

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in the Council Chamber on Thursday 20 September 2018 at 1.45pm

- PRESENT: Cllr Barbara Cobbold (Chairman)
Paul Burnett
Ewen Cameron
Mungo Chapman
Stephen Lacey
Ian Marshall
Cllr James Scholes
Clare Sinha
Corin Thoday
Cllr Chris Woodward
- APOLOGIES: Cllr Thelma Huggett
Anthony Moore
- ATTENDING: Rodney Stone (Clerk)
Geoff Levitt (Treasurer)
Steve Budden (Warden)
Julia Woodgate (Support Officer)
Clive Evans (Friends of Tunbridge Wells and Rusthall Common)
Jennifer Blackburn (Rusthall Parish Council)
- OBSERVING: Cllr Joy Podbury

MINUTES

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 21 June 2018 were considered, approved and signed by the Chairman.

2. MATTERS ARISING

a) McMillan Williams

It was noted that the wall has now been built and is awaiting the facing stone.

b) Telecoms box in Rusthall Road

The work has still not been completed by Morrisons, so the verge has not yet been repaired.

c) Bye-law signs

Replacement signs have not yet been ordered and erected.

d) Pedestrian crossing in Langton Road

Cllr Woodward has raised the matter in the JTB meeting, but until KCC have completed their cable and traffic flow surveys the project cannot move forward. The next JTB meeting is in October.

e) Hadlow College

The Warden and Freehold Tenants have met Jenny Price from Hadlow College on site and she is very interested in a collaboration. She is currently looking at how their courses could be designed to make use of the Commons. The arboriculturist may also be interested in using the trees on the Commons for training.

f) Archaeology

There will be a final report prepared for Conservators summing up the finds and conclusions, and well as recommendations for the future.

g) Replacement tree

A new tree will be planted near the diseased American oak on Inner London Road this winter to be an eventual replacement. The Conservators requested an English oak.

h) New s106 project

It was confirmed that the council have a grant of £650 which they plan to spend on the Common and have asked KHWP to draw up a plan. This will involve a family volunteer day to work on heathland restoration. The Warden is liaising with KHWP.

i) Fir Tree car park

The Warden confirmed that the office is still monitoring the car park and use of stickers has been effective in removing commuters.

j) Audit

The auditors have confirmed that there were no matters arising from the 2017/18 accounts and have issued the certificate.

k) Parking on grass at Inner London Road

The Warden has spoken to the Retreat Hotel and they have confirmed that they do not allow guests to park on the grass. However, builders and scaffolders frequently remove posts in order to park while they are working in the road.

Preventing this would require a substantial barrier. Large posts could cost £4,500 - £5,000.

Using rocks as a barrier was considered but would be too expensive. Concern was expressed that travellers could access the grass from London Road.

Targetfollow suggested erecting a notice and fining anyone parked on the grass. It was agreed that the Warden would continue monitoring the situation until the next meeting.

3. DATES OF FUTURE MEETINGS

RESOLVED – That the meetings of the Commons Conservators be held at 2.00 p.m. on the following dates:

21 March 2019
20 June 2019
19 September 2019
5 December 2019

4. WARDEN'S REPORT

The Warden announced that the Common was category winner for the south east in Britain in Bloom. The judges were shown around by John Barber, and the Conservators recorded their thanks.

The summer work has been completed, and experiments carried out with the remote flailbot and new herbicide treatment for the heather areas. The latter was not very successful as the weather was too hot and some heather was lost. The Contractor is developing a new approach for next year.

Of the Freehold Tenant projects, the two racecourse paths are finished and the scrub clearance at Happy Valley is imminent.

There has been a problem with rough sleepers this summer, although they usually move on quickly when approached. One left a smouldering fire which travelled under the leaf litter so the fire brigade was called.

There has been one particular rough sleeper who has been camping near the coach park for some time. His camp is very large with several canopies and furniture and, despite promising to go and signing letters to that effect, he has not moved. The council have now taken the lead and have found him a place to live with a job. He has been helped by housing and mental health services.

Planned work for the next quarter is detailed on the work schedule, although there is an extra job to add, that of removing more of the hedge at the new area of Common.

The ditches have been cleared early as the recent heavy rain washed a good deal of debris into them. It was agreed that the office should contact KCC again to ensure the debris has been removed from the drains.

The Chairman of the Friends requested an article from the Conservators for Common Ground to let people know how much work is involved in keeping the Commons clear and tidy, and it was agreed that an effort should be made to let the public know more about how the Commons are run and what the Conservators do.

5. **FINANCIAL STATEMENT**

RESOLVED – that the statement be approved.

6. **CLERK’S APPOINTMENT**

The Conservators have agreed the terms and conditions to be offered to the new Clerk, including the new title of Director of the Commons and Clerk to the Conservators. An honorarium of £5,000 p.a. is to be offered in place of the expenses currently paid.

The wording for the advertisement was agreed and the current Clerk is to give interviews to the local papers to accompany the advertisement. It was agreed that the information should be disseminated as widely as possible.

The Treasurer warned that signatory arrangements with the bank must be agreed by the next meeting.

RESOLVED. To approve all terms and arrangements.

RESOLVED. To approve the Recruitment Privacy Policy.

7. **RISK REVIEW**

The Treasurer presented the updated version which contains all the improvements made over the previous year and includes two new risks. It was agreed that the GDPR section should be expanded to include some of the risks that have recently become apparent.

RESOLVED. To examine all risks with a red overall risk rating at the December meeting and annually thereafter.

