

**Minutes of the  
ROADS PLANNING AND AMENITIES COMMITTEE MEETING OF THE  
BOARD OF CONSERVATORS OF ASHDOWN FOREST**

Monday 18 April 2011  
Site visit at Cripps Corner at 1400  
Then (ca 1515) Ashdown Forest Centre

Committee members present: Mr MJ Cooper (Chairman), Cllr J Barnes, Mr JA Francis, Mr R Galley (*ex officio*), Cllr S Martin, Dr HDV Prendergast (Director), Mr J Spicer (Vice Chairman), Mr R Thornely-Taylor (*ex officio*).

In attendance: Mr I Hurst (advisor) and Ranger Rich Allum.

Minutes taken by Mrs T Buxton.

The Chairman opened the meeting and welcomed the member of the public present.

*Mrs A Haigh-McVitty asked if the fundraising for the Forest Centre was starting now rather than waiting for planning permission. The Chairman said the Working Party had discussed fundraising and it would be given greater emphasis later in the process. Mr Galley said that planning permission being granted was often a pre-requisite of a fundraising strategy.*

**11/11 Apologies.**

Apologies had been received from Cllr R St. Pierre.

**12/11 Declarations of any interest by Members of a Personal or Prejudicial Nature.**

Mr Galley declared an interest in minute 13.5/11.

**13/11 Matters Arising – verbal reports.**

*13.1/11 Forest Centre Development.*

Mr Hurst reported that there had been some minor amendments to the drawings. The planning application would be made in a digital format and should be on the Wealden District Council website next week. The process takes approximately eight weeks. He went on to say the quantity surveyors costings of £1.5 million were correct but the funding strategy should aim for £2 million. The Chairman said that the Working Party had a commitment to meet with the staff as soon after their meeting (May 5<sup>th</sup>) as possible. Cllr Martin reminded Mr Hurst that, for a major project, three representatives for and against the proposal could address the planning committee. Speakers must be registered by 09.15 for a 10.00 start.

**It was agreed a meeting with the Working Party would be arranged for the staff to discuss the Forest Centre development.**

*13.2/11 Nutley Arms.*

The Director reported that this issue had, after a meeting with the owner and a county solicitor, reached a satisfactory conclusion. The boundary had been agreed and a record of the meeting was signed by all parties and held on file.

*13.3/11 Lamberts.*

The Director reported that the owner's solicitor had suggested the process would be completed by Easter. This now seems extremely unlikely and the Director would be renewing efforts to bring the matter to a conclusion.

*13.4/11 Browns Brook.*

The Director reported that he had received a draft transfer document for his review and eventual approval.

**Action**

**RM**

**HP**

**HP**

### 13.5/11 *Millbrook Farm.*

The Chairman said that he and Cllr Martin had had a positive and encouraging meeting with the owner and Mrs Galley. A constructive way forward was being actively sought. He went on to say that the proposals discussed had been put in writing and received by him early this morning by e-mail which would be forwarded to the Committee for discussion. There was a suggestion that the encroachment might be de-registered as common land and two pieces of alternative 'replacement' land registered in parallel. Acts of Parliament of 2006/2007 had been cited which would require detailed exploration. The owners have made an offer to pay the registration process legal fees and for any fencing.

There was a long discussion regarding the legal advice provided to the Committee by the County Legal Services Team and that different sets of legislation seemed to come into play with both the Commons Act and the Ashdown Forest Act having relevance. The relationship between these Acts needed to be explored in great detail as there was no extant case law. There was a brief discussion regarding 'inalienability' and disposal of Forest land. The Ashdown Forest Trust Deed would also need to be scrutinised. All agreed that the Committee needed to be very clear about the legality before proceeding any further.

**It was agreed that the e-mailed correspondence from the property owners to the Chairman would be circulated to the Committee and that no steps would be taken until the Chairman's return on the 28<sup>th</sup> of the month.**

HP/MC

### 13.6/11 *Fairwarp Development – Planning Inspector's decision.*

The Director reported the planning appeal made by the developers had been turned down. Detailed concerns had been submitted regarding European legislation requirements and increased pressure on the Forest. Ranger Allum also attended the hearing and gave detailed evidence. This was greatly appreciated by local residents and District Council.

