

## TUNBRIDGE WELLS COMMONS CONSERVATORS

### Minutes of a meeting held in Committee Room B on Thursday 21 March 2019 at 2.00pm

- PRESENT: Cllr Chris Woodward (Acting Outgoing Chairman)  
Ewen Cameron (Incoming Chairman)  
Paul Burnett  
Stephen Lacey  
Ian Marshall  
Chris McHugh  
James Scholes  
Clare Sinha  
Corin Thoday
- APOLOGIES: Cllr Barbara Cobbold  
Cllr Thelma Huggett  
Antony Moore
- ATTENDING: Rodney Stone (Retiring Clerk)  
Giles Membrey (New Clerk)  
Geoff Levitt (Treasurer)  
Steve Budden (Warden)  
Julia Woodgate (Administrator)  
Clive Evans (Friends of Tunbridge Wells and Rusthall Common)  
Jenny Blackburn (Rusthall Parish Council)  
Mike Taylor (Linden Park Cricket Club)  
Sarah Thomas (Durnell Marketing Ltd)  
Karen Pengelly (Town Centre Manager)  
Michael Holman (Town Forum)

## 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 Ewen Cameron, representative of the Manor of Rusthall, be appointed as Chairman until the quarterly meeting of the Conservators in March 2020.**

**Ewen Cameron in the Chair**

In the absence of Cllr Cobbold, The Chairman conveyed his grateful thanks to her for her year in office.

## 2. NEW DIRECTOR AND NEW CONSERVATOR

It was noted that this was the first meeting attended by Giles Membrey as the Director of the Commons and Clerk to the Conservators, and Chris McHugh as Conservator representing the Freehold Tenants.

## 3. LINDEN PARK CRICKET CLUB

Mike Taylor, Secretary of the club, spoke about their proposal to let part of the cricket pavilion to a small European book marketing company, Durnells. They are concerned that if they do not replace the income they received from the nursery school, which closed last year, they will not have any capacity to deal with emergencies, equipment replacement, etc.

Sarah Thomas of Durnells said that the company has a small number of people working part time in Tunbridge Wells although they have occasional visits from clients and employees based elsewhere. They would normally have only two people in the office at any one time, although occasionally there may be three or four, and most people will walk there. Associated cars will sometimes use the car park, but not usually more than two or three at a time.

The initial contract would be for one year.

Mr Taylor noted that the income from this would meet their needs although they may request permission to display sponsorship material for the duration of the match in the future.

Targetfollow will receive a portion of all income, to be negotiated.

**RESOLVED. To permit Linden Park Cricket Club to let their premises to Durnells, subject to terms and conditions which will include planning permission being received.**

## 4. TOWN CENTRE MANAGEMENT

Karen Pengelly, Town Centre Manager, explained that Calverley Grounds would not be available for use for open air events from late summer because of the new Town Hall development. She was therefore looking for alternative venues. Some events can be held at Dunorlan Park, but this is too far from the town centre to draw the crowds to some events.

She accepted that the Conservators' Open Spaces Policy precluded many of the events that needed a new home but requested the use of the Lower Cricket Pitch for one event this year, the annual Food Festival. This is an important event for the town and the local traders. There will be no entrance fee, no amplification, and it will finish by 6p.m. It is expected to be attended by 3000 people over the weekend. The event needs an alternative venue for at least the next two years, and she may ask permission for an extra event next year.

The Warden pointed out that the Lower Cricket Pitch was not available for the planned weekend as the Hospice 10K run will be starting from there on 22 September, so she would need to find another suitable date.

The outgoing Clerk observed that some events in the past have not gone smoothly, so the conditions need to be very tight.

**RESOLVED. To permit the use of the Lower Cricket Pitch for the Food Festival, subject to the usual conditions, plus an indemnity from the traders and the right of the Conservators to cancel the event at the last minute in extreme weather conditions.**

5. **MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 6 December 2019 were considered, approved and signed by the Chairman.

6. **MATTERS ARISING**

a) New bye-law signs

The Warden confirmed that these have now been put up, but one has already been vandalised.

b) Pedestrian Crossing

The Chairman of the Friends confirmed that the traffic survey has been completed but they have not been informed of the results, which will be presented to the next JTB meeting. No pedestrian survey has yet been done.

c) Hadlow College

The collaboration with the college has gone well and the students will be coming to give a presentation on the Common on 2 April. Conservators are welcome to attend.

d) Flood Prevention

The Warden is due to meet West Kent Partnership to discuss their flood mitigation plan shortly. He confirmed that the Conservators would not be asked to pay any costs, and he would ensure there was some benefit to the Common before he recommended a course of action to the Conservators.

e) Footpaths

The Warden confirmed that the paths in the poorest state were due to be repaired in April. He is to do a full path survey and convey his findings to the KCC Footpaths Officer.

f) Aldi

Targetfollow have had no contact with Aldi since the previous meeting but are due to meet the new Aldi representative shortly.

7. **WATER IN THE WELLS**

Michael Holman, attending as a representative of the Town Forum, was invited to speak in his capacity as Chairman of Water in the Wells.

The group have been working to increase the number of water features in the town and hope to improve access to, and interest in, the Cold Baths. He hopes to have plans to discuss with the Conservators by the next meeting.

8. **WARDEN'S REPORT**

The Warden reported that he had been able to complete most of the previous quarter's planned work. All roadside trees needing attention, as identified in this year's survey, have been dealt with. In the recent high winds there were no real problems for the Commons, showing that the policy of inspection and immediate remedy is working.

Oaks have been pollarded at Happy Valley, and hollies cleared at Apsley Street, funded by the Friends. Local volunteers have been regularly clearing the bank at Apsley Street, so the area is much improved.

The Friends volunteers and the KHWP volunteers have been concentrating on the heather restoration areas using the new tree poppers, funded by the Friends. The volunteers particularly enjoy this work. As this has made the work much more efficient it will help the Management Plan aim of spreading the heathland.

