

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held via videoconference on 26th January 2023 at 2pm

PRESENT:

Cllr Martin Brice
Paul Burnett
Ewen Cameron (Outgoing Chairman)
Amii Errington
Stephen Lacey
Ian Marshall (Incoming Chairman)
Chris McHugh
Cllr Justine Rutland
Cllr Nicholas Pope
Clare Sinha
Corin Thoday

ATTENDING:

Daniel Colborne (Ranger)
Alan Leale-Green (Treasurer)
Gemma Stapeley (Clerk)
Clive Evans (The Friends of the Commons)
Cllr Paul Gripper (Rusthall Parish Council)
Joy Podbury (The Friends of the Commons)

MINUTES

1. DECLARATION OF BUSINESS INTEREST

There were no business declarations.

2. APOLOGIES FOR ABSENCE

No apologies were received however, Cllr Jamie Johnson was absent from the meeting.

3. 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. Conservators agreed that Ian Marshall, representative of the Freehold Tenants, be appointed as Chairman until the quarterly meeting of the Conservators in January 2024.

Ian Marshall continued as Chairman

The outgoing Chairman, Ewen Cameron, was thanked for his service during the last twelve months, moving the Commons Conservators forward in a very positive way.

4. PRESENTATION ON S106 FUNDING

David Osborne had prepared and distributed a document entitled "Tunbridge Wells and Rusthall Commons Funding – Summary" in advance of the meeting and provided a short presentation on the main points as follows:

- Main question, do the Conservators feel that the current level of funding is sufficient?
- The only realistic option to increase funding, in the medium term, would be to increase S106 contributions from developers in Tunbridge Wells.
- Tunbridge Wells Borough Council (TWBC) Planning have supported contributions of £200 per unit for recent applications, it is recommended that this be increased to £1,000 per unit, index linked. This amount is to mitigate the negative impact of the incremental footfall over a period of 100 years, improving utility, appearance and ecology.
- In addition, there would be payments to acquire alternative sites and support recreation facilities in the Borough which would be set at £5,000 per unit.
- Both figures align with Ashdown Forest contributions (SAMMs and SANGs) which have been approved by TWBC Planning as acceptable and appropriate.
- Current TWBC S106 policy reflects Government policy set out in the National Planning Policy 2012 (para 203-206), three tests to be met are: necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- Extensive opportunity to utilise the enhanced S106 funding on the Commons.

It was agreed that the Clerk would open discussions with the Head of Planning, using the points raised in David's paper.

Action: The Clerk to discuss with TWBC Planning and report back to Conservators at the next meeting.

5. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 22nd September 2022 and 8th December 2022 were considered and approved. A copy to be signed by the Chairman and returned to the Clerk.

6. MINUTES OF THE COMMITTEE MEETINGS

The minutes of the Committee meetings held on 3rd October 2022, 14th November 2022, 8th December 2022 and 9th January 2023 were considered and approved and would also be signed by the Chairman.

The Committee were thanked for all of their work.

7. MATTERS ARISING

From the last meeting on 22nd September and 8th December 2022

Grass Management

The grass cutting contractor has indicated at 2% increase on costs for a further twelve-month contract extension.

Notices on the Commons

There wasn't an update on the relatively new signage outside properties on Bishop's Down Road stating "Private Parking for Flat/House by order of the Manor of Rusthall".

Action: The Clerk and IMarshall to investigate the signage issue further.

Meeting room bookings for 2023

JRutland reported that the company contracted to manage the Town Hall space, Town Square, will be employing a Community Manager and that community rates may be made available in the future.

IMarshall made a request that the meeting scheduled for 13th July should be an in-person meeting rather than on Zoom.

Action: The Committee to coordinate feedback on the request.

8. MEMBERSHIP

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

Tunbridge Wells Borough Council – one-year term end 31 December 2023

Councillor Martin Brice
Councillor Jamie Johnson
Councillor Nicholas Pope
Councillor Justine Rutland

Freehold Tenants – 2nd year of three-year term until 31 December 2023

Stephen Lacey
Ian Marshall
Chris McHugh
Clare Sinha

Manor of Rusthall – 1st year of three-year term until 31 December 2023

Paul Burnett
Ewen Cameron
Amii Errington
Corin Thoday

9. ANNUAL REVIEW FEEDBACK

The Committee and Officer team held an annual review session on 4th January 2023. The purpose of the session was to review what had gone well and less well in 2022, where focus should be directed in 2023 and any budget implications. Key points under the focus area headings were as follows:

Projects

- Good progress with a more co-ordinated and inclusive approach to identifying and developing projects in line with overall priorities.
- Kate Ryland’s ecological management plan will start to drive project prioritisation later in the year.
- Joy Podbury is doing a great job leading the Projects group.

Funding

- Good progress on unlocking alternative sources of funding, though the need to push this is becoming more acute with rising costs and increased demands on the budget.

Community Outreach

- Glowing reviews for community and stakeholder outreach. Continue the good work.

Planning Matters

- Positive step change in dealing with planning matters.
- Relationship-building and learning from experience are tangibly increasing our voice and influence on matters affecting the Commons.
- Lessons provided that will improve the approach to future sensitive applications.

Management and Maintenance

- Ranger's way of working – Having considered options provided by the Ranger, the Committee recommended that the Ranger be equipped with power tools to carry out some of the work on the Commons. Investment in tools pays for itself very rapidly by reducing contractor callouts for odd jobs. The Conservators approved this proposal. The further options for a vehicle, storage and office space need further investigation of opportunities, relative costs, savings and risks.
- Trees – At the time of the review meeting the Ranger was working on plans to provide cost estimates for tree work in the Winter season and for the 2023/24 budget. Tree work to be spread across a number of contractors.
- Health and safety – It was agreed that the Clerk and Ranger would take top-up their health and safety training. They would also continue to review and carry out full health and safety assessments across all activities and areas of responsibility.
- IT – Support will be requested as and when required.
- General - A major priority for the team towards the end of 2023 will be to translate and integrate the ecological management plan into an overall medium-term plan and budget for the Commons, lead the necessary consultation and start to implement its key recommendations. The Committee need to ensure Officers have time and capacity for this.

Action: To follow up on the Ranger's way of working proposals. The Ranger, with support from the Clerk and Treasurer, to analyse current spend on external contractors to see which work could be brought in house and how much could be saved. Also, to explore how a vehicle might be financed and whether there is any scope for external funding for such an arrangement. A summary of this work will be developed into a proposal for the consideration of the Conservators at a future meeting.

10. CLERK'S REPORT

Signage project

The Clerk provided an update on the signage project as follows:

- Brief to replace the majority of the existing signage on the Commons, predominantly the byelaw and horse-riding signs. Focus on improving the muddled signage at Fir Tree Road car park, including a welcome sign, improved 4-hour parking restriction signage and removal of the unused noticeboard and cluttered furniture. Brighton Lake fishing signage will not be included in the brief as the Ranger wants to assess impact of fishing and decide on the position going forward. Existing metal posts to be replaced with chestnut posts.
- Ashdown Forest style signage has been selected and permission given by them to utilise their artwork, free of charge.
- A fully costed project has been submitted to the Freehold Tenants for funding in 2023.
- It was agreed that the Committee would have delegated power to agree the final signage designs and wording.

S106 funding

There is approximately £10,000 in S106 funds (from Union House/ The Potteries) allocated for restoration of the drainage system around the Racecourse area of Tunbridge Wells Common. The Clerk is making progress, albeit slow, in getting the funding processed by TWBC.

While a quote for a full water management plan has been received from Louise Hooper Landscape Architects the price of £6,527 has been deemed cost prohibitive. As such the Ranger has connected with a natural flood management consultant, recommended by ecologist Kate Ryland, who will be charging approximately £75 for a site visit and providing recommendations for improvement projects and drainage restoration plans which the Ranger will manage, within the S106 budget.

Other work in support of this project has seen the existing drainage infrastructure mapped and reporting to and lobbying Kent Council's Drainage and Flooding team to better manage the existing drainage. The Ranger is also spending time on the Commons, in the rain, to observe flooding patterns and flows of water. He is digging drainage gullies and diversions.

Commons Therapy

There have been two meetings of the Commons Therapy group, since the last Conservators' meeting, organised and facilitated by the Clerk. The group consists of Ashdown Forest, Banstead Commons, Wimbledon and Putney Common, Cleve Common and TW&RC. They continue to be an invaluable opportunity to share information, ideas and resources.

Volunteers

The level of support from volunteers continues to grow from strength to strength.

- Since the last meeting, there have been five Saturday work party sessions.
- Work continues with Community Payback.
- A number of businesses have supported the Commons by using their corporate, social, responsibility volunteering days on the Commons. Since the last meeting Town and Country Housing have provided 10 volunteers on 2 full days, a team from AXA did a half-day session and a Rusthall resident provided a half day in kind.
- Two children are currently working towards their Duke of Edinburgh's Award by volunteering to litter pick on the Commons.

