



MEDIA RELEASE - November 2017

Release of the Instructions to Prepare Retrospective Valuation Report and Retrospective Valuation Report – Easement over Putney Lower Common

In November 2016 Wimbledon and Putney Commons Conservators (WPCC) received in accordance with the requirements of the Statutory Inquiry by the Charity Commission, a Retrospective Valuation Report (RVR) in respect of the Easement granted to the London Borough of Wandsworth in February 2012, for access rights over the Common, to serve the New Development of a primary school and apartments within Putney Lower Common.

The instructions to prepare the RVR were prepared by Charles Russell Speechlys LLP who have been advising the Board in relation to the Statutory Inquiry. The RVR was prepared by Daniel Watney LLP who were appointed by the Board on the recommendation of Charles Russell Speechlys. The Board agreed that additional information could be provided to Daniel Watney by any individual Conservator, as they considered necessary, and for Daniel Watney to take account of this in preparing the RVR.

The Daniel Watney RVR concluded that there had been a loss to the Charity of around £325,000.

The Board sought and fully considered independent legal advice on the implications arising from the RVR, as required by the Charity Commission's Formal Action Plan dated 22nd October 2015. At their scheduled meeting on the 8th February 2017, the Board concluded that, in their view, the Wimbledon and Putney Commons Conservators had now completed the implementation of the Charity Commission's Formal Action Plan.

In late May 2017 the Charity Commission confirmed that it had appointed an Interim Manager. The terms of reference of the Interim Manager were specific: *'To consider the Charity's trustees' decision of the 8th February 2017 not to take legal action to recover the loss suffered by the charity following the granting of an easement to the London Borough of Wandsworth in August 2014 for access rights over Putney Lower Common for £350,000 which was a significant undervalue ("the decision"), and whether further action needs to be taken.'*

Although the Board was minded to release documentation relating to the RVR in June 2017, the Interim Manager advised that it would not be appropriate at that stage for matters which formed the subject of his appointment to find their way into the public domain. Our lawyers also advised that the disclosure of the requested information would hamper the Interim Manager's work and therefore have an adverse effect on the result.

During this period a levy-payer complained under The Environmental Information Regulations (EIR) to the Information Commissioner's Office regarding the decision of the Board to withhold information regarding the instructions to prepare the RVR and the Report prepared by Daniel Watney.

In early October 2017 the Interim Manager advised that he had submitted his draft report to the Charity Commission and was meeting with them later that month to deal with any queries they may have. The Board has not to date received a copy of the Interim Manager's draft report.

On the 24th October 2017 the Information Commissioner's Office issued a Decision Notice advising that in their view Wimbledon and Putney Commons Conservators is a public authority for the purposes of EIR and in this case the information requested is 'environmental'.

The Charity Commission have advised that it has no objection to the release of the documents. The instructions to prepare a RVR and the Daniel Watney RVR are available on WPCC's website. Details can be found at: www.wpcc.org.uk

ENDS

NOTES for Editors - Wimbledon and Putney Commons is a charity managed by the Wimbledon and Putney Commons Conservators. It was established under the Wimbledon and Putney Commons Act of 1871. The Commons comprise some 1,140 acres across Wimbledon Common, Putney Heath and Putney Lower Common.

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