

TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in the Rackliff Centre on 24th April 2025 at 1.30pm

In advance of the meeting, Conservators had been invited to join a walk on Tunbridge Wells Common to highlight project work that had taken place during the Autumn and Winter season.

PRESENT:

Paul Burnett
Ewen Cameron (Chair)
Amii Errington
Stephen Lacey
Ian Marshall
Clare Sinha
Neil Spalding
Cllr Pamela Wilkinson

APOLOGIES

Cllr Martin Brice
Cllr Jayne Sharratt
Corin Thoday

ATTENDING:

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

The Chair welcomed everyone to the meeting. Neil Spalding was introduced to all as new Freehold Tenant Conservator, taking the seat of Chris McHugh who had recently stood down due to work commitments.

1. DECLARATION OF BUSINESS INTEREST

There were no business declarations.

2. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Martin Brice, Cllr Jayne Sharratt and Corin Thoday.

3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 30th January 2025 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 on 14th February 2025, 14th March 2025 and 28th March 2025 were considered and approved and would be signed by the Chair and returned to the Clerk.

5. MATTERS ARISING

Electric car charging points for Fairground car park

The Clerk had confirmed prior to the meeting that the payment meter had been moved. PBurnett reported that Tesla had decided not to proceed with installation of electric charging points in Fairground car park. A meeting was scheduled with Osprey to establish if they were interested.

Action: PBurnett to submit a full proposal to the Conservators for consideration.

Flood Forum meetings

PBurnett confirmed that there was limited interest from previous members to restart the Flood Forum group meetings.

Common View meadow feasibility study

The Ranger confirmed that the volunteers had worked hard to remove the contaminated soil from the bonfire site and that he had sown wild meadow grass seed over the area. He confirmed that he would be surveying the area for the rest of the year from an ecological and public use perspective to establish how to best manage the area going forward.

Action: Ranger to update Conservators on observations.

Paving slab at Major York's Road bus stop

The Ranger was unsure of the risk implications if he installed a paving slab on the Common and wanted to investigate further.

Action: Ranger to update Conservators.

6. RISK MANAGEMENT

Accidents

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

Incidents

In the last quarter:

- 25th March, damage to path verges by wide-wheeled motorbikes.
- 29th March, large hole in sandpit in front of Wellington Rocks, risk to children and dogs.
- 3rd April, campfire at The Bumps. Fire brigade called. No sign of a fire.
- 8th April, campfire reported. Ranger attended.
- People with chainsaws were stopped from removing habitat piles on the Commons on several occasions.

During the pre-meeting walk and following comments from members of the community, there was discussion about the health and safety risk of tree stumps as a trip hazard and the fire risk of having dead hedges and piles of brash from clearance projects. The Ranger agreed to revisit stumps and get them cut as low as possible. He was confident that dead hedges and piles of brash were standard practice and were of significant ecological value as bramble established and habitat is created for insects and other species. He did not feel that they were a significant fire hazard in the long term.

Action: Ranger to get tree stumps cut as low as possible to the ground on all projects moving forward.

Campers

- Many camps reported and cleared. Officers acknowledged that clearance has not been as prompt as it should be and will do better in future.

Fly-tipped waste

In the last quarter:

- 30th January, 2 x waste oil containers on Church Avenue.
- 21st February, bedside table and stool near Apsley Street.
- 2nd March, large glass tank dumped near Hungershall Park.
- 7th March, tent dumped near Castle Road.
- 11th March, dumped rubbish on Tea Garden Lane.
- 19th March, tyre along Rusthall Road.
- 5th April, pile of breeze blocks along Tea Garden Lane.
- 5th April, parasol, metal rods and chair along Rusthall Road.

Complaints

There were no complaints in the last quarter.

Risk Register

Full review of the Risk Register completed by the Committee on Monday 23rd September, the annual review will now take place and be discussed and approved at the October full meeting.

