

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in Committee Room A on Thursday 22 March 2018 at 2.00pm

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

MINUTES

1. APPOINTMENT OF CHAIRMAN

In accordance with the third Schedule of the County of Kent Act 1981 it was noted that the Conservators are required at the first meeting held on or after 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED. That Cllr Barbara Cobbold, representative of the Borough Council, be appointed as Chairman until the quarterly meeting of the Conservators in March 2019.

Cllr Cobbold in the Chair

The Chairman thanked Ian Marshall for all his work as Chairman, remarking on his commitment and dedication to the Commons.

2. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 7 December 2017 were considered, approved and signed by the Chairman.

3. MATTERS ARISING

a) McMillan Williams

The Warden confirmed that the situation has not changed; work to rebuild the end of the bank and continue the wall has not yet been started. He does not have a start date.

b) Stranges Avenue

The Warden reported that the developer, Amberley Homes, has agreed to pay for the work which includes tree surgery on two major trees. This work cannot begin until permission is received from the council, which should take about eight weeks. He has started to clear fallen trees and scrape the surface, which the developer is to pay for. The office has reported the state of the path edges to the footpaths officer.

c) Pedestrian Crossings

The zebra crossing in Major Yorks Road has been completed, but the traffic island in Langton Road now seems unlikely to go ahead. KCC now want a traffic and pedestrian survey before they will consider it further. Cllr Woodward will raise it again at the next JTB meeting.

d) Bye-laws

Defra have offered some advice on drones and some on redrafting the bye-laws, but it seems unlikely that a new bye-law will be able to offer more protection than the general legislation. It was agreed that the bye-laws will remain as they are, and new notices for the Commons can now be produced and erected.

e) Telecoms box

The Warden attended a site meeting with Highways and Morrisons, the contractors, and agreed the exact site of the new telecoms box at the edge of the treeline by the bus stop in Rusthall Road. All the cabling will go under the pavement, not the verge. The road will have traffic lights for the duration of the work.

f) Hadlow College

They have indicated interest in working with the Conservators. A site meeting will be arranged.

g) Archaeology

Volunteers have cleared the scrub from the area of interest. The report will be sent to the Conservators

4. WARDEN'S REPORT

The Warden reported that he had been unable to complete all last quarter's planned work because of the weather. When the snow melted the ground was too wet to use the big machines. As the birds have now started nesting, only essential tree work will take place, so some of the projects will be postponed until later in the year. The last of the necessary work on the roadside trees has been completed, and the work in Royal Victoria Grove will take place as soon as possible as it cannot wait.

Two large trees have developed major fungal problems; one is a large lime near the cricket pitch on Tunbridge Wells Common and the other is the magnificent red oak on Inner London Road next to the Church Road junction. In both cases a 25% reduction may slow down the problem, but the trees will die in the coming years. The Warden recommended that a new tree be planted now at Inner London Road so that it will be large enough to take the place of the red oak. He suggested another oak, but of a different species.

A large beech came down over the winter in Bulls Hollow, which has let a great deal more light into the area. The Warden is looking at the possibility of putting a pond in there and is hoping for some grant funding.

The volunteers have done an exceptional job over the winter of removing scrub and the build up of soil from Wellington Rocks and some of the named rocks at Denny Bottom.

On Common View, agreement was reached last year with the bonfire committee to limit vehicle access. Only one vehicle will be allowed on the Common to build the bonfire and it will gain access from Rusthall Road. The Warden has two large tree trunks to dig into the bank at Common View to prevent future vehicular access from there.

A new type of work schedule will accompany his reports in future showing planned tasks linked to management plan requirements. They will also show last quarter's tasks and the progress made, including any tasks that did not appear on the previous report.

The state of some of the paths was raised, especially the Tarry Path, and the Warden confirmed that most are definitive paths and the office has recently reported several to the PROW officer at KCC. The lockable bollard at the end of Cabbage Stalk Lane also needs attention.

5. FINANCIAL STATEMENT

RESOLVED – that the statement be approved.

6. EXTERNAL AUDITOR

The Treasurer reported that the Smaller Authorities Audit Appointments Ltd have reappointed KPF Littlejohn as the Conservators' auditor. The Conservators will be subject to the Limited Assurance Review with a fixed fee of £400 + VAT.

7. FIR TREE CAR PARK

The Clerk was asked by the last meeting to look into the legal position of asking RCP to enforce the four hour limit and impose fines on car park users that overstay. He notified the Conservators by email that he could find no legal reason to object and the practical difficulties had been resolved with the office. However, Conservators had requested a discussion at the meeting before taking a decision.

The Warden reported that the office has been monitoring the car park three days per week on most weeks since January and placing stickers on cars that are parked for longer than four hours. There has been no problem since the end of January. It has become apparent

that some cars make several visits during the day and could be fined under RCP enforcement even though they are legitimate Commons users.

