

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 6 January 2000

Present: Councillors Price, Scholes, Mrs Slowgrove and Wigley
Baron Nicolas van den Branden, Messrs Butler, Butt, Chapman,
Freeman, Hall and Hill.

Mr David Wakefield (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

APPOINTMENT OF CHAIRMAN

1. In accordance with the Third Schedule of the County of Kent Act 1982 it was noted that the Conservators were required at the first meeting held on or after 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED - That Councillor Price, a Conservator appointed by the Borough Council, be appointed as Chairman until the Annual Meeting of the Conservators in 2001.

COUNCILLOR PRICE IN THE CHAIR

The Chairman requested that the Conservators' appreciation of Mr Chapman's efficient and enthusiastic service as Chairman over the past year be placed on record.

MEMBERSHIP

2. The Chairman reported that the under mentioned Conservators had been appointed by the bodies specified to serve for the period indicated.

Tunbridge Wells Borough Council

| | | |
|--------------------------|---|-----------------------------------|
| Councillor Price |) | |
| Councillor Scholes |) | |
| Councillor Mrs Slowgrove |) | 1 January 2000 - 31 December 2000 |
| Councillor Wigley |) | |

Freehold Tenants

| | | |
|--------------|---|-------------------------------------|
| Mr G Butt |) | |
| Mr M Chapman |) | Third year of three year term until |
| Mr P Freeman |) | 31 December 2000 |
| Mr N Hill |) | |

Manor of Rusthall

| | | |
|-------------------------------|---|-------------------------------------|
| Baron Nicolas van den Branden |) | |
| Mr G Butler |) | Third year of three year term until |
| Mr C Hall |) | 31 December 2000 |
| Mr J Hicks. |) | |

The Chairman welcomed Councillor Wigley to his first meeting as a Commons Conservator.

APPOINTMENT OF COMMITTEE

3. **RESOLVED** - That a Committee be appointed to serve until the day of the first meeting in 2001.

Members of Committee

Chairman of Conservators (Councillor Price) ex officio
Councillor Scholes
Mr G Butler
Mr M Chapman

MINUTES OF LAST MEETING

4. The Minutes of the meeting of the Commons Conservators held on 23 September 1999 were considered by the Conservators.

RESOLVED - That

- (a) The Minutes be confirmed as a correct record; and
- (b) It be noted that the design for the sign for the Toad Rock Retreat Public House had not yet been agreed.

DATES OF MEETINGS - 2000/2001

5. **RESOLVED** - That

- (a) Meetings of the Commons Conservators be held at 2.30 pm on the following dates:-

30 March 2000
15 June 2000
14 September 2000
11 January 2001

- (b) Meetings of the Committee of the Conservators be held as and when the Chairman feels it is necessary.

WARDEN'S REPORT

6. The Warden reported that since the last meeting there had been a mainly peaceful few months on the Commons.

- (a) **Path Repairs**

RESOLVED - That

- (i) As it was felt that improved paths on the Commons lead to a greater use of car parking (Fir Tree Road Car Park in particular), a five year plan should be considered in conjunction with the Borough Council's Local Plan for highways, yellow lining, road closure, car parking etc.
- (ii) Major and minor paths should be designated for repair.

(b) **Heathland Regeneration**

The Warden reported that the establishment of two new heather areas on Tunbridge Wells Common had taken place and the fencing will be in position for two years. In future it was possible that grant aid would be available for this type of project.

(c) **The Forum**

Councillor Scholes pointed out that the decision to improve lighting in this area was taken before the recent incident of assault on a volunteer worker. He felt that more litter bins were required in the area of the Forum.

RESOLVED - That the Warden monitor the situation.

(d) **Site Status**

The Warden reported that if the status of Tunbridge Wells Common is scheduled as a SNCI, this improved status would give a greater chance of grant funding.

RESOLVED - That the Conservators' thanks to the Warden to be placed on record for his efforts in obtaining improved status for Tunbridge Wells Common.

A26 RECONDITIONING SCHEME

7. It was reported that the works to recondition the A26 in the area of the Common were scheduled to commence on 31 January 2000. This would involve planing off the surface and relaying which should reduce the possibility of flooding, particularly in the Pantiles area.

FINANCIAL STATEMENT

8. Financial Statement Number 3 of 1999 was submitted showing payments totalling £52,923.36 and receipts of £42,128.29. A balance of £62,351.29 is carried forward.

RECOMMENDED - That the accounts be approved.

BUDGETARY CONTROL REPORT/PRECEPT 2000/2001

9. The Treasurer submitted the Budgetary Control Report to December 1999 together with a precept requirement for 2000/2001. The report also included a forecast for the following 3 years. He felt that it was prudent to keep a reserve of £15,000.

RESOLVED - That

- (a) The Chairman and Warden prioritise any major works during the current year;
- (b) A precept of £85,890 be requested for 2000/2001; an increase of 5%
- (c) The Warden attend the Council's Committee meeting to support this application for an increase in the precept.

INSURANCE COVER AGAINST VANDALISM

10. **RESOLVED** - That the Warden raised the question of Insurance cover against vandalism on the Common when he next meets Zurich Insurance.

INSURANCE CLAIM

11. The Warden reported that he had recently received a claim for injury from a gentleman who tripped on the footpath to Sainsbury's roundabout. He is to meet Zurich Insurance on site to discuss this claim and one previously received.

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CHAIRMAN
30 March 2000

TUNBRIDGE WELLS COMMON CONSERVATORS

Thursday 30 March 2000

Present :

Councillor Price (Chairman)
Councillor Scholes
Baron Nicolas van den Branden
Mrs Potts
Messers Butler, Chapman, Freeman, Hall and Hill

Councillor D Wakefield (Friends of Tunbridge Wells & Rusthall Commons) attended by invitation.

Apologies for absence were received from Councillor Mrs Slowgrove and Mr G Butt.

MINUTES

1. The Chairman opened the meeting by welcoming Mrs Sue Potts to her first meeting as a Commons Conservator.

GEORGIAN FESTIVITIES

2. Juliet Steinmetz of Leisure Services, Tunbridge Wells Borough Council, gave a presentation on the proposed Georgian Festivities and asked the Commons Conservators' permission to hold a Georgian Fair on the Lower Cricket Ground on 29 July 2000 from 6.30pm to dusk, with free admission and no alcohol sold. It is anticipated that one thousand people may attend. Georgian Festivities are run by Past Pleasures, a professional body working for the Borough Council. The Council will arrange portaloos, litter clearance and ensure that all participants have Public Liability Insurance. The Chairman suggested that the portaloos should remain in place for the Primary Schools Cricket which would take place the following week.

RESOLVED - that permission be granted for the Georgian Fair to take place.

MINUTES OF THE LAST MEETING

3. The Minutes of the meeting held on 6 January 2000 were considered by the Conservators.

RESOLVED -

- (a) The Minutes be confirmed as a correct record, and
- (b) It be noted that Council representation on the Conservators may be changed after the Local Government Elections in May.

WARDEN'S REPORT

4. The Warden submitted his report for the period ending March 2000.

(a) Highway Improvements - A26

RESOLVED that

- (i) the Warden inform Kent County Council and the Borough Council of the likely problem of flooding caused by water overflowing from drains blocked by soil from the Common.
- (ii) The Warden investigate the seepage from tar barrels used by Road Contractors and stored on Common Land.

(b) The Forum

Discussion took place as to the improvement by the Borough Council of lighting in this area. A planning application is to be considered at the 5 April 2000 Planning Meeting.

In view of the problem of the violence of young gangs meeting in the area, it was

RESOLVED - that

- (i) the Clerk write to the Chief Constable expressing concern at the present situation and
- (ii) the Clerk ensure that the Borough Council improve lighting as a matter of urgency with rapid action after the planning decision and
- (iii) the Clerk report back to the next meeting of the Conservators, and
- (iv) the Warden monitor the situation as to satisfactory lighting.

(c) Dingley Dell

Whilst no liability is admitted as to the damaged wall, the Clerk write to Mrs Torpey stating that the maintenance of the wall is not the Conservators' responsibility; a copy of this letter being to sent to the Conservators Insurers as there may be a possible future claim.

(d) Cricket Festival

RESOLVED - that

- (a) No objection be raised by the Commons Conservators to the holding of this festival. (The Manor pointed out that as yet no approach had been made to them for permission to hold the festival and it should be emphasised that this is necessary.)
- (b) The Borough Council should be asked that the portaloos booked for the Georgian Funfair should be left in place for the Primary Schools Cricket Festival.

(e) The Cottage

RESOLVED - that

- (a) No objection be raised to the improvement of the gas pipes to The Cottage.
- (b) Permission be not granted for the installation of lighting columns on the footpath from Hungershall Park to The Cottage. The owners of The Cottage should be informed that planning permission would be required for lighting columns and also a suggestion made that an approach be made to the adjacent land owners that lighting columns may be installed on their properties.

(f) Work Schedules

RESOLVED - that the work schedules be noted and that suggested path repairs be agreed.

FINANCIAL STATEMENT

5. Financial Statement Number 4 of 1999 was submitted showing payments of £21,699.15 and receipts of £1,458.87, a balance of £42,111.01 being carried forward.

The budgetary control report and projection for the year showed a net expenditure of £6,000 below the previous projection.

The Commons Conservators' thanks were placed on record for the Treasurer's careful accountancy.

FRIENDS OF TUNBRIDGE WELLS AND RUSTHALL COMMONS TEA PARTY

6. The Chairman of the Friends of Tunbridge Wells & Rusthall Commons requested the Commons Conservators permission to hold a Tea Party on 8 July 2000 in the Mount Edgcumbe Bowl with the Mount Edgcumbe Hotel providing catering arrangements; the permission of the Agent to the Lord of the Manor had previously been sought.

RESOLVED - that permission be granted.

HOT AIR BALLOONS

7. An application from Airborne Balloon Management Limited to launch hot air balloons from the Lower Cricket Ground on a regular basis was considered.

RESOLVED that permission be not granted.

SIGNAGE

8. Baron Nicolas van den Branden reported that the new sign installed by the Borough Council near Thackerays was inaccurate.

RESOLVED that the Warden investigate.

INSURANCE CLAIMS

9. Questions were asked by the Freehold Tenants as to the progress of insurance claims for falls on the Common. The Warden reported that as yet nothing further had been heard from the Conservators insurers.

STILL GREEN, WOODSIDE ROAD, RUSTHALL

10. The Warden reported incidents of dumping of hard core and rubbish on the small area of Common land at Still Green. He proposed to install bollards at this area to prevent any further incidents.

RESOLVED - that the Warden's action be supported and that the Clerk and the Warden continue to consult.

SIGNS

11. The Warden reported the receipt of an application to install small staggered signs on Common land at the edge of the Coach Road for two days advertising the 150th Anniversary of St Paul's Church and the Flower Festival.

RESOLVED - that permission be granted.

MASTER TRANSCRIPTIONS

12. The Warden reported that Master Transcriptions had requested an Extension of Use Certificate under Planning Regulations for their premises.

RESOLVED - that no objection be raised.

WARDEN'S CONTRACT

13. As the Warden's current five year contract expires in June 2000 consideration was given as to his future employment and conditions.

RESOLVED that:

- (a) the Warden be engaged on a permanent contract following the expiry of his current contract;
- (b) the Clerk ascertain comparative scales in Local Government and consideration be given to a favourable review of the Warden's pension package; and
- (c) the Clerk report back to the next meeting.

ALLOWANCES AND EXPENSES

14. The current allowances for the Clerk and Treasurer were considered.

RESOLVED that allowances be uprated from 1 April 2000 for RPI since 1992/93 and be adjusted in future years by the change in RPI, subject to approval by the Conservators:-

Clerk - £1,140.00
Treasurer - £632.00

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8.

CHAIRMAN
15 June 2000

TUNBRIDGE WELLS COMMONS CONSERVATORS
Thursday 15 June 2000

Present: Councillor Price (Chairman)
Councillors Scholes and Wakefield
Messrs Butler, Butt, Freeman, Hall and Hill

Apologies: Baron Nicolas van den Branden, Mrs Sue Potts and Mr Chapman

MINUTES

1 Council Representation

The Acting Clerk reported that Cllr Wratten had been appointed as a Commons Conservator and this appointment would be confirmed at the next meeting of the Central Board.

2 Minutes of the last meeting

The Minutes of the meeting held on 30 March 2000 were considered by the Conservators.

RESOLVED that:-

- (a) The minutes be confirmed as a correct record.
- (b) It be noted that the Highways Department are investigating the incorrect directional sign near Thackeray's and that the Warden inspect the further incorrect directional sign to the railway station.
- (c) Still Green - the Warden install posts at the edge of this small surfaced area in order prevent further parking and monitor the situation. A letter to be written to offending local residents, such letter to be checked by the Conservators' Insurers in order to ensure no responsibility is admitted.

3 Warden's Report

The Warden submitted his report for the period ending June 2000.

(a) Highway improvements - A26

The Warden reported that the improvement works to the A26 had now been completed but near the junction of London and Church Roads a 10" hole remains by the cabinet containing the control gear for the traffic lights. This is a public hazard and it was.

RESOLVED - that the Warden ensure that the Highways Department carry out remedial work as a matter of urgency.

(b) Fairground Car Park

RESOLVED - that Mr Blundell, the car park licensee, be granted permission to install parking posts at the rear of the parking area.

(c) Commemorative Plaque

RESOLVED - that permission be granted to Patrick Shovelton, founder chairman of the Friends of the Commons to install a stone and plaque to commemorate the planting of the red oaks on the grass area between London Road and Inner London Road.

(d) Path Improvements

RESOLVED - that the Warden implement work to improve the surface of the footpath near Rusthall place on the Langton Road.

(e) Work Schedules

RESOLVED - that permission be granted for all works to be carried out as detailed in the work schedules.

4 Dingley Dell

The Warden reported that Mrs Torpey of Dingley Dell is seeking a 50/50 contribution from the Conservators towards the cost of the replacement and repair of the wall at Dingley Dell. Mrs Torpey alleges that vegetation from the Common caused the wall to fall.

RESOLVED - that the view of the Conservators' insurers be requested as to the Conservator's liability in this case.

5 Rusthall Elms

Councillor Scholes reported that it was likely that a planning application would be processed for the site of Rusthall Elms which is ~~no longer~~ used by the Kent County Council.

RESOLVED - that the Commons Conservators should be involved in any consultations at an early stage.

6 Financial Statement

The Treasurer submitted Financial Statement Number 5, 1999 showing payments of £32.27 and receipts of £182.44.

He also submitted the Income and Expenditure account for 1999/2000 and the balance sheet as at 31 March 2000 which showed a revenue balance of £33,493.

The Treasurer also reported that the audit for 1999/2000 is to take place on 7 August 2000; prior to that date all documents must be available for the public.

Financial Statement Number 1, 2000 was also submitted showing payments of £9484.32 and receipts of £43,273.51.

RESOLVED - that the accounts be approved.

7 Open Air Service

The Chairman reported receipt of an application to hold the annual open air service on Rusthall Common on 9 July 2000.

RESOLVED - that permission be granted subject to the usual terms and conditions.

8 Rusthall Bonfire and Fireworks Display

The Chairman reported that the usual request had been received for permission to hold the annual Rusthall bonfire and fireworks display on 28 October 2000.

RESOLVED - that permission be granted on the usual terms and conditions.

9 The Forum

Great concern was expressed about the problem of anti-social behaviour in the area of the Forum, particularly on Friday and Saturday evenings.

A briefing note from Peter Turner (Planning Department) on proposed lighting in that area was circulated. The identity of the offending ring leaders is known to the Police. The Warden is to have a meeting with the Forum on 19 June 2000 with, hopefully, Police in attendance. It was felt that the intensity of lighting in that area is inadequate and branches of trees need cutting back to provide unobscured viewing for the CCTV cameras.

RESOLVED - that

- (a) the Chairman write to the Planning Department expressing the Commons Conservators' great concern about anti-social behaviour in the Forum area particularly, and
- (b) the Chairman also contact Superintendent Pankhurst of Kent County Constabulary requesting Police assistance in dealing with this matter.

10 St Paul's Church, Rusthall

The Warden reported receipt of an application from St Paul's Church to place a sign at the end of their drive advertising a concert at the Assembly Hall in December 2000.

RESOLVED - that no objection to be raised at this proposal.

11 Theft of stones

The Warden reported that there had been three incidents of stones being removed from Common land.

- (a) Sandstone blocks retaining the footpath to Vale Road
- (b) Dingley Dell
- (c) St Paul's Church coping on wall

RESOLVED - that the Warden investigate replacement costs for sandstone blocks on the footpath to Vale Road. If costs are excessive consideration be given to the use of railway sleepers.

12 Warden - Salary and Pension Contribution


Following the decision of the previous meeting of the Conservators and the Clerk's consideration of comparable salaries and pension arrangements it was agreed:

- (1) That on the expiry of the present contract and with effect from 1 July 2000, the Warden's salary be equivalent to the Local Authority Scale Senior Officer 2, points 32 to 34 currently

£20,967
£21,585
£22,194
- (2) That the commencing salary be £20,967 with subsequent increases being effective on 1 April 2001 and 1 April 2002.
- (3) That the scale be adjusted, on 1 April each year, in accordance with the cost of living award for the Senior Officer Scale 2.
- (4) That with effect from 1 July 2000 the contribution towards the Warden's personal pension be increased to 1.5 times the percentage contribution rate made personally by the Warden, subject to the Warden, subject to the Conservators' contribution being a minimum of 3% and a maximum of 9%.

13 Date of Next Meeting

The Chairman reminded Members that the next meeting is due to take place on Thursday 14 September 2000.


CHAIRMAN

14 September 2000

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 14 September 2000

Present: Councillor Price (Chairman)
Councillors Scholes & Wakefield
Mrs Sue Potts
Messrs Butt & Chapman

Lieutenant Commander Lawson (Friends of Tunbridge Wells & Rusthall Commons) attended by invitation

Apologies for absence were received from Baron Nicolas van den Branden, Messrs Butler, Freeman & Hall

MINUTES

1. Minutes of the last Meeting

The Minutes of the Meeting held on 15 June 2000 were considered by the Conservators.

RESOLVED that

- a) The Minutes be confirmed as a correct record, subject to the deletion of the words "no longer" in Minute 5.
- b) Councillor Scholes approach the Highways Officers in the Town Hall regarding the urgent remedial work to close the ten inch hole near the junction of London and Church Roads.
- c) The posts installed by the Commons Conservators at the Fairground Car Park be moved to block access before the Fair arrives.
- d) Improvement works to footpaths be carried out, funded by the agreed grant aid.
- e) It be noted that, according to Zurich Insurance, the Commons Conservators may have small liability for the damage to the wall at Dingley Dell.
- f) Railway sleepers be used to shore up the footpath to Vale Road, following the theft of the sandstone blocks.

2. The Forum

The Chairman welcomed Graeme Burrows, Community Safety Officer of Tunbridge Wells Borough Council.

Mr Burrows informed the Conservators that in the area of The Forum, the undergrowth had been cut back, trees crown lifted and CCTV cameras installed. The police had arrested two or three youngsters who were key players in the intimidation of users of The Forum. The police in the town are spread thinly but Anti-social Behaviour Orders are being put in place to prevent offenders being able to go within two or three hundred yards of the area of The Forum. Mr Burrows stated that low level or waist level lighting would be susceptible to vandalism. Old style standard lamps would be preferred and this matter was being considered by the Western Area Planning Committee, whose members were well briefed. A site visit would make

members aware of the close proximity to the road of suggested lighting. Improved lighting is necessary to produce CCTV images that could be useful to identify offenders.

RESOLVED that

- a) the Conservators' gratitude be placed on record to Graeme Burrows for his Report.
- b) the Clerk contact the Borough Council to ensure that a solution to this problem is found as soon as possible.
- c) the Chairman inspect CCTV images and contact Alan Legg of the Borough Council for technical advice before the next Western Area Planning Committee.
- d) the tree near Master Transcriptions be taken out to improve visibility.

3. **Warden's Report**

The Warden submitted his Report for the period ending September 2000.

a) **Trees**

The Warden reported that in view of the recent insurance claim for damage to a parked car, caused by a branch falling, he would as usual inspect all trees on the road side edge during the winter months.

The Warden suggested that a replacement Scots pine should be planted near Fir Tree Pond to commemorate the 100th Birthday of the Queen Mother. The Friends of Tunbridge Wells & Rusthall Commons informed the Conservators that they would finance the supply and planting of such a Scots pine, together with a plaque.

RESOLVED that the gratitude of the Conservators to the Friends of the Commons be placed on record.

- b) **Cricket Festival** - Councillor Wakefield reported that he had presented prizes at the recent primary schools' cricket festival, held on the Lower Cricket Ground. This event had been a great success and it was hoped that the organisers would hold a similar event next year.
- c) **Goal Posts** - **RESOLVED** that the Warden investigate the price of metal posts to replace the wooden ones sawn off by vandals.
- d) **Work Schedules** - **RESOLVED** that permission be granted for all works to be carried out as detailed in the work schedules. The representative for the freehold tenants requested that, on compartment T5, any access path created should not be suitable for use by motor cycles.
- e) **Volunteer Workers** - **RESOLVED** that a request be placed in the next issue of the Borough Review for volunteer workers on the common.

4. **Financial Statement**

The Treasurer submitted Financial Statement Number 2, 2000, showing payments of £19,771.65 and receipts of £988.08.

The Treasurer also submitted the Income and Expenditure Summary showing the projected position for the year ended 31 March 2001 which showed reserves carried forward of £32,555.00.

5. **Insurance**

The Treasurer pointed out that the Commons Conservators were a separate entity to the Borough Council, even though Officers were employed by both authorities, separate policies for the Commons Conservators were required by Zurich Insurance and this means a substantial increase in the insurance premium for the Conservators. He stated that details of the cover will be reported to the next meeting of the Conservators and pointed out that, in future years, quotations could be obtained from other insurers if necessary.

6. **Dog Fouling Clearance Contract**

The Warden reported that he was looking at upgrading the clearance contract around Wellington Rocks and other high profile areas.

7. **Toad Rock Retreat - Sign**

The Warden reported receipt of an application from the brewery to install a sign on the A264 near Dingley Dell to show the whereabouts of the Toad Rock Retreat Public House.

RESOLVED that permission be not granted.

8. **Castle Road Area - Wayleave Agreement**

The Warden reported receipt of an application from Fibrenet for a wayleave agreement to install equipment in common land in the Castle Road area. This work would involve the installation of two inspection chambers and the resurfacing of footpaths.

RESOLVED that it be suggested to Fibrenet that an alternative route be used along the edge of common land below The Forum and that grass be reinstated upon completion of the works.

9. **Christmas Luncheon**

The Chairman reported that the Conservators Christmas luncheon had been booked at The Spa Hotel for 15 December 2000. He requested that all members who wish to attend the luncheon should return their booking form with menu choices and with a cheque for £18.50 made payable to The Spa Hotel to be submitted to the Liaison Officer as soon as possible.

10. **Highways Report on Major Yorks Car Park**

The Chairman tabled a Report by the Highways Department on the Fairground Car Park at Major Yorks Road. He emphasised that this Report was in principle only and that it should be ensured that the Commons Conservators are consulted before any further progress is made.

RESOLVED that further detailed consideration of the management of Major York's Car Park should be given at a later meeting of the Conservators.

11. **Friends of Tunbridge Wells & Rusthall Common**

- a) Lieutenant Commander Lawson stated that the Friends of Tunbridge Wells & Rusthall Commons had agreed to donate £500.00 to the Borough Council for administrative and secretarial services.
- b) Lieutenant Commander Lawson also pointed out that the Friends of the Commons had already donated funds for maps and plinths for installation on the Commons. He enquired as to progress in this matter, but the Warden stated that, as yet, no further progress had been made.
- c) The Friends of Tunbridge Wells & Rusthall Commons suggested that marker posts should be installed on trails on the Common to indicate walks.

RESOLVED that the Warden consider this suggestion.

- d) Railings around the Upper Cricket Ground - the Warden informed the Friends of Tunbridge Wells & Rusthall Common that to replace these railings would cost in the region of £30,000.00. Consultations should be arranged with the Linden Park Cricket Club before any arrangements were made.

12. **Conservators Web Site**

The Warden stated that he had recently contacted the Borough Council, who had agreed to put information about the Common on the Borough Council web site. It was also felt that any information pack for schools could also be placed on this web page. The compiling of an information pack had originally been costed at £4,000.00 to £7,000.00.

13. **Date of Next Meeting**

The Chairman reminded Members that the next meeting is due to take place on Thursday 11 January 2001.

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CHAIRMAN

11 January 2001

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 11 January 2001

Present: Councillors Lynes, Price, Scholes & Wakefield
Mrs Sue Potts
Messrs Butler, Butt, Chapman, Freeman & Hill

Apologies for absence were received from Baron Nicolas van den Branden and Mr Christopher Hall.

The Chairman welcomed Councillor Lynes to his first meeting as a Conservator.

MINUTES

1. Appointment of Chairman

In accordance with the Third Schedule of the County of Kent Act 1982 it was noted that the Conservators were required at the first meeting held on or after 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED that Mr Geoff Butler, a Conservator appointed by the Manor of Rusthall, be appointed as Chairman until the Annual Meeting of the Conservators in 2002.

MR BUTLER IN THE CHAIR

The Chairman thanked Councillor Price for his efficient service as Chairman over the past year. The retiring Chairman, Councillor Price, thanked the staff for their support during his year of service.

2. Mr M. J. H. Girling

The Chairman reported the recent death of Mr Maurice (Jack) Girling who had been Town Clerk of the former Tunbridge Wells Council, Clerk to the Commons Conservators and most recently a Commons Conservator. The Chairman requested that the Commons Conservators' regrets be placed on record.

3. Membership

The Chairman reported that the under-mentioned Conservators had been appointed by the bodies specified to serve for the period indicated.

Tunbridge Wells Borough Council

| | | |
|----------------------|---|-------------------------------|
| Councillor Lynes | } | |
| Councillor Price | } | 1 January to 31 December 2001 |
| Councillor Scholes | } | |
| Councillor Wakefield | } | |

Freehold Tenants

| | | |
|---------------|---|--|
| Mr G. Butt | } | |
| Mr M. Chapman | } | First year of 3-year term until 31 December 2003 |
| Mr P. Freeman | } | |
| Mr. N. Hill | } | |

Manor of Rusthall

| | | |
|-------------------------------|---|--|
| Baron Nicolas van den Branden | } | |
| Mr G. Butler | } | First year of 3-year term until 31 December 2003 |
| Mr C. Hall | } | |
| Mrs Sue Potts | } | |

4. Minutes of the last Meeting

The Minutes of the Meeting of the Commons Conservators held on 14 September 2000 were considered by the Conservators.

RESOLVED that the Minutes be confirmed as a correct record.

5. Dates of Meetings - 2001/2002

RESOLVED that meetings of the Commons Conservators be held at 2.30pm on the following dates: -

22 March 2001
14 June 2001
13 September 2001
10 January 2002

6. Warden's Report

The Warden submitted his Report for the winter 2000 period.

- a) He reported that he had been unable to allow any heavy equipment or vehicles onto the Common because of the heavy and continuous rain and therefore the scheduled work programme had come to a virtual halt. He suggested that funds should be diverted from the work schedule programme into work on road side trees particularly where they were dangerous.

RESOLVED that urgent work be carried out on road side trees.

- b) **Commons Footpaths** - The Warden reported that drainage needs to be increased on the highways footpath from Major Yorks Road to Castle Road.

RESOLVED that the Clerk write to the Highways Department requesting that drainage in this area be serviced. The representative of the Freehold Tenants asked questions as to who is responsible for the clearance of the footpath leading to the Old Post Office site. The Warden stated that this was the responsibility of the Highways Department and the need for such clearance should be incorporated in the letter to the Highways Department.

The Freehold Tenants stated that they would contribute towards the funding of the necessary repairs to the footpath from Upper Street to Apsley Street Rusthall. A contribution was also expected from the residents.

RESOLVED that the Conservators' gratitude be placed on record to the Freehold Tenants for their offer.

The work required to repair the damage on the footpath from Major Yorks Road to Fir Tree Road resulting from water from the Cricket Pitch should be covered by funding from next year's budget.

- c) Goal Posts - RESOLVED that metal goal posts replace those vandalised on Rusthall Common, with an indication that this was to be the last contribution.
- d) RESOLVED that the Warden continue to monitor the subsidence near Brighton Lake.
- e) Commemorative Tree - RESOLVED that permission be granted to Mr Rhys Revell to plant a commemorative tree on the triangle of land at the junction of Nevill Park and Major Yorks Road.

7. **Financial Statement**

Financial Statement Number 3, 2000, was submitted showing payments totalling £39,593.65 and receipts of £44,296.35 with a balance of £61,954.50 carried forward.

RESOLVED that the accounts be approved.

8. **Budgetary Control Report/Precept 2001/2002**

The Treasurer submitted the Budgetary Control Report to December 2000 together with a precept requirement for 2001/2002. The Report included a forecast for the following three years.

RESOLVED that an application be made for a precept of £88,037 for the year 2001/2002, an increase of 2.5% which is in line with the underlying rate of inflation.

