



CONSERVATORS' MEETING
to be held on
Monday 14 February 2022 at 4.30pm
in the Wimbledon Common Golf Club, Camp Road
SW19 4UW

AGENDA

PART A(1) PUBLIC

- 2.22.1 Confirmation of Attendance and Apologies for Absence - 4.30pm**
- 2.22.2 Declarations of Personal or Prejudicial Interests in Respect of Items to be Considered in this Part of the Meeting**
- 2.22.3 WPCCC Board Meetings - 4.35pm**
- i. Resolutions of the Part A(1) Board Meeting of 13 December 2021 Page 1
 - ii. Minutes of the Part A(1) Board Meeting of 13 December 2021 Page 2
- 2.22.4 Matters Arising**
There are no matters arising
- 2.22.5 WPCCC Forum/Group Meetings - 4.40pm**
- i. Draft Minutes of the Wildlife & Conservation meeting held on 11 January 2022 Page 9
 - ii. Approval of the General Open Meeting Minutes of 29 November 2021 Page 15
- 2.22.6 Committee Terms of Reference - 4.45pm** Page 28
- i. Stakeholder Forum Page 29
 - ii. Constitution Committee Page 31 (mark up) and 36 (clean)
- 2.22.7 *This item is now included in Chief Executive's Report***
- 2.22.8 Conservation Update - 4.50pm** Page 40
- 2.22.9 Land Management Plan** Verbal Report
- 2.22.10 Chief Executive's Report – non-confidential items 5.00pm** Page 47
- 2.22.11 Update on the Friends of Wimbledon and Putney Commons - 5.10pm** Verbal Report
- 2.22.12 Meeting and events calendar - updated 5.15pm** Page 50
- 2.22.13 Public questions on matters considered in Part A(1) of this meeting - 5.20pm**

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 WPCCC 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;

2.22.14 WPCCC Board Meetings

- i. Resolutions of the Board Meeting of 13 December 2021
- ii. Minutes of the Board Meeting of 13 December 2021

2.22.15 Matters Arising

2.22.16 Chief Executive's report – Confidential Items

2.22.17 Fundraising – first thoughts and next steps

2.22.18 Management Accounts:

- i. November 2021
- ii. December 2021

2.22.19 Budget 2022/23

2.22.20 Financial Regulations and Delegations – updated

2.22.21 Forward Plan

2.22.22 Constitutional Matters

2.22.23 Masterplan consultation

2.22.24 Leases

2.22.25 Top 10 Risks

2.22.26 Skills Audit results

2.22.27 Draft minutes/notes

To receive

- i. Draft notes of the Stakeholder Forum held on 8 December 2021
- ii. Draft minutes of the Constitution Committee held on 16 December 2021
- iii. Draft Minutes of the Finance and Investment Committee held on 18 January 2022 and 26 January 2022
- iv. Draft minutes of the Friends Committee held on 27 January 2022

2.22.28 Items for inclusion in a Media Release by the Board



Wimbledon and Putney Commons

Resolutions agreed at the Board Meeting held on Monday 13 December 2021

Part A1 (Public)

12.21.9 WPCCC Special Levy 2022/23

Resolution

The Board RESOLVED that in line with the Board resolution of 14 December 2020 under which it was agreed that WPCCC would raise the Levy to its maximum for the five-year period 2022/23 to 2026/27, and in accordance with the Statutory Instruments, the Levy be increased for the financial year 2022/23 by RPI to £1,323,328.

12.21.11 Meetings/Event Dates

Resolution

The Board approved the amended Calendar of Meetings and Events.

**Draft Public Minutes of the Conservators' Meeting held on
Monday 13 December 2021 at 4.30pm at Manor Cottage SW19 5NR
and by Electronic Conference Facilities**

Conservators: Mrs Diane Neil Mills, Chairman (DNM)
Mrs Sue Bucknall (SB)
Mr David Hince (DH)
Mr Peter Hirsch (PDH)
Mr Michael Johnston (MJ)
Mr Mike Rappolt (MR)
Mr Nigel Ware (NW)

Officers: Mr Steve Bound, Chief Executive (CE)
Ms Paula Graystone, Deputy Clerk & Ranger (DCR)

Members of the public: Two members of the public attended

ITEM		ACTIONS
12.21.1	<p>Confirmation of Attendance and Apologies for Absence</p> <p>Apologies were received from</p> <p>Mr Oliver Bennett MBE (OB) Mr Peter Haldane (C&EO) Mrs Angela Evans-Hill, EA to Chief Executive and Communications Officer (PA to CE)</p>	
12.21.2	<p>Declarations of Personal or Prejudicial Interests in Respect of Items to be Considered in this Part of the Meeting</p> <p>None</p>	
	<p>Electronic Participation at the meeting.</p> <p>All Conservators confirmed their attendance.</p> <p>RESOLUTION</p> <p>In recognition of the Charity Commission guidance of 7 April 2020 and the rapidly changing situation with regards to the pandemic and for the purposes of good governance, the Board RESOLVED to convene the meeting in accordance with the provisions of the Commissioners Clauses Act 1847 and Wimbledon and Putney Commons Act 1871 and through electronic conference facilities and to be bound by the Resolutions and Recommendations made, so long as every Conservator participating could hear and be heard by all other Conservators.</p> <p>All Conservators agreed and confirmed they could hear and be heard.</p>	

<p>12.21.3</p>	<p>WPCC Board Meetings</p> <p>i. Resolutions of the Part A(1) Board Meeting of 11 October 2021</p> <p>The Resolutions of the Part A(1) Board meeting held on Monday 11 October 2021 were approved.</p> <p>ii. The Minutes of the Part A(1) Board Meeting of 11 October 2021</p> <p>The Minutes of the Part A(1) Board meeting held on Monday 11 October 2021 were approved.</p>	
<p>12.21.4</p>	<p>Matters Arising</p> <p>Contactless Car Parking Donation Meters - The CE confirmed that the meters had now been ordered. There was an 8-10 week turnaround as they are made to order so it will take some time for them to arrive.</p> <p>Recruitment - A new Fundraising Manager had been appointed, subject to references. Interviews for a Part-time Office Assistant would be taking place later that week. There had been over 70 applications for the post. The new Conservation and Maintenance Operative post was currently being advertised. The closing date was 22 December 2021.</p> <p>The Chairman commented that the response to the Office Assistant position clearly reflected the interest and goodwill of the community to become involved with the Commons.</p>	
<p>12.21.5</p>	<p>WPCC Forum/Group Meetings</p> <p>Wildlife & Conservation Forum – 9 November – The draft notes of the meeting were received.</p>	
<p>12.21.6</p>	<p>Conservation Update</p> <p>The meeting noted the comprehensive Conservation Update prepared by the Conservation & Engagement Officer, Peter Haldane.</p> <p>The CE reported that in addition to the five areas currently “cut and collected” to help improve the biodiversity of the acid grassland, the contractor who carried out this work on the three larger sites had now also been asked to quote for cutting and baling some additional areas. These included the large meadow at Putney Lower Common, the Putney Heath fairground site and an area near West Place.</p> <p>The volunteers had been working on the Tibbets Meadow area and had also opened up the heathland area at the northern end of Green Ride.</p>	

	<p>The programme of heather scrapes started three years ago, and had been visited by the Conservators at their 2021 management walk, had been expanded and three further scrapes had been created along the golf course fairways. These had been sown with seed from other areas of the Common.</p> <p>The Holly clearance work had now started along Robin Hood Ride to help develop a good woodland structure. The CE reported that there had been no complaints about the work.</p> <p>In response to a question from DH, the CE confirmed that a grant had been received for this work and reported that the work was on target to meet the requirements of the grant.</p> <p>The CE confirmed that the cost of the additional cut and collect work would be in the region of £5,000 per annum.</p> <p>The Chairman commented that it was an excellent report and thanked PH for drafting it. It was encouraging to see new volunteers coming forward. The CE reported that the Beverley Brook group was taking off and it was hoped that there would be a volunteer leader for that group going forward.</p> <p>In response to a question from PDH, the CE confirmed that there was little cutting of heather so disposal was not an issue. The Holly was being burned on site, which was not ideal, but was the only option available.</p> <p>MJ asked how the heather scrape project was communicated to the golf clubs as it was potentially in conflict with the work they carried out on the course. The CE commented that the clubs had always been allowed to manage the course as they saw fit but in future, as part of the land management planning process, would be asked to provide a description of exactly what work they intend to do under their management regime so this could be closely monitored.</p>	
<p>12.21.7</p>	<p>Project Proposal – Saving Wimbledon’s Wetlands</p> <p>The Board noted the report prepared by Conservator, Oliver Bennett.</p> <p>In OB’s absence, the CE commented that in terms of the habitats on the Commons, the mires are probably amongst the rarest national habitats. They did not always capture the public’s imagination as they are not necessarily visually eye-catching. The restoration of the four main mire areas: Stag, Farm, Glen Albyn and Ravine was very important and it was right that attention was now being focused on them.</p> <p>The focus of the work was to ensure that the areas retained water and did not dry out. They were very difficult to restore if they dried out and there were signs that this was happening through drainage and tree growth.</p>	

Established trees would be cleared, although there were concerns about which trees were cleared. Drains would be blocked to ensure the peat remained wet so that it didn't release carbon into the atmosphere. From both the ecological and climate change perspective it was a valuable project.

