

## **REVISED AGENDA**

Meeting of the Commons Conservators  
Thursday 26 March 2020 at 2.00pm  
Via video conferencing (see Cllr Woodward for details)

1. APOLOGIES FOR ABSENCE
2. APPOINTMENT OF CHAIRMAN – to appoint a Chairman for the ensuing year. In accordance with past practice the Chairman should be a Conservator appointed by the Freehold Tenants
3. MEETING BY VIDEOCONFERENCE – to seek the Conservators’ approval to meeting by videoconference in accordance with Schedule 3 of the County of Kent Act 1981
4. MINUTES OF THE MEETING HELD ON 5 DECEMBER 2019 .
5. MATTERS ARISING
  - Storm drainage
6. REPORT FROM DIRECTOR AND WARDEN - taking previously circulated reports as read and focusing on issues arising as a result of Covid-19
  - Office and officers – actions taken, working arrangements
  - Contractors and impact on work schedule
  - Other issues arising as a result of Covid-19
  - Other matters in the written reports inc
7. RISK MANAGEMENT AND CONTINGENCY PLANNING
  - Keeping the Commons open
  - Partial closures
  - Potential for full closure
  - Essential maintenance and security
  - Enhancements/changes to Commons management regime
  - Technology and remote working

- Management and governance including risk management, contingency planning, Conservators' meetings
- 8. FINANCIAL REPORT–
- 9. PROPOSED PHOTOGRAPHY COMPETITION
- 10. ALL ABILITIES PATH FROM ST. PAUL'S CHURCH
- 11. ANY OTHER BUSINESS

i) Ruth Wakefield's tree.

12. PLANNING APPLICATIONS

22 Rusthall Road, loft conversion, creation of a dormer window on the rear roofslope 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 to consider whether 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.
14. EXEMPT SESSION

The following items have been deferred to the June 2020 Conservators' meeting:

- ☐ Open Spaces Policy
- ☐ Events and Signage

## **TUNBRIDGE WELLS COMMONS CONSERVATORS**

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

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

## **MINUTES**

### **1. CHRISTMAS LUNCH**

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

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

The minutes of the meeting held on 19th September 2019 were considered, approved and signed by the Chairman.

### **3. MATTERS ARISING**

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

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

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

b) Flood Management

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

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

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

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

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

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

c) Pedestrian Crossing

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

d) Footpath Survey

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

e) Yellow lines in Major Yorks Road

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

f) Lime Trees in Eridge Road

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

g) S106 Contributions

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

h) Signs for Pantiles Events

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

**4. MEMBERSHIP**

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

Tunbridge Wells Borough Council

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

Freehold Tenants

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

Manor of Rusthall

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

## **5. WARDEN's REPORT**

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

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

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

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

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

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

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

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

## **6. FINANCE REPORT**

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

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

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

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

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

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

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

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

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

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

**8. DIRECTOR'S STATEMENT**

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

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

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

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

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

**9. RISK REGISTER**

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

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

**10. FREEHOLD TENANT AND FRIENDS PROJECTS**

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

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

Projects listed were as follows:

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

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

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



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

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

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

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

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

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

#### **11. FILMING AND PHOTOGRAPHY POLICY**

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

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

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

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

#### **12. ARCHAEOLOGY**

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

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

### 13. MOUNT EDGCUMBE

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

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

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

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

### 14. ANY OTHER BUSINESS

#### a) Promoting community involvement in the Commons

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

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

#### b) Contractors

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

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

#### c) Committee Meetings

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

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

d) Right to Buy

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

e) Website

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

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

f) Planning applications and consultations

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

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

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

The request was declined.

h) Christmas Eve Dog Party on the Common

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

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

**15. PLANNING APPLICATIONS**

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

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

Sainsburys roundabout – permission to erect sponsorship signs. Granted.

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

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

### **Agreed Actions**

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

## Work Schedule April - June 2020

### January - March 2020

Compartment	Management Plan Area	Requirements		Funding	Estimated cost
R4	Barriers	Install new lockable barrier.	Pending	Precept	£370
All	Litter control	Move to winter schedule as per contract.	Completed	Precept	£6,276.00
All	Grass	Complete cut of paths and tracks with compact flail.	Completed	Precept	£8,100.00
R4	Grass	Cut Happy Valley slopes with flailbot.	Completed	Precept	£540.00
T9	Grass	Cut Mount Ephraim slopes with flailbot.	Postponed	Precept	£540.00
Various	Trees	Pollard ash trees adjacent to A264.	Completed	Precept	£10,200
T8	Furniture	Install 2 new double bins.	Postponed	Precept	£500.00
T6	Furniture	Install new bin adjacent to Wellington Rocks.	Postponed	Precept	£200.00
R4	Grass	Clear tracks, paths, exposed rocks at Happy Valley.	Postponed	Precept	£1,800.00
R6	Trees	Second phase of holly clearance at Apsley Street.	Completed	Friends	£2,000.00
T5	Trees	Replanting of Lime trees opposite Brighton Lake.	Postponed	S106 (Dandara)	£5,000.00
Various	Trees	Tree work as arising from survey.	Completed	Precept	£2,800.00
Various	Drainage	Clearance of drainage ditches.	Completed	Precept	£2,000
Various	Paths	Cut back and widen surface paths.	Postponed	Precept	£1,500.00
R6	Grass	Clear paths and grassland at Bulls Hollow.	Completed	Precept	£1,800.00

### Additional Work January - March 2020

R4	Grass	Landscaping and prep of land for seeding at Happy Valley.	Completed	Precept	£924.00
R4	Grass	Seeding Happy Valley.	Completed	Precept	£2,000.00
T2	Grass	Seeding Fir Tree Pond.	Completed	Precept	£800.00
Various	Trees	Clearing storm damaged trees.	Completed	Precept	£1,680.00
R6	Posts	Replace 10 anti parking post at Harmony Street.	Completed	Precept	£550.00
T2	Ponds	Enlargement of Fir Tree Pond.	Completed	FHT	
R2	Ponds	Creation of second Marl Pit Pond.	Ongoing	FHT/Friends	
R4	Trees	Removal of Holly scrub at Happy Valley.	Completed	FHT	

