

**MINUTES of the 567th Meeting of the BANSTEAD COMMONS CONSERVATORS
held on Saturday 17th January 2015 at Banstead Centre, The Horseshoe, Banstead.**

Present: Mr. J Peacock Chairman
Cllr. R Mantle
Cllr. V Broad
Mr J Harris
Mr D Atkins
Mr. J Milner Clerk
Mr. R Knights Warden

There were also present several members of the public, namely;

David Gradidge – Banstead Village RA, Ann Dobson & Patricia Sherren - both Burgh Heath RA, Colin Sutherland – Park Road RA, Ralph Maciejewski – Nork RA, Elizabeth Vetta- Chipstead RA, J Barlow – Tadworth Resident, Graham Young, Craig Stevenson & Tim Bennett – all Tadworth Cricket Club.

Part 1

1. Apologies for Absence

Mr J Mill
Mr. N Cull
Cllr A Kay

2. Minutes of last Meeting

The Minutes were agreed as circulated.

3. Matters Arising

i. Environmental Stewardship

- i. **Grazing/Cut & Collect.** The issue of whether or not we winter graze two areas of Park Downs or one at Park Downs and one at Banstead Downs, together with the question of summer grazing had not yet been fully decided but either way we would purchase the necessary fencing and make a claim from Natural England as a capital outlay. David Gradidge pointed out that 3 posts had been removed from Banstead Downs leaving large holes in the ground that could be dangerous to pedestrians.
- ii. **Natural England.** Georgina Terry and Annie English from Natural England had visited Banstead Downs on 31st October and submitted a glowing report on the results our Warden, Richard Knights and team were achieving in the removal and management of scrub. Richard explained that there was still more work to be done but the users of the Downs had expressed their appreciation for what was being done and the improved appearance of the Downs.

- ii. **Notice Boards** – The Clerk and Warden had visited Surrey Wildlife Trust at Norbury Mill to enquire about new notice boards and finger posts. SWT were our previous suppliers and their product is sturdy and should last ten years whereas cheaper suppliers product would not. After discussion it was decided that one double sided board would be provided for ourselves with Burgh Heath Residents' Association using the other side, for which they would pay half of the cost, and ten other boards be purchased as replacements with some being retained in stock for future use. It was considered that our staff could provide posts and possibly finger signs so no order would be placed for them at this stage.

- iii. **Preston Regeneration & Burgh Heath Pond** – Work is due to start on the track on 20th January and should take 3 – 4 weeks, weather permitting. Previous contractors had made a

bit of a mess in removing trees and shrubs near the path resulting in surface water spreading over the present path.

- iv. **Use of Sports Field** – Craig Stephenson, Graham Young and Tim Bennett made representation on behalf of Tadworth Cricket Club in respect of the proposal to charge rent of £1,000 p.a. for use of the Sports Field. They questioned BCC authority to charge a rent and highlighted that they were a small village cricket club who had made a financial loss for the last two years. As a club they were involved in local community work particularly bringing youngsters into cricket and that they maintain the area at their own expense. Whilst wishing the cricket club to remain on the Sports Field it was pointed out that they had not paid anything for its use for many years whereas other clubs in the area did pay, which was supported by a visiting delegate who was a member of a bowls club, and Reigate & Banstead Borough Council provided grants which could discount the amount they had to find from membership.

The Conservators agreed that the item would be deferred to the next meeting and in the meantime the Cricket Club would make application to RBBC for a grant which would entail their audited accounts accompanying the application the Clerk would send them an invoice for payment of £1,000 for the year commencing 1st April 2015.