The Warden pointed out that the main problem with the car park is the number of cars from users of BMF classes on Saturday mornings. Targetfollow were asked to speak to BMF.

RESOLVED. Not to use RCP to enforce the car park time limit. Officers to continue monitoring.

8. LIGHTING ON COMMON

Following a serious assault on Tunbridge Wells Commons, the Conservators have been asked to look at the question of lighting. The Conservators' view has always been that lighting could make the Common more dangerous.

The office sought the opinions of the council safety unit and the police, and the advice was clear: lighting on the paths could make it easier for predators and give users a false sense of security

RESOLVED. Not to introduce any lighting on the Common, or to erect any signs at present, but to continue to make the Common as safe as possible.

9. CRICKET CLUB CONTAINER

Linden Park Cricket Club have new mowing equipment and have requested permission to place a container on the Commons to keep it in. They recognise that the practicalities may be insurmountable but asked for permission in principle.

RESOLVED. Not to allow a container or give permission in principle. The club to be asked to look at other solutions

10. ADMINISTRATION CHARGE

RESOLVED. To make an administration charge to utility companies who need to work on the Common where this will require administration or supervision. Charges will vary according to the work involved but will start at £100.

11. RISK REGISTER

The update shows the changes since the last update, including the written assurance from the Borough Chief Executive that the Council will do what they can in the event of an emergency.

Some ratings have been lowered as a result of updates and the Treasurer agreed to lower the accounting risk in view of the backups in place.

The question of meeting the requirements of the new Data Protection Act was also raised.

RESOLVED. The office to email all Conservators and meeting invitees to ask for consent to hold their names and addresses, which may be required under the new Data Protection provisions.

12. SHAKESPEARE ON COMMON

The Conservators have been approached by a group hoping to do a readthrough of As You Like It on the Common in the summer. There will be no equipment and, although the public will be encouraged to watch, no entry charge.

RESOLVED. To allow the readthrough to go ahead provided it does not involve any elements that have not been disclosed to the Conservators.

13. MAINTENANCE OF UNAUTHORISED PATHS

Residents at the top end of Apsley Street have approached Targetfollow to request repairs to a footpath which is in a poor state. Neither the Conservators nor the Manor installed the footpath and it is not clear how long it has been there.

RESOLVED. To refuse to pay for the upkeep of the path. The residents to be told they may repair it themselves if they wish.

14. EVENTS

RESOLVED. To permit the following:

- a) **Hospice in the Weald 10K run – 23 September 2018. Subject to there being no variation from previous years;**
- b) **Rusthall Bonfire – 27 October 2018. Subject to conditions agreed with Warden earlier in the year;**
- c) **Signs advertising Rusthall Bonfire for one week;**
- d) **Signs advertising Rusthall Fete for one week;**
- e) **Signs advertising Langton Green Fete for one week;**
- f) **Signs for St Pauls School Fetes, summer and winter, for one week each.**

15. ANY OTHER BUSINESS

- a) Cinema site development

The office has been informed that the number of new dwellings planned will lead to a mitigation payment of £8,300.

- b) Pantiles Traders

The Pantiles traders have written to Targetfollow and the Conservators to ask for consideration to be given to improving the parking provision on the Common. It was agreed to hold this item over to the next meeting.

c) Town Centre Management

Targetfollow reported that the Town Centre Management is still hoping to mount events incorporating the Commons such as sculpture trails or foraging tours but they have not yet come forward with any firm plans.

16. PLANNING APPLICATIONS

74 Mount Ephraim – enlargement of flat into basement. Wrote to point out that no materials should be left on Common or vehicles allowed to overrun verge.

1 Boyne Park – raising of part of roof to enlarge flat. Wrote to point out that materials may not be stored there, nor vehicles wait there.

17. SALARY REVIEW

The Treasurer outlined the current position regarding the Conservators' duties under the Pension Act 2008 (Automatic Enrolment Pensions).

The salary review was deferred pending a report from the Clerk and Treasurer.

The next meeting will be held at **2.00 p.m. on Thursday 21 June 2018**

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in Committee Room A on Thursday 21 June 2018 at 2.00pm

- PRESENT: Cllr Barbara Cobbold (Chairman)
Paul Burnett
Mungo Chapman
Ian Marshall
Clare Sinha
Corin Thoday
Cllr Chris Woodward
- APOLOGIES: Ewen Cameron
George Craig
Cllr Thelma Huggett
Stephen Lacey
Cllr James Scholes
Clive Evans
- ATTENDING: Rodney Stone (Clerk)
Geoff Levitt (Treasurer)
Steve Budden (Warden)
Julia Woodgate (Support Officer)
Jennifer Blackburn (Rusthall Parish Council)
Julian Leefe-Griffiths
Matthew Sankey
- OBSERVING: Cllr Joy Podbury

MINUTES

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 22 March 2018 were considered, approved and signed by the Chairman.

