



CONSERVATORS' MEETING
to be held on
Monday 11 October 2021 at 6.00pm
in the Wimbledon Common Golf Club, Camp Road
SW19 4UW

AGENDA

PART A(1) PUBLIC

- | | | |
|----------|--|---------|
| 10.21.1 | Confirmation of Attendance and Apologies for Absence
1 minute | |
| 10.21.2 | Declarations of Personal or Prejudicial Interests in Respect of Items to be Considered in this Part of the Meeting
1 minute | |
| 10.21.3 | WPCC Forum/Group Meetings
Verbal report from Wildlife and Conservation Forum site meeting at Farm Bog
8 minutes | |
| 10.21.4 | Conservation Report
8 minutes | Page 1 |
| 10.21.5 | Land Management Plan
3 minutes | Verbal |
| 10.21.6 | Chief Executive's Report – non-confidential items
6 minutes | Page 15 |
| 10.21.7 | Conservators Code of Conduct and policy on email use
3 minutes | Page 17 |
| 10.21.8 | Update on the Friends of Wimbledon and Putney Commons
5 minutes | Page 51 |
| 10.21.9 | Approval of the Minutes of the Annual Open Meeting held on Wednesday 30 June 2021
2 Minutes | Page 53 |
| 10.21.10 | Meeting and events calendar
10 minutes | Page 70 |
| 10.21.11 | Public questions on matters considered in Part A(1) of this meeting
20 Minutes | |
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PART A(2) CONFIDENTIAL

Resolution from the Board meeting held on 12 July 2021

Having agreed the 'Policy on Public Admission to Meetings and Publication of Agendas, Minutes and Resolutions' and to hold Board meetings in public from 1 October 2021, the Board:

- a) resolved to exclude the public for discussion of item(s) under WPCC Part A2 Board meetings on the grounds that publicity would be prejudicial to the public interest by reason of confidential nature of the business to be transacted or for other special reasons;

10.21.12 WPCC Board Meetings

- i. Resolutions of the Board Meeting of 12 July 2021
- ii. Minutes of the Board Meeting of 12 July 2021

10.21.13 Matters Arising

10.21.14 Chief Executive's report – Confidential Items

10.21.15 Management Accounts for June and July 2021

10.21.16 Constitutional Matters

10.21.17 Masterplan – status and consultation

10.21.18 Final Business Plan 2021 to 2023

10.21.19 Public Access to Meetings

10.21.20 Top 10 Risks

10.21.21 Draft minutes/notes

To receive

- i. Draft Minutes of the Audit and Risk Committee held on 21 July 2021
- ii. Draft Minutes of the Finance and Investment Committee held on 14 September 2021
- iii. Draft minutes of the Constitution Committee held on 20 September 2021
- iv. Draft minutes of the Friends Committee held on:
 - a) 8 July 2021
 - b) 23 July 2021
 - c) 9 September 2021

07.21.22 Items for inclusion in a Media Release by the Board

September 2021.

Conservation and Engagement Officer's Report.

Volunteering on the Commons:

With many of the Commons volunteering opportunities placed on temporary hold during much of 2020 and the beginning of 2021, from May of this year, thankfully, things could once again return back to some form of normality.

Weekend volunteer scrub bashers:

Perhaps one of the most visible aspects of the Commons landscape over the past year has been the speed at which vegetation and especially saplings have grown on the Commons 20 hectares (50 acres) of heathland. With the absence of the Commons' regular scrub bashing sessions for almost one year, the value of this group's ongoing involvement on the heathland in particular, has been clear for all to see. Since scrub bashing activities re-commenced on 23 May 2021, regular groups have been involved with cutting back invasive saplings on three main areas of the Commons. These areas have included the established area of Heather on The Plain, heathland located to the immediate north of Hookhamslade Pond and heathland adjacent to the northern section of Ladies Mile. During much of this time, areas of heathland were chosen that would pose no threat to nesting birds. With bird nesting season now over for this year, our intention is to move on to some of the areas of heathland that are currently affected by large stands of dense scrub. This is a task that I'm sure will keep our volunteers very busy during the next few months.



Scrub bashing on the Plain during August 2021.

Mid-week volunteer Group:

Returning back to the Commons during the beginning of June 2021, the Commons' mid-week volunteer group have once again proved themselves to be willing and able to get to grips with a wide range of tasks that are required on the Commons. During the past few months, this group have been involved with helping to paint the outside of the Information Centre and the garages which are located close to the Rangers Office, cutting back invasive scrub on The Plain, clearing bramble and other unwanted vegetation from the edge of Stag Bog and becoming involved with this year's heathland restoration work.



Volunteers painting the outside of the Information Centre in June 2021.

Beverley Brook volunteer litter picking group:

During the beginning of June 2021, a new volunteer group was initiated on the Commons with the aim of helping to keep the Wimbledon Common section of the Beverley Brook as free from litter as possible. Located downstream from a very busy catchment area, the naturalised form of the 2km stretch of brook which can be found on Wimbledon Common unfortunately manages to catch a great deal of litter. Meeting every three weeks on a Wednesday morning, this group of volunteers has gradually increased in number and consequently the amount of litter that we are able to remove has increased during each session. During an average visit to the brook which lasts 3 hours, approximately six extra large black bin bags of rubbish and other assorted waste are removed from along the water course.

Whether it is a good thing or a bad thing, you're never quite sure what you will find floating along or snagged on a tree branch along the Beverley Brook but each session is certainly very interesting. During the last session that I helped out with, 84 golf balls were removed from the brook as well as buckets, wood and other assorted items.



The bar has been set very high in terms of finding golf balls with 84 found in the brook during a single session.

Litter Picking Volunteers:

There are approximately 30 volunteer litter pickers who regularly help out on the Commons. While some individuals help out on a weekly or fortnightly basis, there are other people who literally volunteer almost every single day of the year. Fortunately, most people who help litter pick on the Commons continued to carry out this activity through much of the lockdown providing a great deal of assistance to the Commons' much beleaguered full- time workforce.

In addition to this much valued group of volunteers, another group of volunteers who have also helped with the important task of litter picking on the Commons are those young peoples who are involved with the Duke of Edinburgh Award scheme. So far this year, there have been 48 young people involved with this scheme on the Commons with all of them providing at least some of their time to litter picking. Over the past few years in which the Commons have been involved with the DofE Award

programme, there have been a total of 126 young people who have helped out on the Commons as part of their various award programmes.

Volunteer Wildlife Recorders:

One group of volunteers on the Commons which often go unseen but nevertheless are of vital importance to increasing our knowledge of the Commons includes those individuals who are involved with recording the various aspects of the Commons' wide range of flora and fauna. While some of these individuals form part of the Commons' Wildlife and Conservation Forum, there are many other people who simply send in photographs or reports to the Rangers Office of various things which they have seen while out walking. From mammal sightings to regular reports of insects and bird sightings, each and every piece of information that is sent to us is collected and included in the Commons' annual monitoring report.

Over the past few months a few of the most notable reports that we have received have included Muntjac deer, a Soft Shell turtle and a Common lizard with young.



Soft shell Turtle photographed by David Element



Muntjac photographed by James Copeland



Muntjac deer photographed by Bill Rowland



Common Lizard with young photographed by David Element on Putney Heath.



Male Stag beetle photographed by Oonagh McGrath near 7 Post Pond

Additional Volunteer Groups on the Commons:

In addition to the Commons' regular volunteer groups, over the past few months, there have also been a small number of other groups who have provided help in managing the site.

During June 2021, two groups of pupils' from Kings College School helped out with a spot of scrub bashing on the area to the immediate south of Hookhamslade Pond and one group of pupils from Putney High School helped to cut back scrub from an area of heathland which is located close to Inner Park Ride. Both groups made a significant impact on the areas which they visited and I'm sure that both groups will be returning to the Commons again in the future.

Another very helpful volunteer event was provided by 90 volunteers who were involved in a mass litter pick on the Commons during August 2021. All of the 90 volunteers are members of the Geocache Community and the result of their visit to the Commons was very impressive.



(above) Putney High School volunteer event...before and...

After...



Grassland Management on the Commons:

Following the heavy and sustained trampling that was endured by the Commons during 2020, in order to help ground conditions recover, this year we have followed a programme of grass cutting where 'less has certainly provided more'. On almost all of the Commons grassland sites, less mowing has ensured that while paths are still available and sightlines along main roads are maintained, ground vegetation has been abundant and accompanying this, far more wildlife habitats have been made available.

At the current time, we are investigating ways in which some of the Commons' larger open grassland sites can be managed in ways that are far more beneficial to wildlife than may have been practised on the Commons in the past.

There are at least six areas on the Commons which currently only receive an end of year cut where vegetation has traditionally been left on site to break down. While these areas are currently largely made up of coarse grasses and very few wild flowers, a programme of cut and collect similar to that carried out on The Plain and near Tibbet's Corner could result in much improved grassland habitats.

According to the wildlife charity, Plantlife, “*protecting and restoring meadows and grasslands is essential to the fight against climate change. Grasslands sequester carbon, enhance biodiversity and contribute hugely to the beauty of our natural environment.*”

With a large amount of positive feedback from many visitors to the Commons with regards to our reduced programme of cutting on the Commons this year, hopefully we should be able to start improving many more of the Commons grassland sites in the very near future.



Bill Rowland mowing a narrow footpath on Putney Lower Common.

Other projects to help with the restoration of damaged ground on the Commons have included temporarily fencing off certain areas from general use by visitors. The main areas in which this has been done have included two sections of ground that surround the windmill complex. It is anticipated that as soon as the available time can be found, additional temporary fencing will be erected along two sections of the path which is located adjacent to the Wimbledon Common section of the Beverley Brook. With cyclists and pedestrians using both the footpath and the area that is located either side of the path, without temporarily fencing off these areas, adequate ground recovery will not be possible.



The area photographed above shows the section of ground which is located opposite the London Scottish Golf Club. The fencing on this site was erected towards the end of May 2021.

Pond Management:

Fortunately, as a result of the generally wet summer that we have recently experienced on the Commons, water levels in all of the Commons' nine ponds has remained high. As a result, litter picking and the provision on additional habitats for birdlife has been the main areas of work that have recently been carried out around these areas of the Commons.

There are a small number of tasks such as the removal of large pieces of wood from Queensmere and coppicing at Hookhamslade and the Millennium Pond to complete but these have been added to the Maintenance Team's list of conservation tasks and it is anticipated that this work will be completed in the not-too-distant future.



Coppicing overgrown vegetation at the Millennium Pond will help to improve the view of the pond and avoid the threat of damage occurring to the hand rails and bridge.



High water levels have remained a feature at all of the Commons nine ponds during 2021 which has provided additional protection and cover for wildlife

Management of invasive species on the Commons.

In general, the management of non-native invasive species on the Commons involves the active control of Oak Processionary Moth (*Thaumetopoea processionea*), Japanese knotweed (*Fallopia japonica*), Himalayan Balsam (*Impatiens glandulifera*) and New Zealand Pigmyweed (*Crassula helmsii*). Records are kept for the management of all of these non-native invasive species and with the exception of the chemical spraying of Oak Processionary Moth (OPM), all management work is carried out by full-time members of the Commons' team

Over the past few months, Himalayan Balsam has been manually removed by staff and volunteers along the Wimbledon Common section of the Beverley Brook. Japanese knotweed has been treated around various areas of the Commons and our annual programme for the management of OPM was completed towards the end of July. With hundreds of low nests removed from the Commons this summer, we are very grateful for all of the reports that we received of active OPM during the summer and happily we did not receive any confirmed cases of individuals coming into contact with OPM caterpillars or their nests while on the Commons.



OPM procession photographed by P. Haldane along Inner Park Ride.



OPM nest and caterpillars photographed by P. Haldane near Green Ride

Committee(s):	Date(s):	Item no.
Board	11 October 2021	10.21.6
Subject: Chief Executives Report: Non-confidential		Non-Public
Report of: Chief Executive, Wimbledon and Putney Commons		For Decision
Summary		
Draft recommendations:		
That the Board receives and notes the report.		
That the Board agrees to go ahead with the annual Christmas Reception on 3 December, subject to a review of the COVID19 situation at least three weeks before.		

Contactless Car Park Donation Meters

Following discussions with Richmond Park, contact was made with a supplier who could provide a pay and display style donation machine which would accept contactless card payments. This would replace the existing machine which will only accept coin donations and is particularly unreliable. The machine is out of service as often as it is operational.

The new machine contains a 4G modem which is necessary to process the contactless card payments. Therefore, a strong mobile phone signal is required in order for the machine to function. The mobile signal on the Commons is notoriously poor and therefore before a machine could be ordered a survey of signal strength needed to be undertaken by a specialist contractor. This was completed on 10 September 2021. They identified that:

- a) there was good signal at the location of the current meter and
- b) the best network reception was via 3.

As a result, the contactless meter has now been ordered and delivery is expected in due course.

Recruitment to new posts

Job descriptions have now been prepared for the three new roles outlined in the 2021 to 2024 Business Plan; Fundraising Manager (F/T); Administration Assistant (P/T) and Maintenance Operative (F/T) and the posts will be advertised in within the next fortnight.

Clare Fairbrother has agreed to assist the Chief Executive with shortlisting and interviewing for the Fundraising Manager post.

Christmas Reception

Conservators are asked if they wish to go ahead with the annual Christmas Reception this year. The Royal Wimbledon Golf Club has been reserved for Friday 3 December and there is the option to use the larger dining room area which would enable less crowding of guests. The Club would require at least three weeks' notice of cancellation should the Conservators decide not to go ahead if the COVID 19 situation changed for the worse.