The flailbot used by the new contractor, Honnington Farms, has worked well, clearing either side of the 101 steps in far less time than when done by hand. Honnington are shortly to use their root hook to make future clearances much more efficient. The money that was saved by using the flailbot has been spent on gorse clearance there. Local people then cleared the litter that was exposed as a result.

At Easter a volunteer church group are planning a large-scale litter pick. The office to notify Conservators of the date in case they wish to help.

A large number of anti-parking posts have been installed at Lower Green Road.

Graffiti in virulent colours has been appearing on trees, rocks and furniture on Tunbridge Wells Common. As some of it is offensive, it has been removed as quickly as possible.

Cllr Woodward reported that he is trying to get the yellow lines extended at the top of Major Yorks Road, in the section where it is too narrow for vehicles to park and still allow two vehicles to pass. This should protect the verges.

The Friends reported that the Wild Child sessions run by KHWP using a grant obtained by the Friends had been very popular. They had planned for 40 children per session, but some were so full they had 120. News had spread online.

9. **FINANCIAL STATEMENT**

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

10. **PUBLICITY**

The Director has asked his marketing team to look at developing a new logo. This will be discussed by the Committee with recommendations being brought to the next meeting. It was agreed that publicity should be pursued to raise the profile of the Conservators and the Commons. Instagram and Twitter were both suggested as the best online social media, and the council's social media team should be approached for assistance.

11. **MOUNT EDGCUMBE HOTEL**

The Warden has discussed the installation of anti-parking posts with the owners and has agreed that they can install their own posts subject to his conditions being met. They have also agreed to remove the extended gravel area they had installed.

The lighting bollard was criticised as it was installed without permission and lighting is not permitted on the Commons.

The owners have supplied an electrical safety certificate, but it does not refer specifically to the shallow cable causing concern, nor does it specify the depth. There are no national regulations concerning depth, but the recommendations by the government and UK Power Networks is for a minimum depth of 450 mm with the cable protected by ducting.

The question of liability was raised as the cable is on Targetfollow land.

**RESOLVED. To require the hotel to remove the lighting bollard and to bury the shallow cable in ducting at least 450mm deep, supplying the Conservators with a safety certificate.**

12. **EVENTS**

**RESOLVED. To permit the following:**

- a) **Hospice in the Weald 10K run – 22 September 2019. Subject to there being no variation from previous years without notification;**
- b) **Rusthall Bonfire – 26 October 2019. Subject to conditions agreed with Warden and strict rules being enforced over access;**
- 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.**

13. **PLANNING APPLICATIONS**

11 Apsley Street – Loft conversion, formation of off road parking space. Wrote to point out that verges opposite are Common and materials must not be stored there, nor vehicles parked

Bredbury House, 77 Mt Ephraim – construction of seven apartments on car park. Wrote to point out that verge outside disused entrance is Common and vehicles may not be parked there.

**14. APPOINTMENT OF NEW TREASURER**

The current Treasurer confirmed his intention to step down once this year's audit processes were concluded in the July to September period. He offered to delay his retirement for a short period should that facilitate recruitment and transition. Conservators expressed their gratitude.

Conservators agreed the role should remain substantially as described in the current role description. The Committee requested any additional comments from Conservators by close of business on Monday 25 March 2019. The Committee undertook to circulate the role description and a proposal for the honorarium to the Conservators for final approval by email in week commencing 25 March.

The Committee proposed following a similar recruitment process to that used for the appointment of the Director. Advertisements to be placed in the local press and on the TWBC jobsite. The Committee also requested word of mouth suggestions. CVs of shortlisted candidates will be circulated to the Conservators for comment prior to final selection and recommendation of a preferred candidate for appointment by the Conservators. The goal is to be in a position to make an appointment at the June Conservators' meeting.

The Conservators approved the proposed process and delegated responsibility to the Committee, comprised of Clare Sinha, Paul Burnett, Chris Woodward, and Giles Membrey, to implement as agreed.

**15. SALARY REVIEW**

**RESOLVED. To award a cost of living increase to employees of 2.2%**

**NOTE**

Following the meeting a farewell presentation was made to Rodney Stone, the Clerk to the Conservators for nearly thirty years.

Firstly, the Mayor gave his thanks on behalf of the Council for Rodney's service over many years, then the Chairman of the Conservators, Ewen Cameron, expressed the gratitude of the Conservators for his long and invaluable service. He noted that a tree to be planted on Inner London Road would be dedicated to Rodney and presented him, on behalf of the Conservators, with a gift as a token of their appreciation. Rodney thanked the Mayor and Conservators for making his tenure a pleasure.

The next meeting will be held at **2.00 p.m. on Thursday 20 June 2019**

**TUNBRIDGE WELLS COMMONS CONSERVATORS**

**Minutes of a meeting held in Committee Room A on Thursday 20 June 2019 at 2.00pm**

- PRESENT: Ewen Cameron (Chairman)  
Paul Burnett  
Cllr Barbara Cobbold  
Ian Marshall  
Chris McHugh  
Cllr Joy Podbury  
Cllr James Scholes  
Clare Sinha  
Corin Thoday  
Cllr Chris Woodward
- APOLOGIES: Stephen Lacey  
Antony Moore
- ATTENDING: Giles Membrey (Clerk)  
Geoff Levitt (Treasurer)  
Steve Budden (Warden)  
Julia Woodgate (Support Officer)  
Jenny Blackburn (outgoing Rusthall Parish Council representative)  
Liz Ellicott (incoming Rusthall Parish Council representative)  
Clive Evans  
Philip Tew  
Mike Taylor
- OBSERVING: Carolyn Gray  
Neil Spalding

**MINUTES**

**1. APOLOGIES FOR ABSENCE**

Stephen Lacey and Antony Moore sent their apologies

**2. APPOINTMENT OF NEW TREASURER**

Prior to the public meeting, the Conservators met in private session to review the Committee's report on the recruitment process and recommended candidate for the post of Treasurer to the Conservators.

The Conservators invited Philip Tew to become the new Treasurer and he accepted the appointment.

**3. WELCOME TO NEW CONSERVATOR**

It was noted that Thelma Huggett had now stepped down, and Cllr Joy Podbury was welcomed as the new Conservator representing the Borough Council.