2. MATTERS ARISING

a) McMillan Williams

The Warden reported that he has been given assurances that the work will start imminently.

b) Stranges Avenue

The tree work has been completed and the cost paid by the developer. The clearance work has also been carried out and the developer has agreed to reimburse the cost.

c) Telecoms box

The work has not gone as planned as the Openreach contractors mistakenly dug their trench along the verge, before digging another along the road as agreed. However, they then found that the expected power connection was not available, so will need to come back to finish the work at a later date. Openreach have agreed that the Conservators' contractors should restore the verge and they will pay for the work.

d) Pedestrian crossing

The meeting of the JTB has not yet taken place, but Cllr Woodward still intends to raise the issue of the Langton Green crossing. .KCC are currently planning to carry out a traffic census.

e) Bye-law signs

New signs will be prepared and installed.

f) Hadlow College

Representatives of the Freehold Tenants met Jenny Price of Hadlow College and she confirmed that they would be interested in using the Common for student projects, to the benefit of both sides.

g) Archaeology

Weekly activity is continuing but will end in August. A full report and recommendations will be prepared for the Conservators.

h) Replacement Tree

The Conservators confirmed that they wish to plant a replacement tree for the badly diseased oak at Inner London Road this autumn so that it has a chance to grow before the old tree has to be removed.

i) S106 payment

The Warden was asked to prepare a plan according to the Management Plan for spending the potential s106 payment if the cinema site development goes ahead.

j) Fir Tree car park

The regular monitoring has resulted in most all-day parkers going elsewhere. The Warden reported that it was now rare to put a sticker on any car.

3. **WARDEN'S REPORT**

The Warden reported that, although some of the spring work has been delayed due to the bad weather, the wet conditions have suited the rare plants on the Common and the displays this year have been very good.

The postponed work at Happy Valley is now scheduled for the second week of September.

There will be several experiments this summer to find better ways of managing work that currently can only be done by hand. This is expensive. One is to use a specific herbicide on an area of heather to see if it will control the scrub that grows through and smothers it; in a second he will be trying out a remote-control flail to see if it can cut the steep slopes of Happy Valley; and a third experiment at the Cheesewring will use water jets to try to remove the build-up of soil between rocks. In all cases, if successful they should reduce costs.

4. **FINANCIAL STATEMENT no 5 2017/18**

RESOLVED. That the statement be approved.

5. **ANNUAL GOVERNANCE STATEMENT**

The Treasurer reported that the internal audit had found the design and performance of controls for the nine relevant objectives sound. All the boxes have been ticked in the Annual Governance Statement.

RESOLVED. To confirm all statements in Section 1.

6. **UNAUDITED ACCOUNTS AND BALANCE SHEET 2017/18**

The Treasurer explained the figures to the meeting and reported that the regulator is satisfied that the Pensions Act has been complied with.

RESOLVED. To approve the accounts.

7. **STATUTORY ANNUAL RETURN**

The accounts appear in the format required by the external auditors so that they can track changes in future years and spot any discrepancies.

RESOLVED. To approve the Annual Return.

8. **FINANCIAL STATEMENT no 1 2018/19**

RESOLVED. That the statement be approved.

9. PANTILES CAR PARK

The Clerk advised the meeting that the role of the Conservators is to consider any proposal for the development of the car park that might be brought forward, not to initiate any proposals.

Two Pantiles Traders attended the meeting and they were invited to speak. Matthew Sankey, Chairman of the Pantiles Traders, and Julian Leefe-Griffiths said that they have approached the Council many times to discuss the inadequate parking at that end of town, which has been reduced even further by recent developments and is threatened by future proposed developments. The Pantiles cannot thrive if visitors are unable to park. However, no assistance has been forthcoming. The parking department is more concerned to provide parking for residents than visitors. They are therefore hoping that a partial solution can be found by rationalising and improving the Pantiles car park to provide more space.

Targetfollow confirmed that they have been working to provide variable tariffs at the car park to encourage short term parking and will ask RCP how many spaces could be fitted in if the whole footprint was used. They also indicated that they would look again at the plans for improvement drawn up in 2010.

The Traders were encouraged to speak to their Councillors, but the representatives stated that they had never met any of them. Cllr Woodward indicated that he would speak to the Councillors from the Pantiles Ward. He also pointed out that he and the Chairman represent the adjacent Showfields Ward and therefore have an interest in the success of the Pantiles, as does the whole town.

The meeting agreed that they would consider any plans brought before them but could not initiate any improvements.

