

# Wimbledon and Putney Commons Conservators – June 2021

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

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

### 1. Welcome

Chairman

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

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

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

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

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

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

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

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

The Chairman then introduced the Conservators and the Chief Executive.

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

## **2. Apologies** **Chairman**

There were no apologies.

## **3. Minutes of the Previous Meeting on 30 July 2020** **Chairman**

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

## **4. Chairman's Report** **Chairman**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you.

### 5. Presentation on the Financial Statements

Nigel Ware

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

Good evening.

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

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

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

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

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

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

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

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

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

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

The main increases in expenditure were:

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

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

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

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

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

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

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

### 6. Chief Executive's Presentation

Stephen Bound

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

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

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

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

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

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

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

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

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

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

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

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

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



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

### 7. Annual Conservation Report

**Oliver Bennett**

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

Good evening.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Good evening.

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

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

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

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

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

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

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

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

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

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

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

### 9. General Discussion and Questions

Moderated by David Hince

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

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

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

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

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

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

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

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

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

### 1. Levy

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

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

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

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

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

### 2. Buildings and Land

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

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

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

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

### 3. Governance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Signing of the Financial Statements**

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

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

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



## **Wimbledon and Putney Commons Conservators – June 2021**

**Questions not answered at the meeting:**

**1. Mr Nicholas Evans**

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

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

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

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