Wildchild Forest School

The Clerk has agreed to help organise the free, forest school sessions on behalf of the Friends of the Commons as they were unable to find a willing volunteer. The events will take place on both Tunbridge Wells and Rusthall Common on the 4th and 5th of April 2023 and will follow the same format as in previous years, delivered by Kent High Weald Partnership. As such, the Clerk asks the Commons Conservators for their permission to hold the event.

Conservators approved the request.

Communication

The Clerk has introduced a monthly email update for Neighbours of the Commons.

TWBC Officers

The Clerk and Ranger continue to make good connections with TWBC Officers as follows:

- A day was spent visiting the parks of the Borough, learning about their management plans and best practise.
- An extensive walk around Tunbridge Wells Common with the Conservation Officers, Landscape and Biodiversity Officer and Tree Officer.
- Meeting with the Tourist Information, where it was agreed that the Clerk would re-write the website pages relating to the Commons.
- Ongoing monthly meetings with William Benson.
- Monthly officer walks are now on hold until the Spring.

Other

- Officers continue to support community safety in responding to the Soroptimist's report "Spotlight on Safety" and in supporting the Reclaim the Night safety walk organised by Jayne Sharratt of Rusthall.
- The Clerk is working with the insurance company in connection with damage caused by an ash tree falling on a car, on the Langton Road, on Monday 9th January 2023 (see the Ranger's report below).

Requests to Conservators

Since the last meeting on 22nd September, the following requests have been put to the Conservators, their outcomes are listed:

Date of request	Detail	Outcome
03/10/2022	Hospice in the Weald run (17 th September 2023).	Approved
04/10/2022	Orienteering event.	Approved
14/11/2022	Request to investigate the archaeology of the Bumps	Approved
22/11/2022	Christmas Eve Dog Party	Approved
13/12/2022	Marquee for Linden Park Cricket Club event.	Approved

11. RANGER'S REPORT

Health and Safety

The Ranger reported that a tree had fallen on a car on Monday 9th January. The tree was located on the Langton Road in Rusthall, it had already been identified by the Ranger as suffering from ash dieback and was scheduled to be felled. The Ranger is assisting the insurance company with their enquiries.

Tree safety and surveys

The Ranger explained that it is clear that the severe drought in 2022 has seriously advanced the decline of ash trees affected by ash dieback across the Commons. Whilst there are some ash trees to deal with on TW Common, the main issues are on Rusthall Common as all of the roadsides in that area are lined with ash and dieback has infected all trees to some degree. It is important to stress that some trees are more affected than others and that this 'gradual' decline does allow us to work in a phased way over the course of the next two or three years. It is however not possible to predict how rapidly individual ash trees will decline as chaotic weather events like drought summers and mild or wet winters lead to additional and unpredictable fungal issues and other diseases taking hold rapidly. This means that the Ranger will need to continue to monitor the situation closely and continuously and that any changes in plans will need to be raised to the Committee as and when appropriate going forward.

Initial surveys by the ranger allowed trees of significant concern to be identified and prioritised for urgent works. Work completed so far on ash are as follows:

- Tarry Path (32 Ash trees were removed in 2022)
- Langton Road (2 trees over bus stop at entrance to Langton 2022)
- Denny Bottom (1 tree 2022)
- Common View Meadow (2 trees 2022)
- Tea Garden Lane (7 trees directly over paths and pub 2022),
- Rusthall Road (6 trees 2022).
- Tea Garden Lane (20+ 2023).

The next priorities are individual trees on:

- Apsley Street
- Rusthall Road
- Coach Road
- Langton Road
- Bishop's Down Road
- Adjacent to the Tarry Path

- Further work on Tea Garden Lane
- The easement between Langton Road and Colbran Way, known as Pidgeon Wood.

Having sought specialist advice from a number of tree experts the Ranger is very confident in his approach to managing the removal of such a high number of trees. He has been liaising with the appropriate TWBC Officers and has their approval to move forward with the next stage of the work.

The Ranger feels as confident as is possible that the budget requested for this quarter will be sufficient to deal with the priority trees for this winter. This is of course subject to change if any unexpected issues arise such as storm events or individual trees ‘unexpectedly’ collapsing for unknown reasons.

There are two (non-ash) trees of significant value that need attention and consideration. One is the large American Oak at the Junction of Church Road and London Road, the other is the Chestnut on the Green at Rusthall Common. Specialist advice is being obtained regarding both of these trees.

Tree Safety Inspections

The Ranger is now operating a continual safety inspection regime whereby his diary is updated weekly following inspections of all roads and all major paths. The survey in the Autumn was conducted on paper and utilising the What3Words App. However, the TWBC GIS mapping online system is now up and running and is proving to be invaluable for audit and archive reasons. All issues with trees are now being logged into this system.

The Tree Consultant, Ben Larkham, will soon be walking Tunbridge Wells Commons with the Ranger, he has suggested his service will be for free or a minimal charge.

Ranger’s way of working

Having reviewed all of the expenditure made for maintenance from Quarter 1, 2021 to the end of Quarter 3, 2022, the Ranger has identified the following potential savings that could have been made, had the proposed tools been available:

2021 - 2022: **£17,128**

2022 - 2023: **£11,378**

Ecological management plans

The Ranger has obtained the biodiversity reports from the Kent & Medway Biodiversity Records Office, and they have been passed to the appointed consultant ecologist as part of the review and strategy work that she is undertaking. Further survey updates as follows:

- Bryophyte surveys - it is hoped that this survey will take place in February by volunteers at no cost.
- Dormice Surveys - The Ranger has contacted another local ecologist who has offered to help install and then survey dormouse boxes. This project will be run alongside schools and the Forest School to ensure maximum educational and community engagement.
- Bird Surveys – The ranger is making contact with a local group to arrange for bird surveys to commence as soon as possible.
- Butterfly Surveys – Volunteers have been recruited who have a particular interest in butterflies. They will undertake a full 26 week transect survey of both Commons commencing this Spring.
- Bat Surveys – The local bat group is being contacted to see if they would be willing to conduct annual surveys going forward. In addition, there is a bat recorder device which fits to the Ranger’s iPad which could be purchased at modest cost, this would allow for additional educational and ecological value as part of management and guided walks.

Grass management

The wet weather in October and November ruled out a final cut of the amenity grass areas. This is an issue as the weather overall has been very mild and continues to be so. This means that the grass has continued to grow, albeit slowly, and so looks less attractive in certain areas. The Ranger anticipates that this can be resolved by strimming in February.

Due to the anticipated costs of ash dieback the usual contractor strimming and flail-bot work at Happy Valley has been dropped for this quarter. In future, the Ranger would like to move to a rotational cut cycle for different sections of this area, for ecological as well as aesthetic reasons.

Other

Volunteers from the British Mountaineering Council have successfully cleared the rocks at Bulls Hollow under the supervision of the Ranger. They have also agreed to come and clear the rocks at Happy Valley.

Graffiti is and will always be an ongoing issue and removal is now being undertaken in-house in order to reduce costs. The graffiti on the Wellington Rocks toilet block, owned by TWBC, is of particular concern as it significantly reduces the beauty of the Commons and spoils an otherwise wonderful user experience. The Ranger is determined to find a solution to this extremely ugly issue going forward.

12. FINANCE REPORT

The Treasurer presented the financial activity in the nine months to 31st December 2022, an estimate of the full year accounts to 31st March 2023 and preliminary thoughts on the budget for the year 2023/24.

On 31st December 2022 the Conservators had £132,000 in cash at the bank of which £131,000 is on deposit. This is £23,400 more than the same time last year.

Reserves currently stand at £107,000, £63,000 more than the 25% reserve requirement, but will come under severe pressure in the next quarter. Budget estimates for the next quarter bring the surplus into an overall deficit for the year of £6,500, making the reserves percentage only 23.2%, £3,200 below the mandated level.

Conservators agreed to use the reserves for the estimated deficit and were happy to delay recovery for a couple of years.

Moving onto the 2023/24 budget, the precept is a known amount of £198,052. Considering estimates for administrative expenses, maintaining reserves and contracted costs, that leaves a balance of £83,500 to cover maintenance of the Commons. With this in mind, the Officers, supported by the Committee, will be looking for savings wherever possible for example utilising volunteers and by using the Ranger's skills.

Conservators approved the finance report and agreed that it can be published on the website.

13. UPDATE FROM THE FRIENDS OF THE COMMONS

Memberships

The current memberships stand at 530, down from 550 in September 2022 due to non-payment of subscriptions by some members.

Projects for 2022

The Marlpit path has been completed.

