

9 June 2016

MALVERN HILLS CONSERVATORS ORDINARY MEETING OF THE BOARD

**Welland Village Hall, Welland
Thursday 9 June 2016, 7:00 pm**

Present: Mr D Baldwin, Mr R Bartholomew, Dr S Braim, Mr M Cordey, Mr M Davies, Dr P Forster, Mr S Freeman, Mr R Hall-Jones (Chair), Mr D Hawkins, Mr R Madden, Mr C Penn, Professor J Raine, Mrs G Rees, Ms S Rouse, Mr C Rouse, Ms H Stace, Mr D Street, Mr P Watson, Mr T Yapp.

In attendance: Director, Community and Conservation Officer (CCO), Conservation Officer, Finance and Administration Manager, Secretary to the Board.

1. APOLOGIES FOR ABSENCE

Ms C Bovey, Mr D Bryer, Mrs P Cumming, Mr A Golightly, Mr J O'Donnell, Mrs C O'Donnell.

2. CHAIR'S ANNOUNCEMENTS

- 2.1 Pensions Briefing 21.06.2016 Open Space, Upper Interfields, 9.30am – 3.30pm
- 2.2 Special Finance, Administration & Resources Committee meeting 6pm 22 June 2016
- 2.3 Special Board meeting 7pm Council Chamber 5 July 2016
- 2.4 Stroll. Meet at Free Church, Jubilee Drive 6pm 23 August 2016 to look at Central Hills (grazing and open habitat restoration) followed by a light meal.
- 2.5 The final item on the agenda had been withdrawn as further issues had been raised.
- 2.6 Rebranding Workshop 28 July 2016, 4.30pm, venue to be announced.
- 2.7 The police had notified MHC of a "car cruising" event on 12 June 2016.

3. PUBLIC QUESTIONS

There were none.

4. DECLARATIONS OF INTEREST

Mr C and Ms S Rouse declared an interest in matters relating to the Higher Level Stewardship Scheme.

5. MINUTES OF THE LAST BOARD MEETING

On the proposal of Mr Madden, seconded by Mr Penn it was unanimously **RESOLVED** to approve the minutes of the meeting held on 10 March 2016.

6. MATTERS ARISING FROM THE PREVIOUS MEETING

There were none.

7. LAND MANAGEMENT COMMITTEE

- 7.1 Mr Watson pointed out that his name was wrongly spelt in the draft minutes. Mr Rouse said that the resolutions of the Committee at minutes 5 and 6 should state "To recommend to the Board ..." Subject to those amendments, the **ACCURACY** of the minutes of the meeting held on 14 April 2016 was agreed.
- 7.2 Matters arising Mr Watson was concerned that residents mowing the Conservators' land in front of their properties might eventually be able to claim adverse possession. The Director said that he would follow the previous practice and write to these residents to thank them for mowing the Conservators' grass, thereby confirming MHC's ownership.
- 7.3 On the proposal of Mr Rouse, it was **RESOLVED** unanimously to adopt the minutes and the resolutions contained in them.

8. FINANCE, ADMINISTRATION AND RESOURCES COMMITTEE

- 8.1 On the proposal of Mr Bartholomew, seconded by Prof Raine, the **ACCURACY** of the minutes of the meeting held on 12 May 2016 was agreed.
- 8.2 Matters arising Mr Madden said that there had been a change in circumstances since the Committee meeting and the anticipated land acquisition was not likely to take place in the short to medium term, therefore there was no requirement to hold a significant sum of money on short term deposit. The Board was now asked to approve a revised resolution as set out in 8.3. Mr Hawkins asked if the tenant at St Ann's Well was aware that the planned work might result in a rent increase when the lease was renewed. Mr Madden confirmed this would be dealt with at the next F A & R Committee meeting. In relation to the windows at Manor House, the Director confirmed that Malvern Hills District Council had indicated that they would not consider uPVC windows acceptable in a conservation area.
- 8.3 Mr Hall Jones pointed out that the resolution set out in minute 9 would not be adopted as part of this item as it was the subject of a separate item on the agenda for this meeting. Otherwise, on the proposal of Mr Madden, seconded by Mr Street, it was unanimously **RESOLVED:**
To amend the first resolution recorded in minute 11.2 of the F A & R Committee minutes to read:
- a) That Brewin Dolphin be instructed to invest the £400,000 cash they currently hold in accordance with the Board's approved investment policy for the Parliamentary & Lands Maintenance funds
 - b) That £100,000 of the proceeds of the sale of 34 Wyche Road be transferred to Brewin Dolphin also to be invested in accordance with the Board's approved investment policy for the Parliamentary & Lands Maintenance funds

- c) That the balance of the sale proceeds of 34 Wyche Road be held in the 32-day notice account with Lloyds Bank

And subject to that amendment, to adopt the minutes of the meeting held on 12.05.2016 and the resolutions contained in them.

9. GOVERNANCE COMMITTEE

- 9.1 On the proposal of Prof Raine, seconded by Mr Bartholomew, the **ACCURACY** of the minutes of the meeting held on 28.04.2016 was agreed.
- 9.2 Matters arising Various pieces of work had been competing for attention and some matters had been left to a later meeting due to lack of time. The two items on which decisions had been reached in committee were on the agenda for this meeting for separate consideration.
- 9.3 On the proposal of Prof Raine, it was **RESOLVED** unanimously to adopt the minutes.