9. **Fairground Car Park - Major Yorks Road**

John Lister, Corporate Projects Co-ordinator of Tunbridge Wells Borough Council, presented the Borough Council's suggestions for arrangements for consolidation and refiguration of the Car Park, Major Yorks Road. These suggestions have been considered by Council Committees and were brought before the Conservators for their views. The views of other interested Bodies had been sought i.e. the Manor of Rusthall, the Freehold Tenants, the Civic Society and the Friends of Tunbridge Wells & Rusthall Commons.

The representative of the Manor of Rusthall informed the Conservators that the Manor had prepared a new license for the letting of the Car Park which stated that it should be available for 48 weeks of the year (to allow for the use by the Fun Fair) with 20 spaces being kept for shoppers. She pointed out that the Manor would not sell this area and if any proposals went ahead the Council could only rent from the Manor of Rusthall. The Clerk stated that a holistic approach for the benefit of the Common should be taken, with better landscaping should the Car Park be managed by the Borough Council.

RESOLVED that the Clerk contact the Borough Council stating that the Conservators have reservations about these suggestions but will be prepared to consider the matter again later when more definitive proposals are formulated.

10. **Lighting - Forum area**

John Lister informed the Conservators that planning permission had been granted for lighting in the area of The Forum and tenders for the work were being obtained.

The Manor's final agreement is needed, but they will not accept lighting as suggested. The representative of the Manor stated that insurance liability is admitted by lighting the area.

RESOLVED that a further report be prepared by John Lister for 14 June 2001 Meeting of the Conservators.

11. **Closed Circuit Television**

John Lister tabled plans for proposed CCTV at two sites: -

Church Road/London Road junction and the Old Post Office site.

The Warden stated that the triangle near the Old Post Office site is to be redeveloped on completion of work on the Old Post Office buildings.

RESOLVED that no objection be raised to these proposals but the Warden discuss further with Mr Lister.

12. **Outline planning application - Plant & Tools site**

John Lister reported that an outline planning application had been received for a block of 42 flats over a store with access from the Eridge Road on the old Plant & Tools site. This will involve the taking of some Common land required for highways extension on Common land near Brighton Lake and sight lines on the other side of the road.

RESOLVED that:

- (a) The Clerk write to the Planning Department strongly opposing the plan, registering their objections because of the impact on the Common. No notice had been given to the Manor of Rusthall.
- b) The Clerk write to the applicant stating that there is to be no encroachment on Common land.

The Conservators placed on record their gratitude to Mr Lister for his presentations.

13. **Pedestrian Refuge - Langton Road, Rusthall Common**

The Warden reported that a pedestrian refuge was required to cross from the Tarry path to St. Paul's Church. No pedestrian crossing will be permitted in a unrestricted speed limit area.

RESOLVED that the Highways Department be informed that this refuge be agreed in principle and the Warden bring the matter for further consideration at the next Meeting.

14. **Friends of Tunbridge Wells & Rusthall Commons**

- a) The Chairman of Friends of Tunbridge Wells & Rusthall Commons, Councillor David Wakefield, requested the Commons Conservators permission to hold Frolics on the Common on 21 July 2001, with the Fun Fair being on site from 20 July to 22 July 2001.

RESOLVED that permission be granted.

- b) **Printing of Common Ground**

Councillor Wakefield requested that the Commons Conservators pay, as previously, for the printing of Common Ground at a cost of £120 per year.

RESOLVED that such funding to the Friends of Tunbridge Wells & Rusthall Common be agreed.

- c) **Maps**

In response to a question by Councillor Wakefield as to the siting of plans on the Common (a donation towards this work has already been given by the Friends) the Warden informed the Conservators that he is seeking further funding for informative signs.

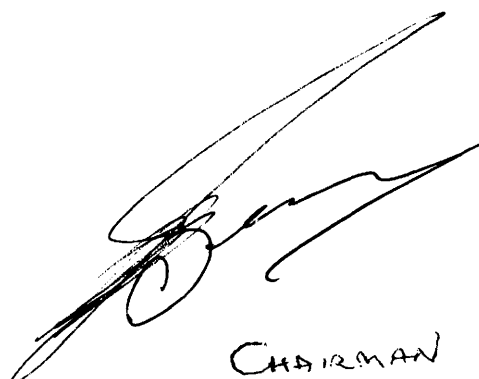
15. **Insurance Claim**

A letter has been received from the Manor's insurance company advising of a claim by Mrs Torpey. The letter has been forwarded to Zurich Insurance for their consideration. The representative of the Manor of Rusthall informed the Conservators that a Structural Engineer's Report has been requested from Mrs Torpey for her damaged wall.

16. **Fun Fair - Major York's Car Park**

The Warden reported that Mr Shaw has requested permission to change, at his expense, two of the wooden bollards in Major York's Car Park to lockable posts in order to park trailers for the Easter Fair.

RESOLVED that permission be granted at the Warden's discretion if the weather conditions and land are suitable, providing the area is made good by Mr Shaw after the event.



CHAIRMAN

22 MARCH 2001

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 22 March 2001

Present: Mr G Butler (Chairman)
Councillors Lynes, Scholes, Price and Wakefield
Mrs Sue Potts
Baron Nicolas van den Branden
Messrs Butt, Freeman and Hill

Lt Commander George Lawson (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

Apologies for absence were received from Mr Christopher Hall and Mr Mungo Chapman.

MINUTES

MINUTES OF THE LAST MEETING

1. The Minutes of the meeting held on 11 January 2001 were considered and approved subject to the following amendment.

Minute No. 10 - Lighting - Forum Area

RESOLVED - The matter be left in abeyance pending further discussions between the Manor and the Council.

WARDEN'S REPORT

2. The Warden submitted his report for the period ending March 2001.

(a)(i) Foot and Mouth Outbreak

The Warden reported that the current outbreak of Foot and Mouth Disease had resulted in an increased use of the Common, particularly by dog walkers. This meant that the level of dog foul collection had been doubled at an extra cost of £60 per week.

RESOLVED - If it proves necessary to close the Common as a result of a local Foot and Mouth outbreak, the Warden would be authorised to take any immediate action that would be necessary and if the position so warranted a Committee meeting would be called.

- (ii) A limited restriction be placed on horse riding on the Common and notices be amended accordingly to read 'No Horse Riding until 1 June'.

- (iii) A press release be issued to the Courier regarding dog fouling and horse riding on the Common.

(b) Fibrenet

The Warden reported that Fibrenet had caused damage on the Common when installing fibre-optic cable but that they had undertaken to pay for the work necessary to repair the damage.

RESOLVED - that the Warden liaise with the Treasurer regarding the payment by Fibrenet and in order that any future Utility work on the Common should be covered by a Bond or Charge to cover repair work.

(c) Website

The Warden reported that the computer donated for his use by the Freehold Tenants is proving very useful and could be used to advertise Friends activities, information for students, the resource pack for schools and a website for student information.

RESOLVED - That the Conservators' gratitude be expressed to the Freehold Tenants for this generous donation.

(d) Work Schedules

The Warden reported that in view of the extremely wet winter the entire winter programme has been disrupted with mainly roadside works being carried out. As soon as the weather improves planned works will go ahead.

RESOLVED - That the Conservators' gratitude be placed on record to the Friends for their donation of two large Scots Pines, one to commemorate the 100th Birthday of the Queen Mother.

(e) Insurance Claims

The Warden reported that he was awaiting the Insurance Company's response to insurance claims at Dingley Dell and for falls on the Common but the Conservators' attitude to these claims remains unchanged.

FINANCIAL STATEMENT

3. The Treasurer submitted Financial Statement No. 4, 2000/2001, showing payments of £10,789.47 and receipts of £674.31.

The Treasurer also submitted the expenditure and budget position which showed an underspend. When the weather improves a large expenditure on contractual work is expected but it is anticipated that this expenditure will remain within the budget.

APPLICATION TO INSTALL NOTICE BOARD IN FIR TREE CAR PARK

4. Councillor Wakefield, Chairman of the Friends of Tunbridge Wells and Rusthall Commons, requested permission to install a notice board (size A4 encapsulated) in order to advertise the activities of the Friends.

RESOLVED - That permission be granted to erect such a notice board and that the Conservators gratitude be conveyed to the Friends.

HOT AIR BALLOON LAUNCHES

5. The Clerk reported on an application to launch a hot air balloon from the Lower Cricket Ground.

RESOLVED - That this application, and any future such applications, should be refused.

PEDESTRIAN REFUGE, LANGTON ROAD, RUSTHALL

6. The Warden reported that the Highways Department were favourably considering the installation of a pedestrian refuge in Langton Road, Rusthall.

STONE WORK ON THE COMMON

7. The Clerk reported receipt of a letter from Mr Christopher Hall, Chairman of Burslem Stonemasons, stating that they would be happy to carry out any works on the 101 Steps on Rusthall Common when required.

RESOLVED - That this letter be noted.

PLANT AND TOOLS SITE

8. The Clerk reported receipt of written representations from the developers of this site requesting a site meeting with the Warden and Clerk.

RESOLVED - That the Clerk write to the Harris Partnership stating that the Commons Conservators objections to this planning application be registered but that the Warden and Clerk would be prepared to meet representatives of the Harris Partnership on site, with Committee Members in attendance if they so wished.

PARKING ON THE COMMON

9. The Clerk submitted a letter from Nick Hill, representative of the Freehold Tenants regarding the right of Commons Conservators to permit parking for properties on or bordering the Commons. Mrs Sue Potts, representative of the Manor, informed Members that legal advice was being taken by the Manor. The Commons Conservators would like further discussion when these views are known.

RESOLVED - That this matter be held in abeyance pending receipt of further information from the Manor.

WALK FOR THE FREEHOLD TENANTS

10. Mr Nick Hill stated that the Warden was to take a walk for the Freehold Tenants on 29 April meeting at 10.30 am at Fir Tree Car Park and that all Conservators would be welcome.

GRANT APPLICATIONS

11. The Warden reported that grant funding would not now be available from Tomorrow's Heathland Heritage but it would appear that English Nature had received an allocation of £1,500 for the financial year 2002/03 for the provision of a management interpretation board at Rusthall Common.

DATE OF NEXT MEETING

- 12 The Chairman reminded Members that the next meeting is due to take place on 14 June 2001.

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CHAIRMAN

14 June 2001

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 14 June 2001

Present: Mr G Butler (Chairman)
Councillors Lynes & Scholes
Baron Nicolas van den Branden
Messrs Butt, Chapman, Freeman, Hall & Hill

Lieutenant Commander George Lawson (Friends of Tunbridge Wells
& Rusthall Commons) attended by invitation

Apologies for absence were received from Councillor Wakefield and Mrs Sue Potts

MINUTES

1. Minutes of the last Meeting

The Minutes of the Meeting held on 22 March 2001 were considered and approved.

Matters Arising

a) Parking on Common Land

In referring to Minute Number 9 of 22 March 2001, it was reported that the Manor are taking legal advice regarding parking outside properties on Common land and that Christopher Hall will continue to investigate any such rights.

b) Pedestrian Refuge - Langton Road, Rusthall

The Warden reported that plans were still being drawn up and costed for this work.

2. Warden's Report

The Warden submitted his Report for the period ending June 2001.

a) Foot and Mouth outbreak

The Warden reported that with the worst effects of the outbreak over, pressure on the Commons has gradually decreased. Concern was expressed about the risk of a large residue of dog fouling left from the earlier increased use of the Common by dog walkers. This could pose a potential threat to dogs but also to small children who could develop toxicara.

b) Erosion

In view of the erosion of the Commons edges caused by parked cars and overtaking vehicles, particularly in the Hungershall Park, Fir Tree Road, and Bishop's Down areas, the Warden asked if the Friends of Tunbridge Wells & Rusthall Commons could request their Members' co-operation with making their concerns known to the Highways Department in order to avoid such erosion. Single yellow lines would also help to avoid long-term parking.

RESOLVED that

(i) the Clerk approach the Highways Department and the Chairman of the appropriate Committee to request their assistance with the provision of single yellow lines where appropriate.

(ii) that this matter be considered further at the next meeting.

c) Charity event

The Warden reported that the Charity event requested by Cripps Harris-Hall had now been postponed.

RESOLVED that no objection be raised to the holding of such an event in the future; the Warden having discretion to agree if there appears to be appropriate use of Common ground.

d) Schools Cricket Festival

RESOLVED that permission be granted for a similar event to that held last year being held.

e) Railings - entrance to Rusthall Park and Rustwick

RESOLVED that permission be granted for the Rusthall Park Residents' Association to install railings at this entrance providing the Residents' Association take full responsibility for the installation, and the work being subject to all legal safeguards.

f) Work Schedules

The Warden stated that with the improved weather the work programme is continuing as planned. The Representative of the Freehold Tenants' enquired about the work on the new pond near Park View, and the Warden reported that work should continue this summer with possibly a new liner being installed.

3. Schools' Publicity

The Warden reported that the meeting with the Outreach Officer (Sue Potter) had been postponed until the week commencing 18 June 2001 and the work on the web site is with the Town Hall Secretariat for typing.

RESOLVED that the Warden report back to the next meeting on progress with the Schools' programmes.

4. Financial Statement

The Treasurer submitted Financial Statement Number 5, 2000, showing payments of £86.80 and receipts of £171.19. Statement Number 1, 2001, was also submitted showing payments of £21,099.18 and receipts of £45,289.65.

Draft Accounts for the last Financial Year had been prepared for the Auditors and the Treasurer submitted the Income and Expenditure Account for 2000/2001 and the Balance Sheet as at 31 March 2001.

Mr Christopher Hall queried the increased Insurance figure, and the Treasurer explained that policies were now separate from that of the Borough Council.

5. **Plant & Tools Site**

The Clerk reported that he and the Warden had recently attended a site meeting with the developers when it was ascertained that with the alteration of the access the need for a large take of Common land had been eliminated. Four trees were to be re-sited to clear the sight lines with replanting further back. The developers had agreed to pay for bollards if required at a later date in order to prevent parking. The Clerk thought that there would be a visual improvement in this area but this matter was still subject to planning consent.

RESOLVED that the Warden and Clerk keep a watching brief on the planning application and a Committee meeting be called, if necessary, before the next full Conservators' meeting.

6. **Planning Application - Reliance House, Mount Ephraim**

The Clerk reported that the planning application proposing to convert office accommodation into 22 apartments should not have any adverse effect on the building which should appear externally visually the same.

7. **Kent Air Ambulance Landing Site**

The Clerk reported receipt of an application for a change in the ramp for the access by the Air Ambulance in order to accommodate new stretcher facilities.

RESOLVED that no objection be made to this proposal.

8. **Rusthall Bonfire and Fireworks Display**

The Clerk reported that the usual request had been received for permission to hold the Annual Rusthall Bonfire and Fireworks display on 27 October 2001.

RESOLVED - that permission be granted subject to the usual terms and conditions.

9. **Rusthall Park - Removal of Trees**

The Warden reported that he had recently had a meeting with the resident of Number 2 Rusthall Park who wished to remove one, possibly two, large Oak trees which was blocking light from his property.

RESOLVED that no objection be raised to this proposal provided that the Warden monitors the situation.

10. **Sunnyside Road, Rusthall**

The Warden reported that he had recently received an application from the residents of Number 21 Sunnyside Road, Rusthall, requesting permission to plant a hedge on Common land in order to provide privacy to a small area at their property.

RESOLVED that permission be granted for such planting providing the applicant agrees to maintain such hedging.

11. **Car Parking Stickers**

The Warden requested permission to order stickers for application onto offending vehicles parked badly on Common land. It was felt that a record should be kept by the Warden of such offending vehicles and that an example prosecution should be considered at some time.

RESOLVED that

- a) the Clerk and Warden consider wording for such stickers, and
- b) when wording agreed, the Warden order 900 at a cost of £125 plus VAT.

12. **Camera**

The Warden requested permission to purchase a data-back camera in order to record offending vehicles and activities on the Common.

RESOLVED that permission be granted to the Warden to purchase such a camera.

13. **Wellington Rocks**

The Warden reported that all-night parties were being held on Wellington Rocks with bottles being smashed causing dangerous litter.

RESOLVED that the Clerk write to the Police requesting their assistance in dealing with this activity.

14. **CCTV**

The Warden reported that it was now not possible to place the CCTV camera at the junction of Church Road/London Road as proposed. It was now proposed to install such a camera on the lamp post in Church Road.

RESOLVED that no objection be raised to this change of siting.

15. **Conservation Area Appraisal**

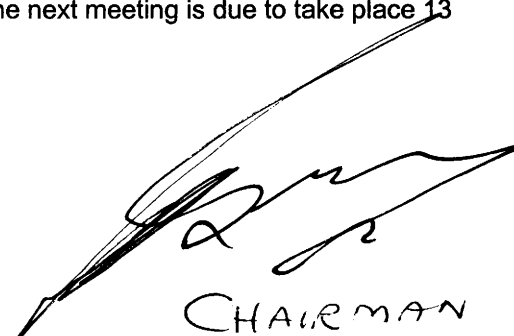
The Chairman made Members aware of the Conservation Area Appraisal Report which was available from the Borough Council for the sum of £5.

16. **Litter Bins**

The Representative of the Freehold Tenants enquired about the replacement of rotting litter bins. The Warden stated that he had two bins available in stock for replacement and he would also obtain further supplies.

17. **Date of Next Meeting**

The Chairman reminded Members that the next meeting is due to take place 13 September 2001.



CHAIRMAN

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 13 September 2001

Present: Mr G Butler (Chairman)
Councillors Lynes and Wakefield
Mrs Sue Potts
Messrs Butt, Chapman and Hall

Lt Commander George Lawson (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

Apologies for absence were received from Baron Nicolas van den Branden, Councillors Price and Scholes, Messrs Freeman and Hill.

MINUTES

1. MINUTES OF THE LAST MEETING

The Minutes of the meeting held on 14 June 2001 were considered and approved.

2. WARDEN'S REPORT

The Warden submitted his report for the period ending September 2001.

(a) Common View, Rusthall

The Warden reported that improvements were proposed for the bottle bank at Common View, with would rationalise parking facilities together landscaping of the adjacent area, with bollards to prevent parking on returfing.

Further hedging is planned to provide "wings" of the hedge around the bottle bank and this should help contain any litter in that area.

There should be a gain of eight or nine square metres of Common land.

(b) Lighting Improvements - Inner London Road

The Warden reported that the Borough Council plan to upgrade the street lighting along Inner London Road. Ten traditional design lighting columns are planned to replace of the existing two.

(c) Car Parking

The Warden tabled plans for yellow lining in Fir Tree Road which had been submitted by the Highways Department.

RESOLVED - that

- (i)** The Clerk write to the Highways Department suggesting that yellow lining be implemented from the entrance to the Fir Tree Car Park down to Major York's Road.

- (ii) A Commons Conservators Committee meeting be arranged with the Highway Officers to discuss the issue of car parking in this area.
 - (iii) A holistic package be considered taking into account the proposal to install a roundabout at the top of Major York's Road and traffic arrangements in the area.
- (c) Cricket Festival

The Warden reported that the Primary Schools Cricket Festival had again taken place and had been a great success.
- (d) Mini Beast Safari

The Warden reported that the Mini Beast Safari arranged by Sue Potter and Ian Beavis of the Museum had been well attended.
- (e) Work Schedules

The Warden reported that he had caught up with maintenance work on the Commons after the wet spring.

Clearance work on Tunbridge Wells Commons should be finished this week and Rusthall Common next week.
- (f) Seats

The Warden reported that seats had been installed in the Happy Valley area and on Tunbridge Wells Common near the cricket pitch and on the racecourse.
- (g) Footpaths

The Warden reported that it was planned to have a new footpath near the Queen Anne Oak.
- (h) Trees

The Warden reported that all planted trees were doing well and had not been affected by vandalism.
- (i) Ponds

The pond near Cabbage Stalk Lane had been cleared and landscaping is to be done.

The Warden stated that he will have to wait until next Spring to see if this holds water.
- (j) Litter

The Warden reported that the problem of broken glass around Wellington Rocks is under control but needs collection to take place every morning. The Police have agreed to be extra vigilant in this area.

3. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No. 2, 2001 showing payments of £13,256.48 and receipts of £586.89.

4. **INCOME AND EXPENDITURE SUMMARY**

The Treasurer submitted the Income and Expenditure Summary indicating the projected position for the year ended 31 March 2002 which showed projected reserves carried forward of £27,122.00.

5. **AUDIT - CONTROL ENVIRONMENT**

The Treasurer submitted a report stating that for Internal Audit purposes the Commons Conservators are treated as a Parish Council. The control environment has been discussed with the Auditor and measures appropriate to the affairs of the Conservators considered.

RESOLVED - that Councillor Wakefield be nominated to undertake on a periodic basis a review of the financial records and report any concerns. This nomination should be considered in January 2002.

6. **ALLOWANCES AND EXPENSES**

The Treasurer submitted proposals for a review of the allowances and expenses paid to the Clerk and Treasurer.

RESOLVED - That the allowances and expenses be increased to £1,166 and £646 respectively with effect from 1 April 2001.

7. **AUDIT 2000/2001**

The Treasurer reported that the audit of the Commons Conservators accounts is to take place on Monday 15 October 2001 in the Town Hall, with books available on deposit prior to that date.

8. **INSURANCE**

The Treasurer reported that he had sought alternative quotations for the Commons Conservators insurance as the policies with Zurich were now due for renewal.

RESOLVED - that the Treasurer and Chairman consult when appropriate quotations arrive.

9. **PLANNING APPLICATION - RELIANCE HOUSE, MOUNT EPHRAIM**

The Clerk reported that the Planning Application for the conversion of office accommodation into apartments had now gone to appeal.

RESOLVED - that no further comment be made by the Conservators on this application.

10. **PLANNING APPLICATION - CCTV CONTROL CUPBOARD, JUNCTION OF CHURCH ROAD/LONDON ROAD**

RESOLVED - that no further comment be made on this application.

11. **PLANNING APPLICATION - STREET FURNITURE, ANTENNA AND EQUIPMENT CABINETS TO PROVIDE BT CELLNET NETWORK IN TUNBRIDGE WELLS, OPPOSITE 63 MOUNT EPHRAIM**

RESOLVED - that:-

- (i) Strong objection be raised to the siting of this equipment in this Conservation Area.
- (ii) The Clerk to the Commons Conservators liaise with local Members of the Borough Council and the Planning Department in order to discuss the strongest possible objections.

12. **GRASS CUTTING, RUSTHALL ROAD AREA**

The Warden reported that an application had been received from the local residents for grass cutting to be carried out on a regular basis in that area.

RESOLVED - that the grass cutting contract be amended appropriately..

13. **PETROL STATION, ERIDGE ROAD**

The Warden tabled plans for the suggested highway amendment for the entrance to the petrol station in Eridge Road. The Highways Department require a right turn from this area and this would involve the narrowing of the strip of grass in front of the petrol station. An extra 25 square metres of Common land would result. The representative of the Manor stated that the Manor had yet to be informed of any proposals.

RESOLVED - that the matter be kept in abeyance until a Committee meeting has taken place.

14. **STORAGE SITE FOR DEVELOPERS, TUNBRIDGE WELLS COMMON**

The Warden reported that Young and Partners had requested permission to install a site to store materials for development on the Pantiles on an area of Common land south of Castle Road for six months.

RESOLVED - that permission be refused.

15. **COMMONS CONSERVATORS WEBSITE**

The Warden reported that the Commons Conservators Website should be fully set up by Spring 2002.

16. **PARKING ON COMMON LAND - LONDON ROAD**

Questions were asked as to the progress with the issue of parking on Common land on Inner London Road area.

RESOLVED - that Christopher Hall inform the Clerk to the Commons Conservators of findings when the replies are received from Freeholders on this question.

17. **FOOTPATH FROM THE FORUM TO CASTLE ROAD**

A representative of the Freehold Tenants complained about the condition of the footpath from The Forum to the bottom of Castle Road.

RESOLVED - that the Warden inspect this footpath.

18. **DATE OF NEXT MEETING**

The Chairman reminded Members that the next meeting is due to take place on 10 January 2002.

19. **CHAIRMAN'S THANKS**

The Chairman requested that, as this was his ^{last} ~~last~~ meeting as Chairman to the Commons Conservators, his thanks to the Warden for all his work and to the Friends of Tunbridge Wells and Rusthall Commons for their support during his year be recorded.

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CHAIRMAN

10 January 2002

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 10 January 2002

Present: Councillors Lynes, Scholes and Wakefield
Mrs Sue Potts
Messrs Butler, Chapman, Freeman, Hall and Hill

Lt Cdr George Lawson (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation

Apologies for absence were received from Baron Nicolas van den Branden and Mr G Butt.

MINUTES

1. APPOINTMENT OF CHAIRMAN

In accordance with the Third Schedule of the County of Kent Act 1982 it was noted that the Conservators were required at the first meeting held on or after 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED - That Mr Nick Hill, a Conservator appointed by the Freehold Tenants, be appointed as Chairman until the Annual Meeting of the Conservators in January 2003.

MR HILL IN THE CHAIR

The Chairman thanked Mr Geoff Butler for his efficient service as Chairman over the past year.

2. PREVIOUS MINUTES

The Minutes of the meeting held on 13 September 2001 were considered and approved.

Matters Arising

The representative of the Freehold Tenants enquired as to the present position for alternative quotations for the Commons Conservators' insurance policy. The Treasurer reported that Zurich Insurance had been re-appointed as the Commons Conservators' insurers with a slightly reduced quotation.

3. MEMBERSHIP

The Chairman reported that the undermentioned Conservators had been appointed by the bodies specified to serve for the period indicated:

Tunbridge Wells Borough Council

| | |
|----------------------|--|
| Councillor Lynes |) 1 January to 31 December 2002 (providing these |
| Councillor Price |) Councillors are re-elected in May 2002) |
| Councillor Scholes |) |
| Councillor Wakefield |) |

Freehold Tenants

| | | |
|--------------|---|--|
| Mr G Butt |) | |
| Mr M Chapman |) | Second year of three year term until 31 December |
| Mr P Freeman |) | 2003 |
| Mr N Hill |) | |

Manor of Rusthall

| | | |
|-------------------------------|---|--------------------------------------|
| Baron Nicolas van den Branden |) | |
| Mr G Butler |) | Second year of three year term until |
| Mr C Hall |) | 31 December 2003 |
| Mrs Sue Potts |) | |

4. **DATE OF MEETINGS - 2002/2003**

RESOLVED - That meetings of the Commons Conservators be held at 2.30 pm on the following dates:-

21 March 2002
20 June 2002
12 September 2002
16 January 2003

5. **WARDEN'S REPORT**

The Warden submitted his report until January 2002. He reported that it had been a quiet period with the weather kindly allowing work to be carried out.

(a) Fun Fair

The Warden submitted a letter he had received from Shaws Leisure requesting permission to run a small fun fair on the Lower Cricket Ground to commemorate the Queen's Golden Jubilee in June. Mr Shaw stated that there has been a fun fair on the same site 50 years ago to commemorate the Queen's Coronation. After much consideration this matter was taken to a vote, proposed by Councillor Wakefield and seconded by Mr Christopher Hall.

RESOLVED - That permission be granted for Shaws Leisure to hold such a fun fair providing any damage to grass areas is restored to the satisfaction of the Warden.

(b) Traffic Management

The Warden reported on an informal meeting held with the members of the Conservators Committee, Highways Officer and Councillor Weeden, Chairman of the Highways Committee to discuss the current traffic problems around the Commons.

It was felt that equal priority should be given to the monitoring of the yellow lines around Common roads with Town Centre roads.

RESOLVED -

- (1) That the Warden report to the next meeting of the Conservators when information is available as to the Highways Department's decisions about a roundabout at the top of Major York's Road and the proposed closure of the northern end of Fir Tree Road.
- (2) The Clerk contact the Traffic Wardens requesting that they monitor illegal parking on Commons roads.

(c) **Collapsed Wall**

The Warden reported that responsibility for the collapsed wall at PK Motors has been accepted by Mr King.

(d) **Countryside and Rights of Way Act 2000**

The Warden reported that urban Commons were not shown on the draft Access Map but all Commons will be shown on these maps in future.

(e) **Work Schedules**

The Warden reported that the Friends of Tunbridge Wells and Rusthall Commons had offered to plant trees to commemorate the Queen's Golden Jubilee. He suggested that this offer should be taken up to replace the Poplar at Lower Green Road in Rusthall which had recently been removed.

RESOLVED - That this offer be accepted with thanks and a replacement Oak or Chestnut tree be planted at the appropriate time.

(f) **Footpaths**

The Warden reported on many works which have been carried out recently on footpaths on the Common.

(g) **Rusthall Elms**

Councillor Scholes informed Conservators that the Rusthall Elms site would shortly be vacant and he requested that the Warden visit this area more frequently in order to monitor the area.

6. **FINANCIAL STATEMENT**

Financial Statement Number 3, 2001 was submitted showing payments totalling £23,209.05 and receipts of £45,502.13 with a balance of £85,737.69 carried forward.

RESOLVED - That the accounts be approved.