The Friends, in partnership with the Rusthall Historical Society have purchased a display cabinet which will be assembled in the Rusthall Library, it will display some of the archaeological finds from the Rusthall dig. The Friends are also purchasing High Viz jackets for the volunteer groups which will have the Friend's emblem on the back.

The Friends will agree what projects they will fund at their committee meeting on the 29th January.

Events

A very successful Friends' lunch was held at the Spa Hotel, with 85 people in attendance.

The Wildchild forest school sessions will take place in the school Easter holidays, dates to be confirmed with Kent High Weald Partnership, who will deliver it. The cost will be £1500, it is hoped that Targetfollow will again agree to contribute to the cost as they have done so generously in the past.

14. MARKETING AND PR REPORT

The report highlighted that there had been three articles in the Times of Tunbridge Wells during the quarter, on 9th November - walking across the Common at night shouldn't invoke fear, 16th November - S106 contribution to the Commons for the cinema site planning application and 23rd November - white deer spotted locally with a quote from the Ranger.

The Facebook group now has 1,896 members with monthly reactions from members between 994 and 2,147. The most popular posts, during the quarter, related to:

1. Work to remove trees affected by ash dieback on Tea Garden Lane (positive comments, impressed with contractor's work).
2. Thank you to Ranger Dan for removing lots of mud off the footpath.
3. Duke of Edinburgh litter picker.
4. Photographic quiz of the Commons, created by one of the members.
5. Deer spotted on Bishops Down Road.

The Instagram account has 295 followers, while the website has monthly users of between 374 and 548. Four blogs had been published during the last quarter which had both informed and pushed visitors to the website.

15. FREEHOLD TENANT PROJECTS

IMarshall, on behalf of the Freehold Tenants, provided a summary of the projects that they were proposing to fund as follows:

- Ecological surveys and new management plan.
- Victorian Terraces (Tunbridge Wells Common) – to open up the path edges and create glades to allow more light through to the canopy, to enhance biodiversity and wildlife value of flora and fauna.
- Rusthall archaeological dig site – Phase 1: clearance of the existing soil spoil and holly, laurel and ash trees to allow the community group to continue to dig around the pond area and open up light and reveal rocks.
- Improved signage across both Commons – as per the Clerk's report.
- Cherry laurel clearance - a further day of cherry laurel clearance on Rusthall Common to eradicate the last of the dense patches of laurel by Alan Martin of Nature Conservation Services.

Conservators agreed to the proposals and thanked the Freehold Tenants for their ongoing support and generosity.

16. ANY OTHER BUSINESS

i. TWBC's Landscape and Biodiversity Officer

The Clerk proposed that David Scully be invited to present at the next Conservators' meeting to cover S106, tree policy and management plans.

Action: The proposal was agreed by Conservators and the Clerk was asked to invite David to the meeting on 27th April.

ii. Coronation tree and map

The Clerk had been approached by Alexandra Curzon, of The Amelia Scott, to request permission to plant a coronation tree on Tunbridge Wells Common and to create a map collating all of the coronation trees on Tunbridge Wells Common, with background information.

Conservators approved the request.

iii. Dog poo bag dispensers

The Clerk explained that the existing bag dispensers on the Commons had historically been donated by TWBC, as they found that they did not work well in their own parks. Unsurprisingly they still don't work well and do not dispense the bags effectively. The Clerk therefore requested permission to remove the dispensers and supported the request with information from TWBC's Parks department that explained that they were slowly removing their own dispensers from their parks, leaving only the dispensers at the main entrances which would also be removed in time. The Clerk was going to try to arrange for the rolls of dog poo bags to be either sold or given away via the Curly Vera coffee van.

Conservators approved the request.

iv. Environmental Stewardship extension

The paperwork associated with the higher level environmental stewardship agreement extension to cover 01/01/2023 through to 30/09/28 had been received by the Clerk. The Clerk and Ranger had both looked carefully at the proposal and felt that the prescriptions were too onerous to both investigate and enact. The advice of Kate Ryland had also been sought and she suggested that the agreement was probably not now the best way to maximise biodiversity on the Commons and that the prescriptions could be very limiting. Permission was sought to reject the extension offer.

Conservators approved the request; however it was noted by SLacey that the £1,471.60 annual payment had been incorporated into the 2023/24 budget, this would need to be removed and additional cost saving measures considered.

v. Rusthall Forest School

Cllr Paul Gripper extended thanks on behalf of Rusthall Parish Council for all of the work that had been carried out on the Rusthall Forest School area to make it an interesting and exciting learning space.

17. PLANNING APPLICATIONS

22/02711/FULL | Remove a set of existing rear patio doors and windows and replace with new windows and a set of external doors in a larger opening | 83 London Road Royal Tunbridge Wells Kent TN1 1EA. Response on behalf of the Commons Conservators as follows: The applicant is reminded that the grass land adjacent to the property access track/road is part of Tunbridge Wells Common and that no materials, tools or equipment can be stored on the land at any time. Further information can be found at www.twcommons.org. UPDATE: Application permitted.

22/02878/FULL | Demolition of the existing garage/workshop building to the rear of the site and the construction of a new detached, two storey dwelling and associated works | 25A Eridge Road Royal Tunbridge Wells Kent TN4 8HJ. Response on behalf of the Commons Conservators as follows: The Commons Conservators would like to remind the applicant that the grass either side of the existing site access point, at the front of the property is part of Tunbridge Wells Common and is registered as Village Green (VG22). As such no materials, tools or equipment can be stored on the land and no vehicles can park on the grass. For further information please see www.twcommons.org. UPDATE: Application permitted.

MEETING ENDED

DATE OF NEXT MEETING – 27th April 2023, The Rackliff Centre, Rusthall.

Agreed Actions

Agenda Item	Detail	Responsibility	Progress/update
4	To discuss the content of David Osborne's S106 paper with TWBC Planning and update Conservators at the next meeting.	Clerk	Meeting took place on 10 th February 2023.
5&6	Chairman to sign the minutes of the previous meetings and send to the Clerk.	Chairman	Complete
7	To investigate the relatively new signage outside properties on Bishops Down Road.	Clerk and IMarshall	Complete
7	Request to move the 13 th July meeting from Zoom to in-person, Committee to coordinate feedback.	Committee	Complete
9	To follow up on the Ranger's way of working proposals. The Ranger, with support from the Clerk and Treasurer, to analyse current spend on external contractors to see which work could be brought in house and how much could be saved. Also to explore how a vehicle might be financed and whether there is any scope for external funding for such an arrangement. A summary of	Ranger, supported by Clerk and Treasurer.	Ongoing.

	this work will be developed into a proposal for the consideration of the Conservators.		
16	To invite David Scully to the Conservators' meeting on 27 th April.	Clerk	Invited.

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held via videoconference on 13th March 2023 at 1pm.

PRESENT:

Cllr Martin Brice
Paul Burnett
Ewen Cameron
Amii Errington
Stephen Lacey
Ian Marshall (Chairman)
Cllr Justine Rutland
Clare Sinha

ATTENDING:

Daniel Colborne (Ranger)
Alan Leale-Green (Treasurer)
Gemma Stapeley (Clerk)

APOLOGIES:

Cllr Jamie Johnson
Chris McHugh
Cllr Nicholas Pope
Corin Thoday

APPROVAL OF THE 2023/24 BUDGET

In advance of the meeting, the Treasurer had distributed a draft budget for 2023/24. The Conservators agreed to adopt the proposed budget.

The Treasurer was thanked for all of his work in preparing the budget.

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in the Rackliff Centre on 27th April 2023 at 2pm

PRESENT:

Cllr Martin Brice
Paul Burnett
Amii Errington
Stephen Lacey
Ian Marshall (Chairman)
Chris McHugh
Cllr Nicholas Pope
Clare Sinha
Corin Thoday

ATTENDING:

Daniel Colborne (Ranger)
Alan Leale-Green (Treasurer)
Gemma Stapeley (Clerk)
Clive Evans (The Friends of the Commons)
Cllr Paul Gripper (Rusthall Parish Council)

OBSERVING:

David Clover

APOLOGIES

Ewen Cameron
Cllr Justine Rutland

1. DECLARATION OF BUSINESS INTEREST

There were no business declarations.

2. APOLOGIES FOR ABSENCE

Apologies were received from Ewen Cameron and Cllr Justine Rutland. Cllr Jamie Johnson was absent from the meeting.

3. PRESENTATION

David Scully, Landscape and Biodiversity Officer for Tunbridge Wells Borough Council (TWBC) was invited to offer his views and opinions on the future Management Plan for the Commons.

David's presentation consisted of the following main points:

In terms of the management of land there are four key areas of consideration:

1. Who is responsible for the land?
2. How will work be funded?
3. What are you going to do?
4. Who will implement the work?

In the case of the Commons, point one is straightforward, the Conservators.