### April - June 2020

Compartment	Management Plan Area	Requirements	Completed	Funding	Actual cost
R4	Barriers	Install new lockable barrier.		Precept	£370
T8	Furniture	Install 2 new double bins.		Precept	£500.00
T6	Furniture	Install new bin adjacent to Wellington Rocks.		Precept	£200.00
Various	Paths	Cut back and widen surface paths.		Precept	£1,500.00

All	Grass	Amenity grass cutting as per contract.		Precept	£2,933.34
All	Litter	Litter clearance as per contract.		Precept	£6,375
R4	Paths	Scrape and clear path surface at Happy Valley.		Precept	£650.00
Various	Paths	Cut back and widen surface paths.		Precept	£1,500.00
Various	Drainage	Clear drains and culverts as required.		Precept	£2,000.00
Various	Seats	Renovation of 10 benches.		Precept	£2,000.00
All	Grass	Clear sight lines as required.		Precept	£800.00
All	Grass	First cut of roadside verges with hedging flail		Precept	£720.00

## Tunbridge Wells Commons Conservators

### Finance Report by the Treasurer to the Meeting of the Conservators – 26 March 2020

#### Summary

##### Results

In this report I have set out a preliminary rough estimate of the latest forecast of the results for the year ending 31 March 2020. There will be some accrual adjustments to make in finalising the year end accounts and there may be some last minute changes to work carried out in the last few weeks or so of the year. Consequently the numbers will change to some extent.

I have sought to explain significant variances.

##### Salaries

Approval from the Conservators is also being sought for the changes to salary levels for the management team with effect from 1 April 2020.

#### Results

Set out below is a preliminary rough estimate of latest forecast of the results for the year ending 31 March 2020.

#### **Tunbridge Wells Commons Conservators**

#### **Comparison of latest forecast against original budget**

##### **Year ending 31 March 2020**

	<b>Latest forecast</b>	<b>Budget</b>	<b>Variance</b>
	<b>£</b>	<b>£</b>	<b>£</b>
<b>Non project income</b>			
Tunbridge Wells Borough Council Precept	161,900	161,900	-
Other donations and contributions	3,173	2,475	698
Interest	469	75	394
	<b>165,542</b>	<b>164,450</b>	<b>1,092</b>

##### **Non project expense**

##### **Salaries and expenses**

Salaries, NI, pension, parking and payroll costs	59,994	57,175	2,819
Uniform and storage	705	705	(0)
Insurances	1,260	2,600	(1,340)
Audit - internal and external	1,560	1,000	560
Other	1,245	1,355	(110)
	<b>64,764</b>	<b>62,835</b>	<b>1,929</b>

**Maintenance of Commons etc**

Grass and Cleared Areas	35,064	36,565	(1,501)
Trees including annual survey	23,628	20,520	3,108
Ditches, drainage	3,055	2,000	1,055
Paths	2,385	3,500	(1,115)
Cold Bath and Spring	75	150	(75)
Litter control	26,326	28,150	(1,824)
Furniture	2,625	3,500	(875)
Barriers	4,030	5,000	(970)
Control	465	615	(150)
Vandalism	900	1,000	(100)
Equipment	65	100	(35)
	<b>98,618</b>	<b>101,100</b>	<b>(2,482)</b>

<b>Contingency</b>	<b>1,500</b>	<b>4,000</b>	<b>(2,500)</b>
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<b>Net income and expenditure pre projects</b>	<b>660</b>	<b>(3,485)</b>	<b>4,145</b>
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Project income	18,261	-	18,261
Project costs	(18,854)	-	(18,854)
	<b>(593)</b>	<b>-</b>	<b>(593)</b>

<b>Net result</b>	<b>68</b>	<b>(3,485)</b>	<b>3,553</b>
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The key variances worthy of note are set out below:

Non project income is marginally ahead of budget with a slight excess of contributions and a better performance on interest income where the budget was conservative.

Salaries and expenses are over budget as a result of the car parking charges imposed by Tunbridge Wells Borough Council which were not budgeted, the handover cost of the change in administrator and the external audit. The 2019 external audit was not accrued last year and so there are two external audit costs this year. Offsetting this is a reduction in insurance costs which arises because no insurance prepayment was established last year – the insurance year is 30 September and so half of the 2019/20 cash cost is a prepayment.

Maintenance of Commons costs are expected to be some £2,000 under budget. There has been additional tree work on Ash dieback which exceeded the budget and on emergency work following



the recent storms. In other areas there have been some changes in priorities to ensure that the overall budget was met and the litter contract was probably slightly over estimated in the budget. I am retaining a £1,500 contingency at this stage.

Project income broadly matches project cost, as expected.

The net result is expected to be close to break even for the year.

I am aware that the Conservators have raised the position of supplier concentration and as a management team we would like to see if, over time, we can increase the number of suppliers for key services without leading to any deterioration in quality of service.

For information the key suppliers in 2019/20, as included in the latest forecast, are as follows:

	£
G Bridgland Ltd	51,944
Honnington Farms	17,016
John Harvey	17,295
Oakbourne	32,581
Michael Dann	10,900
	<hr/>
	<u>129,736</u>

## **Salaries**

Conservators need to approve formally the salaries of the management team.

At the time of the budget we made an assumption of a salary inflation increase of 2%. It is proposed to stay with this number. RPI is 2.7% and CPI is 1.2%.

It is proposed to increase base salaries of the Director, Warden, Treasurer and Administrator by 2% but prorated to the time in the year that the Treasurer and the Administrator commenced working with the Conservators; ie 50% of 2% or 1% in the case of the Treasurer and 33.3% of 2% or 0.67% in the case of the Administrator.

The Conservators are requested to approve these base salary changes.