7. **BUDGET/PRECEPT 2002/2003**

The Treasurer submitted a report setting out a proposal that the precept for 2002/2003 should be £90,678.00, an increase of £2,641.00 which is 3%, broadly in line with the rate of inflation. This will leave £10,307.00 to be met from reserves.

8. **VISITOR INFORMATION BOARDS**

The Friends of Tunbridge Wells and Rusthall Commons had given £2,500 for the installation of visitor information boards on the Common and asked for this to be refunded as the work had not been carried out. The Friends of the Commons had now agreed to carry out the work themselves.

RESOLVED - That this refund be made.

9. **PARKING AT NUMBERS 82 to 85 LONDON ROAD, ROYAL TUNBRIDGE WELLS**

The Chairman declared an interest in this item and stood down from the Chair.

MR M CHAPMAN IN THE CHAIR

The Conservative Councillors also declared an interest as the Conservative Office is based at 84 London Road, Royal Tunbridge Wells.

These Conservators took no part in the discussion.

The Clerk reported that the owners of 83 London Road were experiencing difficulty in selling their property because there is a problem with parking. There appeared to be no serious issues affecting the Commons Conservators and by the time of the next meeting the issue should be resolved. Legally the existing status should be recognised but it was felt that the Trustees should consult the Clerk to the Commons Conservators and the matter should be taken to the next Conservators meeting if no agreement can be found.

MR HILL IN THE CHAIR

10. **PLANNING APPLICATION - CONSERVATORY, THE HOBBLIES, RUSTHALL PARK**

RESOLVED - That no objection be made to this planning application.

11. **FRIENDS OF TUNBRIDGE WELLS AND RUSTHALL COMMONS**

Councillor Wakefield, Chairman of the Friends of Tunbridge Wells and Rusthall Common, expressed the Friends concern at the proposal that the coach park on the A26 London Road is to be lengthened slightly and asked that the Commons Conservators register their continuing protest at the siting of this coach park on such a busy road.

RESOLVED - That the Clerk to the Commons Conservators write to the Highways Department expressing the Conservators' concern.

The Friends of the Commons do not plan to stage any event to commemorate the Queen's Jubilee but wished to donate trees for siting on the Commons. Councillor Wakefield suggested that the Commons Conservators stage a bonfire or beacon on the Common.

RESOLVED - That the Warden explore the idea of a beacon, to link with surrounding villages, being sited in the Mount Ephraim area of the Common.

Councillor Wakefield also reported that the Royal British Legion wished to Beat the Retreat on the Lower Cricket Ground. This event may require a marquee and the sale of alcohol.

RESOLVED - That this application be considered at the March meeting when written plans should be available.

11. **AMENDED PLANNING APPLICATION - RELIANCE HOUSE, MOUNT EPHRAIM**

The Clerk reported that an amended planning application for development at Reliance House had been received but there appeared to be no material difference affecting the Common.

RESOLVED - That no objection be raised to the amended planning application.

12. **PLANNING APPLICATION - PLANT AND TOOLS SITE**

The Clerk reported that the planning application for development at the Plant and Tools site, Eridge Road, had now been withdrawn.

13. **HOSPITAL GARDEN, ADJACENT TO 63 LONDON ROAD, ROYAL TUNBRIDGE WELLS**

The Warden reported that he had been approached by Mr Patrick Shovelton who had been looking after the Hospital garden adjacent to his property for some time. This garden is owned by the Kent Hospital Trust who have submitted a planning application to develop the land. The Warden stated that the suggested development would interfere with the attendant wildlife from the Common and cause additional traffic in the area.

RESOLVED - That the Warden attend the Planning Inquiry supporting any objection to the proposed development.

14. **PROPOSED DWELLING ADJACENT TO BAXTERLEY HOUSE, 3 RUSTHALL ROAD, RUSTHALL**

The Warden submitted a proposal to build a house adjacent to Baxterley House, which will require access over Common land. The Agents to the Lord of the Manor had been approached about this development and the Commons Conservators permission was now requested.

RESOLVED - That a written application should be requested from the developers in order to formalise the situation but no objection can be foreseen.

15. **COMMONS CONSERVATORS WEBSITE**

The representative of the Freehold Tenants asked the Warden as to the current situation with the setting up of the Conservators Website. The Chairman reported a price and domain name www.twcc.org.uk had been agreed and it was anticipated that the website should be fully operative in the Spring.

16. **FREEHOLD TENANTS**

The representative of the Freehold Tenants asked that the Conservators should be made aware that the Freehold Tenants financed works on the Common as detailed below:-

- (1) The footpath at Rusthall Church
- (2) The footpath at Apsley Street
- (3) Work at Sweep's Cave

17. **POST OFFICE SITE**

The Clerk reported that he had recently had a meeting with a representative of Honeygrove, the Developers of the Post Office site. Honeygrove had stated that they wished to implement quality reinstatement of the triangle of land that they had used during the development of this site and details should be available for the next meeting of the Commons Conservators.



CHAIRMAN

21 March 2002

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 21 March 2002

Present: Mr N Hill (Chairman)
Baron Nicolas van den Branden
Councillors Scholes and Wakefield
Mrs Sue Potts
Messrs Butler, Butt, Chapman, Freeman & Hall

Lieutenant Commander George Lawson (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

An apology for absence was received from Councillor Lynes

MINUTES

1. MINUTES OF THE LAST MEETING

The Minutes of the meeting held on 10 January 2002 were considered and approved .

2. WARDEN'S REPORT

The Warden submitted his report for the period ending March 2002.

(a) Jubilee Project

The Warden reported that he had received a letter from the Rusthall Community and Youth Project requesting permission to plant crocus bulbs in a commemorative design to mark the Queen's Jubilee on Common Land at the junction of Rusthall Road and Coach Road.

RESOLVED - That no objection be made to this proposal.

(b) Works

The Warden reported that the period since Christmas had been dominated by strong winds that caused the loss of a number of trees. A car had been crushed in Castle Road by a falling tree but nothing had been heard from the owners insurers as yet. The Friends of Tunbridge Wells and Rusthall Common have donated a large Holm oak which has been planted in Lower Green Road to replace the poplar lost the same time last year. Volunteers recently planted 100 new trees by the Spa Hotel which will help reduce traffic noise.

Transco had stated that they will fund the planting of a screen around their installation.

The Warden reported that there had been subsidence problems in the Brighton Lake area and that the overflow from Brighton Lake was leaking. He felt that springs had been diverted by the roots of trees being ripped up in the 1987 hurricane. When the land is drier, digging will take place in order to establish the cause of the problem, but in the meantime the holes have been fenced off to make the area safe. It was suggested that a notice of warning should be placed in the area in case of further subsidence. Councillor Scholes suggested that work carried out by the Southern Water Authority many years ago in order to prevent flooding of the cottages opposite Brighton Lake, could be the cause of the problem.

RESOLVED - That the Warden contact Southern Water Authority.

3. **FINANCIAL STATEMENT**

The Treasurer submitted a Financial Statement No. 4 2002 showing payments of £45,754.92 and receipts of £9,212.63.

4. **INCOME AND EXPENDITURE SUMMARY**

The Treasurer submitted the Income and Expenditure Summary which showed projected reserves carried forward of £31,671. He reported that the Friend of Tunbridge Wells and Rusthall Commons had been refunded the £2,000 which they had donated towards Notice Boards. He stated that the expenditure was up by approximately £4,000 and income by approximately £10,000. The representative of the Freehold Tenants stated that they were happy that there should be sufficient financial provision in the reserves for any major repairs necessary, particularly in the Brighton Lake area.

5. **GARDEN AT 63 LONDON ROAD**

Councillor Wakefield reported that since the last meeting the planning application for a house on the garden at 63 London Road had been refused.

6. **SUPPORT OFFICERS POST**

The Clerk reported that the Liaison Officer to the Commons Conservators is due to retire in January 2003 and it will be necessary to provide a Support Officers post after that date. He felt that there were two ways to deal with this matter.

(a) Recruit a successor - The post holder to continue to be employed by the Borough Council.

(b) Commons Conservators to employ the present post holder.

RESOLVED - That the Clerk report on his findings to the June meeting of the Commons Conservators.

7. **RIGHTS OF THE MANOR OF RUSTHALL**

The Chairman asked for clarification of the rights of the Manor of Rusthall with regard to in particular car parking, tree felling and clearance and lighting, for example in the Forum area.

RESOLVED - (a) That an informal meeting be held with the Chairman, Clerk and Manor representatives to discuss these rights, with a Committee meeting to follow, if necessary, and

(b) That the Clerk report on these discussions at the June meeting.

8. **HM THE QUEEN'S GOLDEN JUBILEE**

- (a) Further to Minute No. 5 (a) of the meeting held on 10 January 2002, Councillor Wakefield reminded Members that permission had been granted for a charity fun fair and fireworks display to be held. This is to be a children's event with no alcohol. Marshalls will be available to quell any fire hazards.

RESOLVED - That the previous permission granted for the fun fair and fireworks be adhered to but no hot air balloon should be permitted.

(b) **Beating the Retreat**

Councillor Wakefield requested permission for the Youth Band of the British Legion hold a Beating the Retreat Ceremony about 6 p.m. on 15 September 2002. The British Legion wish to install a marquee on the Friday before the event and will obtain an alcohol licence.

RESOLVED - That no objection be raised to these proposals but that Councillor Wakefield bring details of the event before the June meeting.

(c) **Provision of Bronze Plaque by Tunbridge Wells Borough Council**

Councillor Wakefield reported that the Leisure and Tourism Board of the Borough Council wish to provide a bronze plaque for the edge of the Common along Mount Ephraim, should funds be available after the allocation of monies for flower planting and tree planting in the Civic Way and street parties. It is planned that the rock face should be cleared in the Mount Ephraim area. The Freehold Tenants agreed to fund this work.

RESOLVED - That the Conservators agree in principal to the installation of this plaque, subject to the siting and final design being approved.

9. **CHERRY TREES MOUNT EDGCUMBE ROAD**

The Warden reported that the existing cherry trees on Mount Edgcumbe Road were dying and required replacement. Coblands had stated that their attempts to provide the same type of cherry tree as the existing were failing and it would be 3 to 4 years before they were ready. The Warden suggested that alternate planting of cherry trees (Sargentii) should be implemented in this road but pointed out that it would be a few years before the trees would obtain the standard of the existing type.

RESOLVED - A press notice should be released to the Courier to explain to members of the public the situation before any trees are taken down

10. Proposed Vegetable Plot 3 Onslow House

The Warden tabled a letter from the residents of 3 Onslow House who wished to use a small piece of land as a vegetable plot at the rear of their property. The Warden referred to a Licence granted to the residents of Onslow House in 1971 which gave permission to maintain an area between the boundary of the Common at the rear of the premises and a line parallel with and 50 foot from the rear wall of Nos. 1, 2, 3 and 4 Onslow House free from brambles and weeds to cut the grass and to maintain the existing plants, shrubs, terraces and steps but not to plant further shrubs or trees nor erect any fences, hedges or other obstructions or carry out any further landscaping, excavation or levelling in this area without the consent of the Conservators.

RESOLVED - That no objection be raised to the cultivation of the area detailed in the 1971 Agreement but no permission to encroach further onto Common Land be granted.



CHAIRMAN

20 June 2002

TUNBRIDGE WELLS COMMON CONSERVATORS

Thursday 20 June 2002

Present: Mr N Hill (Chairman)
Cllrs Scholes and Wakefield
Messrs Butler and Freeman
Mr Rhys Revell (Friends of Tunbridge Wells and
Rusthall Commons) attends by invitation

Apologies for absence were received from:

Baron Nicolas van den Branden
Mrs Sue Potts and Messrs Chapman and Hall

MINUTES

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 21 March 2002 were considered and approved.

2. WARDENS REPORT

The Warden submitted his report for the period ending June 2002,

(a) Brighton Lake

The Warden reported that he had solved the mystery of the holes that had been appearing in common land near Brighton Lake. Following investigations by Southern Water's engineers, it had been discovered that water had been tracking along side major sewage pipe which runs adjacent to and below the pond. The void created by this has been responsible for the collapses but the leak has now been repaired and water flowing out of the lake is running directly into the storm drains. The Warden reported that he will continue to monitor the area closely and fill in any areas of subsidence with topsoil.

(b) Jubilee Celebrations

The Warden reported that the fun fair had left the Common with comparatively little damage to the ground following the Jubilee weekend in spite of the appalling weather conditions before and after the event, which had been well attended.

Some complaints have been received from local residents about the noise level.

(c) Schools Cricket Festival

The warden reported that permission was sought again to stage the Schools Cricket Festival at the lower cricket pitch from 5 August to 26 August 2002.

RESOLVED - that permission be granted for a similar event to take place to that held in previous years.

(d) **Sport Aid**

The warden reported that permission is sought by PPP Healthcare to stage a charity sports event for their staff on the lower cricket pitch on the evening of 11 July 2002. This event would require no tents or stalls on common land and all proceeds from the event would go to Sport Relief.

RESOLVED - that permission be granted

(e) **Fun Run**

Permission is sought by the local Harriers group to hold a fun run across Tunbridge Wells Common, with the lower cricket pitch being the start of the finish point, with one or two small marquees to act as control points. This event is to take place on 25 August 2002, should permission be granted and in spite of the fact that this falls within the period of the Cricket Festival, the warden does not anticipate any problem as both events will only take up a small section of the lower cricket pitch.

(f) **Work Schedules**

The warden submitted his work schedules for the relevant period.

3. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statements 5/2001, showing total receipts of £73.33 and total payments of £43.34 with a balance carried forward of £49,225.39: and Financial Statement 1/2002, showing payments of £16,221.16 and receipts of £46,230.24 with a balance carried forward of £79,434.47.

4. **BALANCE SHEET**

The Treasurer submitted the Balance Sheet as at 31 March 2002 which showed liabilities of £49,285 with cash at the bank of £49,225, with a petty cash imprest of £60

5. **INCOME AND EXPENDITURE SUMMARY**

The Treasurer submitted the Income and Expenditure Summary for the period ending 31 March 2002. A reserve was carried forward of £30,153.00

6. **SUPPORT OFFICERS POST**

The Clerk reported that as the Liaison Officer to the Commons Conservators is due to retire in January 2003, it would be necessary to provide a Support Officers Post after that date.

RESOLVED - that the Commons Conservators employ the present post holder on an annual contract basis.

7. **RIGHTS OF THE MANOR OF RUSTHALL**

The Clerk reported on an informal meeting held with the Chairman and Representatives of the Manor of Rusthall to discuss the Rights of the Manor of Rusthall with regard in particular to car parking, tree felling, clearance and lighting, particularly in the area of the Forum.

8. **HM THE QUEENS GOLDEN JUBILEE - BEATING THE RETREAT**

Councillor Wakefield reported on arrangements to beat the retreat on the lower cricket ground, 15 September 2002 to celebrate HM The Queens Golden Jubilee.

9. **RUSTHALL BONFIRE AND FIREWORKS DISPLAY**

The Clerk reported that the usual request had been received for permission to hold the annual Rusthall bonfire and fireworks display on

RESOLVED - That permission be granted subject to the usual terms and conditions.

10. **PLANNING APPLICATION - ADVERTISEMENT - RELIANCE HOUSE,
76 MOUNT EPHRAIM, ROYAL TUNBRIDGE WELLS**

The Clerk reported receipt of a Planning Application for an externally illuminated free standing sails, sign and flags at Reliance House, Mount Ephraim.

In view of the recent serious fire at these premises, and the Conservators previous non objection to the major application, it was agreed that no objection be raised.

11. **DEVELOPMENT AT 21 RUSTHALL ROAD, RUSTHALL,
ROYAL TUNBRIDGE WELLS**

The Warden reported receipt of a letter from the owner of 14 Rusthall Road expressing concern at development at 21 Rusthall Road which had involved the installation of a fence and the driving of vehicles over common land outside 21 Rusthall Road.

RESOLVED - That the Warden investigate further and report back.

12. **TREE PLANTING - AREA NEAR ST PAUL'S CHURCH, RUSTHALL COMMON**

The Warden reported receipt of a letter requesting permission for a Copper Beach to be planted near St Paul's Church in place of a Sycamore which will need to be removed. The applicant had stated that he will be pleased to fund this tree surgery work.

RESOLVED - That the work be agreed subject to the Warden monitoring the work.

13. **DEW POND**

The Warden submitted a quotation from Wild Water for the clearance of the Dew Pond in the sum of £1,850.00.

RESOLVED - That the quotation be accepted and the work implemented.

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CHAIRMAN

47.

12 September

2002

*Michelle
could you please ensure Rodney is aware of the
action in minutes 7 and 14. / Thanks Nick*

**Tunbridge Wells Commons Conservators – Additions to minutes of the
meeting held on 20 June 2002**

Minute number 3 (Financial Statement)

On a suggestion from DW it was agreed that the Conservators should press for self-certification of their accounts. (Action DL at next Audit).

Minute number 6 (Support Officer's Post)

RS reported that the Council could no longer employ SL. Both the Conservators and Friends received essential support from and that the increase expenditure may be justification of increasing the precept at a later date.

The meeting expressed the hope that the SL give as much notice as possible should she no longer wish to stay in the post of support officer.

Minute number 7 (Rights of the Manor of Rusthall)

RS agreed to circulate a letter he had received from the Manor in which they described their opinion as to their rights.

In response to a question from PF concerning the Manor's refusal to allow improved lighting on the path running in front of the Forum RS agreed to write to the Manor asking whether they would accept liability for any incident aggravated by lack of good lighting.

Minute 11 (Development at 21 Rusthall Road)

RS will write Planning Department to ascertain how/whether access across common land to the property had been agreed.

Minute 14 (Any Other Business)

JS noted that the traffic management scheme for a new roundabout opposite the Spa Hotel and the closure of Fir Tree Road had been approved. RS reported that the Manor had not put any objections. PF asked the Clerk to report back to the next meeting the current status of the improvements and any related parking proposals within the scheme.

The meeting agreed to the Warden's request to reduce/fell sycamores next to Nevill Lodge and Nevill Ridge.

Nick Hill 10 September 2002

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 12 September 2002

Present: Mr N Hill (Chairman)
Councillors Price, Scholes and Wakefield
Baron Nicolas van den Branden
Messrs Butler, Butt, Chapman, Freeman and Hall

Mr Rhys Revell (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

An apology for absence was received from Mrs Sue Potts

MINUTES

1 MINUTES OF THE LAST MEETING-

The minutes of the meeting held on 20 June 2002 were considered and approved as amended.

Matters Arising

(a) Traffic Management Scheme

The Clerk reported that he is to update the position of the scheme as it affects the Commons.

(b) The Treasurer reported that the auditor's report for the year 2000/2001 was now available (see minute 8 below).

(c) Rights of the Manor of Rusthall

The Manor's Representative reported that the Trustees of the Manor would be meeting shortly and a report would be submitted to the conservators after that meeting when the opinion of the solicitors to the Lord of the Manor would be available.

d) Lighting at the Forum

It was felt that increased lighting at the Forum would increase the Manor's liability in the event of vandalism or personal damage. The Warden reported that three street lamps could be converted to double headed lights, which would give better lighting in the area. Also that trees could be removed. Any lighting on the actual building of the Forum would blind any CCTV cameras. The offending persons did not appear to be patrons of the Forum but of the fast food outlets which attract many youths to the area. Any further lighting in the area would require the Manor's approval.

RESOLVED - That (i) given the unanimous agreement that these proposals would not be any sort of precedent, Christopher Hall felt that the Manor would now look more favourably on the scheme and he would talk to the Manor's agent.

(ii) the Clerk write to the Agent to the Lord of the Manor confirming the current wishes of the Conservators to install lighting on the path in front of the Forum as previously agreed, and

(iii) Two field maples and one sapling oak be removed to clear the view of the CCTV cameras.

2 DEVELOPMENT AT 21 RUSTHALL ROAD RUSTHALL

The Warden reported that no intrusion onto the Common had taken place during the installation of a fence at 21 Rusthall Road Rusthall. It was felt that more access will be required over common land and that all damage should be kept to a minimum and restored when the flats are completed.

RESOLVED - That the Clerk write to the developers stating that there is to be no parking on Common land once the flats are completed.

3 ROUNDAABOUT - SPA HOTEL/FIR TREE ROAD

The Clerk reported on the progress of plans for this roundabout and stated that it was to be funded by the Kent County Council who were in contact with the Manor of Rusthall. When details/drawings were available from Kent County Council, he would present them to a full meeting of the Conservators.

RESOLVED - That given the importance of the scheme should any detailed plans be published, the Clerk call a sub-committee or full emergency meeting of the conservators.

4 CAR PARKING

RESOLVED - That a full Commons Conservators meeting be called if any urgent response is required with regard to parking in the Common area and that Councillor Weeden be requested to speak in detail about plans for parking.

5 WARDENS REPORT

The Warden presented his report for the period ending September 2002.

(a) Grass Cutting

The Warden reported that twelve contracted cuts have now taken place and it is likely that there will be a need for a further four or five this season.

(b) Seats

Twenty two seats have been restored over the course of the Summer. One near St Helena has been vandalised and it has been necessary to replace the timbers. There have been incidences of graffiti on the seats near the Forum and also litter is a problem in that area.

(c) Recycling centre Rusthall Common

The Warden reported that there were plans afoot to resite the recycling centre from Common View.

(d) Tarry Path Pond

The new pond adjacent to the Tarry Path is being worked on at the present time and it is hoped that it will be finished next week.

(e) Rock outcrops

The Warden reported that the rock outcrops on the slope near Gibraltar Cottage and St Helena should be cleared shortly.

(f) **Dangerous Trees**

The Warden reported that there had been instances of dangerous trees falling due to the recent wind. It would appear that these trees had been damaged in the hurricanes many years ago. The Warden reported that in particular trees behind Fir Tree Car Park need clearance.

(g) **Path Restoration**

The Warden reported that the Freehold Tenants have recently funded path restoration.

(h) **Railings Upper Cricket Pitch**

The Warden reported that he planned to cannibalise posts in front of Fir Tree Car Park and replace these with wooden posts. The posts removed from the car park would then be used to repair damaged posts around the upper cricket pitch. He had received a quotation in the sum of £3,666 for this work from Linden Park Cricket Club. The Freehold Tenants offered financial assistance also.

RESOLVED - That the work be carried out and the Conservators thanks be noted.

(i) **Community Service Workers**

Questions were asked about the possibility of once again using Community Service Workers for work on the common. The Warden stated that it was necessary to have good supervisors for these workers and he could approach the Volunteer Bureau with this in mind.

The Friends of Tunbridge Wells and Rusthall Commons have volunteer workers available and stated that they would also advertise in the next few weeks in Common Ground for further volunteers.

(j) **Victoria Grove**

It was suggested that the limes planted in Victoria Grove were too close together and they should be binned for transplantation.

(k) **Cherry Tree Avenue**

The Warden reported that the grafts has died, that Coblands has new grafts growing on but it will be two years before they were mature enough to transplant. The Warden reported that another strain will be available at any time.

RESOLVED - That this project be held in abeyance for two years

6 FINANCIAL STATEMENT

The Treasurer submitted Financial Statement number 2/2002, showing total receipts of £487.31 and payments of £15,833.67, the balance carried forward of £63,888.11.

7 **ALLOWANCES AND EXPENSES**

The current allowances for the Clerk and Treasurer were considered and as these had not been updated since March 2000, it was

RESOLVED - That the allowances be upgraded with effect from 1 April 2002:-

Clerk-£1,182
Treasurer-£654

8 **AUDIT OF ACCOUNTS**

The Treasurer reported that as yet no notice has been received for the audit of the accounts for the year 2001/2002. He reported that the only asset to the Commons Conservators was the vehicle used by the Warden.

RESOLVED - That the Treasurer report back to the next meeting of the Conservators.

9 **BEATING OF THE RETREAT**

The programme was tabled for the Beating of the Retreat due to be held on 15 September 2002, on the Lower Cricket Ground. Councillor Wakefield reported that arrangements were well in hand for Beating the Retreat to take place on this Battle of Britain Sunday, when the Orpheus Male Voice Choir were performing before the Beating of the Retreat Ceremony at 6 pm. Five a side football matches were being arranged on the Lower Cricket Ground on the Saturday prior to the event.

10 **CHRISTMAS LUNCHEON**

It was reported that Christmas luncheon for the Commons Conservators had been booked at the Spa Hotel for 11 December 2002 and a menu will be circulated to members shortly.

11 **TELEPHONE POLE**

The Clerk reported that F P D Savills had applied to him for the positioning of a twelve metre telephone pole and cabin on the triangle of land outside the Spa Hotel.

RESOLVED - That the application be refused and the Planning Director of the Borough Council be informed that should a planning application be received the Commons Conservators do not agree to such an installation.

The Warden reported that he had also received an application from Orange for a mast to be installed near the Spa Valley Railway/Garden Centre area.

RESOLVED - That the Warden investigate this proposal but the Commons Conservators object in principal.

12 **DENNY BOTTOM**

The Warden reported that residents in the Denny Bottom area had previously complained when it was suggested that he remove trees in this area but he had now received an application from one of these protestors stating that a tree was blocking light from his house and he would like it removed.

RESOLVED - That the Warden carry out the work of removal at the complainant's cost.

13 TREE CLEARANCE AT NEVILLE LODGE

RESOLVED - That a contribution be sought from the complainant towards the cost of this work.

14 Local Plan

It was reported that the Clerk and the Warden of the Commons Conservators are responding to the many representations received regarding the local plan as far as it affects the commons.

RESOLVED - That a special Commons Conservators meeting be called if necessary when more details are heard and if the Chairman feels it is necessary.

15 Parking on Common Land - 82/83 London Road

It was reported that an area of the slip road had been painted white in order to prevent visitors parking outside numbers 82 and 83 London Road. Fifteen feet of grass area will need to be taken-up to the post to prevent driving on to Common Land.

RESOLVED - That the Warden attend the site and detailed discussions should take place with the residents.

16 FRIENDS OF TUNBRIDGE WELLS AND RUSTHALL COMMONS

Mr Rhys Revell, Chairman of Friends of Tunbridge Wells and Rusthall Commons, thanked the Conservators for returning the cheque made in payment for the information panels. The Friends of Tunbridge Wells and Rusthall Commons plan to install the two information panels before Christmas at the following sites

1. Common View Rusthall
2. Fir Tree Road Car Park

RESOLVED - That no objection be raised to this proposal but precise siting be agreed with the Warden.

17 Fungi Foray

Peter Freeman reported that a fungi foray was to be held on the Common on 28 September 2002, meeting at Manor Lodge, Bishops Down Road at 2 pm.

18 Date of Next Meeting

Chairman reminded members that the next meeting is due to take place Thursday 16 January 2003.

James F. Scholes

*CHAIRMAN
16 January 2003*

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 16 January 2003

Present: Councillors Mrs Lewis, Scholes and Wakefield
Baron Nicolas van den Branden
Mrs Sue Potts
Messrs Butt, Chapman, Hall and Hill

Lt Comdr. George Lawson (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation

Apologies for absence were received from Messrs Butler and Freeman. Also from Mr Rhys Revell (Friends of Tunbridge Wells and Rusthall Commons)

MINUTES

1. APPOINTMENT OF CHAIRMAN

In accordance with the Third Schedule of the County of Kent Act 1982 it was noted that the Conservators were required at the first meeting held on or after 1 January each year to appoint a chairman for the ensuing year.

RESOLVED - That Councillor Scholes, appointed by the Borough Council, be appointed as Chairman until the annual meeting of the Conservators in January 2004.

COUNCILLOR SCHOLES IN THE CHAIR

The retiring Chairman, Mr Nick Hill, expressed his gratitude to the Clerk, Warden and Liaison Officer for their support during his year of office, and the incoming Chairman gave the Conservators thanks to Mr Nick Hill for his work as Chairman during the previous year.

2. The Chairman welcomed Councillor Mrs Lewis to her first meeting as a Commons Conservator.

3. MINUTES OF THE LAST MEETING

The Minutes of the meeting held on 12 September 2002 were considered by the Conservators.

RESOLVED -

That the Minutes be confirmed as a correct record subject to the amendment of Minute 1(d)(i) to read "given the unanimous agreement that these proposals would not be any sort of precedent".

Matters Arising

(a) Rights of the Manor of Rusthall

The Manor's representative reported that as yet the opinion of the Solicitors to the Lord of the Manor was not available for circulation.

(b) Parking Issues

The Lord of the Manor's Agent is dealing with the problem of parking issues on the Common.

(c) Lighting at the Forum

The Council has changed its views on the lighting the area with the CCTV camera being placed in a different position.

(d) Audited Accounts

The Treasurer reported that he had heard that the Audit of Accounts is to be carried out at the Sevenoaks Office and not Portsmouth as previously believed.

