

## **AGENDA**

### Meeting of the Commons Conservators

2pm Thursday 25 June 2020

Via videoconferencing – contact Gemma Stapeley ([gemma.stapeley@twcommons.org](mailto:gemma.stapeley@twcommons.org)) for details.

1. APOLOGIES FOR ABSENCE
2. MEETING BY VIDEOCONFERENCE – to seek the Conservators’ approval to meeting by videoconference in accordance with Schedule 3 of the County of Kent Act 1981.
3. LINDEN PARK CRICKET CLUB – Freddie Hulbert (Director of Cricket) to raise their concerns regarding use of the outfield. Letter to Conservators attached and see separate email (dated 17.5.20) for supporting images.
4. MINUTES OF THE COMMONS CONSERVATORS MEETING HELD ON 26 MARCH 2020 – attached.
5. COMMITTEE MINUTES
  - i) MINUTES OF THE COMMITTEE MEETING HELD ON 29<sup>TH</sup> MAY 2020 – attached.
  - ii) MINUTES OF THE COMMITTEE MEETING HELD ON 9<sup>TH</sup> JUNE 2020 – attached.
6. MATTERS ARISING
7. MANAGEMENT REPORT – attached
  - i) Director’s report



- ii) Warden's report including work schedule
- iii) Finance report
- iv) Assistant Clerk's report

8. NEW WEBSITE

9. OPEN SPACES POLICY – attached.

10. REQUEST FROM THE COMMON ROOMS BAR TO UTILISE THE COMMON FOR THEIR CUSTOMERS – See minutes of the Committee meeting held on 9<sup>th</sup> June for details.

11. EVENTS AND SIGNAGE

ACTIVITIES ON THE COMMONS – all subject to Covid-19 guidance

- i. Wild Child Forest School (Friends) 6 sessions during August school holidays dates tbc.
- ii. Rusthall Bonfire 31st October 2020.

SIGNAGE

- i. Signs for Rusthall Bonfire (31<sup>st</sup> October 2020)

12. ANY OTHER BUSINESS

13. PLANNING APPLICATIONS

White Hart, 16 Lower Green Road, Rusthall. Conversion of public house into 4 bed dwelling. Comment made on behalf of the Conservators - The Conservators have no comment to make on the application but would remind the applicant that the land at the front of the property is part of Rusthall Common. The Conservators wish to make it clear that no building materials may be placed on the land and no construction or delivery vehicles may park there or overrun the grass at any time.



As part of a tender for the conversion of The Retreat Hotel, 55-57 London Road, Tunbridge Wells, Kent TN1 1DS, email received to request a parking bay suspension and or using part of the Common directly outside the Hotel for a compound area. Appropriate response, declining request sent.

14. DATE OF NEXT MEETING – 17<sup>th</sup> September 2020

15. EXEMPT SESSION



Linden Park Cricket Club  
Fir Tree Road  
Tunbridge Wells  
Kent  
TN4 8AH

16<sup>th</sup> June 2020

**Meeting 25<sup>th</sup> June 2020: Regarding the damage to the outfield and the increased costs of maintenance**

Dear Commons Conservators,

On behalf of Linden Park Cricket Club, I have been asked to put together a brief summary of the issues we wish to raise with you prior to the meeting on June 25<sup>th</sup>. The state of the outfield is significantly worse than it has been previously and we have identified two specific causes directly responsible for this: The first is dog walkers and the second is more people using the common for recreational purposes during the Covid-19 pandemic.

Dogs grinding to a sudden halt whilst chasing balls and then digging away at the turf are causing unprecedented damage to the outfield. As you will see from the photos I have attached, many of the potholes are now large enough to fit an adult foot inside. In the winter months, when the ground is damp and the outfield is at its most vulnerable, the locals organise events such as 'Santa Paws' that sees hundreds of dog walkers congregate on the pitch to compete in races and games with their pets. Additionally, Curlyvera's Coffee van has proved very popular with dog walkers who congregate on one side of the ground and this has caused considerable damage throughout the year. Dog walkers are not the only offenders, we also have a number of personal trainers operating on the outfield with small groups and equipment which can be very difficult to police.

Bonnie, Clive and Coco are organising this year's Xmas Eve Santa Paws Party on Tunbridge Wells Common (cricket pitch) with a little help from [Lucy Saxton-Quinn](#) and myself. If you have a dog and live locally please come and join us and spread the word! [#TunbridgeWells](#) [#Christmas](#) [#dogs](#) [#dogsoftunbridgewells](#) [#santapaws](#)



Targetfollow takes a percentage of our income as the landlord and whilst the conservators do not get a specific mention in the Council Tax bill, your accounts show that large portion of your income is raised via the TWBC precept. Therefore it should not be the sole responsibility of the cricket club to pay for repairs, enforce rules and protect other members of the public by constantly servicing the outfield out of our own budget. The untold hours we spend clearing up broken glass, filling in potholes and cleaning up dog's mess makes us the last line of defence against litigation.

When this was last brought to your attention, you told the club you were not willing to enforce dogs on leads and you would not ban dogs from the outfield.



As I understand it, the solution you offered was to rope off and reseed small sections of the outfield in a way that was not unsightly in order to give the ground a chance to recover. This solution is not sufficient for a number of reasons: 1) the only viable way to rope off small sections of the ground is to drive stakes into the ground which create more holes, 2) roping off the ground would not be sufficient since dogs can still get under the rope, 3) the alternative is orange plastic fencing which would violate your condition that the measure put in place to protect the ground should not be unsightly and 4) now the problem is considerably worse than it was we would need to isolate much larger sections than your previous stipulations would allow.

Going forward we need the support of the conservators in order to keep the public safe on the common. Each time we buy a batch of seed and soil to fill in the potholes it costs the club around £300 and we have to repeat the process several times over the course of a season because the dogs dig the soil back out again.

On your website, the Covid-19 update recommends that dogs are to be kept on leads. We would kindly ask again that this recommendation is turned into an indefinite stipulation for the cricket pitch which gets the most traffic. There are two hundred and forty acres of common land up there to walk on and all we are asking is that dogs are kept on leads for three and a half acres. We need financial support to repair the outfield damage for the safety of the public, especially if these winter events continue. Finally, we need to be able to cordon off larger areas of the outfield over the winter in order to repair the damaged grass. If we do not take steps to act now someone could get very seriously hurt on the common in the near future.

We look forward to meeting you and resolving these issues on 25<sup>th</sup> June.

Yours sincerely,

Frederick Thomas Hulbert    MPhil, MA, BA (hons), PGCE



## **TUNBRIDGE WELLS COMMONS CONSERVATORS**

### **Minutes of a meeting held via video conference on Thursday 26 March 2020 at 2.00pm**

#### **PRESENT:**

Ewen Cameron (Outgoing Chairman)  
Paul Burnett  
Stephen Lacey  
Ian Marshall (Incoming Chairman)  
Chris McHugh  
Cllr Joy Podbury  
Clare Sinha  
Corin Thoday  
Cllr Chris Woodward

#### **APOLOGIES/UNABLE TO ATTEND:**

Cllr Barbara Cobbold  
Antony Moore  
Cllr James Scholes  
Clive Evans (Friends of Tunbridge Wells and Rusthall Common)

#### **ATTENDING:**

Giles Membrey (Director)  
Philip Tew (Treasurer)  
Steve Budden (Warden)  
Gemma Stapeley (Assistant Clerk)  
Liz Ellicott (Rusthall Parish Council)

## **MINUTES**

### **1. APOLOGIES FOR ABSENCE**

Apologies were received from Antony Moore and Cllr James Scholes.

### **2. 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.



**AGREED. That Ian Marshall, representative of the Freehold Tenants, be appointed as Chairman until the quarterly meeting of the Conservators in March 2021.**

**Ian Marshall in the Chair.**

The Chairman conveyed his grateful thanks to Ewen Cameron for his year in office.

### **3. MEETING BY VIDEO CONFERENCE**

The Conservators provided approval to hold the meeting via video conference and for it to be recorded.

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

The minutes of the meeting held on 5 December 2019 were considered and approved. A copy to be sent to the Chairman to be signed and returned.

### **5. MATTERS ARISING**

#### Storm drainage

Since the last Conservator's meeting on 5<sup>th</sup> December 2019, the West Kent Partnership (WKP) flood mitigation proposal, involving five scrapes to hold back water on Tunbridge Wells Common, has not been progressed. The work on the test dig holes has been postponed and rearranged due to excessive rainfall over the Winter period making access for the test rig difficult. The WKP team have also been kept very busy managing significant flood incidents across the County. Test dates are now being agreed with the Warden.

The Warden considers that the proposed scrapes are in the right locations, since the WKP have conducted appropriate surveys. One of the sites appears to be located by a substantial Oak tree and it was confirmed by the Warden that the sites could be moved subject to the welfare of the Common. It was proposed that there is also an existing small pond on Castle Road that could be consolidated with one of the new scrapes, to capture water running down Castle Road.

The Assistant Clerk was asked to obtain the full proposal and map from Max Tant to be sent to all Conservators.

The failure of the existing storm drain system was also raised, as it was thought that the existing storm drain system should be adequate and might eliminate the need for the scrapes if it was fully functioning. To save time, money and effort the problems with the storm drains should be resolved before the scrapes or at least in conjunction with the scrapes as a combined management plan.

There is particular concern along Major York's Road where there is a dip in the ground between the junctions with Nevill Park and Hungershall Park where water collects after heavy rain and could cause cars to aquaplane.



The Assistant Clerk has been liaising with Alex Brauninger, the Asset Team Leader (Drainage Planned Works) of the Highways Asset Management Team at KCC. Mr Brauninger has confirmed that they have plans to repair the highway drainage at various locations around the Tunbridge Wells Common, with the most pertinent being on Major York's Road. He confirmed that Major York's Road drains to a series of soakaway manholes within the verges either side. Mr Brauninger anticipated a full replacement of the drainage system on this road but would need to start the project by conducting investigative groundworks and sought the Conservator's permission for this.