PBurnett and AErrington asked whether a fence would be installed above the newly cleared Cabbage Stalk Lane Pond as they felt it was a risk. The previous fence was removed as part of the clearance but had been installed to prevent motorbike users from driving down the hill.

Action: Ranger to consider whether a new fence above Cabbage Stalk Lane Pond is required and feedback to Conservators.

7. CLERK'S REPORT

Summary of volunteer hours:

Volunteer sessions	Total number of hours contributed (since last meeting)	Total number of hours year to date since recording started in October 2024	Financial value year to date (as per National Lottery Heritage Fund rate of £10/hour)
Ranger volunteers	260	481	£4,810
Monthly Saturday mornings	70	200	£2,000

S106 – Requests and status

As an update this is the status of our requests:

Date Requested	Property	Number of dwellings /increase in dwellings	Amount requested	Latest update
18/03/2022	WA Turners (22/00238)	94	£18,800	18/12/2024 - application approved and S106 request approved.
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. 27/11/23 – notification of developer’s intention to commence in January 2024.
15/05/24	Phillips and Eynsham House (23/01150)	44	£8,800	Awaiting decision

S106 Reserves

Summary of funds and works completed

Union House (The Potteries:):

Total: £9,851

Works completed to date:

- Drainage works including restoration to Racecourse, £2,000
 - Reserve for KCC’s nature-based flood management works, £5,000
- Balance: £2,851

Eridge Road retirement flats: (note that during the meeting PBurnett observed that the Clerk’s list for Eridge Road did not tally with the Treasurer’s accounts, this has now been amended for the minutes).

S106 and Contribution to the Commons total: £50,687.68 Works completed to date:

- High value tree survey (Living Forest) £1,032
 - Fir Tree Road car park repairs (Keith Bedford) £990 deposit and £990 balance
 - Truxor weed boat and team for weed removal from Brighton Lake (Aquamaintain), £1,260
 - Weed removal for composting - Brighton Lake (Omni recycling), £732
 - Fish management in Brighton Lake (Aquamaintain), £1,440
 - Racecourse clearance - North Major Yorks, Nevill Park end (Gimbles), £2,400
 - Racecourse clearance - South Major Yorks near Fairground (S Young), £3,000
- Balance: £38,844

SLacey asked whether it was possible to allocate management time as a cost to the S106 reserves.

Action: The Clerk to investigate use of S106 reserves to include management time costs and feedback to Conservators.

Public Enjoyment Plan

The Clerk reported that work was ongoing on the Plan.

Fundraising

- Farming in Protected Landscapes (FIPL)

Work completed, final report submitted, and retrospective funding received.

- Sussex Lund Year two

Work completed. The Ranger now needs to submit the year-end report to request the retrospective funding.

Action: Ranger to complete year-end report for Year two of Sussex Lund funding.

- Friends of the Commons

The Clerk has organised and is working on the following projects on behalf of the Friends for 2025:

- Kent High Weald Partnership led forest school on Rusthall Common (11th April).
- Guided bat walk led by Sussex naturalist, author and guide, Michael Blencowe on Rusthall Common (23rd April).

- Guided butterfly walk led by Michael Blencowe on Tunbridge Wells Common (10th June).
- Fungi survey confirmed for 20025 and 2 x guided walks to be arranged.
- New written guide and map of the trees of note on Tunbridge Wells Common.

Kent County Council - Flood and Water Management

Since the last meeting, the infiltration basin to the north of Fairground car park has been cleared of poor-quality trees and awaits excavation of the basin, no date given for this work. The works to install the culvert and pipe across Major York's Road does not have a start date yet. Waterman Infrastructure and Environment Ltd have produced a revised version of their plans for the nature-based solutions, which requires Ranger and ecologist review.

Sink hole/Southern Water

Conservators have been made aware of the sink hole on the Common near Eridge Road, as it was reported in the Committee minutes. As a reminder the two significant risks are:

- H&S risk associated with the sink hole, which is now a significant hole due to digger investigation works.
- Raw sewage leaking into the ground and potentially into the River Grom.