Philip Tew

Treasurer





### **DIRECTORS REPORT**

Meeting of the Commons Conservators  
Thursday 26 March 2020 at 2.00pm

1. We continue to meet with the TWBC chief executive who has appreciated the importance of the common to Tunbridge wells. We have discussed the additional sources of funding through grants and S106 contributions and he has agreed to support us in our endeavours to raise more funds for the work we need to do on the common
2. Regarding Mount Edgecombe, we have now managed to get the owners to complete the works necessary to the car park and lighting to a satisfactory level.
3. We have been finalizing the risk register with the sub-committee which is now completed.
4. We had meetings with the planning department to finalise the S.106 contributions from planning applications for development within the vicinity of the Common. The Director is making changes to this document after various discussions and will circulate at the next board meeting.
5. We are working on getting the Web site updated and we are seeking proposals from two web designers to look at working on developing the site and to make it more user friendly.
6. The Director is working with the Assistant Clerk to look at ways of sourcing additional funding options
7. There are a number of events taking place this year but with the latest Covin-19 advice we will have to continually review these events and activities on the common for the foreseeable future.

Giles Membrey  
Director

# Risk Management

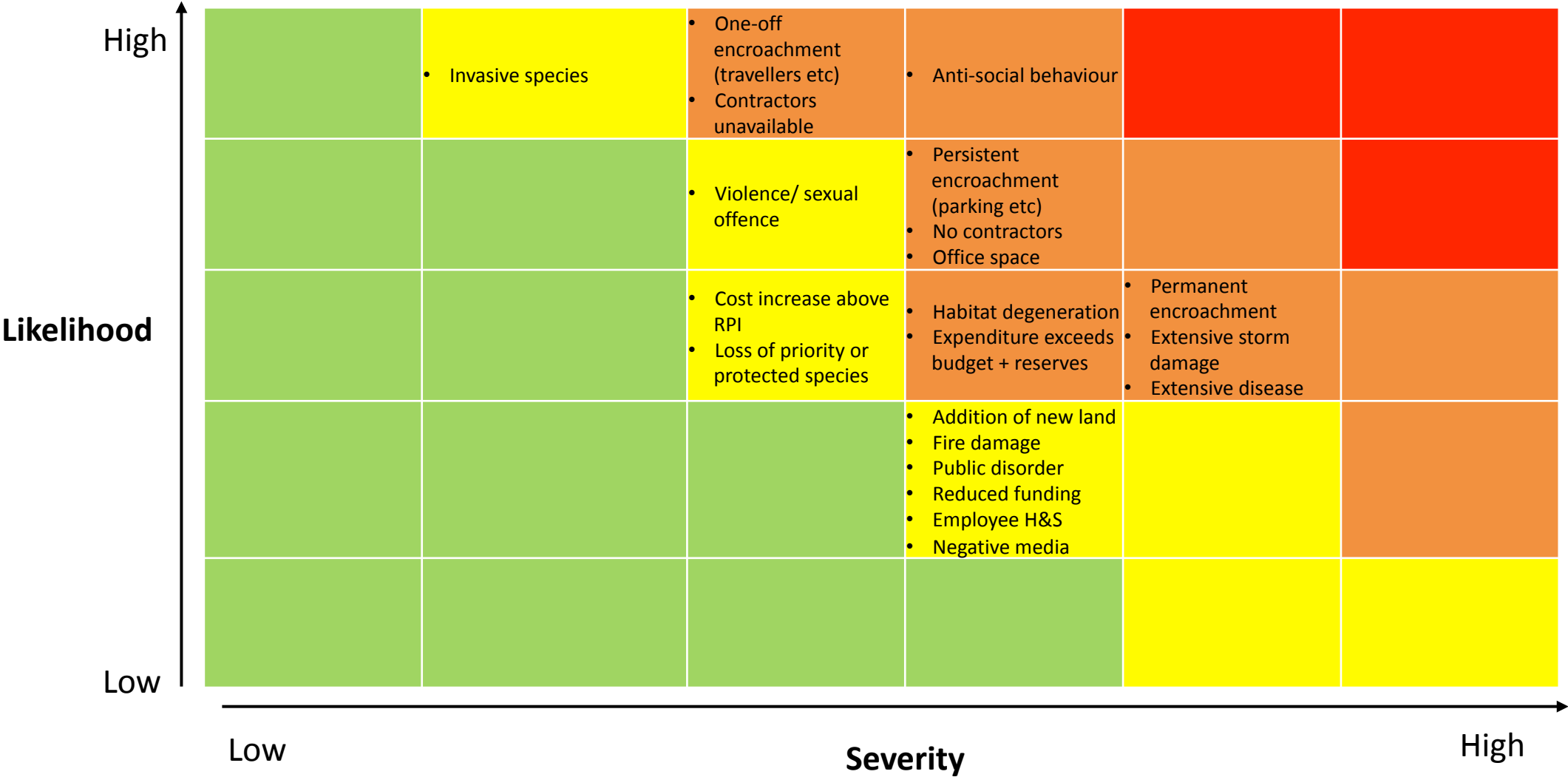
Summary report from the Committee for review by the Conservators on  
26 March

# Introduction

- The following heat map and discussion focus on key risks to the Commons and the goals of the Conservators.
- These are based on the detailed risk register (attached as background reading)
- “Ownership” of the risks is ultimately the responsibility of the Conservators as a body and the Clerk/Director as their proper officer.
- Day-to-day monitoring and response to individual risks are delegated as described in the register, officer role descriptions and annual plans, budgets and work schedules.
- The Committee oversees 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

# Key risks - January 2020

All other risks not shown here are rated green



# Discussion of key risks (1)

Risk	Examples	Current response : actions in annual plan /budget and work schedule to avoid, transfer or mitigate risk	Possible further actions?
Anti-social behaviour	Loud parties, motorbikes, drones etc	Bye-law signs at principal entry points to the Commons. Warden has consulted with police. New litter bins in problem areas and extra police patrols if needed.	
Continued/wilful encroachment	Parking, minor land grab by neighbouring properties, temporary structures	Conservators' encroachment policy	
No contractors tender for contracts	Only one tender for recent contracts	Warden is developing relationships with additional potential contractors	
Office accommodation unavailable or charge introduced by TWBC			
One-off encroachment	Travellers, camps, temporary skips, fly-tipping	Conservators' encroachment policy Bye-laws displayed at principal entry points to the Commons Barriers installed to prevent vehicle access onto the Commons Agreement with TWBC on legal response to traveller encampments Established process for dealing with rough sleepers	
Permanent encroachment	Permanent structures or surfaces, significant land grab	Conservators' encroachment policy	
Contractors/service providers unavailable for non-contract planned work	Flail cuts of paths, sightlines, clearings, project work etc	Warden is developing relationships with additional potential suppliers	
Extensive storm damage	Severe storm or hurricane		
Disease or pests affecting trees/plants/ wildlife	Ash die-back	Roadside tree survey (and trees adjoining KCC surfaced footpaths). Remedial work as indicated. Monitoring as part of the Management Plan.	
Violent/sexual offence		Cutting back dense scrub close to roads and surfaced KCC paths as part of the Management Plan	
Degeneration of priority habitats/ diversity	Loss of heathland or acid grassland, ponds	Monitoring and maintenance as part of the Management Plan and budget. Additional voluntary work and projects funded by donations.	
Expenditure exceeds budget and reserves	To deal with unexpected event - storm damage, litigation	Budgetary control, reserves	

