

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in the Council Chamber on Thursday 25 June 2015 at 2.00pm

- PRESENT:** Cllr Barbara Cobbold (Chairman)
Cllr Ronen Basu
Paul Burnett
Mungo Chapman
George Craig
Peter Freeman
Ian Marshall
Cllr James Scholes
Clare Sinha
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)
- OBSERVING:** Maria Simmons

MINUTES

1. MEMBERSHIP

RESOLVED. To formally appoint Cllr Ronen Basu in place of Victor Webb as a Conservator representing the Borough Council, and Clare Sinha in place of Nick Hill as a Conservator representing the Freehold Tenants.

The Chairman welcomed Ronen Basu and Clare Sinha to the meeting, and also welcomed Paul Burnett who was attending his first meeting since his appointment.

2. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 12 March 2015 were considered, approved and signed by the Chairman.

3. MATTERS ARISING

a) Pedestrian Crossings

John Barber informed the meeting that two crossing schemes - road widening on Langton Road with a pedestrian refuge in the middle, and a zebra crossing on Major Yorks Road - are on the priority list. They are due to be scrutinised before the end of June. The initial feasibility study has suggested that both crossing points are desirable although there may be land and delivery issues. Mr Barbour intends to press for the decision if he is not informed by the end of June

b) Rusthall Cricket Club

The Warden reported that the container had received temporary planning permission and should be installed shortly.

c) Targetfollow engagement

Targetfollow confirmed that, although no firm plans are in place, they are working on ways to engage more with the Commons.

4. WARDEN'S REPORT

The Warden reported that fine weather had enabled him to complete all planned work in the last quarter. In addition he had to deal with unexpectedly high concentrations of blanket weed in Brighton Lake.

His report referred to his concern about the wildflower areas, and recommendation to discontinue the experiment on Inner London Road. However, in the two weeks since the writing of the report, the area had started to show promise with the flowering of a number of species, especially yellow rattle. This is especially encouraging as it is parasitic on grass and weakens it which allows the wild flowers to flourish.

He believes the main problem is that the meadow area is confined to the trees, and the volume of fallen leaves each autumn keeps nutrient levels too high. In order to reduce the fertility and encourage the flowers, the leaves should be removed in the autumn. The simplest way to achieve this would be to hire a machine to pick them up. The machine would also scarify and remove the arisings thus further encouraging the wildflowers. As it would also require the use of a tractor to move it, a backup vehicle to load the leaves into, and two operatives, a single day's work would cost in the region of £500.

Concern was raised at the high cost and it was suggested that volunteers could do the work. The Warden agreed to investigate although previous experience showed that this was inefficient, and he would still need to pay someone to remove the leaves.

Although there was support for continuing the experiment for one more year, it was agreed that support could not be indefinite.

RESOLVED. To consider the options at the next meeting once the Warden has checked on the availability of volunteers and obtained firmer figures.

5. **FINANCIAL STATEMENT no 5 2014/15**

RESOLVED. That the statement be approved.

6. **UNAUDITED ACCOUNTS AND BALANCE SHEET 2014/15**

The treasurer drew attention to the fact that there was a small overspend on some areas of maintenance, most obviously maintenance of cleared areas. There is no one cause for this, although some unexpected work has taken place to add value to Freehold Tenant projects. The result of the overspend is that the reserves have dropped to a little under £22,000, whereas the recommended range for the reserves is £25,000 - £30,000.

RESOLVED. To approve the accounts.

7. **FINANCIAL STATEMENT no 1 2015/16**

RESOLVED. That the statement be approved.

8. **UNION SQUARE**

The Clerk explained that the owner of Union Square, Dandara, is redeveloping the site and want to rectify what they believe was an error in the original registration. They also wish to deal with an anomaly over the boundary of the Common and effect a land swap.

The ramp to their car park is registered as Common, and they wish to have this deregistered in exchange for another piece of land that will be registered instead. They have identified an area at the entrance to Park View House on Hungershall Park. They have accordingly applied to the Planning Inspectorate. Representations to the Planning Inspectorate need to be submitted by 17 July 2015.

Dandara has taken legal advice which the Clerk believes to be sound. However, under the County of Kent Act 1981 the Conservators are only responsible for the Common as it is and have no explicit power to expand it. Technically any new piece of Common would not be under the jurisdiction of the Conservators even if it is registered as Town and Village Green. The Conservators can take on the responsibility if they wish, but the area of ramp they will be giving up has no management liability whereas the new area will have.

The area of land in question has a stand of mature trees that will undoubtedly require attention in the future. Consequently it was agreed that Dandara should be asked to maintain this area or give the Conservators money for maintenance. If this is done, the Clerk saw no reason why the Conservators should not de facto thereafter maintain the area.

On the question of liability, the Clerk advised that the Conservators are not obliged to accept responsibility. Dandara will be the owners of the new piece of Common and will therefore be obliged to maintain it.