Actions and updates to date:

- Three engineers have been to site as emergency response from Southern Water, there has been mixed feedback about the cause of the visible sewage leak, with Southern Water continuing to claim there is no fault with their assets.
- An engineer from Kent County Council (KCC's) Highways Team has been to site and does not believe it is their asset but has agreed to have the area made safe with temporary fencing and will excavate the area week commencing 28th April to better understand the pipe configuration and source of the leak.
- The Clerk has made several complaints to the Southern Water customer services team and now has a dedicated complaint handler managing the case. The ongoing request is to get a senior engineer to meet Officers at the site to discuss the leak and liabilities.
- MBrice has contacted Mike Martin MP to make him aware of the situation. This has resulted in the Clerk being connected with the Engagement Manager for Kent, they continue to say that there isn't a fault with their asset based on their emergency response engineer's reports and have not been to site. In response, the Clerk has explained that a site visit is needed and been told that County Network Manager for Kent is due to make contact.

Action: The Clerk to continue to update Conservators.

Tree management plans – TWBC and Forestry Commission

Conservators have been kept updated on a Tunbridge Wells Borough Council (TWBC) Officer reporting the Conservators to the Forestry Commission for alleged illegal felling, via the Committee minutes. The Ranger is now working on plans to get a felling licence which will detail all plans for tree works and projects and which will satisfy TWBC's requirements to have reports on tree works within the Conservation Area. All other reporting requirements have now been confirmed with TWBC and the Ranger will be working in line with these systems.

TWBC Planning Department

In March, the Clerk led two guided walks on Tunbridge Wells Common for Officers of the Planning Department. The aim of the walks were to better connect and enhance communication with the Officers, to make them more aware of the value and uniqueness of the Commons, to discuss our legislation and statutory responsibilities, our protection as a Village Green and the direct challenges and impacts of planning decisions. Very positive feedback was received with the suggestion of similar walks to be arranged on Rusthall Common.

Planting of trees on Rusthall Common by owners of Dingley Dell

A request was made to the owners of Dingley Dell to remove the holly trees planted on land registered as Rusthall Common. Following the request, the owner asked the Clerk to communicate with his solicitor and communications were exchanged over many weeks. The final exchange reinforced the Conservator's position, that the trees needed to be removed, and notice was given that if the owner did not make arrangements to remove the trees himself, they would be removed week commencing 14th April. The Ranger confirmed that the trees had been removed.

Action: The Ranger to remove the tree stakes and straps and fill in the holes in the ground. It was agreed that the owner would not be contacted to reimburse costs.

Standing Orders and audit preparation

The Clerk and Treasurer continue to work through the recommendations of the Interim internal audit. The Clerk has prepared a draft version of the recommended Standing Orders, for Committee and then full Conservator review. Both the Clerk and Treasurer attended an online training session on the completion of the Annual Governance and Accountability Return (AGAR).

Requests to Conservators

Since the last meeting there have been two requests to all Conservators:

Date of request	Detail	Outcome
25 th February 2025	Request to install a temporary sculpture as part of the Demelza fundraising trail on TW Common.	Approved.
2 nd April	Request to lay an informal sandstone surface on the Bumps path.	Approved.

8. ECOLOGICAL MANAGEMENT PLAN WORK SCHEDULE FOR Q4 2024/25

Work continues to progress well following the recommendations in the two Ecological Management Plans. Conservators approved the work schedule planned for quarter one 2025/6.

The Ranger has created a formal citizen science project opportunity using the iNaturalist App and is continuing to make the public aware of the opportunities that it presents for them to help with flora and fauna data collection.

9. RANGER'S REPORT AND FINANCIAL WORK PLAN

Trees

Ash dieback

The Ranger reported that the ash dieback tree stock, particularly the roadside trees, are now in a satisfactory position.