Julian Leefe-Griffiths and Matthew Sankey left at this point

A brief discussion took place about the problems of parking on Major Yorks Road and an email from a member of the public suggesting that the road could be widened by using some of the Common. This was rejected.

10. APPOINTMENT OF CLERK

The Chairman expressed the Conservators' sadness that the Clerk was standing down at the end of the year after 28 years of service

She distributed a possible process and timetable for finding a replacement Clerk.

As time is short, the Conservators agreed that a committee should be drawn up with a representative from each of the three Conservator bodies. This will consist of Clare

Sinha for the Freehold Tenants, Paul Burnett for Targetfollow and Chris Woodward for the Borough Council.

The committee was asked to consider remuneration, as the job may have become rather too onerous to be done on a voluntary basis. If the job is to become a paid role, the new pensions legislation must also be taken into consideration. The Committee also needs to consider succession planning for the Treasurer as he indicated he may step down in the near future.

RESOLVED. The committee to agree a proposal which they will email to all Conservators. If agreed they will immediately move to advertise and draw up a shortlist, which should be completed by the end of September.

11. **RISK REVIEW**

In the light of the new GDPR regulations, the possibility of having a Privacy Policy was raised.

RESOLVED. To send the Conservators the full Risk Register for consideration at the next meeting

12. **ANY OTHER BUSINESS**

a) **New Conservator**

A new Targetfollow Conservator, Anthony Moore, will take the place of George Craig with immediate effect.

b) **Change of Committee Member**

Paul Burnett will be the committee member representing Targetfollow with immediate effect

c) **Retreat Hotel**

The Clerk noted that parking posts outside the hotel at the bottom of Inner London Road were being removed and guests were parking on the Common while they took their luggage in.

RESOLVED. Warden to speak to the hotel about preventing this. He will also obtain a quote for installing posts that cannot be removed or knocked over for the length of Inner London Road.

13. **PLANNING APPLICATIONS**

27 Upper Street – rear extension. Wrote to point out sensitivity of Common there and the irreparable nature of any damage.

1 Common View – change of use to house of multiple occupancy. Wrote to point out the parking problems and the danger to the Common of further pressure on parking.

Flat 3, 63 Mount Ephraim – change of use from office to residential. Wrote to point out that delivery vehicles should not damage Common verge outside, nor materials be stored there.

When responding to applications it was agreed that the Conservators should specify where skips and materials can be placed.

Targetfollow confirmed that they have been approached by Aldi with regard to the strip of Common outside 15 and 16 Eridge Road but not about the rumoured widening of the road to accommodate a turning into the new store.

14. SALARY REVIEW

The Clerk presented a report which had been previously circulated concerning the Job Evaluation he had asked the Council to carry out and the issues arising from attempting to use that in the Conservators' very different organisation. He reminded the Conservators of the report that the Treasurer had made to the last meeting recommending a 2% increase to reflect cost of living rises and that such an increase was budgeted for.

After discussion and hearing further advice from the Clerk and Treasurer it was

RESOLVED.

- 1) WARDEN – that the salary be increased o £34,921 with effect from 1 April 2018**
- 2) ADMINISTRATOR – that the salary be increased to 12/37 of £26,000 with effect from 1 April 2018**
- 3) That both salaries be paid until any subsequent cost of living increase that may be determined by the Conservators.**

The next meeting will be held at 2.00 p.m. on Thursday 20 September 2018

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in the Council Chamber on Thursday 20 September 2018 at 1.45pm

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

MINUTES

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 21 June 2018 were considered, approved and signed by the Chairman.

2. MATTERS ARISING

a) McMillan Williams

It was noted that the wall has now been built and is awaiting the facing stone.

b) Telecoms box in Rusthall Road

The work has still not been completed by Morrisons, so the verge has not yet been repaired.

c) Bye-law signs

Replacement signs have not yet been ordered and erected.

d) Pedestrian crossing in Langton Road

Cllr Woodward has raised the matter in the JTB meeting, but until KCC have completed their cable and traffic flow surveys the project cannot move forward. The next JTB meeting is in October.

e) Hadlow College

The Warden and Freehold Tenants have met Jenny Price from Hadlow College on site and she is very interested in a collaboration. She is currently looking at how their courses could be designed to make use of the Commons. The arboriculturist may also be interested in using the trees on the Commons for training.

f) Archaeology

There will be a final report prepared for Conservators summing up the finds and conclusions, and well as recommendations for the future.

g) Replacement tree

A new tree will be planted near the diseased American oak on Inner London Road this winter to be an eventual replacement. The Conservators requested an English oak.

h) New s106 project

It was confirmed that the council have a grant of £650 which they plan to spend on the Common and have asked KHWP to draw up a plan. This will involve a family volunteer day to work on heathland restoration. The Warden is liaising with KHWP.

i) Fir Tree car park

The Warden confirmed that the office is still monitoring the car park and use of stickers has been effective in removing commuters.

j) Audit

The auditors have confirmed that there were no matters arising from the 2017/18 accounts and have issued the certificate.

k) Parking on grass at Inner London Road

The Warden has spoken to the Retreat Hotel and they have confirmed that they do not allow guests to park on the grass. However, builders and scaffolders frequently remove posts in order to park while they are working in the road.

