

## TUNBRIDGE WELLS COMMONS CONSERVATORS

Minutes of a meeting held in The Council Chamber on Thursday 20 January 2011 at  
2.30pm

- PRESENT: Peter Savory (Retiring Chairman)  
Ian Marshall (Incoming Chairman)  
Sarah Bird  
Mungo Chapman  
Cllr Barbara Cobbold  
Cllr Barry Edwards  
Peter Freeman  
Kate Sander  
Cllr James Scholes
- APOLOGIES: Cllr Catherine Mayhew
- ATTENDING: Rodney Stone (Clerk)  
Geoff Levitt (Treasurer)  
Steve Budden (Warden)  
Julia Woodgate (Support Officer)  
Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Commons)  
John Barber (Friends of Tunbridge Wells and Rusthall Commons)
- OBSERVING: Sue Denne (and other residents of the Harmony Street area)

### MINUTES

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

In accordance with the third schedule of the County of Kent Act 1981 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 Ian Marshall, representative of the Freehold Tenants, be appointed as Chairman until the annual meeting of the Conservators in January 2012.**

#### **IAN MARSHALL IN THE CHAIR**

#### **2. 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:

Cllr Barbara Cobbold	)	
Cllr Barry Edwards	)	one year term ending 31
Cllr Catherine Mayhew	)	December 2011
Cllr James Scholes	)	

Freehold Tenants:

Mungo Chapman	)	
Peter Freeman	)	2nd year of three year term until
Ian Marshall	)	31 December 2012
Kate Sander	)	

Manor of Rusthall:

Sarah Bird	)	
Andrew Gower	)	1st year of three year term until 31
Chris Jones	)	December 2013
Peter Savory	)	

The Chairman also welcomed John Barber to his first meeting following his election as Chairman of the Friends of Tunbridge Wells and Rusthall Commons in succession to Jennifer Blackburn.

**3. DATES OF FUTURE MEETINGS 2011/12**

**RESOLVED – That the meetings of the Commons Conservators be held at the earlier time of 2.00pm on the following dates:**

14 April 2011  
14 July 2011  
20 October 2011  
26 January 2012

**4. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 21 October 2010 were considered, approved and signed by the Chairman.

**5. MATTERS ARISING**

a) Path at London Rd/Mt Ephraim junction.

Cllr Scholes advised the meeting that he has signed off on the funding for the handrail and safety barrier for the path.

b) Parking at Harmony Street.

The Chairman informed the meeting that wooden posts had been installed at the edge of Harmony Street to prevent any further erosion of the bank, as agreed at the previous meeting. The posts had been placed in the middle of the eroded area between the edge of the tarmac and the worn bank, enabling residents to continue to park to the very edge of the tarmac. As yellow lines will not now be painted on the opposite side of the road, cars continue to park there, making the road too narrow for emergency vehicles. These cars are now parking even further onto the pavement and are starting to encroach on the grass in front of Toad Rock.

The Chairman made two points: that the Conservators have a statutory duty to prevent encroachment; and that the Conservators have neither been involved in, nor commented on, the failed yellow line initiative.

A number of residents were in attendance at the meeting and one spokesperson was invited to outline their concerns. Sue Denne, for the residents, made the point that some of them have been parking there for thirty years without problem, but now they feel that they are prevented from doing so by the posts, which they feel are too low to see properly. They have no-where else to park, which will make their houses hard to sell and their lives very difficult. She also disputed that the erosion of the bank has worsened recently.

Peter Savory, as owner of the Commons, replied that the points have been noted and have been discussed at length with various residents for nine months. He pointed out that the parking problem in the area needed to be resolved by KCC.

Ms Denne asked if a portion of the Common could be sold to the residents, but it was pointed out that, even if the owner was willing to consider it, it would remain Common and therefore the Conservators would still have to act to prevent parking there.

The Chairman summed up the Conservators' view that they are not unsympathetic to the problems of the residents, but, as Conservators, their duty is to preserve the Common and they cannot resolve the parking problem.

*The Harmony Street residents left the meeting at this point*

6. WARDEN'S REPORT

The Warden reported that the Commons have been covered in snow for much of the period, so progress has been slow. Before the snow, the Friends had funded a partial clearance of the weed in Brighton Lake which has been well received, and the volunteers have just completed much needed clearance work around Toad Rock. He also reported that the grass has grown well in the newly seeded areas.

This year's roadside tree work will concentrate on London Road from the Forum to the hospital, with most of the emphasis on the portion between Mount Edgcumbe

Road and Church Road. The clearance at Hungershall Park will also continue and trees overhanging the paths from Wellington Rock to Castle Road will be dealt with.

The cutting of the new path on Rusthall Common will also be completed, funded by the Freehold Tenants.

In reply to a question about molehills around Brighton Lake the Warden replied that, although unsightly, moles are good for wildlife and soil aeration.

7. **FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No 3 2010/11 showing total payments of £24,453.62 and receipts of £62,370.09.

**RESOLVED – that the report be approved.**

8. **PROPOSED BUDGET AND PRECEPT 2011/12**

The Treasurer told the meeting that there was great pressure on public finances, and, as a statutory body, the Conservators need to keep costs down. However, they still need to meet their statutory obligations, maintain a reasonable reserve, and meet increases to the contracts in line with RPI. The increase in VAT will also raise costs as the Conservators are not able to recover VAT. They also need to consider whether it is appropriate to make a 2% pay award to staff in April in line with the local authority increase now that the link has been lost with the national pay award.

