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### **Wandle Valley Regional Park: action plan for the governance and management of the Regional Park.**

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**Wandle Valley Regional Park –  
Action Plan for the Governance and Management of the Regional Park.**

Prepared by Professor Nicholas Bailey of the University of Westminster and Dr Ian Sesnan for the Wandle Valley  
Development Board.

April 2011

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## 1.0 Introduction

This is a detailed Action Plan outlining the steps necessary for the WVRP Development Board to put its chosen governance model in place. It is clear that there is a strong partnership in place and much good work already done, underway, or proposed to realise the great potential of the Wandle Valley as a regional resource for London; a sub-regional opportunity for green growth and for improving the green and blue spaces for local residents, business and London's wildlife.

Clear strategies have been prepared for the Wandle Valley Regional Park and the communities through the Wandle Forum, the various friends of and other groups, and key voluntary organisations are ready to play their part in ensuring a successful future for the Regional Park. To bring the Regional Park to fruition a carefully staged process of establishing a Trust over the next 12 months has been agreed.

There is however a major challenge facing the Regional Park and this is that there is very little funding available to run the Regional Park. Despite the severe cuts at this point in time the four Boroughs and the GLA have been able to find modest financial contributions to get the Regional Park started but all parties are clear that there is initially an act of faith that the Trust will be able to build up to sustainability over its first few years.

To make it work all parties are going to have to help in whatever way they can and above all the Trust must keep its costs to the absolute minimum. This will be The Big Society in action and careful research has been undertaken to demonstrate that a gradual move to sustainability is possible. Indeed the experience of Trusts elsewhere is that the Regional Park is likely to grow and thrive to the benefit of all the people in the area and London as a whole.

For the medium and longer term there is the possibility of sustainable funding from the Council Tax precept which currently goes exclusively to the Lee Valley Regional Park Authority which the Wandle Valley Boroughs feel should be shared with the Wandle Valley. The Board has decided that it will pursue the possibility of securing some of the value of this precept for the Wandle Valley and that work is underway. If successful the Trust that will be produced as a result of the Action Plan could be the delivery agency locally for such an arrangement.

There are key "gateway" actions which need to be taken and this Action Plan sets out a timetable and provides some of the basic information needed. The key stages are the appointment of a Shadow Trust with a pro-active chair and the appointment of a part-time Interim Chief Executive. The Chair and the Interim Chief Executive are crucial to the success of this Action Plan as they will need to ensure that the key gateway actions are achieved.

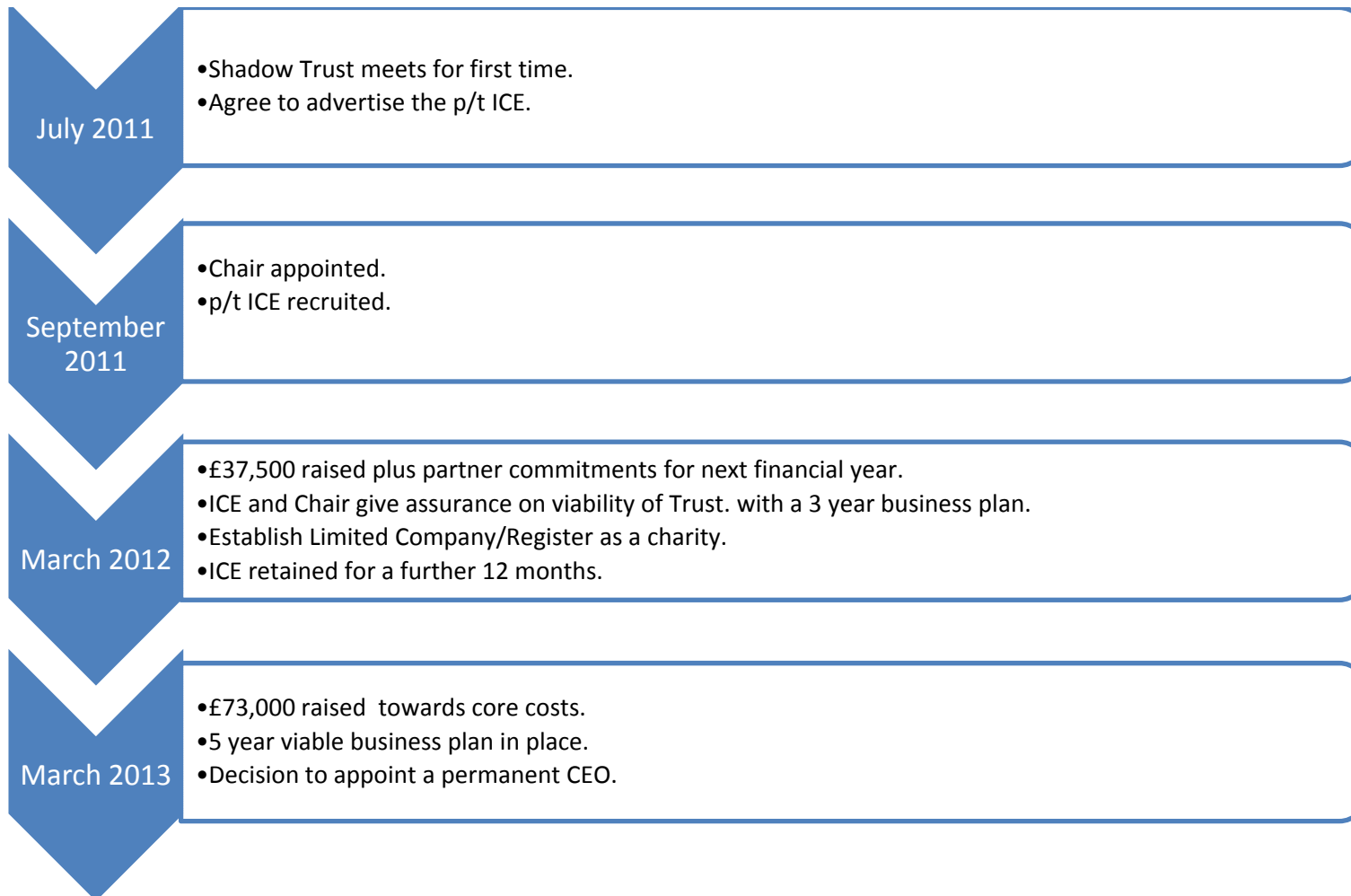
A very cautious approach is recommended but there is a good possibility that the Trust will quickly be able to find its feet and attract the resources that are needed to grow more quickly. However, it is absolutely vital that the Trust does not build up core fixed costs too early as it is starting life on a financial knife edge.