MJ commented that the bogs were a unique habitat and the Commons had the largest proportion of bogs in the London area and they were in quite poor condition at present. It was likely to be a £250,000 project but it was hoped that the work would be undertaken by a consortium as this would help with funding bids. Talks had been held with the London Wildlife Trust, Natural England and the South East Rivers Trust and it was hoped that a proposal and funding could be organised so that the work could begin in 2022.

The Chairman commented that she had attended the site visit with the potential partners and the Conservators were fortunate to have relationships with these bodies who were keen to help.

The Chairman wanted to raise the constitutional position, particularly given the need to remove some mature trees and that there would likely be questions raised. Section 36 of the Act clearly set out the Conservators duty to protect the natural aspect of the Commons as far as possible. The Conservators were also permitted under Section 39 to construct drains to improve the Commons for the purposes of health, unrestricted exercise and recreation and these works were originally undertaken on this basis. She also commented that communication with the public would be essential on this project, particularly in relation to the tree works and the scope of the project to be agreed would need to consider the concerns about mature trees in particular.

The Board noted the recommendations set out in OB's report. The Chairman clarified that the project would be delivered by a partner organisation who would lead on the work with WPCC supporting. She further clarified in response to a question from MR that WPCC were not putting any finance into this project at the moment and would propose adding a further recommendation that made clear the way forward in respect of funding, i.e., finding an organisation to fund the feasibility study. The current proposed timetable was that the funding would be in place by April 2022, the work on the study completed by July 2022, and the consultation and full funding application to be carried out between August and October 2022. The project start date would be November 2022 with completion by May 2024.

The new recommendation was approved.

The CE suggested a minor amendment to recommendation 4 to reflect that it might not be possible to enter into an agreement with a partner and the work may need to be carried out by WPCC. This was agreed.

MJ commented that this was an exciting project and might use some novel conservation techniques. It might mean that the Commons would become a focus of attention and this would need to be borne in mind.

	<p>The Board thanked OB for work he had put into this project.</p> <p>RECOMMENDATIONS</p> <p>The Board agreed to:</p> <ol style="list-style-type: none"> 1. Support the restoration of the Commons' rare wetland habitats and their related species and peatlands. 2. Note that the project will help to meet WPCC's statutory environmental duties. 3. Note that the project will secure additional climate change, biodiversity, volunteering, educational and flood risk management benefits for the local community. 4. Enter into a formal agreement with partner organisations to pursue funding for the project, and to deliver it. If this was not feasible, the Board agreed to explore alternative options. 5. Be kept informed of progress in achieving the project. 6. Explore funding opportunities for a feasibility study; the project would be considered as part of the business plan in April 2022. 	
<p>12.21.8</p>	<p>Chief Executive's Report – Non-confidential Items</p> <p>The Board received and noted the Chief Executive's Report.</p> <p>Safeguarding - The Charity Commission had updated the safeguarding guidance that it provided to charities and this would necessitate another review of WPCC's safeguarding policy and procedures. The Board agreed that this would be undertaken by the CE and reviewed by ARC at their March 2022 meeting and then brought to the April 2022 Board meeting for approval.</p> <p>MR asked if the safeguarding policies for organisations using the Commons would be similarly reviewed. It was agreed that the new guidance should be sent to them and they be asked to confirm that their policies adhered to the new guidelines. It was also agreed that consideration would need to be given to what course of action should be taken if an organisation was in breach of their safeguarding policies. Some legal advice may need to be taken in this area.</p> <p>It was agreed that some thought might need to be given to the appointment of a member of staff as a Safeguarding Officer and that they would need to be given the appropriate training. MR reported that another charity he worked with had had to put their whole Board through online safeguarding training and the Board would also need to consider this.</p> <p>General Open Meeting Minutes – The Board agreed that the draft minutes of the general open meeting would be circulated by e-mail for comment and would be formally approved at the February 2022 Board meeting.</p> <p>RECOMMENDATIONS</p>	<p>Board</p>

	<p>The Board noted the report and agreed:</p> <p>(a) The timescale for reviewing the safeguarding policy and procedures;</p> <p>(b) The procedure for agreeing the notes of the General Open Meeting held on 29 November 2021.</p>	
12.21.9	<p>Approval of the Levy for 2022/23</p> <p>For the benefit of the new Conservators, the Chairman explained that at the Board meeting held in December 2020, the Board had agreed that for the following five years, the Levy would be raised to the maximum permissible in accordance with the Statutory Instrument.</p> <p>The September 2021 RPI figure had now been determined as 4.85%, which would generate total levy income of £1,323,328 for the year ending 31 March 2023. The Council Tax Base for each of the Boroughs would not be known until at least mid-January and therefore it was not possible to calculate the Levy per household until these figures were available.</p> <p>RESOLUTION</p> <p>The Board RESOLVED that in line with the Board resolution of 14 December 2020 under which it was agreed that WPCC would raise the Levy to its maximum for the five-year period 2022/23 to 2026/27, and in accordance with the Statutory Instruments, the Levy be increased for the financial year 2022/23 by RPI to £1,323,328.</p>	
12.21.10	<p>Update on the Friends of Wimbledon and Putney Commons</p> <p>The Board received and noted the report prepared by SB, the Chairman of the Friends Committee.</p> <p>SB reported that the Committee was hopeful that all the postponed events would take place in 2022.</p>	
12.21.11	<p>Meeting and Events Calendar – Updated</p> <p>The Board noted and approved the updated calendar of meetings and events.</p> <p>The CE reported that the speaker at the Winter Talk had now asked that talk be held via Zoom.</p> <p>RESOLUTION</p> <p>The Board approved the amended Calendar of Meetings and Events.</p>	

<p>12.21.12</p>	<p>Public Questions on Matters Considered in Part A(1) of this Meeting</p> <p>There were no questions from the public attending.</p> <p>The Chairman took the opportunity on behalf of all the Conservators to thank Mr Asif Malik, who would be shortly standing down as the Chairman of the Windmill Museum Trustees, for all the work and effort that he had put into his term of office, particularly in putting together a dedicated group of volunteers. He was respected by all and had been a wonderful ambassador for the organisation, as had his wife, Frances.</p> <p>SB added that she would like to personally thank Mr Malik for all his help and for being so supportive in her role as Chairman of the Friends.</p> <p>Mr Malik thanked everyone for their kind comments. He stated that it had been a privilege to hold the role of Chairman but he had been in the post for six years and felt it was time for a change. He would remain as a Trustee for the time-being to support the new Chairman, Mr Rhys Torrington, who would take up office on 1 January 2022.</p>	
	<p>The meeting closed at 17.20pm.</p>	

Wimbledon and Putney Commons Conservators Wildlife & Conservation Forum January 2022

Notes of a meeting of the Wildlife & Conservation Forum held
at 5.00pm on Tuesday 11 January 2022 using zoom technology

Present:

Conservators: Oliver Bennett (OB) (Chairman)
Michael Johnston (MJ)

Members: Les Evans-Hill (LE-H)
Andrew Harding (AH)
Adrian Podmore (AP)
Simon Riley (SR)
Andrew Harding (AH)

Officers: Peter Haldane (PH) Conservation & Engagement Officer
Angela Evans-Hill (AE-H)

1 Apologies

John Weir

2. Declarations of conflicts of interest

None

3. Approval of the draft minutes of the meeting held on Tuesday 9 November 2021

The notes of the meeting held on Tuesday 9 November 2021 were approved.

