

THE COCKPIT

NEWSLETTER OF THE CHISLEHURST RESIDENTS' ASSOCIATION



The Cockpit, on Chislehurst Common, has been the traditional meeting place for Chislehurst people on all great occasions from time immemorial.

PRESIDENT	CHAIRMAN	TREASURER	ACTING SECRETARY
T. A. BUSHELL, M.C.I.T.	H. T. A. SHARPE, C.Eng., F.I.E.E.	R. W. OBLATH	A. L. DRAGE, A.H.A., 4 STAINMORE CLOSE, CHISLEHURST, KENT 467-1299
	VICE-CHAIRMAN		
	A. T. C. JONES, B.A.		

No. 18

March, 1975

The views expressed in signed contributions to The Cockpit are not necessarily those of Chislehurst Residents' Association, but are included as matters of local interest.

THE AGM

NOTICE IS HEREBY GIVEN that the 29th annual general meeting of Chislehurst Residents' Association will be held at the METHODIST HALL, PRINCE IMPERIAL ROAD, CHISLEHURST, on WEDNESDAY, APRIL 30th, 1975, at 8.0 p.m. Please note: only members may vote or take part in the proceedings.

AGENDA

1. Minutes of the 28th annual meeting.
2. Matters arising.
3. Committee report for the year 1974.
4. Accounts for the year 1974.
5. Proposed alteration of Rule 4 (subscriptions).
6. Election of officers.
7. Election of Committee.
8. Appointment of auditor.
9. Any other business.

PROPOSED ALTERATION OF RULE 4

The Committee recommend that the subscriptions payable under this rule shall be increased to 20p per single member, 40p per household, and 10p per O.A.P.

CHANGES IN OFFICERS AND COMMITTEE

PRESIDENT. We know all members will join with the Officers and Committee in wishing Tom Bushell, our President, continuing progress towards good health.

SECRETARY. It is with regret we report the resignation of Mrs. M. S. Holt after some ten years of most efficient service. We are deeply grateful to her for what she has done on our behalf. In the meantime Mr. A. Drage has most kindly agreed to undertake the duties until the A.G.M.

EDITOR OF COCKPIT. Unfortunately, Mr. V. Leonard, who so successfully edited and produced the last few issues, has found that increasing business commitments abroad prevent his continuing and a fresh editor is sought.

CHAIRMAN. Your Chairman, after over 41 years of service with the Association and its predecessor, the Chislehurst Ratepayers' Association, has decided not to accept re-nomination. Thus a new nomination will be required at the A.G.M.

COMMITTEE. Mrs. O. Jarrett, Rev. Colin Pilgrim, and Mr. V. Leonard have all resigned.

Mr. K. H. Sedgwick, Lt.-Col. C. B. Weniger, O.B.E., and Mrs. J. Barker have been co-opted, and Mrs. Barker has been appointed Asst. Secretary. Under the Rules, they and Messrs. Dunn, Payne, and Rawlings-Smith all retire but are available for re-election.

COMMITTEE REPORT

All 11 committee meetings have been well attended. Among the matters engaging our attention since the last issue of The Cockpit (Nov.) are the following:—

High Street development between Willow Grove and International Stores. Comprehensive plans by the developer, having been rejected by the Council, were the subject of Appeal at a Public Enquiry on November 12th, at which Mr. A. Drage represented the opposition of the Association. The main issue appeared to be the garage and service station proposed, which seems to have decided the Inspector to dismiss the appeal. The site still remains unfenced and continues to be a nuisance despite the ventilation given to the subject at the last A.G.M. In conjunction with the Chamber of Trade, an application to the European Heritage Year Secretariat for assistance in the preparation of plans for a Civic Trust type scheme has so far been unsuccessful.

Conservation Area. An important new Ministerial Order now prohibits demolition of any structure or felling of trees in such areas without permission of local Councils.

Loop Road - Ashfield Lane. The accidents that the authorities say should not happen continue to occur, but despite our representations from the last A.G.M. no progress is reported. Even the experimental replacement of the 'Give Way' sign by a 'Stop' sign seems beyond the authorities.

Rates increase. Apprehension has been felt at the Council's forecast of massive increases for the year 1975-6, and, arising from the public appeal of the Leader of the Council, a large number of suggestions for economies have been collected and forwarded to all 70 members of the Council for consideration.

Walnut Tree Close and High Street. The rowdiness and nuisance occurring in these areas have been discussed with Police Inspector Donkin who will keep the situation under review. He emphasised that such incidents, together with cars parked so as to cause obstruction, could be dealt with effectively if the police are told immediately by telephone.

St. Nicholas School Resiting. The resolution passed at the last A.G.M. has brought no further result. It is understood, however, that financial restrictions are likely to delay any re-siting for several years.