High Value Trees

Living Forest tree consultants have been commissioned to undertake surveys and provide a formal report on the following:

- A. Cherry trees on Mount Edgcumbe Road: objective to advise on how to look after these trees to keep them in the best possible health for as long as possible.
- B. Victoria Grove: objective to advise on safety and longevity and on the spacing of the lower row of trees.

- C. Chestnuts in the vicinity of The Forum: objective to advise on safety and longevity in the landscape.

The report for C has been received with the reports for A and B due in June.

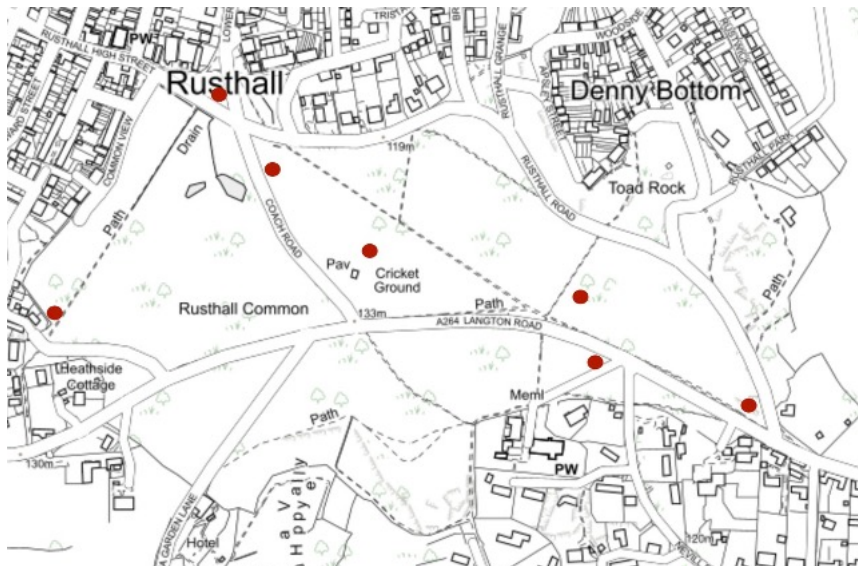
Other Trees

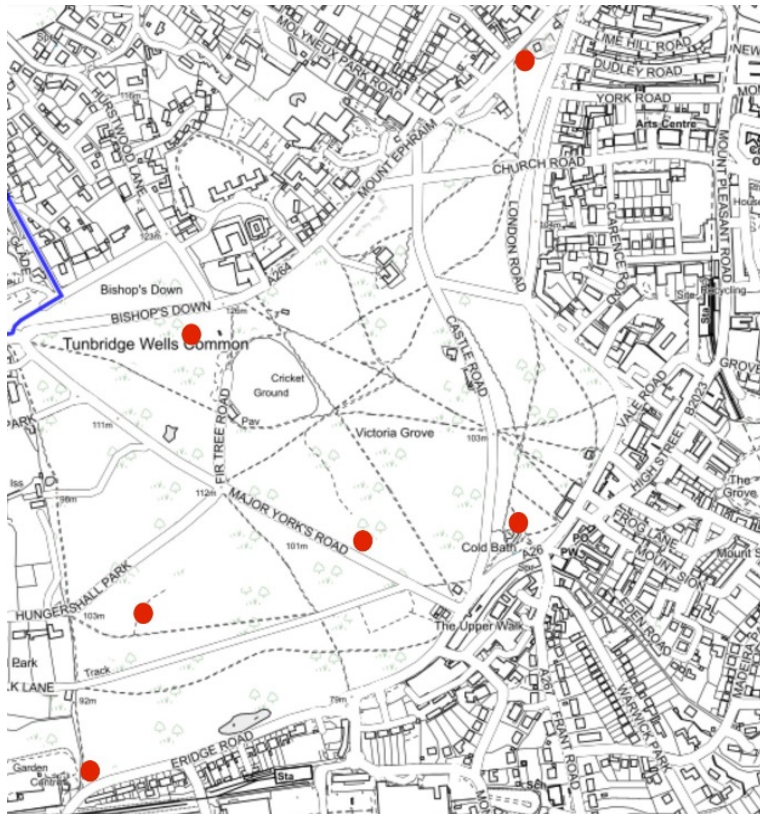
Given that it is now the bird nesting season, tree work will be limited to safety tree work on dead, dying or dangerous trees. The Ranger asked Living Forest for their views on fungal disease affecting a pair of lime trees adjacent to Castle Road and they advised that they need to be heavily pollarded during June this year. A quote has been obtained with the preferred contractor for £1,680, which Conservators approved.

