

## TUNBRIDGE WELLS COMMONS CONSERVATORS

### Minutes of a meeting held in Committee Room A on Thursday 21 October 2010 at 2.30pm

- PRESENT: Peter Savory (Chairman)  
Sarah Bird  
Mungo Chapman  
Cllr Barbara Cobbold  
Cllr Barry Edwards  
Peter Freeman  
Ian Marshall  
Cllr Catherine Mayhew  
Cllr James Scholes
- APOLOGIES: Kate Sander
- ATTENDING: Rodney Stone (Clerk)  
Geoff Levitt (Treasurer)  
Steve Budden (Warden)  
Julia Woodgate (Support Officer)  
Jennifer Blackburn (Friends of Tunbridge Wells and Rusthall Common)  
David Thomas (Linden Park Cricket Club)  
John Harvey (Linden Park Cricket Club)
- OBSERVING: Anne-Marie Canavan  
Jenny Barsby-Robinson  
Maria Simmons

### MINUTES

#### **1. APOLOGIES**

Apologies were received from Kate Sander.

#### **2. LINDEN PARK CRICKET CLUB**

David Thomas and John Harvey were invited to the meeting to discuss the failure of the Cricket Club to remove the tarmac apron outside the clubhouse, as previously agreed. Mr Thomas outlined the club's reasons for wishing to keep the apron: that the area in question tends to be waterlogged and it was not easy to grow grass there; that the heavy mowers and other machinery can be moved more easily and cause no damage; access is easier for disabled people; the cost of removal would be very high and beyond the club's resources; and, most importantly, that it gives mothers and small children somewhere safe to wait when collecting children from the nursery school.

The club were reminded that they had agreed in writing, several months earlier, to remove the apron and they were now going back on this agreement. They were also

told that the Conservators have a legal obligation to prevent all encroachments on the Common.

Mr Thomas apologised for the mistakes the club had made in not consulting the Conservators and agreed to give a written assurance that there would be no such failures in the future.

**MOTION. Proposed by Peter Savory, seconded by Peter Freeman.  
That the Conservators allow the apron area of tarmac to remain on condition that the Cricket Club give written assurance to consult with the Conservators over any future plans and to make no changes without the permission of the Conservators.  
Carried unanimously.**

**RESOLVED. The Conservators reserve the right to require the removal or reduction of the apron area in future if the nursery school stops using the premises.**

**RESOLVED. To make no objection to the Cricket Club's planning application to remove the condition relating to the apron.**

*Cllr Catherine Mayhew left the meeting at this point.*

*David Thomas and John Harvey left the meeting at this point.*

### **3. PARKING PROBLEMS AT RUSTHALL VILLAGE**

Cllr Edwards advised the Conservators of the increasingly difficult parking situation in the village centre. To ease the situation the villagers need additional parking close to the centre of the village, and some extra space could be created by putting in more parking bays on Common View, between numbers 23-32.

The Clerk pointed out that, under the County of Kent Act 1981, the Conservators have a duty to protect the Common from encroachment. Common land can only be considered for parking if it is in the interests of the Commons and its users. It is not within the powers of the Conservators to provide a car park to benefit the traders and shoppers in Rusthall.

The Warden pointed out that the area in question is a Site of Special Nature Conservation Interest, and it is the duty of the Conservators to protect this.

Cllr Edwards thanked the Conservators for considering the question even though the answer was as expected.

### **4. PARKING IN HARMONY STREET/APSLEY STREET**

It was reported that Kent Highways are planning to put double yellow lines along Harmony Street on the Toad Rock side, removing some of the parking and thus exacerbating the general parking problem in the area. The residents want all roadside

parking in the area to be for residents only. The Conservators pointed out that they have no control over either of these matters. It was suggested that parking bays should be marked on the road which should make more efficient use of the existing space.

The Warden pointed out that the edge of the Common is being eroded by cars being parked too close and he is therefore planning to install granite posts which will keep cars clear from the edge but will not assist the parking problem.

Cllr Scholes agreed to have a site meeting with Cllr Davis from Kent County Council, which the Warden will attend, to see if any progress can be made on the issues.

*Jenny Barsby-Robinson and Maria Simmons left the meeting at this point.*

It was agreed that bollards, blocks or tree trunks should be used to block access to the part of the Common on Harmony Street that has recently been used by residents for parking.

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

The minutes of the meeting held on 15 July 2010 were considered and approved, except for the final word of the final paragraph of item 6, page 244, which should read 2011, not 2010.

#### 6. **WARDEN'S REPORT**

The Warden told the meeting that it had been a successful summer, assisted by the weather. All the long grass and paths, as well as the slope above the coach park in London Road, have been cleared, and the ditching and seat renovation completed. The Freehold Tenants have agreed to pay the costs of collecting heather from Ashdown Forest to seed the new clearances.

He also reported that grass seed had been sown on the cleared bank opposite Vale Road and on the infilled area at Bishops Down Road. The Clerk told the meeting that he had received a letter from Kent Highways stating that a new stopping up order would be required to continue the infilling to the point agreed with Andrew Burton.