4. **MEMBERSHIP**

The Chairman reported that the under-mentioned Conservators had been appointed by the body specified to serve for the period indicated:

Tunbridge Wells Borough Council

| | | |
|----------------------|---|---|
| Councillor Mrs Lewis |) | 1 January to 31 December 2003 (provided these |
| Councillor Price |) | Councillors are re-elected in May 2003 where |
| Councillor Scholes |) | appropriate) |
| Councillor Wakefield |) | |

Freehold Tenants

| | | |
|--------------|---|--|
| Mr G Butt |) | |
| Mr N Chapman |) | Third year of three year term until 31 December 2003 |
| Mr P Freeman |) | |
| Mr N Hill |) | |

Manor of Rusthall

| | | |
|-------------------------------|---|--|
| Baron Nicolas van den Branden |) | |
| Mr G Butler |) | Third year of three year term until 31 December 2003 |
| Mr C Hall |) | |
| Mrs Sue Potts |) | |

5. **DATE OF MEETINGS 2003/04**

RESOLVED - That meetings of the Commons Conservators be held at 2.30 pm on the following dates:

27 March 2003
26 June 2003
18 September 2003
15 January 2004

6. **WARDEN'S REPORT**

The Warden submitted his report until January 2003.

(a) **Science Day**

The Warden reported that he had received an application for Wealden Home Educators Network to hold a one day educational event on the Lower Cricket Pitch on 22 March 2003. The Network has requested permission to put up a number of small marquees to house displays. Ian Beavis and Susan Potter from the Museum would be taking part in the event.

RESOLVED - That permission be granted for this event to take place subject to the ground being made good, no vehicles on the Common and Public Liability Insurance obtained.

(b) **Proposed Roundabout**

Plans were circulated at the meeting showing a larger roundabout near the Spa Hotel than previously anticipated. No undertaking had been given to include the proposed Fir Tree Road closure which the Conservators had agreed should be part of the proposed scheme for the area.

RESOLVED - That the Clerk write to Kent County Council setting out the Commons Conservators' views that the comprehensive scheme would involve the closure of Fir Tree Road as well as yellow lining on adjacent roads should the proposed roundabout at the junction of Major York's Road and the A264 be installed.

(c) **Local Plan Review**

The Warden reported that he had sent a holding letter expressing the Commons Conservators' concern and reserving their right to comment further should they so wish. No detailed plans were available yet.

RESOLVED - That a Committee meeting of the Conservators be called to meet a member of the Local Plans team before the next quarterly meeting of the Commons Conservators.

(d) **Reliance House**

Councillor Wakefield reported that the new plans for the development at Reliance House showed that there were now to be 37 flats and concern was expressed about parking in this area.

(e) **Work Schedules**

The Warden set out details of work carried out since the last meeting of the Conservators.

(7) **FINANCIAL STATEMENT**

Financial Statement Number 3/2002 was submitted showing payments totalling £56,199.13 and receipts of £52,932.40 with a balance of £60,621.38 carried forward.

RESOLVED - That the accounts be approved.

(8) **BUDGET/PRECEPT 2003/2004**

The Treasurer submitted a report proposing that the precept for 2003/2004 should be £99,350.00 an increase of £8,672.00. The precept should be increased to include the Support Officer's salary which was previously charged direct to the Borough Council's budget.

RESOLVED - That the proposed budget for 2003/2004 be approved and a precept of £99,350.00 be requested for the year 2003/2004.

(9) **INTERPRETATION PANELS**

The Friends of Tunbridge Wells and Rusthall Commons reported that the interpretation panels had now been obtained and siting is to be agreed with the Warden.

Suggested sites are:

Tunbridge Wells Common - one interpretation panel in Fir Tree Car Park, one on the footpath from the Pantiles behind Master Transcriptions.

Rusthall Common - one near the bottle bank at Common View.

RESOLVED - That the Commons Conservators' appreciation of the Friends' involvement in the installation of the interpretation panels be noted.

(10) **GOVERNANCE OF MEETINGS - AD HOC DECISIONS**

RESOLVED - That, should any urgent decisions be required before the next meeting of the Commons Conservators, a Committee meeting be called or, alternatively, the Chairman be consulted for a decision as appropriate.

Committee Members

Borough Council - Councillor Scholes
Freehold Tenants Representative - Mr M Chapman
Lord of the Manor Representative - Mr Geoff Butler

(11) **FOOTPATHS ON THE COMMON**

A representative of the Freehold Tenants expressed concern about the maintenance of the asphalt paths over the common, some of which were almost impassable.

RESOLVED - That the Warden inspect these paths and monitor the situation.

(12) **FLOOD CONTROL**

The Warden reported that water had recently flooded down Major York's Road and frozen.

The Highways Department had identified where the water is coming from and requested permission to carry out works to stop the flow and direct water into storm channels.

RESOLVED - That permission be granted for such work to be carried out.

(13) **INSURANCE CLAIM**

The Warden reported that the Commons Conservators were being summonsed for damage after a gentleman's fall into a ditch on the Common in the dark two years ago. The Conservators insurers, Zurich Insurance, have inspected the area and are dealing with the matter.

(14) **WELLINGTON ROCKS**

The Clerk reported that water was laying around the base of the Wellington Rocks.

RESOLVED - That the Warden inspect and supply additional sand if necessary.

(15) **OPEN AIR SERVICE**

The Clerk reported that an application had been received from the Vale Royal Methodist Church to hold an open air service this summer on the Lower Cricket Ground in order to commemorate the tri centenary of John Wesley's birth. No marquees would be required.

RESOLVED - That permission be granted subject to any damage to the Common be made good.

(16) **PARKING AT 82/83 LONDON ROAD, ROYAL TUNBRIDGE WELLS**

The Clerk reported that legal negotiations had now reached fruition and the following had been agreed:-

- (1) The owners of 83 London Road may park a vehicle outside their property but the Commons Conservators have the right to withdraw permission at any time.
- (2) The boundary of the car park area may be widened by 18 inches.
- (3) The owners of 83 London Road may erect a barrier, subject to planning permission and the Commons Conservators agreement.

J.E. Scholes

CHAIRMAN

27 March 2023

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 27 March 2003

Present: Councillor Scholes (Chairman)
Councillor Mrs Lewis and Councillor Wakefield
Mrs Sue Potts
Messrs Butler, Butt, Chapman, Freeman and Hill

Mr Rhys Revell (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation

Apologies for absence were received from Baron Nicolas van den Branden
and Mr Christopher Hall.

MINUTES

1. MINUTES OF THE LAST MEETING

The Minutes of the last meeting held on 16 January 2003 were considered and approved.

2. WARDEN'S REPORT

The Warden submitted his report for the period ending March 2003.

(a) Ten Kilometre Race

The Warden reported that he had received an application from Tunbridge Wells Harriers to stage a 10 Kilometre race similar to that held last year.

RESOLVED – That permission be granted.

(b) Aldi Stores

The Warden reported that he had received a further application to redevelop the old Plant and Tools site with the construction of a Aldi Supermarket. This would involve minor alterations to the original proposal and a one-way system around the site.

RESOLVED – That the Conservators reserve judgement before a final application is approved – a Conservators meeting to be called if necessary to consider the proposals as the Manor has not yet been approached for their observations.

(c) Planning Application – 9 Bishops Down Road, Royal Tunbridge Wells

The Warden informed Members that a planning application has been made in respect of the above property to demolish the existing building and erect a new building comprising 10 apartments and to include 15 car park spaces. Concern was expressed about the increase of traffic in the area with a possible erosion of Common Land. The representative of the Friends of Tunbridge Wells and Rusthall Commons stated that he had written to the Planning Department expressing the same concerns.

RESOLVED – That the Clerk investigate the whole matter of the package deal of the roundabout near the Spa Hotel, yellow lining on the adjacent roads and possible closure of Fir Tree Road. Peter Freeman, local Commons Conservator, and Chairman to be kept informed of any developments.

(d) Work Schedules

The Warden expressed his gratitude to the Freehold Tenants for funding clearance work adjacent to Cabbage Stalk Lane and English Nature who had funded work in the Denny Bottom area to expose rock faces and also supplied a new sign for attachment to the Toad Rock explaining the site's formation and geological importance.

(e) Transco

Concern was expressed about the work carried out by Transco on Rusthall Common and the Warden stated that no permission had been granted by the Manor for this work to be carried out.

(f) Grass Cutting

The Warden reported that grass cutting was due to start on the date of the meeting.

(g) Interpretation Panels

The Warden reported that the Friends of Tunbridge Wells and Rusthall Commons had donated 3 Interpretation Panels for display on the Commons.

(h) Brighton Lake

The Warden reported that the Friends of Tunbridge Wells and Rusthall Commons were funding work to be carried out in the Brighton Lake area to prevent flooding.

(i) Science Day

The Warden reported that on the previous Saturday a very successful Science Day had been held on the Lower Cricket Ground with 100 or so people at a time attending. All litter had been cleared and it was anticipated that there will be possible future applications to hold a further event.

3. LOCAL PLAN REVIEW

Adrian Neve, Senior Transport Planner, of the Operational Services of the Borough Council attended the meeting and tabled plans showing proposals for highway developments in the Old Post Office area of the Common. This development would involve a cycle way along London Road, a pedestrian crossing from the Common and traffic lights at the junction of Vale Road and London Road. Concern was expressed as to whether this system would work and that there would be a net land loss as it affects the Common, even though there would be safer access onto the Common. Mr Neve stated that there would be an opportunity to appear at the Local Plan Inquiry which will be held in 2004.

RESOLVED – That, after discussion between the various bodies of the Commons Conservators, formal view be submitted after the June 2003 meeting. In the meantime, the holding objection is in the hands of the Programme Officer and any further observations should be submitted to the Warden.

Mr Neve also submitted a plan showing the suggestion under the Local Plan for a right turning for traffic in Langton Road on Rusthall Common.

There appeared to be no benefit to the Common and it was resolved that the Clerk liaise with Tony Fullwood of the Borough Council as a holding objection to the Local Plan as a whole was in place.

Mr Neve also reported a proposal for a cycle way/footway in the Still Green area of the Common. This proposal would involve the positioning of a wooden broadwalk and removal of the existing footpath. It was suggested that there would be some lighting in the area and some hard surfacing.

RESOLVED – That no formal objection be raised to this proposal.

4. AUDIT OF ACCOUNTS – FOR 2001/2

The Treasurer reported that the audit of the Conservators accounts had recently taken place and a copy of the Audit Commission's report was circulated.

The Treasurer also commented on the need to make arrangements for an independent internal audit. The Conservators had previously agreed to Councillor Wakefield carrying out this role. The Treasurer suggested that Borough Council's Internal Audit would be suitable to undertake the role.

RESOLVED –

1. That the audit report on the 2001/2 accounts be noted; and
2. That the Borough Council be asked to undertake the internal audit role and the Treasurer be authorised to agree the scope and fee.

Proposed by Councillor Wakefield and seconded by Nick Hill.

5. FINANCIAL STATEMENT

Financial Statement Number 4 2002 was submitted showing payments of £19,885.72 and receipts of £5,820.66 with a balance of £46,556.32 carried forward.

6. FRIENDS OF TUNBRIDGE WELLS AND RUSTHALL COMMONS

The Chairman of the Friends of Tunbridge Wells and Rusthall Commons, Mr Revell, reported that the Friends of Tunbridge Wells and Rusthall Commons had now been registered with the Urban Park Forum, a Government initiative and it was hoped that the Friends would seek funds for future projects from that body.

7. PLANNING APPLICATION, 14A LOWER GREEN ROAD, RUSTHALL

The Warden reported that a planning application had been received for a second floor extension skylight on this property which is next to the White Hart Pub.

RESOLVED – That no observations be made.

8. GRAFFITI – WELLINGTON ROCKS

The Warden reported that there had been a recent incident of fluorescent graffiti on the Wellington Rocks. He had alerted the Police but it was

RESOLVED – That, as natural erosion would remove this graffiti, the Warden monitor the situation and take any action that he felt appropriate.

9. **BISHOPS DOWN ROAD**

The Warden reported that parking on both sides of this road was causing erosion to the Common edge and also blocking traffic. He requested permission to install 20 to 25 parking posts which would cost in the region of £850.00.

RESOLVED – That this work be carried out.

10. **HIGHWAYS NEAR THE FORUM**

The Warden reported similarly parking prevention posts would be appropriate in this area to prevent erosion.

RESOLVED – That the Warden and Chairman discuss this concern with the Highways Department (Andy Smart) and if yellow lining is not in existence the installation of parking prevention posts be considered at the June meeting.

11. **BRIDGE PRODUCTION AND FILM UNIT**

The Clerk reported an application from Bridge Production and Film Unit to carry out filming near the Forum and on Rocks on the 17 April 2003.

RESOLVED – That the Warden contact the film unit to grant them permission subject to no vehicles being allowed on the Common.

12. **LIGHTING AT THE FORUM**

The Clerk reported that consideration of lighting on the highway columns in the Forum area was still ongoing.

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J. E. Scholes

CHAIRMAN

26 June 2003

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 26 June 2003

Present: Councillor Scholes (Chairman)

Councillor Mrs Lewis, Mrs Sue Potts, Messrs Butler, Butt, Freeman, Hall and Hill

Mr Jonathan Balcon (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

Apologies for absence were received from: Baron Nicolas van den Branden, Councillor Price and Mr Chapman.

MINUTES

1. **MINUTES OF THE LAST MEETING**

The Minutes of the meeting held on 27 March 2003 were considered and approved.

2. **WARDEN'S REPORT**

The Warden submitted his report for the period ending June 2003.

(a) Travellers

The Warden reported that he had been made aware of a tactical option when dealing with unofficial traveller sites. Under common law the Conservators may instruct bailiffs to recover the site and this can then take place without the lengthy process of a Court Order. This action would be considerably cheaper than the option we have used previously. The costs would depend on the number of bailiffs required. The Warden informed the Conservators that local Police would be happy to assist with this suggested system.

The Warden requested permission to install 100 posts around the Rusthall Cricket Pitch at a cost of approximately £2000.00 in order to avoid further incursions.

RESOLVED – That

- (a) The Warden arrange for the installation of these posts to be carried out as soon as possible, and
- (b) A bailiff approach be made if travellers encamp on the Commons in future.

(b) Cycling on the Common

In view of the recent accident which had occurred on the Common it was

RESOLVED – That "No Cycling" signs be positioned on the two main footpaths over the Common (1) the footpath to Master Transcriptions WB38 and (2) past Wellington Rocks WB34.

(c) Parking on the Commons

The Warden reported that there had been significant problems with illegal parking on the Commons particularly outside 79/80 London Road where Honeygrove are redeveloping a property. He had been investigating the fact that the Common is regarded as a highway for the purposes of policing under the Tunbridge Wells Improvement Act of 1890, but this would not appear to have been re-enacted under the County of Kent Act 1981. As this would permit Parking Control Officers to implement penalties, it was.

RESOLVED – That the Clerk request Legal Services of the Borough Council to confirm that under the County of Kent Act the Common is to be treated as a highway for policing purposes.

The Warden reported that there had been a problem with the Common edges in the Forum area being badly eroded. It had been suggested that a double height kerbing (14 inches) should be in place from the Cold Bath to the Pantiles roundabout, a section of 80 metres. The Warden had received a quotation from SKF for this work to be carried out in the sum of £1,800.00 plus VAT.

RESOLVED – That the Warden investigate the safety implications of such an installation before the work is implemented and that the advice of the Conservators Insurers be sought.

(d) CCTV

RESOLVED – That Tunbridge Wells Borough Council be allowed to raise the canopies on four trees adjacent to London Road between Vale Road and The Pantiles which seriously obscure the view from the CCTV camera at Vale Royal Church and Frant Road.

(e) Bracken Control

The Warden reported that bracken cutting would commence next week.

(f) Toad Rock

The Warden reported that English Nature had recently designed and donated a panel which will be installed on the railings of Toad Rock giving information on the history and future management of the area.

3. **FINANCIAL STATEMENTS**

The Treasurer submitted Financial Statement Number 5, 2002 showing payments of £292.74 and receipt of £1,561.16 and Financial Statement Number 1, 2003 showing payments of £13,848.55 and receipts of £50,259.32.

4. **INCOME AND EXPENDITURE SUMMARY TO 31 MARCH 2003**

The Treasurer submitted the Income and Expenditure Summary for the period ending 31 March 2003 and Balance Sheet which showed a surplus of £3,023.00 for the year and a reserve carried forward of £33,176.00.

The Chairman expressed the Conservators' gratitude to the Treasurer for his careful accountancy.

5. **LOCAL PLAN REVIEW**

The Clerk informed the Conservators that the Local Plan Review was progressing and that there were no difficulties in presenting the Conservators' objections to the suggested development at the Old Post Office Triangle. The objections to the right hand turn in Langton Road over the Common will be put before the Planning Inquiry.

6. **PLANNING APPLICATIONS**

- (a) Alterations to Existing Outbuilding to Form Ancillary Accommodation and Outline (Means of Access and Siting Not Reserved), The Chalet Bungalow, Park View House, Hungershall Park.

RESOLVED – That no objection be raised to this planning application.

- (b) Listed Building Consent – Erection of Satellite Dish, 77 London Road, Royal Tunbridge Wells.

RESOLVED – That no objection be raised to this proposal.

7. **RUSTHALL BONFIRE AND FIREWORKS DISPLAY**

The Clerk reported that the usual request had been received for permission to hold the Annual Rusthall Bonfire and Fireworks Display on 25 October 2003.

RESOLVED – That permission be granted under the usual terms and conditions.

8. **SWAN HOTEL**

The Warden reported that he had recently received sight of a planning application for the conversion of the Swan Hotel Garage to a conference centre. Concern was expressed over lighting in this area and representatives of the Lord of the Manor reported that they had yet to be consulted. (Comments on this planning application are to be received by the Planning Department of the Borough Council by 3 July 2003.)

9. **PRIMARY SCHOOLS CRICKET FESTIVAL**

The Warden reported that permission had been sought to hold the Primary Schools Cricket Festival on the Lower Cricket Ground from 25 to 29 August 2003. There were to be no sponsorship, vehicles or structures in place on the Common.

RESOLVED – That no objection be raised to the holding of this festival.

10. **ST PAUL'S CHURCH, RUSTHALL**

The Warden reported that comments had been asked on the initial design for the refuge on the crossing over the road to St Paul's Church, Rusthall. It was felt that the linked path to this crossing would be too steep for wheelchairs.

RESOLVED – That the Conservators are in favour of this refuge, in principle, and have no comments to offer.

11. **MANAGEMENT PLAN**

The Warden reminded Members that the 10 Year Plan drawn up by the Kent Trust for Nature Conservation for the Conservators was now 11 years old and a new plan with visions for the future should be drawn up.

RESOLVED – that the cost of drawing up a new plan be investigated and the proposal be discussed at the next meeting of the Conservators.

The Chairman expressed his gratitude to Mr Nick Hill for instigating this work.

12. **MAJOR YORK'S ROUNDABOUT**

The Warden reported that the suggested amendments to the Major York's/Langton Road junction are to be considered at the Joint Transportation Board due to be held on 30 June. Kent County Council have consulted on the four suggestions for this junction with great public response.

The four options are:-

- (a) proceed with the scheme as consulted upon in April;
- (b) close the Western end of Bishops Down Road for an experimental period of 6 months, with Fir Tree Road remaining open, with the results of this reported back to the next appropriate Board meeting, but with works to realign the approach of Bishops Down Road (eastern end) to Bishops Down carried out prior to this;
- (c) abandon the scheme and all its aspects altogether; or
- (d) assess the provision of traffic signals as an alternative solution with the western end of Bishops Down Road remaining open, though this would still require some junction realignment, and proceed with the closure of Fir Tree Road at its junction with Bishops Down.

The Friends of Tunbridge Wells and Rusthall Commons expressed great concern at the proposals to close Bishops Down Road and Fir Tree Road. The Friends of the Common had not been consulted during the initial consultation process but their representative will be at the Joint Transportation Board meeting.

RESOLVED – That the Clerk make representations to the Board expressing the Commons Conservators' concern at the proposed changes and requesting further consultation were options (b) (c) or (d) to be pursued.

13. **101 STEPS, HAPPY VALLEY**

The Clerk reported that a meeting is to be held shortly with John Cullen, Proprietor of the Beacon Hotel, and the Warden in order to investigate the possibility of step repair and the opening of Happy Valley.

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CHAIRMAN

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 18 September 2003

Present: Councillor Wakefield (In the Chair)
Councillors Mrs Lewis and Price
Baron Nicolas van den Branden
Mrs Potts
Messrs Butler, Butt, Chapman, Freeman and Hill

Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

Apologies for absence were received from Councillor Scholes and Mr Christopher Hall.

MINUTES

The Chairman welcomed Mrs Jennifer Blackburn as Chairman of the Friends of Tunbridge Wells and Rusthall Commons to her first meeting of the Commons Conservators.

1. MINUTES OF THE LAST MEETING

The Minutes of the last meeting held on 26 June 2003 were considered and approved.

2. WARDEN'S REPORT

The Warden submitted his report for the period ending September 2003.

(a) Parking on the Commons

The Warden referred to Minute No. 2(c) of the Conservators meeting held on 26 June 2003 regarding erosion of the Common edges in the Forum area. He reported that he had not sought the Insurers advice but the Highways Department were looking into this problem and it was felt that double kerbing forming steps would solve the problems in this area at a cost of £1,800.00 to £3,500.00.

RESOLVED – that the work be carried out to form steps from double kerbing in the Forum area.

(b) Happy Valley Steps

The Warden reported that a meeting had been held between the Clerk and John Cullen of Beacon Hotel when the area of the 101 Steps in Happy Valley had been inspected. The Warden felt that chestnut paling at the sides and top and bottom of the steps, together with a warning sign, would provide an interim measure to avoid the danger to public until a decision is made to replace or restore the 101 Steps.

RESOLVED – That the top and bottom of the 101 Steps be fenced off and a warning sign of danger to the public be installed.

(c) Management Plan

In his report the Warden reminded Members that the Management Plan adopted in 1992 was intended to run for 10 years and he had held several meetings with the Kent Wildlife Trust to consider updating the plan for the next 10 years.

The cost of a new plan would total £3,000.00 plus VAT. Mrs Jennifer Blackburn, Chairman of the Friends of Tunbridge Wells and Rusthall Commons, stated that the Friends would like to contribute £2,000.00 towards the cost of the production of this plan.

The Chairman gave his thanks to the Friends of Tunbridge Wells and Rusthall Commons for this offer.

RESOLVED – That the Kent Trust be instructed to start work on the new plan

(d) 21 Eridge Road

The Warden reported that the owners of 21 Eridge Road had applied for a license to construct a vehicle access to their property which would require the removal of a lime tree on the strip of Common between the footway and the road outside that property. As yet, no planning application had been received. The Agent for the Lord of the Manor had refused permission until the Commons Conservators give a decision. The lime tree in question is infected with fungi and the property is within the red zone on the Commons Map.

RESOLVED – That the matter be postponed until the next meeting of the Common Conservators but a Committee meeting be called in the meantime if necessary.

(e) Music Event

The Warden reported that he has received a request from Mr Gareth Davis of Staplehurst to stage a one day free musical event on the Lower Cricket Ground.

RESOLVED – That permission be refused.

(f) Works

The Warden reported that during this hot summer many trees had been lost on the Common, mainly sycamores.

Bracken control measures have been carried out over both Commons and this will be dealt with in future under the Management Plan. Questions were asked as to the effective of the herbicide Asulox on wildlife.

The Warden reported that the "moat" in front of the Wellington Rocks had been filled in and has now been mounded up.

The Warden felt that would be a possible problem in future with insurance as far as volunteer workers were concerned. A group who had carried out absailing in the Bull's Hollow area had offered assistance in that SSSI.

The Warden reported that he felt that work should be carried out on the dangerous trees at the side of the Racecourse before the Management Plan commences next year.

The Chairman expressed his congratulations to the Warden on his work during this difficult year.

3. **ALLOWANCES AND EXPENSES**

The current allowance for the Clerk and Treasurer were considered.

RESOLVED – That the allowances and expenses be increased to the following amount with effect from 1 April 2003:-

Clerk - £1,218.00

Treasurer - £674.00

4. **WARDEN'S SALARY**

The Treasurer reported that the Internal Audit review of the 2002/03 accounts had identified that the annual review of the Warden's salary had not been recorded in the Minutes.

RESOLVED – That increases in the Warden's salary in accordance with Grade H of the Tunbridge Wells Borough Council's salary scales be confirmed.

5. **AUDIT OF ACCOUNTS**

The Treasurer reported that the audit of accounts for 2002/03 would take place on 17 October 2003. The internal audit review has already been completed.

6. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement Number 2, 2003, showing total receipts of £443.63 and payments of £16,842.94.

7. **INCOME AND EXPENDITURE SUMMARY**

The Treasurer also submitted the Income and Expenditure Summary to 31 August 2003.

8. **PARKING ON THE COMMON**

The Clerk stated that he had referred the difficult matter of parking on the Common to Legal Services of the Borough Council and he would inform the Conservators of any legal opinion received.

9. **LOCAL PLAN REVIEW**

The Clerk reported that the Planning Inquiry had commenced last week and when anything concerning the Common was discussed the Warden would see that the Commons Conservators concerns are heard when appropriate.

10. **PLANNING APPLICATIONS**

- (a) Replacement conservatory on the site of the existing, The Cottage, The Common, Tunbridge Wells.

RESOLVED – That no objection be raised to this proposal.

- (b) Mixed use development incorporating a retail food store with seven residential flats above together with associated ancillary areas, servicing and car parking and a new petrol filling station.

The Warden had reported that he had written objecting in principle, particularly in view of the possible increase in parking at the edge of the Common.

11. **MAJOR YORK'S ROUNDABOUT**

The Clerk reported that this matter had been considered at the Joint Transportation Board and it had been agreed to go ahead apart from some minor changes in the scheme.

The Warden stated that he had been in touch with Mr Bond of Kent Highways expressing concern at the possible loss and erosion of Common land.

The Clerk summarised the scheme.

- (a) Provision of a mini roundabout at the junction of Major York's/Bishops Down Road/Bishops Down.
- (b) Closure of the western end of Bishops Down Road.
- (c) Closure of Fir Tree Road between its junction with Bishops Down and a point just to the north of Fir Tree Road Car Park.
- (d) Re-alignment of the eastern end of Bishops Down Road in order to improve visibility and to allow easier access and egress to/from Bishops Down.
- (e) No parking on yellow lining on the Common side of Bishops Down Road.

Questions were asked about the reduction of the speed limit in the area and the Clerk stated that he would bring this matter to the attention of Mr Bond when writing to the Highways Department.

Preliminary surveys are to commence this week and the work should be carried out during this Financial Year.

COUNCILLOR PRICE TOOK THE CHAIR OF THE MEETING AT THIS STAGE

12. **FUNGI FORAY**

Peter Freeman stated that the next Fungi Foray is due to be held on 11 October 2003 and Conservators will be welcome at this house if they wished to attend the Fungi Foray.

13. **CLAIM – DAMAGED CAR**

The Warden reported that Mr and Mrs Rowell of Rocklea stated that a branch had dropped from a lime tree and damaged their car.

The representative of the Lord of the Manor stated that they were looking into their right to park in that position and the Warden stated that he was waiting to here from Zurich regarding the claim.

RESOLVED – That this matter be considered at the next meeting of the Commons Conservators.

14. **LOWER CRICKET GROUND**

The Warden reported that McNicholas had been seen digging up the Lower Cricket Ground without obtaining permission.

He stated that this had turned out to be an emergency repair to street lighting in the London Road area, authorised by the Highways Department but he had not been informed.

The Warden reported that he had asked the Highways Department to inform him of any such work in future.

RESOLVED – The Clerk write to the Highways and any other relevant Department regarding emergency work to be carried out on the Common.

15. **TREES**

The Warden reported that he had great concern about Zurich's request that an annual inspection should be carried out to report on and photograph all trees around the Common with a survey and database of roadside trees being produced. The initial cost of such a survey will be £5,000.00 to £10,000.00 and £1,500.00 per year to update.

RESOLVED –

- (a) That the Clerk approach other bodies and local authorities with land in public use and also take legal advice as to public liability on such accessible land.
- (b) The Warden keep up a reasonable level of inspections and record details and rectify any defects found.
- (c) The Warden to check his professional indemnity.

16. **CHRISTMAS LUNCHEON**

The Clerk stated that the Christmas Luncheon for the Commons Conservators will be held at the Spa Hotel on Friday 12 December 2003 and a menu was circulated to all Conservators.

17. **NEXT MEETING**

RESOLVED – That the next meeting of the Commons Conservators will be held on 22 January 2004 in the Council Chamber.

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James E Scholes

CHAIRMAN

22 January 2004

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TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 22 January 2004

Present: Councillors Mrs Lewis, Scholes & Wakefield
Baron Nicolas van den Branden
Mrs Sue Potts
Messrs Butler, Butt, Chapman, Freeman & Hill
Mrs Jennifer Blackburn (Friends of Tunbridge Wells &
Rusthall Commons) attended by invitation

Apologies for absence were received from Councillor Price and Mr Christopher Hall

MINUTES

1. Appointment of Chairman

In accordance with the third schedule of the County of Kent Act 1982 it was noted that the Conservators were required at the first meeting held on or after the 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED that

Mr G Butler, representative of the Manor of Rusthall, be appointed as Chairman until the Annual Meeting of the Conservators in January 2005.

