

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in the Rackliff Centre on 25th January 2024 at 2pm

PRESENT:

Cllr Martin Brice
Paul Burnett
Ewen Cameron
Amii Errington
Stephen Lacey
Ian Marshall (Outgoing Chair)
Chris McHugh
Cllr Nicholas Pope (Incoming Chair)
Cllr Jayne Sharratt
Clare Sinha
Cllr Pamela Wilkinson

ATTENDING:

Daniel Colborne (Ranger)
Gemma Stapeley (Clerk)
Clive Evans (Friends of the Commons)
Cllr Paul Gripper (Rusthall Parish Council)

OBSERVING

David Clover
Anthony Pawson (Friends of the Commons)
Joy Podbury (Friends of the Commons)
Neil Spalding (Freehold Tenant)

The Chair welcomed everyone to the meeting.

1. DECLARATION OF BUSINESS INTEREST

There were no business declarations.

2. APOLOGIES FOR ABSENCE

No apologies were received, Corin Thoday was absent from the meeting.

3. APPOINTMENT OF CHAIR

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 Chair for the ensuing year. Conservators agreed that Cllr Nicholas Pope, representative of Tunbridge Wells Borough Council, be appointed as Chair until the quarterly meeting of the Conservators in January 2024.

Cllr Nicholas Pope continued as Chair.

The outgoing Chair, Ian Marshall, was thanked for his service during the last twelve months.

4. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 19th October were considered and approved. A copy to be signed by the Chair and returned to the Clerk.

5. MINUTES OF THE COMMITTEE MEETINGS

The minutes of the Committee meetings held since the last quarterly Conservators' meeting on 6th November 2023, 11th December 2023 and 8th January 2024 were considered and approved and would be signed by the Chair and returned to the Clerk.

6. MATTERS ARISING

S106

The Clerk confirmed that the S106 funds had not been allocated to any particular projects, other than to cover the costs of the high value tree survey and associated works.

Fir Tree Road car park ditch and bund

In the 6th November Committee meeting, the Ranger had an action to prepare a project proposal for a ditch and bund at Fir Tree Road car park. In the 8th January meeting, the action was deferred to later in the year due to resource constraints and to ensure newly discovered gas pipework could be accommodated.

Fairground car park lighting

SLacey chased the removal/switch off of the temporary flood light, which was now not necessary due to the installation of the new lighting. IMarshall asked if the installed electric cabling for the potential third set of lights could be tidied up.

Action: PBurnett to organise for the temporary flood light to be turned off and or removed. PBurnett to organise to survey the lighting in the car park at night, to establish if a further set of lights is required.

Linden Park Cricket Club cafe proposal

No response from the Club to the Clerk's collated Conservator questions, sent in November 2023.

7. 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 2024

Councillor Martin Brice
Councillor Nicholas Pope
Councillor Jayne Sharratt
Councillor Pamela Wilkinson

Freehold Tenants – 3rd year of three-year term until 31 December 2024

Stephen Lacey
Ian Marshall
Chris McHugh
Clare Sinha

Manor of Rusthall – 2nd year of three-year term until 31 December 2024

Paul Burnett
Ewen Cameron
Amii Errington
Corin Thoday

8. RISK MANAGEMENT

Accidents

Since the last meeting in October 2023, there have been no reported accidents.

Incidents

- Graffiti on several bins on TW Common, removed by Ranger.
- January 8th, collapse and fatality on Tunbridge Wells Common. No further information available.

Campers

In the last quarter:

- Small tent on Rusthall Common.

Fly-tipped waste.

In the last quarter:

- General rubbish including fabric, crate and bottles on Racecourse.
- Metal chair on Eridge Road.
- Fabric black sacks on Hungershall Park.
- Trolley behind Wellington Rocks toilet block.
- Heras fence panel on Tea Garden Lane.
- A mattress on Castle Road.
- Black sacks and grout bucket on Castle Road.