**RESOLVED. To request Kent Highway Services to take all necessary steps to obtain a stopping up order to allow the infilling to continue to the point 11 metres west of the access to the Spa Hotel.**

The Warden was asked if putting up fencing around the sewage leak at Happy Valley adds to the Conservators' liability. The view was taken that the fencing is a sensible precaution and does not make the Conservators liable for any problems which result from the leak, contamination or currently open sewer. The Warden reported that the insurers have now instructed Metro Rod to complete the work. When it is complete

he will ask Environmental Health to report on the safety of the area to the public. It was agreed that the insurers should pay for any clean-up required.

**7. ACCOUNTS AND FINANCIAL STATEMENT**

The Treasurer submitted Financial Statement No 2 2010/11 showing total payments of £21,703.30 and receipts of £1,999.58. The report showed a comparison of projected expenditure and income with the approved budget. Some savings have been made to increase the balance carried forward at the end of the year. The projected net expenditure should result in reserves of £26,000.

Salaries would be raised by 1%, as budgeted for, from April 2010 in line with the Borough Council settlement. However, the Borough Council were no longer linked to the national pay negotiations and have agreed to an increase of 2% from April 2011. However the Conservators will need to decide next year and in future years the level of annual pay increases.

Allowances and expenses have been linked to RPI but the rate in March was 4.4% which both Clerk and Treasurer feel would be inappropriate in the current financial climate. They have therefore agreed to keep their allowances at the current rate.

**RESOLVED. To approve Financial Statement No 2 2010/11.**

**8. HIGHER LEVEL STEWARDSHIP**

The Warden reported that the Commons have finally been accepted into the scheme. The payments are not as high as hoped at around £1500 p.a. for ten years, and at the moment there are no discretionary payments available for scrub clearance at the SSSI. However, these may be resumed if the financial climate improves, and there are opportunities to have any newly cleared areas admitted to the scheme. The maintenance levels required by the scheme are in line with current management practice so there is no extra burden.

**9. TORRINGTON CAR PARK SIGN**

It was agreed in the summer that the Variable Message Sign to be erected on London Road before the Vale Road junction would be sited on the pavement side of the road opposite the Common. KHS also wish to replace the current Torrington sign with a VMS sign on the same footprint. If permission is refused, they have indicated their intention to place it on the pavement opposite the current site.

The Conservators expressed several concerns, including that of setting a precedent for illuminated signs on the Common.

**MOTION. To refuse permission to put a VMS sign on the Common. Carried by 5 votes to 3.**

**10. PANTILES CAR PARK**

The Chairman presented three sets of alternative plans and asked the Conservators to send their feedback to him and the office prior to a full discussion at the next Conservators' meeting. He confirmed that the parking area is restricted to the current footprint in two of the three options. The third option includes an encroachment to provide extra parking bays to pay for the more expensive surfaces.

The Chairman reported that the short term lighting solution would be as last year, with one raised light powered by a generator

**11. APSLEY STREET ROAD SURFACE**

The Clerk confirmed that allowing residents to drive and park on the lower, unadopted part of Apsley Street does not bring any obligation on the part of the Conservators to maintain it. It was agreed that if the residents wish to repair the potholes at their expense this would be encouraged.

**12. PATH AT MOUNT EPHRAIM/LONDON RD JUNCTION**

The Footpath Officer from KCC has agreed to erect a barrier in two staggered sections to match the new barrier opposite Vale Road. The path will be widened by 10cm each side to accommodate it. The Friends of the Common had offered to fund a handrail but Cllr Scholes agreed to fund it from his budget. It was confirmed that the rail will be placed on the opposite side to the benches and bins.

**RESOLVED. To allow the installation of the barriers and handrail.**

**13. CROCUS BULBS**

The Rotary Club have proposed planting 1500 crocus bulbs on the triangle of road by Vale Road to draw attention to their work in funding polio vaccines in the third world. Because of the difficulty of keeping the grass neat after flowering, the Conservators felt it more appropriate to plant the bulbs on the verges beside the A264 near the daffodils.

**RESOLVED. To allow the planting of crocus bulbs beside the A264 but not at Vale Road.**

**14. ANY OTHER BUSINESS**

The Clerk reported that he has arranged regular meetings with the Borough Chief Executive, William Benson, and has had his first meeting, accompanied by the Warden. This was a useful meeting, and he was able to ascertain that the Council intend to continue their support of the Conservators by providing office facilities. The Warden has arranged to take Mr Benson on a guided walk in November.

*Cllrs Scholes, Edwards and Cobbold left the meeting at this point.*

**15. TELECOMMUNICATIONS CABINETS**

Planning applications have been submitted for three large new telecommunications cabinets to be sited beside the existing ones on Commons verges in Rusthall and outside the Spa Hotel. Mrs Blackburn informed the meeting that they are to provide super-fast broadband. The Conservators expressed their dislike of the positions, especially the one close to the drinking fountain near the Spa Hotel, and requested that alternative positions should be found if possible.

**16. PLANNING APPLICATIONS**

Kent and Sussex Hospital – scoping opinion. No comment

Rocklea – extension and replacement windows. Advised that no damage must be caused to the Common.

22 Mt Ephraim Road – conversion from offices to flats. No comment. Permission subsequently refused.

Linden Park Cricket Club – variation of permission to remove condition re. apron. No objection to be made.

The next meeting will be held at 2.30 p.m. on 20 January 2011 in Committee Room A.