

Minutes of a Tunbridge Wells Commons Conservators full meeting held in the Rackliff Centre on 21st January 2026 at 1.30pm

Present:

Cllr Martin Brice
Paul Burnett (On Zoom)
Ewen Cameron (Outgoing Chair)
Mark Dennison
Amii Errington (On Zoom)
Stephen Lacey
Ian Marshall (Incoming Chair)
Cllr David Osborne
Cllr Jayne Sharratt
Clare Sinha

Apologies:

Corin Thoday

Attending:

David Miller (Treasurer)
Gemma Stapeley (Clerk)
Joy Podbury (Friends of the Commons)
Roger Barton (Friends of the Commons)
Cllr Paul Gripper (Rusthall Parish Council)

Observing:

John Barber
Neil Spalding

The Chair welcomed everyone to the meeting.

1. Declaration of business interest and conflicts of interest

There were no business declarations. The Clerk explained that a new clause had been added to the Standing Orders to cover conflicts of interest, when a Conservator's personal or business interest, or those of a person or organisation connected to them, conflicts with the interests of the organisation.

2. Apologies for absence

Apologies were received from Corin Thoday.

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 Ian Marshall, representative of the Freehold Tenants of the Manor of Rusthall, be appointed as Chair until the quarterly meeting of the Conservators in January 2027.

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

4. 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 2026

Councillor Martin Brice

Councillor David Osborne

Councillor Jayne Sharratt

1 x vacancy

Freehold Tenants – 2nd year of three-year term until 31 December 2026

Mark Dennison

Stephen Lacey

Ian Marshall

Clare Sinha

Manor of Rusthall – 1st year of three-year term until 31 December 2026

Paul Burnett

Ewen Cameron

Amii Errington

Corin Thoday

5. Minutes of the last meeting

The minutes of the meeting held on 16th October were considered and approved. A copy to be signed by the Chair and returned to the Clerk.

6. Minutes of the Committee meetings

The minutes of the Committee meeting held on 6th November 2025, 28th November 2025, 19th December 2025 and 12th January 2026 were considered and approved and would be signed by the Chair and returned to the Clerk.

7. Matters arising

7.1 Electric car charging points for Fairground car park

Paul Burnett explained that the installation of electric car charging points would require an upgrade to the electrical supply to the car park, as such they would not proceed with the proposal.

7.2 RCP car park marketing materials

Amii Errington explained that there weren't any specific RCP marketing materials for the Upper Pantiles car park, other than a company-wide policy to allow block bookings.

8. Risk management

8.1 Accidents

Since the last meeting in October 2025, there have been no accidents reported.

8.2 Incidents

In the last quarter:

- Multiple instances of a man using a chainsaw to cut down trees and remove logs, reported to the police, who are providing support ongoing.
- Motorbikes at Happy Valley.

8.3 Campers

In the last quarter, one camp was reported.

8.4 Fly-tipped waste

In the last quarter there were ten reported instances of fly tipping.

8.5 Complaints

No complaints were received since the last meeting.

8.6 Risk register review

Full review of the Risk Register due September 2027.

8.7 Insurance claims

The Zurich insurance policy was renewed on 1st January 2026 following full review and alternative comparable quote received from NFU Mutual.

9. Sale of Commons

In advance of the meeting, the Clerk had circulated a fact sheet confirming the Conservators' position in relation to the Sale of the Commons. All Conservators approved the fact sheet.

Roger Barton was introduced to the meeting; he will be taking over the role of Chair of the Friends of the Commons from Joy Podbury. Roger had several questions as listed with their response:

Q. Has Targetfollow taken professional advice on the feasibility of the proposed land-swap, including the comparability of the land to be swapped and the extent to which the Secretary of State's tests are likely to be satisfied?

Paul Burnett answered No.

Q. Have any discussions taken place with the Commons Conservators or local authorities regarding the development as suggested in the sales particulars?

Paul Burnett answered only that the subject has been 'mooted' with the Conservators.

Q. What views would the Conservators have on plans to develop Upper Pantiles car park?

The Conservators had different views on this as follows:

- There would likely be a great deal of opposition.
- Concern that the Conservators could face legal challenge if they did not carry out their statutory duty to maintain and preserve the Commons, there would be a lot of legal argument to enable the Conservators to approve such a proposal.
- Concern that the sales details suggested that development of the car park would be simple, it would be a huge risk and highly unlikely to be achievable.
- More information about any potential proposal would need to be considered at the time, it was impossible to take a view now.
- Two key questions to consider, the appropriateness of the exchange of land, and the appropriateness of the development.