10. DEFERRAL OF PENSION AUTO ENROLMENT DATE

On the proposal of Mr Madden, seconded by Ms Stace, it was **RESOLVED** unanimously that:

- i. MHC apply for postponement of the automatic enrolment date to 1st November 2016.
- ii. MHC offer the three affected employees a monthly contribution of up to £30 towards the cost of a personal life assurance policy during the period of deferment and agree to backdate the three employees' pension contributions to the end of their respective probationary periods.

11. CHARITY COMMISSION SCHEME

Mr Freeman asked what additional work the Secretary to the Board would be involved in over the next few months. She said that this would involve instructing and liaising with the solicitors and having a meeting with the Charity Commission, as well as meetings with the Charity Commission Working Party. The cost associated with progressing the scheme would come from the General Fund. Mr Hawkins expressed concern about the cost of the scheme. Ms Stace pointed out that the proposals included not only Governance reforms but also changes that would improve the ability of MHC to manage the Hills. The Director said that by September, he hoped to have a better idea of the cost of taking the scheme forward. On the proposal of Prof Raine, seconded by Ms Stace, it was **RESOLVED** (with one vote against and 2 abstentions) that:

- A. The Board agreed in principle to the "Council and Board " governance model as described in the paper (and explained more fully in the Governance Working Party Report)

- B. The Board agreed in principle to Recommendations 2-6 contained in the paper
- C. The Board agreed to approve expenditure up to a maximum of £10,000 for preliminary professional advice to support the preparation of a report on the feasibility and resource requirements of a Charity Commission scheme to implement the recommendations as detailed above.
- D. The Board agreed to a temporary amendment to the contract of the Secretary to the Board until the September Board meeting to allow for an additional day per week to cover the work involved with the pursuit of a Charity Commission Scheme.
- E. The Board commission the Governance Committee to prepare a further report for the September Board meeting providing fuller information on the likely overall costs of preparing for a Charity Commission Scheme and highlighting any limitations in the scope of such a scheme in relation to the list of recommended changes cited at 1-6 above.
- F. The Board noted the various other changes recommended in the Working Party report which will be considered and subsequently reported upon by the Director of MHC (notably, two staff title changes, rebranding, fundraising, ideas for new accommodation).

12. STANDING ORDERS

Mr Penn introduced the paper. He invited the meeting to discuss the question of whether the Board Chair and Vice-Chair should have a vote in Committee meetings. It was agreed that the proposal should be that the Chair and Vice-Chair should be entitled to speak at all standing committees but would not have a vote. Mr Rouse asked for the proposal set out in the paper to be amended to read “Land Management Committee will meet in April, July and October and December (1st Thursday)”.

Mr Hall- Jones asked the Board whether they agreed to the use of the terms “Chair and Vice-Chair”.

On the proposal of Mr Penn, seconded by Mr Hall-Jones it was **RESOLVED** unanimously that the Chair and Vice Chair of the Board would be entitled to attend and speak at all Committee meetings but would not be permitted a vote.

On the proposal of Mr Freeman, seconded by Ms Stace it was **RESOLVED** (by 11 votes to 6) that in all formal documents of Malvern Hills Conservators the reference should be to Chair and Vice-Chair.

On the proposal of Mr Penn, it was **RESOLVED** unanimously to make the changes to Standing Orders set out in the paper (as amended above).

13. TRAMPER UPDATE

The CCO confirmed that the Tramper was now running from the Wyche Innovation Centre. She also confirmed that Malvern Rotary Club, in conjunction with The Land Rover Experience had set up a scheme to take less mobile individuals up to the Worcestershire Beacon. There had been one trip so far, which had gone well and they proposed to run the trips twice a year. Ms Rouse pointed out that people who were unable to get on the Tramper or into a car still could not get up the Hills. The CCO said that if anyone had any ideas to improve access for this group they should contact the office.

14. MANAGEMENT REPORT

The Director went through the report. He highlighted that data was being collected on the use of the car parks with the assistance of volunteers. He was also undertaking a survey of the state of the surface in the car parks. In response to a question, the Director said that he was not aware why there had been no formal invitation to Board members to attend the beacon to celebrate the Queen's 90th birthday.

Mr Watson said that he was pleased to report that work of the volunteers scattering hay from Peachfield Common had resulted in orchids appearing on Link Common.

15. URGENT BUSINESS

There was none.

16. INFORMATION

The CCO gave an update on the progress of the re-branding exercise. The result of Mytton Williams' research would be circulated to Board members and staff. They were currently drawing up a creative brief which would first come to the Rebranding Committee and then to an event for all Board members on 28th July.

The Conservation Officer confirmed that there had been an outdoor meeting to discuss the proposals for Third's Wood and these would be formally considered by Land Management Committee at their next meeting.

16.1 Malvern Spa Association - Mr Watson reported that the Well Dressing event at the beginning of May had been a success and 44 wells had been dressed.

16.2 AONB Joint Advisory Committee - A written report had been circulated. Mrs Rees said that the Committee had been shown a film "Above the Malvern Hills" which Board members might like to see. The AONB were looking for projects which might be supported by the Sustainable Development Fund.

16.3 Wildlife Panel - No report.

16.4 Recreation Advisory Panel – A written report had been circulated.

17. ITEMS FOR FUTURE CONSIDERATION

No items were raised.

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The meeting closed at 8.20pm