**4. WELCOME TO NEW RUSTHALL PARISH COUNCIL REPRESENTATIVE**

Jenny Blackburn told the meeting that it was to be her last. She said that she had greatly appreciated the many years of attending the Conservators' meetings and thanked the Conservators for the opportunity to speak. The Conservators expressed their appreciation of her contribution over the years.

She introduced the new representative of Rusthall Parish Council, Liz Ellicott, who was welcomed.

**5. DOGS ON CRICKET PITCH**

Mike Taylor, President of Linden Park Cricket Club, explained that the outfield was currently in such a poor state, with holes being dug by dogs, that there was a growing danger to the players from badly bouncing cricket balls. This could also affect the team's chances of promotion.

The club would like dogs to be kept off the pitch through the winter months. It was suggested that small areas could be fenced off at a time and the fencing then moved on, but Mr Taylor thought it would cause more problems as the corners of the fenced areas would be used by dogs to relieve themselves. He will think about a suggestion that the fencing could be circular, in the shape of a circus tent, with no corners.

He asked for dedicated dog bag bins nearby, but the Warden told him that they would be much more expensive to empty than general purpose bins and felt that there were sufficient dog bag dispensers and bins in the area.

Annual reseeding is also an option, but this would be expensive and areas would need to be fenced off while it germinated.

The Conservators will consider wording for improved signage, but not more signs as they are likely to be disregarded. The club will also consider the possibility of using leaflets as these are more likely to be taken notice of.

Mr Taylor confirmed that the clubhouse will be used as office space subject to the terms and conditions previously set by the Conservators as soon as planning permission is granted.

*Philip Tew left the meeting at this point*



**6. MINUTES OF LAST MEETING**

The minutes of the meeting held on 21 March 2019 were considered, approved with the addition of the title Cllr before Cllr Scholes' name, and signed by the Chairman.

**7. MATTERS ARISING**

a) Food Festival

The Town Centre Manager has confirmed that no new date has yet been found, and the event will not take place on the Lower Cricket Pitch in 2019. She is still hoping to hold events there in 2020.

b) Pedestrian crossing

It seems unlikely that the crossing on Langton Road will go ahead. The usage survey has been carried out by KCC on a weekday when usage was low rather than at the weekend when the real danger arises. It was suggested that, as the timing was their error, the survey should be redone at a time that shows the community's need, at the expense of KCC or the Councillors who paid for the first survey. Cllr Woodward to pursue this.

c) Hadlow College

The first collaboration went well, and the two students gave a good presentation. However, the college has now gone into educational administration and the future is uncertain.

d) Flood prevention

The Warden has had a further meeting with West Kent Partnership at which they identified five potential sites for shallow ponds that will hold water temporarily during very wet weather. The sites are

- i) the new heather area, just below Royal Victoria Grove
- ii) south of the racecourse adjacent to Major Yorks Road
- iii) in woodland above McMillan Williams
- iv) site of the existing pond near the junction of Castle Road and Edgcumbe Road
- v) lower end of clearance near the Forum

As he wants them to retain water for most of the year, an area within each clearance would be puddled to create permanent ponds.

All the sites are wooded, so a lot of scrub would be cleared at the Partnership's expense. They have implied that any scheme would only go ahead with the permission of the Conservators and clearly understand that permission will not be given unless there is a clear benefit to the Common. The Warden was advised to get a written assurance to this effect and an assurance that they accept responsibility for long term maintenance.

e) Aldi

Targetfollow confirmed that there has been no news and it was unclear whether the new store would be built at all.

f) Footpaths

The Warden informed the meeting that he had not yet completed the footpath survey or spoken to the PROW Officer. He undertook to do so before the next Conservators' meeting.

g) Water in the Wells

Carolyn Gray outlined the intentions of the group to make the Cold Baths and Spring more accessible from the Common by putting in a footpath and signage, if permitted by the Conservators. She invited the Conservators to a site meeting with the architect.

h) Mount Edgcumbe

They have agreed to meet all the requirements of the Conservators to remedy the defects. However, they cannot sink the cable to the required depth as there is bedrock beneath the soil, so they are investigating the possibility of running it up the other side of the drive. The Warden was requested to ensure that this happens, and to attend when the posts are installed to ensure they are put in the correct place.

i) Major Yorks Road

The Council have agreed to continue the double yellow lines in the upper half of Major Yorks Road where it is too narrow for cars to pass when vehicles are parked there.

j) Wild Child

This event ran on the Commons in the spring. Organised by the Friends and run by KHWP, the series of eight sessions over both Commons attracted more than 1,000 children. The Friends are keen to run further events next year if they can attract the funding.

## 8. WARDEN'S REPORT

The Warden reported that the next work period is relatively quiet, but much of the project work is about to begin.

The footpaths are due to be cleaned, removable steel bollards will be erected to form a new access to Happy Valley with the old one being blocked, and bracken spraying is about to commence. The first of this year's Freehold Tenant projects, clearing weed in Brighton Lake, is about to begin.

The problems at Wellington Rocks seem to have worsened this year with fires as well as broken glass, and the police are aware. However, cutbacks have meant that their visits are infrequent.

Ash dieback is very noticeable this year, with many of the trees, especially on Rusthall Common, showing sparse and late leaf development. The advice remains to leave the trees where possible in order to look for resistant strains, but he will have to remove or pollard any that become dangerous.

The Britain in Bloom judging seemed to go well, with both John Barber and Clive Evans in attendance.

The Wild Child forest schools, organised by the Friends and run by KHWP, proved very popular.

**9. CLERK'S UPDATE**

The Clerk's first quarterly update began by him saying that, although the Commons make the town unique and offer great opportunities, they are not well enough known or used. The Conservators need to promote them as the town's best asset. To this end he has begun the process of getting a new logo designed, and possible designs were shown to the meeting. The office to circulate the designs and brief by email.

