

# **TUNBRIDGE WELLS COMMONS CONSERVATORS**

**Thursday 26 January 2006**

Present: Councillors Mrs Lewis, Mrs Cobbold, Scholes and Wakefield  
Mrs S Potts  
Messrs Butler, Hill, Chapman, Butt

Mrs Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Common),  
Eleanor Broughton and David Webster (Town Forum) attended by invitation.

Apologies for absence were received from  
Mr Peter Freeman, Mr Christopher Hall and Baron Nicolas van den Branden

## **MINUTES**

### **1. APPOINTMENT OF CHAIRMAN**

In accordance with the third schedule of the County of Kent Act 1982 it was noted that the Conservators were required at the first meeting held on or after 1 January each year to appoint a Chairman for the ensuing year.

RESOLVED – That Councillor Wakefield, representative of the Borough Council, be appointed as Chairman until the annual meeting of the Conservators in January 2007.

#### COUNCILLOR WAKEFIELD IN THE CHAIR

The Chairman introduced himself and expressed his gratitude to Nick Hill for being an elegant and precise chairman, and for the excellent job he had done in the preceding year.

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

The minutes of the meeting held on 8 September 2005 were considered and approved.

#### Matters arising

- a) Roundabout at the top of Major Yorks Road. The Clerk told the meeting that he had written to the Chief Executive of the County Council but so far has received only an acknowledgement and not a reply. Mrs Potts pointed out that the financial adjustment had still not been resolved with the Manor of Rusthall.
- b) BP Garage. The Warden reported that the petrol tanks had been removed from the site, but no planning application had yet been submitted.
- c) Trafalgar re-enactment. The Chairman reported that the event on the common had taken place in the rain, but, despite this, had been worthwhile and enjoyed by the schoolchildren that took part.
- d) Sunnyside Hall. The Warden reported that they were not proceeding with their application for services.

- e) The Warden reported that a single oak had been planted opposite King Charles the Martyr church by the King Charles Old Boys Association.
- f) The Warden reported that he had still received no reply from Honeygrove about the Vale Road development.

**3. MEMBERSHIP**

The Chairman reported that the under mentioned Conservators had been appointed by the bodies specified to serve for the period indicated:

Tunbridge Wells Borough Council

Councillor Mrs Lewis	)	
Councillor Mrs Cobbold	)	December 2005 to February 2007
Councillor Scholes	)	
Councillor Wakefield	)	

Freehold Tenants

Mr G Butt	)	
Mr M Chapman	)	3rd year of three year term until
Mr P Freeman	)	31 December 2006
Mr N Hill	)	

Manor of Rusthall

Baron Nicolas van den Branden	)	
Mr G Butler	)	3rd year of three year term until
Mr C Hall	)	31 December 2006
Mrs S Potts	)	

**4. DATES OF FUTURE MEETINGS 2006/7**

RESOLVED – That the meetings of the Commons Conservators be held at 2.30pm on the following dates:

- 21 March 2006
- 22 June 2006
- 7 September 2006
- 25 January 2007

**5. SUPPORT OFFICER**

The Clerk welcomed Julia Woodgate, the new Support Officer, and reported that the post had attracted an encouraging amount of interest, showing that the common was important to the lives of Tunbridge Wells residents.

He also thanked Sylvia Luckhurst, the outgoing Support Officer, for all her years of service, and expressed pleasure that she would still be involved with the Friends of Tunbridge Wells and Rusthall Commons.

The Chairman then offered her his personal thanks, and presented her with a bouquet of flowers and a present from the Conservators in recognition of her service.

## 6. TOWN FORUM

Eleanor Broughton (secretary to the Town Forum) and David Webster (representing the chairman, Matt Goodwin) were introduced.

Mr Webster explained that the Forum was set up to provide a voice for the parts of Tunbridge Wells Borough that did not have Parish Councils. Its intention is to address local town issues. It is made up of members of residents associations and other organisations representing different interests in the town. The Conservators could also join if they wished.

Meetings are held monthly, and one of their current concerns is eyesore premises, known as ‘grot spots’. Daniel Bech is heading the sub group looking into this. They are also concerned, among other things, with crime, waste and recreational and open spaces. They have a website, [www.townforum.org.uk](http://www.townforum.org.uk).