- v. **Licenses for The Bell and The Sportsman** – It was agreed that the cost of placing tables on the common would remain at £25.00 per table p.a. The bell usually apply for six and The Sportsman ten

4. **Warden's Report**

The clearance work on Banstead Downs is now beginning to show better shape with views starting to open up. This work is to the satisfaction of Natural England and will continue. Cut & collect work has also taken place and is time consuming but necessary. It has to be done on dry days so days have to be picked carefully. Final bits of seasonal cutting, the fiddly bits, have also been completed. The seasonal wind tends to blow litter all over the commons but especially near the recycling bank areas at Holly Lane and the Blue Ball. Fly tipping continues despite blocking off accesses and there has been an increase in aggressive behaviour towards staff by people being challenged for inappropriate use of the commons. During the coming week work is planned on the Heritage sites to keep them tidy as well as opening up a new access from Mill Road to spread the traffic and foot fall. If the weather is too bad and the ground too wet the staff are employed on side of road work or in the depot milling wood and maintenance work on machinery.

5. **Forthcoming Events**

Woodmansterne Primary School have asked if we would run a stall on Saturday 20th June when they are trying to bring together a show of local agriculture, horticulture and farming to educate people about our local area and its wildlife. It was considered that we should support this initiative and seek more details of the event.

6. **Any Other Business**

Coal Tax Posts – It was agreed that Richard Mantle could deposit with BCC some money which is ring fenced for refurbishment of Coal tax Posts.

Web Page – John Peacock has improved the web page and reminded all that there is a BCC Facebook page on which to post news and obtain views from commons users.

Appreciation – Colin Sutherland had been asked by Park Road Residents' association to say how much they appreciated the work that had been taking place at Park Downs which are now looking as they used to.

7. **Dates of the Next Meetings**

18th April 2015, 18th July 2015, 17th October 2015

**MINUTES of the 568th Meeting of the BANSTEAD COMMONS CONSERVATORS
held on Saturday 18th April 2015 at Banstead Centre, The Horseshoe, Banstead.**

Present: Mr. J Peacock Chairman
Cllr. R Mantle
Cllr. V Broad
Cllr A Kay
Mr J Mill
Mr. N Cull
Mr J Harris
Mr. J Milner Clerk

Also present was David Gradidge – Banstead Village RA.

Part 1

1. Apologies for Absence

Mr D Atkins
Mr. R Knights Warden

2. Appointment of Conservators and Election of Chairman

Due to sickness and annual leave at RBBC the appointment or reappointment of Conservators has not yet been made available.

Nick Cull proposed, and Jeff Harris seconded the nomination of John Peacock as Chairman for the forthcoming year. The proposition was duly carried.

3. Minutes of last Meeting

- i. It was pointed out that holes left by posts being removed on Banstead Downs had been mentioned at the last meeting but was not on the minutes and they have not been filled in, after which emendment the Minutes were agreed as circulated

4. Matters Arising

i. Environmental Stewardship

- i. **Grazing/Cut & Collect.** No grazing had taken place over winter but John Peacock reported that the area cut and collected on Park Downs was looking particularly good and in a week or twos time the orchids will look spectacular, providing we have some rain soon.
- ii. **Natural England.** Visitors and users of Banstead Downs continue to express their appreciation for what was being done in respect of scrub removal and the improved appearance of the Downs.
(The Clerk received a call from a local lady who had seen and heard a skylark on Banstead Downs, the first she had seen for many years, which she thought was totally due to the scrub clearance).

- ii. **Notice Boards** – Ten new notice boards had been purchased, plus the double sided one that has already been erected on Burgh Heath; Burgh Heath R.A. paid half of the cost of it. The new boards are replacing those that have become obsolete and are receiving some very appreciative comments. The information on the boards is being maintained and up dated by nominated Conservators.

We had not bought new 'Finger Posts' due to cost and the fact that our staff can make them and it is now becoming evident that they are needed as old posts are being damaged or removed, particularly on Banstead Downs and Banstead Heath in respect of Permissive

Rides and Footpaths. After erection riding stables should again be reminded of their responsibilities and those of their clients.

