

|      |  |       |          |
|------|--|-------|----------|
| 17ii | To prepare a request to Tunbridge Wells Borough Council for the maximum precept of £215,678 for 2024/25. | Clerk | Complete |
|------|--|-------|----------|

## **TUNBRIDGE WELLS COMMONS CONSERVATORS**

### **Minutes of a meeting held in the Rackliff Centre on 25<sup>th</sup> 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 19<sup>th</sup> 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 6<sup>th</sup> November 2023, 11<sup>th</sup> December 2023 and 8<sup>th</sup> 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 6<sup>th</sup> 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 8<sup>th</sup> 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 25<sup>th</sup> April 2024 full meeting.

#### Insurance claims

There are no active insurance claims. The insurance policy was renewed on 1<sup>st</sup> 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:

| <b>Date Requested</b> | <b>Property</b>              | <b>Number of dwellings/increases in dwellings</b> | <b>Amount requested</b>        | <b>Latest update</b>   |
|-----------------------|------------------------------|---|--------------------------------|--|
| 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. 27/11/23 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 12<sup>th</sup> 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 bed 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 29<sup>th</sup> 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 19<sup>th</sup> 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 31<sup>st</sup> December 2023.

On 31<sup>st</sup> 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 19<sup>th</sup> 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 9<sup>th</sup> 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** – 25<sup>th</sup> 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.<br>To organise to survey the lighting in the car park at night, to establish if a further set of lights is required. | PBurnett         |                 |
| 9           | To register the Commons as a prospective BNG offsite provider on the KCC system.   | Clerk            |                 |
| 9           | To set up a PO Box as the official address for the Commons Conservators.   | Clerk            |                 |
| 10          | To collate work schedule documents.  | Ranger           |                 |
| 13          | To order, purchase and plant a replacement tree in memory of Patrick Shovelton.  | Ranger           |                 |
| 15          | To add the tree management policy to the website.  | Clerk            |                 |
| 17          | To organise project site visits for Conservators to better understand the planned work.  | Clerk and Ranger |                 |

## **TUNBRIDGE WELLS COMMONS CONSERVATORS**

### **Minutes of a meeting held in the Rackliff Centre on 25<sup>th</sup> April 2024 at 2pm**

#### PRESENT:

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

#### ATTENDING:

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

#### OBSERVING

David Clover

#### APOLOGIES

Cllr Pamela Wilkinson

The Chair welcomed everyone to the meeting, David Miller was introduced to all and welcomed in his new role as Treasurer.

#### **1. DECLARATION OF BUSINESS INTEREST**

There were no business declarations.

#### **2. APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Pamela Wilkinson.

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

The minutes of the meeting held on 25<sup>th</sup> January were considered and approved. A copy to be signed by the Chair and returned to the Clerk.

#### **4. MINUTES OF THE COMMITTEE MEETINGS**

The minutes of the Committee meetings held since the last quarterly Conservators' meeting on 5th February 2024, 5th March 2024, and 15th April 2024 were considered and approved and would be signed by the Chair and returned to the Clerk.

## **5. MATTERS ARISING**

### Fairground car park

The Committee minutes of 5<sup>th</sup> February recorded that RCP are proposing to relocate the pay machines from the car park entrance to a new location adjacent to the footpath down to the mirror shop. CMcHugh commented that this path led to an unsafe crossing point and queried whether this was a good idea. PBurnett explained that the machines at the entrance suffered with poor signal, but discussion would be added to the Committee's next agenda.

IMarshall asked when the old bollard lighting would be removed, PBurnett to investigate.

**Action: Committee to consider safety of the proposed new location of the pay machines and PBurnett to investigate when the old bollard lighting would be removed.**

### Biodiversity Net Gain (BNG)

The Clerk confirmed that Tunbridge Wells Common and Rusthall Common had been registered on the Kent BNG site register as a prospective off site BNG provider.

## **6. RISK MANAGEMENT & REVIEW OF RISK REGISTER**

### Accidents

Since the last meeting in January 2024, there have been no reported accidents.

### Incidents

In the last quarter:

- An attempt by travellers to access Fairground car park barrier and then an attempt on the Lower Cricket pitch. Both stopped by Ashleigh (LML).
- Motorbikes riding along the Victorian Terraces on Tunbridge Wells Common, reported to the Police.
- Motorbike riding along the path at Happy Valley.
- Potholes reported in Fir Tree Road car park.

Following discussion, it was agreed that incidents of motorbikes on the Commons should be reported to the Clerk, with accompanying photographs, if possible and safe to do so. The Clerk will then collate the reports and notify the Tunbridge Wells Borough Council's (TWBC) Community Safety Team and or the Community Safety Unit at Kent Police. The Ranger is also considering opportunities to block motorbikes with barriers or ditching.