4. Matters arising, not included in the main agenda

None

5. Wildlife & conservation management activities at Wimbledon and Putney Commons

Heathland Management:

PH reported that over the past two months, the Commons' ongoing heathland management programme had included scrub bashing and the coppicing of semi mature trees on two areas of heathland, heather cutting and the creation of bare ground sites at three locations around the edge of the Wimbledon Common golf course.

Scrub bashing and the coppicing of invasive trees on the heathland - PH informed members of the Forum that between May and December 2021, scrub bashing activities on the Commons had been largely focused on areas of heathland which are located near to the northern section of Green Ride and on heathland which is located close to Tibbet's Corner. While all low growing scrub had been cut back by various volunteer groups, the chipping of

cut materials and the coppicing of all larger trees was undertaken by the Commons' Maintenance Team. PH reported that work on both areas had been completed by the end of December 2021 and from the beginning of January 2022, volunteers had continued scrub bashing on an area of heathland which is located adjacent to Roehampton Ride.

Heather cutting – PH informed members of the Forum that there were four growth stages of heather which included pioneer (0-5 years), building (5-15 years), mature (15-25 years) and degenerate (25-40 years). As much of the Commons' heather has reached the mature to degenerate stage of growth, PH reported that heather mowing had taken place on two areas of heathland which are located close to Ladies Mile on Putney Heath. This work was carried out using a specialist piece of cutting machinery that had been temporarily loaned to the Commons by the Royal Wimbledon Golf Club.

To help prevent a leaf matt of cut vegetation developing and suppressing seedling growth in the future, all cuttings were removed from the heathland and along with the heather seed that had been collected, all materials were subsequently spread over the areas of bare ground that had recently been created close to the Wimbledon Common golf course.

Bare ground creation – PH reported that the creation of bare ground at three locations around the edge of the Wimbledon Common golf course had been completed during the middle of November 2021. The areas where this work had been carried out were close to Caesar's Well, the upper section of Gravelly Ride and the Birches Fairway. As soon as time allows, the Commons' Maintenance Team will provide temporary fencing around all three sites to help protect these areas from undue trampling and rabbit grazing in the future.

Woodland Management:

PH reported that over the past few months, woodland management on the Commons had included holly thinning, hazel coppicing, ride management and tree planting.

Holly thinning: Starting on 17 November 2021, this year's woodland management programme commenced with the arrival of a small team of foresters who had been tasked with carrying out thinning operations in six hectares of woodland adjacent to the upper section of Robin Hood Ride. This work forms an important part of the Commons' current involvement with a Higher Tier Countryside Stewardship (CS) agreement with the Forestry Commission (FC) and Natural England (NE). PH explained to members of the Forum that in addition to holly thinning, on request from PH, the team of foresters had also created two woodland glades within the same areas of woodland which formed another part of the Commons' woodland management objectives. PH reported that a representative from the FC had visited the Commons on 7 January 2022 and as a result of this visit, positive feedback had been received with regards to the woodland work that was currently being carried out on the Commons.

Hazel coppicing – PH reported that hazel coppicing had been carried out in an area of woodland which is located towards the bottom of Lower Gravelly Ride. This work is carried out on a rotational basis and results in a dense layer of shrub growth at various stages of growth which provides another important habitat for a wide range of wildlife. Hazel coppicing also forms another important part of the Commons' existing Higher Tier woodland CS agreement.

Ride management – PH reported that the Commons' Maintenance Team had recently started work on ride management along Upper Gravelly Ride. This work involved coppicing small to medium sized trees up to ten metres from both side of the ride. PH informed members of the Forum that a greater number of species inhabit the first ten metres of any woodland edge than inhabit the remainder of the woodland. As a result of the high levels of

light that are able to reach the woodland floor, sensitive management of these areas is another important way of helping to improve the biodiversity of a woodland. This work will be completed by the end of February 2022.

Tree Planting – PH reported that towards the end of November 2021, 1250 small trees were planted in five areas of woodland on the Commons. Species included rowan, hawthorn, spindle, crab apple and hazel. While all of the trees were planted in open areas of woodland with very little existing understorey, PH reported that the majority of the whips were hazel and these were planted to help extend and safeguard existing areas of hazel coppice.

Grass snake found on the Commons:

PH informed members of the Forum that during November 2021, a grass snake was found close Holy Trinity Church on Putney Heath. Although grass snakes are native to the British Isles and found widespread around the country, PH reported that it had been many years since a confirmed sighting had been made of a grass snake on the Commons. OB suggested that it may be a good idea to find out whether any volunteers could be found to carry out a reptile survey on the Commons in the future and perhaps this could be included in the Commons' forthcoming Land Management Plan. PH informed the Forum that Part 3 of the Land Management Plan which was entitled, Wildlife Management and Potential Species Re-introductions to the Commons, would include the subject of reptiles.

6 Valley Mires Bog Restoration Project

OB reported that good progress had been made on the valley mires project and a series of site visits had been made to the Commons by WPCC staff and Conservators, members of the South-East Rivers Trust (SERT), London Wildlife Trust (LWT) and Natural England. It had been agreed that a partnership between WPCC, SERT and LWT would work together to carry out the proposed restoration project of the Commons valley mires.

OB informed members of the Forum that a bid would be submitted to the London Authority which, if successful, would provide the necessary funding for a professional feasibility survey to be carried out on how to maximise improvements to the Commons' valley mires. OB reported that if the bid was successful, the report from the feasibility study could be available by March 2023. To alleviate any concerns that may arise with visitors to the Commons, it was agreed that a suitable public campaign would be launched to explain the importance of this project.

A-EH reported that the Commons new Fund Raising Officer, Maggie May, had started work on the Commons on Monday 10 January and it was suggested that she should be included in future meetings of the Wildlife and Conservation Forum.

OB suggested that some of the work that would be involved in the valley mires project could be incorporated into future woodland management agreements with the FC and PH agreed with this proposition if there was scope within the agreement to do so.

PH informed members of the Forum that a representative from the FC had recently visited the Commons' valley mires with him to look at the areas where restoration work had been proposed. Overall, the FC were supportive of the planned valley mires restoration project but had mentioned a small number of conditions during the visit. These were that the Environment Agency should be consulted regarding any water course being blocked, a preference to see mature oak and hornbeam areas left out of the work and a gradual programme of work that would be monitored during the first and third years of operation.

SR asked whether the feasibility study would cover the hydrology of the entire area of the Commons. OB informed him that the study would probably only cover the area which contained the Commons' western woodland but there may be scope to extend the survey to include the plateau which would include the Commons' heathland. OB acknowledged that it would be important to gain a better understanding of the overall hydrology of the Commons as this would impact on the future management of the heathland in particular.

7 Land Management Plan – Update

PH reported that work had continued on the Commons' Land Management Plan. He informed members of the Forum that he had been working through Part 1 of the plan which included background information about the Commons, landscape, biological information and information which fell under the title of 'People, Stakeholders, Access and Recreation.'

PH informed the Forum that he had been pleased that, on request, past and present members of the Wildlife and Conservation Forum had agreed to assist with preparing information for the Land Management Plan. At the current time, the following people had agreed to help with the chapters noted below:

- Climate and flora – Dr Ros Taylor
- Fungi on the Commons – Debbie Chapman
- Birds – Adrian Podmore
- Lepidoptera – Les Evans-Hill
- Dragonflies and damselflies – Simon Riley
- Tree safety – Jack Rowland
- Health and safety on the Commons – Jack Rowland
- Bye-law enforcement – Richard Thompson

OB had suggested that he may carry out some work on Objective number 8 of Part 2 of the Land Management Plan which would involve the future management of the Commons golf course but he would like to know more about what Natural England would expect for the management of these areas. SR commented that the Commons' fairways appeared to be very wide and over-managed and that it might prove beneficial to the Commons' wildlife if a more transitional zone could be provided between the shorter mown grass and the surrounding vegetation. OB suggested that while the fairways may appear over managed, the course was also subject to a high level of rabbit grazing.

PH agreed that he would contact Natural England to gain a clearer understanding of how Natural England would like the Commons' fairways and surrounding areas to be managed in the future.

8 Review of Monitoring 2021 – update from Recorders

AP (Bird recording)

AP informed members of the Forum that it had been a quiet autumn for bird sightings on the Commons. There had been sightings of a Dartford warbler on the area of heathland adjacent to Ladies Mile which indicated the importance of the ongoing management that was carried out on the heathland. According to AP, Dartford warbler specifically required medium height gorse and slightly longer heather, both of which are found in abundance on the Commons remaining areas of heathland.