For information for new Conservators, the Christmas reception is an opportunity for Conservators and staff to say thank you to those who regularly help and assist the charity.

Committee(s):	Date(s):	Item no.
Board of Conservators	11 October 2021	10.21.7
Subject: Code of Conduct	Non-Public	
Report of: Chief Executive, Wimbledon and Putney Commons	For Decision	
Summary		
Draft resolution:		
That the Board approves the revised Code of Conduct		

The Conservator's Code of Conduct has been amended (Appendix 1) to make reference to the 'Policy on email usage' and the declaration on personal data which current and future Board members will be required to sign.

The draft amendments to the Code are marked in red and the Conservators are asked to approve these updates.



WIMBLEDON AND PUTNEY COMMONS CONSERVATORS

Code of Conduct for Conservators and Complaints Procedure

February 2019

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1. INTRODUCTION AND OVERVIEW

- 1.1 Wimbledon and Putney Commons Conservators (“WPCC”) is a registered charity which is governed by the Wimbledon and Putney Commons Act 1871 (the “WPC Act 1871”) and the Commissioners Clauses Act 1847 (the “CC Act 1847”). Conservators as trustees of the charity must also adhere to the requirements of the Charities Act 2011 (“the CA 2011”).
- 1.2 This revised Code of Conduct for Conservators (“the Code”) adopted on 11th February 2019 sets out the conduct which is expected of Conservators when they are acting in that capacity as the persons having the general control and management of the administration of the charity. The Code applies to the Conservators, who are the charity trustees of WPCC and to all co-opted members to a formal WPCC Committee.
- 1.3 Each Conservator must exercise the powers that the Conservator has in that capacity in the way that the Conservator decides, in good faith, would be most likely to further the purposes of WPCC. Each Conservator must in the performance of functions in that capacity exercise such care and skill as is reasonable in the circumstances, having regard in particular to any special knowledge or experience that the Conservator has.
- 1.4 Conservators, as charity trustees, have a legal duty to act in the best interests of WPCC and to achieve the purposes set out in the WPC Act 1871 and CA 2011.
- 1.5 The Nolan Report sets out seven Principles of Public Life, which are incorporated into the Code. WPCC has a duty to promote and maintain high standards of ethics and conduct by Conservators.
- 1.6 Conservators will be offered training on the Code and WPCC expects all Conservators to take advantage of such training, including refresher courses, to ensure that they are fully aware of the provisions of the Code and the standards expected of them in public.
- 1.7 Conservators are also urged to avail themselves of the Local Resolution Procedure under the Code for dealing with minor disagreements and to ensure the effective use of WPCC’s resources. The aim of the Local Resolution Procedure is to resolve matters at an early stage so as to avoid the unnecessary escalation of the situation which may damage personal relationships within WPCC, and the WPCC’s reputation.
- 1.8 The following pages set out the Code and guidance, it is not an exhaustive list of all legal obligations which fall upon Conservators and does not discharge individuals from their duty to ensure that at all times they conduct themselves in accordance with Principles and Standards. WPCC also has its core values, which Conservators are asked to observe and follow.
- 1.9 Conservators should comply with the Code whenever they are acting in their official capacity as a Conservator including at Board, Committee and Working Group meetings. The Code also applies to Conservators’ dealings with each other, with outside bodies, briefing meetings with officers, site visits, use of social media and in communication with WPCC.
- 1.10 Freedom of expression is a right which applies to all Conservators of WPCC. The criticism of opposing ideas and opinion is considered to be part of democratic debate and it is unlikely that such comments would amount to a breach of the Code. Comments which breach the Principles and Standards below may, in contrast, be a potential breach of the Code.
- 1.11 Mutual respect and courtesy between Conservators and officers is essential and affects the efficient administration of WPCC’s functions and the reputation of WPCC itself. For WPCC to work effectively it requires a high degree of trust and common understanding between officers

and Conservators. Both need to respect each other's roles and officers may from time to time have to give advice which the Conservators might not agree with and Conservators may from time to time take decisions contrary to the advice of officers. Those instances should be accepted as unusual but not unacceptable. Where officers do have to give advice that a certain course of action cannot be carried out, they should seek to give suggestions as to how Conservators might achieve some or all of their objectives in other ways.

- 1.12 The key role of Conservators is to define the policy priorities, monitor implementation, assure themselves of compliance with all applicable regulations and to provide strategic leadership and direction in partnership with the executive.

2 PRINCIPLES AND STANDARDS OF CONDUCT AND CORE VALUES

- 2.1 This Code sets out the Principles and Standards of conduct and behaviour expected of Conservators. As the WPCC is a registered charity, the Conservators, as “trustees”, are also responsible for ensuring that the Commons are maintained and managed in accordance with charity law, within its charitable objects and the requirements of the Charity Commission as set out in Responsibilities of Charity Trustees (CC3).
- 2.2 The Code also incorporates the organisation’s values, it aims to ensure that all observe the highest standards of propriety and act in the best interests of WPCC through effective stewardship of the organisation, at all times.

Principles

- 2.3 The Code’s principles of conduct are as follows:

i. Selflessness

Conservators must act solely in the charity’s interest. They must never use their position as Conservators improperly to confer an advantage on, or to avoid a disadvantage for, themselves or improperly to confer an advantage or disadvantage on others.

ii. Integrity and propriety

Conservators must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. Conservators should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends. Conservators must declare and resolve any interests and relationships.

iii. Objectivity in decision making

In carrying out their responsibilities Conservators must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. Whilst Conservators must have regard to the professional advice of officers and may properly take account of the views of others, it is their responsibility to decide what view to take and, if appropriate how to vote on any issue.

iv. Accountability

Conservators must be accountable to the public for their decisions and actions. Conservators must be prepared to submit themselves to such public scrutiny as is appropriate to their responsibilities.

v. Openness

Conservators must be as open as possible about all their actions and those of WPCC. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

vi. Honesty

Conservators must declare any private interests relevant to their duties and take steps to resolve any conflict in a way that protects the public interest. Interests must be registered and declared in a manner which conforms to the procedures set out below.

vii. Leadership

Conservators must promote and support these principles by leadership and example so as to promote public confidence in their role and in WPCC. They must respect the impartiality and integrity of the WPCC's staff. Conservators should be willing to support the Code and willing to challenge poor behaviour whenever it occurs.

viii. Stewardship

In discharging their duties and responsibilities, Conservators must ensure that WPCC's resources are used both lawfully and prudently. They must ensure that WPCC's resources are not used improperly for purposes (which include any party political purposes) that are not aligned with the charity's core objects.

ix. Confidentiality

Conservators must respect the status of confidential issues they read and discuss. They are bound to maintain the confidential status of this material and any discussions.

Conservators undertake to respect and preserve the confidentiality of the Confidential Information (defined below), and shall not without the prior written consent of the Chairman of the WPCC:

- (a) communicate, or otherwise make available, the Confidential Information to any third party; or
- (b) use the Confidential Information for any commercial, industrial or other purpose other than for the benefit of WPCC in the proper performance of their duties; or
- (c) copy, adapt, or otherwise reproduce the Confidential Information except as strictly necessary for the proper performance of Conservator duties or as permitted by law.

Confidential Information: any information relating to the WPPC which is not publicly available including, but not limited to, any information specifically designated as confidential by the Board or Chief Executive Officer; any information supplied in relation to which a duty of confidentiality is owed or arises; and any other information which should reasonably be regarded as possessing a quality of confidentiality.

This duty of non-disclosure may no longer apply where either the consent of the person authorised to give it has been obtained, or there is a legal requirement to disclose. If in doubt, Conservators are encouraged to seek the views of the Chief Executive Officer.

x. Equality and respect

Conservators must treat each other with respect and promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability. Conservators should respect the impartiality and integrity of WPCC's officers and its other employees. Conservators have a responsibility to behave in a way that is not offensive to others and acknowledge that the views and opinions held by others and decisions made by managers may not coincide with their own.

Standards

2.4 The Code's standards of conduct are as follows standards:

i. General

Conservators must:

- act within the powers of the governing documents of WPCC and the law, and abide by the policies and procedures of the organisation. This includes having a knowledge of the contents of relevant legislation, charitable objects and relevant policies and procedures.
- be an active Board Member, making their skills, experience and knowledge available to WPCC and seeking to do what additional work they can outside Board meetings, including sitting on Committee(s)/Working Groups.
- develop and maintain a sound and up-to-date knowledge of WPCC and its environment. This will include an understanding of how WPCC operates, and the nature and extent of its work.
- utilise WPCC's resources responsibly, in line with policies and procedures.
- accept responsibility to ensure that WPCC is well run.
- raise issues and questions in an appropriate and sensitive way.
- **Ensure that all internal and external communications are courteous, respectful and reflect WPCC policies. This includes email communications and Conservators should refer to the 'Policy on Email Usage'.**

ii. Meetings

Conservators must:

- endeavour to attend all appropriate meetings and other appointments of WPCC or give apologies. If they cannot regularly attend meetings they should consider their position.
- Prepare fully for all meetings and work for WPCC. This will include reading papers, querying anything they do not understand, thinking through issues before meetings and completing any tasks assigned to them in the agreed time.
- Actively engage in discussion, debate and voting in meetings, contributing in a considered and constructive way, listening carefully, challenging sensitively and avoiding conflict.
- To participate in collective decision making, accepting a majority decision of the Board and not to act individually unless specifically authorised to do so, recognising that if they regularly and strongly cannot support Board decisions they should consider their position.

iii. Governance

Conservators must:

- actively contribute towards improving the governance of the Board, participating in induction and training and sharing ideas for improvement with the Board.

iv. **Relation with Others**

Conservators must:

- work considerately and respectfully with all those they come into contact at WPCC. Conservators must respect diversity, different roles and boundaries, and avoid giving offence.
- recognise that the roles of Conservators, staff and volunteers of WPCC are different, and seek to understand and respect the difference between these roles. Where a Conservator also volunteers with the organisation the Conservator must maintain the separation of their role as a Conservator and as a volunteer.
- seek to support and encourage all those they come into contact with at WPCC. In particular to recognise their responsibility to support the Chairman and senior staff members.
- make any public comments about WPCC in line with WPCC policy, whether made as an individual or as a Conservator.

v. **Leaving the Board**

Where there is a substantial breach of any part of these Principles and Standards, including absence from meetings for 12 months in succession or ceasing to have the qualification required for election/appointment, this may result in procedures being put in motion that may result in a Conservator being asked to resign from the Board.

If a trustee is guilty of misconduct and/or mismanagement and is a risk to the Charity's property, then the Charity Commission or the appointing Government Department has power to remove them.

If a Conservator wishes to resign at any time, they must inform the Chairman in advance in writing, stating their reasons for leaving.

Core Values

2.5 In addition to the Principles and Standards of conduct, Conservators should, so far as possible, reflect WPCC's Core Values, which have been adopted by WPCC:

- i. Dependable** - We will maintain the Commons with pride and professionalism working in and for the community, taking responsibility for our actions.
- ii. Respectful** - We will respect and value others giving time and being courteous in considering all viewpoints.
- iii. Committed** – We will commit to engaging and communicating with the public to build a greater understanding of the Commons and its management.
- iv. Creative** – We will provide innovative approaches to sustain the Charity and protect the Commons.
- v. Excellent** - We will use our energy, resources and skills, striving for excellence in all we do.

3. CONFLICT OF INTEREST PROCEDURE

- 3.1 Conservators should avoid putting themselves in a position in which their obligation to act in the best interests of WPCCC potentially conflicts with their personal interests or duties. Such conflicts may create problems because they can:
- inhibit free discussion
 - result in decisions or actions that are not in the interests of WPCCC
 - risk giving the impression that WPCCC, or an individual Conservator, has acted improperly.
- 3.2 However, from time to time, conflicts of interests may arise where a Conservator's personal interests and loyalties conflict, or can be perceived to conflict, with those of WPCCC.
- 3.3 Even the appearance of a conflict can damage WPCCC's reputation and so any interests, duties or obligations which may give rise to the appearance of a conflict must be recognised, disclosed appropriately and dealt with in accordance with these procedures.
- 3.4 Conservators should act in accordance with the spirit as well as the wording in the paragraphs below. This Section offers guidance but is not intended to modify any legal duty which would otherwise apply.
- 3.5 A conflict of interest is any situation in which a Conservator's personal interests or loyalties could, or could be perceived to, prevent the Conservator from making a decision which is in the best interests of WPCCC. This includes actual conflicts of interest and of loyalty as well as perceived and potential conflicts.
- 3.6 Conflicts of interest usually arise where either:
- there is a potential pecuniary interest or other material benefit directly to a Conservator, or indirectly through a person connected to the Conservator; or
 - a non-pecuniary interest when a Conservator's duty to WPCCC may compete with a duty or loyalty they owe to another organisation or person.
- 3.7 A Conservator or co-opted member of a Committee must within 28 days of taking office as a Conservator or co-opted member of a Committee notify the Chief Executive Officer of any conflict of interest. This applies whether that interest is their own, or that of a connected person (see paragraphs 3.11 - 3.13). The interest will be included in the WPCCC register of interests.
- 3.8 The WPC Act 1871 and CC Act 1847 contain the following restrictions on pecuniary and non-pecuniary interests and other material benefits that a Conservator may receive:
- A Conservator cannot be remunerated or hold any paid office with WPCCC (section 31, WPC Act 1871).
 - A Conservator cannot receive any expenses in connection with meetings of the Conservators (section 48, CC Act 1847).
 - A Conservator cannot be concerned with or participate in any manner in any contract, or in the profit from any contract, or of any work done under the authority of the WPC Act 1871 (section 9, CC Act 1847). (There is an exception under section 10 of the CC Act 1847 which would allow WPCCC to enter into a contract with a company in which a Conservator is a shareholder of, provided the Conservator with the shareholding does not participate in the Conservators vote on the contract).
- 3.9 If an interest above has not been notified or entered in the register, then the Conservator must disclose the interest to any meeting of WPCCC at which they are present, where they have

disclosable interest in any matter being considered. Where a matter is considered to be a sensitive interest, which includes any concern that disclosure might lead to the Conservator or co-opted person being subject to violence or intimidation, that individual should speak to the Chief Executive Officer, who may agree to exclude details from any publicly available version of the register of interests.