MR BUTLER IN THE CHAIR

The Conservators expressed their gratitude to Councillor Scholes for his efficient services as Chairman over the past year.

2. Minutes of the last Meeting

The Minutes of the Meeting held on 18 September 2003 were considered by the Conservators.

RESOLVED that the Minutes be confirmed as a correct record.

3. Membership

The chairman reported that the under mentioned Conservators had been appointed by the bodies specified to serve for the period indicated.

Tunbridge Wells Borough Council

| | | |
|----------------------|---|--------------------------------|
| Councillor Mrs Lewis |) | |
| Councillor Price |) | December 2003 to February 2005 |
| Councillor Scholes |) | |
| Councillor Wakefield |) | |

Freehold Tenants

| | | |
|--------------|---|-------------------------------|
| Mr G Butt |) | |
| Mr M Chapman |) | First year of three year term |
| Mr P Freeman |) | until 31 December 2006 |
| Mr N Hill |) | |

Manor of Rusthall

| | | |
|-------------------------------|---|-------------------------------|
| Baron Nicolas van den Branden |) | |
| Mr G Butler |) | First year of three year term |
| Mr C Hall |) | until 31 December 2006 |
| Mrs Sue Potts |) | |

4. **Dates of Meetings 2004/2005**

RESOLVED that the Meetings of the Commons Conservators be held at 2.30pm on the following dates:

1 April 2004
24 June 2004
9 September 2004
27 January 2005

5. **Warden's Report**

The Warden submitted his report until January 2004.

a) **Management Plan**

The Warden reported that work is well under way for the preparation of the new management plan by the Kent Trust, who were very much in favour of grazing on the Common.

The Warden felt that, given the Conservator's concern over the viability of grazing, a further discussion should be held between the Conservators and the Trust.

RESOLVED that the Kent Trust be invited to attend the next meeting of the Commons Conservators to discuss all aspects of the Management Plan.

b) Denny Bottom SSSI

The Warden reported that he had managed to secure a total of £4,000.00 from English Nature to carry out clearance work in the area, and that he had take photographs before and after work.

The Warden reported that much clearance work had been carried out at Bulls Hollow at no cost to the Conservators with the help of the British Mountaineering Council.

RESOLVED that a vote of thanks be given to English Nature and other assisting groups.

c) Works

The Warden stated that as he was waiting the Management Plan no large scale works has been undertaken.

d) Parking

The Warden reported that damaged had been caused by illegally parked cars at the top of London Road in the Howrah House area and further posts have been installed to solve the problem.

RESOLVED that a warning letter be sent to Howrah House stating that this illegal parking will be brought to the attention of the Police if it continues.

e) Trees

The Warden reported that he had been in contact with The National Trust, Woodland Trust, Bedgebury Pinetum and Ashdown Forest regarding the possibility of insurance claims for accidents caused by falling roadside trees.

The Freehold Tenants have offered £1,000.00 towards the cost of necessary tree works in the area cleared last year at Cabbage Stalk Lane. This was received with gratitude, as were the many other donations from the Freehold Tenants over the past few years.

f) 101 Steps

The Warden reported that the 101 steps are becoming slippery and unsafe, and asked for guidance. The Manor representative pointed out that the Conservators' had a duty of care and some programme was required.

RESOLVED that the Warden arrange for a fence and warning sign to be installed at the top and bottom of the 101 steps as soon as possible whilst a long term policy is pursued.

g) Riding and Cycling Signs

The Warden reported that he had carried out a review of signage required on the Common; 8 signs were required for the Race Course and 6 in other areas on the Common.

RESOLVED that the Warden enquire as to costing before the next Meeting of the Conservators.

6. **Financial Statement**

The Treasurer submitted Financial statement number 3, 2003 showing total receipts of £52,038.24 and payments of £24,777.30, with some invoices still to be taken into account before the end of the Financial Year.

7. **Budgetary Control Report and Precept 2004/2005**

The Treasure submitted his report on the proposed budget and precept for 2004/2005.

RESOLVED that the budget for 2004/5 including a precept of £102,400.00 be approved.

8. **Proposed Roundabout, Major York's Road**

The Clerk reported that the joint Transport Board had decided to go ahead with the scheme overruling local objections. As this is a Kent County Scheme, County Hall are dealing with objections. It is planned that work should start in February as funding would be obtained from this year's budget and funding could not be carried over into 2004/2005. As yet the Manor had not been approached. Any work carried out without the Commons Conservators' consent would be an Act of Trespass on Common land.

RESOLVED that

- (a) The Clerk write to Kent County Council requesting them to approach the Manor of Rusthall for their approval of this scheme.
- (b) The Warden and Clerk to the Commons Conservators prepare a list of the Conservators requirements, and
- (c) A special meeting of the Conservators be convened if necessary.

9. **Terms of Reference**

Mr Nick Hill, Freehold Tenants representative, had drawn up the document for the Terms of Reference for the Commons Conservators and the Warden felt it was necessary for the Conservators to be on the Internet.

Mr Hill stated that there would be a maximum cost of £500.00 to set this website up or alternatively the Schools could carry out work with a donation to such School funds.

RESOLVED that a Committee be set-up to oversee the project with a monthly update.

- (a) Committee Members:-

The Warden
Geoff Butler
Peter Freeman
Nick Hill
Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Commons) by invitation
Ian Beavis by invitation

- (b) The thanks of the Conservators be given to Nick Hill for his work in instigating this project.

10. **Conservators Membership**

The Warden reported that he had received a request from the Borough Council for a list of Conservators Membership for insertion into the Council's Year Book.

RESOLVED that no such information be given and that any enquiries be dealt with by the Clerk to the Common Conservators.

11. **Lower Cricket Ground**

The Warden reported that he had received two applications to use the Lower Cricket Ground for events.

(a) **SANDS**

This Society wish to hold a fund raising event for one day on the 1st or 2nd May 2004 which would involve a small marquee, low level music and no vehicles on Common Land.

RESOLVED that permission be granted subject to SANDS obtaining public liability insurance and any damage to the ground being made good.

(b) **Town Spafest**

Mr Ian Bawden had requested permission to hold a three day event on the Lower Cricket Ground over the May Bank Holiday.

RESOLVED that permission be refused.

12. **Walks on the Common**

RESOLVED that the Warden arrange dates for the Commons Conservators walks on the Common.

13. **Next Meeting**

RESOLVED that the next Meeting of the Commons Conservators be held on 1 April 2004 in the Council Chamber.



CHAIRMAN

8 April 2004

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 8 April 2004

Present: Mr G Butler (*Chairman*)

Baron Nicolas van den Branden

Mrs Sue Potts

Councillors Mrs Lewis, Scholes and Wakefield

Messrs Butt, Chapman, Freeman and Hill

Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

Apologies for absence were received from Councillor Price and Mr Christopher Hall.

MINUTES

1. MINUTES OF LAST MEETING

The Minutes of the meeting held on 22 January 2004 were considered by the Conservators.

RESOLVED – That the Minutes be confirmed as a correct record.

2. MANAGEMENT PLAN

The Chairman welcomed Anne Waite and Neil Coombs of the Kent Wildlife Trust to the meeting.

The Kent Wildlife Trust had been responsible for the first 10 Year Management Plan which now required updating. Neil Coombs gave an extensive presentation during which he stated that there was a National trend towards the reintroduction of grazing on Common land. This has been encouraged by both DEFRA and the County Wildlife Trust. Grass cutting has proved to be both expensive and inefficient. The benefits of grazing are to:

- Provide continuity with the past
- Provide educational opportunity for children
- Produce wide range of environmental conditions which support a wide variety of flowers, grasses, insects and birds
- Increase grassland area which produces other benefits
- Increase visitor confidence
- Improve sight lines for visitors and motorists
- Increase areas possibly schemes supported by environmental grant schemes
- Provide opportunities to bid for funding – environmental and community enhancement.

Grazing is already in practice on the following areas :- Epping Forest, Coulsden Common, National Trust Properties, Royal Society for the Protection of Birds Nature Reserves, Wildlife Trusts.

Some fencing will be required to contain animals. This is a sensitive issue on Common Land but if used sensitively could be unobtrusive partly behind scrub with green high quality furniture used.

The Kent Wildlife Trust has a grazing stock of animals, ponies, cattle and goats. They have 51 Reserves in Kent and their own transport. Their animals could be shared and moved on between different Authorities. Grazing would be most appropriate in the winter and a short time in the spring.

RESOLVED – That a feasibility study go ahead and the matter be discussed further at a future meeting of the Commons Conservators.

The Chairman expressed the Common Conservators' gratitude to Anne Waite and Neil Coombs for their interest in the matter and also thanked the Courier for publicity.

3. **WARDEN'S REPORT**

The Warden submitted his report until April 2004.

(a) **Major York's Roundabout**

The Warden reported that after 5 years of planning, work on the roundabout had now commenced with a completion date now likely to be mid-July. The Warden had been working in co-operation with the Kent Highways Department. Any yellow lining to be carried out would be a Borough Council duty and the Clerk to the Common Conservators stated that he would be in touch with the Highways Department on this matter.

Fir Tree Road is still open as a relief route and its closure will be the last act of the scheme. The Warden reported that when this road was closed contractors would put down grass seed later this year, this seed being provided by the Commons Conservators.

(b) **101 Steps**

The Warden stated that the 101 Steps at Happy Valley had now been fenced off to prevent public access. He has had a site meeting with the Borough Council's Heritage Officer who states that these steps are not scheduled and there is no duty on the Commons Conservators to consult English Heritage about any refurbishment works. The Heritage Officer felt that a general overhaul of the structure with the replacement of badly worn or missing steps and the levelling of the remaining steps would, with the addition of a handrail and warning signs, be reasonable discharge of the Conservators duty as managers of the land. (The cost to rebuild the steps was reported to be £50,000.) The Warden had arranged for the Conservators Insurers to come on a site visit but Zurich would charge for any opinion.

RESOLVED – That the Warden report to the next Conservators meeting with costs.

(c) **Seats**

The Conservators expressed their gratitude to the donors of seats on the Common.

RESOLVED – That a letter of thanks be sent to:-

- (1) Mr and Mrs Matthews of Groombridge
- (2) The Friends of Tunbridge Wells and Rusthall Commons

(d) Clearance Work

The Warden reported that he had obtained a grant of £4,000 from English Nature for clearance at Denny Bottom.

The Chairman expressed his gratitude to the Warden for his work and report.

4. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No. 4, 2003/2004 showing total receipts of £4,446.68 and payments of £55,210.44 with a balance carried forward of £44,333.38. Some invoices were still to be taken into account for the last Financial Year.

5. **INCOME AND EXPENDITURE TO 31 MARCH 2004**

The Treasurer presented his Income and Expenditure report to 31 March 2004 showing a projected resolved carried forward of £24,797.00.

The Treasurer indicated that the final position would be subject to the accrued of invoices relating to 2003/04.

6. **FRIENDS OF TUNBRIDGE WELLS AND RUSTHALL COMMONS**

The Chairman of the Friends of Tunbridge Wells and Rusthall Commons reported that they had installed four maps on plinths at the following sites:-

Harmony Street (may need resiting)
Tea Garden Lane
Molyneux Park
Lower Cricket Ground near the traffic lights.

RESOLVED – That the Commons Conservators gratitude to the Friends of Tunbridge Wells and Rusthall Commons be placed on record.

7. **PLANNING APPLICATIONS**

(a) **Planning Application No. TW/102/02055 – Aldi Stores**

The Warden reported that this application was similar to the previous with a slight difference in the sight line issue. There was no significant effect on Common land.

(b) **Planning Application No. TW/04/00134 – 21 Eridge Road, Royal Tunbridge Wells**

The Warden reported that there is no vehicular access at present to this property but he was concerned about any possible damage to the tree involved.

8. **REMOVAL OF TREE – UPPER STREET, RUSTHALL**

The Warden reported that he had received a request to remove a tree near the Toad Rock Retreat.

RESOLVED – That permission be granted for the removal of this tree at the applicant's own cost.

9. **TREE DONATION**

The Warden reported that he had received a request from Mr Harrison who had family in Inner London Road who had provided two facing seats on the Common in that area. They now wish to provide a tree by these seats to provide shade.

RESOLVED – That permission be granted.

10. **REINSTATEMENT OF THE COMMON – FORMER REGENCY NURSING HOME, 77 LONDON ROAD, ROYAL TUNBRIDGE WELLS**

The Manor's representative tabled a note concerning the difference of view between the Manor of Rusthall and Honeygrove Properties concerning the use of access to this property. At the present time Honeygrove Properties are unable to give assurance of rights of access to prospective purchasers of the flats although they can, of course, use the northern entrance. At the present time the southern access is in use.

RESOLVED – That the Commons Conservators support the Manor's position.

11. **PARKING – CASTLE ROAD**

The Warden reported that there had been a problem with car parking opposite Onslow Cottage and Romanoff Lodge which could cause a problem should emergency vehicles wish to use this route.

RESOLVED – That the Clerk to the Commons Conservators write to the Highways Department expressing concern at this continued car parking and asking for yellow lining to be implemented on the right hand side of this road with no parking in the upper part of Castle Road.

12. **SUSTRANS CYCLE ROUTE**

The Warden reported that a Sustrans Cycle Route was again proposed from Gatwick. The route to be taken would be Cabbage Stalk Lane over Common land finishing at the Fair Ground Car Park. This route has a bridleway status.

13. **NOTICEBOARD – RUSTHALL CHURCH**

It was reported that there had been applications to use the noticeboard at Rusthall Church:-

- (a) Matchbox Opera Limited
- (b) Tunbridge Wells Orpheus Male Voice Choir

RESOLVED – That no objection be raised to the proposed use.

14. **EPHRAIM LODGE – ADJACENT THE MOUNT EDGCUMBE HOTEL**

The Warden reported that this property was up for sale and that part of garden was registered as Common.

RESOLVED – That it be noted that the Commons Conservators have no claim to titled land but that the Manor retains an interest.

15. **NO RIDING/CYCLING SIGNS**

The Warden displayed to the Common Conservators a suggested No Riding/Cycling sign which could be purchased at a price of £9.50 each plus VAT. He stated that there are 20 entrances to the Common and it was could £70 for posts to display these signs which had a 10 year life.

RESOLVED – That the Warden order sufficient signs for these entrances.

16. **DOG FOULING**

The Warden reported that the contractor dealing with dog fouling had now left the Council's employ. He suggested that the litter picking contract be extended to include the maintenance of dog fouling bag dispensers.

RESOLVED – That the Warden report back to the next meeting of the Conservators.



CHAIRMAN

24 June 2004

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 24 June 2004

Present Mr G Butler (Chairman)
Councillors Mrs Lewis, Price, Scholes and Wakefield
Mrs Sue Potts, Messrs Butt, Freeman, Hall

Apologies for absence were received from Baron Nicolas van den Branden, Mr M Chapman and Mr N Hill and also Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Commons)

MINUTES

1 MINUTES OF THE LAST MEETING

The Minutes of the meeting held on 8 April 2004 was considered by Conservators.

RESOLVED -That Minutes be confirmed as the correct record.

2 WARDEN'S REPORT

The Warden submitted his report until June 2004

(a) 101 Steps

The Warden reported that the 101 steps still remain closed and are now becoming overgrown. It was felt that grant funding should be investigated possibly from the Lottery Heritage Grant. Nigel Bolton of the Borough Council could advise.

RESOLVED - that a detailed report be prepared for the next meeting regarding the listing of the Cold Bath which could help in the justification of grant funding.

(b) Major York's Roundabout

The Warden reported that this roundabout was nearing completion with Fir Tree Road now partially closed. Upon completion there would be a pedestrian and cycle access at the top of Fir Tree Road when it is grassed over.

RESOLVED - that the Warden investigate the possibility of improved warning signs and to ensure that all spoil is dealt with and all granite kerbs and sleepers removed are saved.

(c) Litter Contract

The Warden reported that under a new contract for additional £3,300.00 plus VAT Mr Bridgland would be prepared to increase patrolling of the Common and ensure that key play areas would be cleared of dog litter daily.

RESOLVED - that this new contract be implemented in consultation with the Chairman.

(d) Work

The Warden reported that all routine works were going ahead.

(e) Trees

The Warden reported that some minor trees had been lost in the recent high winds and one large tree at Bishops Down had fallen but had been dealt with immediately by Contractors on site.

(f) Walk and Talk

The Warden reported that he had conducted several walks and given talks to a good number of Local Groups.

(g) Management Plan

The Warden reported that a draft of the Management Plan from the Kent Wildlife Trust should possibly be available at the September meeting of the Conservators.

(h) Brighton Lake

Councillor Wakefield reported that Brighton Lake was seriously overgrown with weed and he had received complaints from residents who could not fish in the area. This over growth also gave a poor appearance. The Warden informed members that he had sought advice and it had been recommended that wildlife could be lost should there be a clearance of the weed.

RESOLVED - that the Warden ensure that 30% of Brighton Lake be cleared of pond weed.

3 FINANCIAL STATEMENT

The Treasurer submitted Financial Statement Number 5 2003/4 showing total receipts of £87.25 with a balance carried forward of £44,387.06. He also submitted Statement Number 1 2004/5 showing total receipts of £51,732.90 with a balance carried forward of £86,653.77.

4 INCOME AND EXPENDITURE AND BALANCE SHEET FOR 2003/2004

The Treasurer presented his income and expenditure report to 31 March 2004 and a balance sheet as at 31 March 2004.

The balance sheet showed current assets as at 31 March 2004 at £44,447.00. Net Current assets were £32,185.00.

5 REMOVAL OF TREE, UPPER STREET, RUSTHALL

Referring to the Minute number 8 of the meeting held on 8 April 2004 the Clerk informed members that he had informed Mr Cole that permission was granted for the removal of this tree at his expense but this gentleman felt that the Conservators should pay for this work.

RESOLVED - That the Conservators reaffirm that the permission is granted for the removal of the tree at the applicant's own cost

6. PLANNING APPLICATIONS

- (a) Woodpeckers 8A Rusthall Park Road. - Two storey extension

The Warden reported that he had received this Planning Application but it had no impact on Common land.

RESOLVED - That no objection be raised to this proposal.

- (b) Aldi Stores

The Warden reported that there had been a further appeal against the decision Aldi Stores planning application.

7. CONSERVATORS WEB SITE

The Warden reported that the preparation of the Conservators Web site is going ahead with Software Solutions quoting for the work. The Freehold Tenants agreed to pay towards the upgrade of the Wardens computer.

- (a) The Conservators agree to bear the cost of £900 to set up the Web site and also to pay for a Broadband connection.
- (b) The Warden contact Any Cole at the Borough's IT Department for further advice and report in detail to the next meeting of the Commons Conservators.
- (c) The gratitude of the Commons Conservators be expressed to the Freehold Tenants for their generosity.

8. FIR TREE ROAD CAR PARK

It was reported that it would appear that the Wellington Hotel are using Fir Tree car Park for their overflow.

RESOLVED - That a letter be written to this Hotel requesting that this practise cease.

9. FRIENDS OF TINBRIDGE WELLS AND RUSTHALL COMMONS

In the absence of the Chairman of the Friends of Tunbridge Wells and Rusthall Commons the Secretary reported that there were two activities proposed during the summer by the Friends of the Commons. There is to be a Tea Party on 14 July 2004 at the Beacon Hotel and a ghost walk (conducted by the Chairman of the Commons Conservators) on the Pantiles in September. The Friends of the Commons are also considering a proposal to erect standing stones on the Common to commemorate 400th Anniversary of the Town.

10. DATE OF NEXT MEETING

The next meeting of the Commons Conservators is due to be held on the 9 September 2004 in the Town Hall.

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 9 September 2004

Present: Mr G B Butler (Chairman)
Councillors Mrs Lewis, Scholes and Wakefield
Baron Nicolas van den Branden
Messrs Butt, Chapman, Freeman and Hill

Mrs Jennifer Blackburn, Friends of Tunbridge Wells and Rusthall Commons, attended by invitation.

Apologies for absence were received from Councillor Price, Mrs Potts and Mr Christopher Hall.

MINUTES

1. The Minutes of the meeting held on 24 June 2004 were considered by the Conservators and confirmed as a correct record.

2. **WARDEN'S REPORT**

The Warden submitted his report for the period ending September 2004.

- (a) Management Plan

The Warden informed Members that the draft Management Plan would be available for comment at the next meeting of the Conservators.

- (b) Major York's Roundabout

The Warden reported that this roundabout appeared to be working well. The Fir Tree Road closure still required the repositioning of the gate and edges are yet to be finished and seeded. The work in this area had resulted in the access trail having many mud holes in surface.

Bishops Down Road has been closed to traffic and gated but on some occasions the gate has been opened and there has been car parking behind since the land has not been returned to grass.

The Warden reported that on 22 September 2004 there is to be a meeting with the Highways Department when it is hoped problems in this area will be resolved. The question of yellow lining in the whole area should be discussed at this meeting when it is hoped local Highway Officers, Kent County Council and Alan Legg from the Planning Department will be involved.

- (c) 101 Steps

The Warden reported that discussions had taken place with Zurich, the Conservators Insurers, who had agreed that the steps could be opened up to the public providing there were signs at the top and bottom warning users. As yet, nothing has been received from Zurich in writing.

RESOLVED – that the 101 Steps be re-opened in their present structural state and kept clear of vegetation with warning signs at the top and bottom informing the public that they use the steps at their own risk – exact wording of the signs to be agreed with the Clerk to the Commons Conservators.

(d) Litter/Dog Fouling

The Warden informed Conservators that the new contract with the existing litter contractors to clear dog fouling on a daily basis was in operation and being well done. This contract cost the Conservators £3,300 plus VAT. Bags for dog litter clearance were being provided by the Conservators. The contractor is also to clean all bins on a regular basis and maintain the cold bath area.

RESOLVED – that the arrangements made by the Warden, with G. Berdgland to clear dog fouling be confirmed.

(e) Signage

It was suggested that a sign in the Wellington Rocks area be installed asking members of the public to keep their dogs under control. The Warden stated that this would possibly cost £100 but it was difficult to agree the position of such a sign.

(g) Seats

The Warden reported that two old benches near St Helena and one near Dingley Dell required removal at a possible cost of £50 each.

RESOLVED – that the Warden carry out the necessary work.

(h) Litter Bins

The Warden reported that, at the present time, there were two litter bins in Coach Road lay by and it has been suggested that they be taken away and repaired at a cost of £300 per bin to renovate.

RESOLVED – that the work be carried out and one litter bin be reinstated in this lay by.

(i) Disabled Access

The Warden reported that he had received complaints about the lack of disabled access on the Common in the Nevill Park and Hungershall Park areas. He had agreed with David Picton of the Borough Council that the cost of improvement would be shared with the Borough Council. It was suggested some publicity for the Commons Conservators should be gained out of this and the Warden approach Nadine Squire of the Borough Council.

RESOLVED – that this work will be carried out.

(j) Brighton Lake

The Warden reported that he had agreed that 40% clearance work of Brighton Lake be carried out by contractors at an approximate cost of £1,000. This work should be carried out in the next four weeks.

RESOLVED – That this work be carried out.



3. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No. 2 2004 showing payments of £15,972.31 and receipts of £339.34.

The Treasurer also submitted the Income and Expenditure report to August 2004.

RESOLVED – That the accounts be approved.

4. **ALLOWANCES AND EXPENSES**

The Treasurer submitted recommendations for allowances and expenses for the Clerk and the Treasurer to the Commons Conservators. It was proposed by Councillor Scholes and seconded by Councillor Wakefield that these suggested allowances and expenses be agreed.

5. **WARDEN'S SALARY**

The Treasurer submitted the recommendation for increases in the Warden's salary.

RESOLVED – that the salary increases be implemented as suggested.

6. **SUPPORT OFFICER'S POST**

RESOLVED – that consideration of the Support Officer's post be deferred until the January 2005 meeting.

7. **FRIENDS OF TUNBRIDGE WELLS AND RUSTHALL COMMONS**

The Chairman of the Friends of Tunbridge Wells and Rusthall Commons reported that she had received a suggestion for commemorating the four centuries of Tunbridge Wells by installing standing stones – one for each century – on the grassed area in Mount Ephraim. The Friends of Tunbridge Wells and Rusthall Commons' Committee will consider this suggestion at their next meeting.

RESOLVED – that outline support for this commemorative installation be given by the Commons Conservators and that the matter be considered at the January 2005 meeting when sizes and design are known.

8. **ROMANOFF LODGE**

The Warden reported that a planning application had been received for a replacement conservatory at Romanoff Lodge, Castle Road. The new conservatory would overhang the Common by 1 metre.

RESOLVED – that the Commons Conservators raise no objection to the proposal.



9. **CAR PARKING, MAJOR YORK'S ROAD**

The Warden reported that he had been in contact with Mrs Helen Court of Bransby Cottage, Major York's Road who had previously parked on that road but this was not possible since the roundabout had been installed. Mrs Court now wished to park in the vicinity of her cottage and vehicular access had been agreed by the Manor.

RESOLVED – that the Warden discuss with Mrs Court the siting of the drive and installation of posts to prevent unauthorised car parking.

10. **WEB SITE**

The Warden reported that the Commons Conservators' web site was now up and running – twcommons.org and it was agreed that this should be publicised in the local paper (Kent Messenger and Courier) in two to four weeks time. The Friends of Tunbridge Wells and Rusthall Commons were to hold a photographic competition and agreed to provide further photos if required, particularly of flora and fauna. As yet, a maintenance contract has not been agreed.

RESOLVED – that congratulations be given to Mr Nick Hill and the Warden on setting up the Conservators' web site.

11. **CELEBRATION OF 400th ANNIVERSARY OF FOUNDING OF TUNBRIDGE WELLS**

The Chairman informed the Conservators that in 1959 a pageant was held in Tunbridge Wells on the Pantiles and he suggested that a similar pageant should be held on May Day 2006 to celebrate the 400 years of Tunbridge Wells. He suggested that 2006 pageant should be performed by children and not adults as in 1959. He had discussed the idea with Nigel Bolton of the Borough Council and it had been suggested that the event take place on the Lower Cricket Ground and be called Pageant of Tunbridge Wells. It was hoped to involve businesses and schools and local newspaper promotions. Councillor Scholes suggested that Trinity Theatre might help in view of their proximity to the Common and their local theatre interest.

RESOLVED – that the Commons Conservators raise no objection to this very interesting suggestion and agree that the Chairman work on any ideas for such a pageant with the Chairman of the Friends of Tunbridge Wells and Rusthall Commons.

12. **BYELAWS**

The Wardens reported that there had been a proliferation of small scooters ridden by children on the Common and the Community Police could find it easier to enforce the byelaws if they were displayed possibly in six areas on the Common at a cost of approximately £450.

RESOLVED – that boards displaying the byelaws, particularly setting out no cycling and no camping restrictions on the Common, should be displayed at a cost of approximately £450.00.

13. **NEXT MEETING**

The Chairman reminded Conservators that the next meeting is due to take place on 27 January 2005.



TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 27 January 2005

Present: Councillors Mrs Cobbold, Mrs Lewis and Scholes
Mrs Sue Potts
Messrs Butler, Butt, Chapman, Freeman, Hall & Hill

Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

Apologies for absence were received from Councillor Wakefield and Baron Nicolas van den Branden

MINUTES

1. APPOINTMENT OF CHAIRMAN

In accordance with the third schedule of the County of Kent Act 1982 it was noted that the Conservators were required at the first meeting held on or after 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED – That Mr Nicholas Hill, representative of the Freehold Tenants, be appointed as Chairman until the annual meeting of the Conservators in January 2006.

MR HILL IN THE CHAIR

The Chairman expressed his gratitude to Mr Geoff Butler for his efficiency as Chair over the past year, particularly for his long involvement with the Common and his knowledge of local history.

2. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 9 September 2004 were considered and approved.

Matters Arising

It was reported that the 101 steps were now open with a new sign up. The new dog fouling contact has been implemented. The seats near St Helena and Dingley Dell had been removed and Brighton Lake had been substantially cleared of weed. The Friends of Tunbridge Wells Rusthall Common reported that no further progress had been made as yet with the installation of the Standing Stones to commemorate the four centuries of Tunbridge Wells.

Mr Geoff Butler reported that the arrangements for the celebration of the four hundredth anniversary of the founding of Tunbridge Wells were progressing.

Byelaws

The Warden reported that there had been no action as yet to install signs displaying the Byelaws.

RESOLVED – That the Warden supply suggested wording to the Clerk in order that these boards maybe installed. The Police will find it easier to prosecute if Byelaws were available to the public. The Warden also undertook to install No Cyling signs as soon as possible.



3. **MEMBERSHIP**

The Chairman reported that the under mentioned Conservators had been appointed by the bodies specified to serve for the period indicated.