### 13.7/11 *Car Parking Charges.*

The Chairman said this item took two strands – residents' parking (which rests with the F&GP Committee to set a scale of charges and implement as they see fit) and public car park charges. The Director reported that no further progress had been made and that, despite sensationalist headlines in the Courier, no letters of comment or protest had been received. The Director said that he would try to leave a paper on car parking charges (and draw his eventual successor's attention to the previous papers) and make recommendations for the Board. Mr Thornely-Taylor said he had made a recent visit to the Malvern Hills. He thought their public car park charges were excessive and their warning notices 'fierce'. The Chairman re-iterated his personal commitment to take car park charges forward if at all possible.

HP

### 13.7/11 *Forest Ridge Project.*

The Director said that the final two projects should be complete by early June, i.e., the Ashdown Forest 'App' and the replacement of the permanent exhibition in the Information Barn. The Mesolithic Hut was now complete, the Conservators Historical Minute Books were online and final print run for walks leaflets was due for the end of the year.

## **14/11 Planning and property issues.**

### 14.1/11 *Discussion of site visit to Cripps Corner*

There was a long discussion on the very complex issues raised at the site visit regarding, amongst other things (as detailed below), the boundary.

#### *Boundary with Ashdown Forest*

It was agreed that further investigation was required regarding the boundary. It was noted that the Board had not been copied into some correspondence between the property owner, the Land Registry and East Sussex County Council Legal Services acting on behalf of the Ashdown Forest Trust. The property owner stated on the site visit that he would supply copies of his maps. It was agreed that the County Solicitor be contacted and asked to provide copies of their communications with both the Land Registry and the property owner and for an explanation as to why the Forest had not been consulted.

### *Cutting back beyond 3 meters*

After discussion it was agreed that the property owner be warned in writing that he must not undertake, or proceed with, any tree cutting etc. without prior consultation and permission of the Ranger.

### *Clearing beyond that permitted*

Sight lines and safety of motor vehicles at the property were discussed. It was agreed that the property owner be written to confirming what his licence allows him to do and that he must not undertake any mowing etc. greater than that detailed in the licence. The areas that had previously been cut back must be left for a minimum period of one year to allow regeneration. It was also agreed that the property owner be told that the planted rhododendron and the azalea be removed from the Forest and all attempts to 'gardenise' the Forest must cease.

### *Concrete revetment*

There was some sympathy with the problem of the collapsing access and that the owner had, under the terms of his licence, the ability to make up and metal the access. However, the property owner was well aware that concrete was not permitted due to it being a pollutant and this aspect of his licence should be re-confirmed.

### *Land at Little Snuff*

It was agreed by all this was an enclosure of the Forest and removal was within the rights of the Board. It was agreed that the property owner be told clearly there must be no repeat occurrence. It was agreed that the Land Registry be contacted to re-assert the Ashdown Forest Trust's title to the land.

There was further discussion regarding the unauthorised felling in the woodland which the property owner asserts is necessary to allow machinery across the Forest to clear out a ditch full of rubbish deposited by his father. It was agreed that the felling must cease at once and heavy machinery must not be taken onto the Forest.

**It was agreed that a letter be written to the property owner covering all of the above points.**

HP/RM

**It was agreed that the County Solicitor be contacted and asked to provide copies of their communications with the both the Land Registry and the property owner and for an explanation as to why neither the Board nor the Ashdown Forest Trust had been consulted.**

HP/RM

**It was agreed that Land Registry maps be obtained to provide evidence of the extent of the land and the boundaries and that the property owner be asked to provide copies of his maps obtained by him one year ago.**

HP/RM

### *14.2/11 Comments on recent planning applications – RPA06/11*

It was noted that there was a long history and a great deal of local concern regarding the proposed six dwelling development at Dove's Nest and there was a short discussion regarding the Manorial Waste at Oldlands.

### **15/11 Strategic Forest Plan**

The Chairman said the document read very well and any comments and suggestions should be forwarded to the Director by e-mail no later than 29<sup>th</sup> April. Mr Thornely-Taylor said, in relation to the Forest Centre development, that the vote was not 'unanimous' but 'approved without dissent' and asked that the change be made.

HP

### **16/11 Any urgent item for which the Director has notice in order to pass to the elected Chairman**

There was no other business.

The meeting closed at 17.35 hours.