- 3.10 Following disclosure of an interest not on WPCC's register or the subject of pending notification, Conservators must notify the Chief Executive Officer of the interest within 28 days beginning with the date of disclosure.

Connected persons

- 3.11 A conflict can arise indirectly because of a Conservator's relationship with, or connection to, another person or organisation. This is because of the risk that the Conservator's decision-making could be affected, or that it could be perceived that there is a conflict of interest. Issues relating to conflicts of interest often arise in charities because of benefits received by connected persons.
- 3.12 Examples of connected persons include: members of a Conservator's family, their spouse or civil partner, or someone with whom they are living as a husband or wife, or as if they were civil partners, a business partner or colleague, anyone whose finances are interdependent with the Conservator (e.g. through joint bank accounts, joint mortgages or property held in joint names, one party financially dependent on the other, joint beneficiaries of a trust), businesses in which a Conservator has an interest through ownership or influence, or anyone else receiving a benefit where it could be perceived that the benefit could influence the Conservator's ability to make decisions only in the best interests of WPCC.
- 3.13 A Conservator might be a member of another organisation whose policies or objectives are inconsistent with or otherwise have a bearing on those of WPCC. A Conservator's duty is to take only their responsibilities to WPCC into account.

Declaring interests

- 3.14 Many possible conflicts can be managed by ensuring appropriate transparency as to a Conservator's potentially conflicting interest. This is done by proactive declaration and, for appropriate interests, the maintenance of a register of interests.
- 3.15 Conservators must use their judgment in accepting any gifts and hospitality which might compromise WPCC's reputation and must declare these at the earliest opportunity. The disclosure must include sufficient information to enable appropriate decisions to be taken as to the seriousness of any potential conflict and its management. Conservators should always take decisions solely in terms of WPCC's interests; they should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- 3.16 A declaration of interests form is provided for this purpose, listing the types of interest you should declare. The declaration of interests needs to be completed prior to taking office and updated at least annually and/or when any material changes occur.
- 3.17 If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Chairman or Chief Executive for guidance.
- 3.18 In addition to keeping the declaration of interests up to date, Conservators must declare any interest (including a perceived or potential interest) at the earliest possible opportunity and orally at any meeting where a conflict may arise. Conflicts of interest should be a standard

agenda item at the beginning of each meeting of the Conservators or any Committee/Working Group. If a Conservator is aware of an undeclared conflict issue affecting another Conservator, he or she should notify the Chair or the other Conservators.

- 3.19 Information about Conservator interests, including all gifts and hospitality received by any Conservator, will be recorded on the charity's register of interests, which will be maintained by the Chief Executive Officer. The register will be accessible by Conservators and senior managers so that the relevant matters can be managed properly.

Disclosure of interests at meetings

- 3.20 Where an interest described above or in the following paragraph in any business of WPCCC has been declared and, where a Conservator is aware or ought reasonably to be aware of the existence of that interest and they attend a meeting of WPCCC at which the business is considered, the Conservator must disclose to that meeting the existence and nature of that interest at the commencement of its consideration. If not apparent in advance from any agenda, as soon as the interest becomes apparent as being relevant to the business under consideration a Conservator must immediately declare it.
- 3.21 Where a Conservator has a personal interest in any matter of WPCCC where a decision in relation to that matter might reasonably be regarded as affecting their well-being or financial position or the well-being or financial position of a member of their family or any person with whom they have a close relationship (connected persons see paragraph 3.11 – 3.13) as the case may be, they must immediately declare it.

Data protection

- 3.22 Some personal information about third parties can only be held with their agreement. Generally the limited information needed to declare a conflict will not require such consent. If consent is needed it is the responsibility of the Conservator providing the information to ensure consent is given. Any declaration where personal data is held will be processed in accordance with data protection principles as set out in the Data Protection Act 2018 only to ensure that Conservators act in the best interests of WPCCC and not for any other purpose. Any personal data held by Conservators must be destroyed on leaving office. **Conservators will be required to sign a declaration confirming that this will be done.**

Managing conflicts of interest

- 3.23 Once a conflict of interest has been disclosed it must either be managed or removed so that any potential effect on decision-making is eliminated.
- 3.24 Where a conflict of interest needs to be managed, the way in which this is done must be decided by the Conservators. In doing this the Conservators must follow the WPC Act 1871, the CC Act 1847 and the general law which deal with how conflicts of interest must be handled. They should also take into account Charity Commission guidance on conflicts of interest.

Managing permissible material benefits to a Conservator or a connected person

- 3.25 The provisions of the WPC Act 1871 and/or CC Act 2011 in relation to material benefits that a Conservator may receive (set out in section 3.14 – 3.19 above) are quite restrictive.
- 3.26 In circumstances where there is a potential financial or other material benefit directly to a Conservator or to a person connected with a Conservator which is not prohibited by the Acts, the following procedure must be followed:

- the material benefit must be authorised in advance;
- the affected Conservator must be absent from any part of any meeting where the issue is discussed or decided; and
- the affected Conservator should not vote or be counted in deciding whether a meeting is quorate.

3.27 A Conservator must not be involved in managing or monitoring on behalf of WPCC a permitted contract in which the Conservator or a connected person has an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory. Generally, because of the possible reputational effect of contracts with Conservators, WPCC will require strong reasons to enter such a contract rather than dealing with an unconnected person.

Managing conflicts of duty or loyalty

3.28 In relation to interests where there is no material benefit, such as a conflict of loyalty, having evaluated the level of conflict the Conservators must decide how it is to be managed. Generally the following will be appropriate:

Category of interest	Action to manage the interest
A. The interest is low risk and does not create a real danger of bias or conflict	The Conservator must declare the interest and may contribute information to the meeting and remain in the meeting, be counted in the quorum and vote
B. The interest creates a significant but not substantial danger of bias or conflict	It shall be at the discretion of the other Conservators (who do not themselves have an interest in the matter) whether the Conservator may contribute information to the meeting and remain in the meeting, but in any event the Conservator must not participate in the discussion, or vote on the matter and will not be counted in the quorum for that issue
C. The interest creates a substantial danger of bias or conflict of duty	The Conservator must leave the meeting, not participate in the discussion or vote on the matter and will not be counted in the quorum for that issue
D. The interest creates a severe or substantial and recurring danger of bias or conflict of duty	Other steps will need to be taken to manage the conflict in addition to those referred to above and in a serious case a Conservator may have to consider resigning

3.29 There are situations where a Conservator may participate in discussions from which he or she could indirectly benefit, for example where the benefits are universal to all users of the Commons, or where the benefit is minimal. These may be dealt with by a single disclosure upon taking office, updated annually where there is any change.

3.30 If a Conservator has an interest in the management of a body or organisation that has an interest in the Commons, this will always be regarded as at least a 'category B' interest for the purpose of any decisions that affect that body or organisation.

3.31 In relation to any type of conflict, where the conflict is so acute or extensive that following these procedures will not allow the Conservators to demonstrate that they have acted in the best interests of WPCC, a specific approach may need to be developed with the benefit of advice which could be sought from the Charity Commission.

Recording steps taken

3.32 All decisions affected by a conflict of interest will be recorded by the Chief Executive Officer and reported in the minutes of the meeting. The record will include:

- the nature and extent of the conflict
- which Conservator or Conservators were affected
- whether any conflicts of interest were declared in advance
- an outline of the discussion
- whether anyone withdrew from the discussion
- the actions taken to manage the conflict
- how the Conservators took the decision in the best interests of the Conservators.

3.33 Where a Conservator or a connected person receives a payment or other benefit from a decision, this must be reported in the Annual Report and Accounts in accordance with the Charities' Statement of Recommended Practice.

3.34 The Chief Executive Officer will take special care to ensure that minutes or other documents relating to the item presenting a potential conflict are appropriately redacted before being provided to the person facing the conflict. A balance needs to be made to ensure that the person still receives sufficient information about the activities of the charity generally without disclosing information which it would be inappropriate for the person to receive.

Compliance

3.35 Compliance with Conflicts of Interest will be the responsibility of the Chairman.

3.36 If it appears that a Conservator has failed to comply, the issue will be dealt as a matter of misconduct under this Code.

4. DIGNITY PROCEDURE

4.1 Harassment and bullying can have very serious consequences for Conservators and WPCC. Harassment or bullying may make Conservators unhappy, may cause them stress and affect their health and family and social relationships, may affect their performance, and could cause them to resign. Severe cases of harassment and bullying can even lead to mental illness and suicide. Effects on WPCC can include loss of morale, poor work performance, legal claims and damage to the Charity's reputation. Serious harassment may be a criminal offence.

4.2 WPCC will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be investigated and, if appropriate, action will be taken in accordance with the Complaints Procedure. WPCC will also not tolerate victimisation of a person for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint.

i. **Bullying** is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end.

ii. **Harassment** includes a 'course of conduct' alarming a person or causing a person distress. Where that 'course of conduct' harasses a single individual, it must take place on at least two occasions. Where it is directed against two or more people, it only has to take place on one occasion in relation to each individual. A campaign of collective harassment by two or more people can amount to a 'course of conduct'.

Harassment also includes unwanted conduct related to relevant 'protected characteristics', which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age, that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.

4.3 Bullying and harassment may take many forms:

- physical contact, ranging from touching to serious assault;
- verbal and written harassment through jokes, offensive language, gossip, slander and letters;
- postings on social media;
- visual display of posters, obscene gestures;
- isolation or non-cooperation at work;
- coercion;
- persistent undermining of an individual;
- rudeness and verbal aggression.

4.4 Victimisation is subjecting a person to a detriment because he/she has, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing him/her or someone else, or supported someone to make a complaint or given evidence in

relation to a complaint. This would include isolating someone because he/she has made a complaint or giving him/her a heavier or more difficult workload.

- 4.5 Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the Charity will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.
- 4.6 Making a complaint that a Conservator knows to be untrue, or giving evidence that a Conservator knows to be untrue, may lead to action being taken against them.
- 4.7 A complaint of bullying and harassment will be made in accordance with the Code of Conduct Complaints Procedure and solutions will be sought in discussion with the complainant who will be protected against any form of victimisation that may arise as a result of making the complaint.
- 4.8 WPCC will treat every case of proven bullying or harassment in accordance with the Code of Conduct Complaints Procedure. In severe cases this could lead to censure of a Conservator, termination of employment of a member of staff or engagement as a volunteer or in extreme cases referral to the police for investigation.

5. COMPLAINTS PROCEDURE

5.1 Where there are complaints of misconduct or infringements of someone's dignity, WPCC must have in place arrangements under which allegations can be investigated and arrangements under which decisions on allegations can be made. The following procedure applies to complaints made against a Conservator by a fellow Conservator(s), an officer(s) or any other person(s).

5.2 In relation to officers, a complaint should be after consultation with the Chief Executive Officer unless it relates to the CEO in which case the complaint should be made to the Chairman.

Making a complaint

5.3 The complaint should be made to the Chief Executive Officer in writing or by e-mail.

5.4 A copy of the complaint form, which shall be used for all complaints, is attached at Appendix 1. This form should also be used for making a complaint under the Local Resolution Procedure. Completion of a Complaint Monitoring Form at Appendix 1A is also requested, but is not compulsory.

5.5 In order to make a complaint, a complainant will need to have reasonable belief that there has been a breach of the Code and/or an infringement of their dignity. In order to have a reasonable belief that a breach has occurred, there will need to be direct evidence which supports the complaint. Without such evidence the complaint will not be pursued. Complainants should consult the Chief Executive Officer for advice if they are in doubt. Where the breach is a very minor or technical one, or where there is no clear evidence that a breach occurred, the Chief Executive Officer may advise the complainant that the matter might be more appropriately dealt with through WPCC's Local Resolution Procedure.

5.6 If the complaint appertains to a potential criminal activity the Chief Executive Officer will consult with the Independent Person (see Appendix 3). If there is a view that the police or another statutory regulatory body should be involved then the Chairman of the Board and Chairman of the Audit and Risk Committee will be advised. WPCC will at that point advise the complainant and hand the matter to the police or other statutory regulatory body.

5.7 Once received a complaint will be acknowledged by the Chief Executive Officer within five working days.

Confidentiality

5.8 As a matter of fairness and natural justice the subject Conservator should usually be told who has complained about them and received details of the complaint. However, in exceptional circumstances, the Chief Executive Officer may withhold the complainant's identity if on request they are satisfied that the complainant has reasonable grounds for believing that they or any witness relevant to the complaint may be at risk of physical harm, or his or her employment may be jeopardised if their identity is disclosed, or where there are medical risks (supported by medical evidence) associated with the complainant's identity being disclosed.

5.9 If a request for confidentiality is refused, the Chief Executive Officer will explain the reason and give the complainant the option to withdraw the complaint, rather than proceed with his or her identity being disclosed.