**RESOLVED. To delegate the development of the logo and the decisions to the committee.**

He and the committee have made good progress on the new risk register, and it will relate to the management plan. Each risk will have a clear plan for monitoring or acceptance and its ownership will be determined according to its nature.

The Warden's work schedules should also continue to correlate with the management plan, and the Warden should produce a yearly plan at the time of setting each year's budget.

The Clerk has continued the practice of having quarterly meetings with the Tunbridge Wells Borough Council, although he has agreed with the Chief Executive to alternate office-based meetings with walks on the Commons. The Chief Executive has urged the Conservators to look for new sources of funding.

**10. FINANCIAL STATEMENT no 5 2018/19**

**RESOLVED. That the statement be approved.**

**11. ANNUAL GOVERNANCE STATEMENT**

The Treasurer reported that the internal auditor had certified that appropriate procedures and controls had been in place during the financial year.

**RESOLVED. Chairman and Clerk to sign the statement.**

12. **UNAUDITED ACCOUNTS AND BALANCE SHEET 2018/19**

**RESOLVED. To approve the accounts.**

13. **STATUTORY ANNUAL RETURN**

**RESOLVED. Treasurer and Chairman to sign the Annual Return.**

14. **FINANCIAL STATEMENT no 1 2019/20**

**RESOLVED. That the statement be approved.**

15. **BUDGET UPDATE**

The Treasurer explained that he had begun the process of aligning the budget to the Management Plan. To this end the main budget headings have been subdivided into separate management areas and, where possible, he has started to allocate budget to each of these. The end of year records will determine the following year's budget allocations. He hopes this will enable the Conservators to make three-year plans eventually.

16. **GAS GOVERNOR**

The Warden reported that the current gas governor at Lower Green Road needs replacement. The work will be disruptive, but he expects that the area of work will be outside the new drainage area. He has reached an agreement with the company over reinstatement and has asked for new parking posts to be funded by them, as well as charging an administration fee.

17. **ANY OTHER BUSINESS**

a) **Management Plan work schedule**

The Warden to include postponed work from the previous quarter on each update.

b) **Volunteers lunch**

The lunch for the volunteers, hosted by the Forum and sponsored by Targetfollow, was well attended and was a very pleasant occasion.

c) **Path near Forum**

Cllr Podbury asked the Warden to check the odd lump in the path.

d) Maps

Cllr Podbury asked about maps as it would be useful for new Conservators to have a clear map marked with the names of the features. Maps would also be useful for Conservators' walks and a big map could be provided for the meetings.

**18. PLANNING APPLICATIONS**

Sunnyside Hall – extension. Wrote to point out that delivery vehicles should not damage Common verge outside, nor materials be stored there. Approved

1 Common View – change of use to house of multiple occupancy. Refused and going to appeal. Being fought by Rusthall Parish Council.

78 Mount Ephraim – extension. Wrote to say that delivery vehicles could not overrun verge on opposite side if waiting.

23 Rustwick – extension. Wrote to point out that access to the road is through rock formations which must not be damaged.

**19. STAFF PARKING**

The Council have unexpectedly started charging £1,050 for each of the two parking spaces. There are some ways to reduce this cost, but only by a small amount.

*Steve Budden and Julia Woodgate left the meeting at this point*

Cllr Woodward to look into the matter further.

The next meeting will be held at 2.00 p.m. on Thursday 19 September 2019

**TUNBRIDGE WELLS COMMONS CONSERVATORS**

**Minutes of a meeting held in the Council Chamber on Thursday 19 September 2019 at 2.00pm**

- PRESENT: Ewen Cameron (Chairman)  
Paul Burnett  
Cllr Barbara Cobbold  
Stephen Lacey  
Chris McHugh  
Antony Moore  
Cllr Joy Podbury  
Cllr James Scholes  
Clare Sinha  
Corin Thoday  
Cllr Chris Woodward
- APOLOGIES: Ian Marshall  
Clive Evans  
Elizabeth Ellicott
- ATTENDING: Giles Membrey (Director)  
Geoff Levitt (Outgoing Treasurer)  
Philip Tew (Incoming Treasurer)  
Steve Budden (Warden)  
Julia Woodgate (Assistant Clerk)  
Max Tant (KCC)  
Louise Smith (KCC)
- OBSERVING: Cllr Nick Pope  
Neil Spalding

**MINUTES**

**1. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 20 June 2019 were considered, approved and signed by the Chairman.

**2. FLOOD MANAGEMENT**

Max Tant and Louise Smith attended to discuss the drainage problems and flooding in the Pantiles and Warwick Park area and the possibility that shallow depressions on Tunbridge Wells Common might be able to slow down the large quantity of water running off it, as shown by CCTV monitoring this summer.

They consider the sandy soil of the Common ideal to hold some of this water back temporarily in depressions designed to fill during downpours and gradually drain.

They have been conducting an extensive topographic survey to discover the low points, which would be the best locations for these depressions, and apologised for the fact that they had not asked the Conservators' permission first or informed the Warden. Mr Tant agreed to ensure that the pegs left in the ground from this will be removed. He also confirmed that they would not do any further work on the Common without permission from the Conservators.

The depressions would not be permanent ponds, but they would be happy to enable parts of them to become ponds. They will be designed in accordance with the best health and safety standards such as shallow sides and the Warden confirmed that shallow sides in the pond would have maximum ecological benefit.

The depressions are intended to be extremely low maintenance, in which case KCC would be prepared to take responsibility for them, although they could not maintain the permanent ponds.

They will work with the Conservators to make the outcome beneficial for both parties and are prepared to look at creating more heathland on the Common through scraping the soil.

The results of the survey will be shared with the Conservators this autumn, and KCC will then ask for the Conservators' permission to dig test holes in the areas shown to be suitable, in order to ascertain permeability. The results should be published next summer when they hope to conduct a public consultation.

The Warden confirmed that a public consultation exercise would be welcome as this would provide information for the users of the Common and Mr Tant suggested that interpretation panels might be useful when the work was complete. No consultation will take place without the Conservators' approval.

The cost of the survey and design is being covered by KCC and they will then look at funding for the work.