Flooding on Common View in Rusthall was also discussed. The Warden explained that the end property on this road (44) had experienced water running off the Common straight into the garden and house. It is thought that the problem was the excessive levels of rain experienced during the Winter combined with the inadequate drainage system on the Taylor Wimpey housing estate on the adjacent land. The Warden has attended a site visit with Liz Ellicott (Rusthall Parish Council) and the estate management and he has offered to put a small drain in down the side of the road but this currently wouldn't have anywhere for the water to go, so will not provide a complete resolution. This matter remains ongoing.

**AGREED. The Assistant Clerk to contact Max Tant and to confirm to Alex Brauninger that the Conservators give permission for investigative groundworks to commence along Major York's Road.**

**Outstanding actions from the last meeting relating to this matter - 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.**

## **6. DIRECTOR AND WARDEN REPORT**

### Director's Report

The Director provided a full report in advance of the meeting.

He confirmed that he had met with William Benson, Chief Executive of TWBC, who continues to emphasise support for the Conservators.

The Director is due to rewrite his Planning Gain proposal document (previously called S106) and re-present to David Scully, Landscape Officer at TWBC.

A quote has been requested and received for a new website this project will now progress with support from the Committee.

### Warden's Report

The Warden had provided a full report in advance of the meeting.



As an update on his report, the Warden highlighted that the amenity grass cutting had started today (26<sup>th</sup> March) and that seeding of the Fir Tree pond area and Happy Valley was imminent.

#### Issues arising as a result of Covid-19

The Assistant Clerk provided an update on the office arrangements made to accommodate the Covid-19 guidance from Government to work from home if possible. This included work done with 360 Software Solutions to arrange email and website CMS access from home, Office 360 access to files and folders and an answer phone message left on the office phone to provide the mobile number of the Warden and Assistant Clerk. As the Town Hall is now closed these measures have ensured business continuity from an office perspective.

It was suggested that the website contact page should be updated to explain that the office telephone is no longer accessible due to the closure of the Town Hall.

The Warden provided an update on his contractors, all of whom were continuing to work, while observing sensible precautions and social distancing. The only contractor that was of concern was Oakbourne, which manages the litter picking contract. The contractor had had to return to Scotland and his brother was operating the contract. It was decided that the Warden should get signs made to ask the general public to ensure they take home their litter as a potential infection hazard. It was also anticipated that the amount of litter would reduce with fewer users.

It was noted that the Covid-19 guidance from Government was changing rapidly and that potentially all contractors might be unable to work due to their own health or imposed working restrictions. As such the main critical areas of work should be identified to maintain health and safety for Commons users. With this in mind, it was suggested that paths and tracks should be cut on either side to a width of 2 metres to maintain a minimum safe passing opportunity and that highway sightlines would need to be managed. The Warden reported that all dangerous trees and storm damage had been addressed.

**AGREED. The Assistant Clerk to update the website contact page to explain that the office telephone is no longer accessible.**

**The Warden to purchase signs asking the general public to ensure they take home all of their litter.**

## **7. RISK MANAGEMENT AND CONTINGENCY PLANNING**

### Risk Management

The Risk Register provides a comprehensive list of all potential risks to the management of the Commons. The Risk Management document summarises the key risks and the goals of the Conservators.

Ownership of the risks is ultimately the responsibility of the Conservators as a body and the Director as their proper officer. Day-to-day monitoring and response to individual risks are



delegated as described in the register, role descriptions, annual plans, budgets and work schedules. The Committee oversee risk management on behalf of the Conservators. It discusses developments in key risk areas with the officers on a quarterly basis and reviews the risk register in detail annually.

Additional risks associated with Covid-19 will be addressed by the Committee as a priority.

#### Contingency Planning

It was decided that the Commons should remain open to enable the community to use it for their suggested daily walk/exercise. Partial closures would be very difficult to manage. The closure of Fir Tree Car Park was considered but there was concern that cars driving up Fir Tree Road would find it difficult to turn round, there was also the question raised as to whether the publishers occupying Linden Park cricket club offices were still working and would require use of the car park.

Enforced closure of the Commons by Government would hopefully be avoided, but the development of policy would be monitored, and updates circulated to all.

The possibility of the Covid-19 virus remaining on the Sandstone rocks where children play leading to infection transfer was discussed. The Conservators agreed that it was important to establish whether this was possible so that the general public could be appropriately advised. If there is a risk, then Conservators would consider isolating the rocks and or putting up appropriate warning notices.

The Warden confirmed that the volunteer sessions have now finished for the season and that the archaeological dig site in Rusthall has temporarily closed.

It was suggested that if the Covid-19 issues escalate quickly then the Committee could be called to coordinate the Conservator actions.

**AGREED. The Clerk to email his contact at the London School of Tropical Medicine to find out about the risk of transferring Covid-19 on the Sandstone rocks.**

**Post meeting note: The advice from the London School of Tropical Medicine was that the virus was unlikely to survive long on porous rock (Sandstone) and we should not worry about the risk of infection. No further action required.**

## **8. FINANCIAL REPORT**

The Conservators had received a copy of the financial report in advance. The Treasurer highlighted that the accounts were on budget and that he had received the £5,000 planning gain money for tree planting. The variances were explained in detail.

The Treasurer had received a request to analyse the invoices by supplier, which was provided in his report.



Salary increases for the office team were proposed at 2% increase prorated to the time in the year that the individual was in position.

Additional expenses due to Covid-19 measures such as signage, widening path cuts and IT could utilise the contingency, the Treasurer was comfortable with this.

**AGREED. The Conservators approved the salary increase. The Assistant Clerk to notify TWBC Payroll.**

#### **9. PROPOSED PHOTOGRAPHY COMPETITION**

It was agreed that the competition would provide an uplifting focus to daily walks and as such should continue.

It would be important to ensure that the wording incorporates safe social distancing guidance. Prizes and marketing to be finalised by the Assistant Clerk, with approval delegated to the Committee.

**AGREED. Assistant Clerk to continue to plan the event and report back to the Committee.**

#### **10. ALL ABILITIES PATH FROM ST. PAUL'S CHURCH**

The proposal was received from The Friends of Tunbridge Wells and Rusthall Commons and incorporated details on location, practicality, costs and funding and stakeholders.

**AGREED. The Conservators approved the project in principle but requested further details as the project developed. There would be no residual obligation on the Conservators for ongoing maintenance and the Friends would handle the fundraising.**

#### **11. ANY OTHER BUSINESS**

##### Ruth Wakefield's tree

The Warden has received a request from Ruth Wakefield for a tree to celebrate their wedding anniversary, noting that David was a past Conservator and Chairman.

**AGREED. The Conservators gave their permission for a tree, with the variety and location to be decided by the Warden.**

##### Rusthall Cricket Club fencing

The Warden has received a request from Rusthall Cricket Club which would like to install fencing behind their pitch.



**AGREED. The Conservators gave their permission for the fencing. The Warden to communicate this decision and oversee its installation.**

#### Website

The Director requested permission to fast track the project to set up a new website, so that it better reflected the Commons and the work of the Conservators.

This project could possibly be funded by the Freehold Tenants.

**AGREED. The Director and Assistant Clerk to work on an appropriate website specification to enable three quotes for the work to be obtained.**

### **12. PLANNING APPLICATIONS**

22 Rusthall Road, loft conversion, creation of a dormer window on the rear roof slope and a single storey side extension. On behalf of the Conservators a comment was made to clarify that no building material may be placed on the land in front of the property or delivery vehicles may park or overrun the grass at any time.

Park View House, Hungershall Park. Removal of a conservatory, sheds, pergola and greenhouse; relocation of a barn; erection of a two-storey extension; outdoor swimming pool; sunken garaging and alterations to driveway and landscaping. On behalf of the Conservators a comment was made to clarify that the land adjacent to the property is Common and that materials must not be stored there, nor vehicles parked.

Land rear of 1 and 2 Montacute Gardens. Erection of nine two-bedroom apartments. The Director confirmed that this was applicable for planning gain.

- 13. DATE OF NEXT MEETING – 25 June 2020 at 2.00pm at Rusthall Parish Council Offices.** There will be a walk on Rusthall Common for all starting at the Parish Council Office at 12.45pm. Subject to current lockdown restrictions being eased.

### **Agreed Actions**

<b>Agenda Item</b>	<b>Detail</b>	<b>Responsibility</b>
3	Chairman to sign the minutes of the previous meeting.	Chairman/Asst Clerk
4	Request the plans for scrapes from Max Tant.	Asst Clerk.
4	To confirm to Alex Brauningner the Conservators' approval for the investigative groundworks on Major York's Road.	Asst Clerk



6	Update website to explain that the office telephone is not accessible due to Town Hall closure.	Asst Clerk
6	Signs to be purchased asking the general public to take their litter home, should this become necessary.	Warden
7	Risks associated with Covid-19 to be reviewed as part of the risk register.	Committee.
7	Obtain guidance on the possibility of Covid-19 transfer on Sandstone.	Director
8	Notify TWBC Payroll of salary increases.	Asst Clerk
9	Continue to plan to photography competition.	Asst Clerk
10	Communicate the Conservators' decision on the all ability path to The Friends.	Asst Clerk
11	Decide the location and variety of tree for Ruth Wakefield.	Warden
11	Communicate the Conservators' approval to Rusthall Cricket Club.	Warden
11	To work on an appropriate specification to enable three quotes for a new website to be obtained.	Director/Asst Clerk



## **Conservators Committee: Tuesday 9<sup>th</sup> June 2020**

**In attendance: Paul Burnett, Giles Membrey, Clare Sinha, Gemma Stapeley, Philip Tew and Cllr Chris Woodward.**

### **Minutes of the meeting:**

#### **1. Application by the Common Rooms to use the Common as an extension of their premises.**

Targetfollow have received an application from the Common Rooms bar (45 Mount Ephraim, Tunbridge Wells TN4 8AA) to use an area of the Common, in front of Thackerays on London Road, as an extension of their property to serve drinks as and when bars can reopen, to accommodate customer while social distancing is followed.