### Campers

In the last quarter:

- One tent alongside Eridge Road.
- Two tents behind the Victorian bench on the footpath down to the Pantiles on Tunbridge Wells Common.

### Fly-tipped waste

In the last quarter:

- 6 large plastic containers, 25 litre oil can, 2 x wheels with tyres and 1 x white good in Fairground car park.
- Large commercial fridge.
- Length of kitchen worktop on Castle Road.

### Complaints

There was one anonymous complaint about the behaviour of dogs in Fir Tree Road car park, making it intimidating for the person to visit the Commons. The Ranger is planning a summer campaign to require dogs on leads in the car park area.

### Risk Register

The full Risk Register and heatmap summary document were supplied to the Conservators in advance of the meeting. Conservators agreed that they were satisfied with the method, the risks identified and the management actions. JSharratt raised an incident of flashing reported on the Tarry path on Rusthall Common the day before the meeting (24th April) and one other incident which indicated that the risk of violent/sexual offence should be reviewed again. CSinha commented that the full register was overdue a review by the Committee, to ensure that they are doing enough to minimise risks.

**Action: Clerk to review the rating for violent/sexual offence and the Committee to complete an additional review of the whole risk register.**

### Insurance claims

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

## **7. CLERK'S REPORT**

### Volunteers

There have been Saturday volunteering sessions on the Commons on 3rd February and 6th April. Ranger volunteering sessions have taken place every Wednesday and are proving to be both popular and very productive with conservation project work taking place across the Commons including at the archaeological dig site, the area opposite The Beacon, the rocks between St Helena and Gibraltar Cottage and the glade behind Highbury.

### S106 – Requests and current status

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

| <b>Date Requested</b> | <b>Property</b>              | <b>Number of dwellings/increases in dwellings</b> | <b>Amount requested</b>        | <b>Latest update</b>                                   |
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| 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 approved.                                  |
| 05/09/2022            | Cinema Site (22/02304)       | 166   | £33,200                        | 05/01/2023 application approved. Building in progress. |

### Treasurer recruitment

David Miller was successfully recruited to the role of Treasurer to the Commons Conservators, starting on 29th February. The Clerk, Ranger and Treasurer are working through an induction, to both the Commons and the systems and processes, which is progressing well.

### Projects – Friends of the Commons

For 2024/25 the Friends of the Commons have agreed to fund the following:

- Fungi survey by expert Martin Allison.
- Two guided fungi identification walks for the community on Tuesday 8th October and Wednesday 6th November, led by Martin.
- Two Earth School sessions for the community, all managed by Nature Makers (forest school), on 26th July and 19th August.
- Two Family Nature Walks for the community on 31st May and 1st November.

### Waste collection and disposal contract

The litter bin servicing contract was put out to tender in February and produced two very good options. Following thorough consideration, LML Services retained the contract, to continue from 1st April 2024 until 2026, with an optional one-year extension. Costs have remained the same, as per the budget.

### Flooding and drainage

The drainage improvement works on Fir Tree Road were successfully completed in January and February without any issues, to the satisfaction of Kent County Council (KCC)'s Highways Asset Management Team, the Ranger and the community.

Conservator permission was given to the same officers in the Highways Asset Management Team to proceed with their plans for the three phases of the drainage improvement works for Major York's Road, scheduled to take place between June and September.

### Proposed cycle path

On 16<sup>th</sup> April, three Conservators, the Clerk and Ranger met with TWBC's Economic Development Manager, Hilary Smith, and their consultants from PJA to walk the Tunbridge Wells to Rusthall section of the proposed cycle path from Langton to Tunbridge Wells. The purpose of the walk was to identify the proposed route on the ground and thereby highlight any potential issues in terms of logistics, ecology, visual appeal etc. Several concerns were raised which require further work by the consultants. The Clerk reported that she had found a Solicitor who specialised in the law of Common Land and Village Greens to assist with the legal implications of potential deregistration and investigate whether sealed surfaces were allowed on a Village Green.

### Commemorative benches

The annual price review for commemorative benches has been undertaken and is confirmed as £700 for a refurbished bench and £1,000 for a new bench.

### Union House car park and Village Green registration

As a result of the Ranger's investigations into the ownership of Union House car park, it was discovered that Dandara had not been invoiced for the management of the exchange land since 2016. The Clerk has been in communication with Dandara to try to resolve the matter.