Councillor Scholes felt that the conservators need regular feedback from the Town Forum, and Jennifer Blackburn, a member of the Forum, volunteered to report regularly to the Conservators.

RESOLVED – the Conservators are to send information to the Town Forum about who they are, where their funding comes from, what their brief is, and how they are organised.

Ms Broughton and Mr Webster withdrew at this point.

## 7. WARDEN'S REPORT

- a) Works. All the planned work has been completed. The tree work will have taken us over the £10,000 budget, but the warden thought it appropriate to complete the work while the equipment was there, saving money in the long run. The dangerous trees have now all been dealt with. A further £2000 grant from English Nature is being used now on clearance works at Denny Bottom.
- b) The Warden reported that the concrete posts at the entrance to the Fir Tree Road car park regularly need repairing or replacing due to damage caused by large vehicles attempting to enter. A proper barrier with steel posts and a lockable height restriction bar should resolve this problem. This would cost £1600, only £200 more than has been spent on repairs this year, and will therefore pay for itself over the next two years. The Clerk warned that height barriers can prevent entry to 4x4 vehicles, which would not be the intention. The Warden will ensure that the height barrier will prevent access to motor homes and high top transit vans, but allow entry to 4x4s and normal transit vans. The lockable bar will allow access to tall vehicles where appropriate.

RESOLVED – that the barrier should be installed as soon as possible.

- c) Management Plan. The Warden reported that the survey of all roadside trees was now complete and that creating graded woodland edges on roadsides should now be our main priority. If we follow the recommendations of the Management Plan there will be 175 fellings, 86 pollards and 88 days of scrub clearance at a current total cost of £80,000.

This amount may be an overestimate if several trees are felled at the same time. He suggested that we should deal with one area at a time and complete all the works required as quickly as possible, hiring traffic lights if necessary. We should start with Rusthall Road, and plan to spend £3-4,000 in the coming year.

The other major question is that of the collector flail. The Warden reported that if we instruct Bridgland to buy the machinery we will be committed to spending £4,465 with them each year for the next five years. We currently spend between £1,500 and £2,000 on flailing the main areas without collecting. However, by spending this money now, we may well save money in the future as the soil fertility falls and the work does not need to be carried out as frequently as at present.

The two projects will jointly cost an extra £7-8,000 per year. The Warden also reported on the application for a single payment scheme from Defra. This scheme will pay £30 per acre where eligible which, in our case would hopefully bring in an extra £7,500 per year, approximately the cost of the extra work proposed. The scheme replaces the old set aside payments and is intended for farmland, but it would appear that commons are also eligible.

Following questions, the Warden confirmed that Bridgland currently have the grass cutting contract and this has been rolled over for one more year on the current terms but will be put out for quotation next year.

Concern was expressed by the meeting at the potential cost of the new grass cutting contract, and the Treasurer recommended that we test the open market to ensure that we have the best value, although the relationship with Bridgland should be taken into account.

RESOLVED – that the Committee should decide on the grass cutting contract

RESOLVED – that the Committee should investigate the collector flail contract to discover the best value and put its recommendations to the next meeting when it would be known whether the Defra grant application has been successful.

- d) The warden was asked if he had been approached regarding use of the common for centenary year events. The warden replied that, apart from Spafest, he had not. It is hoped that schoolchildren may stage an event.

## **8. ALLOWANCES AND EXPENSES**

The Treasurer submitted the report which showed allowances and expenses for the Clerk and Treasurer from 1 April 2004 with recommendations for RPI increases from 1 April 2005.

RESOLVED – the recommendations were approved.

## **9. FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No 2 2006 showing total payments of £74,603.35 and receipts of £53,877.22. He was asked if the cheque for £2,000 had been received from the Friends of Tunbridge Wells and Rusthall Commons and he confirmed that it had.

RESOLVED – that the report be approved

**10. BUDGETARY CONTROL REPORT 2005/6 AND PRECEPT 2006/7**

The Treasurer presented the report, and pointed out that all the non recurring amounts in the 2006/7 budget have now been removed. Adjustments have been made for RPI increases in the litter collection and grass cutting contracts. Councillor Scholes warned that costs of grass cutting are rising sharply, and that the provision might not be enough when the contract is renegotiated next year.