Complaints

There were no recorded complaints in the previous quarter.

Risk Register

While the Clerk reviews the Risk Register quarterly, the annual review for Conservator approval will be completed for the 25th April 2024 full meeting.

Insurance claims

There are no active insurance claims. The insurance policy was renewed on 1st January 2024, with Zurich.

9. CLERK'S REPORT

Volunteers

There have been Saturday volunteering sessions on the Commons on 28th October, 2nd December and 6th January. Since 10th January 2024, weekday Ranger volunteer sessions are taking place every Wednesday morning and are run by the Ranger but organised by the Clerk. This has meant that the Ranger's time is much more efficiently used and more coordinated work, as directed by the Ecological Management Plan (EMP), can be completed.

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
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18/03/2022	WA Turners (22/00238)	94	£18,800	Pending decision.
23/05/2022	Beechcroft Eridge Road	40	£8,000 (+£42,000 contribution)	Funds are now in the bank account.
11/07/2022	Showfields Estate (22/01576)	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 (22/02304)	166	£33,200	05/01/2023 application approved. 27/11/2 notification of developer's intention to commence in January 2024.

Treasurer recruitment

Following the resignation of Alan Leale-Green, the Clerk is currently working to recruit a new Treasurer. The role is advertised on our website, has been posted on Facebook, advertised on the Tunbridge Wells Borough Council (TWBC) weekly update, all volunteers in the email distribution list have been contacted and various other contacts have been asked whether they are interested or know someone who might be interested. There has been one application for the role to date.

Ecological Management Plan (EMP)

The final versions of the documents have been received and distributed to all Conservators, for adoption at the meeting. A very successful workshop, led by Kate Ryland, for Conservators and other invited interested parties took place on 6th December. The session clearly demonstrated the level of Conservator interest and enthusiasm for the plans.

As a result of discussions, the Clerk and Ranger have drafted EMP work schedules to detail how the prescriptions in the plans will be implemented. At this early stage the work schedules are a review of the work completed in the previous quarter and plans for the quarter ahead. In time they will be populated to explain plans for the remainder of the year. The documents will be presented to Conservators at each quarterly meeting for approval and act to mitigate risk in the event that the Ranger is unavailable for work. Later in the meeting the Conservators requested that the two work schedule documents be merged into one document for ease of understanding.

Projects Group

Project proposals were submitted and approved by the Freehold Tenants, to be discussed later in the meeting. Discussions are underway with the Friends of the Commons, as they will be approving project funding at their Committee meeting on 28th January 2024.

Planning – Biodiversity Net Gain (BNG)

As an update since the last Clerk's Report:

- Legislation will be released on 12th February 2024.
- The Local Authority should be actively encouraging landowners to register to demonstrate local demand and the range of habitat types for replacement or uplift.
- There is no set rate for units. This is worked out on a case-by-case basis (role for consultant) using costs for enhancing the land for 30 years, remediation if it goes wrong, inflation, price of having the land locked in, etc.
- There are no costs to registering as an offsite BNG provider.
- In Kent there will be a Kent County Council (KCC) registration system for prospective sites

It was agreed that the Clerk would register the Commons as a prospective BNG offsite provider. By registering, developers, KCC and TWBC will be made aware of our interest, giving time for legislation to be in and more thorough discussions of the costs, benefits and realities to take place.

Action: The Clerk to register the Commons as a prospective BNG offsite provider on the KCC system.

Funding

The Ranger's application to the Sussex Lund, to fund a three-year project to improve the biodiversity, aesthetic appeal and safety of the Victorian Terraces area of Tunbridge Wells Common was successful.

Waste collection and disposal.

There are two contracts for managing the waste generated from the Commons; the litter bin servicing contract, currently with LML, which requires the emptying of the individual litter bins into the large 1100 Litre bins and the waste disposal contract, currently with Countrystyle, to empty and dispose of the waste from the large 1100 Litre bins.

