

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in Committee Room A on Thursday 22 March 2018 at 2.00pm

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

MINUTES

1. APPOINTMENT OF CHAIRMAN

In accordance with the third Schedule of the County of Kent Act 1981 it was noted that the Conservators are required at the first meeting held on or after 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED. That Cllr Barbara Cobbold, representative of the Borough Council, be appointed as Chairman until the quarterly meeting of the Conservators in March 2019.

Cllr Cobbold in the Chair

The Chairman thanked Ian Marshall for all his work as Chairman, remarking on his commitment and dedication to the Commons.

2. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 7 December 2017 were considered, approved and signed by the Chairman.

3. MATTERS ARISING

a) McMillan Williams

The Warden confirmed that the situation has not changed; work to rebuild the end of the bank and continue the wall has not yet been started. He does not have a start date.

b) Stranges Avenue

The Warden reported that the developer, Amberley Homes, has agreed to pay for the work which includes tree surgery on two major trees. This work cannot begin until permission is received from the council, which should take about eight weeks. He has started to clear fallen trees and scrape the surface, which the developer is to pay for. The office has reported the state of the path edges to the footpaths officer.

c) Pedestrian Crossings

The zebra crossing in Major Yorks Road has been completed, but the traffic island in Langton Road now seems unlikely to go ahead. KCC now want a traffic and pedestrian survey before they will consider it further. Cllr Woodward will raise it again at the next JTB meeting.

d) Bye-laws

Defra have offered some advice on drones and some on redrafting the bye-laws, but it seems unlikely that a new bye-law will be able to offer more protection than the general legislation. It was agreed that the bye-laws will remain as they are, and new notices for the Commons can now be produced and erected.

e) Telecoms box

The Warden attended a site meeting with Highways and Morrisons, the contractors, and agreed the exact site of the new telecoms box at the edge of the treeline by the bus stop in Rusthall Road. All the cabling will go under the pavement, not the verge. The road will have traffic lights for the duration of the work.

f) Hadlow College

They have indicated interest in working with the Conservators. A site meeting will be arranged.

g) Archaeology

Volunteers have cleared the scrub from the area of interest. The report will be sent to the Conservators

4. WARDEN'S REPORT

The Warden reported that he had been unable to complete all last quarter's planned work because of the weather. When the snow melted the ground was too wet to use the big machines. As the birds have now started nesting, only essential tree work will take place, so some of the projects will be postponed until later in the year. The last of the necessary work on the roadside trees has been completed, and the work in Royal Victoria Grove will take place as soon as possible as it cannot wait.

Two large trees have developed major fungal problems; one is a large lime near the cricket pitch on Tunbridge Wells Common and the other is the magnificent red oak on Inner London Road next to the Church Road junction. In both cases a 25% reduction may slow down the problem, but the trees will die in the coming years. The Warden recommended that a new tree be planted now at Inner London Road so that it will be large enough to take the place of the red oak. He suggested another oak, but of a different species.

A large beech came down over the winter in Bulls Hollow, which has let a great deal more light into the area. The Warden is looking at the possibility of putting a pond in there and is hoping for some grant funding.

The volunteers have done an exceptional job over the winter of removing scrub and the build up of soil from Wellington Rocks and some of the named rocks at Denny Bottom.

On Common View, agreement was reached last year with the bonfire committee to limit vehicle access. Only one vehicle will be allowed on the Common to build the bonfire and it will gain access from Rusthall Road. The Warden has two large tree trunks to dig into the bank at Common View to prevent future vehicular access from there.

A new type of work schedule will accompany his reports in future showing planned tasks linked to management plan requirements. They will also show last quarter's tasks and the progress made, including any tasks that did not appear on the previous report.

The state of some of the paths was raised, especially the Tarry Path, and the Warden confirmed that most are definitive paths and the office has recently reported several to the PROW officer at KCC. The lockable bollard at the end of Cabbage Stalk Lane also needs attention.

5. FINANCIAL STATEMENT

RESOLVED – that the statement be approved.

6. EXTERNAL AUDITOR

The Treasurer reported that the Smaller Authorities Audit Appointments Ltd have reappointed KPF Littlejohn as the Conservators' auditor. The Conservators will be subject to the Limited Assurance Review with a fixed fee of £400 + VAT.

7. FIR TREE CAR PARK

The Clerk was asked by the last meeting to look into the legal position of asking RCP to enforce the four hour limit and impose fines on car park users that overstay. He notified the Conservators by email that he could find no legal reason to object and the practical difficulties had been resolved with the office. However, Conservators had requested a discussion at the meeting before taking a decision.