5.10 The complaint will be acknowledged and the subject Conservator will be informed that a complaint has been made about him or her. Such notification will state that the complaint has been made; the name of the complainant (unless the complainant has requested

confidentiality and this is being upheld), brief details of the complaint and the paragraphs of the Code which may have been breached. In very limited situations, the subject of the complaint may not be notified, in which case the Chief Executive Officer will record his reason. Such situations may be where it is not reasonably possible to identify who the subject of the complaint might be.

- 5.11 Where the details of complaints are passed to any third parties, including but not limited to press or media, or posted on social media, this may prejudice an investigation. In the case of a complainant, WPCC would not pursue the investigation further and WPCC would reserve the right not to pursue further complaints from the same complainant. In the case of a Conservator, where they pass details of a complaint to any third parties, this may also be considered a breach of the Principles and Standards of the Code.

Initial Assessment

- 5.12 In determining whether to investigate a complaint, the Chief Executive Officer will adopt a three-stage process, all in consultation with an Independent Person. At each stage the Chief Executive Officer may request further clarification or documentation from the complainant, without this forming part of any investigation.

Stage 1 – The Chief Executive Officer will decide whether the complaint is within WPCC’s jurisdiction which will include consideration of the paragraphs of the Code or evidence of the infringement to a person’s dignity to which the complaint might relate. If there is no jurisdiction then the complainant will be informed that the complaint will not be considered further.

Stage 2 - The Chief Executive Officer will decide whether there is direct evidence that a breach and/or infringement to a person’s dignity took place. The level of proof will be on the balance of probabilities, that is to say, whether it is more likely than not. If there is no direct evidence, or if the complaint is considered to be vexatious, then the complaint will be dismissed.

Stage 3 – The Chief Executive Officer will decide whether the complaint is suitable to be dealt with within the Local Resolution Procedure, or whether it should be the subject of a full investigation. The criteria which will be used for this analysis are set out in Appendix 2.

Local Resolution Procedure

- 5.13 The Local Resolution Procedure is a process for low-level complaints including those made by one Conservator against another.
- 5.14 If the Chief Executive Officer, in consultation with the Independent Person, decides to refer the matter to local resolution, then the complainant will be informed within 5 working days and the Local Resolution Procedure shall then apply (see section 6 below).
- 5.15 The criteria for referring the matter to the Local Resolution Procedure will include the following:
- Complaints that one Conservator has failed to show respect and consideration for others
 - Complaints that one Conservator has made vexatious, malicious or frivolous complaints towards another.
 - Other low-level complaints which in the opinion of the Chief Executive Officer, following consultation with an Independent Person, are suitable for informal resolution.

Formal Investigation

- 5.16 If the matter is to be fully investigated, as opposed to being dismissed or referred to the Local Resolution Procedure, the WPCC will at the earliest opportunity appoint an Investigating

Committee who will prepare an initial report and recommendation. An Investigating Committee will have specific Terms of Reference agreed by the Board and will comprise up to three Conservators, or where this is not possible the Committee may be supplemented by up to two Independent Persons. There must be at least one Independent Person as a member of the Investigating Committee. When appointing the Investigating Committee, the Chief Executive Officer will write to the relevant parties informing them that the matter is to be fully investigated and informing them who will be the Chairman of the Investigating Committee responsible for conducting the investigation. The Chairman of the Investigating Committee should give an indication as to likely timescale for the completion of the investigation, which should be within 6 weeks. WPCC reserves the right to extend this period in certain cases in the event that the complaint is more complex and time consuming or where further advice/guidance is required. Referring a matter for investigation does not mean that there have been any findings of fact. It simply means that the alleged conduct, if proved, may amount to a failure to comply with the Code and that some action should be taken in response to the complaint.

- 5.17 The Chief Executive Officer will consider the recommendation of the Investigating Committee's report. If the recommendation is that there has been no breach of the Code, the Chief Executive Officer and Chairman of the Investigating Committee will consult the Independent Person. If, having taken into account the views of the Independent Person, the Chief Executive Officer and Chairman of the Investigating Committee approves the recommendation of the report then the Chief Executive Officer will write to the complainant and the Conservator concerned to inform them that there will be no further action. This will normally be undertaken within 10 working days of the receipt of the report. The Chief Executive Officer will give reasons for the decision. There is no appeal or review of that decision by WPCC or any other person.
- 5.18 If the investigation concludes that there is evidence of a breach of the Code then the Chief Executive Officer and Chairman of the Investigating Committee will consult the Independent Person and make a decision either to:
- (a) resolve the matter without the need for a hearing. That may include the application of those sanctions limited to those set out in paragraph 7.7 below. The Chief Executive Officer will write to the complainant and the Conservator concerned to inform them of the decision. The Chief Executive Officer will give reasons for the decision. There is no appeal or review of that decision by WPCC or any other person;
 - (b) convene a meeting of the WPCC's Hearings Committee, to hear the matter; or
 - (c) report it to the police if it is believed it might fall under their jurisdiction.
- 5.19 In exceptional circumstances it may be considered by the Chief Executive Officer, Chairman of the Investigating Committee and Independent Person that the Chairman of WPCC should be invited to consider whether the Conservator should be asked to withdraw from WPCC's duties pending the outcome of the Hearings Committee. There will need to be reasonable grounds for the belief that such a step is in the interests of the subject Conservator or WPCC.

Frivolous and Vexatious Complaints

- 5.20 Complaints made against Conservators must be based upon fact and not motivated by malice or by rivalry. Complainants should not make complaints:
- (a) which have little or no substance or
 - (b) where the evidence of any breach is weak or non-existent or

- (c) which are persistent complaints of a similar nature against a Conservator or
- (d) which are a repetition of complaints already previously decided.

5.21 In the case of doubt as to whether a threshold has been met, advice should be sought from the Chief Executive Officer. The making of frivolous or vexatious complaints may, if made by a Conservator, be conduct which will be considered a breach of the Code and dealt with under the Local Resolution Procedure.

6. LOCAL RESOLUTION PROCEDURE

- 6.1 WPCC has adopted this Local Resolution Procedure in order to promote and maintain high standards of conduct amongst Conservators. It is intended to assist in the swift resolution of issues, so as to avoid the unnecessary escalation of the situation which may damage personal relationships within WPCC and WPCC's reputation. This procedure is also intended to resolve matters on an informal basis, where this is appropriate.
- 6.2 For informal resolution of a problem involving a Conservator identified or reported to the Chairman or Chief Executive Officer (where a formal complaint has not been made) the request will be passed on to the Chairman (in the event they are not the original recipient). Confidential meetings will then be arranged between relevant parties with the Chairman to engage in the process and seek a resolution to the issues raised. Any meetings may take place at WPCC's offices or other locations as is convenient. The process will be confidential and without prejudice to the parties involved to bring a formal complaint if the matter is not resolved but will be documented. In the event that the matter is not resolved the content of the discussions shall not be referred to in any subsequent complaint. There is no power for any matter referred under the informal process to be subject to any sanction under the Code.
- 6.3 Complaints may be dealt with under this procedure as follows. Anyone who wishes to submit an allegation under this procedure should send the complaint to the Chief Executive Officer. Additionally, the Chief Executive Officer may have referred a complaint to this procedure following consultation with an Independent Person. Following receipt of the complaint, or referral, the Chief Executive Officer will act as follows:

Stage 1

The Chief Executive Officer will undertake a brief preliminary investigation to establish the facts and the areas of dispute. Possible resolutions will be canvassed with the complainant and then the Conservator about whom the complaint has been made.

Then the Chief Executive Officer will also consider, following this, whether another course of action or more formal investigation, is more appropriate.

Stage 2

A mediation meeting will be held between the person making the complaint, the Conservator against whom the complaint is made and the Independent Person. Such other persons as may be deemed appropriate including the Chief Executive Officer, the Chairman of the Board, or in the case of a complaint being made by an officer a companion or union representative. The meeting may commence with the parties in separate rooms and the Independent Person acting as a mediator. The purpose of the meeting will be to try and resolve the matter without it going further.

Stage 3

If the matter is not resolved at stage two and the complainant wishes to proceed with it, the matter will be referred to a local resolution hearing before the Hearings Committee (see section 7 below in relation to the constitution of the Hearings Committee). The person making the complaint will be asked to submit a statement in writing within 15 working days and the Conservator complained against will respond within 15 working days. Either party may submit a statement from a witness.

- 6.4 Within 30 working days of the written evidence a hearing will be set before the Hearings Committee. Any party may have at their own expense a companion or representative, provided

that in the case of representation the Chief Executive Officer and other party have been given 21 days' notice to this effect. Evidence will be limited to the contents of the statements. If any party does not attend, the hearing will proceed in their absence. After hearing oral evidence, the Hearings Committee will come to a conclusion on the allegation, which will be notified to the parties.

- 6.5 The possible outcomes to a hearing under the Local Resolution Procedure are:
- A finding that the matter does not warrant any further action to be taken
 - A recommendation to the Chief Executive Officer that there be a change to procedures or that more formal investigation action be taken
 - A finding that the complaint be recorded by the Chief Executive Officer as vexatious
 - A finding that the complaint is upheld, but no further action is required
 - A finding that the complaint is upheld and that the Conservator should be censured
- 6.6 Unless the complaint has been upheld, publicity will not be given to the names of the parties. The hearing before the Hearings Committee will be confidential.

7. HEARINGS PROCEDURE

7.1 If a hearing is required, the Chief Executive Officer will write to the subject Conservator proposing a date for the hearing. This date will normally be within six weeks of the investigation report and will be before the Hearings Committee. The Hearings Committee shall be constituted and shall have a quorum of three Conservators approved by the Board plus an independent person. A Chairman of the Hearings Committee will need to be appointed. Subject to the circumstances there may need to be a Special Meeting of the Conservators convened in accordance with s. 45. CC Act 1847.

7.2 The Chief Executive Officer will outline the hearings procedure, the Conservator's rights and ask for a written response from the Conservator within a set time to establish whether:

- the Conservator wishes to attend the hearing;
- the Conservator disagrees with any of the findings of fact in the investigation report and if so which findings and the reason for disagreement;
- the Conservator wishes to give oral evidence, or rely on written submissions;
- witnesses will be called by the Conservator to give evidence (there is no power on the part of WPCC to compel attendance by a witness).

The parties and the Hearing Committee will be sent a full bundle of documents for the hearing at least 5 working days prior to the hearing.

7.3 Any party may have at their own expense a companion or representative, provided that in the case of representation the Chief Executive Officer and other party have been given 21 days' notice to this effect.

Procedure at hearing

7.4 All hearings and will be held in private and all documentation must be held as confidential. The procedure at the hearing will be in accordance with a procedure to be determined by the Chairman of the Hearings Committee. It will usually adopt the following procedure:

- The Chairman of the Investigating Committee will present his/her report to the Hearing Committee
- The Chairman of the Investigating Committee will be questioned on the report by any party and by the Hearings Committee
- Evidence will be given with questions being asked by any party and by the Hearings Committee. The order will be the complainant first, then the Conservator the subject of the complaint and then any witnesses in such order as the Hearings Committee decides appropriate
- The Hearings Committee will withdraw to consider their decision, with the outcome notified by the Chairman of the Hearings Committee. The decision will be confirmed in a Decision Notice which will be sent to the parties within 5 working days of the hearing.

7.5 If the Hearings Committee concludes that there has been no breach of the Code, there will be no further action. There is no appeal or review of that decision by WPCC or any other person. The Hearings Committee will give reasons for its decision.

7.6 If the Hearings Committee concludes that the Conservator the subject of the complaint has failed to comply with the Code, then WPCC has powers to make such sanction as it considers to be appropriate and proportionate in order to promote and maintain high standards. Only the Charity Commission or an appointing Government Department have the power to remove a trustee.

Sanctions

7.7 These sanctions may include any of the following:

- A request that the Conservator submit a written apology in a form specified by the Hearings Committee;
- A request that the Conservator undertake specified training;
- A request that the Conservator participates in such conciliation as may be specified;
- A requirement that the Conservator deals with WPCC business through one specified point of contact;
- Placing such restrictions on Conservators' access to staff which may be reasonable in the circumstances and, providing that such restrictions do not prevent the Conservator from carrying out their duties;
- A requirement that the Conservator does not attend at WPCC's offices, unless attending Board meetings;
- Reporting the Conservator to his/her Secretary of State as appropriate and reporting the matter to a full meeting of the Board;
- Reporting the matter to a full meeting of the Board with a recommendation that the Conservator has any privileges/position to which they are entitled removed or that they be removed from any appointment made by WPCC to any external body;
- Reporting the matter to a full meeting of the Board with a recommendation that the Conservator be removed from any committee to which they are currently appointed, with a review period;
- Reporting the matter to a full meeting of the Board with a recommendation that the Conservator be suspended from the Board and any committee to which they are currently appointed, with a review period.
- No sanction.

7.8 The Hearings Committee does not have the authority to remove a Conservator from office. That authority rests with the Charity Commission or the appointing Government Department. Depending on the circumstances the Hearings Committee may determine that the matter needs to be considered by the full Board, potentially with a view to involving the Charity Commission or appropriate Government Department. The Hearings Committee may report the matter to the police if it is believed it might fall under their jurisdiction.

Publication of findings

7.9 A summary of the complaint and findings will be reported to a full meeting of the Board, for their information.

STATEMENT OF ACCEPTANCE

I have read and understood the Code of Conduct for Conservators and Complaints Procedure for Conservators agreed by the Board at its meeting on 11 February 2019.