OB (Annual monitoring report)

OB informed members of the Forum that he would like to publish the annual monitoring report towards the end of March 2022. He therefore requested that all recording information from the previous year be sent to him and A-EH over the next couple of months.

AP agreed that similar to previous years, the annual bird report the he helped to produce would include details concerning butterfly, dragonfly and damselfly reports.

PH agreed that he would contact James Copeland to ask whether any information was available from the badger survey that he had carried out during 2021 and this information would also be included in the annual monitoring report.

9 2022 planning

a Winter Talk 15 February 2022

On request from Edward Mayer, this year's winter talk would take place via a zoom connection. The event would take place at 7pm on 15th February 2022. Edward Mayer has provided the past 18 years to working for swifts, having noticed that many of the swifts in his local population in NW London were vanishing. Edward set up a website providing a wealth of information and guidance, and then recruited helpers to set about establishing groups to assist swifts in both the United Kingdom and in Europe.

b Annual Bioblitz event

OB suggested that as we are planning to make enhancements to various habitats on the Commons, the annual bioblitz event could be used as a method of helping to raise funds. It was agreed by the Forum that any funds that were secured from the event would need to be ring-fenced for a specific habit related project. A-EH agreed to speak to the Commons' new Fund Raising Officer about how she thought that funds could be raised from the bioblitz and other similar events.

10 Open Forum

Future recording:

L-EH suggested that he would like to plan more moth light trapping events during 2022. These events would take place on Putney Heath and potentially Putney Lower Common. He reported that having suggested this on a number of different social media platforms, there had been a very positive response from the Surrey Moth Group and from members of the Commons' Nature Notes page on Facebook.

OB suggested that while Facebook contained a good community, many people were not on this particular social media platform and therefore some thought should be given towards other methods of communicating with a wider audience. A-EH reported that along with the Commons' Chief Executive Officer, she would be working on a communications strategy for the Commons and the question of addressing a wider audience would be addressed as part of this strategy.

Membership of the Commons' Wildlife and Conservation Forum:

SR questioned what the term Associate Member of the Commons' Wildlife and Conservation Forum actually involved as he had a contact who may be interested in joining the group in the future. OB reported that an associate member would be provided with information from each meeting of the Wildlife and Conservation Forum but there was no obligation to respond or engage with anything that had been discussed.

11 Date of the next meeting – Tuesday 15 March 2022

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

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

Officers: Mr Stephen Bound, Chief Operations Manager

Guest Speaker: Jack Rowland, Maintenance Manager, WPC

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

1. Welcome from the Chairman

Ladies and Gentlemen,

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

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

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

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

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

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

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

I would now like to introduce the Conservators:

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

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

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

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

Thank you very much.

2. Chairman's Update

Diane Neil Mills

Ladies and Gentlemen,

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

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

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

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

1. Natural Environment

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

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

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

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

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

2. Built Environment

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

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

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

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

3. Delivery

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

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

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

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

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

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

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

Thank you.

3. Financial Highlights Nigel Ware

Good evening.

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

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

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

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

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

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

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

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

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

4. Operational Review

Stephen Bound

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

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

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

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

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

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

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

5. Conservation Update Oliver Bennett MBE

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

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

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

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

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

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

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

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

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

7. MoD and WPCC Mike Rappolt, MOD Appointed Conservator

The historic link between the MOD and WPCC.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you all for listening to me.

8. Friends Update

Sue Bucknall, Conservator (Friends)

Good evening

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

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

December 11th

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

Saturday, February 26th

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

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

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

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

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

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

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

9. Questions

The Chairman opened the meeting up to questions.

Robin Healey

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

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

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

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

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

Alan Kerr

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

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

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

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

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

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

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

Name not given

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

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

Name not given

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

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

Name not given

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

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

Name not given

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

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

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

Name not given

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

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

Name not given

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

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

Name not given

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

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

Name not given

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

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

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

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

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

Name not given

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

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

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

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

Committee(s):	Date(s):	Item no.
Board of Conservators	14 February 2022	2.22.6
Subject: Terms of Reference		Public
Report of: Chief Executive of Wimbledon and Putney Commons		For Decision and Information
<h1>SUMMARY</h1> <p>Resolution</p> <p>That the Board approves the revised Terms of Reference for:</p> <ul style="list-style-type: none"> (a) the WPCC Stakeholder Group (b) the WPCC Constitution Committee 		

Stakeholder Group

The terms of reference for WPCC's Stakeholder Group have been reviewed by the Chief Executive and were discussed by the Group at their most recent meeting held on 8 December 2021. Only minor changes were proposed. The revised terms of reference are attached as Appendix 1 with amendments marked in red.

Constitution Committee

The terms of reference for WPCC's Constitution Committee have been reviewed, updated and agreed by the Constitution Committee. The revised version is attached as Appendix 2 with amendments marked and a clean copy is also attached for ease of reading.



WIMBLEDON AND PUTNEY COMMONS STAKEHOLDER GROUP

Wimbledon and Putney Commons is a place for people. Understanding the views of our visitors, users and major stakeholders is fundamental. The community engagement structure below will enable us to learn more about the visitors, users and stakeholder views so that we can continually improve our services.

Purpose of the Group

The Wimbledon and Putney Commons Stakeholder Group “the Group” is a body of people with knowledge and interest in the Commons, providing views and advice to the Wimbledon and Putney Commons Board of Conservators. It is established as a Group to help balance the responsibility to achieve our strategic aims within the context of the Wimbledon and Putney Commons Act 1871, charity law and other relevant legislation.

Constitution

The Group is an advisory body, providing views and advice on matters affecting the management of the Commons.

The Group shall consist of appointed representatives of invited organisations, with no more than one named representative per organisation. A second named “alternate” may be nominated by an organisation, to attend in the absence of the first named representative.

The Chairman of the Group shall be the Chief Executive of Wimbledon and Putney Commons.

The remaining members shall be appointed from among persons who are neither Conservators nor employees of Wimbledon and Putney Commons: and of these –

- a) Two shall be appointed after consultation with the Wimbledon Society and the Putney Society.
- b) **No more than** seven shall be appointed after consultation with local Residents’ Associations and such other bodies appearing to Wimbledon and Putney Commons Conservators to represent local interests as it considers appropriate.
- c) **No more than** three shall be appointed after consultation with such other bodies appearing to Wimbledon and Putney Commons Conservators to represent ecological interests of the Commons as it considers appropriate.
- d) **No more than** five shall be appointed after consultation with such other bodies appearing to Wimbledon and Putney Commons Conservators to represent sporting and recreational interests of the Commons as it considers appropriate.
- e) One shall be appointed after consultation with the Commons volunteer corps.
- f) One shall be appointed from the Wimbledon Windmill Trustees.

- g) One shall be appointed after consultation with such other bodies appearing to Wimbledon and Putney Commons Conservators to represent disabled interests of the Commons as it considers appropriate.
- h) One shall be appointed after consultation with such bodies appearing to Wimbledon and Putney Commons Conservators to represent educational interests of the Commons as it considers appropriate.

Conservators and employees will be invited to attend meetings from time to time.

Representatives of each body/organisation shall serve a maximum of three terms of three years, **unless there is no appropriate replacement available, in which case their term of office will continue until an appropriate replacement is found.**

Secretarial support will be provided by the Wimbledon and Putney Commons Conservators and notes of each meetings will be forwarded to the Wimbledon and Putney Commons Board of Conservators.

The Group shall meet not less than twice in each year. Additional meetings of the whole group may be called as necessary.

The Wimbledon and Putney Commons Conservators will keep under review the constitution of the Group as from time to time may be required.

Objectives

To spread knowledge, understanding and information out to the groups represented by its members and as appropriate to the wider community on all aspects of the Commons management.

The Wimbledon and Putney Commons Conservators are ultimately responsible for discharge of all powers and functions relating to their role as the owners of the Commons.

Proceedings of Meetings

No business shall be transacted at any meeting of the Group unless at least seven of its members are present.

Wimbledon and Putney Commons Conservators may apply to the proceedings and place of the Group any standing orders to which the proceedings and place of other Committees are subject.



