



Questions Submitted by Mr Nicholas Evans to the Chairman of Wimbledon and Putney Commons Conservators in advance of the Annual Open Meeting

Q1. The board has discussed and agreed the actions proposed by your new solicitors. Please publish a summary of these recommendations from Charles Russell Speechlys. What stage are you at in the CC's five-step plan, agreed almost six months ago? It would seem that you have only reached step one by appointing new solicitors. Is this the case?

A1. The Board appointed Charles Russell Speechlys to guide/advise them through the Charity Commission's Formal Action Plan. The Board has made progress in relation to implementing the Action Plan. At the AOM there will be a statement by the Chairman on progress to date.

Q2. Have you paid Montagu Evans the £25,000 owed for the production of the valuation commissioned by the Audit and Risk Committee, of which I was a member? If not, why not?

A2. The fees for Montagu Evans remain in dispute. The Board are awaiting advice from Charles Russell Speechlys on whether the Wimbledon and Putney Commons Conservators are liable for the fees.

Q3. An outline of the Financial Report for 2015/16 has been published. Please provide a break-down of all the legal expenses, and confirm whether the ME valuation is included under "governance" (24% of total expenditure), or elsewhere as a liability.

A3. The legal fees include costs relating to the work undertaken by Bates Wells & Braithwaite (BWB), which amounted to just over £40,000. A further £5,000 enabled Wilson's to engage the Charity Commission in helping Conservators resolve difficulties on the Board. Legal advice was required in relation to the landscaping works associated with Putney Hospital at a further cost of £13,000. The Charity have since their appointment in February 2016 spent approximately £35,000 with Charles Russell Speechlys. Other costs have been incurred for a number of other general legal issues associated with managing the Commons.

Provision for Montagu Evans fees is indeed included under Governance in accordance with the SORP accounting procedures.

Q4. When will the draft accounts be made available?

A4. The draft accounts have been on the website since 8th June 2016 and were also sent to local libraries following their approval by the Board on the 6th June 2016.

Q5. When will you publish the plans for additional trees and screening on Putney Lower Common, apart from the work that complies with the WBC/WPCC landscaping for the new school? When I was a Conservator we agree to additional planting.

A5. Detailed plans were approved by the Conservators following a consultation with local residents. Subsequently these plans were approved by Wandsworth Local Planning Authority. The choice of indigenous plant species was included in these approved plans (see Planning Application 2015/6505) and included the amendments suggested by residents as part of the consultation process last autumn.

Q6. What is the position regarding the use of Common land for a golf club car park on Wimbledon Common?

A6. The Conservators back in 1979 agreed to allow part of the Common to be utilised by the Royal Wimbledon Golf Club as a car park in exchange for the building of the Maintenance Centre on land owned by the Golf Club. The WPC Act 1871 precludes the building of additional structures/properties on the Commons.

Q7. Provide details of how the new lease for the Spencer Arms benches was arrived at, and how much they are paying.

A7. There are currently negotiations progressing between an independent Land Agent appointed by the Board and The Spencer.

Q8. What has been the outcome of the discussions with WBC regarding the payments made by the Putney Town Bowling Club. Why are payments being received by the Borough Council for use of Common land rather than WPCC, and why has this been allowed to happen for over 50 years?

A8. The Conservators are still awaiting information from Wandsworth Council regarding the position of an Agreement entered into between Wandsworth Council and The Putney Town Bowls Club dating back to 1981.

Q9. What is the board's intention regarding governance and the re-establishment of the necessary sub-committees agreed in April 2015, and then "suspended" in November 2015 (despite three elected Conservators voting against this precipitate action). The new governance structure agreed to by all new Conservators (including yourself) when elected as a condition of standing.

A9. The Board agreed to suspend the Committee structure at its November 2015 Board meeting and to meet on a bi-monthly basis, enabling the Board to take collective decisions regarding all matters appertaining to the governance of the Commons. In February 2016 the Board agreed that it would introduce the two substantive Sub-Committees recommended in the Governance Review following the resolution of the Putney Hospital issues.

Q10. What is the current position regarding pension payments to the last Chief Executive and other staff, which were the subject of legal challenge when I was in post. Has this been settled? If not, what are the implications for the individuals concerned and the charity? I believe the possible pension liability could be considerable.

A10. The Board has a duty as an employer to protect the confidentiality, in respect of current and past members of staff, thereby making it inappropriate to comment.

Q11. What is the board's intention regarding an election for the Conservator vacancy which arose as a result of my resignation. It is 6 months since you advised that you had decided to delay, after refusing to provide a copy of your legal advice on this issue. It is a requirement of the 1871 Act to have eight Conservators in post. Also have you taken advice on updating the election by-laws relating to elections? Otherwise you should be following the Act's provisions for filling casual vacancies.

A11. The Board having carefully considered the position regarding the resignation of an elected Conservator seven months after the election sought legal advice and decided that the priority was to focus on resolving the Putney Hospital issues. One factor which the Board took into account was the appropriateness of expending up to a further £50,000 on a By-Election. The Board resolved to keep the matter under review.