### Other

- The PO Box address is confirmed as PO Box 729, Tunbridge Wells, TN9 9WF. Post has been received via this address.
- The Beacon planning application, pending since November 2022, has been rejected by TWBC.
- On behalf of the Commons Conservators, the Clerk has responded to the TWBC Town Centre Plan consultation.

### Requests to Conservators

Since the last meeting on 25<sup>th</sup> January 2024, the following requests have been put to the Conservators, their outcomes are listed:

| Date of request | Detail  | Outcome  |
|-----------------|---|----------|
| 26/02/2024      | Request to hold various community events on the Commons, to be funded by the Friends. | Approved |

## **8. ECOLOGICAL MANAGEMENT PLAN WORK SCHEDULE for Q1 2024/5**

Since the last meeting, the work schedule documents have been collated into one version for both Commons. The work schedule will ensure that the recommendations from the Ecological Management Plans are properly considered, prioritised, documented, approved, actioned and reported upon in a timely and organised way.

The Ranger reported highlights from the last quarter, including the first year of the three-year Sussex Lund funded project to improve the wildlife value and connectivity, safety, aesthetics and historical context of the Victorian Terraces above Brighton Lake. The project utilised a combination of volunteers and contractors working together with great success to create a new glade and to start widening some of the path edges. Volunteers will now survey and monitor the changes over time, to include aerial photography and amphibian, reptile, pollinator and bird surveys. The area will also be included for surveying as part of an ecologist led weekly bat transect from May to October.

The second year of the Eales Terrace/Apsley Street rock project involved the successful removal of trees that had grown up through the rocks and the removal of scrub and brambles to reveal the rocks and allow more light to the area. Work to maintain the positive outcomes will now be continued using a combination of volunteers, Ranger and occasional use of a contractor.

Conservators approved the work planned for quarter one 2024/5.

## **9. RANGER'S REPORT AND FINANCIAL WORK PLAN**

### Trees:

#### Ash dieback

Progress on the management of trees affected by ash dieback continues to be mapped, for ease of review. In time the map will be diversified to include all trees.

Dieback mitigation works that were scheduled for winter 23/24 have now been completed, except for one large tree, which had to be delayed due to wildlife concerns. The tree is not by a major road or busy path and will have to be dealt with as soon as the bird nesting season comes to an end. Ash will be continuously monitored but as usual there will be a formal June/July safety survey as per the Tree Management Policy.

#### Other Trees (not ash)

The Ranger was able to complete the autumn/winter tree safety work within the budgets agreed at the last meeting.

#### High Value Trees

Some of the works highlighted in Living Forest's high value tree survey has been completed and specific safety work, such as deadwood removal, is currently being prepared for this period.

#### Grass management contract

The amenity grass cutting contract is currently out for tender with a deadline for submissions of 7th May. The new contract is due to commence on the 17th June 2024, for three years with an optional one-year extension.



There has been a good level of interest in the contract and the Ranger remains confident that a quality contractor will be identified.

#### Dogs and anxious dogs/people

While considering the complaint about dog behaviour, the Ranger has observed that the number of dogs running loose in Fir Tree Road car park is too high, creating stress and worry for anxious dogs, dog owners and or non-dog owners with or without children who don't enjoy or appreciate the experience. There have also been several near misses relating to dogs roaming around or crossing the car park. Cars are increasingly quiet or even silent as electric vehicles increase in popularity and pose a risk to loose dogs.

To protect users and dogs, the Ranger proposed to trial a request that dogs be kept on leads in the vicinity of Fir Tree Road car park and five-bar gate entrance to the Common. To communicate the campaign, the Ranger will put temporary signage on bins in the vicinity, update social media and have an initial presence. The Conservators approved the proposal.

**Action: Ranger to prepare a project plan for the trial of dogs on leads in and around Fir Tree Road car park.**

### **10. FINANCE REPORT, BUDGET APPROVAL, ANNUAL ACCOUNTS APPROVAL AND ASSET REGISTER**

The Treasurer presented the draft financial accounts for the year to 31<sup>st</sup> March 2024.

On 31<sup>st</sup> March the Conservators had £163,032.27 in cash at the bank, £87,147.60 more than this time last year.

Expenditure was £30,334.05 under budget, predominantly in Maintenance of Commons expenditure which was £27,218.57 under budget mainly from the grass and cleared areas and short grass budget lines. The underspend was due to the Ranger leaving areas to grow longer for survey purposes and as he better understood the mowing requirements.

