

Wimbledon and Putney Commons Conservators – June 2012

Minutes of the Conservators' **ANNUAL OPEN MEETING** held at St Paul's Community Centre, Inner Park Road, London SW19 6ED on Wednesday 13 June 2012

Present: Mr Andrew Simon (Chairman)
Sir Ian Andrews
Mr David Devons (Vice-Chairman)
Mrs Jenny Evanson
Mr Derek Frampton
Mr John Horrocks
Professor Robin Touquet

Mr Walter Benzie (Auditor)
Mr Gordon Vincent (Clerk & Ranger, Chief Executive)

61 Levy-payers and other members of the general public

The Chairman began by welcoming everyone to the meeting and thanked them for attending. He explained that the meeting would be recorded to aid in the preparation of the minutes of the meeting.

1. APOLOGIES FOR ABSENCE

None

2. MINUTES OF THE LAST MEETING

The Minutes of the previous Annual Open Meeting held at All Saints Church, Putney Lower Common on 15 June 2011 were approved by the Board and signed by the Chairman.

3. FINANCIAL STATEMENTS

The Clerk & Ranger reported that the total reserves at 31 March 2012 stood at £2,456,279. Total income for the year ended 31 March 2012 was less than in the previous year, which had benefited from receipts of £263,000 arising from the grant of easements to the owners of properties fronting the Common at Southside, Westside and Camp Road, Wimbledon. Receipts from filming and fairs were also somewhat lower than the previous year. This was mainly due to the non-recurrence of the payment of £20,000 from television companies at the time of the Pope's visit to Wimbledon the previous year. The previous year's figures had also benefited from a surplus of £20,000 on the sale of maintenance equipment.

On the other hand the cost of Commons maintenance had been less in 2011-12 than in the previous year, as the number of staff had been reduced by one. However Commons security costs had increased, mainly because three members of staff had joined the pension scheme during the year.

The Conservators approved the Financial Statements. The Chairman then asked for questions on the financial statements.

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Questions on the Financial Statements

Mr Nick Evans, Comondale

Q. How often would the income from the grant of easements be likely to recur?

A. The Clerk & Ranger responded that these receipts were all one-off payments for rights of way across common land to properties at the Wimbledon end of the Common. No further receipts were anticipated in the short term, but there might be similar receipts in the future, at the former Putney Hospital site for example.

Q. What Special Projects did the Conservators have in mind bearing in mind that the balance of the Special Projects Reserve Fund now stood at just under £1 million?

A. The Clerk & Ranger responded that the Special Projects Reserve Fund was designated for capital projects and contingencies. The balance was not considered to be excessive in relation to the Conservators' annual turnover. The Charity Commission recommended that, as a registered charity, they should keep a year's turnover in reserve.

Mr Alan Richardson, Princes Way

Q. How many days were covered by the £20,000 payment at the time of the Pope's visit?

A. The Clerk & Ranger responded that from memory it was about 5 days.

Mr Andrew Ailes, Kingston Vale

Q. Income from sports facilities had fallen from £163,000 the previous year to £156,000. As the income was so low, the playing fields should be returned to a wilderness condition.

A. The Vice-Chairman responded that the Richardson Evans Memorial Playing Fields were very popular and well-used. The land had been bought and donated to the Conservators expressly for use as a sports facility among other uses. Mr Ailes commented that the deed of gift referred to a playing field, not a chemical wilderness, but acknowledged that he had made the same comment last year and every previous year for several years.

John Dennis, West Place

Q. The accounts showed income from the golf clubs of around £14,500. But what costs did the Conservators incur as a result of the presence of the golf clubs on the Common?

A. The Clerk & Ranger responded there were no direct costs, but the donation from the golf clubs was regarded as a contribution to the cost of Commons security, as it related to golfers whilst out on the course. He confirmed that the maintenance costs of the course were met directly by the Clubs themselves.

Mrs Margaret Murray, Westside Common

Q. Why had the income from filming and fairs reduced from the previous year's figure of £59,000?

A. The Chairman responded that the reduction in income had been explained in the Clerk & Ranger's opening remarks.

Mr Nick Evans, Comondale

Q. What checks were in place that the cash deposits and the Mill House Fund were appropriately invested, and what interest was received?