Preventing this would require a substantial barrier. Large posts could cost £4,500 - £5,000.

Using rocks as a barrier was considered but would be too expensive. Concern was expressed that travellers could access the grass from London Road.

Targetfollow suggested erecting a notice and fining anyone parked on the grass. It was agreed that the Warden would continue monitoring the situation until the next meeting.

3. DATES OF FUTURE MEETINGS

RESOLVED – That the meetings of the Commons Conservators be held at 2.00 p.m. on the following dates:

21 March 2019
20 June 2019
19 September 2019
5 December 2019

4. WARDEN'S REPORT

The Warden announced that the Common was category winner for the south east in Britain in Bloom. The judges were shown around by John Barber, and the Conservators recorded their thanks.

The summer work has been completed, and experiments carried out with the remote flailbot and new herbicide treatment for the heather areas. The latter was not very successful as the weather was too hot and some heather was lost. The Contractor is developing a new approach for next year.

Of the Freehold Tenant projects, the two racecourse paths are finished and the scrub clearance at Happy Valley is imminent.

There has been a problem with rough sleepers this summer, although they usually move on quickly when approached. One left a smouldering fire which travelled under the leaf litter so the fire brigade was called.

There has been one particular rough sleeper who has been camping near the coach park for some time. His camp is very large with several canopies and furniture and, despite promising to go and signing letters to that effect, he has not moved. The council have now taken the lead and have found him a place to live with a job. He has been helped by housing and mental health services.

Planned work for the next quarter is detailed on the work schedule, although there is an extra job to add, that of removing more of the hedge at the new area of Common.

The ditches have been cleared early as the recent heavy rain washed a good deal of debris into them. It was agreed that the office should contact KCC again to ensure the debris has been removed from the drains.

The Chairman of the Friends requested an article from the Conservators for Common Ground to let people know how much work is involved in keeping the Commons clear and tidy, and it was agreed that an effort should be made to let the public know more about how the Commons are run and what the Conservators do.

5. **FINANCIAL STATEMENT**

RESOLVED – that the statement be approved.

6. **CLERK’S APPOINTMENT**

The Conservators have agreed the terms and conditions to be offered to the new Clerk, including the new title of Director of the Commons and Clerk to the Conservators. An honorarium of £5,000 p.a. is to be offered in place of the expenses currently paid.

The wording for the advertisement was agreed and the current Clerk is to give interviews to the local papers to accompany the advertisement. It was agreed that the information should be disseminated as widely as possible.

The Treasurer warned that signatory arrangements with the bank must be agreed by the next meeting.

RESOLVED. To approve all terms and arrangements.

RESOLVED. To approve the Recruitment Privacy Policy.

7. **RISK REVIEW**

The Treasurer presented the updated version which contains all the improvements made over the previous year and includes two new risks. It was agreed that the GDPR section should be expanded to include some of the risks that have recently become apparent.

RESOLVED. To examine all risks with a red overall risk rating at the December meeting and annually thereafter.

8. **FOREST SCHOOL**

The Friends provided a proposal for KHWP to run some forest school sessions for primary age children. The sessions are planned for the winter months and will include den building, nature crafts, mud play and fire lighting. The fires will be made in a raised bowl and will not damage the ground. The aim is to teach confidence and resilience as well as outdoor skills.

KHWP have long experience in delivering such sessions. They will take responsibility for providing enough appropriately trained and qualified staff for the

group numbers, the activity programme, materials, health and safety risk assessments and insurance, as well as clearing the site to leave it as found. The Warden was asked to check that they have a safeguarding policy.

The Friends hope to raise the funding necessary from grants.

RESOLVED. To allow the Forest School sessions to go ahead subject to the details being agreed with the Warden.

9. RUSTHALL COMMUNITY ARTS

A new community arts group wish to perform a community play in front of Toad Rock. It will be developed by the cast and entitled “Legend of the Rocks.” The director is very experienced at developing and producing community plays and has also formed a community volunteer group to help keep the rocks clear of vegetation. A run of five shows over three days is planned.

AGREED. To allow the play to go ahead, subject to the usual conditions and the Warden approving the details.