Tunbridge Wells Borough Council

| | | |
|------------------------|---|--------------------------------|
| Councillor Mrs Lewis |) | |
| Councillor Mrs Cobbold |) | December 2004 to February 2006 |
| Councillor Scholes |) | |
| Councillor Wakefield |) | |

Freehold Tenants

| | | |
|--------------|---|---|
| Mr G Butt |) | |
| Mr M Chapman |) | 2 nd year of three year term until |
| Mr P Freeman |) | 31 December 2006 |
| Mr N Hill |) | |

Manor Rusthall

| | | |
|-------------------------------|---|---|
| Baron Nicolas van den Branden |) | |
| Mr G Butler |) | 2 nd year of three year term until |
| Mr C Hall |) | 31 December 2006 |
| Mrs Sue Potts |) | |

4. **DATES OF NEXT MEETINGS 2005/06**

RESOLVED – That the meetings of the Commons Conservators be held at 2.30pm on the following dates:

10 March 2005
23 June 2005
8 September 2005
26 January 2006

5. **WARDEN'S REPORT**

The Warden submitted his report until January 2005.

(a) **Pedestrian Refuge - Langton Road**

The Warden reported that there had been pressure from St Paul's Church, Rusthall for a pedestrian crossing over Langton Road. It had been agreed in principle that 3½ metres maximum could be taken from the Church side of the road where mature trees would have to be removed in the next few years. The representative of the Lord of the Manor stated that as yet they haven't heard anything from the Highways Department regarding this refuge nor had the matter of the Spa Roundabout been completed with the Highways Department.

RESOLVED – That a Committee meeting be held with the Highways Officers regarding the suggested pedestrian refuge and Committee report back to the next meeting of the Commons Conservators.

(b) **Insurance Claim (Confidential Item)**

The Warden reported that he had received a claim for alleged damage to a vehicle using Fir Tree Road car park. The Representative of the Lord of the Manor stated that she would check if the Linden Park Cricket Club lease this car park from the Manor and who is responsible for surfacing.

RESOLVED – That

- (1) The Clerk research this issue in terms of long term liability and report back to the Conservators.
- (2) Reasonable repairs be carried out to in fill holes.
- (3) A sign to be installed to state "Uneven Surface – Use at Own Risk".

(c) **Denny Bottom SSSI**

The Warden reported that local residents had been leafleted regarding the clearance work around Toad Rock. To date he had received favourable comments on this work including one from English Nature.

RESOLVED – That

- (a) The Warden arrange a guided walk in this area.
- (b) Rusthall Village Association be kept informed of the works.

(d) **Web Site**

The Warden expressed his gratitude through the Freehold Tenants for their support in setting up the Commons Conservators Web Site, which was linked with the Rusthall Village Association. He reminded Members that there was a page available for the Friends of Tunbridge Wells and Rusthall Commons.

(e) **Conservators Vehicle**

The Warden reported that it was not justifiable to replace the Commons Conservators Land Rover as the cost per mile to run this vehicle is excessive. The Warden stated that he is prepared to run his own car for Conservators business and he could claim mileage to cover all works.

(f) **Works**

Questions were asked about the gates on the Bishops Down Road – Spa Hotel. These gates were left unlocked and the Freehold Tenants representative asked if the Highways intention were known. The Warden stated that this road is to be broken up and returned to Common Land but the date was not known for this work. The Clerk stated that he would enquire of the Highways Departments intentions by letter.

6. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No.3, 2004 showing total payments of £60,379.89 and total receipts of £52,434.47.

7. **BUDGETARY CONTROL REPORT AND PRECEPT 2005/2006**

The Treasurer submitted his report on the proposed budget and precept for 2005/2006.

RESOLVED – That the budget for 2005/2006 including a precept of £105,500.00 be approved.

8. **AUDIT OF ACCOUNTS**

The Treasurer reported that the Audit of Accounts had been concluded during the last week and that there were no issues or concerns raised.

9. **MANAGEMENT PLAN – KENT WILDLIFE TRUST**

The Warden reported that the Management Plan prepared by the Kent Wildlife Trust would be available for all Commons Conservators during the next week. This Management Plan would contain draft plans for Tunbridge Wells and Rusthall Commons for the next ten years.

RESOLVED – At the Clerk's suggestion it was agreed to have the Kent Wildlife Trust's plan as the main item on the agenda for the meeting to be held on the 10 March 2005. This meeting would determine how to take the plan forward and whether the Kent Wildlife Trust should attend a future meeting.

10. **SUPPORT OFFICER'S POST**

The Clerk reported that the current holder of the Support Officer's post was prepared to work for the Conservators for one more year when a successor would be required. The Clerk stated that he would bring proposals to explore recruitment of a successor to this post. This should involve an overlap of time, although this would have cost implications.

RESOLVED – That the Conservators agree to a successor to this post being appointed before the retirement of the current Officer.

11. **BELLEVILLE THE COMMON TUNBRIDGE WELLS**

The Warden reported that a planning application had been received for a change of use of Belleville on Tunbridge Wells Common to a restaurant. The Warden had written to the Planning Department stating that the Conservators would object to such a change of use as there was a plethora of restaurants in that area, there is no parking available for customers at the restaurant and no area available for storage of trade bins etc. He also felt that this was a commercialisation of the Common.

Councillor Scholes and Councillor Mrs Cobbold left the meeting in order not to compromise the situation, as they were members of the Planning Committee for that area.

12. **LIME TREES – ERIDGE ROAD**

The Warden reported that the Lime trees opposite Brighton Lake outside numbers 21 to 23 Eridge Road have a rotting fungus which was picked up by Babbie when they were doing a survey of trees in the area. These trees have been pollarded twice.

RESOLVED - That these trees be removed at a cost of £520.00.

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13. **LINDEN PARK CRICKET CLUB**

The Warden stated that he had received an appeal for grant funding from the Linden Park Cricket Club for water pipe repairs. The Cricket Club had also approached the Friends of Tunbridge Wells and Rusthall Commons and the Freehold Tenants.

RESOLVED – That the Conservators make no such donation.

14. **PARKING, MAJOR YORKS ROAD, TUNBRIDGE WELLS**

RESOLVED – The Clerk write to the Highways Department addressing the issue of double yellow lines be placed on either side of Major Yorks Road at the entrance to Bracken Cottage and also Hungershall Park.

15. **NEXT MEETING**

RESOLVED – That the next meeting of the Commons Conservators be held on 10 March 2005.

CHAIRMAN

10 March 2005



Tunbridge Wells Common Conservators

Thursday 10 March 2005

Present: Mr N Hill (Chairman), Councillors Mrs Cobbold, Scholes and Wakefield, Mrs S Potts, Messrs G Butler, G Butt, M Chapman, P Freeman, C Hall.

Mrs Jennifer Blackburn, Friends of Tunbridge Wells and Rusthall Commons, attended by invitation.

Apologies for absence were received from Cllr Mrs Lewis, and Baron Nicholas Van Den Branden.

The meeting agreed to deal with the proposed widening of the A264 as the first item on the agenda

1. Proposed Road Widening of the A264 Langton Road

The meeting heard a brief presentation from James Whitehorn of Tunbridge Wells Borough Council and David Bond of the Highways Mid Kent Divisional Office. A diagram was circulated showing the location and scope of the proposed widening to the north of St Paul's church. The maximum encroachment into the common would be two metres. The scheme would allow a pedestrian refuge midway to facilitate a safer crossing for the existing network of paths from Rusthall to St Paul's Church and Happy Valley.

Earlier suggestions to widen the road to the north were abandoned when the cost of rerouting the underground services was calculated. The provision of a Zebra crossing had also been discounted as the ratio of pedestrian use to vehicle movements fell considerably short of the County's standard measure. There would also have been a need for additional lighting.

It was noted that the present speed limit of 60 mph will soon be reduced to 40 mph. This was welcomed by those present.

Considerable concern was expressed by the representatives of the Manor of Rusthall that the communications and negotiations in respect of the roundabout had yet to be satisfactorily resolved. They were in favour of the proposed widening but did not wish to see a repeat in the manner in which any negotiations might take place. The officers accepted that there was scope for improvement and agreed to liaise fully with the Manor over the widening on the A264 at St Paul's Church.

There was some concern expressed over the loss of mature trees forming a barrier between the road and church. The extent of the banking work required was unknown. A full survey would be required to determine which trees would be lost. In view of this it was:

RESOLVED – Whilst the Conservators agreed in principle to this road widening scheme it would be subject to the Manor's satisfaction following Highways response to their concern and to the warden meeting with representatives of the Highways Department to allay any concerns over loss mature trees.

The meeting took the opportunity to discuss a number of outstanding issues concerning the roundabout at the Spa Hotel end of Major Yorks Road. There were issues with the restoration



of surrounding common land, lighting, the open gateway at the western end of Bishops Down Park Road and the lack of a signage that Fir Tree Road was closed.

RESOLVED – The warden will draw up a list of outstanding issues in respect of the roundabout in front of the Spa Hotel and landscaping at the northern end of Fir Tree Road and seek agreement to their resolution.

2. Minutes of the previous meeting

The minutes of the meeting held on 27 January 2005 were considered and approved.

Matters arising:

The outstanding installation of signs listing the important byelaws, cycling and horse riding restriction signs was discussed.

RESOLVED – That the wording of the byelaws be softened by a general welcome to visitors and a reminder of visitors duty of care to themselves and that the warden meet with chairman to agree the wording and location within a month. The signs to be installed by the next meeting.

3. Warden's Report

The warden submitted his report for the first quarter of 2005. The main emphasis had been on preventive tree maintenance. Two lime trees in Eridge Road that the Conservators had discussed at the previous meeting had been removed as agreed. The work on two horse chestnut trees adjacent to the Forum will be deferred until the fourth quarter of 2005. The chairman thanked the warden for his report.

4. Financial Statement

The Treasurer submitted his report number 04 2004/2005. This showed total payments of £19,795.01 and receipts of £413.35.

The income and expenditure to 31 March 2005 indicated a reserve balance carried forward of £29,815. The treasurer expressed his gratitude for the offers of financial support from the Friends and the Freehold Tenants. The chairman thanked the Treasurer for his report, there being no further questions from those present.

5. The disposal of the warden's vehicle

RESOLVED – That the warden take appropriate steps to dispose of the Conservators' Land Rover. If £400 was likely to be the most that could be expected then the sale should proceed. The warden agreed to check trade magazines or place a free advertisement but not to spend a disproportionate amount of time in the process.



6. Management Plan

The Conservators considered the draft management plan prepared by the Kent Wildlife Trust. This had been circulated to all members shortly after the January meeting. The meeting welcomed the report and expressed their considerable appreciation for the work done in such a relatively short period. A representative of the Freehold Tenants offered a word of caution in understanding that there may be a potential divergence since the Kent Wildlife Trust would promote the Commons as a heather and wildlife habitat Whilst the Conservators mission must prioritise the enjoyment of residents and visitors.

The warden commented on the main findings and recommendations; many of which were an endorsement of the current programme of work. There were areas where further clarification was required – not least the re-establishment of grazing. There were also aspects of the plan that could be investigated as opportunities for more immediate implementation. Examples were chemical control of bracken, preserving some of the best of the hard wood trees by pollarding, a regular regime of pond maintenance, bat and bird boxes, removal of invasive tree species and preservation of the habitat for the two coral root sites.

RESOLVED –

1. That the warden write to the KWT thanking them for their report, offering any factual corrections and seeking clarification of points requiring immediate clarification and then to sign off the draft on behalf of the Conservators.

2. The warden should take one compartment on either Rusthall or Tunbridge Wells Commons and prepare a schedule of works with initial and recurring costs associated with implementing the schema described in the plan; reporting back to the June meeting.

3. The warden should also investigate the potential sources of funding these works beyond the precept from Tunbridge Wells Borough Council.

7. Bransby Cottage, Major Yorks Road - Proposed driveway

RESOLVED - The meeting accepted that in the first instance there could be no discussion of this request until the representatives of the Manor had given their consent to the encroachment. Councillors Scholes, Cobbold and Wakefield withdrew when this item was discussed.

8. Any other business

a. The representatives of the Manor expressed their great disappointment at the Council's decision to curtail the various (and popular) events in the Pantiles for the coming year and the detrimental effect it would have on this part of the town.

b. Re-enactment of the Battle of Trafalgar. Councillor Wakefield outlined plans for an event on 22 October 2005.

RESOLVED – That permission be granted subject to the detailed proposals being lodged with the Conservators and the necessary insurance cover effected.



c. Recital by the Tunbridge Wells Orpheus Choir – notice on Rusthall Church notice board.

RESOLVED – Permission agreed.

d. Application for planning permission – change of use to restaurant – Belleville, Mount Ephraim

RESOLVED – That this application and the change of use of part of the commons for parking be strongly opposed.



CHAIRMAN

23- 6- 05

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 23 June 2005

Present: Mr N Hill (Chairman)
Baron Nicolas van den Branden
Councillors Mrs Cobbold, Mrs Lewis and Scholes
Mrs Sue Potts
Messrs Butler, Butt, Freeman

Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Commons) attended by invitation.

Apologies for absence were received from Mr M Chapman and Mr C Hall

MINUTES

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 10 March 2005 were considered and approved.

Matters Arising

Proposed Road Widening of A264, Langton Road

The Warden reported that he had written to the Highways Department regarding the incomplete restoration of the common land at the top of Major York's Road but as yet had received no response.

Warden's Vehicle

The Warden reported that he was taking appropriate steps to dispose of the Conservators Land Rover. He informed Members that it will be necessary to keep the garage where the Land Rover is presently stored for the storage of tools.

2. WARDEN'S REPORT


The Warden submitted his report until June 2005.

(a) Signage

The Warden reported that he had arranged for 14 by-law signs to be installed as agreed. He also has "No Cycling" signs to put up particularly in the Hungershall Park area. This had been agreed with the Chairman.

(b) Management Plan

The Warden set out his estimated costings for one compartment of the Common i.e. Compartment 5 on Rusthall Common. Based on these estimates a proposed expenditure for the whole Common could have a spending implication of around £600,000.00 over a ten year plan. The Warden felt that external funding would therefore be needed.

 08/09/2005

The meeting felt that there were clear priorities to be addressed; the first being one of safety. Accordingly the Warden should establish a programme of tree maintenance along road and path edges, the funding of which would require further discussion.

(c) Grazing

Should grazing be implemented on the Common and fencing required, the Warden estimated that fencing alone would cost in the region of £3,200.00 on Compartment 5. There would then also have to be the consideration of a water supply for any animals. It was felt that there would be more liability for the Conservators if fencing were put in place on the Common for any accidents caused by animals escaping from fenced areas.

The representative of the Friends of the Common requested that there should be public consultation with Rusthall residents if the plans for Compartment 5 were put in place.

(d) Rural Land Agency

The Warden reported that he has registered the Common with the Rural Land Agency.

(e) **RESOLVED** – that the Warden, Clerk and Treasurer hold a meeting to discuss the implications of funding the Management Plan with a possible increase in the precept being requested from Tunbridge Wells Borough Council.

More detailed proposals should be presented by the Warden to the next meeting of the Conservators.

The representative of the Friends of Tunbridge Wells and Rusthall Commons stated that the Friends could help fund any necessary kerbstones in the Rusthall area and that the Rusthall Village Association could assist with any public consultation.

3. **INCOME AND EXPENDITURE AND BALANCE SHEET FOR 2004/5**

The Treasurer presented his Income and Expenditure Report to 31 March 2005 and Balance Sheet as at 31 March 2005.

The Balance Sheet showed current assets as at 31 March 2005 at £46,117.51. Net current assets were £28,926.28.


4. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement Number 5 2004/5 showing total receipts of £3,287.97 with a balance carried forward of £46,117.51.

The Chairman reported that a reduction in the balance was shown of £3,200.00 and it was resolved that the precept be discussed with the Treasurer, Clerk and Warden.

5. **SUPPORT OFFICER'S POST**

The Clerk reported that after consultation with the Personnel Department of Tunbridge Wells Borough Council it was agreed to advertise for a replacement for the Support Officer post in October 2005.

 08/09/2005

RESOLVED – that the Clerk report back to the September 2005 meeting with any suggested advertisement.

6. **MUSIC FESTIVAL**

Councillor Scholes reported that he was to have a meeting with Mr Ian Bowden of Primo Productions Limited on 7 July to discuss his proposals for a music festival.

RESOLVED – that the Clerk to the Commons Conservators attend this meeting, together with Nigel Bolton of Leisure Services of Tunbridge Wells Borough Council and the matter be considered at the September 2005 meeting of the Conservators. If necessary a Committee meeting of the Conservators should be called before the September meeting.

7. **RUSTHALL BONFIRE AND FIREWORK DISPLAY**

The Clerk reported that the usual request had been received for permission to hold the annual Rusthall Bonfire and Firework display on 29 October 2005.

RESOLVED – that permission be granted under the usual terms and conditions.

8. **PRIMARY SCHOOLS CRICKET FESTIVAL**

The Warden reported that permission had been sought to hold the Primary Schools Cricket Festival on the Lower Cricket Ground from 22-26 August 2005 between the hours of 2 pm and 4 pm. As usual there would be no sponsorship, vehicles or structures in place on the Common.

RESOLVED – that no objection be raised to the holding of this festival.

9. **ENGLISH NATURE**

The Warden reported that agreement had been reached with English Nature to fund works up to a cost of £2000, per annum until 2007. These works are to be carried out at Denny Bottom SSS1

10. **LOTTERY BID**

The Warden reported that should the Commons Conservators wish to be included in a lottery bid with the High Weald Forest Ridge Project any such project must be known by September.

RESOLVED – that the Conservators consider an application for lottery bid at the next meeting.

11. **TUNBRIDGE WELLS LIONS CLUB FUN RUN**

The Warden reported that he had received an application from the Tunbridge Wells Lions Club to hold a fun run on the Common on 9 October 2005 which involved road closures as they wish to use the Old Race Course.

RESOLVED – that permission be granted.

MA 08/09/2005

12. **TREES PRESENTED BY KING CHARLES OLD BOYS' ASSOCIATION**

The Warden reported that he had received an application from the King Charles Old Boys' requesting permission to replace old trees that had died in the avenue previously presented by them.

RESOLVED – that the Warden hold a site meeting with a representative of King Charles Old Boys' Association and Coblands to seek a suggested alternative site.

The Warden to report back at the September 2005 meeting.

13. **GRASS CUTTING CONTRACT**

The Warden reported that the contract with Bridgland was due for renewal at the end of 2005. He suggested that the next tender should include provision for the use of a flail cutter that removed the cut vegetation.

RESOLVED – that this contract be subject of discussion at the September 2005 meeting.

14. **TREES NEAR THE SPA HOTEL**

Mr Peter Freeman reported that trees near the Spa Hotel require the cutting back of the lower branches.

RESOLVED – that the Warden inspect the trees in this area.

CHAIRMAN

8 September 2005



TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 8 September 2005

Present: Mr N Hill (Chairman), Councillor Mrs Lewis, Messrs Butler, Chapman, Freeman and Hall

Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Common) Attended by invitation

Apologies for absence were received from: Mrs Sue Potts, Councillors Scholes and Wakefield and Mr Gordon Butt

MINUTES

1. Minutes of the Last Meeting

The minutes of the meeting held on 23 June 2005 were considered and approved.

Matters Arising:

Ways to increase funding for the Commons Conservators were also considered at that meeting and the Clerk stated that he was dealing with this matter and the Treasurer is looking into grant funding. The Treasurer reported that the Borough Council's funding would be under pressure next year and it was unlikely that the precept would be increased. The Clerk expressed regret that none of the Borough Councillors representing the majority party on the Council were present to contribute to this issue.

2. Warden's Report

The Warden submitted his report for the period ending September 2005.

a) Commons Conservators Vehicle

The Warden reported that the Landrover had been sold for £400.00.

b) Alcohol Control Zone

The Warden reported that a meeting had been held recently between himself the Clerk and Inspector Wilshaw of Kent Police to discuss the issues of public order in the area around the Forum on Common.

The police are seeking the Conservators' support in their effort to have restrictions imposed in that area.

RESOLVED - that the Commons Conservators support the imposition of restrictions and the Clerk write accordingly.

c) Management Plan

The Warden reported that in order to maintain the management of the Common it would be necessary for further equipment to be bought for mowing and cutting and he had arranged for three major suppliers of units to demonstrate such maintenance equipment.



d) Tree Management

The Warden informed the Conservators that he would be able to assess the cost of tree management with graded woodland edges when the leaves had fallen in the autumn and winter.

The grass cutting contract would end at the end of this year but it was hoped that the present contractor would continue for one extra year on current terms whilst the implications of the new Management Plan is assessed.

e) Stewardship Grants

The Warden was asked if he had as yet applied for stewardship grants and Christopher Hall offered to assist in any claim that would be possible.

f) Roundabout outside The Spa Hotel

Jennifer Blackburn reported that she had contacted KCC Highways regarding the grass area around this roundabout who had called her back but there appeared to be some confusion with Babbie. The Warden reported that he had also written to Babbie about that area and the gate and the road closure. It was felt that KCC were failing to do the work agreed but it is their responsibility. The Manor's representatives stressed that this issue was fundamentally inhibiting dialogue on other highway issues even where they were in the public interest.

RESOLVED that the Clerk write to the Chief Executive of Kent County Council setting out the Conservators concerns.

3. Financial Statement

The Treasurer submitted Financial Statement Number One 2006 showing total payments of £18,787.34 and receipts of £56,251.34.

The Treasurer also submitted the Income and Expenditure Report to August 2005.

He reported that a cheque received from English Nature appeared to be a duplicate and would be the subject of further investigation by the Treasurer. The projection for the year would appear to be in order.

RESOLVED – that the report be approved but it was hoped that precept would be increased in 2007 when firm plans would be in place for implementing the key recommendations proposed in the recent report from the Kent Wildlife Trust.

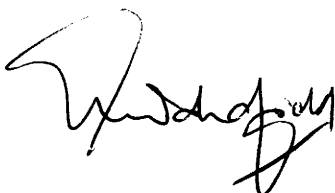
Under any other business the meeting raised the question of the level of the reserves. The Treasurer suggested that a minimum of £15,000 would be appropriate. However, given the potential for storm damage on a par with 1987 perhaps a figure of £17,000 to £20,000 would be prudent. On this basis the meeting agreed that if remedial tree work was required on the grounds of safety then such work should be funded from the reserves.

4. Support Officer's Post

A job description for the Support Officer's post was circulated and agreed subject to detailed amendments. The Borough Council's Personnel department would advise the Conservators on advertising this post. It was further agreed that the recruitment process should be initiated immediately to ensure the post was filled by the end of December.

RESOLVED – that the Clerk be authorised to initiate recruitment.

5. Music Festival



The decision on permitting this music festival to take place in summer 2006 had been deferred from the last meeting and the Warden had reported that he had two site meetings with Ian Bowden. The Clerk reported that he had checked the County of Kent Act and such a performance would be lawful with the Conservators permission. Small marquees would be required for hospitality for the sponsors of the event and toilet facilities would be available in Castle Road.

RESOLVED - that permission to be granted for a music festival to celebrate the 400 years of Tunbridge Wells, subject to a Bond being entered into to cover any reasonable sum required to repair any damage to common land and to such other details as the Warden and Clerk shall agree in principle.

6. Town Forum

The Clerk reported that he had recently received reports on the Town Forum and Jennifer Blackburn had attended.. The Town Forum gave an opportunity to explain to the public the organisation of Local Government, as there are no Parish Councils in Tunbridge Wells.

RESOLVED that the Clerk write to the Council's lead officer and/or Member inviting them to attend the January meeting of the Conservators to inform them more fully of the Town Forum.

7. Planning Applications

A number of planning applications on which no comments had been offered were presented for the Conservators consideration.

TW05/01499 – Installation of Cooling System, 40 London Road, Tunbridge Wells

TW05/01669 – One Externally Illuminated Floodlight Sign, Union House, Tunbridge Wells

TW05/01670 – Modification of Front Entrance, Union House, Tunbridge Wells

TW05/01791 – Wyevale Garden Centre - Removal of Canopy and Erection of Rear Extension and Replacement Canopy

TW05/01843 – Window replacement 53 Mount Ephraim, Tunbridge Wells

TW05/01913 – Conversion of Bredbury House – to provide eight apartments, 77 Mount Ephraim, Tunbridge Wells

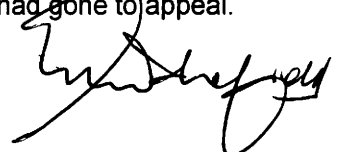
TW05/02024 – Alterations to Form Playroom and Kitchen/Dining Room, 53 Mount Ephraim, Tunbridge Wells

TW05/02039 – Listed Building Consent – Remedial Works to Masonry Beaufort House, 18-22 The Pantiles, Tunbridge Wells

TW05/03363 – Redevelopment To Form 38 Sheltered Apartments for the Elderly, Communal Facilities and Landscaping The Mount, Bishops Down Road, Tunbridge Wells

TW05/02048 – Single Storey New Extension – 21 Apsley Street, Rusthall – no objections raised but concerns registered regarding the construction process

The Warden was asked about the application submitted earlier on from the Aldi Stores. He informed members that this application had been refused but had gone to appeal.



Questions were also asked about the BP garage but as yet nothing was known and it was.

RESOLVED that the Warden would enquire from the Planning department if any application had been received in respect of this property.

8. Langton Road – Highway Development

The Warden reported that he had received a suggestion from the Highway department that the entrance to Rusthall Common on the Langton Road should have the speed limit reduced to 40mph with a friction slip and post being put in place. It was felt that an electric speed limit display would be more appropriate.

The Warden also reported that nothing further had been heard about the refuge on the Langton Road near Rusthall Church.

9. Refuge at Fir Tree Road

RESOLVED that the Clerk mention this refuge in his letter to the Chief Executive at Kent County Council as the previous dealings with the County inhibited progress..

10. Signs

The Warden reported that there are 17 redundant signs on the Common and there would be a reduction in this number as part of the scheme reported in item 8.

11. Sunnyside Hall Rusthall

The Warden reported that he had received an application for permission to put in place water and gas pipes to service the community hall at Sunnyside Hall.

RESOLVED that no objection be raised subject to the Manors consent being obtained.

12. Trees

The Warden reported that he had recently had a site meeting with a representative of the King Charles Old Boys Association who had withdrawn their application to plant more trees in the avenue previously planted.

They now wish to donate one specimen Oak for planting in the area of The Forum.

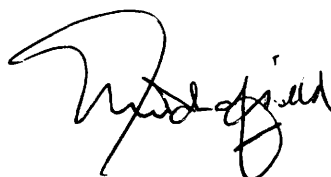
RESOLVED - that this suggestion be approved subject to the Warden's agreement on siting and that the Warden be congratulated on his diplomacy.

13. Battle of Trafalgar Re-enactment

Councillor Wakefield submitted re-enactment details for the Trafalgar Day re-enactment on October 21, 2005 on the Lower Cricket Pitch. This re-enactment would involve 180 children led by the Chairman, Councillor David Wakefield, and would process across the Lower Cricket Ground in threes to represent all 60 ships. There will be a commentary by Councillor David Wakefield accompanied by taped music – but no fireworks.

A Service of Thanksgiving would be the finale in front of the Mound.

Councillor Wakefield has requested that there should be clearance of some of the vegetation in the Mount Edgcombe/Castle Road area in order to make it easier for the children to assemble and access the cricket pitch.



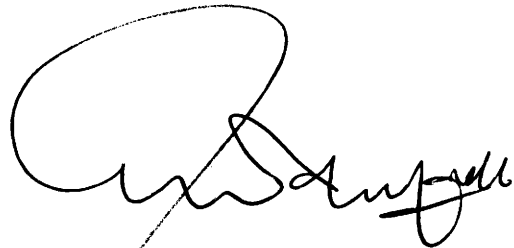
RESOLVED that the Warden attend a site visit with Councillor Wakefield regarding this clearance, but otherwise the event be approved.

14. Vale Road Development

RESOLVED that the Warden write to Honeygrove Developers in order to finalise the financial arrangements with regard to their undertaking to fund restoration and improvement works following the completion of this development.

15. Cherry Tree Road

Questions were asked as to the replanting of Cherry trees on this road and the Warden stated he would take advice as to replanting and report back to the January 2006 meeting.

A large, stylized handwritten signature in black ink, likely belonging to the Chairman.

CHAIRMAN

26 January 2006

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 26 January 2006

Present: Councillors Mrs Lewis, Mrs Cobbold, Scholes and Wakefield
Mrs S Potts
Messrs Butler, Hill, Chapman, Butt

Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Common), Eleanor Broughton and David Webster (Town Forum) attended by invitation.

Apologies for absence were received from Mr Peter Freeman, Mr Christopher Hall and Baron Nicolas van den Branden

MINUTES

1. APPOINTMENT OF CHAIRMAN

In accordance with the third schedule of the County of Kent Act 1982 it was noted that the Conservators were required at the first meeting held on or after 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED – That Councillor Wakefield, representative of the Borough Council, be appointed as Chairman until the annual meeting of the Conservators in January 2007.

COUNCILLOR WAKEFIELD IN THE CHAIR

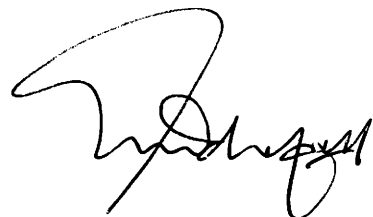
The Chairman introduced himself and expressed his gratitude to Nick Hill for being an elegant and precise chairman, and for the excellent job he had done in the preceding year.

2. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 8 September 2005 were considered and approved.

Matters arising

- a) Roundabout at the top of Major Yorks Road. The Clerk told the meeting that he had written to the Chief Executive of the County Council but so far has received only an acknowledgement and not a reply. Mrs Potts pointed out that the financial adjustment had still not been resolved with the Manor of Rusthall.



- b) BP Garage. The Warden reported that the petrol tanks had been removed from the site, but no planning application had yet been submitted.
- c) Trafalgar re-enactment. The Chairman reported that the event on the common had taken place in the rain, but, despite this, had been worthwhile and enjoyed by the schoolchildren that took part.
- d) Sunnyside Hall. The Warden reported that they were not proceeding with their application for services.
- e) The Warden reported that a single oak had been planted opposite King Charles the Martyr church by the King Charles Old Boys Association.
- f) The Warden reported that he had still received no reply from Honeygrove about the Vale Road development.

3. **MEMBERSHIP**

The Chairman reported that the under mentioned Conservators had been appointed by the bodies specified to serve for the period indicated:

Tunbridge Wells Borough Council

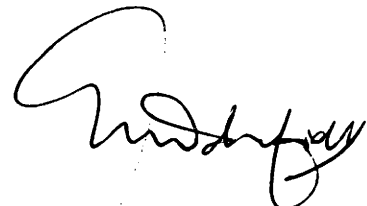
| | | |
|------------------------|---|--------------------------------|
| Councillor Mrs Lewis |) | |
| Councillor Mrs Cobbold |) | December 2005 to February 2007 |
| Councillor Scholes |) | |
| Councillor Wakefield |) | |

Freehold Tenants

| | | |
|--------------|---|---|
| Mr G Butt |) | |
| Mr M Chapman |) | 3 rd year of three year term until |
| Mr P Freeman |) | 31 December 2006 |
| Mr N Hill |) | |

Manor of Rusthall

| | | |
|-------------------------------|---|-----------------------------------|
| Baron Nicolas van den Branden |) | |
| Mr G Butler |) | 3rd year of three year term until |
| Mr C Hall |) | 31 December 2006 |
| Mrs S Potts |) | |



4. **DATES OF FUTURE MEETINGS 2006/7**

RESOLVED – That the meetings of the Commons Conservators be held at 2.30pm on the following dates:

21 March 2006
22 June 2006
7 September 2006
25 January 2007

5. **SUPPORT OFFICER**

The Clerk welcomed Julia Woodgate, the new Support Officer, and reported that the post had attracted an encouraging amount of interest, showing that the common was important to the lives of Tunbridge Wells residents.

He also thanked Sylvia Luckhurst, the outgoing Support Officer, for all her years of service, and expressed pleasure that she would still be involved with the Friends of Tunbridge Wells and Rusthall Commons.

The Chairman then offered her his personal thanks, and presented her with a bouquet of flowers and a present from the Conservators in recognition of her service.

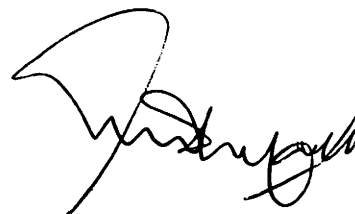
6. **TOWN FORUM**

Eleanor Broughton (secretary to the Town Forum) and David Webster (representing the chairman, Matt Goodwin) were introduced.

Mr Webster explained that the Forum was set up to provide a voice for the parts of Tunbridge Wells Borough that did not have Parish Councils. Its intention is to address local town issues. It is made up of members of residents associations and other organisations representing different interests in the town. The Conservators could also join if they wished.

Meetings are held monthly, and one of their current concerns is eyesore premises, known as 'grot spots'. Daniel Bech is heading the sub group looking into this. They are also concerned, among other things, with crime, waste and recreational and open spaces. They have a website, www.townforum.org.uk.

Councillor Scholes felt that the conservators need regular feedback from the Town Forum, and Jennifer Blackburn, a member of the Forum, volunteered to report regularly to the Conservators.

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RESOLVED – the Conservators are to send information to the Town Forum about who they are, where their funding comes from, what their brief is, and how they are organised.

Ms Broughton and Mr Webster withdrew at this point.

7. WARDEN'S REPORT

- a) Works. All the planned work has been completed. The tree work will have taken us over the £10,000 budget, but the warden thought it appropriate to complete the work while the equipment was there, saving money in the long run. The dangerous trees have now all been dealt with. A further £2000 grant from English Nature is being used now on clearance works at Denny Bottom.
- b) The Warden reported that the concrete posts at the entrance to the Fir Tree Road car park regularly need repairing or replacing due to damage caused by large vehicles attempting to enter. A proper barrier with steel posts and a lockable height restriction bar should resolve this problem. This would cost £1600, only £200 more than has been spent on repairs this year, and will therefore pay for itself over the next two years. The Clerk warned that height barriers can prevent entry to 4x4 vehicles, which would not be the intention. The Warden will ensure that the height barrier will prevent access to motor homes and high top transit vans, but allow entry to 4x4s and normal transit vans. The lockable bar will allow access to tall vehicles where appropriate.

RESOLVED – that the barrier should be installed as soon as possible.

- c) Management Plan. The Warden reported that the survey of all roadside trees was now complete and that creating graded woodland edges on roadsides should now be our main priority. If we follow the recommendations of the Management Plan there will be 175 fellings, 86 pollards and 88 days of scrub clearance at a current total cost of £80,000. This amount may be an overestimate if several trees are felled at the same time. He suggested that we should deal with one area at a time and complete all the works required as quickly as possible, hiring traffic lights if necessary. We should start with Rusthall Road, and plan to spend £3-4,000 in the coming year.

The other major question is that of the collector flail. The Warden reported that if we instruct Bridgland to buy the machinery we will be committed to spending £4,465 with them each year for the next five years. We currently spend between £1,500 and £2,000 on flailing the main areas without collecting. However, by spending this money now, we may well

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save money in the future as the soil fertility falls and the work does not need to be carried out as frequently as at present.

The two projects will jointly cost an extra £7-8,000 per year. The Warden also reported on the application for a single payment scheme from Defra. This scheme will pay £30 per acre where eligible which, in our case would hopefully bring in an extra £7,500 per year, approximately the cost of the extra work proposed. The scheme replaces the old set aside payments and is intended for farmland, but it would appear that commons are also eligible.

Following questions, the Warden confirmed that Bridgland currently have the grass cutting contract and this has been rolled over for one more year on the current terms but will be put out for quotation next year.

Concern was expressed by the meeting at the potential cost of the new grass cutting contract, and the Treasurer recommended that we test the open market to ensure that we have the best value, although the relationship with Bridgland should be taken into account.

RESOLVED – that the Committee should decide on the grass cutting contract

RESOLVED – that the Committee should investigate the collector flail contract to discover the best value and put its recommendations to the next meeting when it would be known whether the Defra grant application has been successful.

- d) The warden was asked if he had been approached regarding use of the common for centenary year events. The warden replied that, apart from Spafest, he had not. It is hoped that schoolchildren may stage an event.

8. ALLOWANCES AND EXPENSES

The Treasurer submitted the report which showed allowances and expenses for the Clerk and Treasurer from 1 April 2004 with recommendations for RPI increases from 1 April 2005.

RESOLVED – the recommendations were approved.

9. FINANCIAL STATEMENT

The Treasurer submitted Financial Statement No 2 2006 showing total payments of £74,603.35 and receipts of £53,877.22. He was asked if the cheque for £2,000 had been received from the Friends of Tunbridge Wells and Rusthall Commons and he confirmed that it had.



RESOLVED – that the report be approved

10. **BUDGETARY CONTROL REPORT 2005/6 AND PRECEPT 2006/7**

The Treasurer presented the report, and pointed out that all the non recurring amounts in the 2006/7 budget have now been removed. Adjustments have been made for RPI increases in the litter collection and grass cutting contracts. Councillor Scholes warned that costs of grass cutting are rising sharply, and that the provision might not be enough when the contract is renegotiated next year.

The Treasurer pointed out that the increase in the Precept is slightly higher than the RPI increase at a time when most council budgets were being reduced.

RESOLVED – that the proposed budget for 2006/7 and the precept of £108,700 be approved.

11. **CONSERVATORS' OFFICE ACCOMMODATION**

The Clerk reported that the current office provision will end on 31 March, but that the council have always provided accommodation with access to council services. He has requested the council to provide an equivalent office, but there has been no resolution to date. The Treasurer said that he expects space to be found in the Town Hall.

12. **STREET LIGHTING ON COMMONS**

The warden reported that the council will no longer meet the costs of maintenance of lighting in unadopted roads (namely Sunnyside Road and Apsley Street), but that this will be the responsibility of the residents, not the Conservators.

13. **PLANNING APPLICATIONS**

TW/05/02176 – non illuminated signs and illuminated lettering on front wall of building, Vale Royal Hotel. Concern had been raised that this might be out of keeping, but permission was granted.

TW/05/03380 – alteration to garage, 71 London Road. No comments
BP Garage – no application submitted to date.

An application for change of use at 13 Langton Road was expected, but this is not on the common, so no comment will be made

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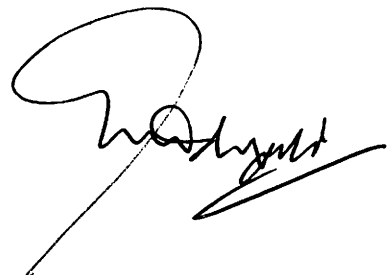
14. **ANY OTHER BUSINESS**

- a) Rusthall Cricket Club - the Warden reported that they wish to install a flushing toilet with septic tank. This will be on the cricket ground, not the common. The cricket club have indemnified the Conservators against any claim relating to these works.

RESOLVED – that permission be granted.

- b) Telecommunication masts – the Warden reported that he had been alerted to the fact that Turner Enterprises were proposing to install masts on the common and that yellow paint had been sprayed at the proposed sites. They had not notified the Conservators or the Manor of Rusthall. The Warden has told them that no masts will be allowed anywhere on the common and they have asked for confirmation in writing that the common is unavailable. Members of the Western Area Planning Committee (all four Councillors) withdrew at this point. It was agreed that the Conservators are required to protect the common against encroachment and would therefore oppose any such application on principle, but that the company needs to seek the views of the Manor of Rusthall before the Conservators can make any further comment.
- c) Spafest – the Warden confirmed that the event is to be a two day concert - one day of jazz, one classical - which may include Julian Lloyd Webber. It is to be part of the 400th Anniversary celebrations. The only equipment will be the stage, which will be taken across the grass on an aluminium roadway to minimise damage. There will be no entry charge, so no fencing will be required, visitors will sit on the grass, and the event will be cancelled if it rains. Representatives of the Manor of Rusthall pointed out that, although Ian Bowden, the organiser, has spoken to the Lord of the Manor, he has not contacted them on the matter.

It had previously been suggested that Ian Bowden should provide a bond against damage, but the Warden reported that Spafest could not afford to lodge a bond of more than £3,000, and had instead offered to send a solicitor's letter undertaking to carry out any necessary repairs. The meeting were concerned about this, as it was felt that, if there should be damage, the costs of repair could be very high, and any undertaking to indemnify the conservators against loss would be worthless if the company has no assets. The Treasurer advised that public liability insurance would be even more necessary than indemnity against damage. The meeting was divided against the desirability of the event going ahead – Councillor Wakefield and the Lord of the Manor are in favour, with the Freehold Tenants concerned that the risks are too great.

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RESOLVED - the Warden should speak to Nigel Bolton about insurance cover that has been used at other events. He should also speak to Penshurst Place and Leeds Castle, where Mr Bowden has previously staged events, about the type of indemnity used there. He is to report his recommendations to the next conservators meeting.

RESOLVED – the Warden to check that Spafest has all the necessary public indemnity cover.

- d) GPS Unit - the Warden thanked the Friends of Tunbridge Wells and Rusthall Commons for the GPS unit which will be of great use for recording the positions of trees, etc.
- e) Friends of Tunbridge Wells and Rusthall Commons – Jennifer Blackburn reported that she has been given permission to order dropped kerbs to make a Great Crested Newt crossing at a cost of £450. She also told the meeting that they would not be going ahead with the stone circle to commemorate the centenary as it was too expensive, but instead were committed to restoring the railings around the Cold Baths, St Helena and the Queen Anne Oak. They are also trying to get companion funding from the Civic Society.



TUNBRIDGE WELLS COMMONS CONSERVATORS

Tuesday 28 February 2006

Present: Councillor Wakefield (Chairman)
Councillor Scholes
Messrs Butler and Butt

MINUTES

1. WARDEN'S REPORT

a) Grass cutting. The Warden told the meeting that a new contract is required for the twelve annual cuts of the short grass, commencing in 2007

The Conservators agreed in 1993 to put all contracts over £10,000 out to formal tendering. The Treasurer informed the meeting that the Borough Council's current limit is £15,000, but that this applies to the aggregate, not the annual, value of the contract. If the grass cutting contract is for £12,000 p.a. the five year contract is worth £60,000, and therefore will need to follow the formal tendering process.

The tendering process should invite expressions of interest in submitting a tender, with the Warden drawing up a short list of suitable applicants who would then be invited to tender. The selection criteria need to be open to scrutiny, and the Warden should put the list of approved applicants to the Conservators.

In order to keep costs to a minimum, it was suggested that the Conservators place a small advertisement in the press referring interested parties to the website, which would contain full details.

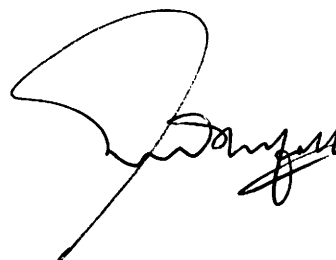
RESOLVED – That the tendering limit be raised to £15,000.

RESOLVED – That the full meeting of the Conservators should decide on the rules for the tendering process and setting up the list of accredited tenderers.

b) Collector Flail. The Warden reminded the meeting that one of the most important recommendations of the Management Plan, adopted by the Conservators last year, was to maximise the benefits of the clearances that have taken place over the last ten years. This can best be achieved by using a collector flail to mimic the action of grazing animals by removing all cuttings from these areas, thereby reducing the soil fertility and encouraging biodiversity

The Warden recommended that the Conservators instruct G Bridgland to acquire an appropriate collector flail, and agree to give them two weeks work per year for the next five years.

The Warden was asked if G Bridgland will still be prepared to make the investment if they are not awarded the new grass cutting contract. He replied that Mr Bridgland



understands the two contracts are entirely separate and the grass cutting contract is to go to tender. The Warden will check that this is the case.

A five year contract would exceed the £15,000 tendering limit, but the Treasurer stated that the exceptional circumstances mean it can be treated as an experiment, and the contract therefore awarded to Bridgland without any formal tendering process. Over the next five years, knowledge will be built up, and the contract can go to tender at this point.

RESOLVED – To recommend to the full meeting that the Conservators sign a contract with G Bridgland authorising them to buy the machinery and guaranteeing two weeks work per year for five years.

c) Roadside Trees. The Management Plan provides for the creation of graded woodland margins. The Warden recommended to the meeting that this work should begin this year, with a planned programme tackling a different stretch of roadside each year and an annual budget of £3,000 to cover a full forestry team with traffic lights for one week

He confirmed that he has a list of priorities, which will include three trees noted by a recent Highways Survey. He also confirmed that trees close to nearby paths would be dealt with as well as at the roadside.

RESOLVED – To use the tree budget to provide £3,000 for one week's planned roadside clearance each year, starting this autumn.

2. SPAFEST

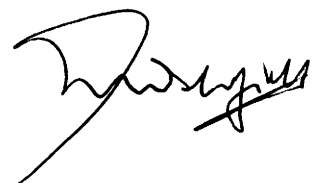
This item appeared on the agenda to enable the Committee to discuss some aspects of the proposed event and make recommendations to the full meeting. The Warden reported that the event appears to be organised well, and that he had spoken to a representative at Penshurst Place who confirmed that there had been no problems staging an event organised by Ian Bowden and held there

The Warden confirmed that any damage to the Lower Cricket Pitch could cost an unquantifiable amount to put right if it had to be done immediately. However, if the ground can be left to dry out first, and any repairs undertaken in a planned fashion, £3,000 (the amount suggested for the bond) should be adequate. The plans allow for the stage to be built at the end nearest to the road, and a metal roadway would be used in the event of rain, thus reducing the potential for damage as far as possible.

The Warden has been told by a representative of Spafest that the Public Liability Insurance would be at least £5m, but this needs to be confirmed. The Clerk stated that, if the level proves insufficient, the Conservators should not be liable if they have not been negligent. The Treasurer felt that the level of insurance should be at least £10m, but that the Conservators are fulfilling their obligations by ensuring that Spafest have insurance.

RESOLVED – The Warden is to confirm the exact figure of Spafest's Public Liability Insurance.

The commercial motives of Spafest were queried, as use of the commons is not normally allowed for commercial ventures. This concert is not commercial as no entrance fee will



be charged, but it was noted that it would be part of a series of events that are commercial and there would be marquees erected for corporate entertainment. However, a free event should raise interest and awareness of the commons in the town.

The Chairman stated that the council wishes to encourage events like this and wants to see the commons feature in the 400th anniversary celebrations. Whatever the reservations, he thinks that the Conservators should welcome Mr Bowden's involvement.

Councillor Scholes expressed reservations, but stated that the event should go ahead if we have the relevant assurances in writing with regard to insurance.

Mr Butler, representing the Manor of Rusthall, said that the Manor has full confidence in Mr Bowden, who is very professional, and that Spafest will be a great asset.

Mr Butt, representing the Freehold Tenants, said that their main concern is damage, but that if the equipment is all contained at one end of the field to minimise potential damage, then the proposed bond of £3,000 should be adequate. He was concerned to state that Spafest should not be seen as any kind of precedent.

RESOLVED – That the Committee recommend to the full Conservators Meeting that Spafest goes ahead subject to the following:

- a) A bond of £3000 being lodged with the Conservators in advance;
- b) The level of Public Liability Insurance being adequate;
- c) All details, including the layout of the site, being agreed with the Warden;
- d) The dates being confirmed as soon as possible.

TUNBRIDGE WELLS COMMONS CONSERVATORS

Tuesday 21 March 2006

Present: Councillor Wakefield (Chairman)
Councillor Scholes
Mrs S Potts
Baron Nicolas van den Branden
Messrs Butler, Hall, Hill, Chapman, Freeman

Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Common) attended by invitation.

Apologies for absence were received from Mr Gordon Butt

MINUTES

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 26 January 2006 were considered and approved.

2. COMMITTEE MEETING 28 FEBRUARY 2006

The minutes of the Committee Meeting were considered and approved.

Matters arising

- a) Grass cutting.


RESOLVED – That at the June meeting the Warden present the Conservators with suggested rules for selecting the companies who are to tender, and a list of approved companies meeting these rules.

- b) Collector flail.

RESOLVED – That having regard to the experimental nature of the proposals and the need to work in close co-operation with the contractor, it is resolved that the Conservators enter into a negotiated contract with G. Bridgland for a guaranteed minimum of fourteen days work per year for five years for the use of an approved collector flail.

- c) Roadside trees.

RESOLVED – That the tree budget be used for one week's planned roadside clearance each year, starting this autumn.

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- d) Spafest. The Warden reported that Public Liability Insurance will not be taken out until shortly before the event, and the amount will depend on the expected numbers, but will be at least £5 million. Spafest is to be launched on 21 July 2006, with the concerts on the Lower Cricket Pitch taking place on the weekend of 22 and 23 July.

The Chairman reported that the plans had changed since the last meeting, as the Borough Council will no longer allow the launch event to take place in Calverley Ground, the projected numbers being too high. Mr Bowden, the organiser, now wants the launch event, a pop concert, to take place on the Lower Cricket Pitch the day before the concerts. The pageant would also take place here on 23 July instead of the planned classical concert. The Chairman confirmed that the numbers expected, in excess of 3,000, will not be as great as those attending the previous Frolics event on the common.

Although they are a non-profit making organisation, Spafest need to charge for the launch event in order to cover costs, and are proposing to sell programmes in the town. However, the Lower Cricket Pitch will remain open to all members of the public.

Addressing concerns of noise complaints and excessive numbers attending, the Chairman said that the evening concerts should be finished before 10.30 p.m. and that large numbers of people using the common should be welcomed.

RESOLVED – That the Spafest events on the common should be allowed to go ahead subject to the following:

- a) A bond of £3,000 being lodged with the Conservators in advance;
- b) The level of Public Liability Insurance being adequate;
- c) All details, including the layout of the site, being agreed with the warden;
- d) If significant matters arise, the Warden be empowered to refer them to the Committee who are authorised to make decisions on these issues;
- e) Mr Bowden being invited to the next meeting of the Conservators to clarify any issues that remain.

3. FINANCIAL STATEMENT

The Treasurer submitted Financial Statement No 3 2006 showing total payments of £19,506.57 and receipts of £4,777.19, giving a balance carried forward of £48,126.00. He drew the attention of the meeting to the fact that the cost of the Kent Wildlife Plan had been accrued to 2004/5 so there is £3,000 more in the carried forward budget than expected. He also pointed out that English Nature had contributed more than expected, but this had been raised with them and he had been assured that this was correct.

He confirmed that the non-recurring items had been deleted from the 2006/7 budget as forward planning has enabled most work to be done as regular maintenance, with those budgets being increased accordingly.



The Chairman thanked the Treasurer for his excellent work on managing the budget.

RESOLVED – that the report be approved.

4. MAINTENANCE OF STREET LIGHTING ON COMMONS

The Warden raised his concerns that the Conservators may be forced to take responsibility for the lights in Apsley Street due to health and safety concerns, rather than the householders. He pointed out that the Conservators do not own the land and did not put in the lights. Mrs Potts expressed the opinion of the Manor of Rusthall that any responsibility had passed from the Manor to the Conservators.

RESOLVED – That the Clerk investigate the legal issues and report to the next meeting and that the Warden write to the Council to express the concerns of Conservators.

5. TELECOMMUNICATION MASTS

The Warden asked for clarification of the position of the Conservators to all such potential encroachments. See note on p122 below.

RESOLVED – That the Manor of Rusthall representatives report the views of the Manor on this issue to the next Conservators meeting.

RESOLVED – That the Warden write a holding letter to Turner Enterprises reserving the Conservators' response until after the next meeting, but refusing consent in the meantime.

6. PARKING ON TEA GARDEN LANE

The Warden reported that the owner of the Beacon Bar and Restaurant wants to prevent parking cars eroding the verges by widening the road and putting in hard kerbs, paid for by the Conservators with a contribution from him.

RESOLVED – The Warden to write back suggesting that parking be prevented by putting tree trunks along the verges when they are available from tree work in the area.

7. PARKING AT RUSTHALL CRICKET PITCH

RESOLVED – That the Warden write to the Cricket Club saying that the Conservators have no objection to parking on the hard area behind the pavilion on match days.



8. **MILITARY FITNESS CLASSES**

The Warden reported that this company run fitness classes on open spaces, and wish to run classes on the commons. It is a commercial venture, but as they will not prevent access to any area they are entitled to use the commons. There may be benefits, as physical fitness will be encouraged and dog walkers may feel safer when the classes are taking place.

RESOLVED – That the Warden write to confirm that the commons can be used, but no formal licence will be granted, and a donation would be welcomed.

9. **PLANNING APPLICATIONS**

See note on p122 below.

TW/06/00395/ADV - non illuminated hoarding sign, Smart And Simple Hotel, 54-57 London Road. Concern expressed at proliferation of signs.

TW/06/00376/FUL – timber summerhouse, 5 Hungershall Park. No comment.

TW/06/00320 – Change of use from shop to private residence, 69 Lower Green Road, Rusthall. No comment.

TW/06/00676/FUL – change of use and alterations to first and second floors from wine bar, restaurant and ancillary accommodation to form offices, 44 The Pantiles. No comment.

TW/06/00504/FUL – addition of dormer window and revision of appearance to two others, 51-53 London Road. No comment.

TW/06/00658/FULMJ – redevelopment to form 38 sheltered apartments for the elderly and communal facilities with access, car parking and landscaping, The Mount, Bishops Down Road. Concern to be registered at the inadequate number of parking spaces and the potential compromise of the integrity of the entrance during redevelopment.

10. **ANY OTHER BUSINESS**

- a) Roundabout at the Spa Hotel. There has been no resolution to the matter although the Clerk has written to the Chief Executive of the County Council.

RESOLVED – That the Clerk pursue the matter with the County Council.

- b) Tunbridge Wells Orpheus Male Voice Choir

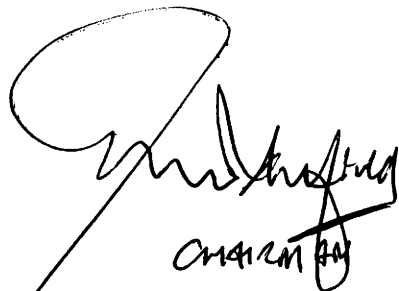
RESOLVED – That they should be allowed to display a board for two weeks at the entrance to St Paul's Church, Rusthall, advertising the concert.



- c) Fir Tree Road car park barrier. The Warden confirmed that it is scheduled to be installed in two weeks.

NOTE – Councillors Scholes and Wakefield indicated that they were unable to participate in the decision making on planning issues as if they do so it may prejudice their freedom to decide any application as part of the Council's planning processes. They therefore reserved their position and expressed no views on the applications.

This note is in respect of items 5 and 9 above.



01/12/11
24/06/06

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 22 June 2006

Present: Councillor Wakefield (Chairman)
Councillors Mrs Lewis and Mrs Cobbold
Baron Nicolas van den Branden
Mr Peter Freeman

Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Common), Ian Bowden and Vicky Haxton (Spafest) attended by invitation.

Katharina Mahler (Observing)

Apologies for absence were received from Gordon Butt, Nick Hill, Mungo Chapman, Christopher Hall, Sue Potts, Geoff Butler and Councillor Scholes.

MINUTES

1. The Chairman reported that questions have been raised by the Standards Board over Councillors' involvement in matters concerning their personal and prejudicial interests. The Conservators discussed whether or not Councillors could participate in the discussions about Spafest, given that an application has been made to the Licensing Committee of the Council, and all the wards they represent contain parts of the Common.

The Clerk made clear that there is a specific requirement in the County of Kent Act that Councillors who become Conservators must represent wards adjacent to the Commons, calling this advice into question. As the constitution of the Conservators is possibly unique, there are no precedents. However, amending the County of Kent Act would be a very expensive process.

The Councillors expressed the opinion that the Conservators will be ineffective if Councillors are routinely debarred from taking part. However, until the matter is resolved, they did not want to risk their positions as Councillors, and decided not to take part in discussions on Spafest.

As the participation of all the Councillors was required to form a quorum, it was decided to call an extraordinary meeting of Conservators as soon as possible specifically to discuss Spafest, and the issue would therefore not be dealt with at this meeting.

At this point Ian Bowden and Vicky Haxton gave a cheque for the agreed bond of £3,000 and a copy of the Public Liability Insurance to the Support Officer, and withdrew.

2. **MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 21 March 2006 were considered and approved.

Matters arising

Roundabout – the Clerk reported that he had made no progress in resolving this matter as he had so far been unable to arrange a meeting.

3. **WARDEN'S REPORT**

The Warden reported that the cutting of the long grass has now started and the flail cutting would be starting next week. He also reported that the KCC are intending to repair the two paths in the worst condition in the near future. He indicated that KCC know they have responsibility for all the definitive footpaths, but it is not clear whether they are intending to repair any others.

The issue of most concern is the increased number of motorcyclists riding on the common and causing damage and possible danger to the public. He recommended increasing the number of signs, which could include a warning that offenders may have their vehicles impounded and advice that members of the public should call the Police.

He warned that large numbers of youths are now using the common at night, especially in the area of Wellington Rocks. The Chairman added that it is not unusual to find youths drinking there at lunchtimes. This is possibly due to the increased CCTV surveillance in the town.

RESOLVED – that the Warden should speak to Roy Bullock of the Council to discuss increasing the Alcohol Control Zone to take in the whole of Tunbridge Wells Common, and subsequently to arrange a meeting with the police.

4. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No 4 2006, the income and expenditure accounts and the balance sheet for 2005/6. The accounts showed a surplus for the year of £4,104, rather than the expected deficit, due to higher income than expected. He pointed out that the accounts have not yet been externally audited, but they have been checked and approved by the internal auditor.

The Treasurer reported that this was his last day as Borough Treasurer, and he may wish to step down as Treasurer to the Conservators in the near future. The Treasurer needs to be able to issue cheques and deal with other matters at short notice, so the role may not suit him once retired. He is to have discussions with the Clerk on both their futures, and this is to be an agenda item at the next meeting.

He also requested that the accounts be stored in the Conservators' office to ensure their future safety.

The Chairman offered the Treasurer the formal thanks of the Conservators for all his excellent work over the years.