The litter bin servicing contract expires at the end of March 2024 as such the Clerk is conducting a re-tendering exercise for a like for like contract (with minor amendments), with the tender being publicised from 16th January 2024, with a deadline of 26th February for submission.

Flooding and drainage

The Ranger has prioritised time spent on small scale drainage mitigation work on Tunbridge Wells Common, to temporarily hold water to prevent the river Grom being overwhelmed during storm events.

KCC Highway's Asset Management Team have confirmed the closure of Fir Tree Road from 29th January for up to 6 weeks, while they restore and rework the drainage system. The same team have suggested that drainage works on Major York's Road will commence (phased project) during the Summer of 2024.

A member of the KCC Flood and Water Management Team met with the Clerk and Ranger on TW Common on 5th January to discuss the Ranger's observations during storm events, his existing work on mitigation and his ideas on further mitigation. KCC have appointed Waterman Infrastructure and Environment Ltd to conduct a feasibility study on the Commons which involves developing a hydraulic model for the Commons area to better understand the flow pathways and current drainage systems in place. KCC will then use the hydraulic model to inform possible options to reduce flood risk in the area. Officers are pleased that although slow, some progress is being made.

Other

- The Langton Road speed reduction plans have had a setback, with a rejection from KCC. The Clerk and Ranger are working with Rusthall Parish Council to consider an appeal.
- The review of posts and bollards has commenced with survey recommendations being implemented by the Ranger.
- The Clerk continues to meet monthly with William Benson to exchange news and other relevant information.
- An oak tree to commemorate the King's Coronation was planted on Tunbridge Wells Common as part of a ceremony organised by TWBC.
- Discussions have continued with TWBC and their consultants from PJA on the proposed cycle path from Langton Green to Tunbridge Wells.

Action: The Clerk to set up a PO Box as the official address for the Commons Conservators.

Requests to Conservators

Since the last meeting on 19th October 2023 there have been no requests to Conservators.

10. ECOLOGICAL MANAGEMENT PLANS AND WORK SCHEDULES

The Ecological Management Plans were formally adopted by the Conservators, to be balanced with access, amenity and affordability within the budget.

It was requested that the work schedule documents be collated into one version for both Commons.

Conservators agreed that the final EMPs should be made available on the website.

Action: The Ranger to collate work schedule documents.

11. RANGER'S REPORT AND FINANCIAL WORK PLAN

Trees:

Ash dieback

Ash dieback continues to be closely monitored, with the main focus continuing to be the roadside trees on Rusthall Road, Langton Road and Coach Road. The Conservators agreed to contract with Gimbles to remove eight diseased ash trees at a cost of £3,000 and a further £2,000 was approved for ash dieback mitigation works, identified as part of the winter tree safety survey.

Other Trees (not Ash)

The Ranger has completed the autumn/winter tree safety survey and has identified mitigation work up to an estimated £8,000.

With a total of £13,000 required to be spent on tree works during Q4, the Ranger advised Conservators that the tree budget could go over budget by up to £7,400 (without taking into consideration any more unexpected major failures that might require contractor assistance because of further storm damage). It should be noted that the Treasurer highlighted in his Finance Report (for the period up to 30th September 2023), that the Ranger may need to request permission to make use of the under-budget amounts in the short grass and grass and cleared areas budgets in order to deal with the costs associated with Q3/Q4 (autumn/winter) tree costs. As such, Conservators agreed that the over-spend on trees for Q4 could be covered by the under-spend in other areas.

The Ranger highlighted that during the prolonged wet and stormy weather over Christmas, emergency work to clear trees that had collapsed over paths had been completed in house, no emergency contractor costs were incurred during the period.

High Value Trees

The Committee approved the appointment of Living Forest to carry out the high value tree survey, which took place in December 2023. The report has now been received and the recommended works are currently in the process of being scheduled into future plans and budgets. The survey and recommended works are being funded by S106 funding (Beechcroft).

