



**Meeting 593rd of the BANSTEAD COMMONS CONSERVATORS
held at The Banstead Centre on Saturday 16 October 2021**

MINUTES – Part 1

Present: Mr. J Peacock, Chairman
Cllr. N Moses
Cllr. P Harp
Mr. V Broad
Mr. D Atkins

Mr. N Cull
Mr. J Mill
Mrs. L Shea, Clerk

Apologies: Warden

Public Closed meeting was held due to Covid.

Gallery:

1. Minutes of the last meeting

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

2. Matters arising

The Green, Tadworth

Tripartite meeting with local residents and RBBC was organised by BCC and held on Monday 6 September. Daniel Jones from the Property Services at RBBC led discussions and gave residents an opportunity to voice their concerns and explore solutions. Health & safety concerns regarding the current surface were raised and RBBC said that they would survey the site and respond to residents within a month. Residents were last updated again by email on 14/10. RBBC appointed an independent consultant to advise, taking into consideration drainage and common land restrictions on permanent surfaces. Recommendations are outstanding.

Public Engagement – End of guided walk programme, events raised £337.80 in donations to cover administration cost. Introducing a small fee also helps to confirm attendance.

Councillor walk held on Banstead Heath, Sunday 5 September. Attended by Cllrs. Moses, Harp, Bray, Turner, Bennett, Neame. Glorious weather on the day, the walk was led by John P and gave BCC an opportunity to raise awareness of our statutory duties, countryside management and discuss funding concerns.

John P gave a talk to Banstead Horticultural Society, £50 donation was given.

Clerk gave a talk to Burgh Heath Resident Association.

Talks planned for Banstead Rotary 19/10 and Banstead Village RA 21/10.

Similar programme of events to be planned for 2022, details to be circulated to the Conservators once confirmed.

Memorial benches – two memorial benches have been installed this quarter; one on Burgh Heath the other on Banstead Heath. Feedback received:

"We walked over on Saturday morning and spent some time there. We are so pleased to see it back and the plaque in place. I have sent pictures to the family and everyone was excited to go and see it. Thanks again to you and your team. Best wishes for the future."

Social Media 1031 followers on Facebook Page. 94 Twitter followers.

Banstead Downs motorbikes & quads. Following the continued concern of vehicles on the common, it was suggested by PC Katie Jarrett that we erect more signage at entrance by Downs Road (replace the faded sign) and by the Chalk Spoils. Signage has been authorised by Sargeant Wagjani. Clerk to instruct design company.

Burgh Heath antisocial behaviour & vehicles on the common. Antisocial behaviour continues to be a problem at Burgh Heath pond; a quad bike also frequents Burgh Heath regularly and rider has acted aggressively to visitors who have questioned their presence. Visitors have been advised to



call the Police at the time of the incident. It was suggested BCC install signage on Burgh Heath, as well as Banstead Downs.

Conservator appointment. Two applications were received. Appointment to be made at the Executive Meeting on 18 November, 2021.

Encroachments. We are currently dealing with three encroachments on Banstead Commons.

Meeting with RBBC. On 6 October J Peacock, J Mill, N Cull and L Shea attended a meeting with the Leader of the Council Cllr Brunt and Cllr Bramhall (Portfolio Holder for Neighbourhood Services) and Schofield (Deputy Leader and Portfolio Holder for Finance) to discuss the future funding and relationship with BCC. BCC prepared and submitted a two-page statement prior to the meeting, see pages 4 & 5. It was disappointing to learn that despite our attempts to engage Cllr Bramhall and more recently the Greenspaces Team, apparently neither knew what work we do on Banstead Commons. It was requested that BCC provide a draft Service Level Agreement and a list of Statutory Duties to the Council and the group meet again in 4 weeks time. Subsequent meeting scheduled for Monday 8 November.

3. Warden's report

The team is in the midst of our cut and collect regime on Banstead Commons - we manage approx. 168 hectares of grassland, and as they'll be no grazing on Park Downs and Banstead Downs this year, we will be cut and collecting all areas. Some areas are on rotation. Unfortunately, our large tractor was taken of the road for a period to be repaired which has put us behind and this has been compounded by exceptional seasonal growth. Our small team have worked exceptionally hard in recent weeks to catch up. In the last 30 years, the warden can't remember a time we were so far behind with the cutting or a season with so much growth late in the season.