## 2.0 Background: Actual and implied decisions coming from Stage One.

1. That assurance should be developed to back up the minimum affordable Trust budget. A target of £37.5K to be fundraised by the end of 2012 has been set. This funding should be available towards the core costs of the Regional Park in particular to renew the Interim Chief Executive's position from April 2012 for a fixed term.
2. That an Interim Chief Executive be appointed when resources allow. The funding for a short term appointment is in place. Subject to the decision on the level of remuneration this is expected to be filled from September 2011 to March 2012. The trigger for continuing the post into 2012-13 is that the £37.5K fundraising referred to in 1) above. This will need to be matched with partners' funds to pay for the part-time post to continue. It may be that additional funded work tasks for the ICE will be available and the post could be increased to full time. However this should be undertaken on a fixed term basis initially as the role of the ICE is different from that of a permanent CE which the Trust Board will no doubt wish to fill sooner rather than later. The expectation of this Action Plan is that the ICE will be in the part-time position until March 2013 and subject to the Trust having raised £73K in that year the Trust would be recommended to seek the appointment of a permanent CE. At the time it may well be that some of these fundraising sums are contributed in kind which should be acceptable provided that the necessary cash is received to pay for the part-time ICE and necessary outgoings.
3. That Groundwork London is retained for a further year at least in a support role (subject to finances).
4. That a Trust be established by the end of March 2012,
5. That partners are consulted on the new Trust and the involvement of landowners and other potentially contributing partners be sought.
6. That the community will be involved through formal arrangements including the Wandle Forum serving on the Trust and a Supporters group supporting the Trust.

### 3.0 The Action Plan flowchart and matrix of all the tasks, roles and responsibilities.

#### 3.1 Summary flowchart of the sequence and triggers.



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### 3.2 Matrix of all the tasks, roles and responsibilities

This can be used to project manage implementation.

<b>Tasks, roles and responsibilities</b>	<b>Partner willing/able to undertake/lead</b>	<b>Authority needed</b>	<b>Resources needed.</b>	<b>Timetable/ milestones</b>
Core funding founding contributions.	Boroughs and any other partners that can.	This is underway.	50% of p/t CE salary.	Core founding funding agreed April 2011.
Fundraising.	Groundwork London.	To be in 2011/12 service contract.	£10K to be raised.	By December 2011.
Fundraising.	Supporters/ Wandle Forum/Community/Vol orgs.	Discussion needed at Wandle Forum	£2.5K to be raised.	By March 2012.
Fundraising.	Interim CE.	Appointment to post	£25K	By March 2012.
Decision to appoint Interim CE for initial period to end of March 2012.	LBW to conduct appointment?	Management and Development Boards and LBW.	The Borough core funding will be applied to this.	Decision In July to start on 01/10/11.
Agree the Trust's decision-making structure.	Consultant.	Management and Development Boards	Consultant time already paid for.	April 2011.
Identify founding members.	Boroughs plus Wandle Forum?	Management and Development Boards	None.	April – July 2011.
Establish Shadow Trust board.	LBS responsible as lead Borough/Groundwork supporting?	Management and Development Boards	None at this stage as people who are already suitable will be nominated by partners.	July 2011.
Who should be invited to serve as initial Trustees (ideally these would be the same as the Shadow Trustees.	Partners (list below in section 4.0).	Management and Development Boards and each invited partner.	None.	September 2011/ implementation by December 2011.
Need company secretary.	LBS responsible as lead Borough.	Shadow Trust Board.	Need a partner to volunteer or approach an individual.	December 2011.
Admin support.	Groundwork London?	To be in 2011/12 service contract.	To be agreed.	Year from April 2011.