# Discussion of key risks (2)

Risk	Examples	Current response : Actions in annual plan /budget and work schedule to avoid, transfer or mitigate risk	Possible further actions?
Invasive species	Balsam, knotweed, pondweed, snapping turtles	Monitoring and regular treatment as part of the Management Plan	
Loss of protected plants and species	Great crested newts, coralroot bittercress	Monitoring as part of the Management Plan with expert advice as required. Additional voluntary work and projects funded by donations.	
Costs increase above RPI	Contractor or service charges or increase in incidents/damage	Budgetary control and review of costs Actions to diversify suppliers/contractors and increase competition.	
Inclusion of land into the Commons through planning decisions)	New land designated as Village Green that is not part of the Commons in 1981 Act (like Dandara swap)	Require capital payment to contribute towards ongoing maintenance.	
Public disorder		Bye-law signs at principal entry points to the Commons. Maintain relationship with police	
Negative media coverage	Associated with Conservators' decisions	Maintain relationship with local media.	
Extensive fire damage	Vandalism associated with car theft	Bye-laws forbid lighting fires. Barriers installed to prevent vehicle access onto the Commons	
Funding is reduced	Donations from Freehold Tenants or others		
Employee health & safety ineffective	Working alone on Common, enforcing byelaws	Staff risk assessments. Mobile telephone and body camera purchased (but is body camera used?). Insurance cover	



# Questions for the Conservators

- Are you satisfied that our overall risk profile is acceptable and our response is appropriate?
- Are there any key risks that you think are missing?
- Is there more that we could or should do to respond to any of the risks identified?

Tunbridge Wells Conservators - Risk Register																				
Row No	Risk Title	Risk Category	Triggers	Consequences				Current Likelihood	Current Severity	Current Rating Score (calculated)	Current response (avoidance, transfer or mitigation)	Targeted Likelihood (for red only)	Targeted severity (for red only)	Target Rating Score (calculated)	Risk Owner	Last Reviewed	Update	Action Plan		
				Consequences for commons condition	Consequences for public amenity	Consequences for finances	Other consequences											Action Plan - additional steps that could/should be taken to reduce risk rating to target score	Owner	Deadline
7	Anti-social behaviour	Strategic		Possible localised damage and litter	Undermining of public attitude to and use of Commons	Cost of cleanup	Marred reputation	5	4	20	Bye-law signs at principal entry points to the Commons. Warden has consulted with police. New litter bins to be installed in problem areas and extra police patrols if needed.			0						
2	Continued/wilful encroachment ... would include parking, minor cases of land grab by neighbouring properties. Accidental and wilful injury or erection of temporary structures. without consent.	Strategic	one-off encroachment unresolved	Localised damage to Commons habitat	Localised loss of amenity	Admin, and potetial recovery/repair and litigation, costs		4	4	16	Conservators' encroachment policy			0						
16	No contractors tender for contracts (amenity grass mowing, and litter)	Operational		Litter, possibly widespread; uncut grass	General undermining of public attitude to and use of Commons; potential widespread loss of amenity	Increased admin time/cost of finding a contractor; cost associated with potentially use of [possibly short-term] uncompetitive contractor		4	4	16	Warden is developing relationships with additional potential contractors			0	SB			Develop relationships with potential new contractors, ascertain their capacities and strength of interest and invite them to apply when appropriate.		
20	Office accommodation unavailable or charge for accommodation and/or associated services introduced by TWBC	Operational	TWBC relocating offices or change of policy re charging for offices			Admin cost of finding accommodation; operating cost due to new rent and service charges		4	4	16				0	GM			Identify options for future office accommodation. Select and pursue preferred option.		
1	One-off encroachment ... such as depositing garden waste on the Commons, planting non-indigenous species or temporary location of skips & parking of contractors' vehicles.	Strategic	Temporary works to neighbours properties. Unexpectedd fly-tipping.	Localised damage to Commons habitat	Localised loss of amenity	Admin, and potetial recovery/repair costs		5	3	15	Conservators' encroachment policy Bye-laws displayed at principal entry points to the Commons Barriers installed to prevent vehicle access onto the Commons Agreement with TWBC on legal response to traveller encampments Established process for dealing with rough sleepers			0						
3	Permanent encroachment ... such as erection of permanent structures (e.g. buildings, signs, paths, roads and surfacing) without consent). Significant land usage by neighbouring properties.	Strategic	one-off encroachment unresolved	Localised damage to Commons habitat	Localised loss of amenity	Admin, and potetial recovery/repair and litigation costs	Ongoing failure to fullfil responsibilities; marred reputation	3	5	15	Conservators' encroachment policy			0						
17	Contractors/service providers unavailable for other planned work (annual flail cuts, project clearances etc)	Operational	Lack of availability due to other contracts or protracted bad weather.	Potentially widespread deterioration of Commons habitat	Potential widespread loss of amenity	Future costs increased to recover condition		5	3	15	Warden is developing relationships with additional potential suppliers			0				Identify regular work outside current contract scope which would be suitable for managing under contract and ask new contractors to tender for this work Review seasonal time windows within which work should take place		
25	Extensive storm damage The Common is extensively damaged by a storm	Strategic	Sudden unexpected storm	Potentially widespread damage to Commons habitat; while potential opportunity for new heathland areas	Potential widespread and long-term loss of amenity	Immediate cost to make roads and paths safe; full cost of recovery beyond our means; high costs of funding needed to make good the habitat		3	5	15				0	SB			Contingency plan needed to make safe footpaths. Management Plan review should consider longer term response. Discuss with Council any implications of its own contingency plan for open spaces in the event of significant weather disruption.		
29	Disease or pests affecting significant trees, plants or wildlife ... (for example ash dieback)	Strategic		Local to potentially widespread damage to Commons habitat, and biodiversity	Local to potentially widespread loss of access to and amenity of Commons, until recovered	Cost of removal/ treatment/ replacement, and supporting admin		3	5	15	Roadside tree survey (and trees adjoining KCC surfaced footpaths). Remedial work as indicated. Monitoring as part of the Management Plan.			0				Management Plan review should consider longer term impact of species threats and response.		
6	Violent/sexual offence	Strategic	N/A		Undermining of public attitude to and use of Commons	Remote but possible cost of claim for 'damages'	Marred reputation	4	3	12	Cutting back dense scrub close to roads and surfaced KCC paths as part of the Management Plan			0	SB					
31	Degeneration of priority habitats and/or species diversity ... particularly relict heathland, acid grassland	Strategic		Local to potentially widespread degradation of Commons habitat/biodiversity	Degradation of amenity through loss of enjoyment	Potentially high cost of recovery; inability to attract funding tied to heathland and other priority habitat restoration		3	4	12	Monitoring and maintenance as part of the Management Plan and budget. Additional voluntary work and projects funded by donations.			0				Examine grant funding.		
36	Expenditure exceeds budget and reserves A small contingency is included in the budget (currently £4,000).	Financial	Sudden unexpected event e.g. storm/fire; unexpected litigation			Need to find other sources of funds to make good the gap	Breach of responsibilities	3	4	12	Budgetary control, reserves			0	Philip T					
30	Invasive species (balsam, knotweed, pondweed, snapping turtles etc etc)	Strategic		Local to potentially widespread degradation of Commons habitat/biodiversity	Degradation of amenity	Potentially high cost of recovery	Potential reputational impact	5	2	10	Monitoring and regular treatment as part of the Management Plan			0						
28	Loss of protected plants and species ... specifically great crested newt, coralroot bittercress (any others?)	Strategic		Local to potentially widespread degradation of Commons habitat/biodiversity; recovery may not be possible.		Potentially high cost of recovery; reduced ability to attract grants linked to species diversity	Potential reputational impact	3	3	9	Monitoring as part of the Management Plan with expert advice as required. Additional voluntary work and projects funded by donations.			0	SB			Examine grant funding.		
32	Costs increase above RPI (salaries or related, contractor, equipment, professional services, insurance etc)	Financial	Contractors/service providers increasing their costs excessively. Increase in antisocial behaviour/encroachment incidents on the Commons	Potential degradation of Commons condition due to maintenance-activity/project cutbacks		Need to find other sources of funds to make good		3	3	9	Budgetary control and review of costs Actions to diversify suppliers/contractors and increase competition.			0						