This winter we will continue to fell ash trees that have been identified. Trees that are beyond our control will be managed Greenspaces Team - Greenspaces have been awarded additional budget to manage ash dieback in the borough and the areas of Banstead Commons were included in the proposal. BCC to provide a list of trees with expected timescales.

There have been several instances of fly tipping which have been dealt with.

4. AOB

David Atkins raised the suitability of water cut gullies on public and permissive foot paths where the slopes are severe, eg at the top of the rise from the bottom of the Holden Bottom dry valley, to the top going south. Climate change means the deluges which do the damage are becoming more frequent. It was agreed this could help with path maintenance. David A to liaise with the warden to discuss viability and possibly trial water bars on Banstead Heath.

David White has been in touch to ask for the Conservators view on a replacement sign just past The Sportsman turn off, the current one is half buried by the undergrowth. It is the view of the Conservators that the track in question is a registered Highway, residents would need to liaise with Surrey County Council.

Ann Dobson noted the antisocial behaviour at Burgh Heath Pond and asked who is responsible for policing the fishing rights. Burgh Heath pond is considered an ephemeral pond. The landowner has Piscatorial rights (RBBC) and it is the Council's responsibility to stop illegal fishing at the pond.

Meeting closed at 10:50am

Dates of 2022 meetings to be held at The Banstead Centre
15 January 2022; 16 April, 2022; 16 July, 2022; 15 October, 2022



Banstead Commons Conservators - Future funding

Background

The Commons

Park Downs, at 74 acres as well as being the smallest of the commons, it is also the quietest forming a south facing chalk slope to the north of Banstead Woods and is part of Chipstead Downs SSSI.

Banstead Downs, at 350 acres is an important open space both for its strategic importance as a buffer between suburban Sutton and Banstead Village, as a recreational area for residents of not only Banstead but also Sutton, Cheam and Carshalton and finally as an important chalk downland habitat being designated a SSSI in 1955.

Burgh Heath situated adjacent to the A217, is surrounded by high density housing including the new Preston estate, hence an important green outlet for locals as well a busy thoroughfare. Important for wildlife because of the four ponds.

Banstead Heath, at 550 acres is by far the largest common, important as wildlife habitat (designated as a Site of Nature Conservation Importance SNCI) but is heavily used by walkers and horse riders and cyclists.

Overall, 1350 acres of open space, approximately half of all that owned by RBBC.

The Conservators

Established under our 1893 Act have the statutory duty to police and protect the integrity of the Commons and ensure free legal access to the Commons for all.

There are eight Conservators: two represent the landowner and the other six represent the electorate of Banstead, they receive no remuneration for their role.

Staff

One warden and two keepers carry out the day-to-day maintenance of the Commons and a part-time Clerk responsible for administrative, estate and statutory duties.

Funding

1893 to 2000

Because the 1893 Act provided no means for the Conservators to raise funds, the first few years were spent cajoling money but eventually Reigate Urban Council were convinced of the importance of the BCC policing role and provided funds for these activities, this enabled the employment of a Clerk, a Warden and often as many as five or six keepers. The “management” of the commons was at this time provided by commoner activities.

After WWII, social changes meant that commoner activity disappeared and without management the Commons started to revert to woodland whilst becoming increasingly important for recreation. When in 1955 Reigate and Banstead Council purchased the Commons, they soon came to an agreement with the Conservators to provide a grant, not only to cover the BCC policing role but also to cover all aspects of management responsibilities of RBBC as landowners.

This grant support continued until 2000.