A. The Chairman responded that the Mill House Fund was invested in a series of multi-manager funds which covered a wide range of investment asset classes, and kept the investment risk to acceptable levels. The Conservators retained Charwood Leigh as

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their specialist investment advisers. As far as the cash deposits were concerned, the Conservators aimed to get the best rates possible, but given the financial situation over the last few years, that had been as difficult for the Conservators as for everyone else.

Pauline Brueseke, Southfields

Q. Mrs Brueseke noted that £8,000 had been spent on Windmill repairs and asked what these were.

A. The Clerk & Ranger responded that these were the replacement of rotten woodwork and re-painting.

4. ANNUAL REPORT

The Chairman began by thanking Gordon Vincent, the Clerk & Ranger, and his staff, who carried out all the day-to-day work on the Commons, for everything they did. He acknowledged the great debt owed to them by Levy-payers and Conservators alike. There were many other commons around South London but none of them received anything like the same amount of devoted care.

The Chairman introduced the Conservators' auditor and financial adviser, Mr Walter Benzie of Anova, Chartered Accountants, and then the other Conservators. He explained that the role of the Conservators was to act as trustees and as the governance body for Putney Lower Common, Putney Heath and Wimbledon Common.

The Chairman paid tribute to two former elected Conservators, Mr Norman Plastow, who had not stood at the last election after many years as an elected Conservator, and Mrs Diana de Coverly Veale who had not been re-elected. The contingent of three government-appointed Conservators remained depleted following the death of Dr Stephen Frank, in May 2011. However, the Conservators would be advertising in September this year for applicants to replace Dr Franks, who had been the Defra appointee.

The Chairman reported that events had moved quickly regarding the former Putney Hospital site as expected at last year's annual meeting. The Conservators had held a series of meetings with representatives of Wandsworth Council about the Council's plans for a new school on the site, culminating in an agreement in February 2012 under which terms had been agreed for the grant of a new right of way to the site across a short stretch of Putney Lower Common. That right of way was for a two form entry primary school, and also for a block of 24 flats similar to the one included in the previous failed proposals from the Wandsworth Primary Care Trust. At present, the site remained boarded up.

The agreement with Wandsworth Council had not met with universal approval. But it did bring major benefits for Putney Lower Common: the hospital car park and three separate access roads would revert to the Common when the new school was completed, as would the access roads up each side of the former hospital, and also part of the former nurses' home, a corner of which encroached on the Common.

Wandsworth Council had applied for planning permission but had recently withdrawn the application. It was understood it was likely to be re-submitted in about a week's time. The area of greatest contention was the impact on traffic in Lower Richmond Road, and on parking in surrounding streets, especially Commondale. The Conservators had been informed that a revised version of the traffic consultants' report would form part of the

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new planning application. He welcomed this as the original version had left a lot to be desired. The Council had originally wanted to include a nursery school on the site as well as the new primary school, but had dropped that part of their proposal after a public consultation last autumn. Some people clearly thought the council were still trying to get too much on the site. The Conservators would prefer to see the site remain in public use if at all possible, and if a public health facility was no longer possible, then a publicly maintained school seemed the next best option. The ideal outcome would be for the site to revert to the Common, but that appeared very unlikely indeed.

The accounts for the year ended 31 March 2011 showed that the Conservators had received various sums for the grant of easements. Those all related to houses around the Wimbledon end of the Common which did not own their own access across the Common to the public highway, and had been granted under a scheme approved by the Charity Commission. There had been no new grants of rights of way in the last 12 months. The agreed rights of way at the Putney Hospital site would not be formally granted until planning consent was granted for the new school and that was clearly still some weeks or months away.

At The Spencer public house on Putney Lower Common, the Conservators had agreed a couple of years ago to allow the landlord to stand some benches and tables on the corner of the Common across the road from the Common. The arrangement was terminable on a year by year basis, and required that the benches disappeared into storage each autumn. In late summer 2011, Wandsworth Council had suggested that the benches needed planning consent. It was not clear that consent really was needed, but the pub landlord had decided to apply anyway and had been granted a one-year consent from roughly April to October 2012. The planning application had sparked much more adverse comment than the Conservators had seen before, but in 2012 the first couple of months did not seem to have caused any real problems. The tables were after all just picnic tables which were available for any member of the public to use at any time. The agreement with The Spencer would now be revised in the light of experience to date, but the Conservators had seen nothing so far which suggested that it needed to stop. Indeed, many local residents seemed to be highly appreciative.