The Board **RESOLVED** to approve the updated Code of Conduct for Conservators that sets out the conduct expected of someone in public service and incorporates procedures for managing conflicts of interest, dignity and complaints, enabling WPCC to deal with any breaches of conduct and behaviour by a Conservator

I agree to abide by the Code.

Signed:

Name (please print):

Date:

APPENDIX 1

Conservators' Code of Conduct Complaint Form

To be used if you wish to make a complaint that a Conservator or co-opted member of the Board, has failed to comply with the Conservators' Code of Conduct.

If English is not your first language, please contact us if you require help to complete this form.

Your details

1. Please provide us with your name and contact details

Title:	
First Name:	
Last Name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

We will only use the information you provide to us for the purposes of processing your complaint. Your information, including any personal information you provide to us (such as name and contact details) may be shared with the people referred to below, or with other relevant authorities as required, only for the purposes of processing your complaint.

All comments and complaints are treated confidentially and will not disadvantage you in any future dealings with WPCC. It may not always be possible to keep your details confidential, such as where your complaint is about a third party, involves potentially criminal activity or where particular legislation applies to your complaint.

We will tell the following people about this complaint:

- The Conservator(s) you are complaining about
- The Chief Executive Officer to WPCC
- WPCC's Independent Person(s)
- The Chairman of the Board of WPCC

If you have serious concerns about your name and details of your complaint being released, please complete **section 6** of this form.

2. Please tell us which complainant type best describes you:

<input type="checkbox"/>	Member of the public
<input type="checkbox"/>	A Conservator or co-opted member of WPCC
<input type="checkbox"/>	Member of Parliament
<input type="checkbox"/>	Local authority Councillor
<input type="checkbox"/>	WPCC employee or volunteer
<input type="checkbox"/>	Other (please provide details)

Making your complaint

- 3.** Once you have submitted your complaint, it will be considered by the Chief Executive Officer of WPCC and after reasonable consultation with the WPCC's Independent Person, will assess, on the basis of your written submission and any additional relevant material, whether the alleged conduct might amount to a failure to comply with the Conservators' Code of Conduct.

The Chief Executive Officer has the following range of options available to him/her: Formal Investigation (which will involve an investigation of the complaint), referral to the WPCC's Local Resolution Procedure or no further action, for instance if it is considered that any failure to comply with the Code of Conduct is of a trivial nature.

- 4.** Please provide us with the name of the Conservator(s) you believe have breached the Conservators' Code of Conduct.

Title	First Name	Last Name

5. Please explain in this section (or on separate sheets) what the Conservator has done that you believe breached the Conservators' Code of Conduct. If you are complaining about more than one Conservator you should clearly explain what each individual person has done that you believe breached the Code of Conduct.

A copy of WPCCC's Conservators' Code of Conduct can be found on the website

Alternatively, a paper copy can be obtained from the Chief Executive Officer to WPCCC by writing to:

Chief Executive Officer, Wimbledon and Putney Commons Conservators, Ranger's Office, Manor Cottage, Windmill Road, Wimbledon SW19 5NR

- You should be specific, wherever possible; about exactly what you are alleging the Conservator said or did. For instance, instead of writing that the Conservator insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.
- You should tick the box to confirm that the facts set out are true

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

Do you wish your complaint to be dealt with under the WPCC's Local Resolution Procedure?

Yes/No

If you answered No, please briefly explain your reason:

I confirm by ticking this box and sending this form that the facts I have set out in my complaint are true

Date:

Only complete this next section if you are requesting that your identity is kept confidential.

6. In the interests of fairness and natural justice, we believe Conservators who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or details of your complaint unless you have good reason to justify WPCC doing so.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The Chief Executive Officer to WPCC, in consultation with WPCC's Independent Person, will consider the request alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious and it relates to potential criminal activity, we can proceed with an investigation or other action and disclose your name to the police even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

Additional Help

7. Complaints must be submitted in writing. This includes electronic submissions. However, in line with the requirements of equalities legislation, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.

If you need support in completing this form, please let us know as soon as possible.

This complaint should be submitted to the Chief Executive Officer of WPCCC, by sending to the following contact addresses:

By post to : Chief Executive Officer, Wimbledon and Putney Commons Conservators, Ranger's Office, Manor Cottage, Windmill Road, Wimbledon SW19 5NR

Or by e-mail to: complaints@wpcc.org.uk

APPENDIX 1a

Private and Confidential

Code of Conduct Complaint Monitoring Form

WPCC is committed to the provision of equal opportunity and specifically to conducting its affairs in a manner which will not discriminate against, either directly or indirectly, any person on the grounds of: disability; gender; transgender; race; ethnic or national origin; religion or belief; age or sexual orientation.

To help us meet this commitment, it would be helpful if you would complete this form. This monitoring form will be separated from your complaint on receipt and will be used solely for the purposes of monitoring the process.

Section 1 (please tick the boxes which apply)		
My age is:	Under 21	<input type="checkbox"/>
	21-30	<input type="checkbox"/>
	31-40	<input type="checkbox"/>
	41-50	<input type="checkbox"/>
	51-60	<input type="checkbox"/>
	61-64	<input type="checkbox"/>
	65 or over	<input type="checkbox"/>
My gender is:	Female	<input type="checkbox"/>
	Male	<input type="checkbox"/>

Section 2 (please tick one box only)			
I would describe myself as:	White:	British	<input type="checkbox"/>
		Irish	<input type="checkbox"/>
		Any other	<input type="checkbox"/> please write in
	Mixed:	White and Black	<input type="checkbox"/>
		Caribbean	<input type="checkbox"/>
		White and Black	<input type="checkbox"/>
		African	<input type="checkbox"/>
		White and Asian	<input type="checkbox"/>
		Any other`	<input type="checkbox"/> please write in
	Asian or Asian	Indian	<input type="checkbox"/>
	British:	Pakistani	<input type="checkbox"/>
		Bangladeshi	<input type="checkbox"/>
		Any other	<input type="checkbox"/> please write in
	Black or Black	Caribbean	<input type="checkbox"/>
	British:	African	<input type="checkbox"/>
		Any other	<input type="checkbox"/> please write in
	Chinese or other ethnic group:	Chinese	<input type="checkbox"/>
		Any other	<input type="checkbox"/> please write in

Section 3		
Do you consider yourself to have a disability*?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

*The Equality Act 2010 defines disability as 'a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities'.

Thank you for your co-operation. Please return this form with your complaint

APPENDIX 2

Criteria for consideration of a complaint by Chief Executive Officer

In deciding whether to accept or reject a complaint of breach of the Code, or to refer it to the Local Resolution Procedure, the Chief Executive Officer has a wide discretion. He or she will take into account the following criteria, where relevant.

- Public interest factors including the seriousness of the alleged breach, whether there has been any breach of trust, the extent of any harm caused and whether there has been any discrimination.
- Proportionality by balancing the seriousness of the allegation against the resources required to investigate the allegation
- Whether there are any aggravating factors or significant mitigating factors
- Whether a prompt acknowledgment and apology has been offered
- Whether the complaint is one of a pattern by or against a Conservator
- Whether the complaint appears to be malicious, frivolous or vexatious
- Whether the complaint suggests that there is a wider problem as affects WPCC
- Whether training or conciliation would be the appropriate response
- Whether either the complainant or subject Conservator has indicated a preference for Local Dispute Resolution
- Whether it is potentially criminal and WPCC should inform the police if it is believed it might fall under their jurisdiction

APPENDIX 3

Criteria for an Independent Person

The appointment by WPCC of at least one, possibly two Independent Persons is recognised as best practice. The role of an Independent Person is to help promote and maintain high standards of conduct, verify that due process has been followed and ensure that the processes have been unbiased. The Independent Person role is purely advisory, they have no authority to make decisions on behalf of WPCC that responsibility rests with the collective Board of Conservators. They may however report independently to the Board on the process and its outcome.

Prospective applicants should have experience of public sector organisations, good analytical and communication skills, be contactable during working hours and be available to attend hearings or meetings at relatively short notice with the Chief Executive Officer, which may be held during the daytime or evening.

However, a person cannot be appointed to this role if:

- a) they are politically active;
- b) now, or within the past five years, they have been a Conservator, co-opted member or Officer of WPCC;
- c) they are a relative or close friend of a person within (b);
- e) they are involved with WPCC as a major supplier, partner or contractor.
- f) they are a levy payer

Skills and Competencies

The Independent Person will have:

- a keen interest in standards in public life.
- a wish to serve the local community and uphold local democracy.
- the ability to be objective, independent and impartial.
- sound decision making skills in relation to what can be complex issues
- leadership qualities, particularly in respect of exercising sound judgement.
- a demonstrable interest in local issues.
- an awareness of the importance of ethical behaviours.
- sufficient experience, seniority and authority to influence decision makers.

The Independent Person will:

- be a person in whose impartiality and integrity the public can have confidence.
- understand and comply with confidentiality requirements.
- be a good communicator.

Desirable but not essential additional criteria are:

- working knowledge/experience of local government or other public service and/or of complex organisations and awareness of and sensitivity to the political process.
- knowledge and understanding of judicial/quasi-judicial or complaints processes.
- local knowledge is not essential but will be viewed positively.

Role Description

Responsible to: Wimbledon and Putney Commons Conservators

Liaison with: Conservators, Chief Executive Officer and other officers of Wimbledon and Putney Commons Conservators.

1. To assist WPCC in promoting high standards of conduct by Conservators and co-opted members of Wimbledon and Putney Commons Conservators and in particular to uphold the WPCC Code of Conduct adopted by the Board and the Principles and Standards of public office.
2. To be consulted by the Chief Executive Officer and/or Conservators before a decision is made on an investigated allegation and to be available to attend meetings for this purpose if necessary.
3. To be available for consultation by the Chief Executive Officer and/or Conservators before a decision is taken as to whether to investigate a complaint or to seek local resolution of the same.
4. To be available for consultation by any Conservator and co-opted member, who is the subject of a complaint under the Code of Conduct.
5. To develop a sound understanding of the ethical framework as it operates within Wimbledon and Putney Commons Conservators.
6. To participate in training events to develop skills, knowledge and experience and in networks developed for Independent Persons operating outside Wimbledon and Putney Commons Conservators
7. To facilitate mediation where this is required as part of the Local Resolution Procedure.

Quarterly Report of the WPCCC Friends Committee September 2021

The quarterly meeting of the Friends took place by Zoom on September 9th 2021 and planning meetings also took place on July 8th and July 23rd.

The planning meetings had been convened to organise the proposed 150 years of sport and recreation on the Commons scheduled for August 15th 2021 to mark the 150 years of the signing of the WPCCC Act 1871.

In the event the Conservators took the decision to postpone the Games Day at the same time as cancelling the annual Open Day. These decisions were taken because of concerns with COVID, both for the staff and for the general public.

All of the organisers, participants, sponsors and others were informed and were generally supportive of the decision.

At the quarterly meeting it was agreed to hold a series of smaller events throughout the 150th year of WPCCC to continue the Friends remit of celebrating the Commons together with fundraising for the Commons.

A photographic and other media competition was launched on the eve of the 150th anniversary to encourage people to record and submit their favourite images of the Commons throughout the year. Each month a prize will be awarded and at the end of the year we hope to have a comprehensive picture of the Commons and its activities during 2021/22 culminating in an exhibition and a publication. Local businesses have kindly sponsored prizes for the first months and we are continuing to look for more prizes and a major sponsor to help with the exhibition and publication.

We now have our first corporate Friend, a local business, whose generous donation will ensure our 150 year celebratory events can go ahead and we hope to attract more corporate Friends to sponsor our afternoon tea at AELTC on February 26th 2022 and our House of Commons reception on July 21st 2022.

In order to reach out to new potential Friends it was agreed to hold three targeted sessions of Conservators and Friends meeting the public.

The first was held on September 25th alongside the Friends Family Event day, in order to meet families. The second is on October 2nd to coincide with the dog walkers and the third on October 10th to meet those who walk after visiting the Wimbledon Village Sunday market.

At the moment, due to staff shortages, we do not have an updated list of members and we hope that this will be remedied as soon as possible in order to improve our communications with current and new members.

It is important that we have the views of Friends and Conservators as to which projects they would wish to fundraise for as the Friends can only be used as an adjunct to, not a replacement for, the general upkeep of the Commons. Current suggestions include

new and improved signage, and a 150-year memorial water fountain with additional bottle feeder and water facility for dogs.

We thank all Friends, staff and Conservators for their continued support during these unpredictable times.

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DRAFT Minutes of the Conservators' ANNUAL OPEN MEETING held via Zoom webinar on Wednesday 30 June 2021

Conservators:	Diane Neil Mills, Elected (Chairman) Sue Bucknall, Elected David Hince, Elected Peter Hirsch, Elected Michael Johnston, Elected Mike Rappolt, Appointed MoD Dr Ros Taylor, Appointed DEFRA Nigel Ware, Appointed Home Office
Officers:	Stephen Bound, Chief Operations Manager
Auditor:	Simon Webber, Kreston Reeves LLP 52 Levy-payers and other members of the general public viewed the meeting.

1. Welcome

Chairman

On behalf of the Conservators, the Chairman welcomed everyone to the 2021 Annual Open Meeting. She said that it had been an honour to be elected as a Conservator in 2018 and re-elected this year. It was a privilege to serve as Chairman.

The Chairman thanked everyone for joining the meeting via electronic means. Despite the self-evident advantages offered by the technology, it was fair to say that the novelty was wearing thin and everyone looked forward to the return of a less sophisticated format.