The Warden raised the current ineffectiveness of the road drains and Mr Tant confirmed that they are currently looking into this with the aim of improving the situation.

He confirmed that KCC will not do any work on the Commons without the Conservators' permission.

### **3. MATTERS ARISING**

#### **a) Pedestrian crossing**

Cllr Woodward confirmed that there was no more money for a new survey, and he would approach Rusthall Parish Council to see if they are able to fund it.

b) Footpath survey

The Warden confirmed that the survey is done and needs writing up.

c) Yellow lines in Major Yorks Road

The lines have improved traffic flow and stopped cars being parked with their wheels on the Common. There is no evidence that it has caused more pressure on the car park.

**4. DATES OF FUTURE MEETINGS**

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

26 March 2020

25 June 2020

17 September 2020

10 December 2020

**5. WARDEN'S REPORT**

There were a few problems earlier in the year and the first cut of the paths was cancelled due to contractor problems. He now has back up in place so this will not happen again. It was suggested that this work should be put out to tender and the Warden agreed that the work is constant and predictable so would be suitable for a contract. It was also emphasised that more diversity was needed among contractors to avoid being dependent on just a few.

The wildflower areas have done well this year.

There have been major problems with young people at Wellington Rocks lighting fires and smashing bottles, and on the lower cricket pitch with burnt patches from barbecues and large quantities of litter. He walked the area earlier in the summer with the police inspector in charge and was advised that if he installed more bins the police would add these areas to their regular patrols. He has ordered double bins for the lower cricket pitch and another single bin for Wellington Rocks.

He has completed the Freehold Tenant projects clearing holly at Happy Valley and adjacent to the Racecourse and scrub at the second Marlpit pond site.

The supplier of the very effective tree poppers gave a day of his time to poison cherry laurel, ably supported by the volunteers. Once the poison has taken effect the laurel will be removed.

He has completed most of the work on the schedule except for seeding the cleared cherry laurel area as it has been too dry. However, the grass seems to be regenerating so it may not be required at all.



The biggest item for the next work period is dealing with Ash dieback. This can now be seen along Langton Road and is a clear safety hazard. He intends to pollard the trees to make them safe and will then see if any regenerate. Those that die will be left in a safe condition as wildlife habitat. The work needed on Rusthall Road is less urgent but will eventually be necessary.

Not appearing on the work schedule is the second phase of holly clearance above Apsley Street. Other additions to the work schedule are the installation of posts at the top of the drive to Rusthall Elms, funded by the Friends and the replacement of the missing lime trees in Eridge Road to be funded by TWBC from s106 money.

## **6. FINANCIAL STATEMENT**

The outgoing Treasurer confirmed that the external audit had been satisfactorily completed. He also noted that one entry had been left off the statement.

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

## **7. BUDGET UPDATE**

The outgoing Treasurer has introduced extensive coding to align with the management plan and has started to break down the budget within each category to help with planning. He confirmed that current spending plans, due to a number of unexpected costs including ash dieback work, will lead to a deficit of some £11,000 by the year end. The Conservators asked to view the number once the s106 expenditure is separated out.

*N.B. Subsequent to the meeting the Treasurer provided the figures requested and he and the Warden communicated the actions being taken to reduce the forecast shortfall.*

## **8. DIRECTOR'S STATEMENT**

The Director reported that he has continued to meet the TWBC Chief Executive regularly. Some of their future meetings will take place during walks on the Common. He suggested that Conservators may also like to go on regular Commons walks.

He reported the Chief Executive's view that the Common is the town's biggest asset, but the Council is not in a position to provide any more funding and has urged the Conservators to find more sources of income.

The monthly meetings with the Committee are working well, and future meetings will also be attended by the Treasurer and Assistant Clerk.

The advertisements for the new Assistant Clerk have just gone out and, when the appointment is made, the Director wants a handover period of a month.

**RESOLVED. Committee to have delegated responsibility for appointing a new Assistant Clerk**

9. **RISK REVIEW**

The Director stated that the new risk register would be circulated to the Conservators shortly.

10. **OPEN SPACES POLICY**

Recommendations for changes to the policy had been circulated to the Conservators, and the Director suggested that it would be beneficial if the Lower Cricket Pitch was used more extensively for events. He did not agree that use should be restricted to non-commercial events and thinks that commercial organisations should be welcome to hold non-commercial events there, for example staff sports days.

11. **S106 CONTRIBUTIONS**

The Director was disappointed to learn how low the contributions from new developments were, especially those close to the Commons. Accordingly, he had a meeting with David Scully, Landscape Officer from TWBC, a Planner from TWBC, a representative from KCC and one from Kent Wildlife Trust. They are keen to help by formulating a policy and wish the Conservators to have a list of projects that can be financed from s106 payments.

The Local Plan is available for comments which need to be submitted by 1 November. The Director is to visit the exhibition at the Gateway to identify those sites that could affect the Commons and from which s106 payments should be forthcoming.

The problem of maintenance was raised, as all grant funded projects have ongoing maintenance costs. Therefore all costed projects should include a capital sum for maintenance.

12. **MOUNT EDGCUMBE**

The Warden has discussed the changes required by the Conservators with the owner, and they have all been agreed, except that the cable is to be run up the other side of the drive due to bedrock preventing it from being buried deeply enough. However, no work has taken place.

**AGREED. The Director to make a personal visit, to be followed up by a letter.**

13. **STAFF PARKING**

Cllr Woodward confirmed that there were no options other than those presented to the last meeting.

**AGREED. The Director to see the Finance Director to negotiate a discount.**

**14. ANY OTHER BUSINESS**

a) Christmas

Targetfollow invited the Conservators to drinks and sandwiches prior to the December meeting, starting at 1.00p.m. This was accepted with thanks.

b) Freehold Tenant and Friends Projects

Cllr Cobbold thanked both organisations for their generous contributions during the year, and the projects it has enabled. The meeting also thanked the two groups.

c) Signs for Pantiles events

Permission was given some years ago for the Pantiles Traders to advertise their events on the Common. However, these posters have been proliferating and this year appear everywhere, and for longer than the agreed two weeks.

