

Minutes of the

ROADS, PLANNING & AMENITIES COMMITTEE MEETING OF THE BOARD OF CONSERVATORS OF ASHDOWN FOREST

Monday 13th July 2009

Site Visit at 1430

1545 at the Education Barn, Ashdown Forest Centre

Present: Mr M Cooper (Chairman), Mr R Beal (Ranger), Mr L Gillham, Mr I Hurst (co-opted), Cllr S Martin, Dr H Prendergast (Clerk), Mr J Spicer, Mr E Stenhouse, Mr R Thornely-Taylor.
Minutes taken by Mrs T Buxton.

Also present: Cllr F Whetstone.

The Clerk took the chair to facilitate the election of a Chairman and Vice Chairman and asked the Committee for nominations.

Mr Gillham proposed Mr Cooper and this was seconded by Cllr Martin. There were no other nominations. Mr Cooper was duly elected and took up the Chairmanship with thanks.

The Committee went on to elect Vice Chairman. Mr Cooper proposed Mr Spicer and this was seconded by Mr Stenhouse. Mr Spicer was duly elected and took up the Vice-Chairmanship with thanks.

There were no members of the public present.

19/09 Apologies.

There were no apologies.

20/09 Declarations of Interest by Members of a Personal or Prejudicial Nature.

There were no declarations of interest.

21/09 Matters arising

Mountain biking

The Clerk stated he had recently met with Duncan Thompson and Paul McIlvenny to ensure the lines of communication with the mountain bikers remained open. He said they would be in touch again before the next RPA meeting with more suggestions for the Committee.

22/09 Planning and property issues

22.1/09 White Plat and Stone Cottage – RPA 12

A site visit had been made to the properties by the Committee. The Chairman stated that, while there seemed to be little more the householder could do in relation to flooding other than putting a further culvert in place, the Clerk would instigate enquiries with ESCC Highways Department regarding the provision of additional drainage to the south from the Wych Cross/Colemans Hatch road; it was suggested that more grips to lead water off the road above the area currently fed with flood water which then reaches Sandy Lane, and White Plat in particular, could be of benefit.

The Chairman suggested the Clerk follow up the site visit with a formal letter, written on behalf of the Board, asking the property owner to restore the unlicensed access to grass whilst continuing to use the access for vehicles when required. He asked the Clerk to give details of the Board's reason for its decision in the letter. Mr Spicer went on to say he was prepared to meet with the householder to discuss the matter on the Board's behalf.

There was a short discussion regarding prescriptive rights of access and the right to make up and maintain as granted by a licence. The Committee were agreed that the Clerk's letter to the property owner should clearly reflect these rights whilst clearly stating the difference between them. The closing of the unlicensed access would take place when a perpetual licence was granted to a new, future, owner of the property. Mr Gillham said

that there was no current vehicular access to the property and it should remain that way and Cllr Whetstone said there was no need to make up and maintain the access therefore the Board should not issue a licence.

It was agreed that the Clerk follow up the site visit with a letter as detailed above and that Mr Spicer would meet with the property owner, on the Board's behalf, to discuss matters further.

22.2/09 *The Nutley Arms, Nutley*

Mr Spicer asked about the nature of the photographic evidence and the Clerk replied that a series of ten dated photographs were being compiled by staff, at the request of the County Solicitor, documenting the bye-law breaches.

22.3/09 *The Forest Gables and Orchard Farm, Nutley*

The Clerk said that photographic evidence was also being compiled in regards to Forest Gables. There had been a phone call from the property owner of Orchard Farm but no further communications. Mr Beal stated he was keeping a watching brief on both properties as an excavator has recently been seen on site.

22.4/09 *Browns Brook Cottage, Fairwarp*

Mr Beal reported that he had visited the property this morning and the encroachment (fence and wire) was mostly cleared away, however, the seat and compost heap remain. The Chairman asked Mr Beal to check that nothing had been planted on the encroached land and to follow up his visit with a letter to the property owner. Mr Beal confirmed he would be making a thorough check on the land in due course.

It was agreed that a follow up letter be sent to the property owner regarding the remaining items on the Forest.

22.5/09 *Hillside Cottage, Poundgate - verbal report from Chairman*

The Chairman stated that there was a huge amount of correspondence from the property owner who had made various complaints to many members of the Board, particularly the Chairman, and, more recently to a District Councillor. He would try to rectify the situation by sending a single e-mail to the property owner, copied to all Committee members, encompassing the very many issues the property owner had raised.

The Chairman asked if a further site visit might be beneficial. The Clerk asked about the purpose of such a visit. Mr Gillham said there had already been a site visit to the property and the property owner had done as she was asked, however, she was now raising a new set of issues. The Chairman said that amongst the new issues was the alleged damage by Forest vehicles to the access track and the costs of repairs. Mr Beal stated a great deal of care had been taken on the single morning when the tractor and two Forest vehicles used the track, he had checked the site afterwards and no damage had been evident. He went on to say the track would need to be used again in the winter. The Chairman said that 'before and after' photographs of the track would be very useful and Mr Beal replied that he would take such photographs and add them to the record.

More recently the alleged problem with the septic tank outlet pipe, which crosses the Wealdway, has re-emerged. The owner is concerned that this could be damaged.

Mr Stenhouse said any one to one contact would be beneficial as would an opportunity to walk the site. He also asked if the property owner had evidence of the alleged damage. The Chairman and Mr Spicer agreed to make the offer of a site visit, meet with the property owner and report back at the next meeting.

There was a short discussion regarding the length of time it takes to resolve issues and Mr Gillham said that where matters seemed likely to be prolonged or contentious they

should be passed to the Committee quickly. The Clerk replied that it was very important that correspondence and communication between Board members and property owners should be copied to the office to ensure staff were kept 'in the loop'.