10. RING BOLTS

The Warden reported previously that ring bolts had been fixed into the top of the Cheesewring without permission from the Conservators or BMC, who installed and took responsibility for the bolts at Bulls Hollow.

BMC have examined the bolts and spoken to the people who put them in and believe them to be safe. If their insurers agree to cover them, they would be prepared to take responsibility for those on the Cheesewring. They would prefer to remove those nearby and will pay all costs.

It was agreed that a warning notice should be erected as an interim measure.

AGREED. To allow them to remain if the insurers provide the Conservators with an indemnity.

11. ALDI

Targetfollow reported that they are continuing discussions with Aldi to agree Heads of Terms for a long lease giving them access over a small strip of land within Targetfollow’s freehold ownership and which forms part of Tunbridge Wells Common in front of 15 and 16 Eridge Road, which is to be used as the exit for the new supermarket. Although it means losing this part of the verge, Aldi will be returning an existing exit to verge so there will be no overall loss. Due to the Common being an Asset of Community Value and the proposed length of lease being in excess of 25 years this is considered a disposal under the Localism Act (Section 95 and 96) and requires the local authority to be notified.

The planning application is due to be submitted shortly and should not require any encroachment onto the Common on the opposite side of the road.

The planners are to be asked for a contribution to the Common as compensation for the pollution and other detriment that will result.

12. POSTER SITES

Targetfollow wishes to create poster sites for events taking place in the Pantiles or on the Common to limit the spread of small posters appearing in multiple locations.

The Conservators agreed that keeping posters to a single site would be welcome and they would be prepared to consider possible locations, but the boards should not be permanent as it would be unsightly when there are no events taking place.

13. ANY OTHER BUSINESS

a) Church group

A group of churches in Tunbridge Wells has asked if they could stage a community event on the Lower Cricket Pitch in May 2020. It will involve a holiday club and Christian meetings, but the plans are currently undeveloped.

The Conservators asked the office to find out if previous meetings in Calverley Park had been successful and without incident.

Clare Sinha left at this point

b) Cycle routes

The Warden reported on a recent meeting with KCC about the proposed cycle routes. The officers outlined the Conservators' difficulties and the pitfalls of some of the routes. KCC are to look into the legal position.

c) Sussex Lund

The grant application for installing a new pond at Bulls Hollow was not successful, but the Warden is to meet their representative on the Common to discuss projects that may be more successful.

d) Apsley Street

The problem of the metal pipe, exposed by repeated driving over the Common without permission, was discussed. Targetfollow's view is that the residents have no rights of access as they have had no consent. If the users regularise their position by taking out licences, then the pipe can be investigated.

It is also the view of the Conservators that the pipe is not their responsibility.

Please note that minute 13(d) was amended by the Conservators prior to the Chairman signing it.

e) Liability insurance for Directors and Officers

The Treasurer confirmed that no Conservator has individual responsibility and can only act as part of the body of Conservators, which is covered by the insurance policy. The officers are also covered by the policy, and they cannot be required by the Conservators to act illegally.

f) Town Centre Management

Targetfollow confirmed that they are still hoping to plant spring bulbs in Inner London Road. The Warden has suggested crocuses, which die down in time for mowing, but they prefer taller flowers to make more impact. The Warden would consider native wild species of daffodil but not imported bulbs. They will still cause a problem for early mowing.

AGREED. To allow TCM to plant bulbs as agreed with the Warden.

g) Rusthall ditches

The Warden was asked to check the condition of the ditches along Rusthall Road as they are in need of clearing.

h) Cherry laurel

The Friends reported that they have applied for a grant to clear some of the cherry laurel in areas identified by the Freehold Tenants.

i) Mungo Chapman

Mr Chapman announced his retirement after serving as a Conservator for 30 years, which he said had been a privilege. The Chairman said that the Conservators will be sorry to see him go and wished him well for the future.

AGREED. To thank Mr Chapman for his long service as a Conservator.

14. PLANNING APPLICATIONS

71 London Road – Replacement gates and entrance widening. Wrote to remind them that they cannot encroach on, or damage the edge of, the Common opposite.

Spa Hotel – Redevelopment of overflow car park to provide 9 dwellings. Wrote to complain that not enough parking places were provided which would lead to extra pressure on the very limited parking beside the Common.

35 Upper Street – Rear extension. Wrote to remind them of their obligation to protect the rocks and grass on the Common and advise them that they cannot store materials on the Common.

Mount Edgcumbe Cottage – conversion of garage into studio. Wrote to remind them that they cannot store materials on the Common or allow contractors' vehicles to overrun the verges.