The Treasurer pointed out that the increase in the Precept is slightly higher than the RPI increase at a time when most council budgets were being reduced.

RESOLVED – that the proposed budget for 2006/7 and the precept of £108,700 be approved.

**11. CONSERVATORS' OFFICE ACCOMMODATION**

The Clerk reported that the current office provision will end on 31 March, but that the council have always provided accommodation with access to council services. He has requested the council to provide an equivalent office, but there has been no resolution to date. The Treasurer said that he expects space to be found in the Town Hall.

**12. STREET LIGHTING ON COMMONS**

The warden reported that the council will no longer meet the costs of maintenance of lighting in unadopted roads (namely Sunnyside Road and Apsley Street), but that this will be the responsibility of the residents, not the Conservators.

**13. PLANNING APPLICATIONS**

TW/05/02176 – non illuminated signs and illuminated lettering on front wall of building, Vale Royal Hotel. Concern had been raised that this might be out of keeping, but permission was granted.

TW/05/03380 – alteration to garage, 71 London Road. No comments

BP Garage – no application submitted to date.

An application for change of use at 13 Langton Road was expected, but this is not on the common, so no comment will be made

**14. ANY OTHER BUSINESS**

- a) Rusthall Cricket Club - the Warden reported that they wish to install a flushing toilet with septic tank. This will be on the cricket ground, not the common. The cricket club have indemnified the Conservators against any claim relating to these works.

RESOLVED – that permission be granted.

- b) Telecommunication masts – the Warden reported that he had been alerted to the fact that Turner Enterprises were proposing to install masts on the common and that yellow paint had been sprayed at the proposed sites. They had not notified the Conservators or the Manor of Rusthall. The Warden has told them that no masts will be allowed anywhere on the common and they have asked for confirmation in writing that the common is unavailable. Members of the Western Area Planning Committee (all four Councillors) withdrew at this point. It was agreed that the Conservators are required to protect the common against encroachment and would therefore oppose any such application on principle, but that the company needs to seek the views of the Manor of Rusthall before the Conservators can make any further comment.

- c) **Spafest** – the Warden confirmed that the event is to be a two day concert - one day of jazz, one classical - which may include Julian Lloyd Webber. It is to be part of the 400<sup>th</sup> Anniversary celebrations. The only equipment will be the stage, which will be taken across the grass on an aluminium roadway to minimise damage. There will be no entry charge, so no fencing will be required, visitors will sit on the grass, and the event will be cancelled if it rains. Representatives of the Manor of Rusthall pointed out that, although Ian Bowden, the organiser, has spoken to the Lord of the Manor, he has not contacted them on the matter.

It had previously been suggested that Ian Bowden should provide a bond against damage, but the Warden reported that Spafest could not afford to lodge a bond of more than £3,000, and had instead offered to send a solicitor's letter undertaking to carry out any necessary repairs. The meeting were concerned about this, as it was felt that, if there should be damage, the costs of repair could be very high, and any undertaking to indemnify the conservators against loss would be worthless if the company has no assets. The Treasurer advised that public liability insurance would be even more necessary than indemnity against damage. The meeting was divided against the desirability of the event going ahead – Councillor Wakefield and the Lord of the Manor are in favour, with the Freehold Tenants concerned that the risks are too great.

**RESOLVED** - the Warden should speak to Nigel Bolton about insurance cover that has been used at other events. He should also speak to Penshurst Place and Leeds Castle, where Mr Bowden has previously staged events, about the type of indemnity used there. He is to report his recommendations to the next conservators meeting.

**RESOLVED** – the Warden to check that Spafest has all the necessary public indemnity cover.

- d) **GPS Unit** - the Warden thanked the Friends of Tunbridge Wells and Rusthall Commons for the GPS unit which will be of great use for recording the positions of trees, etc.
- e) **Friends of Tunbridge Wells and Rusthall Commons** – Jennifer Blackburn reported that she has been given permission to order dropped kerbs to make a Great Crested Newt crossing at a cost of £450. She also told the meeting that they would not be going ahead with the stone circle to commemorate the centenary as it was too expensive, but instead were committed to restoring the railings around the Cold Baths, St Helena and the Queen Anne Oak. They are also trying to get companion funding from the Civic Society.