

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in Committee Room A on Thursday 23 March 2017 at 1.30pm

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

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 Ian Marshall, representative of the Freehold Tenants, be appointed as Chairman until the quarterly meeting of the Conservators in March 2018.

Ian Marshall in the Chair

The Chairman thanked Ewen Cameron for all his work as Chairman, which had been most appreciated.

He also welcomed Clive Evans to his first meeting in the role of Chairman of the Friends.

2. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 1 December 2016 were considered, approved and signed by the Chairman.

3. MATTERS ARISING

a) Linden Park Cricket Club

The Warden confirmed that the signs requesting dog walkers to refrain from congregating in the same part of the outfield each day have been erected on the surrounding railings.

b) McMillan Williams

The Warden confirmed that the work to rebuild the bank has not yet been started and he does not have a start date.

c) Stranges Avenue

The Warden reported that he has been unable to pin the developer down to a start date for the work although they are still keen to have it done, so he hopes to organise the work himself and invoice the developer. It is now too late to begin tree work, so it will need to wait until the autumn.

d) Roadside drainage

The Warden reported that KCC seem to have cleaned all the gullies to some extent, but no work has been done to connect them to the soakaways on the Common. He will speak to them again to see if this can be done. The drainage system on that part of the Common is now clean and clear.

4. WARDEN'S REPORT

The Warden reported that he had completed more work than usual in this quarter because of the extra project work generously funded by the Freehold Tenants and Friends. He has completed all the tree and hedge work in time for nesting, including most of the work resulting from the first of the annual tree surveys which this year covered Major Yorks Road, Bishops Down and Fir Tree Road.

He is now able to turn his attention to the other work, of which the most urgent is the height restriction barrier at the entrance to Fir Tree car park. The creation of the bund, which will run from the new clearance at Castle Road through to Edgcumbe Rocks to prevent vehicular access, will also be a priority.

In addition he plans to put in the two set of steps, one at Fir Tree Pond and one below the Tarry Path on Rusthall Common, shortly.

A great deal of clearance work has been carried out at Happy Valley this winter, some by a new contractor called The Living Forest, which did an impressive amount of clearance in a short time with their specialised machinery.

5. FINANCIAL STATEMENT

RESOLVED – that the statement be approved.

6. **RUSTHALL PARISH COUNCIL REPRESENTATIVE**

Jennifer Blackburn has been appointed by Rusthall Parish Council to be their official representative to the Conservators.

7. **PAYROLL ADMINISTRATION**

The Treasurer informed the meeting that, due to a change to their payroll system, TWBC are to introduce a charge of £15 per employee per month to include all aspects of payroll administration.

RESOLVED. To continue to use the council payroll facilities and pay the charge.

8. **RISK MANAGEMENT POLICY**

RESOLVED. To adopt the draft Risk Management Policy.

9. **RISK REVIEW**

Amendments to the risk register suggested by the Head of Internal Audit were sent by email prior to the meeting. As it is very detailed, the Treasurer suggested that the suggested amendments should be examined by the committee immediately after the Conservators' meeting.

It was agreed that assurances should be sought from the Council that they will continue to provide office space in the future. It was also pointed out that the reputation of the Conservators depends, to some extent, on the Manor not making decisions that run counter to the those of the Conservators.

RESOLVED. The committee to complete the amendments to the risk register with a view to it being adopted at the next meeting.

10. **MANAGEMENT PLAN**

The focus has been on consultation with Kent High Weald Project, the Council, the Friends and the public via the website. The Chairman pointed out that it will evolve once it is put into practice and the requirements become clear.

The Freehold Tenants were congratulated on the quality of the Plan.

RESOLVED. To adopt the Management Plan.

11. **LICENCES FOR ACTIVITIES ON THE COMMON**

The Chairman suggested this item be held over to the next meeting in the absence of the Clerk.

Targetfollow expressed their concern that the issue was not being dealt with, as they believe that users of the Commons could claim rights to occupy if the Conservators'

acceptance of donations could be construed as granting rights; they therefore want to introduce licences immediately to formalise the rights of those running the classes.