Disease resistant elm trees

With the help of volunteers, the 13 disease resistant elms provided by the KCC tree planting project were all planted on the Commons in March 2025. Watering these trees is now an important element of the programme going forward over the next two years whilst they establish.

Maps of Elm tree locations:





Glade projects

In the last quarter there have been several glade clearance projects that have successfully taken place, many of which were highlighted on the pre-meeting walk. Each project is already proving highly successful in terms of the aesthetic, historical context and safety of vulnerable groups elements of our objectives. The ecological and biodiversity elements will increasingly bear fruit as the herb and understory layers improve over time.

Coralroot bittercress survey

In April, the Ranger volunteer groups conducted the annual coralroot survey. It is noted that the numbers recorded appear to have dropped significantly on previous counts. There are several possible reasons for this, and the Ranger is investigating regional data to see if this decline is part of a wider pattern, or a localised issue is.

Action: Ranger to research regional coralroot patterns and feedback to Conservators.

Flood mitigation works

Internal drainage improvements across both Commons have been a priority during the last quarter. Significant work has taken place to ensure that we can slow down, divert and hold water for as long as possible where appropriate. This is especially the case in relation to the London Road and Eridge Road catchment. However further drainage work was also undertaken at the Bumps and Happy Valley to improve the paths.

Bumps path

The Ranger had received a quote from Keith Bedford to supply fittleworth stone, supply plant and lay the material on the Bumps path for a total of £2,448. Conservators approved the spend but did ask the Clerk to investigate whether the S106 reserves could be used on Rusthall Common.

Action: The Clerk to contact the S106 Officer to discuss use of S106 funds.

Grass Management

Short/Amenity Grass Areas

There have been two short/amenity grass cuts so far this year.

Long Grass Areas

Gardens of England' has proven to be of an exceptionally professional standard. The work force is very capable, going above and beyond expectations and the working relationship has quickly settled into one which will prove highly beneficial for the Commons. The team have additional skills which will potentially be able to be utilised in relation to handyman areas also going forward.

Invasive Species

For the first time, budget was allocated to deal with invasive species this year. A local contractor will undertake the equivalent of four full days to take proactive control of Japanese knotweed, laurel and rhododendron ponticum.

Bollards

The Ranger has installed two high security removable bollards to prevent illegal ingress. Both were located on Hungershall Road as this is an area deemed to be at risk.

There appears to be an increasing issue with contractors parking on the lower island on the Inner London Road. The Ranger has confronted this issue and applied notification stickers on vehicles and had an unpleasant encounter with a vehicle owner. The existing bollards are at the end of their life and should be replaced with something more fit for purpose. The Ranger proposes to install a shin high chestnut post and single rail fence along the length of the vulnerable Inner London Road edge. The Ranger proposes to present the project and costs in more detail during Q3 so that Conservators can make a fully informed decision. Residents living adjacent to the area to be informed of the project if approved.