There was one initial procedural matter to cover. At their Board meeting on 19 April 2021, the Conservators resolved to hold this evening's Annual Open meeting by means of electronic communications. The resolution was published following that meeting but in the interests of good governance it would be helpful to read it out:

In light of the restrictions in place to control the COVID-19 pandemic, the uncertainty in the easing timetable of these restrictions, health concerns in general regarding attendance at large indoor meetings and the lead times necessary to plan and advertise meetings, the Board RESOLVED that for the purposes of demonstrating good governance, to convene the WPC Annual Open Meeting on 30 June 2021:

- a. using digital technology, in accordance with the Charity Commission's guidance of 7 April 2020, as updated, to help the running of charities during COVID-19; and*
- b. putting in place arrangements that foster participation and engagement as best possible, given the restrictions arising from COVID-19.*

It was in accordance with that resolution that this evening's meeting had been convened.

The Chairman extended a special welcome to Auditor, Mr Simon Webber, of Kreston Reeves. In accordance with the constitution, the Director of Corporate Services at Merton Council approved the appointment of Kreston Reeves on 5 February 2018. This was the fourth year that Kreston Reeves had carried out the audit and the Chairman thanked Mr Webber for joining the meeting this evening.

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Finally, the Chairman welcomed past Conservators, whose terms of office may have ended but whose bonds with the Commons endured and gave thanks for their continued support. With the very generous assistance of Michael Norman Smith, of the Wimbledon Society, WPCC had recently be in touch with the descendants of Sir Henry Peek, who had been involved in the founding of the Commons and had served as one of the first Conservators. It is the case that not only do they bonds endure but they transcend generations.

The Chairman then introduced the Conservators and the Chief Executive.

All questions would be taken at the end of the meeting.

2. Apologies

Chairman

There were no apologies.

3. Minutes of the Previous Meeting on 30 July 2020

Chairman

The Minutes of the meeting had been approved by the Board of Conservators and had been available on the Wimbledon and Putney Commons website. The Chairman asked for any comments on the minutes to be raised in the Q&A section at the end of the meeting and these would be recorded in the minutes of this meeting.

4. Chairman's Report

Chairman

The following is the text of the Chairman's report to the meeting:

The 16 August marks 150 years since the Act that created Wimbledon and Putney Commons received Royal Assent. Given the events of the past year, the occasion of this important anniversary provides us with a particularly opportune moment to record our appreciation to the individuals who recognised that open space was as important to the well-being of the population as were homes and transportation.

We are all beneficiaries of their efforts and we should be reflecting not only on the great physical legacy that they created, but on their determination and courage to challenge the seemingly impossible. Through their efforts, Earl Spencer's proposal to enclose the Commons was defeated and his interest in the land conveyed not to local government or a board of works, but to an independent body of eight Conservators, funded by a local levy and protected by statute. In doing so, a bond with the local community was created that transcends any political or ideological boundary.

And it is this independence that has in turn been so fundamental in preserving the character and culture that make this resource so unique. To this day, Wimbledon and Putney Commons are almost alone in this country in still being patrolled by mounted keepers and tended by those who live on the land, to whom we are acutely thankful for their efforts in caring for this open space that has been a source of solace and sanctuary for so many particularly during the pandemic.

The pandemic has not only highlighted the importance of the Commons but also their fragility. Although there has for some time been a recognition of the need to invest in the buildings, most of which serve operational and public amenity purposes, both the pandemic and the increasingly frequent extremes in weather have brought to the fore the need to invest in the land as well. These developments have influenced our thinking on the Masterplan and as the nation lurches its way towards normality, we intend to undertake public consultation on the draft plan as soon as it is feasible to do so. Delivery of much of the long-term vision will however only be possible with external funding and we are hoping to bolster our fundraising

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efforts for that purpose. I should also mention that constitutional reform, both to strengthen operational budgets and provide legal certainty for new investments, is needed to support delivery of the Masterplan.

In reviewing the events of the past year, the term ‘unprecedented’ seems both overworked and yet wholly inadequate. Our revenue has suffered due to the restrictions limiting formal use of the Commons whilst our cost base has increased due to the surge in visitor numbers. The operational focus has shifted squarely to coping with the cascade of visitors and it is a huge tribute to the staff that the Commons have continued to function throughout.

Despite these operational challenges, on a strategic level, we have made important progress in governance matters over the course of the past year. Bringing the Charity Commission’s Statutory Inquiry to a close was our highest priority and we therefore welcomed the publication of the final report almost exactly a year ago. With its closure, we have been able to move forward and focus on the delivery of our charitable objectives.

In support of the inquiry’s focus on governance, we recognised the opportunity to strengthen certain processes and have therefore put in place measures to deliver additional clarity and rigour in a number of areas. Of particular relevance, we recognised the need to clarify the election procedures and therefore developed and published Election Guidelines in advance of the March 2021 triennial elections. The seamless execution of the elections demonstrated their value and I would like to thank Home Office appointed Conservator Nigel Ware for executing the role of Returning Officer so effectively.

The work of the Audit and Risk Committee, chaired with tenacity by MOD appointed Conservator Mike Rappolt, has provided further scrutiny of our governance and the insights provided by the committee have strengthened the organisation. I would also like to thank Mrs Sarah Wilton, a chartered accountant, for her continuing support of this committee and for the dedication and diligence that she brings to the role.

Despite the improvements in governance that have already been implemented, we are committed to continuous improvement as part of our day to day operations. The Finance and Investment Committee continues to play an important role in this area and has led a number of service reviews over the past year including those of remuneration and insurance.

The Commission’s report also identified the scope to amend certain provisions of the 1871 Act. We initiated a review of the constitution in 2018 and since then have identified the areas requiring amendment and the various procedures through which any such changes could be effected. Unfortunately, the work has been delayed by both the pandemic and a decision by the Charity Commission to review the scope of their powers to effect constitutional reform in general. Despite the delay, the need to address these issues, some of which have challenged the organisation for a very long time, remains a priority. We are very grateful for the continuing support of two local barristers, Mr George Laurence QC and Mrs Francesca Quint, who serve as external members of the Constitution Working Group. Both are experts in their respective fields of open spaces and charity law and generously provide invaluable assistance in this important undertaking. We owe them an enormous debt of gratitude.

Given its importance, it is worth reiterating that constitutional reform is not about introducing a more permissive regime or diluting the fundamental purposes of the charity. There is a clear mandate through our founding legislation, charitable objectives and the special designations of our sites for our duty to protect and preserve the Commons and make them available for the purposes of exercise and recreation. We are not looking to alter these.

Community engagement is one of our two strategic objectives and is very much at the heart of the Friends of Wimbledon and Putney Commons, launched in 2019 for the dual purposes

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of collective celebration and fundraising. Although the pandemic has curtailed the planned programme of events, subscriptions to the Friends have grown unabated and helped fund the much-needed upgrade of the Beverley Brook Path. The Friends Committee, under the capable leadership of newly elected Conservator Sue Bucknall, will lead the 150th anniversary celebrations and she will be speaking later this evening about this.

As mentioned earlier, our triennial elections, normally an important part of the engagement process, were operationally flawless yet devoid of almost any physical interaction due to the pandemic. I would like to thank all of those who bravely put themselves forward as candidates, particularly in such an unfamiliar setting, and to all of those who supported the democratic process.

The elections also marked the end of term for two elected Conservators and I would like to thank Mrs Shirley Gillbe, who contributed across a wide range of areas over her six years in office, and Mrs Sarah-Jane Holden, who was instrumental in establishing the Friends' Group over her three-year term. Dr Ros Taylor, the DEFRA appointed Conservator, also retired in December 2020 having served as a Conservator and Chairman of the Wildlife and Conservation Forum since 2013. Their formal duties may have ended but their willingness to contribute is undiminished and we are enormously thankful for their continued involvement. I would also like to thank my fellow Conservators, David Hince and Peter Hirsch, both of whom were successfully re-elected, for their role in enabling the achievements of the past year to be delivered. We also welcome Sue Bucknall and Michael Johnston as recently elected Conservators as well as Oliver Bennett MBE, as the new DEFRA appointed Conservator. They all bring valuable expertise and fresh perspectives to the Board and I feel most fortunate to have them involved.

At the end of 2020, we announced with deep regret the decision of Simon Lee to retire as Chief Executive. Simon provided outstanding leadership for the Commons over the course of his six-year tenure and the culture and ethos that characterises this unique organisation owes much to Simon's willingness to lead from the front and discharge his duties with integrity and quiet determination.

Simon's natural communication skills and wonderfully disarming demeanour allowed him to engage easily with both the local and wider communities. There is no question that under his leadership, the realm of influence enjoyed by the Commons expanded well beyond its traditional boundaries. His absence has been keenly felt by all those who had the privilege to work with him. We are enormously indebted to Simon and wish him well in the future.

To lead the organisation through the next period of the Commons' history, we were delighted to appoint Stephen Bound as Chief Executive, effective 1 June of this year. Stephen joined WPCC in January 2016 as Chief Operations Manager, and since then has been responsible for the day to day operations of the Commons, a role that has been particularly critical over the past 15 months. On behalf of the Conservators, I would like to reiterate our appreciation to Stephen for the commitment that he has made since he joined us and over the past few months in particular.

The Chief Executive leads a small team who maintain the land and keep law and order and in doing so selflessly put the interests of the Commons ahead of their own. Never has this been more true than during those early uncertain days of the pandemic. The role of the Commons has perhaps never been so intensely tested nor widely appreciated yet there has never been any doubt in the staff's sense of commitment both to the public and to one another, driven by nothing more than a self-effacing pride in delivering an essential service. They are often the first if not the only point of contact for members of the public and are a great tribute to us all. On behalf of the Conservators, present and past, volunteers, and members of the community, we owe them a debt of gratitude and thank each and every one.

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I would like to express my sincere appreciation to all of those who have given freely of themselves to support the Commons through volunteering, membership of a committee, picking up rubbish or in another capacity. Some are well known to us whilst others remain anonymous but all are motivated by nothing more than a love of nature and a sense of community and I am grateful to all of them for their support and guidance. We are also enormously indebted to those who have supported us financially either in aid of a specific project or more generally, including membership of the Friends. The generosity of all our donors and the public goodwill that it represents is humbling and we value every single contribution.

In closing, I hope that we will take this opportunity of the 150th anniversary to celebrate this cherished open space that we are so fortunate to have at the heart of our community. At the same time, we celebrate the legacy that Henry Peek and others bestowed upon us, of vision, foresight and sense of purpose to ensure this precious resource remains with us and future generations forever.

Thank you.

5. Presentation on the Financial Statements

Nigel Ware

The following is the text of the report to the meeting made by the Chairman of the Finance and Investment Committee:

Good evening.

I expect that some of you will have downloaded copies of the 2021 annual report from the website. The financial statements themselves will be found starting on page 35 of the annual report and cover the year ended 31 March 2021, which was, of course, the first year of the pandemic.

An important thing to remember about charity accounts is that there are two types of funds – unrestricted funds and restricted funds.

Restricted funds are those funds that have been given to the charity for a specific purpose and may only be used for that purpose. In our case the main restricted funds which resulted in income or expenditure during the year were the Horseride Appeal, the National Lottery Heritage Fund project and the Beverley Brook path project.

All other funds received were unrestricted funds which can be used generally for the purposes of the charity. Within unrestricted funds it is possible for the Board at its discretion to designate funds for a particular purpose and the WPC does this for Election Expenses. The triennial Election was held in March 2021 so the balance on the Election Expenses fund was fully utilised in the financial year.

The Statement of Financial Activities is on page 35 of the annual report and shows the income and expenditure of the charity for the year.

The results are broken down into the two types of funds. If we look first at the restricted funds you will see that we started off the year with a balance of £62k, we received £111k of income in the year and spent £126k leaving a balance of £71k to be carried forward. The largest items of restricted income and expenditure related to the National Lottery Heritage Fund Project and the Beverley Brook path project.

Moving on to the unrestricted funds. Our income this year was £1,761k which was £13k lower than last year. The main components of this reduction was a decrease of £38k in income from sports facilities and a reduction of £26k in the income from filming and fairs. These declines

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in income were caused by the lockdown but were partially offset by an increase of £30k in our levy income.

As I have explained in previous years, a consideration of our expenditure is complicated by the inclusion of a number of non-cash figures relating to the Local Government Pension Scheme, which I shall refer to as the LGPS. By non-cash I mean that these are items which under the relevant accounting standard are required to be charged as an expense in the Statement of Financial Activities but do not result in us having to make a physical payment to the pension scheme in respect of them. The contributions we actually pay to the LGPS are based on the detailed triennial actuarial valuations of the pension scheme which are determined on a different basis to that adopted for accounting purposes. At the last triennial valuation at March 2019 our share of the LGPS was in surplus.

These additional non-cash costs amounted to £299k in the year ended 31 March 2021. On page 19 of the annual report, you will see that we have summarised the statement of financial activities in order to distinguish these non-cash LGPS costs. Ignoring these additional costs our expenditure on unrestricted funds was £2,030k which was an increase of 11.9% in comparison with the previous year.

The main increases in expenditure were:

- An increase of £71k spent on a cleaning, skips and rubbish removal as a result of the enormous increase in litter that arose during lockdown;
- The costs of the triennial election which were £58k;
- An increase of £91k in administration staff salaries, the largest component of which related to the retirement of a senior member of staff;
- An increase of £109k in legal fees, the main components being the cost of defending two appeals made by a levy-payer against a finding of the Information Commissioner in favour of the charity and the legal costs associated with an employment matter.