Targetfollow have been told that the Commons Rooms would serve until 10pm, providing time for a full clean up. They would provide single use cups.

**Action: GS to discuss with SB and report back.**

#### **Update:**

SB feels that he can't support the proposal because of the following:

1. The Common is for all, he feels that this would be an encroachment and that one of the purposes of the Conservators is to prevent encroachment.
2. Safety concerns so close to the busy London Road.
3. Actively encouraging use of single use cups, which will increase waste volumes and potentially fill up our bins or cause litter.
4. Concerns about residents living in proximity.

There are concerns that the Forum are already operating in a similar way to the Common Rooms request, serving food and drink which is then consumed on the Common in front and side of the Forum.

#### **2. Website**

Three key areas were addressed as follows:

##### **a) Short-listed companies**

All agreed that the existing website provider should not be included in the short-list. The Committee agreed to review which of the additional suppliers they had identified from their own research should be added to the shortlist. They subsequently confirmed via email that they wished to add Redboat Design and Kayo. The following shortlist will be presented to the Conservators for approval:

- ☐ Cordis Creative



- ☐ DunklNK
- ☐ Kayo
- ☐ Redboat Design

## **b) Selection criteria**

All agreed that the criteria would include 1. Quality, 2. Cost with other aspects following.

## **c) Future decision-making**

The Committee agreed to revisit the original proposal on future decision-making and have subsequently provided the following via email:

- ☐ Conservators decide on:
  - a. Any significant revision to spec, or ballpark budget
  - b. Final 'formal' text, i.e. any statements on the site about the Conservators, policies, etc
  - c. Final approval of site before going live
- ☐ Committee (CS, PB, CW), GM & GS jointly decide on:
  - d. Appointment of supplier
  - e. Any minor (non-material) variation of agreed spec within the parameters set by the Conservators
  - f. Design concept, including navigation, menu, page types/templates, etc
  - g. Optional extras
  - h. Site text, other than formal content (NB will need to decide on who drafts)
  - i. Site images (we assume there is enough source material, from which the supplier's designer selects)
- ☐ Committee will consult Conservators, and seek their views, as the design and development proceeds.

## **3. Role of Committee and Officers**

The role of the Committee and officers were discussed briefly.

## **4. Litter picking and grass cutting contract timeline**

The litter picking and grass cutting contracts expire on 31<sup>st</sup> March 2021 and as such the Assistant Clerk has prepared an appropriate timeline of actions. The Committee was provided with a draft of the proposed timeline in advance of the meeting and it was subsequently approved. The decision-making authorities in the process are yet to be confirmed.



## **Conservators Committee: Friday 29<sup>th</sup> May 2020**

**In attendance: Paul Burnett, Giles Membrey, Clare Sinha, Gemma Stapeley, Philip Tew and Cllr Chris Woodward.**

### **Minutes of the meeting:**

#### **1. Covid-19**

##### **Operational updates from SB**

- ☐ All Covid-19 signage relating to not sitting on benches or climbing on rocks taken down in accordance with the new guidance as of 13<sup>th</sup> May 2020.
- ☐ Bryan who runs the litter contract has been on lockdown in Scotland and unable to travel to the Commons. He has arranged satisfactory interim measures to ensure that the contract is fulfilled. He is due to return in the next week or two and the Director has provided him with a signed letter explaining his need to return for work, should he be stopped on the journey in Scotland.
- ☐ All other contractors are working.
- ☐ Mixed feedback on social distancing. Some days/times it appears to be being followed on other occasions it is clearly not being followed.

##### **Office update**

- ☐ Emails and feedback on Facebook relating to social distancing not being adhered to, comments about full litter bins and issues with cyclists. All have been promptly responded to appropriately.

The Committee commented on a few paths on the Common where the two metre distancing was difficult to achieve due to vegetation at the side of the paths, notably the path from the Spa Hotel down to the garden centre and the Tarry Path. SB to address.

#### **2. Drainage and soakage tests**

It was confirmed that the soakage tests were underway. SB has met with the engineers conducting the tests and is managing their activity. The team led by Max Tant and Emma Burdett will use the test results to create a proposal for the Conservator's consideration.

The highways drainage repair work on Major York's Road and Castle Road was due to start with investigative work along the verges. Due to Covid-19 this work has been delayed, latest communication (20/5/20) suggested June/July.



We are very aware of the need to have both projects working together, permission would not be granted for the scrape project without progression with the highways work.

### **3. Website**

Discussions regarding the direction of the project concluded with agreement that a further meeting was required, scheduled for Tuesday 9<sup>th</sup> June at 9am.



## **Matters Arising Update: All Abilities Path**

No action is required from the Conservators on this subject: this is just a brief update. The Covid 19 virus has delayed progress but we have been able to move forward in the following areas:-

We have approached Rusthall Parish Council to see if they would provide some financial support, because it represents a significant improvement of a local amenity. Financial endorsement from such a body is looked upon positively by other funders. (This was the advice of Funding for All.) In response the Chairman of RPC has asked to have a physical inspection of the route of the path, which we are currently seeking to arrange.

The Warden has reviewed the estimates and options put forward from the experienced contractors. He will now be arranging to have site visits with them so that we can submit to the Conservators a proposal for approval as to the exact surface and construction proposed, before we seek 100% external funding (i.e. no call will be made on the Conservator's own budget).

One walk with a member of the local Access Group who knows the area well has been strongly supportive of the proposal (her husband was wheelchair bound – he had lost both legs). Another member with whom we had made contact is currently unable to travel from his present lockdown location.

It is also worth noting that with more people walking during lockdown the length of the path has been intensively used, but only very infrequently on parts of it by prams, given the difficulty of the terrain, and we have not seen wheelchairs use it at all. It will be wonderful to change this.

Clive Evans

16.06.2020





### **DIRECTORS REPORT**

Meeting of the Commons Conservators

25 June 2020 at 2.00pm

#### **1. Covid-19 Issues**

Given the continuance of the Covid-19 pandemic, it might be prudent to confirm that all meetings for the foreseeable future will be conducted remotely via the video conferencing facilities.

As a result of Covid-19 we have seen a significant increase in the use of the Commons which has created a few issues in relation to litter clearing, bins being fuller than normal and more wear and tear. We have put up signs around the common in relation to covid-19 procedures, particularly in the use of benches etc. We are continuing to monitor use and deal with issues as and when they arrive.

There has also been an increase in the use of bicycles across the common and this has been difficult to control. Most people have been cycling reasonably and with care for the pedestrians but there have just been a few incidents of conflict.

#### **2. Grant Funding and Financing**

We are continuing to explore future funding and grant aid.

#### **3. Planning Gain Developments**

I have had continuing discussions with the planning department. Due to Covid-19 the plans for progressing the local plan have been pushed out a bit further. Following a meeting with the planning team we have produced a second version for the planning gain proposals which has been submitted to the planning team. Ideally, we have been waiting for the moment when we can meet face to face to go through this revised document with the planning team but it maybe we will have to try and do this remotely through VC call.

#### **4. South and South East in Bloom**

It has been agreed that a portfolio will be submitted for the South and South East in Bloom judging committee with a final deadline of end June. This will encompass a short summary of activities in the



Common from August 2019 to June 2020 including horticulture/conservation; environment and community involvement. Although due to the Covid-19 outbreak some of these elements will not be going ahead the selection committee will look at what has been planned. A range of photographs will be prepared to illustrate each section.

## **5. Website**

There has been extensive communication regarding the website redesign. The scope of the site to include Rusthall as well as Tunbridge Wells has been clarified and agreed. We went out to a few parties as agreed at the last Conservators meeting. On discussion with the sub committee, we have worked up a new specification for the development and design of a new web site. Comparisons have been sought with similar sites such as Wimbledon and Putney Commons, as well as nationwide websites such as the Woodland Trust and the National Trust.

A budget has been agreed at circa £3,000 to £4,000. Should the Friends wish to have an input they will be requested to contribute for their specific elements.

Several website designers have been looked at, with criteria ranging from cost, quality and location. Although two firms currently on the shortlist have links to Trustees this is not necessarily a barrier but will be advised to the Conservators. We will select three of the following web design companies to approach:

- ☐ Cordis
- ☐ Dunk Ink
- ☐ Redboat Design
- ☐ Kayo

It has been suggested that the Conservators have governance over the following elements:

- ☐ Input/Feedback on design option
- ☐ Approval of high level content/structure
- ☐ Revision to specification or ballpark budget
- ☐ Final text on statements on the site pertaining to the Conservators, policies etc.
- ☐ Final approval of site prior to going live.

We would like the Conservators to approve our proposed shortlist and approve the web site procedures and specification so we can progress matters with the Web site designers.

## **6. William Benson**

I continue to meet up with William on a regular basis. The council would be keen for us to explore further, the development of a dedicated cycle route across the common. What is apparent, particularly during lockdown is the increased cycle traffic using the Common and it would seem eminently sensible to explore this provision further.