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<b>Tasks, roles and responsibilities</b>	<b>Partner willing/able to undertake/lead</b>	<b>Authority needed</b>	<b>Resources needed.</b>	<b>Timetable/ milestones</b>
Draft memorandum and articles.	See Appendix Two, LBS to lead finalisation through Interim CE.	Management and Development Boards then each partner to take such legal advice etc as it needs,	Consultant time already paid for. Legal advice to be taken as partners feel necessary at their own cost.	Agree draft in April, agree final by July.
Legal advice and sign off for new Trust.	LBS lead.	At least one Borough legal officer to finally sign off.	In-house legal support.	September 2011.
Registration as a Limited Company.	Interim CE.	Shadow Trustees.	Companies House.	March 2012.
Registration as a Charity	Interim CE.	Shadow Trustees.	Charity Commission costs	March 2012.
Consideration of Independent Chair.	See section below.	New Trust Board.	None	July 2011
Establish Supporters Group.	Groundwork London.	Management and Development Boards after a full consultation with existing friends, Wandle Forum etc.	£10,000 Awards for All grant could be applied for by Wandle Trust?	March 2012.
Consultation on the above.	Wandle Forum with support from Groundwork London.	Each regular forum meeting to consider, advise and hopefully support process.	To be in 2011/12 Groundwork London service contract.	Ongoing quarterly linked into the timetable above.



#### 4.0 Those to be invited to form the Shadow Trust Board and to nominate Trustees initially to the Trust board.

London Borough of Wandsworth; London Borough of Sutton; London Borough of Croydon; London Borough of Merton; GLA; Environment Agency, Natural England; Wandle Forum; Wandle Trust; National Trust; Mitcham Common Conservators. The Trustees of the new Trust who will also need to be Directors of the Ltd Company. A small number will need to be founders of the Ltd Company.

	Partner	Why?	How appointed?	What do they especially bring to the Trust?
1	LBC	Founding Borough and landowner/service deliverer.	By the Council after each election for a term which coincides with their term of office.	Local knowledge; democratic mandate, funding and policies and services.
2	LBM	Founding Borough and landowner/service deliverer.	By the Council after each election for a term which coincides with their term of office.	Local knowledge; democratic mandate, funding and policies and services.
3	LBS	Founding Borough and landowner/service deliverer.	By the Council after each election for a term which coincides with their term of office.	Local knowledge; democratic mandate, funding and policies and services.
4	LBW	Founding Borough and landowner/service deliverer.	By the Council after each election for a term which coincides with their term of office.	Local knowledge; democratic mandate, funding and policies and services.
5	NT	Landowner and manager.	By the National Trust for a term which coincides with their term of office.	Long experience and access to their organisations expertise and networks.
6	MCC	Landowner and manager.	By the MCC for a term which coincides with their term of office.	Long experience and access to their organisations expertise and networks.
7	WF	Established mechanism for public engagement.	Forum to elect a representative becomes a Trustee for term of office.	Understanding of the perspectives of residents and volunteers who are actively interested.
8	WT	Already actively involved.	Nominated by Trust for their remaining term of office	Understanding of the volunteers who are actively interested. Specialist knowledge.
9	GLA	Strategic role of the park for London .	By nomination by the GLA/Mayor's Office.	London-wide perspective, understanding of parks on a London scale etc and funding from time to time.
10	EA	Agency with direct responsibilities.	By nomination by the Agency for 3 years.	Specialist knowledge, experience elsewhere etc. Investment programmes from time to time.
11	NE	Agency with direct responsibilities.	By nomination by the Agency for 3 years.	Specialist knowledge, experience elsewhere etc. Investment programmes from time to time.
12	SLP	Private sector.	Nomination by SLP for term on SLP.	Business expertise, networks etc.
13	Supporters Group?	Source of voluntary activity and fundraising.	By election from their membership for a 2 year period or through the Wandle Forum?	Views from the subscribing Supporters Group active and non-active. This is dependent upon consultation and the decision to establish this group.

## 5.0 Trustees - the requirements.

- A commitment to collaborating with others to achieve the objectives of the Regional Park and to overcome sectional interests.
- A range of skills to include planning, management and the enhancement of green space in a sub-regional context.
- Leadership.
- Delivery of quality in the public realm.
- Financial accountability.
- Financial judgement and risk understanding.
- Understanding of urban landscape issues.
- Ecology.
- Fundraising.
- Human Resource development including volunteers.
- Understanding of myriad local communities and interests. – consulting and engaging local communities and interests.
- Understanding of sub-regional and regional agendas.
- Heritage, Tourism, Local Economic Development.

The Shadow Trust is encouraged to establish a matrix to checklist the skills need against those available and seek to plug gaps either when Trustees change over or by drawing on officers, friends, Wandle Trust etc for advice.