The Treasurer advised that any payments made by fitness classes to the Conservators are voluntary donations. No charges have been made.

The Warden expressed concern that these donations are used to repair the damage and wear and tear caused by the classes. If licences are granted by Targetfollow, donations will no longer be made to the Conservators and the Warden will no longer be able to offset this damage.

The Freehold Tenants made it clear that Targetfollow are not entitled to claim that the one third share paid to the Freehold Tenants constitutes payment to the Conservators. Any funds received by the Freehold Tenants are entirely in their own gift, and they will not fund maintenance on the Common.

Some Conservators showed concern that the Common is open to all for exercise and therefore it would therefore be inappropriate to start charging. Possibly there is no legal right to do so either. Concerns were also expressed over the difficulty of defining which activities can be licenced and identifying the fitness groups.

The view was also expressed that the proliferation of such classes was causing problems in all open spaces.

RESOLVED. To hold the issue over until the next meeting when the Clerk will be available to give his advice.

12. PHONE MAST APPLICATION

The application for a phone mast outside the Spa Hotel has been refused planning permission, which would imply that mobile phone companies do not have a statutory right to place phone masts where they wish.

13. INFORMATION PANELS

The Chairman of the Friends told the meeting that sponsorship for new information panels has been secured, funding raised, and the panel design and wording nearly finalised. They will be put in ten locations, mostly replacing the old ones which are in very poor condition. The panels will be A0 size with easy to clean surfaces on wooden frames.

RESOLVED. To agree to let the Friends install the panels once the Conservators have seen the design.

The Chairman congratulated the Friends on what had been a challenging project pursued with determination, and the end results would be impressive.

The office to check that planning permission is not required.

14. **RUSTHALL AND LANGTON GREEN EVENTS**

RESOLVED. To allow Rusthall Bonfire to be held on 28 October 2017, subject to the usual conditions and agreement of the details by the Warden. Also to allow signs advertising the bonfire, as well as Rusthall Fete and Langton Green Fete, to be put on the verge for one week before each event.

15. **HOSPICE 10K RUN**

RESOLVED. To allow the event to take place, subject to the usual conditions, and the agreement of the Warden to the details.

16. **ANY OTHER BUSINESS**

a) Romanoff Lodge

The owner wants to cut back or remove some large trees growing on the Common which are close to his house but largely invisible to users of the Common. The Warden is happy for some trees at the back to be removed entirely and for some trees to the side to be cut back. The owner has asked for a contribution of £500 from the Conservators towards the cost of the work.

RESOLVED. To allow the work to take place subject to the Warden agreeing the details, but not to contribute to the cost.

b) Drones

The Chairman raised the increasing problem of people flying drones on the Common. Many of these people do not appear to be skilled or fully in control of the potentially dangerous machines. There are others who are both skilled and insured, but cause a great deal of noise nuisance. He believes a policy to be necessary.

RESOLVED. The Clerk to look at usage protocols by other bodies with a view to creating a policy for discussion at the next meeting.

c) Litter

A local pressure group wants to have a stall on the Common to raise support for a deposit and return system on bottles and cans. The Warden to speak to the Council's Head of Environment to discuss the merits of such a policy and the appropriateness of setting up such a stall.

d) Showfields

Following the redevelopment of part of Showfields there is some s106 money available for gym or exercise equipment, but it has proved difficult to find a location. The local Councillors asked the other Conservators to consider whether this equipment could potentially be installed on the Common or whether this would lead to too many problems such as liability and maintenance. Views should be submitted to the office.

e) Pedestrian Crossings

KCC have told the Friends that they believe widening the road to allow for the installation of a pedestrian refuge on Langton Road would have to be authorised by the Secretary of State.

RESOLVED. The Clerk to write to KCC to emphasise the Conservators' support for the crossing and question whether permission from the Secretary of State is actually required.

17. PLANNING APPLICATIONS

Grounds of Bredbury House – appeal against decision to refuse permission for a subterranean dwelling. No comment.

18. SALARY REVIEW

RESOLVED. To increase the employee salaries by 1% from 1 April 2017.

The next meeting will be held at 1.30 p.m. on Thursday 22 June 2017