The Warden reported that the office has been monitoring the car park three days per week on most weeks since January and placing stickers on cars that are parked for longer than four hours. There has been no problem since the end of January. It has become apparent

that some cars make several visits during the day and could be fined under RCP enforcement even though they are legitimate Commons users.

The Warden pointed out that the main problem with the car park is the number of cars from users of BMF classes on Saturday mornings. Targetfollow were asked to speak to BMF.

RESOLVED. Not to use RCP to enforce the car park time limit. Officers to continue monitoring.

8. LIGHTING ON COMMON

Following a serious assault on Tunbridge Wells Commons, the Conservators have been asked to look at the question of lighting. The Conservators' view has always been that lighting could make the Common more dangerous.

The office sought the opinions of the council safety unit and the police, and the advice was clear: lighting on the paths could make it easier for predators and give users a false sense of security

RESOLVED. Not to introduce any lighting on the Common, or to erect any signs at present, but to continue to make the Common as safe as possible.

9. CRICKET CLUB CONTAINER

Linden Park Cricket Club have new mowing equipment and have requested permission to place a container on the Commons to keep it in. They recognise that the practicalities may be insurmountable but asked for permission in principle.

RESOLVED. Not to allow a container or give permission in principle. The club to be asked to look at other solutions

10. ADMINISTRATION CHARGE

RESOLVED. To make an administration charge to utility companies who need to work on the Common where this will require administration or supervision. Charges will vary according to the work involved but will start at £100.

11. RISK REGISTER

The update shows the changes since the last update, including the written assurance from the Borough Chief Executive that the Council will do what they can in the event of an emergency.

Some ratings have been lowered as a result of updates and the Treasurer agreed to lower the accounting risk in view of the backups in place.

The question of meeting the requirements of the new Data Protection Act was also raised.

RESOLVED. The office to email all Conservators and meeting invitees to ask for consent to hold their names and addresses, which may be required under the new Data Protection provisions.

12. SHAKESPEARE ON COMMON

The Conservators have been approached by a group hoping to do a readthrough of As You Like It on the Common in the summer. There will be no equipment and, although the public will be encouraged to watch, no entry charge.

RESOLVED. To allow the readthrough to go ahead provided it does not involve any elements that have not been disclosed to the Conservators.

13. MAINTENANCE OF UNAUTHORISED PATHS

Residents at the top end of Apsley Street have approached Targetfollow to request repairs to a footpath which is in a poor state. Neither the Conservators nor the Manor installed the footpath and it is not clear how long it has been there.

RESOLVED. To refuse to pay for the upkeep of the path. The residents to be told they may repair it themselves if they wish.

14. EVENTS

RESOLVED. To permit the following:

- a) **Hospice in the Weald 10K run – 23 September 2018. Subject to there being no variation from previous years;**
- b) **Rusthall Bonfire – 27 October 2018. Subject to conditions agreed with Warden earlier in the year;**
- c) **Signs advertising Rusthall Bonfire for one week;**
- d) **Signs advertising Rusthall Fete for one week;**
- e) **Signs advertising Langton Green Fete for one week;**
- f) **Signs for St Pauls School Fetes, summer and winter, for one week each.**

15. ANY OTHER BUSINESS

- a) Cinema site development

The office has been informed that the number of new dwellings planned will lead to a mitigation payment of £8,300.

- b) Pantiles Traders

The Pantiles traders have written to Targetfollow and the Conservators to ask for consideration to be given to improving the parking provision on the Common. It was agreed to hold this item over to the next meeting.

c) Town Centre Management

Targetfollow reported that the Town Centre Management is still hoping to mount events incorporating the Commons such as sculpture trails or foraging tours but they have not yet come forward with any firm plans.

16. PLANNING APPLICATIONS

74 Mount Ephraim – enlargement of flat into basement. Wrote to point out that no materials should be left on Common or vehicles allowed to overrun verge.

1 Boyne Park – raising of part of roof to enlarge flat. Wrote to point out that materials may not be stored there, nor vehicles wait there.

17. SALARY REVIEW

The Treasurer outlined the current position regarding the Conservators' duties under the Pension Act 2008 (Automatic Enrolment Pensions).

The salary review was deferred pending a report from the Clerk and Treasurer.

The next meeting will be held at **2.00 p.m. on Thursday 21 June 2018**