**6.0 Risk Register.**

<b>Type of risk and rating after mitigation.</b>	<b>Risks</b>	<b>Mitigation</b>	<b>Issues</b>	<b>Comments</b>
Financial in the short term.  LOW	Committing the partners to expenditure beyond available resources.	Interim CE contract will be fixed term to March 31 <sup>st</sup> 2012 then new contract for 2012-13 subject to funding being in place. Groundwork London and any other contracts will be limited to duration of available funds.	Assumption is that there will be someone prepared to undertake the CE work as or like a consultant.	Even though this will initially be a local authority appointment a voluntary sector salary should be applied.
Financial in the medium term.  MEDIUM	Trust cannot afford to continue as its expenditure is greater than its income.	There is no question of the partners or the Trust making any financial commitments without the resources being assured in advance. All parties including the Trust must realise that there is no funded programme and medium term survival depends on cost minimisation and fundraising.	The timetable for implementation allows a full year for financial assurance to be given for Year One of the Trust's life and then each year the following year's funding needs to be secured early on and gradually the Trust can be more confident about raising and spending money.	There is an important cultural shift needed away from the concept of this being a publicly funded spending body to one that only survives because all sectors including the community want it and support it. The vital test is that funds from e.g. The Supporters Group go to support the core costs of the Regional Park.
Financial in the long term  MEDIUM	As above.	As above but with seeking the support from the precept which currently goes to the LVRPA. The Trust should quickly be able to start earning money e.g. from project management.	Potentially if funds can be repatriated from the LVRPA precept the Trust could have a sustainable income.	The Trust needs to develop a balanced financial sustainability package. If possible it should be helped to acquire assets to generate income in perpetuity.
Equalities  MEDIUM	Governance or services not representing the communities served.	Trustees need to monitor their own make-up and service plans.	Danger with an all nominated Board of appointing in their own image.	The Trust is going to depend on the whole community to help with and fund its activities so would do well to be inclusive in its governance.

Type or risk and rating after mitigation.	Risks	Mitigation	Issues	Comments
Quality  HIGH	The currently very patchy state of the public realm may undermine confidence in the park.	The Working Groups need to be mandated now to consider public realm quality as a priority theme for all activities from now. Partners should involve relevant officers in sharing quality techniques and supporting each other in processes such as tender specification and evaluation. The option of the Trust taking over management and ownership of sites should continue to be considered as should options for shared arrangements. It will be vital to harness community energy and activity as wardens and for practical work parties to keep constantly on top of environmental quality issues.	There is a danger of there being a hiatus in improving public realm while the new Trust becomes established and develops public realm programmes. This would be misunderstanding the Trust's role. It is really a vehicle for the existing partners to work together which they can continue to do before the Trust is established. The Wandle Valley Area Framework produced as part of the work on the All London Green Grid promotes partnership working, good quality green infrastructure and accessibility to such open spaces and is already in place to be used.	This will be a big issue from day one. A lot of the quality issues will be about management and maintenance which partners can address without delay. It will be vital that there is leadership at every level to set and maintain high standards. The concept that a quality public realm needs to wait for grand capital plans needs to be dispelled. All types of resources in the community now need to be directed to this task for instance police, youth service, schools, local employers, probation service, employment and volunteering programmes.
Physical  MEDIUM	Liabilities arising from land ownership or project management.	Initially the Trust would not own land or manage physical projects itself.	For the first 12 months it is recommended that physical projects with any significant risk are undertaken by partners or contractors such as LWT/GL/Sustrans.	The Trust will need to have track-record, experience, cash-flow and insurances before taking on any significant project risks and land or buildings ownership. It would be possible to accelerate this if project funding enabled it.

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Type or risk and rating	Risks	Mitigation	Issues	Comments
Policy conflicts  MEDIUM	Partners may want to do things that conflict with the Regional Park vision.	Partners need to audit all their plans and notify all their departments to minimise conflicts.	It is likely that from time to time partners will be pursuing policies or practices that seem to run against the vision. This is partly inevitable because there are many other objectives and regulatory duties.	All partners need to work together to communicate the vision and how to handle seeming inconsistencies in order to give confidence to the Trust and the Regional Park which will be essential if it is going to raise funds and thrive.
Partner priorities  MEDIUM	Partners seem to be prioritising their own actions over those of the Vision.	The Interim CE will need to work with all partners investing in the area to see to what extent priorities can be aligned.	The Wandle Valley Regional Park is a 100 year project with few guaranteed resources. A disjointed incrementalism approach will have to be accepted until there are resources to have funding led strategies.	Everyone needs to accept that development of the Regional Park will not be linear initially but as soon as possible some core elements of the strategy need to be brought forward as clear priorities so that partners can rally around a few achievable priorities.
Trust  HIGH	Partners stop believing that others are working hard enough for the same thing.	Partners need to agree what each can and can't do and recognise that this is a very long term project so not to rush to judgement.	Trust is essential to lubricate a partnership and allow it to catalyse action. However it does not come easily and partners have to work hard to give Trust and to earn Trust.	Discipline and humility are needed by all. Everyone including the communities need to accept that this is initially an under-resourced and imperfect way forward but better than the alternatives.
Community inclusion  MED-HIGH	Loss of community confidence.	A crisp, consistent and clear form of community engagement is needed through the Wandle Forum. It will be important to have clear roles for the Supporters Group who want to support the park and the Wandle Forum.	The Trust will need to be responsive to the community as it will depend on it for its survival particularly through the Supporters Group and the various local, voluntary, organisations.	One strength of the proposed arrangements is that the community will earn its right to have say by raising funds and otherwise supporting the park.

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## 7.0 Staffing plan.

Initially a part-time Interim CE should be appointed from October 1st 2011 to March 31st 2012 this will be a post appointed and managed by one of the partners. 3 months after the Shadow Trust Board is established the Interim CE should functionally report to the chair.

For the first period the post could be advertised as either a salaried position or a consultancy position (at the same gross daily costs either way). It is quite likely that an experienced and suitable consultant could be found for the initial appointment and the advantage of this is that they could step up or down the number of days that they work depending on the funding or opportunities to undertake additional funded tasks.