Q. Is there new information on Biodiversity Net Gain (BNG) which Targetfollow would like to share which indicates that future BNG offers might be commercially viable?

Paul Burnett responded that Targetfollow's own research on the High Weald land bank had led them to the estimate of £20k -£35k per unit.

The Clerk explained that when this matter was considered in January 2025, the proposal was not financially viable. There would not have been enough money left after paying for ecological surveys

and legal fees to cover the actual ecological enhancement work, which would also require a thirty-year commitment. She had spoken to several other land managers, from the Commons Therapy group, and none were considering BNG schemes.

10. Clerk's Report

10.1 Volunteers

Volunteer sessions	Total number of hours contributed (since last meeting)	Total number of hours year to date (2026)	Financial value (as per National Lottery Heritage Fund rate of £10/hour)
Ranger volunteers	26	26	£260
Monthly Saturday mornings	44	44	£440

10.2 S106 Requests and status

As an update this is the status of our requests:

Date Requested	Property	Number of dwellings/ increases 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	£2,048.54 requested and received
05/09/2022	Cinema Site (22/02304)	166	£33,200	05/01/2023 - application approved. Build in progress.
15/05/2024	Phillips and Eynsham House 24/01150	44	£8,800	Planning refused, applicant appealing.
26/11/2025	Hendy Garage/The Culverdens 25/02604/FULL	104	£21,840	Awaiting decision

Cllr David Osborne raised concern that the Clerk had not responded to the application for land at Tunbridge Wells Rugby Club, 25/02711/ADJ, or raised a S106 request. The Clerk reviews all applications surrounding the Commons, this was not one that came up in the search. The Clerk would ask for support in highlighting S106 opportunities and planning applications as this is already a significant task.

Action: The Clerk to investigate the application for land at Tunbridge Wells Rugby Club.

10.3 S106 balance for each reserve

- Union House (The Potteries) reserve balance: £2,851.27
- Eridge Road retirement flats balance: £27,991.68
- Russell Hotel reserve: £1,800

- Showfields estate (part 1) reserve: £2,048.5

10.4 Public Enjoyment Plan

The Public Enjoyment Plan is now available on the website. The Clerk has created a clear plan for public engagement activities, starting with a public engagement questionnaire due to launch w/c 26th January. Focus groups and pedestrian counts would follow.

10.5 Fundraising

- Year 3 of the Lund Fund project is due to be completed by the end of January.
- Tunbridge Wells Borough Council's (TWBC) Communities Climate Grant, the 15 disease resistant elm trees will be delivered on 14th January for immediate planting. William Malpass of Butterfly Conservation Kent has created a planting programme taking account of varieties, locations and proximity to existing elm trees and recorded butterfly populations.

10.6 Work with the Friends of the Commons

The calendar of scheduled walks has been booked for 2026, to include fungi walks, nature walks, butterfly walk, moth breakfast etc. The events up to August are on the website.

10.7 Kent County Council (KCC) - Flood and Water Management

The culvert and drainage basin project is due to start in Q1 2026. The nature-based solution as planned by Waterman's and KCC will be implemented by the Ranger.

10.8 Sink hole/Southern Water

The Environment Agency (EA) officer is scheduling a meeting to include TWBC, Southern Water, the EA and the Clerk to progress the outstanding issues.

10.9 Other

- Liaising with pond contractor Aquamaintain to establish annual maintenance requirements for Brighton Lake.
- Officers and volunteers successfully passed their emergency first aid at work qualifications with forestry first aid addition.
- Annual fungi survey report received, including details of rare finds and new records. The survey is on our website.
- Delay on the 101 Steps project due to poor weather conditions.

10.10 Requests to Conservators

Since the last meeting the following requests have been sent to the Conservators:

- The Clerk approved Saxon Orienteering event scheduled for 7th March, all details the same as usual.

11. Ecological management plan work schedule for Q4 2025/26

Work continues to progress well following the recommendations in the two Ecological Management Plans. Conservators approved the work schedule planned for quarter four of 2025/26.

12. Ranger's report and financial work plan

12.1 Felling licence

Felling licence approval was received on the 2nd of December 2025 and pre-approved projects and tree maintenance works are underway.

12.2 Ash trees

Dieback surveys to date have identified several trees to remove or monitor going forward. However, the decline this year was not as rapid as was feared and the situation therefore continues to be under close control.

12.3 High value trees

All of the trees surveyed by Living Forest in 2024 have now had their mitigation works successfully carried out. They have carried out a further survey of four trees on Rusthall Common and we await their recommendations.