For point two there is the statutory precept, S106 developer contributions and grant funding. S106 contributions have been successfully requested by the Conservators. These obligations must be necessary to make the development; acceptable in planning terms; directly related to the development and fairly and reasonably related in scale and kind to the development. To be successful in receiving grant funding, the Conservators should be able to apply under various categories such as public access, communities, heritage conservation and health and wellbeing. A significant amount of work can be required as part of the grant application process, it is worth noting that some funds may require matched funding while others may require a legal arrangement to cover private ownership of the land.

With regard to point three, given that the Commons has many different users, there may well be conflict in the use of the land and therefore a public engagement exercise would be essential. The more the community know about the various issues and constraints affecting the Commons, historical precedence, legal responsibility and the aims and objectives of the Conservatives, then the greater level of understanding and subsequent engagement. David recommended reviewing the document, A Common Purpose prepared by Natural England, as a best practice guide to community engagement for those contemplating management on common land.

For the consultation for the Commons, the Conservators need to consider key questions, such as what the Commons should be providing for the town, there should be opportunity to consult with the community and key stakeholders such as the TWBC Economic Development team, the TWBC Conservation Officer and Kent County Council (KCC) Highways, amongst others. The consultation should aim to identify priorities and not simply move forward with just one view. There should be opportunity to assess whether recommendations are deliverable and can be part of a viable plan. In the case of Southborough Commons, Kent High Weald Partnership (KHWP) ran the consultation exercise.

Finally, regarding point four the Ranger, volunteers, the wider community and contractors can implement the plan.

David was thanked for his valuable contribution and offered to be available for future guidance and support.

Action: The Committee to discuss David's points and make recommendations to the Conservators.

4. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 26th January 2023 and 13th March 2023 were considered and approved. A copy to be signed by the Chairman and returned to the Clerk.

5. MINUTES OF THE COMMITTEE MEETINGS

The minutes of the Committee meetings held on 6th March and 27th March were considered and approved and would also be signed by the Chairman.

The Committee were thanked for all of their work.

6. MATTERS ARISING

From the last meetings on 26th January and 13th March 2023

Notices on the Commons

Signage outside Westering and Westcote on Bishop's Down Road, stating "Private Parking for Flat/House by order of the Manor of Rusthall" was confirmed by the Clerk as being an arrangement with the Manor and the property owners in the 1980s. No further action required.

Friends of the Commons

It was confirmed that Targetfollow did contribute towards the cost of the free forest school activities on the Commons in April.

7. CLERK'S REPORT

Signage project

The Clerk now has an approved first draft of the byelaw signage, which was included with the 27th March Committee meeting minutes. A QR code providing a link to the website has now been added. The Freehold Tenants are funding this project and revised pricing, based on confirmed numbers of signs, has been agreed.

S106 - Union House/ The Potteries

There are two projects relating to flooding and drainage on Tunbridge Wells Common. One relates to the installation of a new road drainage scheme along Major York's Road and the other relates to drainage improvements around the Racecourse, for which there is £10,000 of S106 funding accrued from Union House.

As an update on the road drainage scheme, in early March 2023, Kent County Council's (KCC) Highways Team conducted investigative bore hole work at the junction of the Racecourse and Major York's Road. Unfortunately, they discovered very shallow ground water levels which means that installing deep bore soakaways will not be an option. As such they have gone away to work on a revised plan.

As an update on the drainage improvements with S106 funding, on 24th February, the Clerk and Ranger met with members of KCC's Flood and Drainage Team, to establish whether they could assist with the flooding project and guide on appropriate use of the S106 fund. The possibility of retention ponds were discussed again but would require appropriate investigative work. The Clerk and Ranger were instructed not to make any significant changes to the drainage system while investigations were ongoing, and options were being considered.

S106 - Discussions with Tunbridge Wells Borough Council (TWBC) Planning

On 10th February, the Clerk and David Osborne met online with Head of Planning, Carlos Hone (CH), to discuss David's paper requesting an increase in S106 developer contributions, moving in line with Ashdown Forest. The key points were sent to all Conservators in an email on 27th February, but are summarised as follows:

- Carlos acknowledged TWBC's support for the Commons and support for our S106 contribution requests to date.
- He noted interesting points raised in David's paper and would like to share these with the Planning Team to get further feedback.
- The reality is that the Commons are not like Ashdown or the Suffolk Coast (used as a reference by David). They are not internationally recognised and cannot expect the same level of S106 contribution.
- To increase the level of S106 support, TWCC need to have a firm evidence base. Looking on the website, CH couldn't see a detailed management plan which sets out the direction for the Commons, how it is seen and used with costed projects. The Clerk explained that a new ecological management plan and surveys had been commissioned.
- A new management plan would provide weighting for future requests, all other statutory consultees provide such supporting evidence.

Volunteers

Since the last meeting, there have been four Saturday work party sessions, on 4th February, 25th February, 11th March, 1st April. These sessions will revert to monthly until after bird nesting season.

The Ranger has continued with his weekly volunteering sessions, which are acting as work experience for a number of students.

Since the last meeting, the Clerk has assessed one child on their Duke of Edinburgh volunteering (litter picking on the Commons) and started another two children, with equipment, risk assessment and guidance.

Free forest school activities

On the 4th and 5th of April free forest school activities took place on the Commons, organised by the Clerk, funded by the Friends of the Commons and delivered by Kent High Weald Partnership. Both days were a huge success, helped by great weather, with approximately 300 people in attendance. Children were able to take part in a variety of woodland craft activities, den building, play with a mud kitchen, fire lighting, hapa zome printing and toasting marshmallows. All attendees greatly appreciated the event and expressed thanks for the opportunity to use the Commons. Thanks also goes to the Ranger for his much-needed help.

Funding

The Clerk has submitted funding applications on behalf of the Friends, as the registered charity, and been successful in receiving £1,500 from South East Water's Community Fund and £1,025 from the Round Table. The latter will go towards funding the Ranger's battery-operated tools.

Management Plan

Kate Ryland's Background Data Review document has now been circulated to the Conservators, Friends and wider community; it is also available on our website. There has been a lot of positive feedback. Her recommendations for survey prioritisations (page 12 of the report) will be implemented, with surveys of a wide range of species including bats, birds, dragonflies, lower plants, wildflowers, dormice, butterflies, bees, reptiles and amphibians being conducted by a combination of in-house and consultant led projects. For the purposes of social media, the project is being referred to as the Season of Surveying.

The survey data will be essential to ensure that the true value of the new management plans are realised.

Project work including ash dieback tree management

In the last quarter, a lot of the Clerk's time has been spent managing communications with the community regarding the work to trees affected by ash dieback and the externally funded project work. It is very encouraging to see such high levels of engagement and interest. In terms of lessons for next year, it is clear that communication planning should be more effective, and details should be released much earlier, way in advance of work starting, to enable the community to better understand the justifications and to provide comments and feedback.

Wellington Rocks toilet block

The toilet block at Wellington Rocks is owned by TWBC, but they are not effectively managing the graffiti covering the exterior walls, which looks unsightly and receives a number of justifiable complaints. The Clerk has engaged with a professional graffiti artist to design a sensitive mural for the wall, the theory being that people who graffiti will rarely cover over other artwork. The artist has quoted £2,000 (to include a fix of any damage if the piece is defaced in the first instance). The Clerk and Ranger have secured £1,000 towards the cost from Tunbridge Wells BID. TWBC have confirmed that they will not contribute anything and will not maintain it in the future, as they don't have any funds for this.

The Conservators gave permission for the Clerk to progress a fundraising exercise for the remaining money. Permission was also given to get the mural installed if funding is secured.

Other

- No further updates on the insurance company claim in connection with damage caused by an ash tree falling on a car, on the Langton Road, on Monday 9th January 2023.
- The Ranger and Clerk will be conducting a review of posts and ditches across the Commons to help protect verges and grass that seem to be under greater threat than ever. Many existing posts have been damaged and require repair.
- The Ranger and Clerk met with Alex Green, CEO of Tunbridge Wells BID, to discuss his ideas for a number of sculptures to be installed on the Commons. The Committee provided sound feedback to his proposal, as per the Committee meeting minutes of 27th March, and this will be discussed further with him at their next meeting.
- On 9th February the Clerk and Ranger met with officers from Tunbridge Wells Fire Brigade to assist with a fire plan for Tunbridge Wells Common. Overall, they were supportive of existing measures, but did have some concern about the Marshall Plan area, which was perfectly timed with the project to clear a large area, to better manage the heather and to introduce fire breaks. A visit to Rusthall Common will be scheduled.