From April 1st 2012 this post should be extended for one year assuming that the funding is in place, the trigger being that at least £37,500 applicable funding has been raised.

This post could become the substantive part-time Trust CE post subject to funding being available but should be time limited to the known resources available. Ideally during this time 3 years funding for the post will be applied for and granted by a Charitable Trust or other funder.

If three year's funding is approved the post could become a permanent post of the Trust –If resources are available the Trustees will need to consider if other posts are needed before increasing the CE's post to full-time.

There is no provision for administrative or other support staff. Provided that external funding can be found support arrangements such as those provided by Groundwork London should be continued.

However, if there is no funding for this the CE and partners will have to improvise. As a rule the Trust needs to get into the mode of doing everything it can at no or little cost and making and seeking small contributions to allow things to happen.

This is not an ideal situation and if Groundwork London can help the Trust apply for funds such as a £10,000 Awards for All grant for establishing the new Trust or the Supporters Group organisation, if that is agreed, then that will help.

Serious consideration should be given to filling additional posts with volunteers (e.g. publicity officers, admin workers, walks leaders, researchers etc) but on no account should the Trust create substantive paid posts until the need is absolutely clear and the funding available for a sustained period. The Trust needs to always remember that it is a voluntary sector organisation and needs volunteer help.

## 8.0 Job Description and remuneration.

The proposal is to start with a single part-time post – Post title; **Interim Chief Executive Wandle Valley Regional Park.**

**Main purposes of the Job in the development phase:**

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- Bring the Regional Park to fruition supporting the Shadow Trustees to develop every aspect of the Wandle Valley Regional Park Trust.
- Give leadership (under the Chair) to the concept, working across partners to attract funding and other support needed.
- Manage the Governance Action Plan to fruition including developing the commitment and confidence of the community and establishing the Supporters Group organisation (if that is agreed).
- Ensure that the Trust is effectively served in terms of governance, accountability, work programme, and policy framework.

## Responsibilities

- To raise the profile of the Regional Park and to encourage stakeholders to commit to the concept.
- To support the establishment of the Trust ensuring that the Governance Action Plan is implemented.
- To propose for agreement an annual work programme for the Trust and implement it always assisting the Trustees to adopt a flexible response to changing events.
- To develop a sustainability plan and ensure that the annual target for fundraising is met.
- Raise £25K core funding in 2011/12 and £50K in 2012/13 - additional to funds raised by partners and the Supporters Group.
- To represent the Regional Park at all levels and develop its profile with the community, partners and the media.
- To propose for agreement an annual update of the strategy for the park.
- To be responsible for the management of staff, consultants, and volunteers.
- Etc

**Remuneration** This will need to be advised by the employing authority initially however it is proposed that it should be set in comparison to senior management posts in similar small London based charities. For example comparators could include: Interim Director of the Ethical Property Foundation: Salary £38,000 - £45,000 per annum pro rata (depending on experience). This is a 2.5 days a week contract for 12 months. Chief Executive Phoenix Education Trust £40,000 per annum pro rata – part time. In local government the equivalent is probably the top national PO point on the spine (iro £40-45,000) for the interim post. Employer's National Insurance and Pension contributions would need to be considered which is usually allowed for at up to 20% of salary. Consideration should be given for the initial appointment to appointing a candidate on a consultancy basis. If a senior manager was to be provided on a consultancy basis from a voluntary sector organisation such as Groundwork London the cost could be in the region of £30,000 per year for 2 days a week (a secondment could be cheaper). A private sector consultant working 2 days a week for 50 weeks at £350 per day would be £35,000 In some cases vat would need to be added. An experienced and high quality consultant may need to be paid more but if they were very familiar with the Wandle and able to pick up the ball running this could represent the best value for money for the interim post. In particular using this method of appointment avoids the employer having to pay NI and pension contributions additionally as the consultant factors in the equivalent payments into their daily rate. A possibility would be to consider seeking a secondment from the Lee Valley Regional Park who may be able to second a very experienced senior manager on a part-paid part career development basis (though this would need to be on an affordable basis).

## 9.0 Procedures for establishing the company and registering the charity.

Each of the named partners should nominate a Shadow Trustee by July 2011. This would ideally be someone who is prepared to become a Trustee once the Charity is established. The Shadow Trust would be confirmed at the July meeting with the objectives as set out below and would hold its first meeting in September and then meet in December and March. It should be possible for the Development Board to become the Shadow Trust from September 2011 avoiding the need for two separate meetings.

### **Terms of Reference for the Shadow Wandle Valley Regional Park Trust.**

- 1) To oversee the delivery of the Governance Action Plan and the setting up of the WVRP Trust.
- 2) To consider and adopt the proposed Memorandum and Articles.
- 3) To assist the employing authority to appoint the Interim CE.
- 4) To assume the leadership role from the Development Board whilst accepting advice from the Management Board.
- 5) To lead the process of securing sufficient funds to establish the Trust by the end of March 2012.
- 6) To establish the limited company, and registering it as a charity putting forward the founding members and accepting nominations to the roles of Trustees.
- 7) To approve arrangements for the launch of the new Trust in April 2012 whereupon the Shadow Trust ceases to exist.
- 8) To oversee development of the Regional Park.