GILES MEMBREY

Director



## Work Schedule July - September 2020

### April - June 2020

Compartment	Management Plan Area	Requirements	Completed	Funding	Actual cost
R4	Barriers	Install new lockable barrier.	Completed	Precept	£370
T8	Furniture	Install 2 new double bins.	Postponed	Precept	£500.00
T6	Furniture	Install new bin adjacent to Wellington Rocks.	Postponed	Precept	£200.00
Various	Paths	Cut back and widen surface paths.	Completed	Precept	£1,500.00
All	Grass	Amenity grass cutting as per contract.	Ongoing	Precept	£2,933.34
All	Litter	Litter clearance as per contract.	Ongoing	Precept	£6,375
R4	Paths	Scrape and clear path surface at Happy Valley.	Completed	Precept	£650.00
Various	Drainage	Clear drains and culverts as required.	Completed	Precept	£2,000.00
Various	Seats	Renovation of 10 benches.	Completed	Precept	£2,000.00
All	Grass	Clear sight lines as required.	Completed	Precept	£800.00
All	Grass	First cut of roadside verges with hedging flail	Completed	Precept	£720.00

### Additional Work April - June 2020

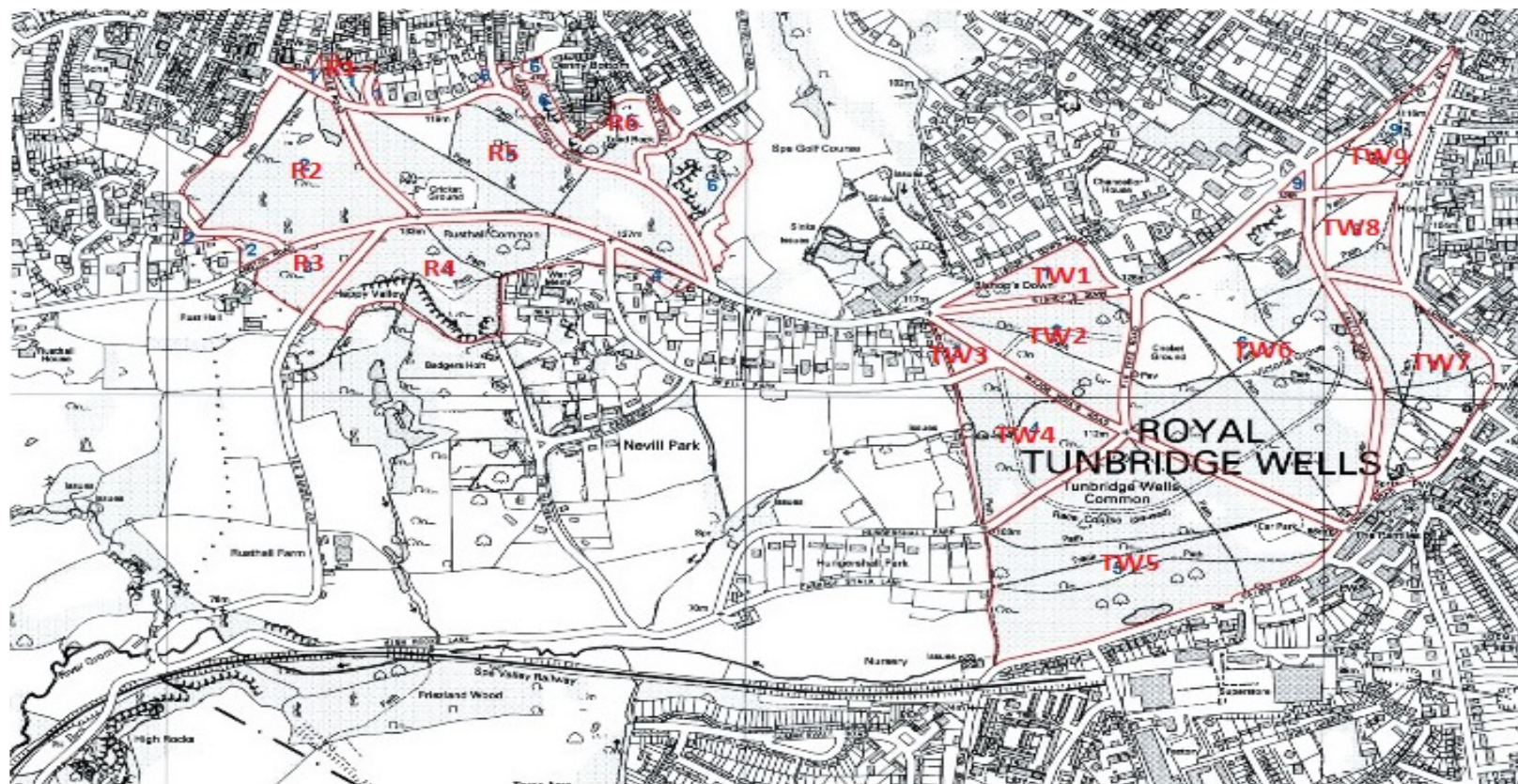
Compartment	Management Plan Area	Requirements	Completed	Funding	Actual cost
T2	Barriers	Install locking barrier at Fir Tree Car Park	Completed	Precept	£370.00
Various	Signage	Covid-19 signage	Completed	Precept	£150.00

### July - September 2020

Compartment	Management Plan Area	Requirements	Completed	Funding	Actual cost
T6	Furniture	Install new bin adjacent to Wellington Rocks.		Precept	£200.00
T8	Furniture	Install 2 new double bins location tbc.		Precept	£500.00
All	Grass	Amenity grass cutting as per contract.		Precept	£2,933.34
All	Litter	Litter clearance as per contract.		Precept	£6,375
Various	Grass	Collector flail.		Precept	£3,000.00
Various	Paths	Commence cut and clear of all minor paths.		Precept	£5,000



R2	Pond	Completion of second Marl Pit Pond		FHT and Friends	
T5	Trees	Removal epicormic growth on lime trees opposite Brighton Lake		Precept	£650.00
T1	Trees	Pollard large sweet chestnut outside Spa Hotel.		Precept	£720.00
T6	Trees	Pollard two dangerous lime trees adjacent to race course.		Precept	£500.00
T5	Trees	Pollard large dead ash adjacent to Cabbage Stalk Lane.		Precept	£720.00





## **Warden's report; June 2020**

The past three months on the Commons have of course been dominated by the effects of the Covid 19 lockdown, which has led to a huge increase in footfall across all areas. In particular, the section around the Wellington Rocks and the Upper Cricket Ground has been very popular, especially with the hot, dry, sunny conditions we experienced throughout May.

At the start of lockdown, we were contacted by the Police, who were trying to control numbers and enforce social distancing rules. They requested us to put signage up in the Wellington Rocks area, to help them with their efforts, and this we did, putting signs warning of possible sources of infection on benches and rocks. The signs were installed in that area and at main access points to the Commons as well. Inevitably, over time most of these signs have been removed or damaged but as any effort to stop people using the seats seems to have ceased, we have not replaced them.

Initially, the car park at the Rocks was comparatively little used and the Commons were being used mostly by walkers and runners but since the first easing of lockdown the Rocks area in particular has been very heavily used by family groups and the cricket pitch has hosted numerous picnics. This has put a severe strain on our litter contractor, with the bins being overwhelmed with rubbish on a daily basis. This has eased somewhat since the weather has moderated but usage is still very high.

Although there has always been a Bylaw against cycling on the Commons, we have never really tried to enforce it, especially against people cycling quietly across the Commons to avoid using the roads. However, since unrestricted exercise has been permitted, there have been many, many people cycling on the Commons and it has been impossible to control, although I have stopped the few who think it acceptable to race round the outfield of the cricket pitch. Most cyclists have behaved quite reasonably but inevitably, there has been a small number who have not and there has been some conflicts with pedestrians.

Hopefully all these issues will ease as and when things start to return towards normality. Whilst it is of course pleasing that so many more local residents have discovered the Commons, if the much heavier footfall continues, it will inevitably put more pressure on our already strained budget. On the plus side, it will hopefully result in increased membership for the Friends.

Although some of our contractors initially closed down at the start of the outbreak, most have now returned and we have been able to continue with basic maintenance. Grass cutting started at the end of March and we have been able to keep this going as normal. Litter clearance continued, although the pressure of keeping the bins cleared has meant that removal of litter on the paths has been less thorough than normal. We have carried out our usual renovation and repainting of ten of our benches, concentrating mostly on Rusthall Common this year, and thanks to the generosity of the Friends, we have been able to repaint the railings on the paths next to both



Belleville and St Helena on Tunbridge Wells Common. The damage to the Bat Cave has also been repaired and several drainage problems revealed by the very wet Winter have been resolved, with blocked pipes and culverts cleared.

There have been a considerable number of fallen or leaning trees to deal with on the interior paths and I have concentrated on these rather more than normal because of the increased footfall on the paths, as well as the fact that I keep coming across people picnicking in unexpected places. Most of these have been comparatively minor trees but there are some larger trees that will need attention too in the coming weeks. The most obvious is a very large Sweet Chestnut just outside the Spa Hotel over the footway on Bishops Down. This will be reduced in the coming weeks but we will leave as much as we can consistent with safety. Two Lime trees that mark an old seat position adjacent to the Racecourse below the Victoria Grove also need serious attention and a large, dead Ash tree adjacent to Cabbage Stalk Lane needs to be pollarded, but I am waiting until the Orchids underneath it to finish flowering before we carry out the work.

A number of our ponds have suffered from evaporation during the very hot weather in May, in fact the whole Commons seemed to go from saturation to desiccation in just a few weeks. The newly extended Fir Tree Pond is quickly shrinking back to its original size, although there is still plenty of water in it in the original section, whereas Cabbage Stalk pond has almost disappeared and we are having to try and rescue thousands of tadpoles from the rapidly shrinking pools of water that remain. The partially completed new pond at the Marlpits on Rusthall Common is completely dry at the moment and we hope to return there in August to complete the project.