Requests to Conservators

Since the last meeting on 26th January 2023, the following requests have been put to the Conservators, their outcomes are listed:

Date of request	Detail	Outcome
27/02/2023	Request to hold a family gathering/cricket match on the lower cricket pitch.	Approved
07/03/2023	Request from the Friends to collect donations from visitors to the Commons at events.	Approved

8. RANGER’S REPORT

Health & Safety

Tree incident on Hungershall Park during storm on 31 March. A mature birch tree fell across the road damaging two parked vehicles. Officers are working with the insurance company to provide all required information.

Trees - ash dieback

All ‘Zone 1’ (trees over main paths and roads) ash trees of concern have now been felled as well as many ‘Zone 2’ (trees over minor pathways). A further full survey of ash dieback will be conducted during June 2023 when the trees should be in full leaf. The June survey will determine which trees need to be addressed between July, for any urgent issues, and October/November for any other issues that need to be dealt with before winter. Ash dieback will continue to be an ongoing issue for the next few years but the costs going forward are expected to be much more manageable and will reduce annually over time. Savings being made through changes to ways of working and reprioritising tasks has also made a significant impact upon the affordability of dealing with the ash dieback issues.

Trees - tree surveying policy

The Ranger reported that trees are inherently unpredictable and that there are many factors that can cause a tree to fail unexpectedly. Storm events can enhance the risk of potential failures and that given the high number of Zone 1 trees on the Commons, monitoring and management is an essential task. The Ranger confirmed his emerging tree policy as follows:

1. The Ranger to continuously monitor and keep a daily tree diary, while undertaking his day-to-day tasks.
2. Where appropriate, the Ranger to seek further professional opinion on individual trees, especially in relation to trees of high value e.g., veteran or valuable trees in prominent places.
3. The Ranger will continue to drive/walk all roads and Zone 1 paths after all storm events and will keep a diary note of these checks for audit purposes.
4. In addition to continual routine proactive monitoring, there will be two formal surveys undertaken by the Ranger each year. One survey in June and one in October/November.
5. Tree survey outcomes will now be logged on the TWBC IT app.

As previously reported, there are two trees of significant value that need attention and consideration. One is the large American oak at the Junction of Church Road and London Road, the other is the red chestnut on the green at Rusthall Common. Specialist advice has been obtained regarding both of these trees and they will continue to be monitored carefully this year. Quotes for appropriate remedial work will be requested and work scheduled for October/November as both will require a crown reduction.

Tree surgeons/contractors

While the Ranger is now undertaking some tree work in-house, larger or high-risk trees (complex fell or roadside etc.) are still being dealt with by externally contracted tree surgeons for insurance and health and safety reasons.

The Ranger is developing a preferred supplier list of contractors, consisting of three or four companies who meet quality, health and safety, cost, communication and availability criteria.

Planting of New Trees

A number of new trees have been planted with volunteers at Tea Garden Lane, in the Pidgeon Wood Easement and over the coralroot bittercress by the Tarry Path/Tarry Path Pond. This is for conservation as well as aesthetic reasons and will overtime enhance the biodiversity in these areas.

Dog rose saplings were also planted underneath 10 hawthorns in prominent places around the Commons in March. This will enhance the biodiversity for pollinators and enhance aesthetics.

Ranger's Way of Working

The Ranger provided an update on his Way of Working project, concluding that financial savings due to the new ways of working (less reliance upon contractors, while the Ranger uses supplied tools and based on average spend in 2021/2022) is currently in the region of £18,000 per year. On this basis the procurement of a suitable and appropriate vehicle which helps the Ranger to undertake his role, whilst also providing an open and obvious high level of presence of safety and authority, seems to be affordable.

Action: The Ranger to collate his findings and observations as a complete project proposal for Committee review.

Ecological Management Plans - Surveys

The Ranger reported that the Season of Surveying project will be his main priority for the remainder of the year, the quality of the data obtained is essential to enable production of quality ecological management plans. The Ranger will also be meeting with Kate Ryland on site monthly to ensure that good progress, informed decisions, and appropriate plans are being developed.

The Ranger explained the importance of engaging with the community, he will be asking the public to engage with a mobile phone app called 'iNaturalist'. The app allows and helps the user to identify flora and fauna and to then upload the sighting into a folder, which will provide a map of what species have been sighted on the Commons and a precise location. This data will be invaluable, to better aid understanding of how and where specific areas or habitats can be better managed.

The Ranger is also trying to identify all users of the Commons who have specific, ecological knowledge of where rare and or endangered or habitat sensitive species are located to ensure they remain protected.

Grass Management – proposed wildflower project

The steep grass bank at the very tip of Tunbridge Wells Common, where the London Road and Mt Ephraim meet, is seemingly extremely valuable for wildflowers. The steepness of the bank and a thin soil layer over rock allows the excess nutrients to leach out onto the road, providing depleted nutrient conditions, which are perfect for wildflowers.

It is proposed that the area be managed for low level wildflowers and that a sign be erected on the path to provide detail about the project. At the end of this season the project will be evaluated to measure success and to understand whether changes need to be made for next year.

Conservators approved a request to allow the Ranger to manage the area as a wildflower project.

Grass Management – amenity grass

The first cut of the year was due start in the week commencing 3rd April, but weather conditions delayed this to the 17th April. The first cut is always an issue as the grass is growing quickly but the ground is very wet.

Grass Management – wild grass/woodland

The Ranger will be making changes to the use of the flailbot on the Commons, with input from Kate Ryland. In the past, cutting emphasised on aesthetics, rather than conservation. Moving forward, use of the flail bot and any path side strimming will be very light during the bird nesting season in accordance with the Wildlife and Countryside Act 1981 with path side tidying predominantly taking place in the dormant season, late September/October. This will perhaps mean that people will see a difference in how ‘tidy’ some areas look, this will be a balance that will be kept under close review. The Ranger will be doing more of the localised cutting, including sightline work at junctions, to ensure that a reasonable balance is maintained without compromising on safety.

9. FINANCE REPORT

The Treasurer presented the draft financial accounts for the year to 31st March 2023 and the draft AGAR form for approval after the internal audit.

At the last meeting on 26th January, budget estimates suggested that year end would see an overall deficit for the year of £6,500, when in fact year-end figures, as reported by the Treasurer, show a surplus of £5,500 due to savings made in other areas namely the Ranger’s hands on approach, some tree work not undertaken yet and unfavourable weather.

On 31st March 2023 the Conservators had £75,800 in cash at the bank of which £75,000 is on deposit. This is almost identical to this time last year.

Reserves currently stand at £53,296, £6,400 more than the 25% reserve requirement. All were made aware that the budget for 2023/24 will be challenged again by ongoing tree work.

The Treasurer reported that the first instalment of the precept had been paid by TWBC.

10. UPDATE FROM THE FRIENDS OF THE COMMONS

Memberships

The current memberships stand at 529.

Projects for 2023

Two of the projects that the Friends are funding have been completed, the clearance of the heather area and glade at the Marshall Plan area and Phase one of the Denny Bottom (Eales Terrace) clearance. The remaining two, will be done in the Autumn, these are the creation of glades at the junctions between Major York's Road and Hungershall Park and Major York's Road and the racecourse.

The Friends have planted an oak in memory of our beloved late Queen on the grass between Inner London Road and London Road on Tunbridge Wells Common. They are waiting for a plaque to be engraved and then they will have a suitable photo shoot inviting the local press to come along.

The Ranger has also moved the tree planted in memory of Patrick Shovelton, who started the Friends, from the top of Bretland Road to an area more suitable across the road.

Funding

CEvans thanked the Clerk for her work in securing grant funding from South East Water and the Round Table.

Events

The free forest school activities were a huge success with over 300 people attending. Without the huge efforts of the Kent High Weald project, the Clerk, Ranger and Chris Gurr the event would not have been possible. Targetfollow were thanked for their donation.

11. MARKETING AND PR REPORT

The report highlighted that there had been press articles in the TWBC Local magazine, the Times of Tunbridge Wells, Rusthall Life and Langton Life.

The Facebook group now has 1,940 members with monthly reactions from members between 994 and 2,147. The most popular posts, during the quarter, related to:

1. Brian Ellis' work in refurbishing the bench on the Commons.
2. Motorbikes/cycles causing damage on the Commons, a reminder that they are not allowed.
3. Frogspawn in Fir Tree Road Pond (of concern it was noted that there is very little)
4. Photographs from the Forest School activities.
5. Bore hole digging on the path between the Racecourse and Major York's Road.

The Instagram account has 373 followers, while the website has monthly users of between 374 and 934. Two blogs had been published during the last quarter which had both informed and pushed visitors to the website.

12. RISK MANAGEMENT

CSinha summarised the thorough review of the risk register that had been completed by the Clerk and Treasurer. Conservators agreed that they were satisfied with the method, the risks identified and the management actions.

13. EVENTS

Permission was granted by Conservators for the following events:

- i. Request from Hospice in the Weald to hold a family fun run on race day, in addition to their 5km and 10km runs on Sunday 17th September 2023.
- ii. Request from Hospice in the Weald to hold their family fun run, 5km and 10km run on Sunday 15th September 2024. Details are the same as in previous years.

