

## **TUNBRIDGE WELLS COMMONS CONSERVATORS**

**Minutes of a meeting held in Committee Room A on Thursday 24 September 2015 at 2.00pm**

- PRESENT: Cllr Barbara Cobbold (Chairman)  
Cllr Ronen Basu  
Paul Burnett  
Ewen Cameron  
Mungo Chapman  
Peter Freeman  
Ian Marshall  
Cllr James Scholes  
Clare Sinha  
Corin Thoday  
Cllr Chris Woodward
- APOLOGIES: George Craig
- ATTENDING: Rodney Stone (Clerk)  
Geoff Levitt (Treasurer)  
Steve Budden (Warden)  
Julia Woodgate (Support Officer)  
Bartholomew Wren (TWBC)  
Hilary Smith (TWBC)  
John Barber (Friends of Tunbridge Wells and Rusthall Common)  
Jennifer Blackburn (Rusthall Parish Council)
- OBSERVING: Cllr Joy Podbury  
Maria Simmons

### **MINUTES**

#### **1. CYCLING STRATEGY**

Hilary Smith and Bartholomew Wren introduced the Borough wide cycling strategy; it is now open for consultation. The strategy has been adopted by TWBC, but the detail of the routes has not yet been assessed. A complete network is required for it to work properly.

The main route for consideration is Route 4, which is planned to run alongside the road in Major Yorks Road, Mount Ephraim, Inner London Road and Church Road as well as using the footpaths on the Common to link the restricted byway to Inner London Road. It follows key desire lines, crossing the Common as little as possible. It is hoped that this will be one of the first to be implemented. However, Routes 9 and 10 also affect the Common and need to be considered.

Given that funding is always tight, the Conservators were asked whether one or two key routes should be the focus, with more added when money is available. However, funding streams are often available at short notice, so the plans need to have been fully considered and adopted in order to take proper advantage of grants.

Doubt was cast on the width of paths – at 2.5 metres they were considered unnecessarily wide – and the effect on vulnerable pedestrians who make heavy use of the paths involved. Bartholomew Wren said that shared use paths usually avoided the conflict likely to arise when cyclists use footpaths. Further worries were expressed over who would be responsible for future maintenance.

Bartholomew Wren asked for consent now to the principle of permitting cycling on the Common, even though there would need to be further work and consideration of the detailed route.

The Clerk pointed out that if consent is given to the strategy, it may be difficult to challenge the detail at a later date, and it may not be possible to agree the detail.

There may be legal issues relating to the routes, not least of which is that cycling on the Common is against the bye-laws. However, it may be possible to allow the parts of the route that follow road edges even if there are problems with the route where it goes onto the Common.

**RESOLVED. Consent cannot be considered in principle without examining the detail.**

**RESOLVED. A working party with two members from each of the representative bodies to be convened to look at the detail of the routes affecting the Common.**

## **2. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 25 June 2015 were considered, approved and signed by the Chairman.

## **3. MATTERS ARISING**

### **a) Rusthall Cricket Club**

The Warden confirmed that the container was now in place and well screened from the road.

### **b) Pedestrian crossings**

John Barber reported that progress was being made on putting an island refuge in Langton Road, and Targetfollow confirmed that they are talking to KCC about releasing land to widen the road at this point. He is pressing for the crossing at Major Yorks Road to be suitable for cyclists as well as pedestrians. The schemes appear to be in the programme of works for 2016/17.

c) Brighton Lake

The blanket weed is regrowing and the Warden confirmed his intention to continue clearance for the next few years until the enrichment of the water caused by dredging has subsided. He was asked to erect signs to ask people to remove their rubbish when fishing but, as fishing is against the bye-laws, he is reluctant to give the tacit acceptance to the practice that would be implied by such a sign.

d) Wildflower area at Inner London Road

The Warden reported that one of his contractors is thinking of purchasing a rake attachment for the tractor which would enable the leaves to be removed more cheaply.

e) Union Square land swap

The Clerk told the meeting that the Planning Inspectorate is to hold a site visit on 6 January and has invited a Conservator to be present. The Warden will be there, and any Conservator who wishes to attend should contact the office. The Clerk confirmed that he has not received a reply from Dandara and, as it is important to get their acceptance of the terms, he would pursue it.

f) Accommodation

The office is to move to the Town Hall in late October.

**4. WARDEN'S REPORT**

The Warden reported that it has been a difficult summer at Wellington Rocks. It has long been a gathering place for young people in the evening and this year, in addition to smashing bottles, fires were being lit beside and on the rocks. The litter picker has spent a disproportionate amount of his time keeping the area safe and clean and so the paths have become somewhat neglected, although he is trying to rectify this now. Although police have increased their patrols, they are understaffed and tend to visit before the trouble begins.

The other problem this summer has been the large number of rough sleepers. Most of them move on peacefully once they receive the Conservators' letter, but one camp has refused to move so far.

The gas main has been replaced at Lower Green Road in Rusthall and a mess has been made of the Common where they left their equipment. The Warden has obtained their agreement to pay his contractor's costs to repair the damage. In the same area, there has been increasing waterlogging over the last year, resulting in a pedestrian sinking to her knees when try to cross. The Warden is meeting a representative of Kent Highways to try to resolve the issue.

At Brighton Lake, a section of the wall has been pushed into the lake. Luckily the stone blocks have not been stolen, and the wall is being repaired.

Judging has taken place for this year's Britain in Bloom contest, and the judges spent longer than usual on the Common. The result is unknown.