The initial soil permeability tests for the Pantiles flood prevention scheme have now taken place and although we have not yet heard anything officially, it did seem to me that the results were not very favourable. I was present at the first test site, where a metre long core of soil was extracted, the hole was filled with water and the rate of drainage was timed. At the end of an hour, the water had still not drained, which does not seem to indicate ideal conditions for the creation of a soakaway.

Work has commenced on cutting back some of our main paths to allow for social distancing. We have access to a smaller collector flail this year and I am trying to use that where possible, rather than just leaving the arisings on site. The large flail will be in to start cutting selected areas at the end of June and we will also be commencing the major annual task of cutting back all the minor footpaths, which will continue into Autumn. The second visit from the large collector flail to clear our larger clearances and glades will take place in September.

Britain in Bloom in its usual format has been cancelled for this year but we will be taking place in a virtual competition. It is a shame not to be able to show the Judges directly all the new clearances that have taken place in the past year, as well as the splendid showing that our Orchids are again giving. They would, I am sure, also have appreciated the improvements in our heather regeneration areas, as well as the dramatic effects of the treatment of Cherry Laurel that was injected with Glyphosate last Autumn on both Commons.



Asulox, the herbicide that has been so helpful in controlling bracken on the Commons, has unfortunately been removed from the list of treatments that can be applied using a back-pack sprayer or mist blower and so we are unable to use it this year. The window for applying Asulox is also very limited, it can only be used effectively against bracken during a two week period at the beginning of July, so there is no time for any appeal. I hope the prohibition does not continue in coming years as I am not aware of any other herbicide which impacts only bracken, leaving everything else unaffected. .



# Tunbridge Wells Commons Conservators

## Finance Report for the meeting on 25 June 2020

### Summary

In this report and associated documents I have presented:

- (1) the annual financial statements of the Tunbridge Wells Commons Conservators for the year ended 31 March 2020;
- (2) a comparison of the income statement for the year ended 31 March 2020 against the income statement for the year ended 31 March 2019;
- (3) a comparison of the income statement for the year ended 31 March 2020 against the original budget for the year ended 31 March 2019;
- (4) the various Annual Governance and Accountability Return ( AGAR ) forms required to be approved and to be submitted to the external auditor and subsequent to be held on public record.

I am requesting that the Conservators formally adopt and approve the annual financial statements of the Tunbridge Wells Commons Conservators for the year ended 31 March 2020 and the AGAR forms. In the main AGAR form there are some check lists to be completed which have not yet been fully completed. They will be once the internal audit has been completed and the statements are approved by the Conservators.

At the time of writing the internal audit is still in progress and I can update the Conservators on that at the meeting.

### Annual financial statements for the year ended 31 March 2020

These are set out in a separate document.

### Comparison of the 2019/20 income statement 2020 against 2018/19

Income statement	Year ending 31-Mar-20 £	Year ending 31-Mar-19 £	Variance £
<b>Income</b>			
Tunbridge Wells Borough Council Precept	161,900	156,000	5,900
Other donations and contributions	3,173	2,097	1,076
Planning agreement income	5,051	-	5,051
Project funding from Freehold tenants, Friends and others	18,261	9,120	9,141
Interest	538	80	458
Other	-	50	(50)
	<b>188,924</b>	<b>167,348</b>	<b>21,576</b>
<b>Total income</b>	<b>188,924</b>	<b>167,348</b>	<b>21,576</b>



## Expenditure

### Salaries and expenses

Salaries, NI, pension, parking and payroll costs

Uniform and storage

Insurances

Audit - internal and external

Other

59,994	56,281	3,713
705	899	(194)
1,260	2,521	(1,260)
1,560	588	972
562	290	272

**64,082                  60,578                  3,503**

### Maintenance of Commons etc.

Grass and cleared areas

Trees including annual survey

Ditches, drainage

Paths, cold bath and spring

Litter control

Furniture

Barriers

Other

34,304	33,071	1,233
20,903	21,588	(685)
2,120	1,865	255
3,030	3,275	(245)
26,931	28,610	(1,679)
2,625	2,547	78
2,505	4,776	(2,271)
1,430	200	1,230

**93,848                  95,932                  (2,084)**

### Projects

Funded by planning agreements

Funded by Freehold tenants

Funded by Friends

Other

1,343	1,800	(457)
15,861	9,120	6,741
450	-	450
1,200	480	720

**18,854                  11,400                  7,454**

### Total expenditure

**176,783                  167,910                  8,873**

### Net income/(expense)

**12,140                  (563)                  12,703**



**Analysed by:**

Planning agreement net income/(expense)	3,709	(1,800)	5,509
Freehold tenants, Friends and others funded projects	750	(430)	1,180
Maintenance net income/(expense)	7,681	1,667	6,014
	<b>12,140</b>	<b>(563)</b>	<b>12,703</b>

Income was up £21.5k reflecting a greater number of Freehold tenant and Friends funded projects and the receipt of £5.1k planning gain moneys in respect of Union House which is expected to be spent on tree planting in the Autumn of 2020. The precept increased in line with inflation.

Salaries and expenses were up £3.5K principally as a consequence of salary inflation and the additional costs of the director and treasurer over and above the expense allowances charged previously in 2018/19 by those individuals. There are some more detailed accrual variances in insurances and audit but these broadly net off.

The costs of the maintenance of the Commons in 2019/20 was broadly similar to that in 2018/19. There was a conscious effort to reduce costs in 2019/20 to reduce a potential budget deficit which in the end did not transpire.

Project costs broadly followed project income.

The surplus for the year can be analysed as £3.7k arising from planning agreement income and expense where the income typically comes in in a year prior to the year of expenditure, a small surplus on Freehold tenant, Friends and others funded projects of £0.7m which arises from a contribution to the cost of benches where the cost was incurred in 2018/19 and a surplus on general maintenance account as referred to above.



# **Comparison of the income statement for 2019/20 against the original 2019/20 budget**

<b>Income statement</b>	<b>Actual Year ending 31-Mar-20 £</b>	<b>Budget Year ending 31-Mar-20 £</b>	<b>Variance £</b>
<b>Income</b>			
Tunbridge Wells Borough Council Precept	161,900	161,900	-
Other donations and contributions	3,173	2,475	698
Planning agreement income	5,051	-	5,051
Project funding from Freehold tenants, Friends and others	18,261	-	18,261
Interest	538	75	463
Other	-	-	-
	<b>188,924</b>	<b>164,450</b>	<b>24,474</b>
<b>Total income</b>	<b>188,924</b>	<b>164,450</b>	<b>24,474</b>



## Expenditure

### Salaries and expenses

Salaries, NI, pension, parking and payroll costs

Uniform and storage

Insurances

Audit - internal and external

Other

59,994	57,175	2,819
705	705	(0)
1,260	2,600	(1,340)
1,560	1,000	560
562	1,355	(793)

**64,082      62,835      1,247**

### Maintenance of Commons etc.

Grass and cleared areas

Trees including annual survey

Ditches, drainage

Paths, cold bath and spring

Litter control

Furniture

Barriers

Other

34,304	36,565	(2,261)
20,903	20,520	383
2,120	2,000	120
3,030	3,650	(620)
26,931	28,150	(1,219)
2,625	3,500	(875)
2,505	5,000	(2,495)
1,430	1,715	(285)

**93,848      101,100      (7,252)**

### Contingency

**4,000      (4,000)**

### Projects

Funded by planning agreements

Funded by Freehold tenants

Funded by Friends

Other

1,343	-	1,343
15,861	-	15,861
450	-	450
1,200	-	1,200

**18,854      -      18,854**

### Total expenditure

**176,783      167,935      8,848**

### Net income/(expense)

**12,140      (3,485)      15,625**



**Analysed by:**

Planning agreement net income/(expense)	3,709	-	3,709
Freehold tenants, Friends and others funded projects	750	-	750
Maintenance net income/(expense)	7,681	(3,485)	11,166
	<b>12,140</b>	<b>(3,485)</b>	<b>15,625</b>

Income was up against budget by £24.5k as a consequence of project funding of £18.3k which is not budgeted ( the income and costs broadly offset ) and a receipt of £5.1k of Union House planning gain moneys not budgeted as the timing of receipt was uncertain.

Salaries and expenses were up against budget by £1.2k as a consequence of car parking costs of £1.6k imposed by Tunbridge Wells borough Council which were not budgeted and various other accrual timing differences.

The costs of maintenance of the commons was under budget by £7.3k. The 2019/20 costs included £10.2k in relation to pollarding trees subject to Ash dieback and as a consequence of there was a conscious effort to reduce costs in 2019/20 as referred to above. These costs in the end were reduced more than was strictly necessary and some cost will therefore flow forward into 2020/21.

Project costs were not budgeted but broadly offset the project income with the surplus arising from a seats contribution where the expenditure was incurred in 2018/19.

**Annual Governance and Accountability Return ( AGAR ) forms**

These are set out in separate documents.

The Conservators are hereby requested to approve the annual financial statements and associated AGAR returns for the year ended 31 March 2020.

**Financial activity in the two months to 31 May 2020**

Financial activity in the two months to 31 May 2020 has been relatively quiet. The precept for the 6 months to 31 October 2020 of £82,925 has been received and payments have been largely on accruals for work/salaries costs arising in respect of the period up to 31 March 2020 together with the monthly litter contract payments.

At 31 May 2020 the Conservators had some £130,000 in cash at bank and on deposit which is normal for this time of year.

The Conservators are asked to note this financial activity report.