The overall result for the year was an operating loss of £269k before the non-cash items relating to the LGPS. Of this loss £135k was directly due to the impact of the pandemic and the associated lockdowns.

Taking the non-cash LGPS items into account we ended up with net expenditure of £568k for the year from which we deduct the gain of £280k on our investment portfolio and then add an actuarial loss on the LGPS of £25k which leaves us with a net decrease of £339k in unrestricted funds for the year.

The balance sheet on page 36 shows that the charity's net assets before the LGPS liability were £3,074k at the year-end which was only £5k less than at the end of the previous year.

We then have the pension scheme liability of £2,857k which reduces the net assets to £217k. The pension liability has gone up this year by £324k with one of the main reasons for this being a fall in discount rates as a result of the pandemic.

The cash flow statement on page 37 shows that our cash balances decreased by £151k during the year which left us with bank balances at the year-end of £181k. In addition to our bank balances we have an investment portfolio which has this year produced a stellar return after the slump last year at the start of the pandemic. At the year end the value of our investments was £1,630k.

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Looking ahead to the current financial year our results are again likely to be adversely effected by the pandemic but hopefully much less so than in the last financial year as long as we do not find ourselves going back into another restricted movement environment. We had to delay some expenditure last year and much of this will now take place in the current financial year. Therefore, it is likely that we will suffer an operating loss before LGPS adjustments for this year.

6. Chief Executive's Presentation

Stephen Bound

The following is the text of the Chief Executive's report to the meeting:

When I started thinking about what I was going to say tonight, inevitably I looked back at what I had prepared for last year's open meeting. Unfortunately, much of what I said last year has held true for the year just gone. Life has been dominated, for all of us, by COVID-19 and the challenges created by the pandemic.

However, as the months have gone by, thankfully, with a greater understanding of coronavirus and of the reduced risk in outdoor spaces, we have been able to return to some semblance of normality on the Commons. Cast your minds back to April and May 2020, which seems like a very long time ago now - and you might recall the restrictions that we had felt it necessary to introduce – closing the car parks and the public toilets, taping off benches and asking people to keep their dogs on leads. Despite further lockdowns over the course of the year, we were able, on the commons at least, to relax the restrictions. Whilst the number of people using the Commons remained high, day to day visitors were able to get back to using the open space in the way that they had before the pandemic – and for many I'm sure the Commons were an oasis of normality in an otherwise strange world.

Unfortunately, nearly all the events that WPCC had planned on the Commons had to be cancelled. This included our Annual Open Day and the very popular Easter Egg Hunt and Pumpkin Hunt which always attract large numbers of young families to the Commons.

Most third-party events on the Commons through 2020/21 were also cancelled. For the second year in a row, there was no Rosslyn Park Schools Rugby Sevens Tournament, the funfairs were absent from both Wimbledon Common and Putney Lower Common, the commercial half marathons, 10k and 5 k races and the Wimbledon Common parkrun, a weekly feature in normal times, were postponed. Half marathons and 10k runs, albeit on a smaller scale than usual, have restarted over the last couple of months; parkrun is due to restart on 24 July, providing that we don't stray off the route of the roadmap again. Of the events which would normally be in the calendar for the Commons, only Bookfest was able to go ahead – albeit at a much-reduced scale. As you are probably aware, most of these events pay a fee to WPCC for use of the land, and this provides very valuable income which is used entirely for the better management of the Commons. Therefore, the lack of events over the year had a financial impact.

While income was reduced, costs in some areas went up. Those of you who are regulars to the Commons will have no doubt seen the huge quantities of litter and waste we have had to deal with over the past 12 months. As a result, we have had to

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bring in extra bins – at considerable cost - in order to cope. Whilst it's relatively easy to bring in more bins, it's harder to remove them once visitors have got used to the extra capacity. Therefore, this is an extra cost we may be stuck with for some time. Some of you may have noticed that we have put up signs asking people to take litter home or considering making a donation towards this extra cost and it would be remiss of me not to say, if you would like to help out with these costs, donations can be made via our website and will be very gratefully received!

The additional footfall has had a physical impact on the Commons too. In the high footfall locations – such as around the Windmill Car Park, vegetation was completely destroyed in some areas. Previously green patches of land became bare earth. This wasn't helped by a wet winter and a cool April and May – which meant spring regrowth was very slow. In order to allow the vegetation to recover we've roped off some areas of the Commons and the warm, showery weather we have experienced lately will hopefully help to speed the process of recovery.

We have also seen impacts on more remote areas of the commons. For instance, on Putney Heath, there are places where paths through the heathland have become three or four times wider than they were pre-COVID – with the loss of valuable habitat as a result. We are monitoring their recovery and again, we may need to install some form of barrier, probably in the form of dead hedging, to restrict access temporarily.

Whilst a good deal of our work over the last year has been reactive, we have found time to complete some significant projects. Perhaps most notable of these was the surfacing of the Beverley Brook path. Some of you may recall that back in 2018 we undertook a major habitat restoration project on the Brook, working in partnership with the South East Rivers Trust. This is already leading to a significant improvement on the ecology of the Brook. However, access to the Brook for walkers and for cyclists, particularly in the winter months, remained poor. So, in September 2020 we completed a project to surface the path, between the Richardson Evans Memorial Playing Fields Pavilion and the Brook Cottage Bridge. The work cost a total of £80,000 - which was funded via a £60,000 grant from South Western Railways Customer and Community Improvement Fund, with the remaining £20,000 coming from the Friends of Wimbledon and Putney Commons.

The Maintenance Team has also been able to make progress on a number of important conservation projects. The most significant of these involved the restoration of Stag Bog which is one of three historic bogs that can be found on Wimbledon Common. The bog has been transformed from an area that had gradually been taken over by a dense cover of bramble and small trees to, by the end of March 2021, an open, sunlit area containing a series of small pools.

It's pleasing to say that the conservation work we do doesn't go unnoticed or unappreciated and once again this year we entered London in Bloom and I'm pleased to say that, both Wimbledon Common and Putney Lower Common were awarded Gold in the Common of the Year category.

Finally, I just want to say a few words of thanks. Firstly, as a team we have had so much support and goodwill from the local community over the past year – whether it's volunteer litter pickers helping to clean up the Commons or just positive feedback from

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people who have found access to the Commons even more important during the pandemic. Secondly, I want to say a huge thank you to the staff team, who have worked so hard in difficult circumstances and who have shown exemplary commitment to the Commons. Last year I ended by wishing for a less challenging year. Obviously that wish didn't come true – but I think we have genuine reason to hope that the coming year will see a return, if not to complete normality, at least something approaching normality on the Commons.

7. Annual Conservation Report

Oliver Bennett

The following is the text of the report to the meeting made by the Chairman of the Wildlife and Conservation Forum:

Good evening.

I was appointed in January 2021 and I chair the Wildlife and Conservation Forum which provides monitoring of the site and helps provide advice to the Conservators about nature and conservation.

Perhaps it would be helpful to remind everyone about the Commons and why they are so important. They are a nationally and internationally important site as a result of the rare heath, grassland and bog habitats it supports as well as being vitally important for rare stag beetles too.

The habitats are exceptionally rare and I believe that is generally under-appreciated – over the past 150 years around 80% of heathland, over 90% of natural grassland and 94% of bog habitats in England have been lost so the remaining habitats that can be found on the Commons are exceptionally important at a national level. The Common has the largest remaining area of heath in London – and also one of only 6 bogs remaining, and one of the largest.

That means the plants and animals that live there are also threatened and that's why we have a legal duty to protect and enhance the habitats where possible. We have some fantastic species on the Commons – for example, on the Nature Walk that the Chairman referred to we found species such as Bee Orchids, Adders Tongue Fern, Emperor Dragonflies and carnivorous plants. It is an amazing site with a lot to protect.

Much of the management of the site therefore, including over the past year, has been about protecting these valuable habitats – that means making sure that we do things like conduct tree and scrub clearance and mowing the grassland habitats at the right time. Examples of that work have included the removal of invasive Turkey Oak, the creation of heathland fire breaks which is important given the predictions for climate change, the control of bracken and so on.

Managing these habitats is pretty challenging as essentially we are having to mimic what large grazing animals would have done naturally in pre-historic times and subsequently what farm grazing animal would have done as part of the agricultural management of the site. The Commons haven't been grazed since the Second World War so it is now up to us to maintain the open habitats. If we didn't intervene in the site the whole area would soon return to dense woodland – and because large herbivores do not roam the Commons anymore, that woodland would be very dense and species poor. This can be seen on some of the paths leading away from the Windmill that have closed canopies, no ground flora and very few birds.

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We are indebted to the volunteers that we work with us to keep on top of this habitat management, as without their help the rare plants and animals would soon die out. Full information about the conservation work we do can be found in the fantastic Annual Conservation Reports on our website, which are written by Peter Haldane our Conservation and Engagement Officer.

However, whilst a huge amount of conservation work takes place and the site is very valuable, it has faced some damage over the decades with areas of heath and grassland being lost and some of the rare plants and animals becoming extinct. It may be possible for us to reverse some of these historic declines. For example, we could test the reintroduction of grazing ponies to the site, attempt different forms of mowing regime or restore former heaths that existed on the Common.

Some of this work has already begun as Steve mentioned. Stag Bog, which was lost over the past 30 or 40 years due to shading by trees, has been reinstated along with the restoration work along the Beverley Brook. And we may also be able to reinstate or improve some of the other rare habitats if our resources permit.

To chart the way forward with this work, WPCC and the Wildlife and Conservation Forum have been involved in the development of the masterplan and are also working on a land management plan which will develop a more strategic approach to how we manage the Commons.

Through this work we can make the Commons the best they can be for wildlife and protect and enhance these rare habitats for another 150 years and beyond.

If you are interested in this work or the environment of the Commons more generally, we have a very active Facebook group – Wimbledon and Putney Commons Nature Notes. Where visitors to the Commons post recent sightings and so do staff and volunteers. We'd also love for you to get involved in volunteering on the site – opportunities are also on the website.

We also run frequent nature events – last weekend we had a series of events such as small mammal surveying, bat monitoring, plant hunting, and a talk on bee keeping. Do keep an eye out on our website for future events.

8. Update on the Friends of Wimbledon and Putney Commons Sue Bucknall

The following is the text of the report to the meeting made by the Chairman of the Friends of Wimbledon and Putney Commons:

Good evening.

The Friends of Wimbledon and Putney Commons bring together all those who are connected by a passion for the Commons for the purposes of collective celebration and fundraising and I would like to focus on both those aspects this evening.

Over 500 people have already signed up to the Friends and if you have already joined you know that you play a crucial role in preserving, protecting and maintaining this special place and helping everything we want to do. If you decide to join, you will also be invited to special events that will provide a unique experience of the Commons amongst all the other people who share that passion and commitment.

The Friends had a very successful launch in September 2019 however, the lockdown in March 2020 restricted significantly the progress of the events that had been planned. There were some successful talks held via Zoom, including one by local resident Alan Blower which

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proved so popular that over 400 people joined the talk and it had to be repeated twice over, as well as an online bridge tournament. All these events helped with fundraising.

Now that we are coming out of lockdown, we intend to make up for lost time and has already been mentioned, it is the Commons 150th Anniversary this year and there are some special events taking place to mark this. One such event will be Afternoon Tea in the Debentures Lounge at the All England Lawn Tennis Club which will include the premier of a film made by the Wimbledon Civic Theatre Trust based on the history of the Commons.

This year, on 28 October 2021, there will be a reception at the House of Commons, sponsored by the Wimbledon MP, Stephen Hammond and it will include a tour of the House of Commons and a reception on the Terrace. The original of the Wimbledon and Putney Commons Act 1871 will be on display. In conjunction with that, there will be an online auction which will run for the whole of October. If anyone has any valuables you would like to donate, do please contact the Ranger's Office.

The first event of celebrations will be a Games Day on 15 August 2021. The base of the event will be near the Windmill and other events will take place at other locations across the Commons – Putney Lower Common and the Richardson Evans Memorial Playing Fields.

Why a Games Day? For over 150 years games and sports have been played on the Commons and so we want to celebrate the use of the Commons for exercise and recreation. Some of the events taking place on the day include a race organised by the Thames Hare and Hounds, you can have a go at golf putting, there will be a series of family events with activities for children, a sport-related family walk with clues to collect around the walk. There will also be a self-guided wellness walk taking in some quieter areas where you can appreciate the special nature of the Commons. A geocaching walk has also been arranged as the Commons seem to be a national hotspot for the geocaching community. The organisers of Geocache England have kindly agreed to make a special 150th Anniversary geocache which won't be released until the morning of 15 August. Experts will be on hand on the day to explain how geocaching works and how you can become involved. They have also donated some prizes for those taking part, including tickets to the first ever Mega London Geocache which takes place at the end of August. On Sunday 29 October, volunteers from Geocache London will also be taking part in a geocache/litter pick event.

The WPCC family events will all have prizes and we would welcome any donations or sponsorship to help cover the costs of the day.

Alongside these events, there will be a horse-riding display, cycling, stoolball, football along with the AFC Mascot, rugby and a Tug of War at the end of the day. The Richardson Evans Memorial Playing Fields will host a football match between AFC Wimbledon and Old Thorntonians and a cricket match will be held at Putney Lower Common.

I hope you will be able to come along and watch or join in. You will also be able to sign up to the Friends and help me reach my goal that this time next year I will be able to tell you that we have a 1,000 member and have raised funds to help pay for a variety of projects across the Commons including new signage and a special "150 Year" installation

9. General Discussion and Questions

Moderated by David Hince

David Hince thanked the attendees for their questions and said that we would aim to answer as many as we could, with the remainder being addressed via email where possible.