WPCC CONSTITUTION COMMITTEE (“the Committee”) TERMS OF REFERENCE

1. Overriding Purposesresponsibility

~~On behalf of the Board of Conservators (“the Board”), it is the responsibility of the .The purpose of the Committee is to review, identify, consider and recommend to the Board amendments necessary to WPCC’s constitutional framework that will enhance WPCC’s ability to achieve its fundamental purpose of preserving, protecting and enhancing the Commons for the purposes of exercise and recreation as established by the Wimbledon and Putney Commons Act 1871 and the way in which any such amendments could be effected.~~

~~As such the review will consider the existing powers and rights that govern the activities that WPCC undertakes in meeting its duties and obligations with a view to identifying areas where existing powers and rights are effective, partially effective, ineffective or absent.~~

~~The review will identify areas where amendments to the constitutional framework are required in order to provide clarity, alignment, operational practicality and deliverability to WPCC’s powers and rights and in doing so allow the organisation to consistently achieve high operational and strategic performance standards.~~

~~The relevant documentation that will be considered will include the Wimbledon and Putney Commons Act 1871 (as amended) as well as the Commissions Clauses Act of 1847 (as amended) and byelaws made under the 1871 Act, both of which are subordinate to the 1871 Act.~~

~~WPCC’s obligations as a charity under the Charities Act 2011 are also relevant, particularly in governance matters.~~

~~In addition, policy documents that remain within the jurisdiction and control of WPCC will be considered as part of the review.~~

2. CompositionContext

~~There are three fundamental drivers behind the need to review the legislation:~~

~~1. Governance — The practical challenges of working under legislation dating from 1871 (and standing orders dating from 1847) complicate effective decision making as they are silent on many aspects of technological advances and good governance practice that we take for granted in the 21st century. The Charity Commission has also highlighted the need for WPCC to have a workable set of rules. Government Departments responsible for appointing Conservators have also questioned their own continued relevance in the governance of the charity.~~

~~2. Finance — Under the current funding arrangements, WPCC is unable to establish the sustainable long-term investment programme in its assets that is required.~~

~~3. Operations — Issues directly related to the existing constitutional framework present significant barriers to WPCC’s ability to properly house machinery and staff, provide public amenities and effectively enforce operational policies.~~

~~Legal advice received in recent years has recognised that the constitution of the Charity needs reviewing. This is not about introducing a more permissive regime or diluting the fundamental purposes of the Charity, but about introducing a workable set of rules to enable the organisation to fulfil its core objectives.~~

~~The constitutional review must also recognise the very unique and special character of WPCC as well as the independence that the organisation enjoys. The review process should not be seen as~~

~~an attempt to standardise the organisation in line with other charities or other bodies with similar purposes.~~

~~Work of the Committee~~

~~The Committee is an advisory body and does not have decision making powers; it will make recommendations to the Board. The Committee has no budget or authority to spend WPCG resources unless agreed by the Chief Executive and only then to a maximum of £500.~~

~~The Committee will prepare progress reports to the Board at regular intervals. These reports should include details of:~~

- ~~• areas needing change, risks identified and priorities agreed;~~
- ~~• the reasons these changes are required;~~
- ~~• reviewing the available mechanisms for achieving the amendments to the constitution and recommending preferred option(s);~~
- ~~• considering alternative ways in which WPCG could resolve each of the problems it faces, other than via a scheme granting amended/new powers;~~
- ~~• the consultation strategy so that major stakeholders are aware of and can comment on any proposed changes.~~

~~Membership~~

~~meetings and quorum~~

- ~~• The Committee will consist of not fewer than three Conservators appointed by the Board.~~
- ~~• Individuals may be co-opted to support the Committee and attend meetings but are not considered to be members of the Committee and do not have voting rights. Co-opted individuals will be appointed by the Board.~~
- ~~• The Chief Executive shall normally attend meetings but will not be entitled to vote. Other members of staff may attend meetings as necessary and will not have voting rights.~~
- ~~• The Chairman of the Committee ('the Chairman') will be a Conservator, appointed by the Board on the recommendation of the Committee.~~
- ~~• The Committee will meet as required. The agenda for each meeting shall be prepared by the Chief Executive and approved by the Chairman.~~
- ~~• A quorum shall consist of two members, each of whom is a Conservator.~~
- ~~• The Chairman of the Board may nominate alternative Board delegates if one or two of the members of Committee cannot attend a meeting.~~
- ~~• In the absence of the Chairman, the remaining Conservators present shall elect one of their number to chair the meeting.~~
- ~~• Recommendations to the Board or decisions, where appropriate, will be made on the basis of a majority of the votes of the members present and in the case of an equal division of votes the Chairman shall have a second/casting vote.~~
- ~~• Appointments to the Committee will be for a period of up to three years extendable by no more than two additional three-year periods.~~

~~The membership of the Committee shall comprise the following:~~

- ~~• At least three Conservators;~~
- ~~• Up to three external representatives who have expertise, knowledge and understanding of charity law and/or a detailed knowledge of WPCG constitutional documents and/or are major users of the Commons;~~
- ~~• Additionally, as required from time to time, person(s) with specific relevant expertise/experience may be invited to advise the Committee.~~

~~**The quorum for the meeting will be three at least two of whom should be Conservators.**~~

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The meeting will be attended by the Chief Executive

Meetings

~~It is proposed that the Committee will meet as required basis. The agenda for each meeting shall be prepared by the Chief Executive. Minutes and recommendations of each meeting shall be taken and these shall be presented to the Board.~~

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3. Authority

The Committee is authorised by the Board:

- to progress actions in support of any initiatives pertaining to constitutional matters that have been agreed by the Board;
- to appoint ad-hoc task groups comprising members of the Committee (and others who the Board considers appropriate) to assist it in carrying out the task and to report back to the Committee for referral and decision to the Board.

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The Committee shall seek authority from Board:

- for any expenditure it wishes to incur on behalf of the Committee;
- to obtain formal outside legal or other independent professional advice;
- for any public statements to be made in respect of matters appertaining to the Committee.

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The Committee shall comply with any decisions concerning authorisation and/or payments to external advisors which the Board may make from time to time.

4. Context and main duties

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Context

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There are three fundamental drivers behind the need to review the constitution:

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1. Finance – Under the current funding arrangements, WPCC is unable to undertake the requisite preventative maintenance and investment in its assets that is required.

2. Buildings and Land – Issues directly related to the existing constitutional framework present significant barriers to WPCC’s ability to properly house machinery and staff and provide public amenities.

3. Governance – The practical challenges of working under legislation dating from 1871 (and standing orders dating from 1847) complicate effective decision making as they are silent on many aspects of technological advances and good governance practice that we take for granted in the 21st century. The Charity Commission has also highlighted the need for WPCC to have a workable set of rules. Government Departments responsible for appointing Conservators have also questioned their own continued relevance in the governance of the charity.

Legal advice received in recent years has recognised that the constitution of the charity needs reviewing. This is not about introducing a more permissive regime or diluting the fundamental purposes of the charity, but about introducing a workable set of rules to enable the organisation to fulfil its core objectives.

The constitutional review must also recognise the very unique and special character of WPCC as well as the independence that the organisation enjoys. The review process should not be seen as an attempt to standardise the organisation in line with other charities or other bodies with similar purposes.

Main duties

~~As such the review Committee will review~~ consider the existing powers and prohibitions and rights that govern the activities that WPCC undertakes in meeting its duties and obligations with a view to identifying areas wherein which existing powers and rights are effective, partially effective, ineffective or absent.

The review will identify areas where in which amendments to the constitutional framework are required in order will to provide clarity, alignment, operational practicality and deliverability to WPCC's powers and rights and in doing so allow the organisation to consistently achieve high operational and strategic performance standards.

The Committee will also investigate procedures through which any potential amendments to the constitution that have been identified may be effected.

The relevant documentation that will be considered will includes the Wimbledon and Putney Commons Act 1871 (as amended) as well as the Commissions Clauses Act of 1847 (as amended) and byelaws made under the 1871 Act, both of which are subordinate to the 1871 Act.

WPCC's obligations as a charity under the Charities Act 2011 are also relevant, particularly in governance matters.

In addition, policy documents that remain within the jurisdiction and control of WPCC will be considered as part of the review if considered by the Committee relevant.