The Conservators continued to use the same set of guidelines for events on the Common which have been in place for around three years. They had not yet needed to be revised but if experience made that advisable, they would be. Many requests for events on the Commons continued to be rejected, generally for being too big, too commercial or for a private function.

The Conservators continued to enjoy the benefit of several years of work by a professional archivist on their historical records. The work was very generously funded by a Wimbledon resident and levy payer. His work was now mostly completed but it had been immensely valuable, as it had made it much easier to trace decisions and agreements made in the Conservators' earlier years.

The Conservators had this year published a book to celebrate the centenary of an earlier book published in 1912 about the flora and fauna of Wimbledon Common. The new book explained the various changes in flora and fauna on the Common over the last 100 years.

It seemed now to be certain that the very large construction works for putting in the tunnel boring machine for the Thames Tunnel would not now take place at Barn Elms,

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but instead in Fulham. However, there would still be a two year project at the same corner of the playing fields to intercept the sporadic discharge of sewage from the combined outfall at the bottom end of the Beverley Brook. It now also seemed likely that the contractors' road access would not cross any part of Putney Lower Common, but would instead come in past the Wetland Centre at Queen Elizabeth Walk then down the side of the playing fields. The Conservators were pleased that the construction work would not directly affect the Common although it would be taking place very close by.

Elsewhere Thames Water had been carrying out an excavation on Wimbledon Common, about 300 yards in from Calonne Road. This was to repair a leaking trunk water main that ran from Hampton Court to Cricklewood and apparently pre-dated the 1871 Act.

There had fortunately been no travellers' camps on the Commons in 2011, after the long series in 2010. Over the years the Conservators had put in posts along the edges of the Commons, raised earth banks and dug ditches. None of these gave a 100% guarantee of keeping them off, but once they were on the Commons, the clean-up costs had in the past been very high.

The 2012 Wimbledon Tennis Fortnight was now imminent. The Conservators remained concerned about the so called "Ball Boys Party" at the end of the fortnight, when a huge quantity of litter was left on Wimbledon Common and there was a certain amount of petty theft and robbery. A new Chief Executive had recently arrived at the All England Club and the Conservators hoped to be talking to the Club soon about what they could do to reduce its impact on the Wimbledon Common.

The Harlequins Rugby Union Club had stopped using the Richardson Evans Playing Fields as their training ground about a year previously. However, the Harlequins Rugby League team were now a separate organisation called the London Broncos, which remained in slightly more than half of the Pavilion accommodation. The Conservators' letting agents Robert Holmes and Partners had conducted a long search for a sporting occupier for the remaining space but none of the enquiries had resulted in confirmed interest. Some additional pitches and changing rooms were accordingly available for public hire.

Once again the Swans had bred on Queensmere and now had five rapidly growing cygnets. The Conservators were also pleased that a pair of Skylarks had taken up residence on the Plain on Wimbledon Common. It was too soon to say whether they were actually nesting, but for the time being all Commons users were strongly encouraged to keep well clear of the marked off area, and especially to avoid letting dogs roam in the area.

There had been fewer complaints this year about distribution of the Commons Newsletter, but Levy-payers were urged to let the office know if they had not received their copy. The Conservators were now actively considering getting the Newsletter distributed by email although this would still be a very large distribution exercise to approximately 67,000 Levy-payers.

The Board continued to meet on the second Monday of every month at 5 in the afternoon in the Information Centre. The meetings were open to the public to observe and the public were welcome to attend. He and the Clerk & Ranger were also happy to speak or attend local residents' meetings.

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The Chairman concluded by thanking all present for taking an active interest and attending the meeting. The Conservators were volunteers who looked after the Commons for everyone. One of their greatest challenges was to strike a balance between the various competing leisure interests. The Chairman encouraged everyone to telephone, e-mail or write to the Ranger's Office with comments and queries.

The Conservators approved the Annual Report and the Chairman opened up the meeting to questions from the public.

5. GENERAL DISCUSSION AND QUESTIONS

The main questions were as follows:

Mr Alan Richardson, Princes Way

Q. Mr Richardson asked whether cyclists were still under control.

A. Mr Devons responded that there would probably always be some rogue cyclists who ignored the bye-laws. However the Conservators had been advised that, unless someone had been seriously injured, no prosecution would be likely to be taken seriously. Thankfully, that had never happened.