It is proposed that the Trust Board would meet quarterly and should establish a Sub-Committee which would meet once between each Board meeting to keep business going so that there would not be a gap of more than six weeks between decision-making meetings. The Sub-Committee could also deal with personnel and other organisational issues.

The list above includes a Board that is inclusive but larger than ideal. It may be that some organisations such as the GLA would not want to serve as Trustees/Directors but would wish to attend as observers/advisers. For this reason it is proposed to include Observer Status in the Memorandum and Articles. So the actual number may decrease. The presence of four major local authorities (and the GLA) on the Trust will weigh quite heavily and it is an argument for a larger Board with community representation to balance it up.



## **10.0 Office accommodation.**

It is important that the Trust starts off without the burden of having to pay for and manage an office. The part-time Interim CE should be able to work from home or hot-desking in a partner's office. Ideally the Trust's address would be at a recognisable independent location. Morden Cottage would seem to be an ideal address and as long as Groundwork are based there and are providing the support services this would make sense. Accommodation will need to be provided for the Heritage Lottery Fund Landscape Partnership Officer, if that bid is successful, so it may be possible to share an office or desk with that post. The Mill House Ecology Centre would be another possible base but it is less well served by public transport and not well located for the Wandle River.

## **11.0 Chair and the question of an independent Chair.**

One of the key "gateway" actions is the appointment of the Chair of the Shadow Trust (who may well go on to Chair the Trust itself) by September 2011. The Shadow Trust should choose its Chair from its own number and then consider the question of the Chair of the substantive Trust. The Wandle Valley Regional Park is going to need strong leadership. Initially this will need to be largely from the Board and in particular it's Chair. This will need to be someone who can operate well at all levels and give confidence that the Regional Park can grow and thrive despite its impoverished beginnings. The sort of person who should be chosen would have some or all of the following characteristics:

- 1) Skilled at chairing meetings and experience of securing a consensus between stakeholders.
- 2) Excellent leadership of staff, volunteers and Supporters Group.
- 3) Passionate commitment to securing quality in the public realm.
- 4) Entrepreneurial approach possibly a social entrepreneur.
- 5) Understanding of how funds are raised and persuasive in getting others to contribute.
- 6) Good networker.
- 7) Understanding of the vision and ethos of the Regional Park and ability to lead through a complicated process to achievement of agreed objectives.

There is some merit in having an independent Chair who would champion the holistic mission without having to worry about their own organisational interest. There is also a danger in this in so far as a Chair that is too independent may lead the Regional Park in a direction not favoured by partners or the community who could drift away. A great deal of work has been done over the years in the Wandle Valley and there is a fund of excellent people already involved and so the Chair needs to bring both leadership and continuity. Ambition but with realism is needed because of the lack of resources at the start. It may be that an independent Chair can be found that is already well known to partners. Whoever the Chair is the partners must be prepared to replace her or him if it is not working. It should be a Board appointment so this should be relatively straightforward.

## **12.0 Company Secretary.**

This role could be provided by one of the partners' legal officers or a volunteer in the community who may be an experienced Company Secretary or person with legal qualifications. The requirements are quite limited but it is important that one person keeps an eye on all the Company and Charity requirements which cannot be taken for granted when there is no guarantee that paid staff will always be in post. This would seem to be a good way in which a local business could make a real contribution to the park by offering the services of a suitable staff member.

## **13.0 Treasurer.**

This role will be important and may not be within the competencies or interests of those that are nominated by the partners. During the Shadow Trust period one of the Boroughs or Groundwork London may be able to support this function which will be limited in any case. However if it is not possible to identify a suitable Treasurer from within the partners' nominations the possibility of seeking a volunteer and co-opting him or her should be considered. It should not be regarded as primarily a technical function. The Treasurer needs to also give leadership to the financial strategy and risk management as finances will be a principal concern for some time.

## **14.0 The Executive Board.**

The approach normally taken by Trusts where there are a large number of potential members is to have a 'Management Board' which meets 3 or 4 times a year. This group then elects annually an 'Executive Board' of, say 8, and this group then elects or selects a chair, Treasurer and secretary. The Executive Board would need to include the 4 boroughs and GLA (?) so that the other 3-4 places would be by election from the Management Board and it would meet more frequently to deal with day to day business. The Trust Directors could be all or some of the Executive Board. The existing Working Groups should continue so long as they are deemed to be effective. Working groups will need to be encouraged to also raise resources to fulfil their aspirations as well as minimising demands for expenditure on the new Trust.

The officers of the Trust should be elected for a minimum of a year, the longer the better, up to perhaps three years. Given the difficulties of finding suitable Treasurers if a good Treasurer is found it may be best to keep them for as long as possible. Ideally there would be a succession plan for key Trustee posts such as this whereby the next post-holder could start by being an Assistant Treasurer.

The Executive Board will have delegated powers to deal with personnel matters including the appointment of the Chief Executive.

## 15.0 Funding.

In 2011/12 the relatively modest target of £37.5K fundraising has been set. This is over and above the Boroughs' agreed contributions. Ideally the funding would be able to be spent in 2011/12 and/or 2012/13 as needed. The core funding needed for the Trust was estimated in the Stage One report as shown in the table below. It should be possible to persuade one or more Charitable Trusts to fund this as the start of a new Trust and sustainable way forward for the Wandle Valley.

