

Wimbledon Society Annual General Meeting

18 September 2021

Talk by Chairman of Wimbledon and Putney Commons Conservators

Mr Chairman, Worshipful Mayor of Merton, Local Councillors, Ladies and Gentlemen,

Good afternoon.

First and foremost, I would like to thank Jeremy and the Wimbledon Society for so kindly inviting me as a guest this afternoon. The invitation provides me with a welcome opportunity to pay tribute to the enormous contribution that the society has made to the community for over a century. I am quite certain that I am not alone in recognising how fortunate we are to have a group of individuals who are so selflessly dedicated to protecting our heritage and promoting a high standard of excellence for the future. Thank you very much.

Whilst I fully recognise the risks inherent in speaking about the history of the Wimbledon Society before its chairman and distinguished members, given the fact that the society owes its origins to the campaign by local residents to protect Wimbledon Common from urban encroachment, I cannot resist.

If I understand correctly, the society was established in 1903 by Richardson Evans, to protect and improve the grace, dignity and picturesque amenities of Wimbledon. The constitutional duty of the Conservators to protect and preserve 1140 acres of open space could therefore in many ways not be more closely aligned with these objectives. This shared sense of purpose creates a bond between the two organisations and I am therefore delighted that there seems to be mutual interest in furthering our relationship and supporting one another. And I would like to thank all those in the society who have contributed towards this effort.

As your most recent newsletter so generously highlighted, this year marks 150 years since the act that created Wimbledon and Putney Commons received Royal Assent. And although the pandemic has interfered with 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. But in both of these endeavours, understanding the past in order to build a strong future is critical, a belief that evidence suggests is shared by the Wimbledon Society.

So, this afternoon I will speak about the masterplan, constitutional reform and our 150th but first I will say a few words about our past.

History

As I am sure most of you are aware, the Commons are a remnant of the manorial system dating back to medieval times. And although the Commons were owned by the Lord of the Manor, he could not enclose the land without the consent of those with rights to the land or parliament. The origins of this provision date back to 1235 as Chapter 4 of the Statute of Merton, known as the first Commons Act, conceived by chance just down the road and considered to be the first English statute.

As it turned out, attempts at enclosure over the centuries that followed were not infrequent and by 1845, 4,000 enclosure acts had been passed. In this context, the proposal in 1864 by Earl Spencer to enclose 700 acres of the Commons to create a park, and sell the remaining 300 for development, was by no means extraordinary and certainly not necessarily expected to fail.

The period was however also one of great confidence and enlightened thinking in the nation's history, a period characterised by not only the creation of magnificent buildings and great institutions, but a growing recognition that open space was as important to the well-being of the population as were homes and transportation.

As a result, Earl Spencer's proposal to enclose the Commons galvanised local residents and under the leadership of Henry Peek, not only were his ambitions defeated but his interest in the land conveyed not to local government or a

board of works as was the case elsewhere, but to an independent body of eight Conservators, funded by a local levy and protected by statute. And it is this independence that has in turn been so fundamental in preserving the character and culture that make the Commons so unique.

And in recounting this important event in Wimbledon's history, I suspect I am not alone in recognising that since its inception, the Wimbledon Society has in many ways carried on in the footsteps of Henry Peek, Robert Hunter, Richardson Evans and others in bravely challenging the seemingly impossible to protect the long-term interests of the community: inspired by its successes and undeterred by its short-term setbacks. And for that, we are indebted to you.

The Masterplan

In 2017, we developed the first ever strategy for the Commons and the development of a masterplan is intended to provide the long-term planning for this strategic framework. Funded by a grant from the National Lottery Heritage Fund, the work has been carried out by consultants Barker Langham with the support of a few specialist firms. Unfortunately, the project has suffered from delays due to both the pandemic and our constitutional reform initiative, but we are continuing the work and remain committed to public consultation as part of the process.

The masterplan assesses the investment requirements for both the natural and built environments of the Commons and the way in which these requirements will be met. And I will now say a few words about each of these three areas.

1. Natural Environment

In the words of Henry Peek, the lands conveyed to the Conservators 150 years ago were, "1,000 acres of the most beautiful common land in the whole of England, consisting of wood and water, and a magnificent open plateau with flowers and insects which were scarcely to be found on any other common in England".

The natural landscape is the most important asset of the Commons and protecting and preserving this oasis 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.

Habitats and species change and evolve over time but the speed at which climate change is taking place hinders the natural adaption process, increasing the risks of decline and loss of biodiversity. There is therefore a growing need for targeted intervention to protect and enhance the various natural habitats of the Commons, ensuring their ecological and physical longevity.

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.

To give you some idea of what we are considering, I have a few images.

The first is of Queensmere and as you can see the banks are bare of vegetation, which could provide valuable resources for wildlife species. By introducing a mixture of aquatic plants around the pond edges we could take advantage of the different depths and increase the biodiversity. At the same time, we would improve the paths around the pond to ensure that they are accessible. This would be done in consultation with Natural England to ensure the protected habitats are not compromised.