Ecological Management Plans (EMP) work schedules

Conservators approved the works planned as set out in the EMP Work Schedules and Financial Work Plans for this quarter.

12. FINANCE REPORT

Accounts

Alan Leale-Green is providing interim Treasurer support, until such time as we recruit a new Treasurer, for the meeting he provided a report on the financial accounts for the nine months to 31st December 2023.

On 31st December 2023, the Conservators had £200,000 in cash at the bank of which all but £700 was on deposit. This is £68,000 more than this time last year.

Maintenance of the Commons expenditures was £27,800 under budget and expenditure in total was £31,100 under budget, including the contingency budget.

Budget for 2024/25

In addition to the finance report, Alan Leale-Green had provided a document with considerations for the 2024/25 budget. It was agreed that these discussions and decisions would be delegated to the Committee, prior to a draft budget being presented to the Conservators.

13. UPDATE FROM THE FRIENDS OF THE COMMONS

APawson provided an update from the Friends in advance of the meeting:

Memberships

The current memberships stand at 500.

Projects for 2023

Funding has been provided for new tools for the Ranger, a clearance on Major York's Road and a contribution of £2,000 towards the van for the Ranger's use.

Events

60 Friends attended a lunch at the Spa Hotel on Sunday 19th November. An event to thank volunteers will be organised for later in the year.

Other

CEvans made a request to replace the tree planted in memory of Patrick Shovelton, as the tree was not successfully moved last year and had subsequently died. The Conservators agreed.

Action: The Ranger to order, purchase and plant a replacement tree.

14. MARKETING AND PR REPORT

The report highlighted that there had been one press article in the last quarter, on Kent Live.

The Facebook group now has 2,131 members with monthly reactions from members between 1,247 and 2,413. The most popular posts, during the quarter, related to:

1. Deer found dead alongside Langton Road.
2. Contractors working to remove young sycamore, holly and birch along Major York's Road (descended into discussions with John Harvey).
3. Ranger working on drainage ditches.
4. Deer on the Commons.
5. Clearance on Major York's Road, images.

The Instagram account has 505 followers, while the website has monthly users of between 335 and 859. Two blogs had been published during the last quarter which had both informed and pushed visitors to the website.

15. TREE MANAGEMENT POLICY

The policy was presented to the Conservators and approved.

Action: The Clerk to add the tree management policy to the website.

16. SHORT GRASS CUTTING CONTRACT

The Ranger is working with the Committee to agree the details of the tender and the proposed contract. The Committee have requested further work be undertaken by the Ranger with zoned maps for all areas to ensure that the optimum level of detail and maximum efficiency from the new regime is documented and approved. It was noted that there are a number of discrepancies between the 2018 contract and what is currently cut by Bridgland.

17. EXTERNALLY FUNDED PROJECTS

Sussex Lund

The Ranger gave details of his successful application to the Sussex Lund to fund project work on the Victorian Terraces. The Conservators gave approval for the project work.

Freehold Tenants

IMarshall gave details of the projects that the Freehold Tenants had agreed to fund:

1. St Helena - Restoration of views of the Rocks from London Road.
2. Mount Edgecumbe Rocks - Feasibility Study for Restoration of Historic Pond.
3. Wildlife Scrape at (Rusthall Village) end of the Tarry Path.
4. Restoration and installation/improvement of the existing 'path' from the Langton Road through to the Beacon.
5. Eales Terrace phase 2 (towards Apsley Street).
6. Happy Valley Vistas Improvements/ Restoration.
7. Improve aesthetic quality and wildlife value of Bumps Path towards Tarry Pond.
8. Laurel eradication.

The Ranger was asked to review the route of the path extension, listed as project 4.

The Conservators gave approval for the projects.

Action: There was a request from Conservators to take part in project site visits to better understand the planned work, the Clerk to organise with the Ranger.

