



Note of Meeting – Wednesday 5 September 2007

“The Sale of the Manor of Rusthall”

between Tunbridge Wells Borough Council and the Commons Coordinating Group

(an informal group of representatives for local organisations sharing some disquiet about the possibility of an outside body acquiring The Pantiles and The Commons with the object of exploiting them)

Present

Cllr Roy Bullock (TWBC Leader)
Cllr Len Horwood (TWBC Cabinet)
Lois Howell (TWBC Head of Legal Services)
Mike McGeary (TWBC Members Services)
Cllr David Wakefield
Ian Marshall (Freehold Tenants)
Jennifer Blackburn (Friends of the Tunbridge Wells and Rusthall Commons)
Sally Balcon (Friends of the Tunbridge Wells and Rusthall Commons)
Philip Whitbourn (RTW Town Forum)
George Lawson (Inner London Road Residents Association)
John Cunningham (RTW Civic Society)
Royer Joye (RTW Civic Society)

1. Scope of Meeting

Info:

Commons Coordinating Group held its first meeting on 14 August 2007 (special meeting of the Civic Society's Executive Committee) which arose from the announcement (reported in The Courier 10.8.2007) that the Manor of Rusthall is to be put up for sale. <http://www.townforum.org.uk/planning/manorsalemeeting140807note.pdf>
Commons Coordinating Group's second meeting (23 August 2007) was chaired by Jenny Blackburn (Friends of the Tunbridge Wells and Rusthall Commons). <http://www.townforum.org.uk/planning/manorsalemeeting230807note.pdf>

JB opened the meeting by explaining that the Group would be interested to know where TWBC stands regarding the announcement that the Manor of Rusthall is to be put up for sale. RB asked if the Pantiles traders were to be represented at the meeting and was informed that they were not. PW mentioned the fact that the Manor owned the land forming The Walks on the Pantiles, the future of which could be of public interest, but it was agreed that the focus of this particular meeting would be The Commons.

2. Position of Tunbridge Wells Borough Council (TWBC)

RB commented that the announcement had come as a surprise and that the matter had not been the subject of debate either in Cabinet or in Full Council. Nevertheless, he had met with the Agents and Solicitors Cripps Harries Hall, Tunbridge Wells (16 August 2007). The meeting had been friendly and there had been an exchange of views. He had been given to understand that, at the time of the meeting, no decision had been taken about the best way of marketing the Manor. Also there was some uncertainty about exact legal mechanisms, and it had been agreed that there would be a further meeting when more information was available. In the meantime, a letter had been set. It was expected that an urgent paper was likely to come forward to the Cabinet on 20 September 2007 and possibly in Full Council on 27 September 2007. It was not yet known whether the item would be exempt at this state, or in the public domain.

3. Status of the Trust

Although there were two Trustees involved, it was believed that the Manor as such, was not a Charity. Two of the beneficiaries, the Menuhin brothers, were certainly not a Charity, but a third beneficiary in the form of the Menuhin school was thought to be a Charity.

4. Registration of the Commons

IM maintained that the Commons were properly registered.

5. County of Kent Act

Lois Howell said that she had looked at the County of Kent Act and it may turn out that it will need to be changed in some way. The Act is understood to respect some, but not all, of earlier Acts. She agreed to provide JB with a copy of all relevant parts of the Act.

6. Meeting with Kent County Council

A meeting of the Group with representatives of the KCC (John Davies, KCC for Tunbridge Wells West / Alex King, KCC Deputy Leader) had been arranged for 12 September 2007, but RB questioned the likely usefulness of such a meeting.

7. Next steps

JC stated that he had been informed that Richard Ellis would be trying to sell the Manor as a single entity, whereas IM had been told that it would be in tow parcels.

RB said that he thought it unhelpful for different stories to be circulating, and that parties should accept that the Council would be taking the lead in a positive and proactive way. Clearly, there were budgetary restraints and other considerations to be taken into account, and he was not in a position to speak formally for the Council at this stage. However, he thought there to be a logic in the Council exercising control over the Commons, as it did over other pieces of common land in the Borough.

IM made the point that, if the Council were to find its discussions leading nowhere, then other parties might have lost valuable time in seeking alternative possible ways forward.

LH pointed out that this was conjectural and, at present, none of the parties had any firm information regarding either cost or liabilities.

PW opined that he thought the Council to be proceeding sensibly in a situation that could be a legal minefield and where much more detail was required.

The meeting ended content that the Council should continue to take the lead and that it would issue a press release indicating that the meeting had taken place. A further meeting could be arranged, when there seemed any point in holding one.

Meanwhile Lois Howell would act as the point of contact, although she reminded the meeting that her role was as legal adviser to TWBC and not necessarily to all and sundry.

Robert Cottrill would be the lead officer concerned in discussions.

05.09.2007