Possible funders are the City Bridge Trust under its London Environment Programme; Esmee Fairbairn Foundation under its Environment programme; BLF Reaching Communities; Sainsbury's Family Trusts (e.g. Ashden Trust, Monument Trust or Gatsby Charitable Foundation); Thames Water Charitable Committee.

<b>Core funding contributor</b>	<b>2011-12 Part-year</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>
Boroughs @£8K each reducing to £4K	£32K	£32	£28	£24	£20	£16K
Other partners inc Supporters Group fundraising	£2.5K	£5K	£10K	£15K	£20K	£25K
Charitable Trust or other core-funder	£10k	£18K	£18K	£18K	£0K	£0K
Funds raised by the Chief Executive	£25K	£50K	£60K	£70k	£80K	£90K
<b>Core funding available to Trust</b>	<b>£69.5K</b>	<b>£105K</b>	<b>£116K</b>	<b>£127K</b>	<b>£120</b>	<b>£131</b>

Note: As there is no guarantee of fundraising being successful in the short term this Action Plan does not budget for spending items over and above the post mentioned in paragraph 2). *Partners are advised to plan on the assumption that there is not an early spending budget though in reality there almost certainly will be some early fundraising successes. The Stage One report outlines the spending items that the Trust would ideally consider including in its budget once it was confident that funds were available.*

## **The Community Infrastructure Levy.**

**The Community Infrastructure Levy (CIL)** will be introduced soon and Boroughs should urgently consider prioritising the Wandle Valley Regional Park as one of the recipient causes for this levy. It would seem to be a wholly justifiable and virtuous cycle – the WWRP will improve the environment and development values in the area so should receive contributions from developments which will put additional pressure on the park and its infrastructure. There are few examples yet of Boroughs setting out their proposals publicly for the CIL but the LB Redbridge has produced proposals for consultation and the following paragraph is adapted from that document.

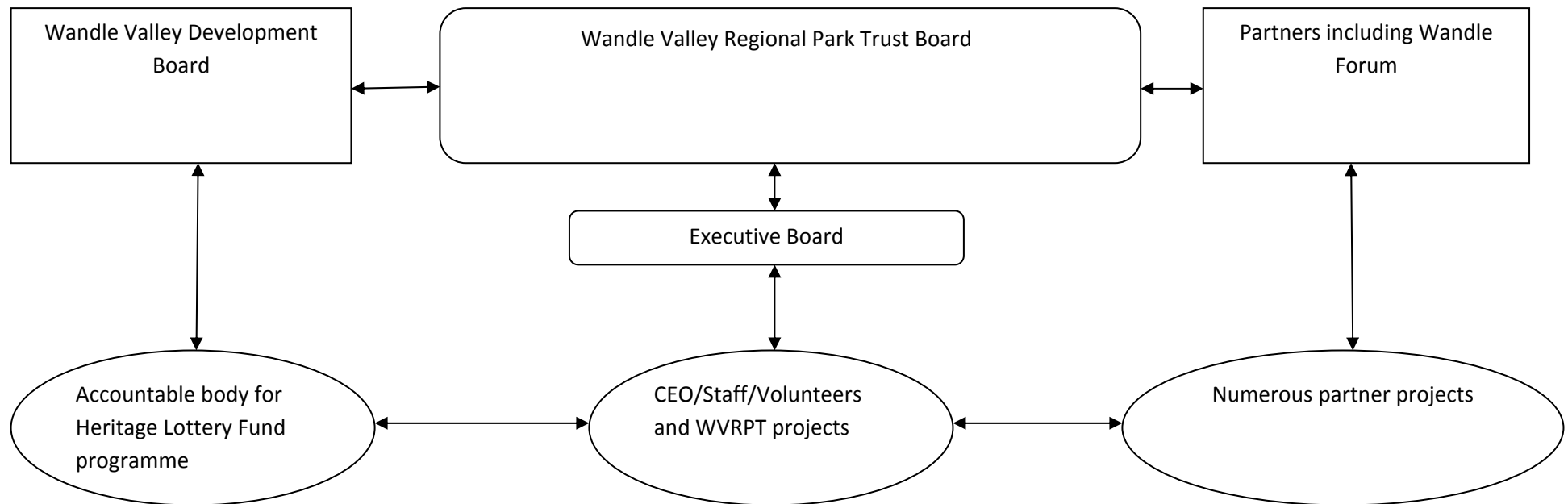
The Community Infrastructure Levy (CIL) (as set out in the Planning Act 2008) is a new system of developer contributions and is intended to supplement other public sector revenue streams to ensure that new community infrastructure can be provided to keep pace with population growth. The Community Infrastructure Levy Regulations were brought into force by the House of Commons on 6 April 2010. On 18 November 2010 Decentralisation Minister Greg Clark confirmed that the Community Infrastructure Levy will be continued.

CIL will be a charge on new development, imposed at the time planning permission is granted and paid at the commencement of development or (for larger amounts) by instalments over fixed time periods. Charges are to help fund new infrastructure or upgrade existing infrastructure to support growth, not to cover the cost of existing deficiencies. It is proposed that the Redbridge CIL will be set at a level of **£70/m<sup>2</sup>**. This rate will apply to any new build – that is a new building or an extension – if it has at least 100m<sup>2</sup> of gross internal floor-space or involves the creation of one dwelling even when that is below 100m<sup>2</sup>.