Patricia Dean, Landford Road

Q. Was the new right of way at Putney Hospital permanent or temporary and was there a net gain or loss of land open to the public?

A. Mr Devons responded that the Conservators had gained land under the previous agreement with the Wandsworth Primary Care Trust. The Conservators had agreed to allow them to build a new road, which would broadly be on the same site as the existing access road, provided that the Primary Care Trust gave the Conservators an equal area of land in compensation. He confirmed that the Conservators had received a larger area than the amount of land needed for the road, which had already been registered in the Conservators' name at the Land Registry. Once the building work for the proposed school was complete, areas of land at the rear of the site and the car park at the front would return to Common land. He had maps with him to show anyone who was interested.

Nick Evans, Comondale

Q. Many residents around Putney Lower Common were very concerned about the agreement made with Wandsworth Council. He quoted from Section 34 of the Act about keeping the Commons open and un-built on. The Conservators controlled the land around the site and he felt the negotiation with the Council had been weak and ineffective and had ended up with a school three times the size of the original health centre. Not only had the Conservators allowed the Council to build a road but also a turning circle for buses on a part of the Common currently not built on. The Conservators had signed the agreement without consultation with the local residents. The documentation had only been released under pressure and the documentation relating to the compensation land had not yet been released. In his opinion the proposed school would cause immense damage to the Commons and problems with traffic and parking. He expected that there would be accidents and injury to children once the school opened.

A. The Chairman responded that he disagreed with Mr Evans. The Conservators had not given the Council an easy ride at all and had negotiated very hard to protect the Commons. It was not possible for the Conservators to carry out a public consultation on

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such negotiations. However, Wandsworth Council had consulted widely on their proposals and made substantial changes in the light of public comment.

Sir Robert Andrew, High Cedar Drive

Q. It had been some time since Dr Stephen Frank had died and asked when his successor would be appointed. Was the delay due to bureaucratic reasons?

A. The Chairman responded that there had been some lengthy discussions with Defra about how they wanted to handle the appointment. However, that had now been resolved and the process was under way.

Andy Bignall, Vale Crescent

Q. Were all the hirings of the facilities at the Richardson Evans Memorial Playing Fields contracted and, if so, what sort of conditions applied and how were they policed?

A. The Clerk & Ranger responded that the Conservators were keen to encourage sports, and the facilities were hired out for a variety of events. These were all contracted and policed. He was aware that there had been some problems and had now tightened up the contract terms. He had also requested a bond for some of the larger events. If the conditions were breached, the bond was not returned. He was also continuing to look at ways to make the policing of such events more effective.

Brian Rutherford, Putney Lower Common

Q. The Conservators did not have legal power to permit The Spencer public house to place benches and tables on the Common. He had resorted to the Freedom of Information Act to obtain information. He believed information that Levy-payers were entitled to was being kept from them. Although the Conservators had received no complaints about the tables lately, he suggested that this was because it had rained so much that they weren't being used. When the planning application was made, there had been more people against the application than for it. He asked why the terms of the licence agreement could not be made public. His concern was whether the Conservators had the legal authority to allow the tables to be placed on the Common. He also asked whether the Conservators had received a legal opinion before issuing the licence.

A. The Chairman responded that he believed that a copy of the licence had already been released. He noted Mr Rutherford's opinion, and would ensure that a redacted copy of the licence was sent to Mr Rutherford. The licence was in any event being amended in light of experience and comments received to date.

Norman Plastow, Hillside

Q. Was it still the Chairman's intention to preserve the Common from encroachment of all kinds?

A. The Chairman commented that that remained his intention.

Una Sutcliffe

Q. Might the Conservators' decision to allow the public to collect small amounts of fungi for personal use prove to be a dangerous concession?

A. The Chairman responded that the permitted amount was limited to half a pound of fungi which had to be for personal use. That ruling had had the approval of Dr Stephen Frank. The Conservators continued to prohibit the collection of large amounts of fungi for commercial purposes. However there were limits to how far a complete ban could be effectively enforced.

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David Jenkins, North View

Q. Could a quarterly "e-news" be sent to Levy-payers, which would inform them of matters affecting them, such as the early arrival of the fair at Rushmere?

A. Mrs Evanson responded that the whole area of communications was being looked at to see how it could be improved. An e-newsletter was one of the proposals being considered.