Philip Tew

June 2020



# Annual Governance and Accountability Return 2019/20 Part 3

## To be completed by Local Councils, Internal Drainage Boards and other Smaller Authorities\*:

- where the higher of gross income or gross expenditure exceeded £25,000 but did not exceed £6.5 million; or
- where the higher of gross income or gross expenditure was £25,000 or less but that:
  - are unable to certify themselves as exempt (fee payable); or
  - have requested a limited assurance review (fee payable)

## Guidance notes on completing Part 3 of the Annual Governance and Accountability Return 2019/20

1. Every smaller authority in England that either received gross income or incurred gross expenditure exceeding £25,000 **must** complete Part 3 of the Annual Governance and Accountability Return at the end of each financial year in accordance with *Proper Practices*.
2. The Annual Governance and Accountability Return is made up of three parts, pages 3 to 6:
  - The **Annual Internal Audit Report** is completed by the authority's internal auditor.
  - **Sections 1 and 2** are to be completed and approved by the authority.
  - **Section 3** is completed by the external auditor and will be returned to the authority.
3. The authority **must** approve Section 1, Annual Governance Statement, before approving Section 2, Accounting Statements, and both **must** be approved and published **before 1 July 2020**.
4. An authority with either gross income or gross expenditure exceeding £25,000 or an authority with neither income nor expenditure exceeding £25,000, but which is unable to certify itself as exempt, or is requesting a limited assurance review, **must** return to the external auditor by email or post (not both) **no later than 30 June 2020**. Reminder letters will incur a charge of £40 +VAT:
  - the Annual Governance and Accountability Return Sections 1 and 2, together with
  - a bank reconciliation as at 31 March 2020
  - an explanation of any significant year on year variances in the accounting statements
  - notification of the commencement date of the period for the exercise of public rights
  - Annual Internal Audit Report 2019/20

Unless requested, do not send any additional documents to your external auditor. Your external auditor will ask for any additional documents needed.

Once the external auditor has completed the limited assurance review and is able to give an opinion, the Annual Governance and Accountability **Section 1, Section 2 and Section 3 – External Auditor Report and Certificate** will be returned to the authority by email or post.

## Publication Requirements

Under the Accounts and Audit Regulations 2015, authorities must publish the following information on a publicly accessible website:

Before 1 July 2020 authorities **must** publish:

- Notice of the period for the exercise of public rights and a declaration that the accounting statements are as yet unaudited;
- **Section 1 - Annual Governance Statement 2019/20**, approved and signed, page 4
- **Section 2 - Accounting Statements 2019/20**, approved and signed, page 5

Not later than 30 September 2020 authorities **must** publish:

- Notice of conclusion of audit
- **Section 3 - External Auditor Report and Certificate**
- **Sections 1 and 2 of AGAR** including any amendments as a result of the limited assurance review.

It is recommended as best practice, to avoid any potential confusion by local electors and interested parties, that you also publish the Annual Internal Audit Report, page 3.

The Annual Governance and Accountability Return constitutes the annual return referred to in the Accounts and Audit Regulations 2015. Throughout, the words 'external auditor' have the same meaning as the words 'local auditor' in the Accounts and Audit Regulations 2015.

*\*for a complete list of bodies that may be smaller authorities refer to schedule 2 to the Local Audit and Accountability Act 2014.*



## Guidance notes on completing Part 3 of the Annual Governance and Accountability Return 2019/20

- The authority **must** comply with *Proper Practices* in completing Sections 1 and 2 of this Annual Governance and Accountability Return. *Proper Practices* are found in the *Practitioners' Guide\** which is updated from time to time and contains everything needed to prepare successfully for the financial year-end and the subsequent work by the external auditor.
- Make sure that the Annual Governance and Accountability Return is complete (no highlighted boxes left empty), and is properly signed and dated. Where amendments are made by the authority to the AGAR after it has been approved by the authority and before it has been reviewed by the external auditor, the Chairman and RFO should initial the amendments and if necessary republish the amended AGAR and recommence the period for the exercise of public rights. If the AGAR contains unapproved or unexplained amendments, it may be returned and additional costs will be incurred.
- The authority **should** receive and note the annual internal audit report if possible before approving the annual governance statement and the accounts.
- Use the checklist provided below to review the Annual Governance and Accountability Return for completeness before returning it to the external auditor by email or post (not both) no later than 30 June 2020.
- Do not send the external auditor any information not specifically requested. However, **you must inform your external auditor about any change of Clerk, Responsible Financial Officer or Chairman, and provide relevant email addresses and telephone numbers.**
- Make sure that the copy of the bank reconciliation to be sent to your external auditor with the Annual Governance and Accountability Return covers all the bank accounts. If the authority holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree the bank reconciliation to Box 8 on the accounting statements (**Section 2, page 5**). An explanation **must** be provided of any difference between Box 7 and Box 8. More help on bank reconciliation is available in the *Practitioners' Guide\**.
- Explain fully significant variances in the accounting statements on **page 5**. Do not just send a copy of the detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include complete numerical and narrative analysis to support the full variance.
- If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or variances are not fully explained, additional costs may be incurred.
- Make sure that the accounting statements add up and that the balance carried forward from the previous year (Box 7 of 2019) equals the balance brought forward in the current year (Box 1 of 2020).
- The Responsible Financial Officer (RFO), on behalf of the authority, **must** set the period for the exercise of public rights. From the commencement date for a single period of 30 consecutive working days, the approved accounts and accounting records can be inspected. Whatever period the RFO sets it **must** include a common inspection period – during which the accounts and accounting records of all smaller authorities must be available for public inspection – of the first ten working days of July.
- The authority **must** publish the information required by Regulation 15 (2), Accounts and Audit Regulations 2015, including the period for the exercise of public rights and the name and address of the external auditor **before 1 July 2020**.

Completion checklist – 'No' answers mean you may not have met requirements		Yes	No
All sections	Have all highlighted boxes have been completed?		
	Has all additional information requested, including <b>the dates set for the period for the exercise of public rights</b> , been provided for the external auditor?		
Internal Audit Report	Have all highlighted boxes been completed by the internal auditor and explanations provided?		
Section 1	For any statement to which the response is 'no', has an explanation been published?		
Section 2	Has the authority's approval of the accounting statements been confirmed by the signature of the Chairman of the approval meeting?		
	Has an explanation of significant variations from last year to this year been published?		
	Has the bank reconciliation as at <b>31 March 2020</b> been reconciled to Box 8?		
	Has an explanation of any difference between Box 7 and Box 8 been provided?		
Sections 1 and 2	Trust funds – have all disclosures been made if the authority as a body corporate is a sole managing trustee? <b>NB:</b> do not send trust accounting statements unless requested.		

*\*Governance and Accountability for Smaller Authorities in England – a Practitioners' Guide to Proper Practices*, can be downloaded from [www.nalc.gov.uk](http://www.nalc.gov.uk) or from [www.ada.org.uk](http://www.ada.org.uk)



## Annual Internal Audit Report 2019/20

ENTER NAME OF AUTHORITY

This authority's internal auditor, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls to be in operation **during** the financial year ended 31 March 2020.

The internal audit for 2019/20 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.			
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.			
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.			
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.			
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.			
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.			
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.			
H. Asset and investments registers were complete and accurate and properly maintained.			
I. Periodic and year-end bank account reconciliations were properly carried out.			
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.			
K. IF the authority certified itself as exempt from a limited assurance review in 2018/19, it met the exemption criteria and correctly declared itself exempt. <i>(If the authority had a limited assurance review of its 2018/19 AGAR tick "not covered")</i>			
L. The authority has demonstrated that during summer 2019 it correctly provided for the exercise of public rights as required by the Accounts and Audit Regulations.			
<b>M. (For local councils only)</b> Trust funds (including charitable) – The council met its responsibilities as a trustee.	Yes	No	Not applicable

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken

DD/MM/YY DD/MM/YY DD/MM/YY

Name of person who carried out the internal audit

ENTER NAME OF INTERNAL AUDITOR

Signature of person who carried out the internal audit

SIGNATURE REQUIRED

Date

DD/MM/YY

\*If the response is 'no' you must include a note to state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).



## Section 1 – Annual Governance Statement 2019/20

We acknowledge as the members of:

ENTER NAME OF AUTHORITY

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2020, that:

	Agreed		
	Yes	No*	'Yes' means that this authority:
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.			<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.			<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.			<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.			<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.</i>
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.			<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.			<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>
7. We took appropriate action on all matters raised in reports from internal and external audit.			<i>responded to matters brought to its attention by internal and external audit.</i>
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.			<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			<i>has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.</i>

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

DD/MM/YY

and recorded as minute reference:

MINUTE REFERENCE

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

SIGNATURE REQUIRED

Clerk

SIGNATURE REQUIRED

### Other information required by the Transparency Codes (not part of Annual Governance Statement)

Authority web address

AUTHORITY WEBSITE ADDRESS



## Section 2 – Accounting Statements 2019/20 for

ENTER NAME OF AUTHORITY

	Year ending		Notes and guidance
	31 March 2019 £	31 March 2020 £	
			<i>Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.</i>
<b>1.</b> Balances brought forward			<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
<b>2.</b> (+) Precept or Rates and Levies			<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
<b>3.</b> (+) Total other receipts			<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
<b>4.</b> (-) Staff costs			<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
<b>5.</b> (-) Loan interest/capital repayments			<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
<b>6.</b> (-) All other payments			<i>Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
<b>7.</b> (=) Balances carried forward			<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
<b>8.</b> Total value of cash and short term investments			<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – <b>To agree with bank reconciliation.</b></i>
<b>9.</b> Total fixed assets plus long term investments and assets			<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
<b>10.</b> Total borrowings			<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
<b>11.</b> (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	<i>The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets.</i>
			<i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2020 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

SIGNATURE REQUIRED

Date

DD/MM/YY

I confirm that these Accounting Statements were approved by this authority on this date:

DD/MM/YY

as recorded in minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where the Accounting Statements were approved

SIGNATURE REQUIRED



## Section 3 – External Auditor Report and Certificate 2019/20

In respect of

ENTER NAME OF AUTHORITY

### 1 Respective responsibilities of the body and the auditor

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2020; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

Our responsibility is to review Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with guidance issued by the National Audit Office (NAO) on behalf of the Comptroller and Auditor General (see note below). Our work **does not** constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and **does not** provide the same level of assurance that such an audit would do.