RESOLVED. The Conservators will not dispute the error in registration. The Clerk to write to the Planning Inspectorate accordingly.

RESOLVED. The Clerk to write to the Planning Inspectorate indicating that the Conservators would not object to the application for a land swap in principle providing adequate arrangements are made for the maintenance of the replacement land.

RESOLVED. The Clerk to meet Dandara and put the results of such a meeting to the Conservators.

9. CYCLEWAYS

The Council have drafted a cycling strategy for the Borough which they are presenting to the JTB on 20 July 2015. The strategy will then be put out for consultation, and the Conservators will have a chance to give their views, possibly in a separate meeting.

10. BULLS HOLLOW

The Warden has received representations from neighbours expressing concern over the dumping of building materials on the Common while an extension is built. Although most of the aggregate has now been moved from the roadside there are still materials dumped on the Common closer to the house, and hardstanding has been laid as a parking and turning area. However, the owner has undertaken to restore all the damage caused by the building work once it has finished.

Of more long term concern is the fact that the householder has placed several permanent structures on the Common, including a garden shed with base, a chicken run, a patio and a log store, without permission. He has also made the whole of the cleared area around the house appear to be private garden even though it is Common.

Targetfollow granted a licence to the previous owner to maintain the area, but it specifically excluded putting any structures on the Common. There has been no licence granted to the present owner but there was an understanding that the terms of the licence applied.

RESOLVED. Targetfollow and the Clerk to write a joint letter requiring the householder to remove all the unauthorised structures within two months.

11. OFFICE AND PARKING

The Clerk told the meeting that the office would be moving to the Town Hall and there was now only one staff parking space available. He expressed disappointment that the parking arrangement was changed without consultation or even communication.

RESOLVED. The Conservators to pay for parking on the occasions where it is necessary for both the Warden and Administrator to park simultaneously.

12. **SIGNS FOR PANTILES EVENTS**

It had previously been agreed that signs could be put on the Common for one week to advertise events in the Pantiles, but the events have become more numerous and the signs not always removed, which has resulted in verges being covered in signs for much of the summer.

The Conservators agreed that events on the Pantiles should be encouraged, although there should be a strict time limit on the display of signs for each one.

RESOLVED. To allow the Pantiles traders to advertise all Pantiles events by placing signs on the Commons verges nearby, but no sign can be put out more than a week in advance and they must be removed promptly thereafter.

13. **ANY OTHER BUSINESS**

a) **Common Ground**

John Barber, for the Friends, offered copies of Common Ground to anyone interested, and reminded the meeting that the Friends Tea Party takes place on 15 July at the Mount Edgcombe.

b) **11 London Road**

Work has begun on the new development, and no tunnels were found when the doors at the back of the site were opened.

The Warden has renewed the agreement he reached with the previous developers to allow them to remove the trees and scrub immediately surrounding the building site in return for improving the area once the building has finished. This will involve scraping the top layer of soil at the back to reduce fertility, using the soil to create a bund and planting heathers; the side will be sown with the usual restoration grass mix.

They also asked permission to put hoardings on the Common around the site for the duration of the building work and place a site hut inside the hoarding. It became apparent that some of the land immediately behind the site belongs to Targetfollow, not the developers, and they had not been approached for permission.

RESOLVED. To allow hoardings to be placed on the Common where it is owned by the developer but not on the part owned by Targetfollow unless agreement is reached separately.

RESOLVED. The office to forward notification of planning applications that affect the Commons to Targetfollow, who are not always included in the planning process.

c) Nevill Park

Cllr Scholes informed the Conservators that he was to have a meeting with the residents of Nevill Park which he thought would be to do with the parking problems at the entrance.

d) Pantiles Car Park signs

New signs have appeared on the Common pointing to the car park and TWBC are unaware of how they came to be placed there. The Conservators agreed that they had not given permission and should not.

14. PLANNING APPLICATIONS

Rusthall Cricket Club – siting of container. Informed the Planners that the Conservators had given permission.

63 Lower Green Road – conversion from shop to house. Pointed out that the triangle of grass opposite is Common and should not be driven or parked on.

14 Apsley Street – rear extension. Pointed out that the house is opposite the Common and should not be driven or parked on and building materials should not be stored there.

6 Upper Street – side extension. Pointed out that the house is on a track, not a road, and is opposite the geological SSSI with rocks forming the edge of the track, and that any damage would be irreparable and illegal.

73 Mount Ephraim – reconstruction of brick wall and pillars with paved parking area. Pointed out that the verge between the pavement and the road is Common and must not be parked on or driven over and building materials should not be stored there.

Received but not commented on:

63 Mount Ephraim – new windows
Scallywag, 45 Mount Ephraim – change of use

The next meeting will be held at **2.00 p.m. on 24 September 2015.**