5. Reporting

The Committee will prepare progress reports to the Board at regular intervals as necessary. These reports should include details of and recommendations appertaining to:

- areas needing change, risks identified and priorities agreed;
- the reasons these changes are required;
- reviewing the available mechanisms procedures for achieving the amendments to the constitution and recommending preferred option(s);
- considering alternative ways in which WPCC could resolve each of the problems it faces, other than via a scheme granting amended/new powers;
- the consultation strategy so that major stakeholders are aware of and can comment on any proposed changes.

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In addition to specific progress reports, the Committee will provide minutes of all meetings for review at meetings of the Board drawing out:

- i. key issues including risks of which Conservators need to be aware;
- ii. decisions that Conservators are being asked to make, with recommendations from the Committee; and
- iii. any actions taken by the Committee under delegated authority.

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6. Non-negotiable issues

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Wimbledon and Putney Commons Act 1871 ("the Act")

The preamble to the Act sets out the principles that are not negotiable in terms of updating the Act to make it "fit for purpose" in the twentieth century. The cCharity's fundamental purpose is to protect the Commons and make it available for the purposes of exercise and recreation. The Act is supplemented by the Commissioners Clauses Act 1847 which deals with the constitution and regulation of Wimbledon and Putney Commons Conservators:

"And whereas it is expedient that provision be made for the transfer from Earl Spencer of his estate and interest in the commons to a body of Conservators to be constituted so as to represent both

public and local interests.”

All Conservators have duties towards representing both local and public interests of the charity. There is no special obligation on Elected Conservators to represent or give preference to the views of the electors in the course of administering WPCC, although the holding of triennial elections is a democratic non-negotiable process, or for Appointed Conservators to only represent or give preference to the public interest.

“whose duty it shall be to keep the commons for ever open, unenclosed and unbuilt on their natural aspect and state being, as far as may be, preserved”

It is the responsibility of the Conservators to keep the commons open and unenclosed and unbuilt on and to preserve their natural aspect.

“And, to protect the turf, gorse, timber, and underwood thereon, and to preserve the same for, public and local use, for purposes of exercise and recreation, and other purposes.”

WPCC’s underlying charitable principles are – protection of the environment, making the site available for exercise and recreation, and other purposes.

“And where it is expedient that the body of Conservators to be constituted as aforesaid be empowered to raise a competent revenue principally by means of rates (special levy) to be levied upon such property as will primarily benefited the operation of this Act.”

The special levy raises funds to support the Wimbledon and Putney Commons Conservancy Fund.

“There shall be a body of Conservators for carrying this Act into execution, ..., and who are hereby incorporated by the name of the Wimbledon and Putney Conservators, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to take and hold and to dispose of (by grant, demise, or otherwise) land and other property.”

The Conservators are a statutory corporation and charity. They must exercise their powers for proper and exclusively charitable purposes. They must also act reasonably, having regard to relevant matters and disregard matters that are irrelevant.



WPCC CONSTITUTION COMMITTEE

("the Committee")

TERMS OF REFERENCE

1. Overriding responsibility

On behalf of the Board of Conservators ('the Board'), it is the responsibility of the Committee to review, identify, consider and recommend to the Board amendments to WPCC's constitutional framework that will enhance WPCC's ability to achieve its fundamental purpose of preserving, protecting and enhancing the Commons for the purposes of exercise and recreation as established by the Wimbledon and Putney Commons Act 1871, and the way in which any such amendments could be effected.

2. Composition, meetings and quorum

- a. The Committee will consist of not fewer than three Conservators appointed by the Board.
- b. Individuals may be co-opted to support the Committee and attend meetings but are not considered to be members of the Committee and do not have voting rights. Co-opted individuals will be appointed by the Board.
- c. The Chief Executive will normally attend meetings but will not be entitled to vote. Other members of staff may attend meetings as necessary but will not have voting rights.
- d. The Chairman of the Committee ('the Chairman') will be a Conservator, appointed by the Board on the recommendation of the Committee.
- e. The Committee will meet as required. The agenda for each meeting shall be prepared by the Chief Executive and approved by the Chairman.
- f. A quorum shall consist of two members, each of whom is a Conservator.
- g. The Chairman of the Board may nominate alternative Board delegates if one or two of the members of the Committee cannot attend a meeting.
- h. In the absence of the Chairman, the remaining Conservators present shall elect one of their number to chair the meeting.
- i. Recommendations to the Board or decisions, where appropriate, will be made on the basis of a majority of the votes of the members present and in the case of an equal division of votes the Chairman shall have a second or casting vote.
- j. Appointments to the Committee will be for a period of up to three years extendable by no more than two additional three-year periods.

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- for any public statements to be made in respect of matters appertaining to the work of the Committee.

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4. Context and main duties

Context

There are three fundamental drivers behind the need to review the constitution:

1. Finance – Under the current funding arrangements, WPCC is unable to undertake the requisite preventative maintenance and investment in its assets that is required.
2. Buildings and Land – Issues directly related to the existing constitutional framework present significant barriers to WPCC's ability to properly house machinery and staff and provide public amenities.
3. Governance – The practical challenges of working under legislation dating from 1871 (and standing orders dating from 1847) complicate effective decision making as they are silent on many aspects of technological advances and good governance practice that are taken for granted in the 21st century. The Charity Commission has also highlighted the need for WPCC to have a workable set of rules. Government Departments responsible for appointing Conservators have also questioned their own continued relevance in the governance of the charity.

Legal advice received in recent years has recognised that the constitution of the charity needs reviewing. This is not about introducing a more permissive regime or diluting the fundamental purposes of the charity, but about introducing a workable set of rules to enable the organisation to fulfil its core objectives.

The constitutional review must also recognise the unique and special character of WPCC as well as the independence that the organisation enjoys. The review process should not be seen as an attempt to standardise the organisation in line with other charities or other bodies with similar purposes.

Main duties

The Committee will review the existing powers and prohibitions that govern the activities that WPCC undertakes in meeting its duties with a view to identifying areas in which existing powers are effective, partially effective, ineffective or absent.

The review will identify areas in which amendments to the constitutional framework will provide clarity, alignment, operational practicality and deliverability to WPCC's powers and in doing so allow the organisation to consistently achieve high operational and strategic performance standards.

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WPCC's obligations as a charity under the Charities Act 2011 are also relevant, particularly in governance matters.

In addition, policy documents that remain within the jurisdiction and control of WPCC will be considered as part of the review if considered by the Committee relevant.

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- i. key issues, including risks of which Conservators need to be aware;
- ii. decisions that Conservators are being asked to make, with recommendations from the Committee; and
- iii. any actions taken by the Committee under delegated authority.

6. Non-negotiable issues

Wimbledon and Putney Commons Act 1871 (“the Act”)

The preamble to the Act sets out the principles that the Board considers not to be negotiable in terms of updating the Act to make it “fit for purpose” in the twentieth century. The charity’s fundamental purpose is to protect the Commons and make it available for the purposes of exercise and recreation. The Act is supplemented by the Commissioners Clauses Act 1847 which deals with the constitution and regulation of Wimbledon and Putney Commons Conservators:

“And whereas it is expedient that provision be made for the transfer from Earl Spencer of his estate and interest in the commons to a body of Conservators to be constituted so as to represent both public and local interests.”

All Conservators have duties towards representing both local and public interests of the charity. There is no special obligation on Elected Conservators to represent or give preference to the views of the electors in the course of administering WPCC, although the holding of triennial elections is a democratic non-negotiable process, or for Appointed Conservators to only represent or give preference to the public interest.

“whose duty it shall be to keep the commons for ever open, unenclosed and unbuilt on their natural aspect and state being, as far as may be, preserved”

It is the responsibility of the Conservators to keep the commons open and unenclosed and unbuilt on and to preserve their natural aspect.

“And, to protect the turf, gorse, timber, and underwood thereon, and to preserve the same for, public and local use, for purposes of exercise and recreation, and other purposes.”

WPCC’s underlying charitable principles are – protection of the environment, making the site available for exercise and recreation, and other purposes.

“And where it is expedient that the body of Conservators to be constituted as aforesaid be

empowered to raise a competent revenue principally by means of rates (special levy) to be levied upon such property as will primarily benefited the operation of this Act.”

The special levy raises funds to support the Wimbledon and Putney Commons Conservancy Fund.

“There shall be a body of Conservators for carrying this Act into execution, ..., and who are hereby incorporated by the name of the Wimbledon and Putney Conservators, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to take and hold and to dispose of (by grant, demise, or otherwise) land and other property.”