Neighbourhood Councils. A consultative paper by the Department of the Environment proposing the setting up of such councils has been considered in detail, and the Department has been advised that in the Bromley area we think them neither necessary nor desirable, but wish to be kept informed.

Heavy Lorries — Local Scheme. The Bromley Borough Council's proposals to erect physical barriers at selected points in or near Chislehurst which would prevent the passage of lorries over 7 feet in width is supported by your Committee on a trial basis.

Road Stewards' Social. Knowing how much we depend upon our road stewards, we intended last year to hold another social and thereby have an interchange of views, but financial considerations unfortunately prevented this. However, we do thank them for their invaluable service to the Association.

Bromley Residents' Federation. All meetings held in various parts of the Borough have been attended by your delegates. Matters dealt with concern the Borough as a whole and as part of Greater London, and involve consideration in great depth of Public Transport arrangements, Arterial Road and Motor-way proposals, Heavy Lorry Routes and restrictions and other such matters which have an impact on the quality of life which we in Chislehurst may enjoy.

Appreciation. We are pleased to record our thanks to our M.P., G.L.C. Councillor, Alderman, Local Councillors and all others who have helped us during the past year; also The Chislehurst Times' reporter; our road stewards; and, of course, our members, without whose subscriptions we could not function.

From our Hon. Treasurer, Mr. R. W. Oblath

For reasons of space the annual accounts of the Association for the year ended 31st December, 1974, are not being printed in this issue of The Cockpit, but copies and full details will be made available to all present at the Annual General Meeting at the Methodist Hall on 30th April.

I am pleased to report that during 1974 our membership went up from 1831 to 2190, an increase of nearly 20%, and the sum received in subscriptions and donations increased correspondingly to £281. We are most grateful to our Road Stewards for this excellent result.

It will be recalled that in 1973 we incurred a loss on the year's working: it was therefore imperative to exercise a degree of economy in 1974, and we finished the year with a profit of £58 and a balance of £123.

Apart from a modest adjustment on decimalisation in 1971, the basic rate of subscription per member of this Association has remained unaltered for twenty-nine years. We are now faced with the cumulative impact of higher charges for postage, printing, affiliation fees, hire of halls, etc., and we regret it has become necessary to propose at the Annual General Meeting that subscriptions should now be revised as follows:

Household membership	-	-	40p
Single membership	-	-	20p
Single membership, O.A.P.'s	-	-	10p

The Heritage Fund stands at £566, the Water Tower Commemorative Seat Fund at £262 and the May Queen Fund at £144.

CHISLEHURST NATIONAL TRUST WOODLANDS

An outline plan prepared long before the National Trust acquired Petts Wood is remembered, showing roads envisaged to cover the area if development had proceeded. As it is now, the woods are a valuable extension of our own Commons and with them provide a continuous green belt area. It is surprising to learn that the woodlands lie wholly within Chislehurst, whether defined as a postal district or as a local government ward, and rely for their maintenance on funds raised locally. Mr. G. W. Payne, of our Executive Committee, and now a member of the Petts Wood Management Committee, writes as follows:—

Recent issues of The Cockpit have carried articles about Chislehurst as a Conservation Area and about its Commons. The 135 acres of woodland adjoining St. Paul's Cray Common are no less important than the Commons in giving Chislehurst its unique character. Without the public-spirited enthusiasm and generosity of a few local residents over the last fifty years this whole area would now probably be part of the urban sprawl.

The 87 acres of woodland known as Petts Wood were purchased by public subscription, inspired by Horace Bird and supported by local families as well as by national figures. It was the Nation's tribute, in 1927, to William Willett, the originator of Summer Time, and it is held by the National Trust in perpetuity as an open space.

A further 48 acres, known as the Bluebell Wood, was bought, and saved from building development by Col. F. J. F. Edlmann, D.S.O., and added to his Hawkwood Estate. In 1957 the whole of this Estate was given to the National Trust by Mr. & Mrs. Robert Hall, and the woodland, which adjoins Petts Wood, was renamed the Edlmann Memorial Wood.

Unlike the Commons, the cost of maintaining these National Trust woods is not a charge on your rates, apart from a small goodwill grant from the Borough. Nor is it a charge on the Central Funds of the National Trust itself. The woods are managed on behalf of the Trust by the Petts Wood Management Committee with the responsibility for maintaining the woods and for raising the funds required by voluntary subscriptions. One Keeper acts as forester and warden. Costs rise relentlessly and more subscriptions are urgently needed.