Row No	Risk Title	Risk Category	Triggers	Consequences				Current Likelihood	Current Severity	Current Rating Score (calculated)	Current response (avoidance, transfer or mitigation)	Targeted Likelihood (for red only)	Targeted severity (for red only)	Target Rating Score (calculated)	Risk Owner	Last Reviewed	Update	Action Plan		
				Consequences for commons condition	Consequences for public amenity	Consequences for finances	Other consequences											Action Plan - additional steps that could/should be taken to reduce risk rating to target score		
5	Inclusion of land into (that is currently not part of) the Commons through planning decisions (similar to Dandara swap)	Strategic	Exchange land offered for deregistration of Town or Village Green			Potential need to find other sources of funds to include in maintenance and other activities of included land; increased admin cost where legal ownership/responsibility not clear		2	4	8	Require capital payment to contribute towards ongoing maintenance.			0						
8	Public disorder	Strategic	Indeterminate	Damage and litter, potential temporary-to-medium term degradation in Commons habitat	Temporary to medium degradation in public amenity	Need to finance recovery/repairs activities for which budget had not allowed	Marred reputation	2	4	8	Bye-law signs at principal entry points to the Commons. Maintain relationship with police			0						
11	Unexpected/unwarranted negative media coverage	External	Public / Press opinions or poor decisions			Potential cost of positive media releases	Weakened reputation of Commons and Conservators	2	4	8	Maintain relationship with local media.			0						
26	Extensive fire damage The Common is extensively damaged by fire.	Strategic	Sudden/unexpected fire.	Widespread damage to Commons habitat; while potential opportunity for new heathland	Degradation of amenity	Potentially high cost of recovery		2	4	8	Bye-laws forbid lighting fires. Barriers installed to prevent vehicle access onto the Commons			0	SB			Management Plan review should consider longer term response.		
35	Funding is reduced Current sources are precept and donations Increases in the statutory precept limit are determined by the annual change in the RPI	Financial	Freehold Tenants, Friends or others cease to make donations	Potential degradation of Commons habitat due to reduced maintenance activity/project cutbacks		Need to find other sources of funds to make good		2	4	8				0	Philip T					
39	Employee health & safety ineffective 1. The Warden and Assistant Clerk are based in the Town Hall 2. The Warden often works alone on the Common and may have to confront members of the public to enforce byelaws.	Health & Safety	Lone Working.	Potential lack of attention to current work-in-progress, and delayed maintenance activities/projects		Compensation and increased insurance costs	Potential loss of staff, at least in the short term; reputation and ability to recruit impaired	2	4	8	Staff risk assessments. Mobile telephone and body camera purchased (but is body camera used?). Insurance cover			0	SB					
4	Exclusion of land from (that is currently part of) the Commons ... for example, authorised through planning decisions (roads, exchange land)	Strategic	Planning Inspectorate de-registration as Town or Village Green or Highways decision	Potential permanent loss of Commons capacity	Lowered public amenity through loss of land	Cost of the process of dealing with the change		2	3	6	Case by case approach			0						
9	Unauthorised commercial activity Unauthorised commercial and other activities taking place which are detrimental to the Common and its public use/access.	Strategic	N/A	Potential short to medium term loss of habitat	Lowered public amenity through loss of access	Potentially high legal and other costs of recovery and repair	Breach of responsibilities; marred reputation of Commons	2	3	6	Open Spaces policy and more specific policies for fitness classes and photoshoots/filming. The Manor also ensures that unauthorised activities do not take place.			0	SB					
15	Officers not available Officers - not appointed/or absent for an extended period	Operational	Absence / resignations.	Potential lack of attention to current work-in-progress, and delayed maintenance activities/projects	Potential lack of attention to risks and concerns leading to lowered public amenity	Cost of temporary staff/contractors to cover unavailable staff/officers		2	3	6	Active succession-planning			0	GM			Consider contingency options		
27	Damage to areas used for sport ... such as cricket pitches	Strategic	Sudden storm, fire or public damage.	Temporary to medium term loss of sports areas	Users' loss of amenity	Cost of repair/replacement, and support for affected users	Undermining of future use	2	3	6	Bye laws and open spaces policy restrict scope for potential damage Work with clubs to deter misuse of cricket pitches			0						
33	Accounting information inaccessible, lost or stolen Accounting/ financial records (spreadsheets and word documents) are not secure/recoverable	Information	Computer and backup failure.			Potentially significant cost of recovery	Failure to fulfil responsibilities; reputation marred	2	3	6	Accounts are public documents			0	Philip T					
38	Trees or branches fall on users of roads adjoining the Commons or maintained paths Damaged or diseased trees are a danger to Commons users or vehicles.	Health & Safety	Potential lack of maintenance or sudden storm.			Costs associated clearance and making good; possible compensation costs	Marred reputation	3	2	6	Roadside tree survey and follow-up remedial work. Warden also inspects roadside trees and those near KCC surfaced paths and responds to reports by the public. Insurance cover			0	SB					
40	Volunteer health & safety ineffective Volunteers may not receive proper training, guidance or protection	Health & Safety	Potential shortfall in training, guidance or protection.			Compensation costs	Marred reputation; reduced volunteer contributions	2	3	6	Warden has completed risk assessments including assessment of training, guidance and fitness. Fitness and training assessments at each work party. Volunteers do not use power tools. Insurance cover			0	PT					
41	Event attendee health & safety ineffective	Health & Safety	Poor organisation.			Compensation costs	Marred reputation; reduced use of Commons	2	3	6	Open Spaces policy and more specific policies for fitness classes and photoshoots/filming. Risk assessments required. Public liability insurance required and inspected.			0	GM					
42	Contractors health & safety ineffective Contractors working on the Common for the Commons Conservators may operate in a dangerous way	Health & Safety	Poor practice.			Potential claims for compensation	Difficulty in finding future contractors	2	3	6	Risk assessments are required. Only trained and experienced contractors are used. Public Liability insurance is inspected.			0	SB					
44	Damage to neighbouring properties, roads or their users caused by/originating from the Commons (for example potential water drainage into Pantiles )	Health & Safety	Lack of maintenance.			Potential claims for compensation	Marred reputation	2	3	6	Monitoring of potential risks. Insurance cover. Flood survey.			0	SB					