**AGREED. The office to direct them by email to limit the numbers and avoid Commons furniture such as the Cold Bath railings.**

**15. PLANNING APPLICATIONS**

Linden Park Cricket Club – change of use to office space. Wrote to confirm that Conservators agreed. Approved.

12 Rustwick – extension. Wrote to point out that access to the road is through rock formations which must not be damaged.

Royal Retreat Hotel, Inner London Road – change of use to residential apartments. Pointed out the lack of outside space and that Common must not be damaged and asked for dialogue to work out best way to protect Common. Agreed s106 payment with planners.

White Hart, Lower Green Road – third application to convert to apartment and build two houses behind. Wrote to reiterate that Common must be protected and express concern at parking issues. Rejected.

In addition, the office reported that an application had been submitted by KCC for sponsorship boards on the Sainsburys roundabout.

**AGREED. The office to object to the application on the grounds that it is not in keeping with the objectives of the Common.**

**16. GEOFF LEVITT**

The Chairman thanked the outgoing Treasurer for his long service and the wonderful job he has done in managing the financial affairs of the Conservators. The Conservators all expressed their gratitude for his work.

Mr Levitt thanked the Conservators and officers for their courtesy and friendship.

The next meeting will be held at **2.00 p.m. on 5 December 2019.**

## **TUNBRIDGE WELLS COMMONS CONSERVATORS**

### **Minutes of a meeting held in Committee Room A on Thursday 5th December 2019 at 1.45pm**

- PRESENT: Ewen Cameron (Chairman)  
Paul Burnett  
Cllr Barbara Cobbold  
Stephen Lacey  
Ian Marshall  
Antony Moore  
Cllr Joy Podbury  
Cllr James Scholes  
Clare Sinha  
Corin Thoday  
Cllr Chris Woodward
- APOLOGIES: Clive Evans  
Chris McHugh
- ATTENDING: Giles Membrey (Director)  
Philip Tew (Treasurer)  
Steve Budden (Warden)  
Julia Woodgate (Outgoing Assistant Clerk)  
Gemma Stapeley (Incoming Assistant Clerk)
- OBSERVING: Neil Spalding

## **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 19th September 2019 were considered, approved and signed by the Chairman.

### **3. MATTERS ARISING**

#### **a) Staff Parking**

The Director confirmed that allocation of two staff parking spaces would terminate on 31<sup>st</sup> December 2019. It will be more cost effective ongoing for the Warden to pay at the meter for time required.

The question of a refund was raised but this has been rejected by the Council who consider the delayed payments and provision of timely notice to be satisfactory. The Officers to the Conservators are adamant that no letter of notification has ever been received and evidence of the aforementioned communication was requested.

b) Flood Management

Regarding the flood mitigation plans proposed by the West Kent Partnership, concern was raised that the existing infrastructure, drainage and soakaways, need to be better managed prior to the new system of drainage ponds being implemented. Highways are claiming that remedial work has been completed on drains including those in Major Yorks Road, Castle Road and Fir Tree Road, but this was disputed.

Concern was also raised that the Conservators have not had the opportunity to discuss their own recommendations with KCC prior to the test work starting and public consultation commencing.

It was noted that Greg Clark MP had been involved with drainage discussions.

Max Tant has asked for the Conservator's permission to dig test holes in the areas with red marks on the map provided via email. The photograph provided showed the test rig to be larger in size than expected. The depth at which the samples would be taken was not known, however it was confirmed that post sampling the area would be made good.

**AGREED. Cllr Chris Woodward to raise concerns about disputed remedial drainage work at the next Joint Transport Board meeting. He will also discuss the entire matter with Cllr Catherine Rankin, KCC's Deputy Cabinet Member for Highways and Transport**

**The Conservator's gave permission for the test holes to be dug, subject to the following caveats; advance warning on dates of testing to be provided; not to be completed in wet conditions; completion of a risk assessment; supply of insurance documents; assurances that damage will be minimised and the area to be made good upon completion. The Warden to discuss with Max Tant.**

c) Pedestrian Crossing

Rusthall Parish Council to provide for a further survey at a more appropriate time of the day.

d) Footpath Survey

A copy of the completed survey to be sent to the Freehold Tenants.

e) Yellow lines in Major Yorks Road

It was confirmed that the lines have been a success in improving traffic flow and reducing damage to the Common verges.

f) Lime Trees in Eridge Road

A request has been made to TWBC for 5 Lime Trees, to replace those missing on Eridge Road. This will be funded by S106 money.

g) S106 Contributions

The Director has met with Clare Sinha and Cllr Chris Woodward to discuss an appropriate approach and resultant paper on S106 payments has been produced and sent to William Benson. The Director had hoped to have met with David Scully, Landscape Officer, to provide further information for the Conservators, but Mr Scully has had a full diary. As such feedback will be provided in due course to the Conservators.

h) Signs for Pantiles Events

Action to communicate with the Pantiles Traders regarding posters deferred until the start on the 2020 events calendar.

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 Joy Podbury	)	One year term ending
Councillor James Scholes	)	31 December 2020
Councillor Chris Woodward	)	

Freehold Tenants

Stephen Lacey	)	
Ian Marshall	)	2nd year of three year term until
Chris McHugh	)	31 December 2021
Clare Sinha	)	

Manor of Rusthall

Paul Burnett	)	
Ewen Cameron	)	1st year of three year term until
Antony Moore	)	31 December 2022
Corin Thoday	)	

## 5. WARDEN's REPORT

The Warden reported that the dry start to the work period had enabled completion of the planned Freehold Tenant's projects for the year, with only slight variation from the original proposal.

The area of Holly clearance adjacent to Hungershall Park has been extended. Scrub has been cleared around the site of the original second Marlpit Pond on Rusthall Common, with hopes to reinstate the pond there in the coming seasons. While the clearance of glades and meadows with the big collector flail was also completed.