- iii. **Travis Perkins** – The issue of Travis Perkins building over part of the common and part of RBBC land had been taken over by Jane Kostelnyk, a new RBBC Property Solicitor but there was nothing further to report.
- iv. **Licenses for The Bell and The Sportsman** – Letters inviting both establishments to place tables and benches on the commons have been sent out.
- v. **Personal Cameras** – Enquiries have been made with RBBC Jets Team with a view to our staff wearing personal body cameras and we will purchase three of the type that they use. Certain conventions apply in the recording and retention of images taken in public places which we will comply with but it was considered that the cameras should be acquired now for the protection of our personnel.

5. **Warden's Report**

One member of staff has been sick for a while with pneumonia which has held up the work but he is now back. Most of the winter work has been completed and now that the land is drying out staff are checking posts and banks at road edges to prevent vehicles accessing the commons. Some new posts were installed at Burgh heath which attracted the attention of gypsies and police were called to speak to them. The new post banger has proved to be useful not only on the commons but for inserting the roadside posts. The spring has brought increased small amounts of garden rubbish tipped onto the commons which has to be cleared away to prevent others believing it to be an accepted practise. The ash from the burnt scrub on Banstead Downs needs to be buried and now that the grass has started to grow cutting has started, particularly alongside highways to compliment the cutting by the council. Fire breaks need to be cut as not only do they limit any fires that break out but they also provide paths for people to walk other in longer grass where birds may be nesting. Jeff Harris suggested we may need notices for prevention of fire and will enquire if the Fire and Rescue Service have any recommendations. He also suggested that more wet weather areas onto the commons need chipping in addition to those already done.

John Peacock pointed out that water was still running deep onto the common at Sutton lane and the Clerk will contact SCC to see what can be done about it.

David Gradidge asked if the heap of cuttings near the old cricket field could be burnt, along with another heap near the railway line, but this may be after birds have stopped nesting.

6. **Forthcoming Events**

Woodmansterne Primary School have asked if we would run a stall on Saturday 20th June when they are trying to bring together a show of local agriculture, horticulture and farming to educate people about our local area and its wildlife. John peacock and Nick Cull will attend if they possibly can.

7. **Any Other Business**

Neighbourhood Forum and Neighbourhood Area for Tadworth – We have been asked to comment on an application by the Tadworth Forum to be designated as the Neighbourhood Forum for Tadworth, which would give powers to prepare a Neighbourhood Plan. They had included on the map of the area to be included the major part of Banstead Heath, our designated common. We were advised by some of our Conservators that the matter will be decided by RBBC Executive Committee having received advice from its officers and the Neighbourhood Area has to be fully representative of the community; also the local Residents' Association are not in favour of it.

After discussion it was determined that the Clerk should respond by drawing attention to our Act of Parliament and the limitation it places on anyone other than the Banstead Commons Conservators, apart from, in certain cases Reigate & Banstead Borough Council as land owners, to do anything whatsoever on the common without the direct consent of the Conservators. Any issue over the

aspect of building would not arise as that can only be achieved with the express permission of the Secretary of State for DEFRA.

Countryside Day – Cllr Mantle said that the Countryside Day will most likely be held on 27th September, 2015.

Adders – John Peacock said that the adder population on Banstead Heath was increasing nicely.

Commons Discussions – The Conservators agreed to a proposal by Nick Cull that one common in rotation should be the focal point of discussions at Quarterly Meetings. This will be in alphabetical order so the next meeting discuss predominantly Banstead Downs.

Summer Walks – The Clerk suggested that taking dates from members and arranging Summer Walks accordingly was futile as dates were so fluid as not to be reliable. It was therefore agreed that one member will take responsibility for each common, or part thereof, and circulate a date on which he will walk it to all others so they may join him on the stated date and time.

Jeff Harris – Banstead Heath (North), John Mill – Banstead Heath (South), John Peacock – Park Downs, Nick Cull – Banstead Downs, leaving only Burgh Heath for a date and time to be determined.