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Q1. The first question was from Selma Rauf who wanted to know what more effective steps were being taken to protect wildlife since she had not seen any difference in uncontrolled dog behavior on the Heath and the Common

A1. The Chief Executive responded that he was a dog owner himself but understood that there was no question that dogs, and in particular uncontrolled dogs, had an adverse effect on the Commons and its wildlife. Years of research had shown that dogs do disturb ground-nesting birds and dog-fouling has an impact on the flora of sensitive areas. It was well documented that many people bought dogs during lockdown and numbers had been further exacerbated by a “dogs on lead only” policy in Richmond Park whilst the deer are in the birthing season. There was a need for stronger enforcement by the Keepers where dogs were out of control and in future, areas, such as The Plain, might need to be roped off to restrict access during the breeding season. It was something we would need to be firmer with.

Q2 - Mr Anthony Lander asked if it would be possible to provide a summary of the progress being made in attempting to change the Common’s constitution. Had the Conservators arrived at a definitive list of amendments desired and what were the principal changes? Were we looking at broadening the ‘levy-paying area’?

A3. The text of the Chairman’s response to the question is set out below:

The constitution working group was established in April 2018 and by December 2019 the group had identified both the key areas requiring constitutional reform and the procedures through which such reforms could potentially be made.

As announced at the time, the Board had agreed to initiate a phased consultation process in order to understand the views of the public regarding potential amendments in the three key areas. Unfortunately, this was suspended due to the pandemic and further delayed by a decision by the CC to review the scope of their powers to effect constitutional reform through a scheme.

Given the easing of restrictions, we will be reconsidering our position on this matter but as I said in my remarks, many of the issues have challenged the Conservators for a very long time and need to be resolved.

The three areas that have been identified include the levy, buildings and land and governance and I will say a few words about each.

1. Levy

A founding principle of the 1871 Act is that the levy is intended to serve as the principal source of funding to maintain the Commons. Under the Act, the area is defined by those who primarily benefit from the Commons; last data (1976) suggested over half (54%) of visitors were from outside the levy area. Those residing in levy area have a duty to pay the levy (at present £31.00 for Band D property) and are also entitled to participate in the democratic process – voting, stand as candidate in elections.

The levy currently generates £1.2 million of £1.8 million expenditure with the balance provided by user fees, investment returns and leases on buildings; maximum aggregate levy is indexed to RPI so there is no growth with new households per se.

The current revenue no longer meets requirements and planned preventative maintenance in particular has suffered. Capital investment has also been inadequate but despite any increase in the levy, external funding will almost always be needed to fund major capital projects.

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The levy may potentially be amended either by a Statutory Instrument (SI) or private bill; a SI has certain advantages in terms of cost/risk/timescales and for those reasons is our preferred route forward. Amendment by SI would be confined to rebasing the quantum; although it is recognised that there are strong intellectual arguments for reviewing the levy boundary and amending the levy mechanism, that would require a private bill with the inherent risks and costs.

In the interim, we will continue to use other fundraising mechanisms (eg, Friends) as a way of engaging those outside the levy area. Any increase will be evidence based and as such, there is no view on quantum at this time; the first step of the consultation process was to understand the public's views on potentially amending the levy.

2. Buildings and Land

The 1871 Act provides a clear purpose and duties governing stewardship of the Commons with repeated references in the preamble and the act itself to preserving, protecting and enhancing the Commons, keeping the Commons open, unenclosed and unbuilt upon for the purposes of recreation and exercise.

But despite this clarity of objectives and duties of the 1871 Act, specific provisions regarding certain powers and prohibitions are in some cases less clear, if not absent, particularly with respect to buildings (eg, demolition and relocation of buildings, building of six lodges).

This lack of clarity has led to uncertainties in the constitutional status in some of the buildings, necessitating endless legal opinions, which are occasionally contradictory and in any event not definitive, paralyzing investment decisions.

The purpose of constitutional reform in this area is therefore to ensure that there is a sound legal basis for future investment in the Commons, allowing the Conservators to carry out proper long-term planning of estate. Preferred route was via a scheme under Section 73 of the Charities Act 2011 though this is subject to the CC's review of the scope of their powers under the Act.

3. Governance

Governance arrangements for the 1871 Act are primarily set out in Commissioners Clauses Act 1847, which is subordinate to the 1871 Act.

The current arrangements present challenges for managing a charity in the 21st century in certain areas (eg, holding meetings electronically, deadline to declare candidacy in elections pre postal voting, borrowing limit not indexed remains at £5,000).

Proposed route is also via the scheme under the Charities Act.

Q3. Edmund Brandt commented that over the last year there had been a lot of tree cutting and asked what was the conservation plan in place. Additionally, there had been a lot of visible damage to the footpaths. What was the plan to remedy this?

The Chief Executive responded that tree cutting took place mainly in two situations. Firstly, the Commons are a Site of Special Scientific Interest (SSSI) covering largely a heathland and grassland habitat. Over the years these areas had been colonised by trees and, working in partnership with Natural England, our regulator in respect of the SSSI, we were trying to clear some of the trees in order to restore what are rare habitats across the UK. Secondly, clearing trees along woodland paths or rides – the wider these rides are then the better they will be for

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wildlife as sunlight is allowed in, ground vegetation establishes which will attract insects which in turn attract birds and so on, resulting in a much richer woodland. We do understand that with climate change we are being encouraged to plant more trees and here we are clearing them but it is for very clear biodiversity and ecological reasons that we are carrying out this work.

We are in the process of developing a five-year Land Management Plan that will set out all of the habitat works and the rationale behind them. There will be consultation on that plan so that the local community and users of the Commons can comment on the plans.

In terms of the paths, the additional footfall over the last 15 months has had a significant impact and the wet weather over the winter has caused further problems. We are in the process of finalizing the Business Plan for the next three years and within that is a project focused around identifying priority paths and making sure that, where necessary, work is done to make sure that there is a good path network around the Commons.

Q4. Joanne Glynne commented that she had asked a question last year and had received a positive response but then nothing had happened. It was about the meadow on Putney Heath and she had been promised that some of it would not be mown so that butterflies had a chance to survive. But it was fully mown last year still and there was also the mention of more flower seeds being added. She was not sure if this had been done but there appeared to be some new varieties.

A4. Oliver Bennet responded that he agreed that excessive mowing was limited, particularly where there was not a clear amenity reason to mow. Many local authorities had participated in “no mow May” in order to alleviate pressure on grassland that they managed. He had been identifying areas around the Commons where a policy of less cutting could be implemented which would allow wild flowers to be grown and make the areas more valuable for biodiversity. He added that on Putney Heath there had already been some work done to improve the biodiversity of the grasses and there was a wildflower meadow there, along with some unmown areas. These areas still required some management, not only because they would succeed to woodland eventually, but the cut grass and wild flowers would need to be baled up and removed to ensure that any nutrients from the cut grass were removed to keep the nutrient level in the soil low which then allowed the rarer plant species to grow. The Land Management Plan would drive this initiative forward.

Q5. Jane Lockhart commented that this week she had discovered that the weed killer RoundUp that contains glyphosate was being used in certain places on Wimbledon Common. She asked for urgent consideration and action to ban its use on the Common in support of the health of future generations, wildlife, bees, water and all life.

A5. The Chief Executive commented that the Commons did use RoundUp/glyphosate in some very limited circumstances. Firstly, in the control of Japanese Knotweed, a very invasive and pernicious plant which if left uncontrolled would quickly take over any area in which it was growing. However, it was not sprayed but a method of stem injection was used so that it was contained. At present, there was not a suitable alternative. The other area where RoundUp/glyphosate was used was around buildings in order to control weeds but there were other methods that we could look into for that particular use.

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Q6. Mr Nicholas Evans asked whether the positions of Chief Executive and Chief Operations Manager been combined? Did this explain the rise in the amount paid to the member of staff receiving the highest remuneration from £80,000 - £90,000 in 2020 to £110,000 - £120,000 in 2021?

A6. The Chairman stated that the financial statements applied to the period 1 April 2020 to 31 March 2021. During that period, we had a Chief Executive in post who retired at the end of 2020 and a Chief Operations Manager, who was appointed Acting Chief Executive from 1 January 2021 and served in that role until he was appointed Chief Executive from 1 June 2021. No decision had yet been made on the new staffing structure.

Q7. Mr Anthony Lander asked if an update could be provided on where WPCC is with regard to the refurbishment/replacement of the sports pavilion at REMPFF. Do WPCC have a timeframe in mind in respect of implementing any agreed strategy?

A7. The Chief Executive responded that the Pavilion was built in the 1920s and remains pretty much unchanged since that time. It has suffered from a lack of investment and was not a modern sports facility. It was a priority for the Board as it brought in a significant income so as a matter of priority the refurbishment or replacement of the building was being considered. An architect had looked at the building and drawn up some plans and replacement of the building was a much cheaper option than refurbishment. As the Chairman had alluded to, there were queries about WPCC's power to demolish and rebuild so that needed to be resolved before the project was taken much further. The rebuilding costs had been estimated at over £6million, so in terms of resolving the constitutional issues and the capital that we would have to raise, meant that, although the project is a priority, it wouldn't happen in the near future.

Q8. Jonathan Calloway commented that whilst it was clear that littering had become a huge problem across the Common he wanted to ask how littering and other bye-laws were being enforced on Putney Lower Common. The littering problem was sadly not new but had become worse and worse during the long months of lockdown. Also, unlicensed events where people erect gazebos, bring food and drink, loud music and gather in non-socially distanced groups, was also on the increase. The litter around the Spencer benches seemed to be out of control and volunteers were struggling to cope. The answers seemed to include more signs, more patrols and more enforcement if this much-loved open space was going to continue to be enjoyed by all.

A8. David Hince responded that sadly there was no easy solution to the problems raised.

Clearly byelaw enforcement was a problem across the whole of the Commons over many different issues, some of which had already been touched upon earlier in the meeting. Our Head Ranger at Putney Lower Common averages 5 days a week onsite, although there will be periods where a Ranger is not present. Many people ask for permission to put up a small gazebo, though clearly there were some unapproved gatherings and there was nothing we could really do to stop these, unless the Ranger's Office was notified on a timely basis. Potentially more signs could be placed on the Common, although personally he very much doubted whether that would have any impact on the behavior of group gatherings. He suggested that if members of the public see anti-social group behavior, (especially in the evenings) they should contact the police directly as they were the ones with the meaningful enforcement powers.

The Spencer was contractually bound to clear up around the benches before opening each day and there was perhaps some logic in encouraging them to do so earlier in the morning than they do at present.

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As to litter, more bins had been placed on the Common, which were regularly emptied. Elsewhere on the Commons there have been huge increases in volunteer litter pickers and they have had a massive impact. David Hince thanked those volunteers at Putney Lower Common that already litter pick, and encouraged more to take ownership of the problem and hit the Common with litter pickers in hand. He was sure that the Head Ranger would be delighted to provide bags and sticks. He hoped that as the country emerged from lock down, many of these PLC issues would start to dissipate.

Q9. John Mays asked whether it was correct that Countryfile would be filming on the Commons.

A9. The Chief Executive commented that Countryfile were originally due to come and film on the Commons back in January 2021 but this was postponed due to the COVID-19 lockdown. Given how wet and muddy the Common was then, it was certainly of benefit that they eventually came and filmed on a sunny June day. The downside to this was that the production team had more freedom to travel so instead of an entire show about the Commons, they would simply be the focus but with other issues covered as well. The show would air at 6.15pm on Sunday 4 July.

Q10. There were two questions relating to Putney Lower Common Tennis Club and issues around access to the courts from Philip Read and Mani. Mr Read had previously sent questions on this matter to the Chief Executive.

A10. The Chief Executive commented that some of the eight questions that Mr Read had asked needed him to carry out some research and he would respond by e-mail on those issues. However, on the wider issue of booking the courts, we had received four enquiries recently in respect of that matter and had written to the licensee asking him to clarify the process for booking so we could pass this information on.

[Questions answered following the meeting do not form part of the minutes of the meeting but can be found below]

Signing of the Financial Statements

There being no questions on the financial statements, all Conservators acknowledged their approval of the financial statements and, as required under Section 91 of the Commissioner's Clauses Act 1847, the Chairman and the Auditor signed the financial statements for 2020/2021. The Chairman also signed the Letter of Representation.

That concluded the formal part of the meeting but there was one final matter which was to thank Angela Evans-Hill, Executive Assistant to the Chief Executive and Communications Officer, for arranging and managing the meeting.

The Chairman thanked everyone for attending and closed the meeting at 9.25pm.

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Questions not answered at the meeting:

1. Mr Nicholas Evans

Please provide a detailed breakdown of the legal and professional fees incurred in 2021.

The financial statements provide the disclosures required by law and we do not give detailed breakdowns of individual figures in the financial statements.

2. How much was paid to Simon Lee in either pension contributions or other remuneration on his departure?

Staff matters are confidential and we don't comment on them; we have made the required disclosures in the financial statements.

DRAFT

Committee(s):	Date(s):	Item no.
Wimbledon and Putney Commons Conservators	11 October 2021	10.21.10
Subject: Meeting Dates 2022		Non-Public
Report of: Chief Executive of Wimbledon and Putney Commons		For Decision
Summary		
Resolution		
The Board considers and approves the draft Calendar of meetings and events for 2022.		

1. Calendar of Meetings/Events 2022

Attached is first draft of the meetings and events calendar for 2022 which has been prepared for the Board's consideration and approval.