All of our members will realise the importance of these National Trust woods to Chislehurst. Many of you will enjoy walking in them. If you do not already give any financial support towards their maintenance, and would like to, there are several ways of doing so. If you are already a member of the National Trust, you can arrange for part of your annual subscription to be transferred to Petts Wood. If you are not a member you can join the Trust through the Committee (minimum subscription £3.00 per annum). The Trust then keeps £1.50 to cover your full membership, with its right of free entrance to all Trust properties open to the general public in the U.K. (a splendid bargain in these days of rising prices!) and the balance goes to Petts Wood. Alternatively donations of any amount can be made directly to the Petts Wood Management Committee. They will be most gratefully received on behalf of its Chairman, Mrs. Robert Hall, and other members, by the Hon. Treasurer, Mr. S. A. Ridge, 11, Homewood Crescent, Chislehurst, BR7 6PS (Tel.: 467 5397) who will also be delighted to hear from any member or would-be member of the National Trust who would like to help.

COMMONS BUT NOT NOW COMMON LAND

From our Chairman, Mr. H. T. A. Sharpe:

In the last issue of The Cockpit (November, 1974), your Chairman traced the history of common land, and outlined the efforts made on your behalf to keep our Commons registered under the Commons Registration Act of 1965. He now reports on the surprising decision which removes them from registration.

Arising from the application of the Board of Conservators of the Commons for the de-registration of the Commons under the Commons Registration Act of 1965, which they had previously registered after unsuccessfully applying for exemption, the **Chief Commons Commissioner has refused to confirm registration.** This surprising decision has been given despite objections to de-registration by the Chislehurst Residents' Association at the Hearing on May 1st, 1974, reported in the last issue of *The Cockpit*. It therefore follows that the Commons described as such in the Metropolitan Commons Acts of 1866 and 1869, and the Metropolitan Commons (Chislehurst and St. Paul's Cray) Supplemental Act of 1888 are not common land, although they still remain managed and regulated by a scheme under these Acts. Any additional safeguard that might be provided under future legislation envisaged to follow the Commons Registration Act will therefore not apply to them.

For confirmation of registration it was necessary for the Chief Commons Commissioner to be satisfied that either:—

- (a) rights of common had been exercised over the past 30 years or
- (b) the Commons could be defined as being waste land of the manor not subject to rights of common.

Regarding (a) rights of common, the Byelaws made by the Conservators as required by the 1888 Act and confirmed by the Local Government Board in 1901 provided for continued public access but disposed of all appropriate rights of common except that of "estovers", i.e. picking up wood for fuel or repair of fences. The Board of Conservators at the Hearing claimed that there was no evidence of the exercise of rights of "estover" during living memory and gave evidence to that effect. There are residents, however, who claim that they have repeatedly exercised these rights up to the present day, but unfortunately these rights were not registered as required by the Commons Registration Act and therefore, as stated in the Act, these rights cease to exist. The Commons Commissioner in his findings states: "I have formed the view that upon the evidence of the non-exercise of the rights without any explanation I must draw the inference that the rights have been abandoned". Thus the Commissioner was unable to confirm registration on grounds of existence of rights of common.

Regarding (b) that the Commons could be defined as manorial waste not subject to rights of common, the Chislehurst Residents' Association felt on sure ground, particularly as both Hayes and Keston Commons, each covered by the Metropolitan Commons Act, had been registered conclusively. The Conservators however argued at the Hearing that the Chislehurst and St. Paul's Cray Commons could no longer be properly described as uncultivated, and that a large amount of work had

to be carried out to prevent the land from becoming completely overgrown, and only the most vigorous action has preserved the Commons as open spaces for the enjoyment of the public. The Commons Commissioner in his finding stated: "Whatever may have been the natural features and aspect of the land at the time of the making of the scheme they would have been altered by natural causes since the cessation of the exercise of rights of common. Whilst much of the land has become wooded, the work carried out by the Conservators has had the effect of maintaining it so as to be capable of enjoyment by members of the public. The land still retains what could be described as a natural aspect, but it is really an artificial aspect. The Commons as they can be seen today are as artificial as one of the landscapes created by Mr. Capability Brown in the 18th century". In his view this has taken the Commons out of the category of uncultivated land and has deprived them of their status as waste land of the manor.

Thus the Chief Commons Commissioner's findings were that the Commons were excluded from either limb of the definitions of common land of the 1965 Act and hence his refusal to confirm registration.

An Appeal against the decision could only be made on a point of law to the High Court and would have been costly. Our legal advisers were not optimistic about the outcome so it has been decided reluctantly to take no further action, and registration of the Commons will now become cancelled.

