a safe and responsible manner. Although everyone had a slightly different interpretation of what that meant, it was part of the role of the Keepers to be out there and stop those who were cycling too fast.

**Name not given**

Q5. With regard to the need for secondary legislation to change the Levy, did the Conservators have plans to do this and, if so when.

A5. The Chairman responded that an evidence base was being put together, which included the organisation's cost structure and looking at the historical analysis as to why the Levy had fallen behind. Under the Act, the Levy was based on property prices but with the abolition of domestic rates in 1990, a new procedure has been introduced and this was based on the Council Tax bands and indexed to RPI and the aggregate revenue had been tied to RPI ever since. If any additional properties are built in the Levying area, there is no reflection of that in the Levy. The Conservators planned to hold a public consultation to gauge support for the increase and if that support was received, considered proposals would be put forward.

**Name not given**

Q6. The Chairman mentioned in her presentation that there were certain things that could not be done in relation to buildings. Could the Chairman clarify what it was that could not be done?

A6. The Chairman responded that there was a lack of clarity in certain areas of the Act so over the last 150 years there were specific key provisions that have been interpreted in different ways, particularly in relation to the buildings. The Conservators were therefore looking at the regularisation of the built environment and clarification on moving forward. The Chairman commented that it was not the Conservators' intention to seek to introduce a more permissive regime or to change the fundamental purpose of the Commons. It was just to minimise any disputes moving forward. A further example related to land provisions and the ability to grant easements. Over the years there had been various interpretations about the Conservators' ability to grant easements and it wasn't until the Housden case in 2004 which, under appeal, decided that the Conservators did have the power to grant easements. The Conservators would therefore like to see that decision reflected in the constitution in order to provide clarity for future Boards.

**Name not given**

Q7. In respect of the mobile coffee seller on the Common, had the maintenance team noticed any increase in litter.

A7. Jack Rowland responded that the only area where an increase had been found due to coffee sellers was on Rushmere on Sundays when the Farmers Market took place. It was a busy area anyway and the additional bins put out to cope with the increased litter during lockdowns had now been removed. This will be monitored to see if the litter problem increases again.

**Name not given**

Q8. There seemed to be a systematic move to cut out undergrowth and increase visibility. Was that part of the management plan and would that continue.

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A8. The Chief Executive respond that the simple answer was yes. In an ideal woodland, there would be a structure with a layer of ground flora, an understorey of shrubs and a tree canopy. At present, the Commons, woodland had tall trees and a blanket of Holly and ecologically this was not very valuable. Some areas were therefore being cleared in order to recreate that structure but leaving some of the holly as it provided good winter habitat for birds.

With regard to the heathland, if left to its own devices it would rapidly become woodland and it was a constant battle to stop this happening. Heathland was a valuable and increasingly rare habitat and the Commons contain some 50% of the heathland within London. It was important not to lose the sense of wildness as this was a valuable part of visiting the Commons but clearance work was required for good ecological management.

### **Name not given**

Q9. Given how much of the Common was used as golf course, what was the constitutional/operational/financial relationship with the golf clubs.

A9. The Chief Executive commented that the existence of the golf clubs pre-dated the Commons and golfers had an historical right to play golf on the Commons. In general there was a good working relationship between the charity and the golf clubs. The Clubs maintained the fairways and the greens and the Commons' maintenance team managed the edge of the courses to ensure they remained safe. The Clubs gave a donation reflecting the work that our teams carry out. London Scottish Golf Club are also tenants as the charity owned the clubhouse. The Chief Executive remained surprised at how well the activities on the Commons worked together. There was the occasional incident or confrontation but given the number of visitors they were few and far between.

### **Name not given**

Q10. What was the liability in respect of any incidents that might cause injury from golf balls.

A10. The Conservators and the golf clubs all held public liability insurance. One of the requirements of the insurance was that golfers all wear red to make them visible to the public. Conservator, David Hince, commented that the golf course made up just 10% of the whole Commons. The Chairman commented that golf was an important part of the Commons history and a member of the Royal Wimbledon Golf Club had started to compile a history of golf on the Commons and it was interesting that a number of the same issues dealt with today were also characteristic of the early days of the Commons. It was early on that the financial arrangements through donation were set in place and, unlike other formal user groups that used the Commons which were managed through licences, the clubs pre-date the Commons and the relationship with them was set out in the nine Byelaws that set out the rules for golf on the Commons.

### **Name not given**

Q11. When tractors are driven on footpaths, would it be possible for the ruts created to be filled in or smoothed out. One example was a part of Inner Park Ride where the wheel ruts were making the path impassable in winter as it had become so wet and muddy.

A11. Jack Rowland responded that he would look into this.

### **Name not given**

Q12. Golf – what was the priority in respect of golf play – should golfers wait until the fairway is clear or are they permitted to shout “fore” to clear the fairway.

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A12. The Chief Executive responded that golfers must give way to pedestrians and must not play in a way that endangers other Commons users. However, it was incumbent on other Commons' users not to unnecessarily hold up play. Generally speaking, we ask that pedestrians walk across the fairway when golf is in play rather than along the fairway so as not to hold up play. Everyone is generally asked to give way to each other and respect each other's reasons for using the Commons.

The Chairman added that it was hoped to run a consultation exercise in the near future to raise awareness of the rules regarding golf on the Commons.

A former committee member of the London Scottish Golf Club, who was in the audience, commented that he had been involved in the Club since 1984 and there had only been a handful of complaints from the public and no serious incidents between pedestrians and golfers and generally all got on well. The Clubs educate their members about this and to shout "fore" if a member of the public steps out onto the fairway when a ball has already been hit, but not to move visitors off the fairway.

Conservator, David Hince, also mentioned that in recent years signs had been put up along the course that advise walkers which way golf is being played.

### **Name not given**

Q13. What was the history of horseriding on the Commons and, in respect of the courtesy everyone is asked to show each other, was there any process to report any incidents or poor interactions?

A13. The Chairman responded that, like the golf clubs, horseriders used the Commons prior to the establishment of the Commons and their rights are also set out in the Byelaws. The Stables make a voluntary contribution which is used for the upkeep of the horserides.

The Chief Executive commented that if anyone was involved in any kind of incident on the Commons they should ring the Ranger's Office immediately. He suggested that regular users of the Commons keep the number in their phones. A member of staff is on duty 24 hours a day, every day of the year and we will endeavour to get someone to deal with the situation as soon as possible.

The Chairman thanked everyone for attending and drew the meeting to a close.