However, since October the prolonged heavy rain has impacted on programmed work stopping many activities for several weeks, causing significant delay. The flailbot could not clear the slopes or rocks of Happy Valley and Bulls Hollow while litter bins could not be installed at Wellington Rocks and the Lower Cricket Pitch. All will be postponed until the new year. However, cutting and tidying up of the smaller tracks and paths is now almost complete. The roadside tree survey has been completed and only identified three days of work. The Warden is to discuss with Jonathan Bibby, PROW Officer KCC, whether Conservators are responsible for the trees overhanging KCC paths.

The planned Ash dieback work is due for completion by the end of the year.

A visit from the Kent High Weald Partnership volunteer group, funded by the Freehold Tenants, was successful in removing invading gorse and enabling the harvest of heather seed. The December volunteer day will focus on clearing the heather regeneration site between Castle Road and London Road and the collection of further heather seed for use on the land below Victoria Grove.

The Warden had a visit from Natural England in late November. They were impressed with the heather regeneration project and have recommended an extension to their Higher Level Stewardship agreement. Their support is a great recognition for the good work achieved on the Common.

The Friends have requested permission to plant a replacement tree for Patrick Shovelton on the land on the junction between Bretland Road and Rusthall Road. Clive has also requested permission to plant a Beech tree on the land opposite Bretland Road for his wife.

**AGREED. Permission given to the Warden to organise with the Friends.**

## 6. FINANCE REPORT

The Treasurer reported that as at 19<sup>th</sup> November 2019 The Conservators had £136,983.57 on deposit account, £5,000 on current account and £60 petty cash imprest, this did not include any accruals for work done and not yet invoiced or



invoiced but not yet paid or reimbursed. Work is on-going to reduce the forecast deficit reported at the September 2019 Conservator's meeting.

7. **BUDGET REPORT AND PRECEPT 2020/21**

In September, the previous Treasurer presented a 2019/20 forecast which when incorporating latest estimates for Ash dieback work would create a £13,133 deficit reducing reserves to £26,418 by 31<sup>st</sup> March 2020. Instead, work is being done to reduce the deficit to £3,485 and reserves of £35,000.

The plan for 20/21 is a flat budget in terms of net income and expense. Estimated gross expenditure for 20/21 (excl self-funding projects) is £167,675.

The two main contracts are subject to CPI increases, which was 1.78% in September. A conservative 2% has been included for salaries, 5% increase on insurance, 3% on internal and external audit costs, £500 for the Travellers Protocol contribution and other administrative costs increased by inflation. Full details of the budget for management plan maintenance, projects and other expenditure funded by grants, contributions and donations can be found in the full report.

The Treasurer recommends that the 20/21 budget be approved and recommends increasing the Precept for 20/21 to £165,850, an increase of 2.4% from 2019/20.

**AGREED. Conservators agreed the budget and Precept of £165,850 for 2020/21**

A request was made for Rusthall Parish Council to be notified of the Precept for 2020/21.

**AGREED. The Assistant Clerk to communicate the Precept details to Rusthall Parish Council.**

8. **DIRECTOR'S STATEMENT**

The Director noted that Julia Woodgate would be leaving her role as Assistant Clerk, to be replaced by Gemma Stapeley. He thanked Julia for her extensive contribution over the 14 years she has been in position and wished her well.

Updates on S106 contributions, Risk Register and Mount Edgcumbe were noted as being on the Agenda for further discussion.

The Director will be working with the Assistant Clerk on other sources of external funding.

The Director had continued to meet with the TWBC Chief Executive (CE) where the importance of the Commons to the Borough had been emphasised. The CE had recently attended a walk of Rusthall Common, with the Director and Warden, and had been both impressed and had real interest in the work being undertaken.

The CE had used social media to highlight pictures from the walk and to express his enthusiasm for the meeting on the Common.

9. **RISK REGISTER**

The committee had worked on their latest version of the Risk Register which was included with the Agenda documents. However, the committee wanted further time to refine the details, with a final draft to be presented at the March 2020 meeting.

**AGREED. Cllr Chris Woodward to complete a final draft Risk Register to be presented in March.**

10. **FREEHOLD TENANT AND FRIENDS PROJECTS**

The list of proposed projects had been drawn up in consultation with the Warden, some being jointly funded by the Freehold Tenants and Friends. Detailed specifications for each project to be agreed in advance between the Warden, contractor and Freehold Tenants.

The Freehold Tenants noted that they would accept financial responsibility for the ongoing maintenance of future clearance work which they funded.

Projects listed were as follows:

1. Planting of native hedging to provide screening and improve species diversity
  - a) along the two open sides of Fairground Car Park on Major York's Road and
  - b) along the car park at Mount Edgumbe Hotel.
2. Surveys of the Commons to update records and assess progress in enhancing biodiversity since the 1992 surveys that informed the first Ten Year Management Plan. (Joint project with the Friends). On request to include large mammals in the survey.
3. Organise walks/events related to the surveys, costs to include facilitation, equipment etc. (Joint project with the Friends).
4. Expansion of Fir Tree Pond towards its original footprint.
5. Two days of work by Alan Martin to cull Cherry Laurels on both Commons.
6. Further work at Marlpit Pond site. (Joint project with the Friends).
7. Completion of the 2019 clearance of Happy Valley.
8. Various plantings of Hawthorn trees, ornamental and fruit-bearing trees and other native trees.
9. Planting of wildflower species to be determined during the plant species survey.
10. Two further volunteer days led by the Kent High Weald Partnership.
11. Explore ways in which green initiatives could help the environment.
12. Install steps/log bridges as required to bypass muddy stretch of the racecourse near Hungershall Park.

How each project was linked into the Management Plan was also shown.

The Conservators thanked the Freehold Tenants and Friends for their generosity.

The Freehold Tenants were keen to use these projects to gain further engagement with a wider audience and promote usage of the Commons. Conservators were asked to consider how this might be achieved.

Work on considering aspirational projects for the future was discussed for example using S106 funding or other external funding, for genuine projects not maintenance.

It was noted that the Friends had paid for tree poppers and the holly clearance in Apsley Street, for which they were thanked. The Friends had also offered to purchase Lazy Dogs or similar, the Warden will be considering this.