The Treasurer told the meeting that last year, due to the unexpected fall in the retail price index, the precept was unchanged from 2009/10 but was above the statutory limit. This year's statutory limit allows a 3% increase, and he recommended that the Conservators fix the precept a little lower than the limit at £128,000.

Cllr Scholes informed the meeting that he would not take part in the discussion or the resolution as he is the newly appointed finance portfolio holder.

**RESOLVED – that the proposed budget for 2011/12 be approved.**

**RESOLVED – that the precept of £128,000 be approved.**

**RESOLVED – to invite the Borough Chief Executive, Chief Finance Officer and the new Leader of the Council to attend a Conservators' meeting.**

9. **FREEHOLD TENANTS' PROJECTS**

The Freehold Tenants outlined the projects they have offered to fund this year:

- a) Continue the clearance at Mount Edgumbe Rocks towards the hotel, retaining a screen to prevent road noise;

- b) Clear the area at the top of Church Road to restore some of the view across the Common which has been lost in recent years, retaining the horse chestnuts but removing the sycamores and scrub;
- c) Continue the big clearance on the other side of Castle Road to create a wood pasture as far as the path leading to the new crossing at Vale Road;
- d) Cut a new end to the path from the Terrace Walk to London Road opposite Broadwater Lane which is constantly boggy.

**RESOLVED – to approve the proposed projects with gratitude.**

John Barber, for the Friends of the Commons, stated that the Friends wished to finance the clearance of the area behind the Lion Rock where large hollies had rendered the area gloomy and unattractive.

**RESOLVED – to approve the project with gratitude.**

#### **10. PANTILES CAR PARK**

The Conservators have considered the plans for the car park and pointed out that all showed the parking area encroaching onto the “green road” which could not be permitted.

They discussed the possible surfaces and concluded that they would prefer to see a natural surface. Targetfollow agreed to look at the possibility of grasscrete or a plastic mesh, which would also resolve current drainage issues. The Conservators would not wish to see tarmac.

They agreed to bollard lighting but expressed their opposition to high level lighting which would need to be high enough to allow a coach to pass underneath. It was not clear whether this would be a planning requirement.

Targetfollow will draw up amended plans and stated their intention to get the Conservators’ approval before submitting a planning application.

#### **11. ENCROACHMENT POLICY**

The Clerk informed the meeting that revisions had been made to the draft Encroachment Policy in response to the comments by the working party. The revised draft had been approved by Cllr Mayhew but still needed to be examined by Targetfollow. If Targetfollow request revisions there will be a further meeting of the working party and it is hoped to circulate the final draft to the Conservators for consideration at the next meeting.

The Freehold Tenants offered to help with the work required to implement the policy, including covering any reasonable costs incurred.

12. **STILL GREEN**

The Chairman expressed concern that no further steps had been taken by Targetfollow to prevent the unsafe parking at Still Green. It was pointed out that some time ago they agreed to write to residents of Woodside Road and hold a meeting prior to installing a barrier. Targetfollow stated that they do not intend to hold a meeting, or have a structural engineer do a survey as there is little point, but would support the placing of a tree trunk across the access with an explanatory letter sent to the residents on the same day. Targetfollow agreed to draw up the letter and Cllr Edwards offered to distribute them.

The Warden pointed out the problem of installing the tree trunk as there is rarely a time when cars are not parked there.

13. **ANY OTHER BUSINESS**

a) Nursery school annual review.

The Conservators agreed that they are doing no harm and they are pleased that the clubhouse is used each day.

b) Cricket Club.

Following the difficulties experienced with the unauthorised area of tarmac at the cricket ground and the conditions laid down by the Conservators as a consequence, the Chairman reported that the club has agreed in writing to the Conservators' conditions.

c) Telecommunications cabinets.

They are still in their original positions, but the planners have asked for two of them to be moved and the Conservators have written to the planners to support their decision.

d) Footpath near the junction of London Road and Mount Ephraim.

The railings and barriers are on order and due to be installed shortly.

e) The Hospice in the Weald 10K run.

**RESOLVED – to give permission for the Hospice 10K run on the same basis as in previous years.**

f) Rusthall Parishing.

Mrs Blackburn stated that the proposal is to go to the cabinet in February and then to the full Council. It is hoped that the first elections will be held on 5 May. The division of the precept has yet to be agreed but is not expected to be contentious.

The Chairman took the opportunity to thank Mrs Blackburn for her many years of helpful and well regarded contributions on behalf of the Friends.

g) Fire lighting.

The Warden reported that the Home Educators, for whom he regularly provides walks and events, have requested permission to demonstrate fire lighting. The leader will build an altar fire to ensure no damage to the Common, and will bring and remove all materials.

**RESOLVED- to allow the fire lighting demonstration, overseen by the Warden.**

**14. DATE OF NEXT MEETING**

The next meeting will be held on 14 April 2011 at 2.00 p.m. in Committee Room A.

*Councillors Scholes and Cobbold left at this point.*

**15. PLANNING APPLICATIONS**

Vale Royal Methodist Church. It was agreed that the plans do not affect the Commons.

73 London Road – construction of garden wall. The office has advised that no materials are to be stored on Common.

Other applications noted but not commented on:

2 Hungershall Park – replacement garden room.

Neville House, Mount Ephraim – construction of 4 storey building.

Kent and Sussex Hospital site – part outline, part detailed, for houses, restaurant, offices, parking and public spaces.