### 2 External auditor report 2019/20

(Except for the matters reported below)\* on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (\*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the authority:

(continue on a separate sheet if required)

### 3 External auditor certificate 2019/20

We certify/do not certify\* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2020.

\*We do not certify completion because:

External Auditor Name

ENTER NAME OF EXTERNAL AUDITOR

External Auditor Signature

SIGNATURE REQUIRED

Date

DD/MM/YY

\*Note: the NAO issued guidance applicable to external auditors' work on limited assurance reviews in Auditor Guidance Note AGN/02. The AGN is available from the NAO website ([www.nao.org.uk](http://www.nao.org.uk))



## Bank reconciliation – pro forma

This reconciliation should include **all** bank and building society accounts, including short term investment accounts. It **must** agree to Box 8 in the column headed “Year ending 31 March 20xx” in Section 2 of the AGAR – and will also agree to Box 7 where the accounts are prepared on a receipts and payments basis. Please complete the highlighted boxes, remembering that unpresented cheques should be entered as negative figures.

Name of smaller authority: Tunbridge Wells Commons Conservators

County area (local councils and parish meetings only):

### Financial year ending 31 March 20xx

Prepared by (Name and Role): Philip Tew - Treasurer

Date: 28/04/20

	£	£
<b>Balance per bank statements as at 31/3/20:</b>		
Current account	1,047.83	
Deposit account	30,992.45	
3 month deposit maturing 5/5/20	20,000.00	
3 month deposit maturing 27/5/20	<u>20,000.00</u>	
		72,040.28
Petty cash float (if applicable)		60.00
Less: any unpresented cheques as at 31/3/20 (enter these as negative numbers)	<u>-</u>	-
Add: any un-banked cash as at 31/3/20	<u>-</u>	-
<b>Net balances as at 31/3/20 (Box 8)</b>		<b><u><u>72,100.28</u></u></b>



Explanation for ‘high’ reserves

(Please complete the highlighted boxes.)

Box 7 is more than twice Box 2 because the authority held the following breakdown of reserves at the year end:

	£	£	£
Earmarked reserves:			
Planning contribution from former hospital site	1,680		
Dandara contribution	1,500		
Planning contribution from Union House	5,051		
		8,231	
General reserve	43,460	43,460	
Total reserves (must agree to Box 7)			51,691



## Explanation of variances – pro forma

Name of smaller authority: **Tunbridge Wells Commons Conservators**

County area (local councils and parish meetings only):

Insert figures from Section 2 of the AGAR in all **Blue** highlighted boxes

Next, please provide full explanations, including numerical values, for the following that will be flagged in the green boxes where relevant:

- variances of more than 15% between totals for individual boxes (except variances of less than £200);
- a breakdown of approved reserves on the next tab if the total reserves (Box 7) figure is more than twice the annual precept/rates & levies value (Box 2).

	2018/19 £	2019/20 £	Variance £	Variance %	Explanation Required?	Automatic responses trigger below based on figures input, <b>DO NOT OVERWRITE THESE BOXES</b>	Explanation from smaller authority (must include narrative and supporting figures)
1 Balances Brought Forward	40,114	39,551				Explanation of % variance from PY opening balance not required - Balance brought forward agrees	
2 Precept or Rates and Levies	156,000	161,900	5,900	3.78%	NO		
3 Total Other Receipts	11,348	27,024	15,676	138.14%	YES		Contributions received for works on the Commons were £9,799 in 2018/19 and £16,002 reflecting a greater level of work in 2019/20. In 2018/19 there was a contribution of £1,000 from Targetfollow arising from fitness classes on the Commons and in 2019/20 contributions of £2,259 for seats. The Natural England grant was £369 in 2018/19 and £2,948 in 2019/20 reflecting timing of grant receipts. In 2019/20 £5,051 was received as a planning gain contribution arising from the Union House development.
4 Staff Costs	53,066	58,149	5,083	9.58%	NO		
5 Loan Interest/Capital Repayment	0	0	0	0.00%	NO		
6 All Other Payments	114,845	118,635	3,790	3.30%	NO		
7 Balances Carried Forward	39,551	51,691			NO	VARIANCE EXPLANATION NOT REQUIRED	
8 Total Cash and Short Term Investments	70,201	72,100				VARIANCE EXPLANATION NOT REQUIRED	
9 Total Fixed Assets plus Other Long Term Investments and Ass	0	0	0	0.00%	NO		
10 Total Borrowings	0	0	0	0.00%	NO		

Rounding errors of up to £2 are tolerable

Variances of £200 or less are tolerable



# Tunbridge Wells Commons Conservators

## Annual Financial Statements for the year ended 31 March 2020

Income statement	Year ending 31-Mar-20 £	Year ending 31-Mar-19 £
<b>Income</b>		
Tunbridge Wells Borough Council Precept	161,900	156,000
Other donations and contributions	3,173	2,097
Planning agreement income	5,051	-
Project funding from Freehold tenants, Friends and others	18,261	9,120
Interest	538	80
Other	-	50
	<b>188,924</b>	<b>167,348</b>
<b>Total income</b>	<b>188,924</b>	<b>167,348</b>



## Expenditure

### Salaries and expenses

Salaries, NI, pension, parking and payroll costs  
Uniform and storage

Insurances

Audit - internal and external  
Other

59,994	56,281
705	899
1,260	2,521
1,560	588
562	290

**64,082      60,578**

### Maintenance of Commons etc.

Grass and cleared areas

Trees including annual survey

Ditches, drainage

Paths, cold bath and spring

Litter control

Furniture

Barriers

Other

34,304	33,071
20,903	21,588
2,120	1,865
3,030	3,275
26,931	28,610
2,625	2,547
2,505	4,776
1,430	200

**93,848      95,932**

### Projects

Funded by planning agreements

Funded by Freehold tenants

Funded by Friends

Other

1,343	1,800
15,861	9,120
450	
1,200	480

**18,854      11,400**

### Total expenditure

**176,783      167,910**

### Net income/(expense)

**12,140      (563)**



**Balance sheet as at 31 March 2020**

	<b>31 March 2020 £</b>	<b>31 March 2019 £</b>
<b>Current assets</b>		
Debtors and prepayments	1,260	-
Accrued income	33	-
	<b>1,294</b>	<b>-</b>
Cash at bank	72,040	70,141
Petty cash	60	60
	<b>72,100</b>	<b>70,201</b>
	<b>73,394</b>	<b>70,201</b>
<b>Current liabilities</b>		
Creditors	2,088	-
Accruals and deferred income	19,615	30,650
	<b>21,703</b>	<b>30,650</b>
<b>Net current assets</b>	<b>51,691</b>	<b>39,551</b>
<b>Reserves</b>		
General account	43,460	34,529
Planning contribution from former hospital site	1,680	3,023
Dandara contribution	1,500	2,000
Planning contribution from Union House	5,051	-
	<b>51,691</b>	<b>39,551</b>

The above statement represents fairly the financial position of the Tunbridge Wells Commons Conservators as at 31 March 2020 and reflects its income and expenditure due in the year.

P G Tew  
25 June 2020



## Reserves analysis

	1 Apr 20 £	Income £	Expenditure £	Transfer £	31 Mar 20 £
General	34,529	183,872	(175,441)	500	43,460
Planning contribution from former hospital site	3,023		(1,343)		1,680
Dandara contribution	2,000			(500)	1,500
Planning contribution from Union House		5,051			5,051
<b>Total</b>	<b>39,551</b>	<b>188,924</b>	<b>(176,783)</b>	<b>-</b>	<b>51,691</b>

Expenditure of £1,342 on litter bins was incurred and funded by the hospital site planning contribution.

A contribution of £2,000 was received in 2018/19 from Dandara to meet maintenance costs following the land swap related to the Union House development. These maintenance costs, estimated at £500 per annum, are included within general expenditure and a reserves transfer of £500 per annum is accordingly being made.

During the year the Conservators received a planning contribution of £5,051 in connection with the Union House development. It is expected that this will be spent on tree planting in 2020/21.

## Notes to the accounts

### Debtors and prepayments

	31 March 2020 £	31 March 2019 £
Prepayments	1,260	-
Accrued income	33	-
	<b>1,294</b>	<b>-</b>

Prepayments represent prepaid insurance costs.

### Tangible Assets

The Conservators do not own any land or property.  
No other tangible assets are shown in the accounts.

### Leases

There are no leases of property or other assets.



### **Creditors and accruals**

	<b>31 March 2020 £</b>	<b>31 March 2019 £</b>
Creditors	2,088	-
Accruals and deferred income	19,615	30,650
	<hr/>	
	<b>21,703</b>	<b>30,650</b>
	<hr/>	

Accruals and deferred income all relate to administrative costs and Commons works undertaken pre 31 March but uninvoiced at 31 March.

### **Borrowings and debt outstanding**

The County of Kent Act 1981 does not permit the Conservators to borrow.

### **Tenancies**

The Conservators do not own land or buildings. The Conservator's officers use Tunbridge Wells Council owned office accommodation free of charge. The Conservators use storage space at the Council's North Farm depot An inclusive licence fee of £600 per annum is payable.

### **Contingent liabilities**

There are no contingent liabilities.

### **Pension costs**

The Conservators pay a contribution, not exceeding 9% of salary, towards the cost of a personal pension provision by the Warden. This arrangement commenced in 1992. Employees are not eligible to join the Local Government Pension Scheme. This meets the requirements of the Pensions Act 2008.