14. SIGNAGE

Permission was granted by Conservators for the following signage:

Signage associated with the Hospice in the Weald family fun run, 5km and 10km run.

15. ANY OTHER BUSINESS

i. Extension of agreement to sub-let Linden Park Cricket Club premises.

PBurnett explained that the agreement with Linden Park Cricket Club required a further annual renewal, which was agreed by Conservators.

ii. Romanoff Lodge

A request had been received from the owner of Romanoff Lodge, asking permission from the Conservators to temporarily utilise the area in front of the property (registered Village Green) for contractor parking, a storage unit and material delivery and the area to the right of the property for a skip during building work at the property. The owner would make good on the site at the end of the project, replacing a tarmac drive with a more fitting brick/stone, returfing and replacing a short box hedge. Conservators approved the request.

iii. A264 pedestrian crossing

PGripper had met with Nigel Rowe of KCC Highways to progress the pedestrian crossing project (by St Paul's Church). The first stage of the project would be reduction of the speed limit from 40 to 30mph and then installation of a crossing, which worryingly was reported as likely to take 3-5 years. PGripper will keep Conservators updated on progress.

16. PLANNING APPLICATIONS

23/00542/FULL | Demolition of existing conservatory, construction of new single storey rear orangery, and removal of first floor side window | Wood End Major York's Road Royal Tunbridge Wells Kent TN4 8NY

Response on behalf of the Commons Conservators: While the Commons Conservators neither object or support the application, they wish to remind the applicant that the land on either side of the access drive is part of Tunbridge Wells Common, registered Village Green (VG22). As such we have a legal obligation to protect the land and wish to reiterate that no vehicles can park or tools, machinery or materials can be stored on the land.

We have concerns that vehicles have been parking on the Common already, noting the comment made by Mr Hill, other reports from our community and our own observations and as such feel that this work will only exacerbate the problem and cause further damage to the Common.

If the application is approved our Ranger will be paying close attention to this area and will alert the applicant to any breaches that he observes. As such we hope that suitable plans can be made for access, parking and storage.

Should the applicant wish to discuss arrangements further they are advised to contact the Clerk for the Tunbridge Wells Commons Conservators on email, gemma.stapeley@twcommons.org

MEETING ENDED

DATE OF NEXT MEETING – 13th July 2023, The Rackliff Centre, Rusthall.

Agreed Actions

Agenda Item	Detail	Responsibility	Progress/update
3	To discuss David Scully's points and make recommendations to the Conservators.	Committee	Complete
4&5	Chairman to sign the minutes of the previous meetings and send to the Clerk.	Chairman	Complete
8	Ranger's way of working: to collate findings and observations as a complete project proposal for Committee review.	Ranger	Ongoing

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in the Rackliff Centre on 13th July 2023 at 2pm

PRESENT:

Cllr Martin Brice
Paul Burnett
Ewen Cameron
Stephen Lacey
Ian Marshall (Chairman)
Chris McHugh
Cllr Nicholas Pope
Cllr Jayne Sharratt
Clare Sinha

ATTENDING:

Daniel Colborne (Ranger)
Alan Leale-Green (Treasurer)
Gemma Stapeley (Clerk)
Cllr Paul Gripper (Rusthall Parish Council)

OBSERVING

David Clover

APOLOGIES

Amii Errington
Corin Thoday
Cllr Pamela Wilkinson

The Chairman acknowledged that Cllr Justine Rutland and Cllr Jamie Johnson had stood down as Conservators and thanked them for their time and contributions. He welcomed Cllr Jayne Sharratt and Cllr Pamela Wilkinson as newly appointed Borough Council Conservators.

1. DECLARATION OF BUSINESS INTEREST

There were no business declarations.

2. APOLOGIES FOR ABSENCE

Apologies were received from Amii Errington, Corin Thoday and Cllr Pamela Wilkinson.

3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 27th April were considered and approved. A copy to be signed by the Chairman and returned to the Clerk.

4. MINUTES OF THE COMMITTEE MEETINGS

The minutes of the Committee meetings held on 24th April, 22nd May and 27th June were considered and approved and would be signed by the Chairman and returned to the Clerk.

The Chairman expressed his thanks to the Committee for their time, effort and dedication.

5. MATTERS ARISING

Posts and barriers

A number of posts and barriers need attention across both Commons, which will be addressed by the Ranger. The full review of posts and barriers across both Commons has been put back to the Autumn/Winter due to workload.

Royal Tunbridge Wells Together (RTWT)/Business Improvement District (BID)

The Clerk confirmed that while Conservators had not felt that the proposed sculpture trail was appropriate for the Commons, RTWT were still supportive of the Commons and had contributed towards the costs of the installation of the graffiti mural on Wellington Rocks toilet block.

Ash dieback

The Ranger confirmed that he had completed his June ash tree survey and was compiling a plan of the tree work that was now required.

Ranger's way of working

The Ranger confirmed that he was continuing to work on this project and would be presenting a proposal to the Committee by the end of the year.

Ecological surveys

The Ranger had been pleased to report that great crested newts were present in the Marlpit Ponds but explained that legislative restrictions meant that the newts could not be captured and transported to other ponds on the Commons. Instead, he would be creating suitable conditions that would encourage the newts to expand their habitat areas to other ponds. The Ranger explained that this would be part of the Ecological Management Plans and would also need to be part of the considerations relating to any flood mitigation/attenuation plans.

Himalayan Balsam

The Chairman expressed concerns about the presence of Himalayan balsam to the side of Romanoff Lodge, the Ranger explained he has been managing the area carefully and is monitoring and dealing with the balsam systematically to ensure that it reduces year on year until it is gone.

Rusthall Road pedestrian crossing

PGripper confirmed that Kent County Council had all of the paperwork associated with the request for the crossing and that Greg Clark MP had shown his support for the project too. CMcHugh started discussions about road speed limits, which concluded with Conservators agreeing their position, that all roads crossing the Commons should have a 30mph speed limit. MBrice will raise this at the next Tunbridge Wells Borough Council (TWBC) Joint Transportation board meeting on 2nd October 2023.

Action: The clerk to coordinate a plan to push forward the speed limit proposal.

6. RISK MANAGEMENT

The addition of a risk management agenda item and report, to be presented at each quarterly Conservators' meeting, is intended to assist in the recording and management of risk. It will also ensure that the annual review of the risk register captures all issues and will assist with ratings.

Accidents

Since the last meeting in April, there have been no reported accidents on the Commons.

Incidents

On Sunday 11/06/2023 Kent Police apprehended someone graffitiing on Wellington Rocks. The suspect was invited to attend an interview on 17/06/2023. Targetfollow were asked by the Police whether they would support a prosecution and after Committee consultation it was agreed that they would, and this has been pursued.

Disposable BBQs were a significant fire risk on the Commons last year and have already started to make an appearance this year. A member of the community found a campfire on the Marshall Plan area of Tunbridge Wells Common and helped by putting it out. The new signage gives clear instructions about campfires and BBQs and while there are no guarantees that the instructions will be followed, it does at least clarify the byelaws.

The Ranger has reported four incidents of fly tipping this quarter.

A homeless couple were found to be living in a tent on Tunbridge Wells Common, William Benson (TWBC Chief Executive) provided support in directing the appropriate team at the Council to help the couple and get them moved on with appropriate support.

Risk Register

In accordance with the feedback from the internal audit by Mid Kent Audit, the Clerk will be looking to transfer our current version of the Risk Register to the JPAG best practise guidance format.

Insurance claims

Claim for tree falling on a car on Langton Road (10/01/23), Zurich have now denied liability, they explained that the procedures in place are more than reasonable. The fact that the tree fell prior to it being scheduled for removal is unfortunate but they do not consider that anything could have been done to prevent this incident.

Claim for tree falling on a car on Hungershall Park (31/03/23), Zurich have said that there is no evidence of negligence on the part of Tunbridge Wells and Rusthall Commons, they have now proceeded to deny liability for this claim.

7. CLERK'S REPORT

Volunteers

There have been Saturday volunteering sessions on the Commons on 29th April, 27th May and 24th June. The Clerk would like to thank the Ranger for running these sessions without her, given her recent injury.

On 16th June, a number of employees from Logistics UK used one of their Corporate, Social, Responsibility days to help volunteer on Tunbridge Wells Common.

Update on signage project

The new signs have been produced, have been collected and are ready for phased installation by the Ranger and his volunteers.

S106 – Requests and current status

As an update this is the current status of our requests:

Date Requested	Property	Number of dwellings/increases in dwellings	Amount requested	Latest update
18/03/2022	WA Turners	94	£18,800	Pending decision.