The Conservators are a statutory corporation and a charity registered in England and Wales. They must exercise their powers for proper and exclusively charitable purposes. They must also act reasonably, having regard to relevant matters and disregard matters that are irrelevant.

Committee(s):	Date(s):	Item no.
Board of Conservators	14 February 2022	02.22.8
Subject: Conservation Update	Public	
Report of: Conservation and Engagement Officer	For Decision and Information	
<h1>SUMMARY</h1>		
This report provides an update on the conservation and management work carried out by the staff and volunteers.		

Heathland Management:

Over the past few months, the Commons' ongoing heathland management programme has included scrub bashing and tree clearance on two areas of heathland, heather cutting and the creation of bare ground sites on three locations around the edge of the Wimbledon Common golf course.

Scrub bashing and the removal of invasive trees from the heathland:

Between May and December 2021, scrub bashing activities on the Commons were largely focused around the areas of heathland which are located between the northern section of Green Ride and Centre Path and an area of heathland which is located adjacent to Tibbet's Meadow on Putney Heath.

While low growing scrub was cut back by various volunteer groups, chipping and the coppicing of semi mature birch trees was carried out the Commons Maintenance Team.

Work on both sites was completed by the end of December 2021 and during the beginning of 2022, the Commons' Sunday morning volunteer scrub bashers continued their activities on an area of heathland adjacent to Roehampton Ride on Putney Heath.



Scrub bashing near Roehampton Ride during January 2022

Bare Ground Creation:

During November 2021, a programme of bare ground creation was carried out on three areas of ground which are located close to the edge of the Wimbledon Common golf course.

The areas are located close to Caesar's Well, the upper section of Gravelly Ride and the Birches Fairway.



Birches Fairway bare ground creation site

The reason for this work to be carried out was to provide areas of bare ground that would provide valuable hunting and breeding territories for a wide range of invertebrate and vertebrate species and, over time, to improve the heather cover in these areas.

Work was carried out on all three sites by the Commons Maintenance Team and all three area will be provided with temporary fencing in March 2022. The aim of the fencing is to prevent undue footfall and rabbit grazing from damaging emerging heather growth.

Heather Cutting:

The life-cycle of heather follows four growth stages.

- Pioneer (0-5 years)
- Building (5-15 years)
- Mature (15-25 years)
- Degenerate (25-40 years)

As much of the Commons heathland contains mature to degenerate stands of heather, heather mowing was carried out by the Commons' Maintenance Team during the beginning of November to help regenerate and maintain these sites.

This work was carried out using a specialist piece of kit that had kindly be loaned to the Commons by the Royal Wimbledon Golf Club.

To help prevent a litter mat developing and suppressing seedling development in the future, all cuttings were removed from site and along with the heather seed that had been collected, all materials were used to partly cover the areas of bare ground that had been created close to the Wimbledon Common Golf course.



Heather mowing and seed collection taking place near Ladies Mile

Natural England

On 28 January 2022, two representatives from Natural England visited the Commons to look at the progress that had been made on the Commons heathland and woodland CS agreements.

Their response to the work that had been carried out on the Commons was very positive.

In particular, emphasis was placed on the importance of continuing to manage the 20 hectares of heathland that is currently found on the Commons in accordance with the agreed management plans and the Commons' were also congratulated on the woodland work that had been carried out around the areas of Robin Hood Ride and Upper Gravelly Ride.



Heathland near Green Ride photographed in January 2022

Woodland Management on the Commons:

Over the past few months, woodland work on the Commons has included holly thinning, ride management, hazel coppicing, and the planting of 1250 small trees.

Holly thinning:

Starting on the 17 November 2021, a small team of foresters were involved with thinning holly from 6.5 hectares of woodland that are adjacent to the upper section of Robin Hood Ride.

This work forms an important part of the Commons involvement with a Higher Tier Countryside Stewardship (CS) agreement with the Forestry Commission and Natural England.

In addition to the holly thinning work that has been carried out, two woodland glades have also been created which forms another part of the Commons CS agreement and will add to the diversity of the woodland.

The work that has been carried out by the team of foresters was checked by a representative from the Forestry Commission on 7 January 2022 and the feedback from the visit has been very positive.

Work was completed in this area by the end of January 2022.

Ride Management

With a greater number of species inhabiting the first ten metres of any woodland or ride edge that inhabit the remainder of the woodland, sensitive ride management forms another important part of the Commons current CS agreement with the Forestry Commission and Natural England.

Starting work during the first week of January 2022, the Commons' Maintenance Team will be involved in coppicing trees along the upper sections of Upper Gravelly Ride.

Rides and Glades are an important feature within a woodland setting as they offer a contrasting habitat to the higher canopy. Many insects find refuge and food that is not found elsewhere.

The Sun can penetrate the woodland floor and a diverse range of plants and invertebrates can thrive. Habitat that is rich in plants and insect life will support and provide a food source for many other species.



Upper Gravelly Ride woodland management work 2022

Hazel Coppicing:

Also forming part of the Commons' current woodland CS agreement with the Forestry Commission and Natural England is hazel coppicing.

This work involves cutting the tree to its base during the dormant winter period in order for it produce new shoots during the warmer months of the year.

In a well-managed woodland, coppice provides a dense shrub layer at various stages of growth which help to provide an important habitat for a wide range of wildlife and helps to increase invertebrate mass and diversity.

All cut materials were left on site and used to create a thick dead hedge which provides a useful temporary barrier to prevent people from entering these areas during the important early growing stage of new hazel shoots. Dead hedges also provide additional cover for wildlife.

Tree Planting:

Towards the end of November 2021, 1,250 small trees were planted in five woodland locations around the Commons. All species are native to the British Isles and included rowan, hawthorn, spindle, wild cherry, crab apple and hazel.

While all of the trees were planted in open areas of the woodland with very little existing understorey, the vast majority of the small trees that were planted were hazel and these were planted to help extend and safeguard existing areas of hazel coppice.

Grass Snake found on the Commons:

During late November 2021, a telephone call was received by the Rangers Office that a snake had been seen near to the grounds of Roehampton Church School. Thinking the report may relate to an escaped pet such as a Corn snake, two of the Commons' Keepers visited the area and in a very short time a grass snake was located along the edge of the woodland near to Holy Trinity Church which is located just above the nearby school.

The grass snake is native to the British Isles where it is often found near wetland habitats. Preying upon fish, small mammals and birds, grass snakes are harmless to humans and will generally 'play dead' or release a foul-smelling substance from their anal gland when threatened.

While grass snakes are widely distributed in England and Wales, it has been many years since one was confirmed on the Commons so this particular find was of great interest to those of us working on the Commons. As soon as the snake was confirmed as a grass snake it was soon returned to the location where it was found.

Forthcoming operations:

The conservation priority for the remainder of February 2022 is for the Commons' Maintenance Team to complete as much of the CS woodland ride management work as possible before the onset of bird nesting season at the beginning of March 2022.

Following this, during March 2022, some of the operations that are planned for the Commons include:

Provide temporary fencing for the three areas of bare ground which were created around the edge of the Wimbledon Common golf course during 2021.

Provide temporary fencing around a few areas within selected ponds to help with the recovery of marginal vegetation.

Position posts and notices around the Skylark Protection area on The Plain.

Remove posts and ropes which are currently positioned around the perimeter of the Windmill complex.

Potentially post and rope areas around the edge of The Plain which have become damaged by horses or pedestrians.

Complete dead hedging work along sections of the Beverley Brook.

Continue scrub bashing on Putney Heath. As a result of the start of bird nesting season on 1 March, care will be taken to only cut low growing scrub in open areas of the heathland.

Committee(s):	Date(s):	Item no.
Board of Conservators	14 February 2022	02.22.10
Subject: Chief Executive Report	Public	
Report of: Chief Executive of Wimbledon and Putney Commons	For Decision and Information	
<h1>SUMMARY</h1>		
Recommendation		
That the Board notes (a) the good progress achieved by the Conservation and Engagement Officer and the Maintenance Team and (b) Natural England's ongoing commitment to contribute to the management of heathland and grassland on the Commons.		

Countryside Stewardship Scheme

In 2017 WPCC entered into a five-year Countryside Stewardship (CS) agreement for the management of the heathland and acid grassland habitats on the Commons. Under this agreement WPCC receives in the region of £12,000 per annum. The grant agreement is negotiated with Natural England and payment is via the Rural Payments Agency.