2000 - 2020

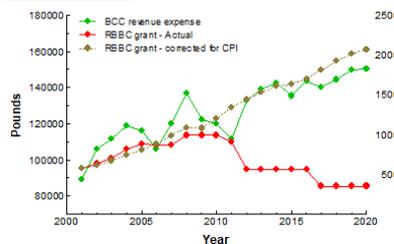


Figure 1: Comparison of BCC expenditure with both actual RBBC grant and that corrected for annual CPI

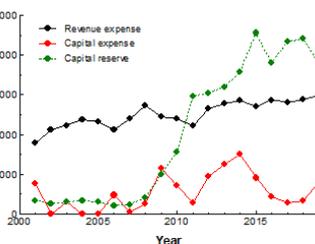


Figure 2: Annual B.C.C. expenditure and capital reserve, 2001 - 2020

In 2000 RBBC provided 90% of BCC funding with the remainder coming from LBS, Countryside Stewardship grant and Highways Maintenance, to a total Of £105,000.



In 2001 with changes in EU CAP we became eligible for and successfully applied for Single Farm Payment, this was an EU-funded grant increasing incrementally to 2012 and then reduced over the next six years in 2019, the last year its value was £33576. As a result of Brexit this grant has been abolished run-down payments disappear over the next four years (2024).

In 2005 we were transferred to the Core Funding programme, each year we presented a full business plan for consideration. As a result of our external funding the RBBC contribution was

reduced but we were allowed to keep all external funding both to cover costs and build up a capital reserve.

In 2010 we successfully applied for a 10-year DEFRA Countryside Stewardship grant; this was successfully completed this year with a glowing report from Natural England. This funding, £25,000p.a. was specifically addressed at improving wildlife habitat not only on the SSSI but also on Banstead Heath. By careful adjustments of our normal maintenance, we were able to fulfil the very specific requirements of the grant without compromising normal management.

In 2014, an attempt was made to convert our finding to a Service Level Agreement but after several years of discussion, the RBBC legal department would not allow this to progress, and we went back to grant funding.

In total, we received just over £1,000,000 from external sources in this 20-year period, whilst the RBBC provided approx.£2,000,000 to cover both revenue and capital costs.

It should be noted that we believe that RBBC received approx. £1,100,000 rent for Banstead Downs Golf Course over the same period and therefore their net cost to manage all aspects of the Commons was approx. £900,000 (£45,000p.a.) in this 20-year period.

2020 onwards.

In 2020 RBBC's contribution covered 55% of our revenue costs with the remainder coming from, Environmental Stewardship (17%) and Single Farm Payment (23%), to a total of £150,000.

The Environmental Stewardship grant has ended this year and the SFP scheme continues to be run down the next three years. In both cases replacement grants will not be available for common land until at least 2024 and are unlikely to be as generous as in the past.

This means that the last financial year is the last where our income exceeds our revenue expenditure. For the next four years we shall have to use our capital reserve fund to help cover our costs. This will run out in 2023-24 leaving us unable to continue.

With no significant external options until at least 2024, in order to continue operating as we do now BCC until then, requires additional funding of approx. £250,000 as well as costs of replacing some of our equipment. As a statutory body we are not allowed to carry a debt and therefore we must prepare for the loss of funding. We have put aside a redundancy fund to cover statutory payments for the staff £34000 and if alternative funding cannot be guaranteed, to maintain our statutory duties we shall have to cease all maintenance work for RBBC and review our staffing levels. We feel it prudent to do this from the start of 2022.

Our continued survival as we are today in the hands of RBBC. Over the past twenty years we have sought to establish a dialogue regarding our relationship with RBBC. However, we have always been treated in a similar manner to voluntary groups (e.g. Core funding). The fact is that all the routine management of the Commons is work that if it were not done by us then RBBC would have to do it

We believe that this is an opportunity to initiate discussion to establish the feasibility of a formal relationship between the two bodies recognising that the statutory role of BCC is not anachronistic. The 2006 Commons Act encouraged the formation of "Commons Councils" to take control of the management and protection of Common Land.

We can find only one area of common land in the South-East with similar statutory protection to our own with no provision of funding, is [Tunbridge Wells & Rusthall Commons](#). In that case the Conservators are mainly funded by a precept from the local council. For 2020-2021 this totalled £165,850 for a total area of 256 acres, 1/6th of the area of Banstead Commons.