8. Dates of the Next Meetings

18th July 2015, (Apologies in advance from Cllr Mantle and Jeff Harris)

17th October 2015

**MINUTES of the 569th Meeting of the BANSTEAD COMMONS CONSERVATORS
held on Saturday 18th July 2015 at Banstead Centre, The Horseshoe, Banstead.**

Present: Mr. J Peacock Chairman
Mr D Atkins
Cllr. V Broad
Mr. J Mill
Mr. N Cull
Mr. J Milner Clerk
Mr. R Knights Warden

Also present was David Gradidge – Banstead Village RA. and Linda Mount

Part 1

1. Apologies for Absence

Cllr. R Mantle
Mr. J Harris

2. Appointment of Conservators and Election of Chairman

RBBC have re-appointed Cllr. Vic Broad and John Mill and appointed Cllr. James Clarke as Conservators for the next 3 years.

3. Minutes of last Meeting

The minutes were agreed as circulated and signed by the chairman.

4. Matters Arising

i. Environmental Stewardship

- i. Grazing/Cut & Collect.** The two areas already partly fenced on Park Downs will be grazed this year with the sheep moving from one area to the other and one area of Banstead Downs will be grazed, possibly two if costs allow. Also consider the benefits of using Hardwicke sheep.
- ii. Natural England.** The commons are generally looking good with Peacock's Field spectacular. There is lots of kidney vetch this year and the butterflies have been abundant, but not many Small Blues. The recent scrub clearance on Banstead Downs provides panoramic views and these areas will be weed wiped to prevent rapid regrowth.
- ii. Travis Perkins** – The issue of Travis Perkins building over part of the common and part of RBBC land is being progressed by Jane Kostelnyk RBBC, but there is nothing further to report.
- iii. Licenses for The Bell and The Sportsman** – The Bell have paid but not The Sportsman. It was also noted that The Sportsman had 18 benches on the common, up from 12 last year, and a reminder will be sent to them including the correct sum for the additional benches.
- iv. Summer Walks** – One had been held on Banstead Downs when the scrub clearance had been very much appreciated and it was noted that a stack of wood had proved very useful for invertebrates. Other walks are being arranged.
It was suggested that organised walks be held for the public and Nick Cull will enquire if one can be arranged in connection with the Belmont Festival.

- v. **Personal Cameras** – Three cameras have been purchased. Certain conventions apply to the recording and retention of images taken in public places with which we will comply. In the meantime our staff have been advised to use them around the depot to become *au fait* with their operation, uses and value.
- vi. **SCC Highways – Sutton Lane** – A response has been received from SCC Highways regarding blocked drains along Sutton Lane causing flooding and distribution of road surface chemicals onto the SSSI. One gully had been cleaned out during which John Peacock happened to be present and discovered that it ran eastwards towards the centre of the road. SCC could not find a soakaway or ditch system and suggested that in inclement weather a lot of silt would run from Bridleway 3, over the road and onto the SSSI.
The Clerk and chairman will liaise to continue this correspondence with a view to the issue being resolved.

5. **Intrusion onto Burgh Heath**

The Conservators were updated on the travellers' incursion with seven caravans onto Burgh Heath and why they were allowed to remain there for 9 days. The financial cost to BCC for clearing tipped rubbish was £6,000 plus two weeks work by our own staff which is ongoing in building further defences against another incursion at this point.

After detailed discussion it was decided that:

- i. the Clerk will produce a 'Sequence of Events' for the information of the Conservators and to assist Cllr. Broad in his discussions with John Jury, RBBC CEO, as well as to an approach to the Police Commissioner in respect of costs and prompt action when the inevitable similar incident recurs,
- ii. a meeting has been arranged at a local level on 27th August when the Clerk will meet Peter Tongue and Insp. Austin of the JET team, and, hopefully, Kathy O'Leary, to determine future procedure for removing such intruders from the commons and in particular the application of powers provided by the Metropolitan Commons (Banstead) Supplementary Act, 1893 and aggravated trespass under sections 68 and 69 of the Criminal Justice and Public Order Act 1994,
- iii. through the Residents' Association and other forums try to involve local Burgh Heath people more in checking gates and reporting pre-incursion activities.