12.4 Conservator approved projects

Using precept budget allocated for January to end March 2026 Conservators approved the following projects:

- Archaeological Dig Glade phase 2, to clear the poor-quality, etiolated holly immediately behind the rock formation. etiolated holly immediately adjacent/behind the rock formation. £3,600 incl VAT.
- Racecourse – Area below ‘secret glade’. To halo oaks, remove poor/dense holly and sycamores and improve quality of ground herb layer. £3,600 incl VAT.
- Bumps Extension Path – new path Fittleworth stone path. Estimate is £3,800.

12.5 Invasive species

The last quarter prioritised management and eradication of Japanese Knotweed. Q4 will see a prioritisation of laurel and rhododendron for treatment.

12.6 Handyman

Handyman work is increasingly being undertaken via a combination of contractors, the Ranger and by utilising and paying for the additional time of skilled members of the volunteer team. This approach will be boosted by the inclusion of the ‘Men’s Shed’ charity organisation based near High Brooms. Initial meetings have gone well, and they will be invited to undertake some initial work for us as we go into the Spring.

12.7 Bollards

Conservators approved the following:

- Replacement of the timber bollards at Common View.
- Installation of a new lockable access barrier at the Rusthall Road entrance to The Bumps.
- Replacement posts around Inner London Road lower island.

12.8 Financial work plan

Conservators approved the Ranger’s financial work plan for quarter four 2025/6.

13. Finance

13.1 Finance report and accounts

Net income less expenditure for the nine months ended December 2025 was £91,697, £35,995 higher than the budget figure of £55,702 and £112 higher than for the same period last year (as restated to exclude depreciation, no longer accounted for by TWCC).

The bulk of the positive variance arises under the heading of Maintenance of Commons, a result of prudent budgeting, careful cost management and procurement and in some instances the timing of works within the year, relative to the budget.

At 31 December, the General Reserve exceeded the minimum required level of 30% of the Annual Precept.

The Treasurer had provided a reforecast for the General Income and Expenditure account for the full year to 31 March 2026. This showed a total expenditure of £82,635 available to spend in the final quarter, with the majority arising under Maintenance of the Commons heading, £65,000 of this had been allocated and approved in the Ranger's Financial Work Plan.

On 16 December, Mark Mulberry, our appointed VAT advisor, resubmitted the s33 VAT claim to recover approximately £53,000 for the four years to 30 April 2025 and all relevant VAT incurred thereafter. We await a decision from HMRC.

13.2 Bank reconciliations

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

13.3 Review and acceptance of the 2025/26 interim internal audit

The interim internal audit report stated the following:

"Our sample testing did not uncover any errors or misstatements that require reporting to the external auditor at this time, nor did we identify any significant weaknesses in the internal controls such that public money would be put at risk.

It is clear the authority takes governance, policies and procedures seriously and I am pleased to report that overall, the systems and procedures you have in place are fit for purpose. Whilst my report may contain recommendations to change these are not indicative of any significant failings, but rather are pointers to improving upon an already well-ordered system.

It is therefore our opinion that the systems and internal procedures at Tunbridge Wells & Rusthall Commons Conservators are well established and followed".

Conservators reviewed and accepted the interim internal audit report.

Action: It was agreed that the Clerk would put the Risk Register heatmap document on the website.

The only outstanding action from the 2024/25 internal audit was reworking of a new Financial Regulations document, which was awaiting Conservator approval later in the meeting.

In the last meeting, the Clerk was asked to investigate why TWCC have an arrangement with PKF Littlejohn LLP for external audit and whether other external auditors would be more appropriate and or work better. The Clerk raised this at the internal audit and was informed that auditors are appointed by Smaller Authorities Audits Appointment Ltd, an independent, not-for-profit, limited company established to procure external audit services and appoint external auditors for smaller authorities. While PKF were not successful in the Kent tender, we may have been allocated their services as we are not a Parish Council so might have been allocated as an "other" smaller authority. The only way to change the existing contract would be to exclude ourselves from the limited assurance regime, which the internal auditor did not recommend.

13.4 Precept 2026/27 approval

Conservators approved the precept request of £231,470 from TWBC for 2026/27.

13.5 Approval of 2026/27 budget

Officers had submitted a draft budget with supporting notes, which was approved by Conservators.

14. Annual Review Feedback

Clare Sinha explained that the Committee and officer team had held their annual review meeting on 12 January, with the purpose of looking back over what had gone well and less well in 2025, how well they progressed against agreed priorities, and where they need to focus in 2026, including any budget implications.

Particular performance highlights included:

- the volunteer programme
- the elm tree restoration project and associated butterfly conservation
- continuing improvements to our systems and controls.