Row No	Risk Title	Risk Category	Triggers	Consequences				Current Likelihood	Current Severity	Current Rating Score (calculated)	Current response (avoidance, transfer or mitigation)	Targeted Likelihood (for red only)	Targeted severity (for red only)	Target Rating Score (calculated)	Risk Owner	Last Reviewed	Update	Action Plan		
				Consequences for commons condition	Consequences for public amenity	Consequences for finances	Other consequences											Action Plan - additional steps that could/should be taken to reduce risk rating to target score		
37	<b>Bank Insolvency</b> Current Account and Deposit Account deposits are held with Lloyds Bank. Depending on cash flow the level of deposits may exceed £75,000.	Financial	Bank collapse.			Lack of financial resources to continue operations; cost associated with making other arrangements, raising possible loans and seeking compensation		1	5	5				0	Philip T					
18	<b>Failure to comply with [non-Commons-specific] law or regulations</b> pertaining to GDPR, privacy, employment-related legislation etc	Gov	Non-compliance.			Costs of fines and potential litigation	Marred reputation	2	2	4				0	Philip T					
22	<b>TWBC depot storage unavailable</b>	Operational	Storage facility withdrawn.			Costs incurred in making new arrangements; unbudgered cost of new facilities		2	2	4				0	PT					
34	<b>TWBC withdraws payroll service</b>	Operational	Lack of resource or change of policy regarding providing the service to the Conservators.			Costs incurred in making new arrangements; unbudgered cost of new services		2	2	4				0	Philip T					
43	<b>Incident/accident/injury as a result of unrestricted access to rocks and outcrops/ponds/trees</b> and other natural (not man-made) features of the Commons	Health & Safety	Member of the public sustaining injury - slips/trips/falls etc.			Potential claims for compensation	Marred reputation; reduced use of Commons	2	2	4	Byelaw signs make clear that use of the Commons is at user's risk			0	SB			Warden to monitor the general stage of the rocks. Review of the safety practices of comparable bodies and investigage options.		
45	<b>Accident caused by dangerous condition of [manmade] footpath surfaces/steps/seats etc maintained a) by the Conservators or b) by KCC</b>	Health & Safety	Potholes and other trip hazards			Potential claims for compensation	Marred reputation; reduced use of Commons	2	2	4	Warden conducting footpath survey and will communicate results to KCC Byelaw signs make clear that use of the Commons is at user's risk			0	SB					
13	<b>General reduction in public interest in using the Commons</b>	External	Condition of Commons			Marketing/promotional costs to try to [re-] build use	Potential loss of support of the Commons 'institution'	1	3	3	Initiatives by the Friends and others to promote awareness and usage of the Commons, including information provision.			0						
14	<b>General reduction in public support for the preservation of the Commons</b>	External	Lack of interest / use / perceived benefit.			Marketing/promotional costs to try to re-build support		1	3	3				0						
10	<b>Libel and slander directed towards Commons/Conservators/officers</b>	External	Public / Press opinions or poor decisions			Costs of possible legal proceedings	Marred reputation	1	2	2	Insurance cover for actions against the Conservators			0	GM			Confirm whether insurance cover applies to situations where the Conservators are plaintiffs		
19	<b>Conservators not available</b> Conservators appointments are not made, or Conservators do not regularly attend Five Conservators to be present	Gov	Lack of availability / commitment			Admin costs associated with lack of management; potential liability for compensation	Reduced operational activities and management. Issues and actions required to pursue planned actions are not properly undertaken. Demand to take Commons into public ownership	1	2	2	Each body appointing Conservators ensures that its nominees are available and willing to attend meetings. Resolutions can be approved in writing between meetings			0	GM					
21	<b>Office records inaccessible, lost or stolen</b> Maps, old minute books and records are held in Council storage	Information	Council storage unavailable or access restricted. Fire or theft.			Costs associated with seeking out information that may be availalable from other external sources	Marred reputation Loss of information to support good decision making	1	2	2				0	PT					
23	<b>Items stored inaccessible, lost or destroyed</b> Tools for volunteers provided by the Friends, dog bags, some items of small equipment, seat ends and timber are stored at the depot	Operational	Depot unavailable or access restricted. Fire or theft.			Costs of replacing equipment; increased insurance premiums	Maintenance activities/projects held up	1	2	2	Insurance cover			0	SB					
24	<b>Employee dishonesty/theft</b> The Conservators do not receive income in the form of cash but occasionally receive cheques as donations or reimbursements where the Freehold Tenants, Friends or individuals have agreed to fund expenditure.	Financial	N/A as cheques would be made out to the Conservators.			Loss of financial resources	Marred reputation	1	1	1	Controls in place. Separation of responsibilities, transparency, countersigning requirement. Insurance cover			0	GM					