6. **Burgh Heath Pond** – The Clerk had attending a meeting arranged by Burgh Heath RA regarding the pond. Also present were Patricia Sherren and Ann Dobson, Richard Dewar and Marc Hillsey from RBBC and Cllr. Simon Parnall. Patricia Sherren had noted the outcomes as:

- i. Simon will find out the background to the byelaw in terms of 'no fishing' or 'fishing' being permitted.
- ii. Following Simon's enquiry with the council he and John will discuss appropriate signs to be placed at the pond.
- iii. Marbles Way pond is owned and managed by Raven Housing Trust.
- iv. Dog waste bins would not be placed on common land.
- v. Bog Bean will be cleared by BCC.
- vi. The police are the only ones who have powers to move people on.

The Conservators agreed that discreet 'No Fishing' signs could be placed on the common.

7. **Wardens Report** – A lot of time had been spent on clearing up the total mess left behind by the travellers illegally camped on Burgh Heath and building further defences to prevent it happening again. A lot of time has also been spent cutting grass and with bracken control. There are clear signs that the application of agreed plans with English Nature is making a difference to the bracken. Fire breaks put in earlier in the year were beneficial now that we are having long dry spells and consideration will be given to putting in more in selected areas.

The scrub clearance on Banstead Downs would continue on a selective basis but sufficient scrub would be left for birds and wildlife. The objective is for a mosaic patchwork across all of the commons.

8. Forthcoming Events

Burgh Heath Dog Show – Sunday 26th July.
Banstead County Fayre – Sunday 27th September.

9. Any Other Business

- i. It was suggested that we apply a standard charge to utilities for works on the commons, an example being the recent request by Southern Gas to change the position of a gas pipe on Burgh Heath. A fee of £250 was suggested.
- ii. Local residents had mentioned that a bench near Chapel Road Pond was a bit 'rocky' and needed some attention and there was also a request for the hockey field to be mowed. There are reasons why the hockey field is not closely mown, the main one being that it soon loses its surface if this is done.

10. Date of the Next Meetings

17th October 2015

**MINUTES of the 570th Meeting of the BANSTEAD COMMONS CONSERVATORS
held on Saturday 17th October 2015 at Banstead Centre, The Horseshoe, Banstead.**

Present: Mr. J Peacock Chairman
Mr D Atkins
Cllr. V Broad
Cllr. R Mantle
Cllr. J Clarke
Mr. J Harris
Mr. J Mill
Mr. N Cull
Mr. J Milner Clerk
Mr. R Knights Warden

Also present were David Gradidge – Banstead Village RA., Linda Mount – Birds & Flowers, Miriam Maxim – Commoner (Tadworth), Alan Higgs – Reigate, Albert Fowler – The Cutting, Banstead.

Part 1

1. Apologies for Absence

None = all present.

2. Minutes of last Meeting

The minutes were agreed as circulated and signed by the chairman,

3. Matters Arising

i. Environmental Stewardship

- i. Grazing/Cut & Collect.** One of the two pens on Park Downs was now being grazed by 23 sheep and being tended by a shepherdess. The agreement was that we had bought 20 sheep (any additional belong to the shepherdess) and would graze one pen followed by the other and then, possibly, a pen on Banstead Downs. She would be responsible for their welfare and looking after them on a day to day basis, at the end of which they would cede into her possession. This was a trial for this year and worked out cheaper than hiring in the sheep as in previous years. New notices would be displayed on both Park Downs and Banstead Downs. Cut and collect was taking place at other locations as usual.
- ii. Natural England.** There has been no specific contact with Natural England during the last three months.
- ii. Travis Perkins** – The issue of Travis Perkins building over part of the common and part of RBBC land is being progressed by Jane Kostelnyk RBBC. Travis Perkins has requested formal determination of the boundary by Land Registry and Jane has prepared the papers accordingly. We will be informed of further developments.
- iii. Licenses for The Bell and The Sportsman** – Both establishments have now paid the fees for the current year.
- iv. Summer Walks** – The walk on Banstead Downs had been completed but that on Banstead Heath had to be postponed. It was suggested that for next year the dates be set at the January meeting with as many conservators as possible earmarking the day and attending. It was also suggested that the dates be posted on Facebook with a view to interested members of the public attending if they so wished.

