

# **Tunbridge Wells Commons Conservators: Role of a Conservator**

## **1. Background**

The Conservators were established in 1890 in the Tunbridge Wells Improvement Act and reconstituted in the County of Kent Act 1981.

The Conservator body consists of 12 persons. Four are appointed to represent the landowner (known as the Manor of Rusthall) four are Freehold Tenants of the Manor of Rusthall and four are elected Tunbridge Wells Borough Councillors.

It is the responsibility of the appointing authority (Manor of Rusthall, Freehold Tenants and Tunbridge Wells Borough Council) to ensure that all appointments are made. At the first meeting on or after 1st January each year a Chair is to be appointed representing the Freehold Tenants (as at 2026), followed the next year by the Tunbridge Wells Borough Council and then the Manor of Rusthall on an annual rotation.

The Commons consist of 256 acres, 165 acres in Tunbridge Wells and 91 acres in Rusthall. While they are called Commons they are registered as Village Greens. The land is a Local Wildlife Site and part of the Conservation Area.

The upkeep of the Commons is funded by a precept from Tunbridge Wells Borough Council, supplemented by grants and donations. Quarterly accounts are presented at each Conservators' meeting, the budget for each year is proposed in January and the annual accounts are presented at the April meeting.

The Commons Conservators are classed as a 'smaller authority', in accordance with Section 6 of the Local Authority and Accountability Act 2014. As such the accounts are internally audited by Mulberry Local Authority Services Ltd and externally audited annually by PKF Littlejohn.

The Conservators' goal is to manage the Commons for the benefit of local people whilst creating and maintaining a wide variety of habitats to sustain and encourage wildlife of all types, both common and rare.

Management of the Commons is directed by the Ecological Management Plans and a Public Enjoyment Plan.

## **2. Statutory duty**

Under the County of Kent Act, the Conservators have the following statutory duties:

- To maintain and preserve the Commons
- Execute works of drainage and improvement of the Commons
- Plant trees and enclose such trees with fences of a character as not to be likely to injure animals turned out on the Commons
- Maintain footpaths and provide seats for the public on the Commons

- Provide (the community with) free access to and a privilege at all times of playing and attending at games and of enjoying recreation upon the Commons without payment but subject to such byelaws and regulations
- Maintain the commons free from all encroachments
- Power to make byelaws
- Power to appoint officers

As the body responsible for managing the land, the Conservators also have a duty to uphold and comply with other legislation, including that related to Village Greens.

Town and village greens are protected by section 12 of the [Inclosure Act 1857](#) and section 29 of the [Commons Act 1876](#). Section 12 makes it a criminal offence to do anything which injures a green or interrupts its use as a place for exercise and recreation. Section 29 also makes it an offence to permanently encroach upon or inclose a green, or to build upon or disturb the soil of a green otherwise than with a view to its better enjoyment.

### **3. Main tasks of a Conservator**

- Be available to attend and actively participate in quarterly Conservators' meetings and any additional meetings as required.
- Act at all times within the Conservators' statutory powers and duties, ensuring compliance with relevant legislation and regulatory requirements.
- Work collectively with fellow Conservators to ensure the organisation fulfils its statutory obligations and is properly governed, managed and administered.
- Ensure the responsible stewardship of risk management, including fulfilling duty of care obligations.
- Ensure the responsible stewardship of the Conservators' finances, including oversight of budgets, income, expenditure and financial controls.
- Demonstrate a genuine interest in the preservation of the Commons and its wildlife.
- Communicate the Conservators' statutory duties and management plans effectively to Commons users and engage constructively with the local community and stakeholders.
- Uphold the reputation and integrity of the Conservators in dealings with stakeholders and the wider public.

Please refer to the Standing Orders and Financial Regulations for more specific details, all available at [www.twcommons.org/policies/](http://www.twcommons.org/policies/)

### **4. Code of conduct**

This Code of Conduct applies to all Conservators:

#### **4.1 Selflessness**

Conservators shall act solely in the discharge of their statutory, management, and employment duties. Decisions must be made in the public interest and not to gain personal, political, or financial advantage.

## **4.2 Integrity**

Conservators must avoid placing themselves under obligations that could inappropriately influence their work, including political, financial, or other pressures. They must declare any personal, financial, or other relevant interests and take steps to resolve any conflicts.

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## **4.3 Objectivity**

Conservators shall act impartially, fairly, and on merit, using the best available evidence and without discrimination or bias.

## **4.4 Accountability**

Conservators are legally accountable for their decisions and actions. They must submit themselves to any scrutiny necessary to ensure responsible and lawful conduct.

## **4.5 Openness**

Conservators shall act and take decisions in an open and transparent manner.

## **4.6 Honesty**

Conservators shall act truthfully in all communications, reporting, and decision-making.

## **4.7 Leadership**

Conservators shall model these principles in their own behaviour, treat others with respect, and actively promote and support these standards. Poor behaviour should be challenged wherever it occurs.

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I have read, understood, and agree to the terms set out in this document:

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Name

Signature

Date

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