## Comments

- 1 Risk categories need review and tightening up
- 2 Triggers are left blank where they are self evident
- 3 Consequences need further review
- 4 Current mitigation to be reviewed by management
- 5 Management to fill in ownerships

Select a number  
below for risk  
register

Severity			
MINOR	1	Very Low	<£500
	2	Low	£1k
	3	Medium Lower	£5k
MAJOR	4	Medium Upper	£10k
	5	High	£20k
	6	Very High	£50k

Moderate by impact on value/draw and use of the Commons

Select a number  
below for risk  
register

Likelihood		
5	very likely	>70%
4	probable	50-70%
3	possible	30-50%
2	unlikely	<30%
1	remote	<10%

## **Photography competition proposal: draft project plan**

### **What do we want to achieve?**

- ☐ Promote the Common.
- ☐ Raise awareness of the Conservators.
- ☐ Raise awareness of conservation and habitat management and using the Common in a way sensitive to both elements.
- ☐ Increase visitors to the Common taking time to observe and engage rather than use as a means of getting from A-B.
- ☐ Use images on our website.

### **Dates (suggested)**

- ☐ Launch date Friday 1st May (in the Courier, our website, possibly TWBC website, mytunbridgewells a local events blog and others)
- ☐ Closing date Wednesday 1<sup>st</sup> July
- ☐ Judging date Monday 6<sup>th</sup> July
- ☐ Announce winner Friday 10<sup>th</sup> July

### **Theme/title/intro suggestion:**

#### **I spy with my little eye.**

If you go down to Tunbridge Wells or Rusthall Common today you're sure of a big surprise. You'll find over 250 acres of land filled with flora and fauna from Cowslips, orchids, Goldfinches and Robins to Woodpeckers, butterflies, newts and Roe Deer. You won't fail to be impressed by the sandstone outcrops such as The Toad, Bulls Hollow and Wellington Rocks and you can enjoy the path network that guides you around all of the delights.

The Commons Conservators are responsible for the management of the Commons for your enjoyment and we'd really like more people to discover its treasure. We're holding our first photography competition "The magic of the Commons" and can't wait to see our beautiful Commons through your eyes. The competition is free to enter with a Junior, Teen and Adult Category. Entries can be of absolutely any aspect or area of the Commons, anything that celebrates the magic. The deadline for entries is 1<sup>st</sup> July 2020 with winners announced on X.

To be in with a chance of winning X, pop on your boots, grab your camera or phone and capture the magic of the Common in whatever way makes you think....wow!

Full competition details below.....

### **Categories**

- ☐ Junior (12 and under)
- ☐ Teen (13-18)
- ☐ Adult

### **Logistics**

- ☐ Entries emailed to [info@twcommons.org](mailto:info@twcommons.org) as per the T&Cs below. The entry email to include: Name, DOB, address, date photograph taken and where on the Common the image was taken



- Judges –
  - Heidi Crundwell (local wildlife photographer)
  - William Benson
  - Steve Baker (local photographer who takes images of the Commons)
  - Steve Budden.

(Heidi and William Benson tbc.)
- Winner for each category with possible highly commended.
- Suggested prizes:
  - Pantiles Camera voucher, a voucher for a meal at a Pantiles restaurant, cash prize tbc.
- Display winning pictures in RVP?
- List of T&Cs to include:
  - Photograph to be sent as a JPG/Jpeg file and be a maximum of 6 MB.
  - A confirmation of receipt email will be sent, if you do not receive this please contact [info@twcommons.org](mailto:info@twcommons.org) or call 01892 554250.
  - All entries must be the original work of the entrant and must not infringe the rights of any other party.
  - Responsibility for ensuring consent of subjects of the picture lie with the photographer.
  - Maximum one entry per person.
  - Editing and enhancing is not allowed, cropping is allowed.
  - Entries from professional photographers will be refused.
  - Commons Conservators have a right to refuse an entry on any grounds.
  - The Judge's decision is final.
  - Entry into the competition enables the Commons Conservators to reproduce your image to promote the Common, across our publications, the website, and social media pages without a fee. A credit will be given wherever possible.
  - As a winner you would agree to moderate publicity and use of your name e.g. in a press release.