Great crested newt surveys

In 2023, the ponds on the Commons were tested using eDNA techniques to identify the presence of great crested newts. The Marlpit pond was the only watercourse that tested positive. The Ranger wanted to better understand the validity of the test and asked Peter Howarth, ecologist and licenced newt handler to set a bottle trap test in the pond. The results confirmed the presence of 3 females and 2 male great crested newts. The Ranger made a request to Conservators to conduct a full season of bottle trap surveying at a cost of £1,00 (£750 for 12 site visits and a follow up report). The report will provide details of population size and status. Conservators approved the request.

Action: The Clerk and Ranger to investigate further funding opportunities based on the data and report.

10. FINANCE

Accounts

The Treasurer presented the year end accounts which showed net income for the year was £13,800, £34,840 above budgeted net expenditure of £21,040 and £21,369 lower than last year's net income of £35,169. Last year's figures have been restated to exclude depreciation, with fixed assets now shown at cost, and planning agreement income, which is now shown in separate reserves.

Of the positive budget variance, £15,976 consists of additional income, including interest receipts, receipts from the Lund Fund and sales of new and refurbished benches. On the expenditure side, £11,470 arises under Maintenance of Commons, where expenditure on Trees, Paths and Tracks exceeded budget but other categories were generally underspent.

Conservators approved the year end accounts.

Adequacy of funds

As previously reported to the Conservators, adequacy of funds is now measured by comparing the accumulated General Reserve at the balance sheet date with a figure representing 30% of the Precept for the full year. The recommended minimum level is 25%, representing Precept income for three months. As shown at the foot of the balance sheet, the General Reserve at 31 March of £101,326 exceeded the 30% of Precept figure by £36,622.

Reserves

The balance sheet includes separate reserves relating to s106 planning contributions of £7,851 for Union House and £38,844 relating to Eridge Road, to be applied to relevant expenditure. Of the Union House balance, £5,000 has been informally 'ring fenced' for essential drainage works, leaving £2,851 for other expenditure.

Changes in accounting policies

As previously reported, after discussions with the new internal auditors it has been decided to cease accounting for depreciation on fixed assets. All depreciation previously accounted for during the current year and all previous years has been reversed out and reserves figures have been restated accordingly.

For commercial entities it is standard practice to write off the cost of an asset to reserves as depreciation over its useful life in order to reflect more accurately the entity's financial position. However, smaller authorities such as TWCC generally prepare accounts on a receipts and payments basis and show fixed assets at cost, while the AGAR (Annual Governance and Accountability Return) cannot be made to balance without including depreciation as a reconciling item.

Similarly, the accounts no longer show payments of insurance premiums and car tax as prepayments, to be amortised over the year, but they are recorded as an expense when incurred. This treatment already applies to Precept income, recorded as received every six months instead of spread evenly over the year. The Treasurer will, however, continue to accrue for invoices received and paid shortly after a quarter end as a way of maintaining comparability.

Potential VAT reclaim

Last quarter, the Treasurer reported that he had submitted a VAT126 claim to recover approximately £45,000 of past VAT incurred, under provisions relating to local authorities and similar bodies. The initial claim has been rejected and consideration is being given to the cost of making an appeal, after taking more detailed professional advice, against the likelihood of making a recovery. Conservators agreed that the size of the potential claim justified investing in expert advice.

Bank reconciliation

A reconciliation as at 31 March 2025, supported by copies of relevant bank statements, was provided for approval and signing.

Action: Bank reconciliation and statements to be signed by the Chair and returned to the Clerk.

Asset register

All of the assets listed in the asset register had been visually checked off by the Clerk in advance of the meeting. Conservators approved the asset register. The Treasurer confirmed that not reporting depreciation was not going to create issues when items needed replacing due to their relatively small costs.

AGAR prior to audit

The Treasurer had presented the draft AGAR figures, which were approved by Conservators.