23/05/2022	Beechcroft Eridge Road	40	£8,000 (+£42,000 contribution)	05/07/23 TWBC have received the funds and the Clerk has submitted a request for the funds.
11/07/2022	Showfields Estate	36	£3,377.75	Application pending decision. Email from R Hazelgrove on 22/02/2023 re adjustment to S106 from £7,200 originally requested
05/09/2022	Cinema Site	166	£33,200	05/01/2023 - application approved.

Action: The Clerk to find out the timescale for spending S106 funds. The Treasurer to keep a record of how the funds are spent.

Funding

The Sussex Lund fund is now open for applications for projects up to £15,000, with a deadline for submission of 3rd October 2023. The application on behalf of the Friends of the Commons will be for a project from within the Management Plans recommendations, so it will be important that the Ranger gets an early guide from Kate Ryland.

Action: The Ranger to present Sussex Lund project proposals to the Committee at their next meeting on Monday 24th July 2023.

Management Plans

Kate Ryland is scheduled to produce a first draft of the Ecological Management Plans in October. An informal workshop will be organised for Conservators and interested parties, once the draft has been circulated, to enable further discussion and questions with Kate before a final version is approved.

Action: The Clerk to invite David Scully to the workshop when a date is agreed.

Wellington Rocks toilet block graffiti mural

The project has now got funding agreed from The Friends of the Commons and Royal Tunbridge Wells Together/BID and will be started on 19th July. TWBC are aware and insurance and risk assessment documents received.

Public consultation on the Management Plan and overall management of the Commons

Following discussion at the 22nd May Committee meeting, the Clerk has worked with the Committee to produce a public consultation project specification, which has been distributed to all Conservators for review. The document will be used to procure an external company to carry out the project on behalf of the Conservators.

Health & Safety

The Clerk and Ranger are working with a volunteer from the community, who is retired from the risk management and health and safety sector and is offering to review and provide suggested improvements to our risk management system.

The Clerk is currently rewriting the health and safety policy, ensuring that all legal and day to day operational requirements are met. The revised policy will be brought to the October Conservators' meeting for Conservator approval.

The Clerk and Ranger are also working on a number of risk improvements to our administrative and practical operations, for example the addition of Risk Management as an agenda item at each quarterly meeting, purchase of an accident book and ensuring that the Ranger's vehicle has appropriate levels of business insurance.

Other

- South and South-East In Bloom and Britain in Bloom visits by judges took place on the morning of 13th July and are scheduled for the 14th July and 25th July. Results are awaited with anticipation.
- The Ranger and Clerk's review of posts and ditches across the Commons has been deferred to the Autumn/Winter.
- The Clerk attended the Borough Council's Town Centre Study -Stakeholder Feedback Workshop.

Requests to Conservators

Since the last meeting on 27th April 2023, the following requests have been put to the Conservators, their outcomes are listed:

Date of request	Detail	Outcome
19/05/2023	Request to install a bike rack on the corner of Common View.	Approved
30/05/2023	Request to put a skip on and allow contractor parking adjacent to the easement leading to Wood End.	Not approved

8. RANGER'S REPORT

Trees

Ash Die-Back

The June Survey is now complete and all ash trees that require further risk mitigation work in financial year 2023 have been identified, quotes for the work will now be collated and assessed.

Work is/has been managed in three priority categories as follows:

1. Mitigation work required immediately or within approximately two weeks.
2. Mitigation work is required before the end September 2023.
3. Further investigation required in the autumn and/or mitigation work is required by end of March 2024.

The Ranger is very comfortable that the budget allocated for dealing with the steady decline in ash this financial year will not be exceeded.

All Other Trees

The Ranger will be continuously seeking and/or identifying any potential risks presented by our trees. Significant attention is being paid to all roadside trees, with the A26 and A264 being given additional priority due to their high traffic use.

High Value Trees (previously referred to as veteran trees)

The Commons has a number of high value trees. These are deemed as being of high value due to a number of factors such as their age, location, size or historical value. Some trees have only one of these attributes to consider, whereas others can have several or all of them. For example, the Red Chestnut at Rusthall Green has high community/sentimental value due to its location, but the Queen Anne Oak has all of these attributes to some degree. The Ranger and the Committee are currently exploring how best to manage and protect our high value trees going forward, as they require a level of specialist consultancy expertise in order to ensure that they are looked after properly. The Ranger intends to list the top ten high value trees with details of the factors that put them at high value and will get three quotes from appropriate consultants to survey them and provide recommendations. Conservators gave permission to the Committee to have delegated responsibility to manage and approve this project.

Ecological Management Plans

Surveys are progressing well in order to provide the information/data needed to create the first draft of the Ecological Management Plans. Surveying is being undertaken by a combination of consultants, the Ranger and by volunteers.

Progress so far:

1. Finalised report for the lower plant (mosses + ferns etc) species at Denny Bottom and Happy Valley has been received. These reflect the picture nationally, with these species declining countrywide. Surveys of Mt Edgcumbe rocks will be explored for 2024.
2. EDNA results confirm the presence of great crested newts at the Marlpit ponds in Rusthall. No other ponds on the Commons had a positive result.
3. Formal consultancy led bat surveys have focused on Rusthall Common this year with four different species recorded so far. In-house bat surveys will commence on Tunbridge Wells Common in July to. Formal consultancy led surveys for TW Common will however take place next year.
4. Botanical surveys (consultancy led and in-house) are proving very fruitful, and many areas have already been highlighted for management changes which are being enacted this year, such as the new wildflower bank.
5. Bird, butterfly, reptile, and pond surveys are being undertaken by several highly experience volunteers and much valuable data records are being produced.
6. Confirmation of a dormouse on the boundary with Nevill Park. Dormouse presence tubes will be put in place during July on both Commons as they are now available.

Grass management contracts

Changes in the Ranger's way of working and recommendations within the Ecological Management Plans will result in a new grass cutting programme. The grass cutting contracts will therefore need to be revisited and new tenders will be created for the 2024 cutting season.

Action: The Ranger to update Conservators on the plans for the grass cutting contract, for the October Conservator's meeting, with a view to giving the Committee delegated power to manage the project.

Tree stump at junction of Church Road and London Road

MBrice asked about plans for the red oak tree stump, the Ranger explained he was considering options, possibly a compass design or water feeder.

9. FINANCE REPORT

Internal audit

The Treasurer reported that the internal audit of last year's accounts had been completed and the necessary documents placed on the website. The audit was more thorough than in previous years but concluded that design and performance of operational controls for the relevant objectives during the 2022/23 financial year were sound.

The final internal audit report noted that accounting records are clear, with quarterly budget reports to Conservator meetings. Members demonstrate engagement and effective governance, and they recorded that recommendations from previous audits have been implemented. Evidence of growth and strategic vision during the 2022/23 year is evidenced by creation of an asset register, strong partnership working with various other bodies, implementation the Ranger's new way of working, and discussion around methods to establish a firm evidence base for increased section 106 applications.

The internal auditors raised two medium priority rated findings, the first relates to the need for formal financial regulations in light of the organisation's development. The second relates to ensuring Commons Conservator data is securely stored. They raised four low priority rated findings around risk identification, employment contracts

and inspection and publication requirements. Finally, they raised three advisory findings relating to the risk register, the asset register, and section 106 records.

Action: Treasurer and Clerk to work through the internal audit recommendations and action. The Clerk to organise a new email address for the Treasurer, @twcommons.org

External audit

The external audit has yet to be scheduled but must be completed by 30th September.

Audits

The Treasurer presented the draft financial accounts for the quarter to 30th June 2023. On 30th June 2023 the Conservators had £142,000 in cash at the bank of which £141,000 is on deposit, with a healthy rate of interest of up to 3%. This is more than £24,000 higher than this time last year. Maintenance of the Commons expenditure is £21,000 under budget and expenditure in total is £25,000 under budget.

10. UPDATE FROM THE FRIENDS OF THE COMMONS

CEvans was unavailable for the meeting but had sent an update report in advance of the meeting as follows:

Projects for 2023

The Chair has now received the plaque in respect of the tree planted in the Queen's memory and will arrange a suitable date for it to be placed at the foot of the tree. Hopefully newspaper coverage can be arranged. The Friends have funded tree safety work in the St Paul's School forest school area on Rusthall Common. The volunteer groups are going from strength to strength with some excellent results for all to see.

Events

The Friends are preparing for the strawberry tea and AGM at the Spa Hotel on the 19th July. In light of the increased cost of producing Common ground they are hoping that the AGM will agree to increase the subscription which has remained the same since the Friends were set up.

11. MARKETING AND PR REPORT

The report highlighted that there had been three press articles in Rusthall Life, JSharratt was thanked for her enthusiasm for covering news from the Commons.