The next slide is of the meadow area in Putney Lower Commons, which has a narrow range of species as a result of the historic use as allotments and the cutting regime. Cutting and bailing this area once a year would create a more diverse habitat, notably with wildflowers.



The masterplan also identifies the need to invest in the footpaths, recognising the delicate balance between facilitating access, protecting the landscape and maintaining the natural state as far as possible. In addition, a targeted extension to cycle routes is under consideration as a way of furthering these same objectives.

The masterplan also sets out the need to improve signage and wayfinding to both increase accessibility and protect fragile habitats. All signage must be subtle, sympathetic to the setting, consistent and high quality. 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.

2. Built Environment

Parliamentary intent for Wimbledon and Putney Commons to be kept open, unenclosed and unbuilt on is clear with repeated references to this objective throughout the act. Notwithstanding this, at the time at which the Commons were constituted, there were a number of pre-existing buildings serving a variety of purposes and there was no stated intention in the act for these buildings to be removed but rather provisions 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, assesses the important contribution made by the historic buildings including the Grade II listed windmill and the London Scottish Golf Club, as well as the historic monuments and cottages that are dispersed across the Commons.

The masterplan also assesses the substantial investment requirements of the built heritage and highlights in particular the Richardson Evans Pavilion, named after the man who made an enormous contribution to both the Commons and the Wimbledon Society. The building serves as an operational centre, a clubhouse for local sports teams, staff accommodation and public amenity facilities. It has considerable access challenges as well as operational limitations and is critically important to the proper functioning of the Commons.

The chronic underinvestment that the built heritage has suffered is due to both a lack of funding and in some cases a lack of constitutional clarity. This lack of clarity has necessitated endless legal opinions, which are occasionally contradictory and, in any event, not definitive, paralysing investment decisions. Constitutional reform in this area is therefore necessary 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 has decided to review the scope of their powers to effect constitutional reform in general and as such progress in this area has been suspended. Notwithstanding this setback, we remain committed to finding a way forward and with the generous support of two eminent local barristers, George Laurence QC and Francesca Quint, who continue to so kindly and brilliantly assist us in this area on a voluntary basis, I am confident that this will be the case. And we are indebted to them both.

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.

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.

A founding principle of the 1871 Act is that the levy is intended to serve as the principal source of funding, paid by those who 'primarily benefit' from the Commons. This was defined in 1871 as all those living within three-quarters of a mile of Wimbledon Common or in the ancient parish of Putney. The last data (1976) suggested that over half (54%) of visitors were from outside the levy area.

The levy, which at present stands at £31 per year, generates £1.2 million of £1.8 million annual revenue with the balance provided by income from users, investment returns and donations. The revenue no longer meets our requirements and investment in the estate has suffered as a result, as reflected in the masterplan.

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. In the interim, we will continue to use other fundraising mechanisms (eg, Friends) as a way of engaging those outside the levy area.

Ultimately any specific proposal to increase the levy would be evidence based to reflect the identified requirements. We also recognise the need for the levy to be affordable for everyone. The willingness of the community to support an increase will be tested through public consultation. I should add that despite any increase in the levy, external funding will almost always be needed to fund major capital projects.

Strong community engagement is critical to the survival of the Commons and we are enormously fortunate to have strong public goodwill as reflected in a myriad of ways including charitable giving and volunteering. The masterplan identifies the potential to extend and build support in both of these areas and this is something we view as a priority.

150th Anniversary

And finally, our 150th and the reason I suppose that I was so privileged to have been invited this afternoon. Needless to say, the celebration of our 150th anniversary has not unfolded as had been originally anticipated but we remain hopeful that we will still be able to proceed with our plans, perhaps in a slightly different format, in the months ahead.

To that end, we are hoping that our tea at the All England will proceed on 26 February 2022. The event will also include a play by the Wimbledon Civic Theatre Trust relating to the founding of the Commons.

And although we have not yet agreed a date, we are also still intending on holding our postponed Games Day to celebrate the sports practised on the Commons over the past 150 years. And although we have not yet been able to organise a polo match or rifle shooting, we have attracted over twelve historic games including lacrosse, which I proudly discovered was introduced to the Commons in 1876 by the Canadians. In organising this event, the breath of the clubs and teams that rely on the Commons has become very clear, emphasising the importance of this precious open space for both physical and social well-being.

And finally, we are also very much hoping that the long-awaited reception at the House of Commons, kindly sponsored by Stephen Hammond, will proceed on 21 July 2022. Again, I would like to reiterate my appreciation to members of the Wimbledon Society, notably Michael Norman-Smith, who have tenaciously traced the descendants of those who were so important in the history of the Commons, including Sir Richard Peek and others, who will hopefully be in attendance on that occasion, and I hope that as many of you as possible will be able to attend.

The event will allow us not only to celebrate our connection with parliament but to reflect on the vision, foresight and sense of purpose of Sir Henry Peek and others who created this great physical legacy that remains with us and future generations forever.

Thank you all for listening.