Cllr Scholes expressed concern about the flooding at the bottom of Nevill Street and the basements in the Pantiles and asked whether there was anything more that could be done to drain the Common before the water reached the bottom of the hill. The Warden told the meeting that he had cleared out the sump, but that the storm drains in Major Yorks Road are either blocked or inadequate to take the water. Cllr Scholes is pressing Kent Highways to deal with the problem, and this may mean further drainage work on the Common is included in any plans. There is a seminar for parish councils to talk to drainage experts from KCC shortly.

The Warden is intending to start spraying Himalayan balsam in early June next year as he has been advised that his programme has been commencing too late in the summer to be effective. Japanese knotweed is relatively easy to control on the Common due to the poor soil.

**5. FINANCIAL STATEMENT no 2 2015/16**

**RESOLVED – that the statement be approved.**

**6. INTERNAL AUDIT OPINION**

The TWBC internal auditors have completed their audit and found the controls in place to be satisfactory.

Under the County of Kent Act 1981, the Conservators have to be audited as though they were a parish council. The Audit Commission informed the Conservators in writing in 2006 that such small bodies would no longer require an external audit and ceased to issue the annual audit notice. However, the new Head of Audit for Mid Kent (who currently do the internal audit) has checked the regulations and discovered that annual external audits should not have ceased.

Since the abolition of the Audit Commission, the requirement to audit has been managed by Public Sector Audit Appointments Ltd (PSAA). They have determined that, as the accounts for the past ten years have been internally audited, published, and open to examination, they do not need to revisit these years, but have invited the Conservators to appoint auditors for 2015/16 and 2016/17. This will need to be paid for out of the budget.

**RESOLVED. To appoint the auditors required by the PSAA.**

7. **DATES FOR 2016 MEETINGS**

**RESOLVED – That the meetings of the Commons Conservators be held at 2.00pm on the following dates:**

24 March 2016

23 June 2016

15 September 2016

1 December 2016

8. **PARKING AT NEVILL PARK**

A letter has been received from representatives of the Nevill Park residents who are trying to resolve the parking issues there. Since the extension of double yellow lines in Major Yorks Road, a number of cars have taken to parking on the track leading across the Common to the entrance to Nevill Park. They are eroding the verges and causing a dangerous narrowing of the track, sometimes blocking it entirely for large vehicles. The Clerk advised that, under the County of Kent Act 1981, residents have the right to construct, with the consent of the freeholder, an access across the Common, but this does not place any obligations on the Conservators. Consequently he recommended that the Conservators should not stand in the way of any solution the residents and landowner pursue, but cannot be the prime movers or financiers.

Targetfollow confirmed that they have recommended liaising with RCP, who manage the Pantiles car park, to get signs erected, the area patrolled, and tickets issued.

It was suggested that yellow lines could be painted on the road which would have no legal standing but may act as a deterrent.

**RESOLVED. To offer the residents support for any reasonable action they undertake.**

9. **CAR FAIR**

Following the refusal by the Freehold Tenants and Councillors to allow Audi to hold a car fair on the Common, Targetfollow expressed their view that such events should at least be considered in the future if they are likely to be beneficial to the community.

**RESOLVED. To review the Open Spaces Policy, and all other Conservators' policies, at the next meeting.**

10. **INVESTING IN THE COMMONS**

John Barber, for the Friends, presented a paper outlining possible projects where the Friends could seek funding streams and oversee the projects, and asked for the Conservators' opinions.

Cllr Scholes thought he might be able to help with funding for a reprint of the leaflets, which proved very popular last year. He also thought it possible he could find funding for an updated history of the Commons.

Support was expressed for replacement and new information panels.

It was agreed that one idea, an apprentice for the Warden, was not appropriate for this paper, but that succession planning would be useful.

**RESOLVED. The Warden and Support Officer to review their job descriptions to see if they are accurate.**

11. **STRANGES AVENUE**

The Warden recommended that four large trees at the bottom of Stranges Avenue should be removed. They are all in poor condition and will require a good deal of tree surgery over the next few years to keep them safe and, as they are close to the new development at 11 London Road, they are a potentially open ended liability.

The developer also wants them removed, and is prepared to pay the cost of this work. They have offered to remove them to ground level, but it was agreed that the stumps should be ground out and the soil regraded.

The Warden also recommended that the Conservators should consider replanting some of the avenue at the bottom end.

**RESOLVED. To allow the four unsafe trees to be removed and to replant where desirable.**

12. **ANY OTHER BUSINESS**

a) Hedge laying

Cllr Woodward informed the meeting as a matter of information that KCC would be re-laying hedges in Eridge Road.

b) Bulls Hollow

Targetfollow informed the meeting that the building work was overrunning so it may be a little longer before the owner can comply with the requirement to remove all encroachments and restore the area.

He has also been discussing the possibility of a land swap, as he wishes to buy the area around his house and deregister it as Common, if this is legally possible, in return for extending the Common at Still Green.

It was pointed out that altering Common land is not the purpose of the Conservators.

c) Friends Annual Lunch

To be held on 18 October at the Royal Wells Hotel.

d) S106 payment

The Warden advised that the planning department have approved the proposal for spending the £18,000 grant. It will fund more bins and dog bag dispensers, renovation of 30 benches, scalloping the racecourse edges and further clearance at London Road.

e) Bin donation

The Warden noted that a dog walker who identified a need for a bin at the junction of Castle Road and Edgcumbe Road has given the Friends a £600 donation to be passed to the Conservators to cover the entire cost of the bin and installation as well as maintenance for the first few years.

**13. PLANNING APPLICATIONS**

Summerhill House, Inner London Road – new gates, alterations to drive  
Flat C, Ayot House, Nevill Park – alterations to building  
TW & C Bridge Club, London Road – roof works

The next meeting will be held at **2.00 p.m. on 3 December 2015.**