SLacey queried the way that the S106 developer contributions and the Beechcroft contribution to the maintenance of Tunbridge Wells Common had been recorded as income by the previous Treasurer. The new Treasurer agreed and proposed to discuss this with the internal auditors, recommending that this and similar funding be shown as separate reserves in the balance sheet without being put through the general Income and Expenditure Statement at all, in order to avoid distorting the figures. Subject to the recommendations of the auditors, Conservators approved the draft financial accounts.

The Treasurer recommended that a deposit account be opened with another bank, principally to ensure that our existing accounts did not exceed the FSA (FSCS) compensation level of £85,000 but also to seek better interest rates than those offered by Lloyds and Barclays.

**Action: the Treasurer agreed to provide a recommendation for a new deposit account.**

#### Budget for 2024/25

Conservators all approved the budget for 2024/5 which included £21,000 of the underspend in 2023/4.

#### Asset register

The Clerk presented the annual asset register check, which was approved by Conservators. It was highlighted that the van should be added to the check, which was subsequently added and checked.

## **11. UPDATE FROM THE FRIENDS OF THE COMMONS**

### Memberships

Up to 300 members of the Friends have not increased their standing orders, to cover the increase in subscriptions, agreed in July 2023, those affected are now being sent a letter to ask them to make changes.

### Projects for 2024

Members of the Committee are working on a new, mobile friendly website which will have an online payment function.

The new path installation and restoration works are well underway at Happy Valley. Thanks go to John Barber for his determination to see this project proceed.

### Events

On 18<sup>th</sup> May the Friends are holding a thank you lunch for members of the Friends who volunteer on the Commons, to be held at the Forum. All of the Commons Conservators' volunteers were also invited.

## **12. MARKETING AND PR REPORT**

The report highlighted that there had been articles in the Town Crier publication.

The Facebook group now has 2,262 members with monthly reactions from members between 1,431 and 2,734. The most popular posts, during the quarter, related to:

1. Neighbours clearing mud from the road in Upper Street/Harmony Street.
2. Video of water flowing down the 101 Steps at Happy Valley.
3. Announcement that the path project at Happy Valley was starting.
4. Camouflaged deer at Church Road.
5. Thanking volunteers.

The Instagram account has 539 followers, while the website has monthly users of between 335 and 742. Two blogs had been published during the last quarter which had both informed and pushed visitors to the website.

DClover asked whether there was a marketing and PR Strategy and if so, what were Conservators trying to achieve? The Clerk explained that there wasn't a recorded strategy but that she was trying her best to communicate all of the positive work on the Commons via social media, the website, local press, presentations and talks. Resource restrictions did mean that there was a limit to what could realistically be achieved.

AErrington offered to support the clerk with Instagram, connecting it with the Facebook account.

**Action: The Clerk to arrange a Zoom meeting on Instagram with AErrington.**

## **13. FUNDRAISING PROJECT UPDATE**

The Clerk had been allocated 12 extra working days to work on a fundraising project. As part of the work, the Clerk presented a Funding Wishlist, which had collated all possible projects from the Ecological Management Plans and suggestions from officers, Friends and members of the Facebook community. The list splits projects into existing project commitments, new project funding ideas, equipment and physical resources, projects for the Ranger/Clerk/volunteers and amenity plan ideas. It is a living document, which will be updated as and when more ideas emerge. If it is decided that a project will be developed, a fully costed project plan will be developed for Conservator approval.

The Clerk explained that she had started background research into the project to restore Brighton Lake, to include the removal of invasive species. She had submitted a request to discuss the project further with the Farming In Protected Landscapes (FiPL) DEFRA fund and was awaiting feedback.

Conservators agreed that work on the Amenity Plan would fit within the Clerk's fundraising project budgeted hours.

#### **14. ANY OTHER BUSINESS**

##### **i. Request from the Rusthall Bonfire and Fete Committee**

The Rusthall Bonfire and Fete Committee had submitted a request to hold the Bonfire on 26<sup>th</sup> October 2024 on the Common View meadow. Following lengthy discussions it was agreed that the event would be given permission, however Conservators would like to see steps being taken to minimise the ecological impact of the event and requested that the Bonfire and Fete Committee engage with the Ranger and Clerk to establish how this could be achieved.

##### **ii. A264 Langton Road, 30mph speed limit extension**

CMcHugh explained that the Commons Conservators had agreed with the principle to align the speed limits on all roads across the Commons. The Clerk had approached Kent County Council (KCC)'s Highways Team to make the request to extend the 30mph speed limit along the Langton Road, from the junction with Rusthall Road, in response she was encouraged to work with Rusthall Parish Council (RPC) on the matter. A project team comprising of RPC's Cllr Liz Ellicott and Cllr Paul Gripper, the Clerk and Ranger and resident Angela Culley had been working to make progress.