# **Tunbridge Wells Commons Conservators**

## **Finance Section of Management Report for the meeting on 25 June 2020**

### **Summary**

In this report I have presented a brief summary of financial activity in the two months to 31 May 2020. This is for noting.

### **Financial activity in the two months to 31 May 2020**

Financial activity in the two months to 31 May 2020 has been relatively quiet. The precept for the 6 months to 31 October 2020 of £82,925 has been received and payments have been largely on accruals for work/salaries costs arising in respect of the period up to 31 March 2020 together with the monthly litter contract payments.

At 31 May 2020 the Conservators had some £130,000 in cash at bank and on deposit which is normal for this time of year.

The Conservators are asked to note this financial activity report.

Philip Tew

June 2020



## Reconciliation between Box 7 and Box 8 in Section 2 - pro forma

(applies to Accounting Statements prepared on an income and expenditure basis only)

Please complete the highlighted boxes.

Name of smaller authority:

Tunbridge Wells Commons Conserva

County area (local councils and parish meetings only):

There should only be a difference between Box 7 and Box 8 where the Accounting Statements (Section 2) have been prepared on an income and expenditure basis and there have been adjustments for debtors/creditors/receipts in advance at the year end. Please provide details of the year end adjustments, showing that the difference between them is equal to the difference between Boxes 7 and 8.

£

### Box 7: Balances carried forward

Deduct: Debtors (**enter these as negative numbers**)

Interest 6/2/20 deposit @0.7%

- 20.71

Interest 27/2/20 deposit @0.7%

- 12.66

- 33.37

Deduct: Payments made in advance

(prepayments) (**enter these as negative numbers**)

Insurance prepayment - period 1/4/20 to 30/9/20

- 1,260.33

- 1,260.33

### Total deductions

Add:

Creditors (must not include community infrastructure levy (CIL) receipts)

Tunbridge Wells Borough Council - payroll and related charges

14,094.81

Maidstone Council - Internal audit review 2019/20

600.00

PKF Littlejohn - External audit review 2019/20

480.00

Oakbourne - Litter contract March 2020

2,088.00

Michael Dann - grass and lockable bollards

2,760.00

Bridgland - Roadside trees identified in the survey

1,680.00

21,702.81

Add:

Receipts in advance (must not include deferred grants/loans received)

-

### Total additions

### Box 8: Total cash and short term investments



tors

n 2 of the AGAR)  
prepayments and  
wing how the net

£  
51,691.17

- 1,293.70

21,702.81

72,100.28



## Assistant Clerk's report: 25<sup>th</sup> June 2020

- The Commons Conservators' Facebook group was launched on 6<sup>th</sup> April 2020 and we currently have 694 members. During May 2020 there were 93 posts with 378 comments and 2,218 reactions to those posts. The group is developing into an incredibly positive way of communicating with users of the Commons and we are receiving great feedback. During the Covid-19 outbreak and lockdown we have successfully used the group to share guidance regarding social distancing and other safety information. Posts cover historical information, walks, flora and fauna, geology, conservation, educational reference material and nature-based activities. If you would like to consider joining, please go to [Facebook.com/groups/TWRCommons](https://www.facebook.com/groups/TWRCommons).

- The Commons Conservators' photography competition was launched on 1<sup>st</sup> May 2020. The original intention was to use it as an opportunity to promote the Common, but with Covid-19 this was expanded to use it as a way of sharing images of the Commons with those self-isolating or unable to get to the Commons due to the lockdown.

The competition will close on 31<sup>st</sup> July 2020. Details of the competition have been advertised in Rusthall Life, via St Paul's Primary School, The Wells Free School and Bishops Down Primary School, the My Tunbridge Wells blog and in mid-June will feature in the Council magazine, Local.

To date we have received 16 entries which have all been of a high standard, depicting a variety of aspects of the Common. Every Friday the entries are posted on the Facebook group and approximately 6 other groups reaching approximately 6,000 people, we actively encourage those people to share the images with their friends, family and neighbours. We are proposing that these photographs feature in the new website as they demonstrate what the Commons means to our community.

- Both the existing litter picking and grass cutting contracts are due to expire on 31<sup>st</sup> March 2021. A schedule of activity leading to the new contract award dates has been created and approved by the Committee. Decision making authorities have yet to be confirmed and is a work in progress.



## Tunbridge Wells Commons Conservators

### Open Spaces Policy

#### Purpose of the Commons.

The Commons are maintained and preserved by the Conservators according to the provisions of the County of Kent Act 1981 for the enjoyment of townspeople and visitors. Commercial companies are not, in principle to be excluded, so long as they are not trading on the Commons or behaving in a way that the public might find unacceptable. Organised events on the Commons are not in principle to be excluded but will require permission from the Conservators in advance.

#### Suitability

Each event must be judged individually on its merits, but as a guide the types of event that would be deemed **suitable** for further consideration would be:

- ☐ Traditional events including the fair.
- ☐ Charitable events.
- ☐ Sporting events.
- ☐ Community events with an emphasis on children.
- ☐ Free and inclusive, open to all.
- ☐ Filming and still photography.

Events would normally be considered **unsuitable** if they:

- ☐ Have the potential to cause considerable damage to the Commons.
- ☐ Are commercial events to generate profit.
- ☐ Need to enclose part of the Common.
- ☐ Require excessive involvement from the Warden or office.
- ☐ Are excessively disruptive for the local community.
- ☐ Create unreasonable noise and disturbance for residents.
- ☐ Need excessive sound amplification.
- ☐ Require crowd control.
- ☐ Are expected to continue beyond 22.00hrs.
- ☐ Have been refused permission by the Trustees of the Manor of Rusthall.

#### Applications

Requests for permission to hold events or to use the Commons for a specific activity should be emailed to [info@twcommons.org](mailto:info@twcommons.org) or addressed to the Commons Conservators, Town Hall, Tunbridge Wells, Kent, TN1 1RS.

Requests will need to adhere to the following:

1. They must be made in a timely manner. The Conservators meet four times per year and can only make a decision at these meetings, please allow



enough time for this process. The office has permission to decide on small scale activities such as photography and filming, in this case please provide at least two weeks for your request to be processed.

2. Evidence of Public Liability Insurance must be included.
3. A risk assessment for the event or activity will need to have been completed.
4. Inclusion of full details of the plans including purpose, dates, times, types of equipment involved, numbers of people etc.
5. Please ensure that no vehicles are taken on to the Common unless explicit permission has been given.
6. Measures to manage litter and to avoid damage to the Commons must be detailed.

### **Charges**

In some instances, it may be necessary for the Commons Conservators to charge the organisers a nominal fee to cover costs. As appropriate this will be included in the terms of the permission.

### **Licensing.**

Events which need an entertainment or alcohol licence are not, in principle, unacceptable if they meet the terms of the licence as well as the criteria of the Conservators. The Conservators can begin negotiations and, if appropriate, give agreement in principle, but they reserve the right to require a licence to be obtained before permission is granted. Their final decision would take into account any representations made to the Licensing Committee

### **Local authority Open Spaces Policy.**

The Conservators are not bound by the Open Spaces Policy of other bodies, notably Tunbridge Wells Borough Council, although they can take such policies into consideration.

### **Explanation of decisions.**

Conservators should give reasons for their decisions if they are judged to be contentious or of interest to the public. These will be recorded in the Conservator's meeting minutes and published on the website. If considered appropriate, the local press should be explicitly informed.

### **Donations**

All donations for the use of the Commons would be gratefully received by the Commons Conservators for their ongoing management.

If you wanted to continue to show support for the Commons please consider joining the Friends of Tunbridge Wells and Rusthall Commons,

<http://www.friendsofthecommons.co.uk/>

To discuss your application further please contact the Conservators office on 01892 554250 and we will try to assist.



## **FAO Tunbridge Wells Commons Conservators**

We opened The Common Rooms (named after The Common of course!) at 45 Mt Ephraim in July 2018 and have quickly established ourselves at the heart of the town's bar and pub offerings serving cocktails, wine, beers and spirits. We became the No 1 rated bar in TripAdvisor in Tunbridge Wells after only 4 months and have remained there ever since. We have an excellent reputation, friendly staff and an older clientele (average age 30 - 50, mainly female).

Both of us are local fyi - Alex was born here and Chris has lived here for 12 years plus we have kids at local schools.

As you know, we would like to put approximately 12 tables of four seats each onto The Common outside The Common Rooms on Mount Ephraim between ourselves and Thackerays Restaurant.

Our bar is right opposite and we have very limited outside space so this will be the only way we can realistically consider reopening our venue on 4th July 2020 and try to start the process of rebuilding our business. From what we can gather, when pubs and bars do reopen it will be to serve people on outside tables only, so on this basis we really need an outside area to have any chance of trading, albeit in a restricted manner. We employ 5 people and are part of Tunbridge Wells' vibrant night time economy and we, like our fellow hospitality colleagues, are desperate to get going again as soon as possible.

### **Logistical Points:**

We have made plans to have table service between the tables and the bar so there will always be a member of staff outside to monitor behaviour and noise levels as we are aware of a few residential properties in the area and indeed that The Common borders the A26. In any case we will not be serving outside beyond 10pm (when people will be asked to leave) which we feel is a reasonable time of the night.

### **Practical points:**

The tables will be spaced out appropriately according to government guidelines (which have yet to be announced).

Any litter will be collected by the staff during service and all removed at the end of the evening.

The tables and chairs will be removed and put away to be stored overnight.

All drinks will be served in recyclable plastic eco cups.

We hope you will give our proposal serious consideration and indeed give our business the chance to rebuild itself after this incredibly difficult period. Should you have any more questions or concerns please feel free to raise these with us via Paul Burnett and we will do our best to answer them.

Many thanks in advance,

Alex Macnutt / Christian Gane  
Owners, The Common Rooms.















