- v. **Personal Cameras** – The Clerk has now obtained a copy of the Codes of Conduct as used by RBBC and will adapt them for use by RBBC staff.

4. **Intrusion onto Burgh Heath**

This matter was fully discussed by the Conservators, in particular the response to the letter sent to the Chief Constable. She had passed it down to Chief Superintendent Twist to enquire into and respond and he had supported Inspector Austin's decisions and even gone so far to state that our Act was outdated and for police to enforce it would probably be unlawful. There were several discrepancies as to fact in his response which also was in part directly contrary to the guidance document issued jointly by the Department for Communities and Local Government, the Home Office and the Ministry of Justice in March 2015. All of the conservators were very much dissatisfied with his response and resolved to determine future policy for dealing with unlawful incursions onto the common. To this end the Clerk will send a further letter to the Chief Constable making a formal complaint in respect of Surrey Police Direction and Control Relating to Illegal traveller Incursions. Copies will be sent to John Jury RBBC, The Police & Crime Commissioner, the Ministry of Justice and the Home Office, all for information.

Cllr. Broad will try to arrange a meeting with John Jory, RBBC, the police (Superintendent Clive Davies was suggested as the most appropriate officer) and the conservators to try to establish appropriate action should there be further intrusions in the interim period.

- 5. **Wardens Report** – Prior to the sheep arriving to graze Park Downs both pens had to be built and posts are being installed on Banstead Downs for another pen. Grass cutting has been a priority during the summer as well as building additional defences on Burgh Heath to prevent further intrusion by travellers. Some notice boards still have to go out including one at Fairlawn Road. There will also be one at the Banstead end of the Downs. In answer to questions the Warden stated that the white discs that are fading are actually blue discs that have already faded and are the responsibility of Surrey County Council Rights of Way. The Depot is in good order and operating well. Finger Posts will be inspected for damage and replaced as necessary throughout the winter months; the one mentioned on Holley Lane near the car park is not ours. Fly posters on our notice boards will generally be removed, particularly if they are advertising goods or services; if they are totally relevant, e.g. lost dog, they will be allowed to remain for a while.

6. **Forthcoming Events**

Scouts will fly and recover rockets as part of their Astronautics achievement badge acquisition on Banstead Heath. Probably on Sunday 6th or 13th December.

7. **Any Other Business**

- i. A request had been made via a solicitor from a resident in Ruffetts Way, Burgh Heath that we allow his contractor to remove Japanese Knotweed from the common at the rear of his garden so that a 5 year guarantee can be given to enable a mortgage to be released. Over more than the past seven years we have employed a contractor to treat the Japanese Knotweed on an annual basis resulting in a large patch being almost eradicated. After considerable discussion the conservators confirmed a previous decision that we would stay with our long term process rather than change mid-stream and the solicitor will be informed accordingly. The Clerk has previously issued a notice that Japanese Knotweed on the common is being regularly treated to enable a mortgage to be released.
- ii. The conservators agreed to continue with membership of the Open Spaces Society and the payment of the annual fee of £45.00.
- iii. In response to a question the Warden stated that although there is sometimes evidence of poaching there has been no indication that the commons have been used for 'lamping' (the use of vehicles and high powered lamps to shoot rabbits and other animals).
- iv. The policy with ivy is 'inspection rather than protection'. If it is on trees at the side of roads or major paths it will be removed as it could cause danger by weakening the tree and

bringing it down. If it is in the woods it will be treated as a useful habitat and allowed to grow so long as it is not an obvious danger.

- v. Daffodils, laurel, rhododendron and other non-native species will generally be removed from the common whilst staff are working in the area where they are growing.

8. Date of the Next Meetings

16th January 2015

16th April 2016

16th July 2016

15th October 2016