The Facebook group now has 1,987 members with monthly reactions from members between 994 and 2,147. The most popular posts, during the quarter, related to:

1. Advance warning of the removal of the red oak at the junction of Church Road and London Road.
2. White powder trail on the Commons, thought to be poison, it was in fact marking a running route.
3. Roe deer photographed on Tunbridge Wells Common.
4. Swedish maypole used to enjoy Mid-Summer on the Common, the question was....what is it?
5. Deer photographed on the path to the bumps.

The Instagram account has 420 followers, while the website has monthly users of between 374 and 934. Two blogs had been published during the last quarter which had both informed and pushed visitors to the website.

12. ANY OTHER BUSINESS

i. Request from Hospice in the Weald

Hospice in the Weald had sent a request, via the Clerk, asking permission from the Conservators to include a bouncy castle in their plans for the 17th September running event. Conservators were concerned about the health and safety risk of using a bouncy castle in windy conditions. While they were happy to grant permission, they wanted to be reassured that all safety measures would be in place and that if windy conditions were forecast, they reserved the right to withdraw permission.

ii. Fairground car park lighting

In response to a question raised by IMarshall, PBurnett confirmed that works to level areas of the car park, to dig trenches for wiring and groundworks were out to tender, with lighting installation anticipated to be completed before October.

iii. Linden Park Cricket Club

PBurnett reported that the company currently sub-letting the second-floor space in the cricket pavilion would be moving out in August.

iv. Cycling on the Commons

In response to a question raised by JSharratt, MBrice confirmed that eight companies had expressed interest in tendering for the project to validate a cycling route from Langton Green/Rusthall through to the town centre.

v. Exercise clubs using the Commons

In response to a question raised by DClower, PBurnett explained that commercial exercise clubs and personal trainers should be paying a licence fee to use the Commons. A letter was being produced, to explain the requirement for a licence, to be distributed to groups by the Clerk and or Ranger.

13. PLANNING APPLICATIONS

23/00705/FULL | Single storey lower ground floor extension with new steps access | Dingley Dell Langton Road Royal Tunbridge Wells Kent TN4 8XG

Response on behalf of the Commons Conservators: While the Commons Conservators neither object or support the application, they wish to remind the applicant that the land surrounding the boundary wall of the property is part of Rusthall Common, registered Village Green (VG23) and Local Wildlife Site (LW24). As such we have a legal obligation to protect the land and wish to reiterate that no vehicles can park, or tools, machinery or materials can be stored, on the land.

In the last year, there have been significant issues with contractor vehicles parking on Rusthall Common and in unsafe locations at the junction of Rusthall Road and Langton Road, while the current building project at Dingley Dell is under construction (planning application 20/01474/FULL and 20/03543/FULL). Despite the intervention of Conservators' Officers, TWBC Planning Enforcement and the local Kent Police PCSO the situation has continued to cause damage to the land and worrying traffic safety issues.

If this application is approved, we urge the applicant to consider a practicable plan for access, parking and storage, potentially utilising their land on the golf course, behind the property, rather than in front of it. We ask

that our request is included as an informative.

While we have been informed that this is not a matter for planning legislation, we feel strongly that it is not a matter that should be ignored.

Should the applicant wish to discuss arrangements further they are advised to contact the General Manager of Tunbridge Wells and Rusthall Commons on email, gemma.stapeley@twcommons.org

23/01340/FULL | Demolition of existing dwelling and erection of two storey replacement dwelling | South Lodge Nevill Park Royal Tunbridge Wells Kent TN4 8NW

Response on behalf of the Commons Conservators: While we neither object or support the application, the Commons Conservators wish to remind the applicant that the land on either side of the entrance from Nevill Park off Major York's Road up to the white entrance gate is Tunbridge Wells Common, registered Village Green (VG22), as such no tools, equipment or materials can be stored and no vehicles can park, on the Common.

The Ranger to the Commons Conservators, is a trained ecologist and has a confirmed sighting, with video footage, of a torpid dormouse in the garden boundary of the property directly opposite South Lodge on 26th April 2023. Dormice are a protected species listed in the Wildlife and Countryside Act 1981.

Given the uninhabited state of the proposed development it is very likely that the hedgerow boundary, the surrounding vegetation and the existing property itself will have this species nesting and residing within. We would therefore insist that a professional ecologist be on site to respond to any disturbance as demolition occurred. We would also like to request that the applicant provide 10 dormice boxes that can put up on the Common, in the vicinity prior to any works commencing, to aid their transfer to new habitat.

Should the applicant wish to discuss the matter further, the Clerk can be contacted at gemma.stapeley@twcommons.org

MEETING ENDED

DATE OF NEXT MEETING – 19th October 2023, The Rackliff Centre, Rusthall.

Agreed Actions

Agenda Item	Detail	Responsibility	Progress/update
3&4	Chairman to sign the minutes of the previous meetings and send to the Clerk.	Chairman	Complete
5	To create a plan to push forward the proposal for a 30 mph speed limit across the Commons.	Clerk	Ongoing
7	To find out the timescale for spending S106 funds and to keep a record of how the funds are spent.	Clerk and Treasurer	Treasurer has created a spreadsheet to record funds and spend, all managed by the Officers with approval from TWBC.
7	To present Sussex Lund project proposals to the Committee at their next meeting on Monday 24 th July 2023.	Ranger	Application submitted.

7	To invite David Scully to the ecological management plan workshop when a date is agreed.	Clerk	David is happy to attend.
8	To update Conservators on the plans for the grass cutting contract, for the October Conservator's meeting, with a view to giving the Committee delegated power to manage the project.	Ranger	Ongoing.
9	To work through the internal audit recommendations and action. The Clerk to organise a new email address for the Treasurer, @twcommons.org	Clerk and Treasurer	*See audit findings below All complete/being actioned.

- **Audit findings**

Data Security -

Recommendation: Ensure that all data is stored and accessed securely through OneDrive, to avoid any potential loss of information kept outside of the organisation's chosen cloud service.

Internal Procedures (Financial regulations) -

Recommendation: The organisation should refer to point 5.39 of the JPAG Guidance to produce a clear set of Financial Regulations. This states that '*Model versions of Standing Orders and Financial*

Regulations are provided by NALC and ADA. Authorities should ensure that they are working from the latest model and that it has been appropriately adapted for their size and requirements. This should be reviewed and minuted annually.'

Existing policies and approved processes regarding Procurement, Payment Approvals, Salary Review and Reserve levels could be included within the financial regulations document.

Inspection Rights -

Recommendations:

1) The Commons must answer 'no' to Assertion 4 of the Annual Governance Statement for 2022/23.

2) For this year, the organisation must ensure that it makes proper provision for the exercise of public rights by following the key points below, as specified by the JPAG:

- a 30-working day inspection period (this excludes weekends and public holidays), with accounts and supporting records being made available at reasonable times;
- the notice period should commence as soon as possible after approval of the accounts by the authority and must include the first 10 working days of July;
- the announcement of public rights should be as soon as practicable after the approval of the AGAR
- it must give at least one day's notice of commencement and be published together with sections 1 and 2 of the AGAR.

Publications requirements -

Recommendation:

1) An amended version of Section 1 of the 21/22 AGAR, to reflect the external auditor's feedback, should be uploaded to the website for public availability.

2) The document showing the notice of the period to inspect the unaudited accounts should be uploaded with Sections 1&2 of the AGAR, and should remain on the website. (Any amendments required by the external auditors should be made, and the revised document should be published).

3) A best practice improvement would be to upload a copy of the Annual Internal Audit Report page of the AGAR to the website with Sections 1 & 2.

Employment contracts -

Recommendation: Ensure an employment contract is in place for all statutory positions.

Risk Identification -

Recommendation:

1) Risks associated with the organisation's reliance on technology should be reflected within the risk register and mitigated against.

2) The risk register should include identified risks relating to current assets and associated mitigation.

Risk Register -

Recommendation:

1) The organisation should revise the risk register to clearly identify the score of the uncontrolled risk and include a column to rate the controlled risk.

2) If columns are included, they should be completed consistently.

Asset Register -

Recommendation:

1) The AGAR should be revised to reflect the assets as at purchase value.

2) The factors at which a purchase becomes an asset should be determined. As recommended by JPAG guidance 5.63, 'the method of asset valuation adopted should be set out in a policy approved by the authority and recorded in the authority's minutes and in the asset register'. (This could be included in the internal financial procedures document from finding B).

3) A column for location of the specified asset should be added to the register.

4) The organisation should aim to adopt an asset register that reflects the JPAG guidance.

S106 Records

Recommendations:

1) The organisation should ensure that it maintains the spreadsheet on OneDrive. This should reflect dates of s106 applications, updates, approvals and payments. Additionally, any conditions attached to s106 payments should be recorded and adhered to.

2) Continue to report s106 data at the Conservator meetings within the Clerk's quarterly report.