Boroughs need to continue to include the WWRP in their approved plans, strategies, development frameworks etc.

### Appendix One: Illustrative structure for the first year of the new Trust.

This diagram illustrates how the Trust will need to work alongside others, as it develops its experience and resources it may be able to take over other roles such as the Accountable Body for the Heritage Lottery Fund bid.



## **Appendix Two: Notes on setting up and registering a Private Company Limited by Guarantee.**

It is essential that the Wandle Valley Regional Park Trust has limited liability. This is to protect those involved from the large financial risks involved (though in some cases trustees will not be protected if they have acted improperly or failed to carry out their duties under law adequately). There are many sources of free guidance in establishing a company and the following advice is taken from **www.businesslink.gov.uk**:

“When establishing the company and registering as a charity it is important to check the sequence of actions needed and details of the Memorandum and Articles from the perspective of the partners which are to be involved. It would be possible to secure free legal support from the law-works (pro bono) service though ideally partners would check the proposals with their own advisers as they will understand the legal situation as far as their own organisations are concerned. In this case it is important to undertake the development of the charity registration application alongside the preparation of the company registration documents as the two have to be right for each other. As long as this is done Company Registration can be a straightforward matter though it is wise to build in a time period of 6 weeks to allow for the flow of paperwork etc.”

**There are four main types of limited company:**

**Private** Company Limited by shares; Private Company Limited by Guarantee; **Private** Unlimited Company and **Public** Limited Company (**plc**)

**The Private Company Limited by Guarantee is recommended. Business Link explains:**

“Companies limited by guarantee do not have shares, and its members are guarantors rather than shareholders. The members' liability is limited to the amount they have agreed to contribute to the company's assets if it is wound up. This structure is often used by charities, Right to Manage, commonhold companies and social enterprises to limit the personal liability of their directors and trustees.”

A name needs to be agreed for the Company and it must not be one that is easily confused with another company. The Wandle Valley Regional Park Trust Ltd seems like quite a long name but it has the advantage of being absolutely clear as to its function and not easily confused with the Wandle Trust.

**The cost of registering a new company.** £20 is currently the one-off fee. A free tool-kit is available at [www.getlegal.org.uk](http://www.getlegal.org.uk) where partners can explore the different options available and why this model is recommended.

## **Appendix Three: Notes on registering as a Charity.**

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- 1) The **name** must be selected and checked against duplication with an existing charity.
  - **Charitable purposes** must exist as the intended function of the organisation. In this case the following relevant purposes are recognised by the Charity Commission as being charitable: The advancement of environmental protection or improvement
  - The prevention or relief of poverty; The advancement of the arts, culture, heritage or science.
- 2) **Governing documents** are needed. The Charity Commission provide a model Memorandum and Articles of Association and it is recommended that these be used because the Charity Commission will approve registration more quickly as a result and with fewer complications and queries which could involve significant legal costs if the WVRP seeks to establish its own and unique governing documents. Nevertheless there does need to be a process of each partner considering the proposed governing documents from its own perspective and this is built in to the proposed timetable.
- 3) **Charitable objects** must be set and models ones are provided by the Charity Commission. These are examples which the new Trust may adopt. The Shadow Trust Board should finally agree the scope of the objects bearing in mind that this Trust may ultimately be the recipient of considerable support though a precept arrangement. These first objects would suggest a fairly narrowly drawn Trust:
  - To promote for the benefit of the public the conservation protection and improvement of the physical and natural environment [by
  - To advance the education of the public in the conservation, protection and improvement of the physical and natural environment
  - To promote for the benefit of the inhabitants of [ insert place ] and the surrounding area the provision of facilities for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances or for the public at large in the interests of social welfare and with the object of improving the condition of life of the said inhabitants.
  - To promote sustainable development for the benefit of the public by: [include as applicable] (a) the preservation, conservation and the protection of the environment and the prudent use of resources; (b) the relief of poverty and the improvement of the conditions of life in socially and economically disadvantaged communities; (c) the promotion of sustainable means of achieving economic growth and regeneration.

Or a Charity Commission generic object such as this could be adopted (deleting sub-sections as appropriate) see next page:

*Charity Commission suggested generic object:*

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**The promotion for the benefit of the public of urban regeneration** in areas of social and economic deprivation (and in particular in [specify area]) by all or any of the following means:

(a) the relief of financial hardship:

(b) the relief of unemployment:

(c) the advancement of education, training or retraining, particularly among unemployed people, and providing unemployed people with work experience:

(d) the provision of financial assistance, technical assistance or business advice or consultancy in order to provide training and employment opportunities for unemployed people in cases of financial or other charitable need through help: (i) in setting up their own business, or (ii) to existing businesses:

(e) the creation of training and employment opportunities by the provision of workspace, buildings, and/or land for use on favourable terms:

(g) the maintenance, improvement or provision of public amenities:

(h) the preservation of buildings or sites of historic or architectural importance:

(i) the provision of recreational facilities for the public at large or those who by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances, have need of such facilities:

(j) the protection or conservation of the environment:

(k) the provision of public health facilities and childcare:

(l) the promotion of public safety and prevention of crime: (m) such other means as may from time to time be determined subject to the prior written consent of the Charity Commissioners for England and Wales."