The next meeting will be held at **2.00 p.m. on 6 December 2018.**

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in Committee Room A on Thursday 6 December 2018 at 2.00pm

PRESENT: Cllr Barbara Cobbold (Chairman)
Paul Burnett
Ewen Cameron
Cllr Thelma Huggett
Stephen Lacey
Ian Marshall
Antony Moore
Cllr James Scholes
Clare Sinha
Corin Thoday
Cllr Chris Woodward

APOLOGIES: Chris McHugh

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

MINUTES

1. CHRISTMAS LUNCH

The Chairman thanked Targetfollow for hosting Christmas lunch for the Conservators.

2. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 20 September 2017 were considered, approved and signed by the Chairman.

3. MATTERS ARISING

a) McMillan Williams

The Warden reported that all work has been satisfactorily completed.

b) Bye-law signs

They will be put up as agreed once they have been produced.

c) Pedestrian Crossing

The traffic survey in Langton Road has begun without informing the Parish Council of their contribution.

d) Archaeology

AGREED. The group can continue with their limited explorations.

e) Replacement tree

The Warden recommended that the replacement for the diseased tree on Inner London Road be postponed until an occasion when a commemorative tree is required, as the position is very prominent.

AGREED. To plant a commemorative tree as a replacement when an occasion arises.

f) Inner London Road

The Warden has replaced all missing posts down the length of Inner London Road to protect the grass from frequent encroachment.

g) Ring Bolts

The Warden confirmed that all fixtures at Happy Valley are now covered by British Mountaineering Council insurance.

4. MEMBERSHIP

The under mentioned Conservators were appointed by the bodies specified to serve for the period indicated.

Tunbridge Wells Borough Council

Councillor Barbara Cobbold)	
Councillor Thelma Huggett)	one year term ending
Councillor James Scholes)	31 December 2019
Councillor Chris Woodward)	

Freehold Tenants

Stephen Lacey)	
Ian Marshall)	1st year of three year term until
Chris McHugh)	31 December 2021
Clare Sinha)	

Manor of Rusthall

Paul Burnett)	
Ewen Cameron)	3rd year of three year term until
Antony Moore)	31 December 2019
Corin Thoday)	

Cllr Huggett informed the meeting that she would not be standing for re-election next May and, as she was unable to attend the March meeting, this would be her last. She was thanked for her contribution.

5. **WELCOME TO NEW CONSERVATOR**

Antony Moore was welcomed as a new Conservator representing the Manor of Rusthall.

6. **APPOINTMENT OF NEW CLERK**

The Conservators agreed to appoint Giles Membrey as the new Clerk, subject to the completion of all the necessary procedures. The appointment will commence on 1 February and it was suggested that he shadow the current Clerk until the official handover of duties at the next Conservators' meeting on 21 March.

Rodney Stone was thanked for agreeing to remain until the March meeting.

AGREED. To appoint Giles Membrey as Director of the Commons and Clerk to the Conservators with effect from 1 February 2019.

7. **WARDEN'S REPORT**

The Warden reported that much of the autumn programme was delayed as his contractors were all busy elsewhere. Fortunately, a new contractor, Honnington Farms, based in Southborough, was recommended. He has now used this contractor several times and they have proved to be good, reliable and sometimes cheaper than the alternatives.

Two new steel bollards have been installed at key points where vehicles need excluding and the Warden plans to introduce more in the future.

The autumn has seen an increase in rough sleepers on the Commons, and several camps have been removed. Most notably, the man who camped for some time over the summer and was finally moved on with great difficulty returned briefly. However, the council found him accommodation before he had a chance to re-establish himself.

The volunteers have been very helpful this autumn, and a new group has formed in Apsley Street to keep the bank clear. In return, the Warden proposes a major clearance and cutting back of holly at the top of the bank which currently blocks out the sunlight. The residents will make a financial contribution to this work.

The Friends will also consider contributing to the cost.

The clearances recently funded by the Freehold Tenants have revealed a number of trees in need of remedial action. Those that have to be felled will provide tree trunks that can be used to protect verges.

8. **FINANCIAL STATEMENT NO 3 2018/19**

AGREED – that the statement be approved.

9. BUDGET REPORT AND PRECEPT 2019/20

The Treasurer reported that, due to an overspend last year, the reserves had reduced to £33,291 which is lower than the minimum target of £35,000.

The two main contracts are subject to CPI increases, which was 2.2% in September, and he has put aside 2.2% for salaries. Any increase above that level will have to be met by the contingency.

He also recommended that the work budget should be aligned with the management plan in order to improve planning and control.

RESOLVED. To agree the budget report and precept of £161,900 for 2019/20.

10. BANK AUTHORISATION

The new Clerk will replace the outgoing Clerk as signatory on the appointment date.

11. RISK REGISTER

The Conservators agreed that the risk register should be recalibrated to take account of the importance of some of the growing risks. It was suggested that the committee should look at the register and draw up an action plan, but that the decision on how to proceed should be taken by the new Clerk.

