

8 June 2017

Malvern Hills Trust

Ordinary Meeting of the Board
Lyttelton Well, Church Street, Malvern
Thursday 8 June 2017, 7:30 pm

Present: Mr D Baldwin, Mr R Bartholomew, Ms C Bovey, Dr S Braim, Mr D Bryer, Mr M Cordey, Mr M Davies, Dr P Forster, Mr S Freeman, Mr A Golightly, Mr R Hall-Jones (Chair), Mr D Hawkins, Mr J O'Donnell, 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: Mr I Burrows (Brewin Dolphin - until the end of item 5), Chief Executive Officer (CEO), Conservation Manager, Secretary to the Board, Finance and Administration Manager, Community and Conservation Officer (CCO), 8 members of the public.

1. Apologies for absence

Mr J Michael, Mrs C O'Donnell.

2. Chair's announcements

MHT had a display of pictures along Edith Walk, showing the work undertaken by the Trust.

The Stroll would take place on 24 August - details would follow.

3. Public questions

There were 2 questions from Mr Donald Haden.

(1) Hunting on the Commons and Hills was a very longstanding recreational activity enjoyed particularly by lots of children on their ponies where they can be safely supervised and learn about wildlife in the countryside, moving about in a wonderful location. In the best interests of these children will the board please therefore ask Mr Bridges not to seek to put unnecessary new restrictions on the hunt's legal activities?

(2) On hunting days quite a number of members of the public like to attend and watch from their cars. Most of these people are Old Age Pensioners or parents who would find it impossible to see anything and enjoy their day if they were limited to stopping in car parks. Until last year they were always allowed to park at the side of the road as long as this was within 15 yards of the edge and this was done without causing damage. In the best interests of these OAPs and parents will the Board please therefore instruct Mr Bridges to allow this concession to continue and possibly to incorporate it into the proposed new hunting policy?

The CEO responded that MHT did not seek to place any unnecessary restrictions on any events taking place on MHT land but sought to ensure that event organisers were operating lawfully within the byelaws. The CEO was aware of no previous agreement to

allow parking within 15 yards of the edge of the common. The exception to the prohibition on driving on common land contained in the Road Traffic Act 1988 did not apply where there were byelaws in place. The byelaws should be applied in an even handed manner to everyone.

4. Declarations of interest

None relevant to this agenda. Mr Rouse declared an interest in the HLS Scheme.

5. Update on performance of investments

Mr Burrows gave a brief introduction, detailing the possible impact of current events (the General Election, terrorist attacks and political climate in the USA) and then went through his written report (which had been circulated to Board members before the meeting) on the performance of MHT's investments over the past 12 months.

Mr Hall-Jones thanked Mr Burrows for attending.

6. To confirm the minutes of the Board meetings held on 9 March 2017

Prof Raine proposed an amendment to the draft minutes as circulated, which was seconded by Ms Stace, that in item 9, page 3, line 15/16 the word "immediately" should be inserted so that the minutes read, "Mr Hall-Jones asked if there was any further debate on the report, and no member *immediately* indicating a wish to speak...". It was **RESOLVED** to accept the amendment (12 votes to 6, with 4 abstentions). On the proposal of Mr Rouse, seconded by Ms Bovey, it was **RESOLVED** (with 3 abstentions) to approve the minutes of the meeting held on 9 March 2017 as amended.

7. Matters arising from the previous Board meeting

There were none.

8. Staffing Committee meeting held on 6 April 2017

8.1 On the proposal of Mrs Rees, seconded by Dr Forster, the **ACCURACY** of the minutes of the meetings held 6 April 2017 was agreed.

8.2 Matters arising

Ms Stace went through the minutes.

8.3 Adoption of minutes and resolutions contained in them

Mr Hall-Jones put the resolutions contained in the minutes to the meeting separately.

Amendments to Staff Handbook at item 6

The adoption of this resolution was **APPROVED** (with 2 abstentions)

Maternity pay policy at item 11

The CEO clarified that the resolution should read as follows:

To change the maternity pay policy and staff handbook to ensure that in order to retain the enhanced maternity pay, a returning employee should be in the office and working for 3 months, and not just back off maternity leave for 3 months.

The adoption of this resolution was **APPROVED** unanimously.

The CEO pointed out that it would be necessary to undertake a staff consultation on the changes to the maternity pay policy.

On the proposal of Ms Stace it was **RESOLVED** (with 1 abstention) to adopt the minutes as amended.

9. Governance Committee meeting held on 24 April 2017

9.1 On the proposal of Prof Raine, seconded by Ms Rouse, the **ACCURACY** of the minutes of the meeting held on 24 April 2017 was agreed.

9.2 Matters arising

Prof Raine went through the minutes.

9.3 Adoption of minutes and resolutions contained in them

Mr Hall-Jones put the resolutions contained in the minutes to the meeting separately.