11. UPDATE FROM THE FRIENDS OF THE COMMONS

CEvans provided an update from the Friends as follows:

- The Kent High Weald Partnership led forest school session on 11th April was a success, with 170 people attending the two sessions.
- The Friends had funded a very interesting presentation and guided bat walk with Micheal Blencowe on 23rd April, unfortunately no bats had actually been spotted on Rusthall Common during the walk.
- Membership numbers were stable. The use of email for sending out the Common Ground newsletter and use of the website was gradually increasing, releasing more funds for projects.
- The Friends offered to pay for more litter bins. The Clerk explained that they already had allocated budget for bins but would instead appreciate funding for further guided walks and talks.

12. MARKETING AND PR REPORT

The report highlighted that there had been articles published in the Town Crier and Rusthall Life.

The Facebook group now has 2,777 members with monthly reactions from members between 1,336 and 3,147.

The most popular posts, during the quarter, related to:

1. History of Rusthall book launch.
2. Damage to path edges by wide-wheeled motorbikes.
3. Evening bat walk event.
4. Full litter bin(s) (TWBC bins)
5. Hole in the sandpit in front of Wellington Rocks.

The Instagram account has 659 followers, while the website remains a popular source of information.

13. POLICY REVIEW

There were no policies requiring review for this meeting. It was noted that the Clerk and Treasurer were working on revised Financial Regulations and new Standing Orders as recommended by the internal audit.

14. ANY OTHER BUSINESS

- i. Works to the surface of Fairground car park

PBurnett explained that Targetfollow were looking at ways to repair the surface of Fairground car park and that contractor, Keith Bedford, had proposed a concrete and gravel compound for the corners. PBurnett asked whether this would be acceptable to the Conservators. The Clerk reminded all that sealed surfaces were not allowed on the Village Green and that she would do further research to establish exactly what was and wasn't a sealed surface.

Action: The Clerk to contact the Open Spaces Society to get a definitive position on the definition of a sealed surface and report back to the Conservators.

- ii. Padel tennis

PBurnett had received two requests to install padel tennis courts on the Commons. The requests were rejected due to noise, visual intrusion and incompatibility with the Ecological Management Plan.

iii. Political campaigning on the Common.

CEvans reported that Reform UK had put up a gazebo on Rusthall Common by Common View as part of their political campaign. The Clerk was aware and confirmed that they had not go Conservator permission and that they had politely been asked to leave.

15. PLANNING APPLICATIONS

25/00160/FULL Badgers Holt, The Midway, Royal Tunbridge Wells, Kent, TN4 8NJ. Replacement of chalet bungalow with two-storey dwelling and garage, together with associated access and car parking.

On behalf of the Conservators the Clerk responded to object to the application based on the type and location of perimeter fence proposed.

MEETING ENDED: 14.51

DATE OF NEXT MEETING – 19th June 2025, 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	Submit a full proposal to the Conservators, for the installation of electric car chargers for consideration.	PBurnett	
5	Common View meadow feasibility study, Ranger to feedback survey/observation data.	Ranger	
5	Investigate installation of paving slab by Major York's bus stop.	Ranger	Ongoing
6	To get tree stumps cut as low as possible to the ground on all projects moving forward.	Ranger	
6	To consider whether a new fence above Cabbage Stalk Lane Pond is required and feedback to Conservators.	Ranger	
7	To investigate use of S106 reserves to include management time costs and feedback to Conservators.	Clerk	
7	To complete year-end report for Year two of Sussex Lund funding.	Ranger	

7	To continue to update Conservators on the sink hole.	Clerk	
7	To remove the tree stakes and straps at Dingley Dell and fill in the holes in the ground. It was agreed that the owner would not be contacted to reimburse costs.	Ranger	
9	To research regional coralroot patterns and feedback to Conservators.	Ranger	
9	To contact the S106 Officer to discuss use of S106 funds.	Clerk	Complete
10	Bank reconciliation and statements to be signed by the Chair and returned to the Clerk.	Chair and Clerk	Complete
14	To contact the Open Spaces Society to get a definitive position on the definition of a sealed surface and report back to the Conservators.	Clerk	