RESOLVED – that the accounts for 2005/6 be approved

5. **MAINTENANCE OF STREET LIGHTING ON COMMONS**

The Clerk read a letter from the Council which stated that the issue of lighting on private roads should be agreed between the owner and the householders in the same way as general maintenance of the roads. Under the Act, the Conservators have no duty to light the Commons. As an agreement must have been reached between the Manor and Highways to install the lights, the Manor should be responsible for resolving the maintenance issue with the householders.

RESOLVED – That copies of the correspondence on the matter should be forwarded to Christopher Hough.

6. **TELECOMMUNICATION MASTS**

The Warden reported that a holding letter has been sent on behalf of the Conservators refusing permission for the erection of masts anywhere on the Commons until a final decision is taken. The Conservators are awaiting the Manor's response. Mr Freeman expressed the opinion that the Conservators have a duty to strongly oppose any moves to erect phone masts on the Commons as it is not known whether emissions can be harmful, and that the view of the Conservators does not necessarily have to accord with the view of the Manor.

RESOLVED – That the Manor of Rusthall representatives report the views of the Manor on this issue to the next Conservators meeting.

7. **RUSTHALL BONFIRE**

RESOLVED – That permission should be granted for the usual bonfire and fireworks, subject to sufficient insurance being in place, but that any stalls selling drinks and hot dogs should be sited on the road, not on the Common. Warden to liaise with them on the details.

8. **CHILDRENS' CRICKET FESTIVAL**

RESOLVED – That permission be granted for this to take place.

9. **HANDS OF TIME**

This is to be dealt with at the emergency meeting to discuss Spafest

10. **RULES FOR SELECTING COMPANIES FOR TENDER**

RESOLVED – That the Treasurer, Warden and Support Officer should refine the rules and exact wording of the advertisement prior to following the timetable as proposed.

11. **RURAL PAYMENTS AGENCY**

The Warden reported that, having followed the complicated and drawn out procedure for registering, he has now been informed that the Agency did not send the appropriate form for the funding application. As he was unaware that the pack was incomplete, no application has been submitted. The closing date for applications has now passed, but appeals are permitted.

RESOLVED – That the Warden should put in an appeal on the grounds that the application form was not sent, nor was there any indication that a further application was required.

12. **LINDEN PARK CRICKET CLUB**

As this is likely to be subject to a planning application, Councillors Wakefield, Mrs Lewis and Mrs Cobbold indicated that they were unable to participate in the decision making as if they do so it may prejudice their freedom to decide any application as part of the Council's planning processes. Without the involvement of the Councillors the meeting was no longer quorate and therefore this item was reserved for the emergency meeting.

13. **PLANNING APPLICATIONS**

As with the previous item, the Councillors reserved their position and this item was postponed until the emergency meeting.

14. **ANY OTHER BUSINESS**

- a) Email addresses. All Conservators and officers have been requested to send their email addresses to the office for ease of future communication.
- b) Showfields. The Warden reported that he has been approached for permission to involve children from the estate in clearing weed from Brighton Lake and possibly establishing a fishing club. Councillor Mrs Cobbold requested that the Showfields Youth Worker, Carol Pierce, should be involved.

RESOLVED – that in principle a fishing club should be permitted, but that the Warden should investigate the plans further and identify any possible issues.

- c) Signage. The Warden reported that the Mount Edgcumbe Hotel had erected signs on the common without permission.

RESOLVED – the Warden to write to the Mount Edgcumbe Hotel refusing permission for the signs and requesting their immediate removal.

- d) The Mount. Councillors Wakefield, Mrs Lewis and Mrs Cobbold declared that they wished to participate in the discussion of this item as Conservators and therefore acknowledged that should the matter become an issue for the Borough Council as the Town and County Planning Authority they would be debarred from participating in any Borough Council meeting to discuss the issue

The Warden reported that Churchill Retirement Living, the developers of The Mount, have requested permission to temporarily widen the entrance to allow access to large vehicles. They have agreed to restore it when building work is finished. The Warden expressed the opinion that if permission is refused, lorries will drive over the verge causing considerable damage that will not be restored by the developers.

A more serious issue is the hoarding that has been erected without permission on common land around the outside of the site, causing damage to the wild flowers. A considerable number of local residents have expressed their strong objections, and there are concerns that it will attract advertising posters and graffiti. This hoarding is expected to remain for a year.

The company have apologised for not seeking permission, but are now requesting permission to leave it for health and safety reasons. They stated that it cannot be moved back because there are a number of trees with TPOs in the way.

RESOLVED – that the Warden write to Churchill Retirement Living to request that the hoarding is removed from the common immediately and erected on the site itself, with any damage made good; and, only if this is done, to allow the widening of the entrance subject to agreed terms of restoration

- e) The attention of the meeting was drawn to the lights installed by Belleville along the driveway. This is part of the Common and no permission was sought.

RESOLVED – that the Warden should write to the owner requesting their removal.

The next meeting is to be held at 2.30 on 7 September 2006 in Committee Room B

TUNBRIDGE WELLS COMMONS CONSERVATORS

Extraordinary Meeting

Monday 26 June 2006

Present: Councillor Mrs Lewis (Acting Chairman)
Councillor Mrs Cobbold
Baron Nicolas van den Branden
Messrs Freeman, Hill, and Butt
Mrs Sue Potts

Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Common), and Christopher Hough (Manor of Rusthall) attended by invitation.

Michael Hicks, Patrick Shovelton and Daniel Bech (Observing)

MINUTES

1. It was pointed out that members of the public are allowed to attend the meeting as observers, but not speak unless they have been invited to attend. It was agreed that, in view of the special nature of the meeting, members of the public should be allowed to ask questions.

2. **SPAFEST**

The Warden outlined how the concert plans had developed since first proposed in September 2005. The original plans were for a classical and a jazz concert, but were changed to the opening event of a pop concert and the Children's Pageant when the Borough Council withdrew permission to use Calverley Ground. The revised plans were agreed by the Conservators at the meeting on 21 March 2006 at which point it was clear that Spafest was going to charge for the event to cover costs by selling programmes in town. Alcohol sales were subsequently agreed to by the Chairman, Councillor Wakefield, and a letter of agreement, drawn up by the Warden and agreed by the Chairman and Clerk, was signed by Ian Bowden for Spafest and the Warden for the Conservators on 28 March 2006.

Concern was expressed over the fencing of the Lower Cricket Ground. The Warden reported that the site plan was being amended (following objections by residents of Inner London Road) to angle the stage and the speakers away from London Road and towards the wooded areas in the direction of Mount Edgcumbe. Part of the Lower Cricket Ground would be unfenced and act as a holding area for people waiting to gain admission.

Asked who gave Spafest permission to erect a fence, it was stated that no specific permission had been given, although it was implicit once it became an event with an

admission charge. The Warden stated that the promoter would not be given a licence without fencing, as this is the only way to control numbers.

The Warden reported that the area containing the stage and equipment would be permanently fenced from the time the equipment is installed (expected to be the Wednesday before the concert) until it is dismantled early the following week for health and safety reasons. However, sections of the fencing around the rest of the area would be removed while there are no concerts taking place to allow free access to the public.

The Conservators expressed concern over the possible closure of the footpath adjacent to London Road, as all tarmac paths should be outside the fenced area and open to the public at all times. A meeting with Ian Bowden will be held to finalise the exact siting of the fencing as soon as possible.

The observers expressed the view that events on the common are not necessarily undesirable, but should not involve fencing or payment. They wished to know if the Chairman had been given delegated authority to enter into the agreement and was told that he did not need specific delegation as precedent allowed him to take decisions on behalf of the Conservators, and it was normal for the Warden to make arrangements after checking with the Chairman and Clerk.

The Conservators expressed their concerns over the proposal to sell alcohol at a children's event and queried why another concert had been arranged after the children's events on the Sunday. Jennifer Blackburn expressed the opposition of the Friends of Tunbridge Wells and Rusthall Commons to both of these.

The Warden expressed the opinion that the Conservators do not have the experience to see potential pitfalls when large scale proposals such as Spafest are put to them, and may need professional assistance should any such proposal be made in future. The conservators agreed that after the event they need to analyse the problems and learn lessons for the future

Jennifer Blackburn left at this point.

Councillor Cobbold assured the observers that the council enforcement officer would be on hand to monitor noise levels. The permitted decibel level will be set by the Licensing Committee.

The Warden stated that no provision had been made for parking and part of Castle Road is to be closed. Concert goers would be expected to arrive by public transport.

The meeting agreed that the event is attracting much local support and Conservators would be widely criticised if permission for Spafest was refused at this stage.

RESOLUTION – that Spafest should go ahead subject to the following conditions:

- a) no alcohol to be sold on Sunday 23 July 2006;
- b) no alcohol to be sold before 2.00 p.m. on Saturday 22 July 2006;
- c) the concert featuring X Factor winners after the Children's Pageant to be cancelled;
- d) the exact positioning of fencing and other site details to be agreed in a meeting between the Committee and Ian Bowden.

3. HANDS OF TIME

A local magician has applied to use the Lower Cricket Ground in his attempt to set a record for performing 100 hours of continuous magic tricks, with local performers to entertain the public and associated services such as portaloos and mobile catering.

The meeting agreed that it would be unwise to grant permission for any further events to take place on the common until the lessons of Spafest have been learned.

RESOLVED – that permission be refused.

4. LINDEN PARK CRICKET CLUB

They requested the views of the Conservators on any future application to rebuild the clubhouse in a similar style but in brick with wooden cladding. The club also indicated that a donation would be very welcome.

RESOLVED – that no opposition would be made to an application to rebuild the clubhouse in similar style but in brick.

RESOLVED – that no donation should be given towards the rebuilding costs as it would be inappropriate to give public money to a private club.

5. PLANNING APPLICATIONS

The Mount, Bishops Down Road – permission granted for sheltered apartments.

44 The Pantiles – permission refused for change of use from wine bar to offices.

Belleville, The Common – application for dining club. Strong objection made.

Application refused.

The Firs, Eridge Road – new application for new house replacing rejected first application. Concerns expressed at first application about increase in parking problems.

1 Onslow House, Castle Road – changes to windows at rear. Permission granted.

53 Mount Ephraim – new vehicular access. No comment.

Wellington Hotel – flagpole phone mast on roof. No comment.

The Lodge, Rusthall House – single storey infill. No comment.

2 Manor Park – replacement boundary fence. No comment.

Brambledown, Langton Road – replacement conservatory. No comment.

Ephraim Lodge, The Common – single storey rear extension. No comment.

York Cottage, Major Yorks Road – change of use from residential to offices. No comment, but Warden to renew posts marking driveway across common to prevent encroachment.

Wyevale Garden Centre, Eridge Road – removal of canopy, erection of rear extension and replacement canopy. No comment.

J. E. Scholer

CHAIRMAN

7/9/06

TUNBRIDGE WELLS COMMONS CONSERVATORS

Committee Meeting

Monday 3 July 2006

Present: Councillor Wakefield (Chairman)
Councillor Mrs Cobbold
Mr Nick Hill
Mrs Sue Potts

Ian Bowden and Vicky Haxton (Spafest) attended by invitation.

MINUTES

1. Bond

The Warden asked why the cheque for the bond of £3,000 had been returned by the bank. The Spafest representatives had not understood that the cheque was to be cashed, and agreed to make sufficient funds available in the relevant account to cover it. The Conservators are to re-present the cheque next week.

2. Status of Spafest

It was confirmed that Spafest is a non-profit making organisation. Entrance charges are made to cover the costs of mounting the festival, and any profits will be given to charity or reinvested in future events. Primo Productions is charging Spafest a flat fee for the work done in arranging the festival.

3. X Factor Concert

As this was added to the Children's Pageant and Family Fun Day without consultation, the previous Conservators' meeting had resolved that it should be cancelled.

Ian Bowden pointed out that the Pageant had only received £3,000 of funding from the Borough Council, clearly not enough to stage it. Spafest had agreed to assist by providing all staging, equipment and facilities, funded through sponsorship and admission charges. In order to recoup their expenses, they need to provide additional entertainment to encourage as many families as possible to come.

He explained that the music provided by the musicians was not rock but family entertainment and would not be heavily amplified. Much of it would have acoustic accompaniment. The two performances would last 30 minutes and 45 minutes respectively, and should end by 7.30.

The Conservators expressed some concern about "scope creep" but indicated that this concern was not specifically directed towards these acts. The Conservators accepted that these artists would be providing family entertainment.

RESOLVED – that the X Factor acts should be allowed to go ahead.

4. Alcohol

The previous meeting of the Conservators had resolved to oppose the sale of alcohol on the Sunday, but the Warden questioned whether picnickers should be allowed to bring alcohol with them.

RESOLVED – that adults should be allowed to bring alcohol onto the site as part of their picnic.

5. Site Details

Site Plans

The Spafest representatives explained that they have employed a sound engineer to minimise sound pollution, and pointed out that the decibel level cannot go higher than the licence permits as it will automatically be turned down if it breaches the set level.

They have been endeavouring to meet the concerns of local residents by moving the stage orientation to ensure that the noise level outside the area of the Lower Cricket Ground is minimised. He presented the meeting with two sets of site plans: the original, which has been submitted as part of the licence application, and the new set with the stage turned by 180 degrees. However, he pointed out that the Borough Council has refused to accept the new plans without a new licence application, for which there is no time. Spafest are intending to offer the new plans to the Licensing Committee, as they may be accepted as one of the conditions for the licence.

Ian Bowden confirmed that the area inside the fence can hold 8,000; as the application is for a maximum of 5,000, the site will not be unduly crowded. The Chairman requested that if significantly fewer tickets than this are sold, a smaller area should be fenced to ensure that as much of the common as possible remains open to the public at all times.

The main entrance has been sited at the junction of Edgcumbe Road and Castle Road to avoid large numbers of people near the busy London Road/Church Road junction, but it was felt that there should be an entrance here too as all the main car parks are in the centre of town. Ian Bowden agreed to check with the police to see whether an entrance would be permissible here. He stated that the audience is expected to trickle in from the gate opening at 5.00 until the main act at 8.30, so there should never be a time when large crowds are waiting to gain admission. When the concerts are finished, all the public will leave together, and there will be security present to ensure that there is no trouble.

The Conservators felt that the holding area should be larger in case more people arrive together than are expected, and also to minimise the fenced area.

Castle Road is to be closed except for access, and will be used for site vehicles, although a limited number of disabled parking spaces will be made available.

The Spafest representatives confirmed that the main footpaths will remain outside the fenced area whichever site plans are used, and that members of the public will be able to continue to walk all around the perimeter of the Lower Cricket Ground at all times throughout the weekend.

Setting up

Set up is expected to take 3 days, and therefore will begin on the morning of Tuesday 18 July. The Chairman pointed out that the licence will not be granted until Wednesday lunchtime, and requested that the set up be delayed until then if at all possible. Ian Bowden is to look into this, but the meeting agreed that it could start on Tuesday if necessary. The Warden pointed out that only the stage area would be involved.

The Spafest representatives told the meeting that they will try to get the licensing hearing moved forward, as all comments and objections will have been received by the deadline of Friday 7 July. If this is not possible, they are hoping to get provisional approval, pending the full hearing, as they can demonstrate that they have satisfied all the criteria on which it could be refused.

Advertising

Spafest requested permission to hang a banner on the fencing, secured by cable ties; however, they would like to be able to hang the banner before the fencing is erected, one week before the launch. Mrs Potts requested them to seek permission from the Manor in writing.

RESOLVED –

that Spafest will get the licensing hearing brought forward if possible;
that setting up can begin on Tuesday 18 July if necessary;
that advertising banners can be erected 7 days before the launch event;
that Spafest will apply to the Manor for permission to erect the banners;
that Spafest will liaise with the Warden over the expected numbers 3 days before the launch event to minimise the fenced areas.
that Spafest will check with the police to see if an additional entrance can be provided at the junction of London Road and Church Road

Ian Bowden and Vicky Haxton left at this point.

6. Response to the Licensing Application

RESOLVED – that the Conservators should write to the Licensing Committee with the conditions agreed at the meeting on 26 June 2006.

7. Email from Daniel Bech

The Warden read an email in which Daniel Bech enquired under what constitution, act or policy the Chairman has delegated powers, and requested a copy of the letter of agreement with Spafest.

RESOLVED - that the Clerk should respond to the first point on his return from holiday;

RESOLVED - that the Conservators will not provide copies of correspondence or agreements to members of the public as they are not required to do so.

8. Lessons learned from Spafest

This is to be an agenda item at the next full Conservators' meeting, but the Chairman made the point that the Conservators should hold more frequent meetings in the case of any potentially controversial events in the future.

RESOLVED - that the Conservators should not write to the press or respond to emails circulated by the newly created Residents First group.

J. E. Scholer

CHAIRMAN

7/9/06

TUNBRIDGE WELLS COMMONS CONSERVATORS

Thursday 7 September 2006

Present: Councillor Scholes (Acting Chairman)
Councillor Mrs Cobbold
Baron Nicolas van den Branden
Messrs Butt and Butler
Mrs Sue Potts

Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Common) attended by invitation.

Katharina Mahler (Observing)

Apologies for absence were received from Councillor Wakefield, Christopher Hall, Peter Freeman, Nick Hill and Mungo Chapman.

MINUTES

1. MINUTES OF THE LAST MEETINGS

The minutes of the meeting held on 22 June 2006 were considered and approved.

Matters arising

- a) Alcohol Control Zones. The Warden reported that he had written to Linda Mortley, the Community Development and Safety Manager, with a copy to Roy Bullock, but had received no reply. This may be due to personnel changes, so he will chase for a reply once the new officer is in place.
- b) Advice of Standards Board on the role of Councillors. It was reported that the Monitoring Officer had overturned the advice of the Deputy which suggested that Councillors could not take part in any discussions in which they have an interest. The Monitoring Officer felt that the Standards Board had not understood the unique position of the Conservators and the fact that Councillors who are eligible to be Conservators, by definition, have an interest in all matters considered by the Conservators.
- c) Opinion of the Manor on maintenance of street lighting and possible erection of telecommunications masts. The Manor representative reported that no opinion had yet been formed.

The minutes of the meeting held on 26 June 2006 were considered and approved.

The minutes of the meeting held on 3 July 2006 were considered and approved.

2. **WARDEN'S REPORT**

The Warden reported that he was delighted with the standard and speed of the new flail collector, which would begin work again next week on clearing the areas treated with Asulox. Common View was to be cleared for the first time since he began as Warden, as well as other sites that had been difficult to clear previously. The arisings were being tipped on site.

The regular flail cutting had been held up because of the unreliability of the Contractor's tractor, but a new one was being delivered shortly.

The programme of tree cutting, as agreed earlier in the year, was to begin over the next two months.

3. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No 1 2007, and Receipts and Payments to August 2006 which showed the projection to be on target.

RESOLVED – that the report be approved

Mrs Blackburn asked if the £500 contribution was from the Friends. The Treasurer confirmed that it was the Friends contribution for the Coach Road crossing.

He stated that the accounts have not yet been externally audited, but it would appear that this is no longer required. The Support Officer is to confirm this.

4. **SPAFEST**

Lessons learned

The Clerk stated that the Conservators do not consult with residents because they have no budget or mechanism to do so, not because they are hostile to the idea. They encouraged setting up the Friends, and regard them as the prime sounding board, although Mrs Blackburn pointed out that this organisation is small, by no means representative, and also has no mechanism or means for consultation.

The Clerk also pointed out that the licence application normally gives an opportunity for consultation – it had not worked in the case of Spafest because the application had been submitted so late.

It was pointed out that the main problem with Spafest had been the way the initial presentation bore no relation to what developed, and the Conservators had no mechanism for dealing with this. The members charged with overseeing the event had been overwhelmed by the number of changes, and it had been unfair to expect them to take responsibility. The committee should have been more involved as the event began to change.

It was stated that the Conservators had learned a great deal by the last meeting, and the whole process of "mission creep" had been documented in the minutes. These should be used to guide future Conservators and avoid making the same mistakes.

Mr Butler wished to put on record that Spafest had undertaken to handle all the infrastructure for the Pageant, and the Pageant Committee blamed Spafest for letting them down and causing the cancellation of the Pageant.

Open Space Policy

The Clerk reported on his correspondence with Melvyn Howell, the Leader of the Council, over the proposed Open Space Policy. He pointed out that the Conservators are governed by a different set of standards from the Council, and cannot be fettered by any policy that might conflict with their primary duty of maintaining the Commons for the benefit of the public. Councillor Scholes stated that, as Cabinet Member for Leisure, his department was responsible for the Council policy. It was meant to be helpful, not restrictive. The intention was to allow freedom for each event to be judged on its merits.

RESOLVED – that the Clerk should have further discussions with Melvyn Howell on the development of an Open Space Policy, and the Conservators should pass him their comments.

Links with other organisations

The Warden informed the meeting that the office had established links with the Town Forum, and had made contact with Residents First. Also, more information was going to be published on the website shortly.

5. COUNTY OF KENT ACT

The Clerk reported that he had written to the County Council to establish whether there was any prospect of them revising the Act, as it might be possible, in this case, to reword it to clarify the position of the Councillors acting as Conservators. The County Council had replied that they have no intention of seeking an amendment to the Act, and therefore it remains the document governing Commons affairs. Amending it would be a very expensive exercise, and far beyond the Conservators' means.

6. AUTHORITY OF COMMITTEE

The question was raised whether the committee should be given permanent authority to make decisions on behalf of the Conservators between meetings.

RESOLVED – that the Committee should meet to discuss detailed issues, but should only take decisions on behalf of the Conservators when given specific authority to do so; they should not be given permanent authority.

7. **ROLE OF CLERK AND TREASURER**

Since 1990 the role of Clerk has been taken by the then Chief Executive, although from 1974 it had not been. The Act does not state that this must be the case, but does specifically state that it can be, although the current Chief Executive feels it is inappropriate. The Conservators feel that this link should be preserved if possible, and Christopher Hall has arranged a meeting with her to pursue the possibility.

The Freehold Tenants believe that, whatever the outcome of this meeting, a better understanding of the role of the Clerk is needed.

RESOLVED – that the committee should meet to draw up a job description for the Clerk's role.

The Treasurer stated that he had never found a conflict of interest when he was Borough Treasurer and, indeed, it was a useful link, as the Council provides many of the services for the Conservators, including internal auditing, all of which are charged for.

Both Clerk and Treasurer stated that they would be happy to step aside if another candidate can be found, but would continue to act in their current roles in the meantime.

Baron Nicholas van den Branden left at this point.

8. **GRASSCUTTING CONTRACT**

The Warden reported that the contract had been advertised on the Public Notices page of the Kent and Sussex Courier and on the website, but only two firms had applied, one of whom is the current contractor. He stated that the second company meets the criteria set down in the Statement of Principles, and therefore recommended shortlisting both companies.

RESOLVED – that the two shortlisted companies should be invited to submit tenders for the grasscutting contract.

RESOLVED – that the tenders should be put to the next Conservators' meeting or, if that would involve a long delay, to the committee, who are empowered to make a decision on the Conservators' behalf.

9. **PARKING AT THE BEACON HOTEL**

The Warden reported that the problem of parking on the road leading to the Beacon, and subsequent erosion of the edges, is getting worse and even attracting fly tipping. The owners of the Beacon have requested that the verges be cut back so that parkers can get in and out of their cars more easily. However, the Warden believes that this would result in them parking further onto the verges, causing even more erosion.

RESOLVED – that the verges should not be cut back and that tree trunks should be laid along the sides of the road as they become available.

RESOLVED – that Highways should be approached with a request to paint double yellow lines down one side of the road to ensure access for emergency vehicles.

10. **BELLEVILLE**

The Warden reported that lights installed by the owner along the drive are solar powered and not fixed. The owner has found a reduction in the number of people and dogs coming right up to her property since the lights were installed, and therefore does not want to remove them unless an alternative, such as a hedge, is permitted..

The Conservators acknowledged that this property is very exposed, and it would therefore be reasonable to assist the owner by allowing some form of protection. This would not set a precedent as Belleville is in a unique position. They felt that a small hedge would be inappropriate as it could later be left to grow into a large one.

RESOLVED – that the owner should be allowed to install small posts and chains, similar to those along the drive, around the two exposed sides of the property, but should not be allowed a hedge.

11. **MOUNT EDGCUMBE HOTEL**

The new owners have put A-frame signs on the Common by their existing sign on Mount Ephraim and below their drive on Castle Road. The signs have been attached to concrete blocks to ensure that they are not removed. The Conservators acknowledged that this is the only business entirely within the Common so that any permission granted would not set a precedent, and also that the owners mow and strim the grassland by the pub and along the drive. However, the Manor representatives pointed out that A-frame signs could be removed and used to vandalise parked cars.

RESOLVED – that the owners should remove the A-frames, but are permitted to attach a further sign to the existing post on Mount Ephraim; the design is to be cleared by the Manor and Warden.

12. **ENVIRONMENTAL STEWARDSHIP**

The Warden reported on a meeting with Complete Land Management, a company who have offered to prepare an application on behalf of the Conservators for Higher Level Environmental Stewardship. The initial meeting suggested that, if the application is successful, the scheme could pay the Conservators about £9,000 p.a. for continuing the work outlined by the Management Plan, with possible additional capital grants for specific improvements.

As a great deal of detailed work is involved in preparing the application, professional help would be required. CLM would charge an hourly rate, and the total cost is expected to be in the region of £3,500, of which £1,035 would be contributed by Defra regardless of whether or not the application is successful. CLM recommend an initial meeting with Defra to discuss the likely success of any application, and, if encouraging, to begin the process while liaising closely with Defra throughout.

RESOLVED – that the Warden should hold the initial meeting with CLM and Defra; any final decision to go ahead should be taken by the full meeting, and, if necessary, a special meeting will be called for this purpose.

13. RURAL PAYMENTS AGENCY

The Warden reported that no reply had yet been received to the appeal or the follow up letter.

14. PLANNING APPLICATIONS

Councillors Scholes and Mrs Cobbold indicated that they were unable to participate in the decision making on planning issues as if they do so it may prejudice their freedom to decide any application as part of the Council's planning processes. As there was no quorum without their participation, the councillors did not leave the meeting and the applications below were presented for information only. Geoff Butler took the chair.

- Mount Ephraim House- redevelopment to include new entrance on Bishops Down Road. Strong objection made to the new entrance.
- Marne House, 24 Mount Ephraim Road – change of use from shop to hairdresser. No comment.
- Romanoff Lodge - replace old conservatory with new. No comment

Following clarification and discussion of the Romanoff Lodge application, Councillor Scholes declared an interest and stated that he would not participate in the planning meeting for this item.

15. ANY OTHER BUSINESS

- a) All ability trail. The Warden reported that the two bonded gravel trails linking the definitive footpaths, which were funded by the Council Access Committee, were now breaking up and full of holes. Quotes for covering the paths with tarmac, the Warden's preferred surface for reasons of durability, are for £2,160 and £2,441 respectively. It was suggested that the Access Committee may still have money for disability access, and the Conservators may be eligible for a 50% grant.

RESOLVED – that the Warden should investigate Council Disability Access funding.

- b) Brighton Lake fishing club. The Warden reported that he now thinks it unlikely that a fishing club could be formed at Showfields, but he will try to keep the interested youngsters involved in work parties.
- c) Motor Bike Prohibition Signs. The Warden reported that signs would cost £37 each, plus the cost of erection. He is proposing to put three signs up. Although this may not deter offenders, the police are more likely to enforce the bye-law with the signs in place.

He also pointed out that mountain bikers have been making extensive use of areas of the Commons, especially at Bulls Hollow, where they have been digging obstacle courses. He is now planning to flatten these areas.

- d) Website. The Support Officer confirmed that a meeting with the website designer is to be held in two weeks to implement plans for extensive renovation of the website. When this has been done the minutes and agendas will be posted there.
- e) Friends of Tunbridge Wells and Rusthall Commons. Mrs Blackburn reported that repainting of the railings was underway. When they cleared the area around the Chalybeate Spring ready for the railings to be painted, they had revealed the remains of lighting which had been installed by the Council, which is potentially dangerous and should be removed. She also asked who was responsible for the upkeep of the railings by Vale Road which are also in need of repainting.

RESOLVED – that the Council and Highways should be approached to discover who is responsible for the lighting at Chalybeate Spring and the railings by Vale Road, and request that they be dealt with.

The Chairman expressed the Conservators' thanks for the renovation of the railings and the work of the Friends on the Commons.

- f) Roundabout at Major Yorks Road. It was reported that the Manor had put the matter of non-payment in the hands of their solicitor. The Clerk had agreed with the Manor's solicitor that he should try to put pressure on the County Council to fulfil their obligation to landscape the area outside the Spa Hotel. The Chairman of the committee responsible, Roger Manning, should be copied in all correspondence as he is currently unaware of the problem.
- g) Parking outside the Conservative Association. Councillors Scholes and Mrs Cobbold left at this point as they are members of the Conservative Association. As the meeting was then not quorate, an informal discussion was held. There have been problems with increasing numbers of people parking illegally on the track in front of the Conservative Association and impeding access for the owners beyond. The owner of No 83 has requested permission to enforce the bye-laws on behalf of the Conservators. The meeting felt strongly that this should not be granted.

The next meeting is to be held at 2.30 on 25 January 2007 in the Council Chamber.

[Handwritten signature]
CHAIRMAN
25/1/07