Process for dealing with conflicts of interest at item 5

The adoption of the resolution was **APPROVED** (with 6 abstentions)

Implementing Diversity Policy at item 7

Mr Freeman explained that it should be easier both for Board members and the public if there was a regular day and time for meetings. Ms Rouse said that holding meetings at 4pm effectively excluded working people from attending. Following a discussion, it was agreed that the word “should” [be held on a Thursday] implied some degree of flexibility, as opposed to the use of the word “must”.

The adoption of the resolution was **APPROVED** unanimously.

On the proposal of Prof Raine, seconded by Mr Penn, it was **RESOLVED** (with 2 abstention) to adopt the minutes.

10. Land Management Committee held on 9 May 2017

10.1 On the proposal of Mr Rouse, seconded by Mr Golightly, the **ACCURACY** of the minutes of the meeting held on 9 May 2017 was agreed.

10.2 Matters arising

Mr Rouse went through the minutes. He suggested that the adoption of the revised policy on hunting on MHT land should be deferred to the next meeting.

10.3 Adoption of minutes and resolutions contained in them

Mr Hall-Jones put the resolutions contained in the minutes to the meeting separately.

Hunting policy at item 6

The CEO confirmed that he had contacted 6 organisations to ask for comments on the draft hunting policy. He suggested it would be appropriate to allow a little more time to complete these consultations. If a decision on the policy was deferred, the matter could come back to the Board for decision on 14 September. It was **RESOLVED** (with 1 abstention) to defer consideration of the policy to the next meeting.

Underground easement policy at item 7

The adoption of the resolution was **APPROVED** unanimously.

On the proposal of Mr Rouse, seconded by Mr Golightly, it was **RESOLVED** otherwise to adopt the minutes.

11. St Ann's Well Refurbishment Committee held on 11 May 2017

11.1 On the proposal of Mr Freeman, seconded by Mr Davies, the **ACCURACY** of the minutes of the meeting held on 11 May 2017 was agreed.

11.2 Matters arising

Mr Freeman asked the CEO to report on the present position. The CEO confirmed that he had had useful meetings with the architect, contractor and tenant. There remained a number of outstanding planning items, which were putting the proposed start date of the work (17 July) in jeopardy. The tenant had been given notice to terminate his tenancy [*NB –CEO has pointed out that what he meant by this was that the tenant had been given notice to vacate whilst the building works were carried out*]. The CEO pointed out that as a result of having had to make a second planning application, and the difficulty which had been experienced in obtaining planning permission, it was likely that the architect's fees (agreed by the Board some years ago) would be significantly increased.

11.3 Adoption of minutes and resolutions contained in them

There were no resolutions for approval. On the proposal of Mr Freeman, seconded by Mr O'Donnell, it was **RESOLVED** to adopt the minutes.

12. Finance Administration and Resources Committee held on 11 May 2017

12.1 On the proposal of Mr Davies, seconded by Mr Freeman, the **ACCURACY** of the minutes of the meeting held on 11 May 2017 was agreed (with 4 abstentions).

12.2 Matters arising

Mr Davies went through the minutes. The Finance and Administration Manager updated the meeting on the progress made by the Pensions Working Party. She had written to the Finance Manager of the WCC Pension Scheme, explaining MHT's status. The next meeting of the WCC Pensions Committee was on 16 June and she hoped that the issue of security for the pension deficit would be resolved.

12.3 Adoption of minutes and resolutions contained in them

Mr Hall-Jones put the resolution contained in the minutes to the meeting.

Disposal of Equipment at item 7

The adoption of the resolution was **APPROVED** unanimously.

On the proposal of Mr Davies, seconded by Mr O'Donnell, it was **RESOLVED** unanimously to adopt the minutes.

13. Charity Commission Scheme Report

Prof Raine reported that a meeting had been arranged with the Department of Culture Media and Sport on 26 June to ascertain their view on the

proposed Scheme. Mr Watson asked whether it was possible to include changing MHT's liability to visitors so that it was the same as land open under the CROW Act. The Secretary to the Board said that this was included in the proposals for the Scheme.

14. Information

Malvern Spa Association

A report had been circulated.

AONB Joint Advisory Committee

A report had been circulated.

Wildlife Panel

No meeting had taken place.

Recreation Advisory Panel

A report had been circulated. Dr Forster thanked the CCO and the CEO and felt it had been a very enjoyable meeting.

Management Report

A report had been circulated. The CEO reported that there had been IT issues in the last week – E-mail communications had stopped working. The CEO was reviewing MHT's IT service providers. Mr Bartholomew asked about the encroachment issues noted in the Management Report. The CEO reported that these were minor, although there was an ongoing issue with Reservoir Cottage at British Camp. The CEO reported that there had been some limited storm damage but nothing serious.

Mr Hall-Jones thanked those who had submitted reports.

15. Items for future consideration

There were none. Mr Hall- Jones suggested re-examining the process for approving committee minutes at the Board meetings.

16. Urgent Business

There was none

The meeting closed at 8.56pm