12. FREEHOLD TENANT PROJECTS

- a) Second Marlpit Pond - open the area around the dry pond as a first step towards creating extra habitat for great crested newts to expand into if their current pond is made unusable by the Australian stonecrop and parrots feather growing there.
- b) Happy Valley clearance – clear the dense holly scrub at the top of the steep escarpment to open the views.
- c) North of racecourse between Major Yorks Road and Pantiles path – clear holly scrub.
- d) Racecourse between Hungershall Park and Bracken Cottage drive – clear holly scrub to bring more light to waterlogged section.
- e) South of Hungershall Park between Major Yorks Road and racecourse – clear holly, create network of paths to bring more people in and reduce fire risk.
- f) Brighton Lake – remove four metres of encroaching reedmace.
- g) Volunteers – support and encourage links with KHWP and Hadlow College.
- h) Commemorative seats – for Peter Freeman and Mungo Chapman.

The projects were not thought to have major funding implications as all the clearance needs to be done and maintenance of larger cleared areas is easier.

The Conservators thanked the Freehold Tenants for their generosity.

13. CAR PARKING – MAJOR YORKS ROAD

Targetfollow circulated two alternative sets of plans for maximising the parking space in Major Yorks car park. The proposals were designed to protect the Common and the immediate surroundings.

One plan is to resurface and rationalise the layout to create more spaces. Targetfollow agreed that the surfaced area extends beyond the existing footprint but pointed out that it will not go beyond the area they judge to be the current car park. They have utilised the grass verges around the edge.

The second plan is to install a deck to provide a second storey, well screened from the surrounding Common and roads by living walls and hedging. This would not extend beyond the existing surfaced area.

It was pointed out that the parking problems in the area are not issues for the Conservators and the Clerk stated that the main duty of the Conservators is to protect the Common from encroachments unless it would result in benefit to the Common.

Targetfollow asked the remaining Conservators for alternatives that would be acceptable and the Conservators replied that it is not their job to resolve the parking issues but to protect the Common.

AGREED. To reject both the current proposals on the grounds that they are encroachments and not of benefit to the Commons.

14. CRICKET CLUB

The Chairman of Linden Park Cricket Club has approached Targetfollow with some ideas about how to raise money from the underused cricket pavilion now the nursery school has closed.

Their favoured options are a café which would open to the public in the morning and on match days, and a yoga studio.

The Conservators were concerned about both ideas. The café would mean the car park will be filled by users of the café rather than the Common, and the yoga studio is a purely commercial venture of no benefit to the Common which would also bring car parking problems.

A third possibility, not raised by the club in discussions with Targetfollow, is that the space could be used as a small office, which would not bring the same parking issue.

The Conservators defined their position by stating that they will consider anything that will not cause more pressure on the car park or introduce a purely commercial venture to the Common.

15. ANY OTHER BUSINESS

a) Mount Edgcumbe Hotel

The owners have recently resurfaced their drive and have created hard standing areas to the sides which are a clear encroachment onto the Common. In addition, they

have installed low level lighting along the drive without permission, which is served by a cable lying only about six centimetres below the surface.

AGREED. The Clerk to write to them to instruct the removal of the encroachment and a resolution to the dangerous electrical installation.

b) Churchside sign

RESOLVED. Not to allow the placing of a house sign on the Common where identifying the house is not a problem.

c) West Kent Partnership

This is a group that have been working with Kent Highways to reduce flooding in the Pantiles and Nevill Street. They want to divert some of the water running off the Common to ponds which will gradually drain away.

The Conservators agreed that they may be willing to look at some sort of drainage management solution but the group should offer something of benefit to the Common such as reopening or improving some of the ditches.

d) Parking at Beacon Hotel

As their parking is inadequate, particularly for large wedding parties, cars are parking all the way down Tea Garden Lane and causing serious erosion to the verges. The Warden has already installed tree trunks, but by law these have to be some way from the edge of the road and parkers are pushing right up to them. He has no solutions to this, although he may be able to protect the triangle of grass at the junction with the A264 by installing posts or tree trunks.

e) KCC Footpaths

It was noted that more and more of these are in a poor state with the surfaces breaking up. They need remedial work now before they deteriorate too far to repair. The office to contact the PROW Officer.

f) Aldi

Targetfollow confirmed that the six week moratorium had expired and they were progressing with discussions with Aldi.

16. PLANNING APPLICATIONS

White Hart, Lower Green Road – conversion to flats with two new dwellings behind. Wrote to point out verges are Common and there is not enough parking.

63 London Road – alterations to restore building. Wrote to householder to point out that the Common must not be used for storage or parking.

The next meeting will be held at **2.00 p.m. on Thursday 21 March 2019**