There was a discussion on reporting issues and there was concern about the short reports. It was thought more regular, fuller updates of actually or potentially contentious issues would be useful, and that once a property was on the agenda it should remain there until the matter was closed and issues should be reported on even if there was no progress. Mr Stenhouse stated that he thought there was agreement to produce a full list of encroachments and the Chairman replied that was not his recollection and a full list would not be produced only a list of issues that had reached a stage of contention.

It was agreed that Mr Spicer and the Chairman would offer the property owner a further site visit to discuss matters further and report back at the next meeting.

22.6/09 Comments on recent planning applications – RPA 14

The document had been pre-circulated to the Committee. The Clerk gave a brief explanation but had nothing further to add. The Chairman stated that the document was very reassuring.

22.7/09 Perpetual Licence and definition of properties – RPA 15

The document had been pre-circulated to the Committee. Mr Thornely-Taylor stated that section 5 had not been moved into Schedule 1 as agreed. It did not need to be in the main body of the text. The Chairman asked that section 5 be moved and subsequent paragraphs are re-numbered.

Mr Stenhouse asked, in regards to 6.2 if 'routine maintenance' had been defined. Mr Stenhouse also asked what 'termination of licence' and 're-instate' meant in 6.3 and went on to say 6.2b and 6.10 were mutually exclusive and after a short discussion it was agreed that the Clerk should go back to the lawyers.

There was a short discussion regarding the definition of a direction board and its dimensions in 6.12 and Mr Spicer said he thought this paragraph had been removed.

The Chairman stated the perpetual licence should, after the above amendments and enquires, be formally approved by the Committee

The Clerk drew the Committee's attention to the list of property definitions sourced from WDC. He said the list was simple and obvious. It could be used as a basis for two or three general classifications for licences. The Chairman asked the Clerk to draft how the categories could be utilised in the future.

It was agreed the perpetual licence could, after amendments detailed, be approved for ratification by the Board.

23/09 Forest Centre upgrade

Mr Hurst gave a short power point presentation and showed the Committee the latest drawings of the proposed redeveloped Forest Centre. He reported that a quantity surveyor's report was now available and costs, for building work and fitting out, were estimated at £0.9 million. Mr Hurst suggested that a contingency be built in which would raise the figure to £1.2 million.

The Clerk reported that interior details were not available yet; however, there would be very little interior works to the office spaces other than the potential for moving the office to the ground floor allowing greater access for the public. Mr Hurst said planning interiors would be the next stage and that flexibility of interior space was very important.

Mr Gillham asked to what stage £1 million would take the development and Mr Hurst said that would be to completion. Mr Gillham asked if the quantity surveyor's report had a breakdown of the construction costs and Mr Hurst replied it did and the report, some 12 pages in length, could

be circulated to the Committee. The Chairman asked the Clerk and Mr Hurst to draw up an executive summary, with pictures, to be circulated with the minutes. (*Summary will follow as soon as it is available*)

The Chairman said the real hurdle was financing the re-development and Mr Hurst replied that a funding strategy would be required. Mr Spicer asked if a dedicated fund raising administrator would be required and Mr Hurst replied that an internal 'champion' would be needed to pull in and give a lead on fundraising and a project manager would be needed for the build. He went on to say he would not be able to take this position as he did not have the required professional indemnity insurance. He went on to say a budget of £1 million was not a great deal in the modern market place and, with the right approach, there was the possibility of finding a single funder.

Mr Stenhouse asked who would run the Centre, how would it be run, who would come and why. Mr Hurst replied that projections could be made on running costs and visitor numbers and visitors would come for information and purpose. He went on to say there would be extra running costs but these were likely to be covered by self-generated income.

Mr Thornely-Taylor stated he would like to understand more on the nature of the funders and queried the running costs of the re-developed Centre and the residual liability of County to pay the Board's overspend. He questioned if there would be enough money from income to fund any additional running costs. Mr Hurst said a business plan would be needed.

The Chairman said the next step would be to look at the quantity surveyor's report, put the item on the next agenda and decide if it goes forward to the Board.

The preparation of a business plan would be put in hand for submission to the Committee and the F&GP Committee prior to its presentation to the Board. It is hoped this will be achieved for the respective Committee meetings of 26 October 2009 and 2 November 2009 with the prospect of the plan then going to the Board of 23 November 2009.

24/09 Weald Forest Ridge Landscape Partnership Scheme (Heritage Lottery Fund)

The Clerk handed out the first of a new series of walks leaflets and stated that things were moving forward with the project. The new leaflets would be trialled at Gills Lap and made available in a weather proof dispenser, an idea suggested by Mr Stenhouse, so the public could help themselves rather than coming to the Forest Centre. The new leaflets were commented on most favourably and it was explained that they would also be available as a pdf on the website.

25/09 Financial information for RPA Committee Responsibilities – RPA 16

The document had been pre-circulated to the Committee and there were no comments.

26/09 Any urgent item for which the Clerk has notice in order to pass the elected Chairman

Mr Spicer said that there was likely to be an increased demand for wood this year and asked if Commoners could be given priority. Mrs Buxton replied on behalf of the office that a system was already in place, and successfully used last year, giving Commoners on a first come first served basis priority on any wood that was being made available. The system had worked well and would run on the same lines in 2009/10.

The Chairman reported that High Hurstwood Primary School had made an education visit to the Forest Centre; he read out part of an appreciative he had received which gave very positive feedback had been forwarded to him to be passed on the Sussex Wildlife Trust team. He and others commented that this sort of thing should be taking place at the Forest Centre.

The meeting closed at 17.20.