So how does this leave the Commons? To this the short answer is, precisely as they are now. In a letter to our then M.P., the Rt. Hon. Dame Patricia Hornsby-Smith, D.B.E., in May, 1972, the Minister of the Environment, Mr. Graham Page, stated that whether registration be cancelled or not, the powers and responsibilities of the Conservators under the Act of 1888 would remain unaffected and neither the G.L.C. nor the Council of the London Borough of Bromley will, by virtue of the operation of the Commons Registration Act 1965 become vested with powers to interfere with the management and control of the Commons by the Conservators.

In conclusion it should be emphasised that the Association appreciates all the work of the Conservators and their staff in maintaining the Commons as they are today, and recognises that the Conservators are as much concerned with their continued preservation as we are ourselves. The disagreement between the two bodies arises from the fact that the Conservators appear to prefer to rely solely on the provisions of the Metropolitan Commons Acts, whereas the Association wished to obtain the additional protection that it is anticipated will eventually be afforded to registered Commons by future legislation. Continued vigilance must now be exercised to ensure that such legislation will not impinge upon or erode the Metropolitan Commons Act in such a way as to jeopardise the future of the Commons.

Subscriptions. It would be appreciated if members unable to be contacted by road stewards would send their 1974 subscriptions immediately. If not paid up by the end of April they may be deemed to have ceased membership. 1975 subscriptions are also now due, please.

PLANNING SUB-COMMITTEE

Assiduously, month after month, our Planning Sub-Committee, composed of Messrs. Drage (Chairman), Dunn and Mack, prepare and present to the main committee details of planning applications which affect our area. Their work is vital to the preservation of our pleasant environment and their watchfulness has been rewarded. Some planning applications to which the Association has objected, and the result, are shown below :

HIGH STREET (Nos. 65 to 87).	Demolition : erection shops, supermarket, filling station, access road to Willow Grove. Block of flats at rear with car park 95 vehicles : unloading area.	REFUSED : APPEAL DISMISSED.
5 HIGH STREET/CAMDEN GROVE.	Demolition, except No. 5 : erection two 2-storey blocks flats and two blocks offices, fronting High St.	APPROVED.
WOODCLYFFE/SUMMER HILL.	Erection 1 block of six 3-storey houses : one 8-storey block of flats and 10 detached houses.	REFUSED : BUT PREVIOUS APPLICATION FOR WHICH APPEAL LODGED — AND WITHDRAWN — NOW APPROVED.
OLD HILL COURT.	Demolition : erection two 3 - storey blocks and three 4-storey blocks flats.	REFUSED.
KEMNAL MANOR, KEMNAL ROAD.	Erection detached houses in Green Belt area.	REFUSED : RESULT OF PUBLIC ENQUIRY AWAITED.
KEMNAL ROAD.	Change of use of existing security building to recording studios.	REFUSED.
GROVE VALE.	Erection detached bungalow.	REFUSED.
CHESIL HOUSE (listed building) ST. PAUL'S CRAY ROAD.	Demolition existing extension : erection large complex to main building.	REFUSED.
200 LEESONS HILL.	Erection two bungalows in rear garden.	REFUSED.
HOLBROOK LANE.	Demolition two existing modern houses : erection 5 detached houses.	APPROVED.
ELMSTEAD LANE.	Erection 2 detached houses at rear.	REFUSED : APPEAL DISMISSED.
INGLEBY WAY.	Erection detached dwelling in Green Belt land.	REFUSED.
FARRINGTONS JUNIOR SCHOOL, ASHFIELD LANE.	Renewal of previous consent (lapsed after 3 years) for demolition existing buildings and erection block of 18 flats.	APPROVED.
54 GREEN LANE.	Change of use 1st and 2nd floors from residential to offices.	REFUSED : APPEAL DISMISSED.
HOMEWOOD CRESCENT, PERRY STREET.	Demolition 2 existing modern bungalows : erection 9 houses.	REFUSED : previous similar application also refused.
BROOKLANDS GARAGE, WILLOW GROVE.	Demolition : erection 3-storey block of offices with showrooms under.	REFUSED.
CLAVERLEY and GREENTOPS, LUBBOCK ROAD.	Demolition existing 2 houses : erection 7 detached houses.	REFUSED : A PREVIOUS APPLICATION REFUSED AND APPEAL DISMISSED.
COED BEL, LUBBOCK ROAD.	Demolition existing house : erection "residential development" at 60 habitable rooms per acre.	REFUSED : FURTHER APPLICATION FOR 65, ROOMS PER ACRE REFUSED.

CHISLEHURST RESIDENTS' ASSOCIATION

To.....(member of the committee/road steward)

or

To the Manager, Barclays Bank Ltd., 7, High Street, Chislehurst.

Please receive.....subscriptions to the above Association (household , individual member , O.A.P.)

Name..... If new member, please tick :.....

Address

Subscriptions may also be sent direct to the Hon. Treasurer at 36, Lower Camden, Chislehurst.