The KCC Officer leading on the response to the request has taken part in a site visit, conducted a traffic survey and had many communications with the project team, which have concluded with a rejection of the request via email stating that all future correspondence on the matter will simply be 'read and filed'. No satisfactory explanation has been provided for why KCC refused this reduction project, given that RPC was willing to cover the implementation costs.

CMcHugh highlighted that the speed limit request must be disconnected with the historical request for a crossing, as this appears to be a barrier to progress. The KCC Officer does not seem able to take account of any circumstances outside of a remit to focus on cars (not pedestrians) and appears to be conflating the speed limit reduction request with the cost of a potential road crossing in order to refuse the request.

PGripper explained that he has connected with Speldhurst Parish Council, to see if they can join forces to instigate change. MBrice added that there was a general difficulty with speed reduction requests across the town. Greg Clark MP took part in a site visit where the project team highlighted all of the issues. A community protest is also scheduled for Saturday 4<sup>th</sup> May to channel the frustrations of the community.

In conclusion, the Clerk and Ranger will continue to work with the project team, although Conservators will consider a communication separately with KCC to ensure that the Conservators' request is properly understood.

##### **iii. Flooding and drainage proposal**

On 16<sup>th</sup> April, the Clerk and Ranger met with members of KCC's Flood and Water Management Team, to hear their consultant's recommendations following the feasibility study for Tunbridge Wells Common (note

their contractor is Waterman Infrastructure and Environment Ltd). The recommendations incorporated habitat management, wetland scrapes, a swale and new drains. The Clerk offered to send the full report to any interested Conservators.

The Conservators agreed to allow the Clerk and Ranger to progress discussions with the Flood and Water Management Team, to develop full project proposals, which would then be put to the Conservators for approval.

iv. S100 letter for Major York's Road drainage works

For information only, the Conservators were provided with a copy of the S100 Highways Act 1980 notification from KCC for the drainage improvement works scheduled for Major York's Road in the summer.

v. Resident site meeting regarding drainage works on Rusthall Common

The Chair had been contacted by a resident of Rusthall who had complained about the works to trees affected by ash dieback. The Chair had taken part in a site visit on Rusthall Common, with the resident, during which the resident had explained a number of drainage issues, which needed to be communicated to the Clerk and Ranger.

**Action: The Chair to communicate, details of the drainage issues identified, to the Clerk and Ranger.**

vi. Gibraltar Cottage

The Clerk had been contacted by a project manager, appointed by the owner of Gibraltar Cottage to complete works on the property. The Clerk had been made aware of a desire to install a fence around the property and had arranged for a site visit to discuss the request and to ensure that such a fence would only follow the boundary of the permitted encroachment, not the entire boundary of the property.

## **15. PLANNING APPLICATIONS**

**24/00748/LAWPRO | Lawful Development Certificate (Proposed) - Siting of caravan in the front garden for ancillary use to the main residential dwelling | 31 Eridge Road Royal Tunbridge Wells Kent TN4 8HR.**

Response on behalf of the Commons Conservators as follows: On behalf of the Commons Conservators I would like to raise our concern that the proposed permanent static caravan would be located only metres from Tunbridge Wells Common, registered Village Green (VG22) and a designated Local Wildlife Site, the location is also within a Conservation Area, as such a static caravan would not sit at all well, visually, within the context of the local environment.

**MEETING ENDED**

**DATE OF NEXT MEETING – 27<sup>th</sup> June 2024, The Rackliff Centre, Rusthall.**

## Agreed Actions

| Agenda Item | Detail   | Responsibility | Progress/update                             |
|-------------|--|----------------|---|
| 3&4         | Chair to sign the minutes of the previous meetings and send to the Clerk.                              | Chair          | Complete                                    |
| 5           | To consider safety of the proposed new location of the pay machines in Fairground car park.            | Committee      | Complete                                    |
| 5           | To investigate when the old bollard lighting would be removed (Fairground car park).                   | PBurnett       |   |
| 6           | To review the Risk Register rating for violent/sexual offence.   | Clerk          | Complete                                    |
| 6           | To complete an additional review of the whole risk register.   | Committee      | Complete, Clerk to update the risk register |
| 9           | To prepare a project plan for the trial of dogs on leads in and around Fir Tree Road car park.         | Ranger         |   |
| 10          | To provide a recommendation for a new deposit account.   | Treasurer      |   |
| 12          | To arrange a Zoom meeting on Instagram with AErrington.  | Clerk          |   |
| 14v         | To communicate details of the drainage issues, identified on Rusthall Common, to the Clerk and Ranger. | Chair          | Complete                                    |