18. ANNUAL REVIEW FEEDBACK

The Committee and Officer team held an annual review meeting on 9th January, to look back over what has gone well and less well in 2023 and to identify where focus should be directed in 2024.

The suggested priorities for 2024 are as follows:

- Ongoing focus on the Commons being for the community. Continue with proactive community and stakeholder engagement efforts, being appropriately selective to make best use of time and considering if and when to conduct a public consultation exercise.
- Next steps with the management plan:
 - Following adoption of the TW and Rusthall Ecological Management Plans by the Conservators, develop priorities, work schedule and budget, and begin implementation.
 - Agree approach and develop a public access and amenity plan to balance with the ecological objectives in our overall priorities and budget.
 - Investigate and, if possible, commission a data management system to support implementation of the plan and effective record keeping.

- Look for additional funding.
- Continue to work to enhance our way of working, in particular the use and management of contractors, balancing it appropriately with in-house and volunteer work.
- A healthy and happy team. Recruiting and bringing in a new Treasurer and making sure we continue to have a happy, productive team.

19. ANY OTHER BUSINESS

i. Update on the plans for the new path at Happy Valley (Friends project)

Prior to the meeting there had been a site visit to view and discuss the proposed plans for the path.

In March 2020, the Conservators had approved the project in principle but requested further details as the project developed. The update presented by the Friends contained the full specification and current position of funding. The Friends reiterated their commitment to cover maintenance costs and resource. The Conservators approved the specification and plans to proceed, as long as the project did not take up too much of the Ranger's time.

ii. Proposed cycle path from Langton Green to Tunbridge Wells centre

Tunbridge Wells Borough Council had been invited to provide an update on their proposal, to include route and specification. The Clerk hadn't received the information and so could not discuss further.

18. PLANNING APPLICATIONS

23/02846/FULL | Erection of detached dwelling, hard and soft landscaping and access from Hungershall Park, 1 Hungershall Park, Royal Tunbridge Wells, Kent, TN4 8ND.

Response on behalf of the Commons Conservators as follows:

On behalf of the Commons Conservators, I would like to highlight that the proposed development is located adjacent to Tunbridge Wells Common, designated as a Local Conservation Area and registered as Village Green (VG22). The proposal is sympathetic to the local ecology and is clearly an important aspect of the plans, which is to be commended.

Our Ranger feels that having the entry/exit point for the new development off Cabbage Stalk Lane, instead of Hungershall Park would reduce the impact on habitat availability and potential wildlife corridor links. However, if this isn't possible, he would like to ensure that the substrate and materials used for the proposed new driveway from Hungershall Park utilises materials that are ecologically beneficial and as environmentally friendly as possible.

Considering the proximity of the location to Tunbridge Wells Common, the Commons Conservators would like to remind the applicant that no tools, equipment or materials can be stored, and no vehicles can park, on the Common.

UPDATE: Application refused.

MEETING ENDED

DATE OF NEXT MEETING – 25th April 2024, The Rackliff Centre, Rusthall.

Agreed Actions

Agenda Item	Detail	Responsibility	Progress/update
4&5	Chair to sign the minutes of the previous meetings and send to the Clerk.	Chair	Complete
6	To organise for the temporary flood light in Fairground car park to be turned off and or removed. To organise to survey the lighting in the car park at night, to establish if a further set of lights is required.	PBurnett	Flood lights removed. Evening survey to be arranged.
9	To register the Commons as a prospective BNG offsite provider on the KCC system.	Clerk	Outstanding
9	To set up a PO Box as the official address for the Commons Conservators.	Clerk	Complete
10	To collate work schedule documents.	Ranger	Complete
13	To order, purchase and plant a replacement tree in memory of Patrick Shovelton.	Ranger	In progress
15	To add the tree management policy to the website.	Clerk	Complete
17	To organise project site visits for Conservators to better understand the planned work.	Clerk and Ranger	Ongoing