The current CS agreement expires at the end of 2022. The Conservation and Engagement Officer met with Natural England to review works carried out under the agreement to date and to discuss a new agreement to commence in 2023. Following the meeting Natural England emailed the following: 'We are really pleased with the progress that has been made and will be recommending the agreement for an extension'.

CS is being replaced by Environmental Land Management contracts (ELMs). Whilst Natural England will again be responsible for administering the scheme, they currently have limited information regarding how ELMs will operate. Nevertheless, they are keen that we continue with our current programme of heathland and grassland management and are therefore proposing that we 'roll over' our CS agreement into an ELMs agreement. This will ensure that during a period of uncertainty, WPCC continues to receive the grant funding which, whilst it by no means covers the cost of the work, helps to support our conservation goals.

There is a separate CS agreement in place for woodland management which does not expire until the end of 2023.

Financial Summary for Quarter ended December 2021

Wpcc Un-Audited Management Information

	31.12.2021 Year to date £,000	Expected outcome for year to 31.03.22 £,000
UNRESTRICTED		
Income		
Levy	947	1,262
Sports and recreation	183	304
Donations and grants	109	113
Rents and wayleaves	87	140
Other income	19	21
Investment income	36	50
	<u>1,381</u>	<u>1,890</u>
Expenditure		
Employment costs	848	1,169
Overhead expenditure	523	778
Non-recurring costs	29	74
	<u>1,400</u>	<u>2,021</u>
Surplus/(deficit)	(19)	(131)
RESTRICTED		
Income	49	48
Expenditure	35	35
Surplus/deficit)	<u>14</u>	<u>13</u>
SUMMARY		
Unrestricted surplus/(deficit)	(19)	(131)
Gain/(loss) on investments	<u>242</u>	
	223	(131)
Restricted surplus/(deficit)	14	13

Notes:

1. The above figures do not include any year-end non-cash adjustments in respect of the Local Government Pension Scheme.

2. It is always assumed during the year, for the sake of prudence, that there will be gain nor loss on investments for the full year.

150th Anniversary Picture Competition

The competition has been received with great enthusiasm and continues to receive a lot of entries – averaging around 100 a month although January had an incredible 160 entries. A selection of the entries will be on show at the AELTC Afternoon Tea.

SWAN ATTACK - 23 January 2022

There was an incident at Queensmere Pond on 23 January where a female swan was attacked by a dog. This was not one of the resident swans but an incomer from Richmond Park. She was apparently over 20 years old and was known to many as "Mrs Ritchie". She was the breeding pen at Upper Pen Ponds, Richmond Park from 2006 until last year when she lost her mate and territory. The resident Queensmere swans had forced her out on to the bank and would not let her back on to the water to get away from the dog.

Sadly, we were informed by the Swan Sanctuary a week later that the pen had died. Quite often the trauma of such an incident can be more severe than the actual injury. Unfortunately we have no details of the dog or the owner.

Events

Winter Talk – The Charismatic Swift – 15 February 2022 - This year's Winter Talk will take place on 15 February 2022 at 7pm via Zoom Webinar. Around 90 people have signed up at the time of writing. Conservators have been forwarded details if they wish to register, or details are on the WPCC website.

150th Anniversary Afternoon Tea – 26 February 2022 – We are delighted to report that this event has now sold out and the Friends' Committee is busy behind the scenes ensuring all will go smoothly on the day. The AELTC have strict security requirements so all attendees will be e-mailed by 10 February and asked to provide the relevant information they require.

Virtual Walk – The Grand Houses of Rushmere – 22 March 2022 – Local resident Alan Blower has again kindly offered to give a virtual talk via Zoom Webinar, this time on the Grand Houses of Rushmere. He previously gave this talk for the Friends and it was very well received. The date has been changed from 16 to 22 March.

Annual Open Meeting – It has been assumed that the 2022 AOM will be held face to face and so the Roehampton Church has been booked for the meeting.

Committee(s):	Date(s):	Item no.
Wimbledon and Putney Commons Conservators Meeting	14 February 2022	02.22.12
Subject: Meeting/Event Dates	Public	
Report of: Chief Executive of Wimbledon and Putney Commons	For Information	
<h1>SUMMARY</h1> <p>The Board are asked to note the amended Calendar of Meetings and Events</p>		

The 2022 Calendar of Meetings/Events has been updated (See Appendix 1) to:

1. Include the Special and Part B Board meetings
2. Change the date of the Alan Blower "Grand Houses of Rushmere" talk from 16 March to 22 March
3. Update the date for the BioBlitz Weekend from the last weekend in June to the 17-19 June.

MEETINGS and EVENTS 2022

	January	February	March	April	May	June	July	August	September	October	November	December												
Monday																								
Tuesday		1	1	3.00pm ARC							1													
Wednesday		2	2	2.30pm Constitution			1	4.30pm Board Meeting			2													
Thursday		3	3				2	BH			3	1												
Friday		4	4		1		3	BH	1		4	2												
Saturday	1	5	5		2		4		2	6	3	5												
Sunday	2	6	6		3	1	5		3	7	4	6												
Monday	3	BH	7	7	4	2	BH	6	4	8	5	7												
Tuesday	4		8	8	10.00am FIC	5	3	10.00am FIC	7	5	9	6												
Wednesday	5		9	9		6	Spring Walk	4		8	6	10												
Thursday	6		10	10		7		5		9	7	11												
Friday	7		11	11		8		6		10	8	12												
Saturday	8		12	12		9		7		11	9	13												
Sunday	9		13	13		10	Bird Song Walk	8		12	10	14												
Monday	10		14	4.30pm Board Meeting	14	2.30pm Special Board Meeting	11	4.30pm Board Meeting	9		13	4:30pm Part B Board Meeting	11	4.30pm Board Meeting	15		12		10	4.30pm Board Meeting	14		12	4.30pm Board Meeting
Tuesday	11	5.00pm Wildlife & C'vation	15	7.00pm Winter Talk Zoom	15	5.00pm Wildlife & C'vation	12		10	5.00pm Wildlife & C'vation	14	2.30pm Constitution	12	5.00pm Wildlife & C'vation	16		13	5.00pm Wildlife & C'vation	11		15	5.00pm Wildlife & C'vation	13	
Wednesday	12		16		16		13		11		15		13		17		14		12		16		14	8.30am Stakeholder
Thursday	13		17		17		14		12		16		14		18		15		13		17		15	
Friday	14		18		18		15	BH	13		17	BioBlitz	15		19		16		14		18		16	
Saturday	15		19		19		16		14		18	BioBlitz	16		20		17		15		19		17	
Sunday	16		20		20		17		15		19	BioBlitz	17		21		18	Bird Walk	16		20		18	
Monday	17		21	4:30pm Part B Board Meeting	21		18	BH	16		20		18	4:30pm Part B Board Meeting	22		19		17	4:30pm Part B Board Meeting	21		19	4:30pm Part B Board Meeting
Tuesday	18	10.00am FIC	22		22	Talk - Alan Blower	19		17	10.00am Joint ARC/FIC and ARC	21		19		23		20		18	3.00pm ARC	22		20	
Wednesday	19		23		23	8.30am Stakeholder	20		18		22	8.30am Stakeholder	20		24		21	8.30am Stakeholder	19		23		21	
Thursday	20		24		24		21		19		23		21	Reception House of Commons	25		22		20		24		22	
Friday	21		25		25		22		20		24		22		26		23		21		25		23	
Saturday	22		26	Afternoon Tea at AELTC	26		23	Bird Song Course?	21		25		23		27		24		22		26		24	
Sunday	23		27		27		24	Bird Song Course?	22	Games Day	26		24		28		25		23	Bird Walk	27		25	
Monday	24		28		28		25	4:30pm Part B Board Meeting	23		27		25		29	BH	26	2.30pm Constitution	24		28	2.30pm Constitution	26	BH
Tuesday	25				29		26		24		28		26	3.00pm ARC	30		27		25		29		27	BH
Wednesday	26				30		27		25		29	AOM	27	7.00pm Conservators Walk	31		28		26		30	7.00pm GOM	28	
Thursday	27	3.30pm Friends Committee			31		28	3.30pm Friends Committee	26		30		28	3.30pm Friends Committee			29		27	3.30pm Friends Committee			29	
Friday	28						29		27				29				30		28				30	
Saturday	29						30		28				30					29					31	
Sunday	30								29										30					
Monday	31								30										31					
Tuesday									31															