

TUNBRIDGE WELLS COMMONS CONSERVATORS

**Minutes of a meeting held in Committee Room A on Thursday 25 September 2014 at
2.00pm**

PRESENT: Ian Marshall (Chairman)
Neill Buchanan
Ewen Cameron
Mungo Chapman
Cllr Barbara Cobbold
Nathan Dickinson
Cllr James Scholes
Corin Thoday

APOLOGIES: George Craig
Peter Freeman
Cllr Victor Webb
Cllr Chris Woodward

ATTENDING: Rodney Stone (Clerk)
Geoff Levitt (Treasurer)
Steve Budden (Warden)
Julia Woodgate (Support Officer)
John Barber (Friends of Tunbridge Wells and Rusthall Common)
Jennifer Blackburn (Rusthall Parish Council)
Maria Simmons

MINUTES

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 10 July 2014 were considered, approved and signed by the Chairman.

2. MATTERS ARISING

a) Road edges

The Warden confirmed that work to repair the road edges where yellow lines have been introduced will commence in the next two weeks.

b) Cycleway

Targetfollow reported that the managers of the Major Yorks car park are considering working with Securebike to install a cycle shelter, but no decision will be taken until the cycleway is surfaced.

c) Pedestrian crossings

John Barber reported that the petition had been warmly received at the July meeting of the Joint Transportation Board (combined TWBC/KCC), and that KCC are preparing a funding bid to mount a study into the design and costing works. However, although it is believed to be in the top half of the priorities list, this does not guarantee that funding will be available. Greg Clark MP is being hugely supportive. KCC Councillors James Scholes (Major York's Road) and John Davies (Langton Road) are the people best placed to secure the position of the work in the priorities list.

d) Sign for Major Yorks car park

Targetfollow confirmed that a proposal was being prepared but has not yet been submitted to the planning department.

e) Manhole cover

The Warden confirmed that the missing cover has been replaced by Southern Water.

f) The Mount Edgcumbe

The Chairman reported that the hotel has advised that the exposed cable has now been buried and the office is writing to ask for confirmation that it has been done in accordance with regulations.

g) Rusthall Cricket Club

The site has been prepared and the container will be installed shortly.

h) Licences for fitness groups

The Clerk reported that he can see no basis on which the Conservators could issue licences for activities that are specifically permitted under the Act. Currently classes are asked to provide proof of insurance and for voluntary contributions to cover the wear and tear they have caused.

Targetfollow suggested that, while the Act may specifically permit individuals to exercise on the Common, running a business there is not a right. They want a mechanism for issuing licences to fitness classes in much the same way as wayleaves are granted. The Clerk pointed out that the activities of people who have a right to be there cannot be treated in the same way as wayleaves.

Concern was expressed that if licences are issued by Targetfollow, the income will go to them and the Conservators will not have any contribution towards

repairing the damage caused. The view was expressed that any income from the licence ought to go to the Conservators for maintenance.

It was also pointed out that British Military Fitness, by far the biggest group, use the pavements around the Common as often as they use the Common itself.

Targetfollow suggested that a way could be found to provide an income stream to both the Conservators and Targetfollow.

RESOLVED. George Craig to conduct further discussions with the Conservators.

i) Right to Bid

Targetfollow cancelled the planned meeting with the Friends, so the Friends have been unable to get any indication of the price expected.

3. **WARDEN'S REPORT**

The Warden reported that the bulk of the clearance work with the collector flail has been done, and the good weather has enabled good progress in the scheduled work.

The yellow lines have made a big difference to the Common and do not appear to have resulted in commuters using Fir Tree car park. The surface of the car park has now been patched.

The main impact on the Common was the recent incursion of the travellers at the Bumps, but excellent co-operation from all the authorities reduced the impact considerably. The police were extremely proactive and moved the travellers on within three days; the Clerk has written to Inspector Holway to thank him. TWBC helped with the cleanup and removed three lorry loads of rubbish, while KCC waived the tipping costs.

He was asked about the leak in Bracken Cottage Pond, and said it would be repaired in the next few weeks.

4. **FINANCIAL STATEMENT no 2 2014/15**

RESOLVED – that the statement be approved.

5. **TRAVELLERS**

The recent incursion by travellers has shown a need for a review of procedure. The police were very helpful and proactive on this occasion, but the Conservators cannot necessarily rely on the police to resolve every situation.

The use of tree trunks and posts has kept many areas safe, but the Warden explained that it was not possible to completely prevent vehicles from entering parts of the Commons without excluding the machinery needed for maintenance.

A draft checklist was circulated. The Conservators asked the office to address the question of notification and to make clear that any action would be on the basis of broken bye-laws. Mrs Blackburn requested that a copy of the finalised procedure should be sent to the Rusthall Parish Council office.

RESOLVED. To adopt the checklist with the amendments noted.

The Clerk told Targetfollow that, if the police cannot remove the travellers immediately on the basis of broken bye-laws, it may be necessary for the Conservators to take civil action against them but, under County Court rules, action has to be taken in the name of the freeholder. On a previous occasion the Manor used their own solicitors to start the action, while the Conservators met the costs.

Targetfollow agreed that they would be prepared to take action as a last resort, but would wish to see all other potential remedies used first, such as pressing KCC to enforce the bye-laws.

6. **COMMON VISION**

John Barber gave a brief update on the project. He is currently seeking sponsorship for the information panels, and the project group will commence design work when the funding is in place. All the existing panels will be replaced if funding is sufficient. Targetfollow indicated that they would be happy to see a panel installed on the Pantiles if all the relevant permissions can be obtained.

On the educational side, a recent event on Rusthall Common had a good turnout, and the Head of Broadwater Down Primary School specifically noted how important the educational programme has been for the school.

7. **ANY OTHER BUSINESS**

a) Bye-law signs

The Warden agreed that the bye-law signs need replacing, and it is in the work schedule for this winter.

b) Drainage in Rusthall

The Warden reported that KCC has dealt with the long standing drainage problem at the junction of Rusthall Road and Lower Green Road by directing the water onto the Common, causing the grass cutting machinery to sink in the resulting mud. KCC have agreed to return in the next two weeks to address the problem, which may mean directing the water into the drainage ditch by Common View.

c) Rusthall Bonfire

The Warden noted that he had given permission to the Bonfire Committee to put out signs on the verges in the week preceding the bonfire.

8. **PLANNING APPLICATIONS**

11 London Road – erection of 9 residential units. Wrote to advise that materials must not be stored on the Common or construction vehicles allowed to encroach.

Bulls Hollow – two storey rear extension. Wrote to advise that materials must not be stored on the Common or construction vehicles allowed to encroach.

Applications received but not commented on:

25 Common View – rear extension

Sandrine's Pilates Studio – retrospective for signs

The next meeting will be held at **2.00 p.m. on 11 December 2014.**