8. **FOREST SCHOOL**

The Friends provided a proposal for KHWP to run some forest school sessions for primary age children. The sessions are planned for the winter months and will include den building, nature crafts, mud play and fire lighting. The fires will be made in a raised bowl and will not damage the ground. The aim is to teach confidence and resilience as well as outdoor skills.

KHWP have long experience in delivering such sessions. They will take responsibility for providing enough appropriately trained and qualified staff for the

group numbers, the activity programme, materials, health and safety risk assessments and insurance, as well as clearing the site to leave it as found. The Warden was asked to check that they have a safeguarding policy.

The Friends hope to raise the funding necessary from grants.

RESOLVED. To allow the Forest School sessions to go ahead subject to the details being agreed with the Warden.

9. RUSTHALL COMMUNITY ARTS

A new community arts group wish to perform a community play in front of Toad Rock. It will be developed by the cast and entitled “Legend of the Rocks.” The director is very experienced at developing and producing community plays and has also formed a community volunteer group to help keep the rocks clear of vegetation. A run of five shows over three days is planned.

AGREED. To allow the play to go ahead, subject to the usual conditions and the Warden approving the details.

10. RING BOLTS

The Warden reported previously that ring bolts had been fixed into the top of the Cheesewring without permission from the Conservators or BMC, who installed and took responsibility for the bolts at Bulls Hollow.

BMC have examined the bolts and spoken to the people who put them in and believe them to be safe. If their insurers agree to cover them, they would be prepared to take responsibility for those on the Cheesewring. They would prefer to remove those nearby and will pay all costs.

It was agreed that a warning notice should be erected as an interim measure.

AGREED. To allow them to remain if the insurers provide the Conservators with an indemnity.

11. ALDI

Targetfollow reported that they are continuing discussions with Aldi to agree Heads of Terms for a long lease giving them access over a small strip of land within Targetfollow’s freehold ownership and which forms part of Tunbridge Wells Common in front of 15 and 16 Eridge Road, which is to be used as the exit for the new supermarket. Although it means losing this part of the verge, Aldi will be returning an existing exit to verge so there will be no overall loss. Due to the Common being an Asset of Community Value and the proposed length of lease being in excess of 25 years this is considered a disposal under the Localism Act (Section 95 and 96) and requires the local authority to be notified.

The planning application is due to be submitted shortly and should not require any encroachment onto the Common on the opposite side of the road.

The planners are to be asked for a contribution to the Common as compensation for the pollution and other detriment that will result.

12. POSTER SITES

Targetfollow wishes to create poster sites for events taking place in the Pantiles or on the Common to limit the spread of small posters appearing in multiple locations.

The Conservators agreed that keeping posters to a single site would be welcome and they would be prepared to consider possible locations, but the boards should not be permanent as it would be unsightly when there are no events taking place.

13. ANY OTHER BUSINESS

a) Church group

A group of churches in Tunbridge Wells has asked if they could stage a community event on the Lower Cricket Pitch in May 2020. It will involve a holiday club and Christian meetings, but the plans are currently undeveloped.

The Conservators asked the office to find out if previous meetings in Calverley Park had been successful and without incident.

Clare Sinha left at this point

b) Cycle routes

The Warden reported on a recent meeting with KCC about the proposed cycle routes. The officers outlined the Conservators' difficulties and the pitfalls of some of the routes. KCC are to look into the legal position.

c) Sussex Lund

The grant application for installing a new pond at Bulls Hollow was not successful, but the Warden is to meet their representative on the Common to discuss projects that may be more successful.

d) Apsley Street

The problem of the metal pipe, exposed by repeated driving over the Common without permission, was discussed. Targetfollow's view is that the residents have no rights of access as they have had no consent. If the users regularise their position by taking out licences, then the pipe can be investigated.

It is also the view of the Conservators that the pipe is not their responsibility.

Please note that minute 13(d) was amended by the Conservators prior to the Chairman signing it.

e) Liability insurance for Directors and Officers

The Treasurer confirmed that no Conservator has individual responsibility and can only act as part of the body of Conservators, which is covered by the insurance policy. The officers are also covered by the policy, and they cannot be required by the Conservators to act illegally.

f) Town Centre Management

Targetfollow confirmed that they are still hoping to plant spring bulbs in Inner London Road. The Warden has suggested crocuses, which die down in time for mowing, but they prefer taller flowers to make more impact. The Warden would consider native wild species of daffodil but not imported bulbs. They will still cause a problem for early mowing.

AGREED. To allow TCM to plant bulbs as agreed with the Warden.

g) Rusthall ditches

The Warden was asked to check the condition of the ditches along Rusthall Road as they are in need of clearing.

h) Cherry laurel

The Friends reported that they have applied for a grant to clear some of the cherry laurel in areas identified by the Freehold Tenants.

i) Mungo Chapman

Mr Chapman announced his retirement after serving as a Conservator for 30 years, which he said had been a privilege. The Chairman said that the Conservators will be sorry to see him go and wished him well for the future.

AGREED. To thank Mr Chapman for his long service as a Conservator.

14. PLANNING APPLICATIONS

71 London Road – Replacement gates and entrance widening. Wrote to remind them that they cannot encroach on, or damage the edge of, the Common opposite.

Spa Hotel – Redevelopment of overflow car park to provide 9 dwellings. Wrote to complain that not enough parking places were provided which would lead to extra pressure on the very limited parking beside the Common.

35 Upper Street – Rear extension. Wrote to remind them of their obligation to protect the rocks and grass on the Common and advise them that they cannot store materials on the Common.

Mount Edgcumbe Cottage – conversion of garage into studio. Wrote to remind them that they cannot store materials on the Common or allow contractors' vehicles to overrun the verges.

The next meeting will be held at **2.00 p.m. on 6 December 2018.**