Andy Bignall, Vale Crescent

Q. Referring back to the comment on fungi, the taking of wild flora and fauna for profit was contrary to Section 1 of the Theft Act. Secondly, residents' groups should be contacted regularly by e-mail to be informed of anything on the Common that affected them. Thirdly, he thanked the Conservators and their staff for the condition in which the Common was kept. This was applauded by the audience.

A. The Chairman thanked Mr Bignall for his kind comments.

Caroline Stevenson, Wimbledon Village Stables

Q. Could the Conservators' website indicate that Conservators now had a defibrillator for use by the Keepers? Could the Newsletter also be published on the website? The sides of Cannizaro Road were being worn down by large vehicles: could they be filled in?

A. The Clerk & Ranger responded that the Commons Newsletter was already published on the website. Mr Devons responded that the Conservators were aware of the problem at Cannizaro Road, but Merton Council had wanted to take part of the Common to widen the road, a few years ago, and the present situation had seemed preferable despite its shortcomings. The Chairman commented that when the road was resurfaced the Conservators had requested that the kerb be flush with the road. With hindsight this might have been a mistake, given the large vehicles that used the road. The Clerk & Ranger agreed to look into filling in the holes.

Mrs Jenny Brickman

Q Mrs Brickman asked if access to Windmill Road would be affected during the Olympics,

A. The Chairman responded that, despite the Conservators' protestations, there would be no right turn into, and out of, Windmill Road.

Mrs Pru White, Comondale

Q. Mrs White asked what steps the Conservators would take to deal with potential parking on the access road to the development at Putney Lower Common, particularly at weekends and out of school hours. She urged the Conservators to take a strong line with the Council on the matter. Mrs White also asked if anything could be done to stop cars parking in the small turning head half way along Comondale.

A. The Chairman responded that there would be a lifting arm barrier near the entrance to the road. The Conservators shared Mrs White's anxieties but did not consider themselves to be a suitable parking authority. The school or the Council should be dealing with parking issues. The Chairman also said that a recently passed Act of Parliament now made the clamping of vehicles on private land illegal. The Conservators were investigating the implications of this. Mr Horrocks said that the Conservators' agreement with Wandsworth Council required the Council to be responsible for dealing with any parking issues on the site. It was an unknown issue at the moment and it was difficult to know how much of a problem there would be. With regard to the turning head in Comondale, the Chairman said the Council intended to close it off when the site was

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developed. He also noted that the obstruction of turning heads by parked cars seemed to be a very widespread problem.

Mr Peter Carpenter, Councillor for Roehampton and Putney Heath

Q. The recent change in the law did not prevent the enforcement of parking controls on private land but merely the use of clamping as a means of enforcement. Wandsworth Council had the same problem on all their housing estates.

A. The Chairman thanked Mr Carpenter for his comments.

Nick Evans, Comondale

Q. Did the Conservators get a legal opinion on the agreement they signed with Wandsworth Council and, secondly, when would the details of the Stag Lane compensation land be released?

A. The Chairman confirmed that the Conservators did receive legal advice throughout the negotiations. The Conservators legal costs were met by Wandsworth Council. With regard to Stag Lane, Mr Devons said the agreement of the Council was needed before the documentation was released: this was currently being discussed with the Council, as the agreement contained a confidentiality clause. Apart from the confidentiality clause, it would as a practical matter have been very difficult to consult with the public over each step in the discussions with the Council.

John Hudspith, Southfields

Q. How did the Conservators determine which paths became cycling paths and why was Stag Ride not made into a cycle path?

A. Mr Devons responded that he had, over many years, pressed his colleagues to agree to allow more cycle routes on the Commons, particularly along Nurses Walk, adjacent to Parkside. However he had always been outvoted. The Chairman responded that Stag Ride was an established horse ride, and it had been considered too dangerous to allow cycling as well at certain points.

Mr Norman Plastow, Hillside

It had previously been agreed that cycle routes should be for recreation purposes only and under no circumstances should they provide a through route for cyclists. If a cycle route were needed along Parkside then it was up to the Council to provide it on the road.

Mr Max Williams

There were many people cycling off the permitted routes on the Commons, but there were never any accidents. That proved that there were no issues with extending cycling to other routes.

The Chairman then thanked the members of the public for attending and closed the meeting at 9.30 pm, after which refreshments were served.