**AGREED. Conservators approved the list of Freehold Tenant and Friend's Projects**

**Ian Marshall to include large mammals in the survey specification.**

**The warden to consider possible projects for the Church youth group, Noise.**

**11. FILMING AND PHOTOGRAPHY POLICY**

It was agreed that the Filming and Photography Policy should be added to the Open Spaces Policy to ensure consistency.

Conservators cannot charge for revenue, but it was agreed that a charge could be made to cover costs with a request for a donation.

As an interim measure, if such requests occur prior to the March meeting, the proposal should be communicated to the Conservators for comment.

**AGREED. The Director and Assistant Clerk to work on a revised Open Spaces Policy.**

**12. ARCHAEOLOGY**

WKD Archaeology provided the Conservators with a summary document via email, detailing progress and results to date. They requested permission to continue with their work and for the Friends to apply on their behalf for Heritage Lottery Funding.

**AGREED. Permission granted for archaeology work to continue on condition that the Warden is kept informed.**

13. **MOUNT EDGCUMBE**

The Director had provided the Conservators with a file note detailing his meeting with Rob Hogben of The Mount Edgcumbe on 4<sup>th</sup> November 2019. The proposed solution presented to the Conservators for their approval was as follows:

- Installation of a cable from the lamp on the corner of the car park on the western side of the drive to the sign board at the top of the drive. The bollard light to be moved to the western side and connected to the cable.
- White lining to mark the two paths that cross the driveway.
- Posts to be installed around the car park access to reclaim the existing encroachment and prevent further encroachment, location to be marked by the Warden.
- To start end of January 2020.
- All costs incurred to be paid by Rob Hogben.

Conservators requested a clear written method statement to be provided by Rob Hogben, including contractor specification, photographs and evidence of completed work.

**AGREED. Subject to the aforementioned caveats, the Conservators agreed to the proposal. The Director, Warden and Ian Marshall to monitor closely.**

14. **ANY OTHER BUSINESS**

a) Promoting community involvement in the Commons

The Director made suggestion of a sponsored walk or similar activity to promote the Commons, with a proposal to raise funds for the Friends.

**AGREED. The Conservators were in support of this idea, the Warden to discuss with the Friends.**

b) Contractors

The issue of the very limited number of suitable contractors known to the Warden, for the purpose of retendering the maintenance contracts was raised. Both the litter and grasscutting contracts will expire at the end of March 2021 and it was a concern that it would not be a competitive or financially beneficial process if no alternative bids were received.

The Warden continues to work hard to find viable alternative options.

c) Committee Meetings

As the Committee have formal delegated powers from the Conservators it was proposed that minutes be taken and distributed at all future Committee meetings, as a minimum, decisions need to be recorded.

**AGREED. It was agreed that the Committee would decide their terms of reference and procedures outside of the meeting.**

d) Right to Buy

The Friends renewed their right to buy for a further 5 years.

e) Website

It was noted by Cllr Chris Woodward that the Conservator's website was out of date, the new logo was not being used, it was dated, and news items were not being updated. It was not a good way of presenting the Conservators or promoting the Commons.

**AGREED. The Director and Assistant Clerk to complete a review of the website and make proposals for its improvement.**

f) Planning applications and consultations

The Conservators are not a statutory consultee on planning application, this has been confirmed by Stephen Baughen, the Head of Planning for TWBC. Consequently, the Assistant Clerk to continue to be vigilant in checking the daily emails received by Public Access.

g) Request for a tent to be erected on Rusthall Common

The Warden had received a request to erect a tent/gazebo for the purpose of holding a private party on the Common in Rusthall.

The request was declined.

h) Christmas Eve Dog Party on the Common

The Warden made a request to permit the annual Christmas Eve Dog Party, to be held in the area around Wellington Rocks. Public Liability insurance to be checked by the Warden.

**AGREED. The Warden was given permission to approve the event.**

15. **PLANNING APPLICATIONS**

Flat 2, 74 Mt Ephraim – convert sunroom to open balcony. Reminded them that the grass verges need protecting.

9 Nevill Terrace – large extension to create three further flats. Reminded them that the wide verge is part of the Common and that it will be very easy to overrun it. Warden to meet developer if permission granted.

Sainsburys roundabout – permission to erect sponsorship signs. Granted.

Lodge on the Common – change of use to flats. Pointed out that all the outside space is part of the Common and no changes can be made without the Conservator’s approval. Director to meet developer if permission granted.

The next meeting will be held at **2.00 p.m. on Thursday 26 March 2020.**

### Agreed Actions

Agenda Item	Detail	Responsibility
3b	To raise concerns about disputed remedial drainage work at the next Joint Transport Board meeting.	Cllr Chris Woodward.
3b	To discuss the flood management issues with Cllr Catherine Rankin, KCC’s Deputy Cabinet Member for Highways and Transport.	Cllr Chris Woodward.
3b	To discuss permission granted for test holes to be dug with Max Tant, to include all caveats.	Warden.
3d	A copy of the footpath survey to be sent to the Freehold Tenants.	Warden.
3g	Feedback to be provided to Conservators on the progress of S106 discussions.	Director.
5	Discuss with Jonathan Bibby whether Conservators are responsible for trees overhanging KCC paths.	Warden.
7	Notify Rusthall Parish Council of the Precept for 2020/21.	Assistant Clerk.
9	Final draft Risk Register to be presented at March meeting.	Cllr Chris Woodward.
10	Large mammals to be included in the survey specification.	Ian Marshall.
10	Consider possible projects for the Church youth group, Noise.	Warden working with Cllr Joy Podbury.
11	Revised Open Spaces Policy to be presented at the March meeting.	Director and Assistant Clerk.
13	Work to manage the implementation of the Mount Edgcumbe proposal.	Director, Warden and Ian Marshall.
14a	To discuss an event to promote community involvement on the Commons.	Warden with the Friends.
14c	To decide the terms of reference and procedures for the Committee.	Director.
14e	Review of the Conservator’s website.	Director and Assistant Clerk.