Assessment of the year was universally supported by the very positive feedback received from stakeholders.

The Committee recommended that the broad priorities remain unchanged in 2025, as follows:

1. Ongoing focus on the Commons being for the community:
 - Stakeholder engagement, understanding and managing points of view.
 - Public consultation (follow-up survey, visitor counts and targeted focus groups with stakeholders).
 - Fun Day.
 - Continue outreach efforts - guided walks and events, clarify where we look for the Friends rather than officers to take the lead (for example Forest schools, offsite talks).
2. Next steps with the management plan:
 - Continue EMP implementation, working on the balance between ecology and amenity.
 - Continue to work on the balance of achievable workload for ongoing maintenance.
 - Build on success with the elm tree project to extend contacts and experience in the field, particularly ecological contacts and experts.
 - Manage the expected dip in contributions from the Friends and Freehold Tenants associated with sale of the Commons.
 - Draw on input from further consultation and user counts to refine the Public Enjoyment plan.
 - Ensure we are in a good position to use all the valuable data we are collecting – we are doing much better on operational data; the next challenge will be all the survey input.
3. Continue to enhance our way of working:
 - Continue prioritising and enhancing management of the Ranger's time and trialling options for handyman resources, exploring new volunteer possibilities (like Men's Sheds).
 - Investigate options for improved storage, including a larger van, and bring a proposal to the Conservators via the Committee. Depending on outcome of application for VAT recovery, review accounting and other impacted decisions.
4. Continue to focus on having a happy and productive team.

15. Externally funded projects for approval

Ian Marshall explained that Officers have submitted proposals for five projects for Freehold Tenant (FHT) Funding in Autumn/Winter 2026. The projects would be discussed and agreed upon during the FHT AGM on 26th January, with feedback provided at the next full meeting.

16. Friends of the Commons

Joy Podbury's update detailed the appointment of three new Trustees, Roger Barton, Nick Leech and Adrian Berendt. Joy will be stepping down as the Chair and Roger will take over the role.

There is an Extraordinary General Meeting (EGM) scheduled for Saturday, 24th January, from 2:30 pm to 3:30 pm, followed by a public meeting from 4:00 pm to 5:00 pm to discuss the Friends' plans to secure the Commons. While the purchase of the Commons remains the primary objective, projects including the noticeboard and Racecourse marker posts will be put on hold.

17. Marketing and PR report

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

The Facebook group now has 2,926 members with monthly reactions from members between 789 and 1,678. The most popular posts, during the quarter, related to:

1. Happy New Year message with details and photos of a guided walk for Ranger volunteers.
2. Rusthall Common volunteering session with refreshments at the Lodge.
3. Post about homes around the Commons.
4. Curly Vera with her First aid certificate.
5. Removal of graffiti off signs.

The Instagram account has 753 followers, while the website remains a popular source of information.

The Clerk thanked Nick Leech for his support and input on media.

18. Policy review

18.1 Accounting policies – fixed assets

Conservators approved the new policy.

18.2 Financial Regulations

Conservators approved the fully revised policy

18.3 Building and development works affecting the Commons, including skips

There were no changes to the existing policy, which Conservators approved.

18.4 Safeguarding

There were no changes to the existing policy, which Conservators approved.

18.5 Salary review

There were no changes to the existing policy, which Conservators approved.

Action: The Clerk to add all revised policies to the website.

19. Any other business

19.1 Conservators

Amii Errington explained that this would be her last meeting as she was leaving Targetfollow. She was thanked for all of her work as a Conservator and wished well for her next role.

19.2 Heritage Restoration Project

Cllr David Osborne introduced a proposed project for sector 9 of Tunbridge Wells Common, which would see the significant removal of bramble and scrub. It was agreed that a site visit would be arranged for Conservators to enable them to consider the proposal fully.

Action: The Clerk to organise a site visit.

20. Planning Applications

25/02604/FULL: Former Hendy Ford 3 Mount Ephraim Royal Tunbridge Wells Kent TN4 8AG. The Clerk submitted a comment, which included a S106 request.

Meeting ended: 15.00

Date of next meeting: 29th April 1.30pm at the Rackliff.

Agreed actions

Agenda item	Agreed action	Responsibility	Progress/update
5 & 6	Chair to sign the minutes of the previous meetings and send to the Clerk.	Clerk and Chair	Complete
10.2	Investigate the application for land at Tunbridge Wells Rugby Club.	Clerk	
13.3	Put the Risk Register heatmap document on the website.	Clerk	
18	Add all revised policies to the website.	Clerk	
19.2	Organise site visit to consider the heritage restoration project.	Clerk	