**Gemma Stapeley March 2020.**

## **Paper for Commons Conservators Meeting 26<sup>th</sup> March 2020:**

### **Creation of an all abilities path from St Pauls Church (off the A264 Langton Road) to Tea Garden Lane/The Beacon**

#### **Purpose of this paper**

To secure the Conservators' agreement to the Friends, in conjunction with the Warden, developing further an all abilities path above Happy Valley on Rusthall Common. The information below amplifies what stage has been reached currently. It is proposed that once a definitive approach to the path and sources of funding have been identified that the Conservators would give their authority for implementation. No funding is being sought from the Conservators' budget.

#### **Benefits Vision:**

*To improve this 442 metre path on Rusthall Common along existing path lines offering splendid views over Happy Valley, the ponds and grounds of The Beacon Restaurant, the south-western edge of Tunbridge Wells and away towards Crowborough.*

It will be accessible, hopefully year round, to all abilities, and will specifically be suitable and wide enough at a minimum of 1.5 metres, for wheelchair and pram use. Creating this path, we believe, will see yet further use of this area by all abilities and ages with the attendant physical and mental health benefits. This path will support our "Wild Child" activity and will open up an ideal site for environmental walks and talks.

#### **The Location:**

The surface varies along its length from Type 1 stone to grass to compressed soil to exposed sandstone and tree roots. The path, while being generally flat, is often muddy and extremely so in wet weather, has uneven stretches and inclines that can be slippery and difficult to walk upon. Notwithstanding that it is much used by walkers, and particularly dog walkers, and from April to October is open to be used by horse riders. The existing path is not wheelchair and pram accessible. Parking is available at either end of the path..

#### **Practicality:**

We have received one estimate from a competent contractor (Lee and Son) with relevant experience that demonstrates that the issues indicated above can be overcome satisfactorily e.g. the inclines can be reduced to be wheelchair navigable. We are awaiting three further estimates from contractors who have visited the site with us (Steadline, EOS Civil Engineering and Duke Contractors ). All these contractors have been recommended by KCC Public Rights of Way and Access Service staff. A request has been made to the Royal Engineers based in Maidstone for any help they might be able to offer with the detailed designing of what is required and *possibly* even with the construction of the path as part of a training exercise. This idea stems from being aware of environmentally sensitive path repairs and modifications built by the Military in the Scottish Highlands.

The path will not be concrete or tarmac. A hard wearing surface, with a finish and a look compatible with our Commons, sculpted to keep it as well drained and as maintenance free

as possible is being sought. Given the length of the path, we are looking to create a turning area and at the possible location for that there is an ideal spot for a new bench.

We have been advised in writing by a Principal Planning Officer who visited the site with us that we will not require planning permission as it will be Permitted Development: “The way already exists and thus I consider the works can reasonably be considered ‘*works required for the maintenance or improvement*’ of the track”.

#### **Costs and Funding:**

We are expecting a total cost of around £50k inclusive of VAT. The funding vehicle will be the registered charity (No 1013975) The Friends of Tunbridge Wells and Rusthall Commons. That charity needs to find all the funding from external sources. **Any suggestions for funding sources would be appreciated.** On 19.2.20 we met with Funding for All and are receiving focused assistance from them and the vision reflects their input.

#### **Stakeholders:**

We have drawn up a Stakeholder map, which we are working to fully cover. For example we have already mentioned this proposal to a colleague at Targetfollow and a Councillor member of the Conservators. The idea originated from a Committee member of the Freehold Tenants, Kate Sander, who is helping with the project. Additionally we, have started communicating with the local Access Group and Kent High Weald Partnership about how they might help in contributing to the vision for the path.

Clive Evans

The Friends of Tunbridge Wells and Rusthall Commons

17th March 2020

## SCHEDULE 3

### PROVISIONS APPLYING TO THE CONSERVATORS

Sections 102 and 103.

1. The conservators shall in every year hold not less than four business meetings; they may in every year hold in addition such other meetings as they may determine.

2.— (a) At the first meeting of the conservators held on or after 1st January 1983 and on or after 1st January in each year thereafter the conservators present at the meeting shall appoint one of their number to act as chairman and the chairman shall, unless he shall die, resign or become disqualified, continue in office until the next annual appointment of a chairman.

(b) The chairman shall preside at all meetings at which he is present but in case he shall be absent from any meeting at the time appointed for holding the same, the meeting shall appoint one of the conservators then present to be chairman of such meeting.

3. No business shall be transacted at any meeting unless five conservators at least are present thereat.

4. All questions shall be decided by a majority of the conservators present and voting and in case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

5. Until the contrary be proved a copy of a resolution of the conservators signed and certified by the clerk to the conservators to be a true copy shall be sufficient evidence of the passing of such resolution without further or other proof of the signature of the said clerk or of the said resolution having been duly passed.

6. The conservators shall have power to appoint a committee or committees for any purpose and may delegate to such committee or committees any of their powers and duties.

7.— (1) Minutes of the proceedings of a meeting of the conservators shall be drawn up and entered in a book kept for that purpose and if approved by a majority of the conservators present and voting shall be signed at the same or next following meeting of the conservators by the person presiding thereat, and any minutes purporting to be so signed shall be received in evidence without further proof.

(2) Until the contrary is proved, a meeting of the conservators, a minute of whose proceedings has been made and signed in accordance with this paragraph, shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified.

(3) Sub-paragraphs (1) and (2) above shall apply in relation to a committee of the conservators as they apply in relation to the conservators.

(4) Until the contrary is proved, where a minute of any meeting of any such committee has been made and signed in accordance with sub-paragraphs (1) and (2) above the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute, the meeting shall be deemed to have been duly convened and held and the members present at the meeting shall be deemed to have been duly qualified.

8. Subject to the provisions of this Schedule the procedure and business of the conservators shall be regulated in such manner as the conservators may from time to time determine.

9.— (1) The conservators shall appoint

(a) a clerk who may if they think fit be the chief executive of the Tunbridge Wells Council;

(b) a treasurer; and

(c) such common keepers and other officers as they may think necessary for the proper discharge of their functions.

(2) A clerk, treasurer, common keeper or other officer or servant appointed under subparagraph (1) above shall hold office on such reasonable terms and conditions including conditions as to remuneration as the conservators think fit.

10. The conservators may provide and maintain such offices as may be necessary for transacting their business and that of their officers.

*Electronic text of "County of Kent Act 1981" September 2007*

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