

Malvern Hills Trust  
Land Management Committee  
The Octagon, Brook Farm Drive, Malvern  
Tuesday 9 May 2017 6.00pm

**Present:** Mr D Baldwin, Ms C Bovey, Dr S Braim, Dr P Forster, Mr S Freeman (non-voting), Mr A Golightly, Mr R Hall-Jones, Mr D Hawkins, Mrs G Rees, Mr C Rouse, Mrs H Stace, Mr T Yapp.

**In attendance:** Chief Executive Officer (CEO), Secretary to the Board, Conservation Manager, Community and Conservation Officer (CCO), Mr M Gardner, 10 members of the public, Mr M Davies, Mr P Watson.

The Chair welcomed everyone to the meeting

**1. Apologies for absence**

Mrs P Cumming, Mr J Michael

**2. Declarations of interest**

None relevant to this agenda.

**3. Chair's announcements**

Forthcoming Visits

24 August (time TBA) Stroll, Southern Hills

23 November 2pm (venue TBA)

**4. Matters arising from the meeting of 1 December 2016**

There were none.

**5. Public Questions**

From Pauline Burgess: Do the Trust Wardens know when and where hunts will be laying trails so they can tell if hunts have gone off the laid trails?

Response from CEO: Last winter season we were informed when and where the trails would be laid. (On 3 out of 4 occasions).

Max Burgess: Will the dates when hounds are being exercised early in the morning on the Hills be available to see via the Trusts [website] for people walking their dogs before going to work?

Response from CEO: The Trust has no control over people exercising hounds on public rights of way.

Diane Pugh: Would it be possible to have the dates and times of exactly when and where the Ledbury Hunt will be exercising their dogs published in the Malvern Gazette each week? I think they should be obliged to inform you and the public so that anyone wishing to avoid them will be able to. Dog walkers and anyone else wishing to enjoy the area can then know where it will be safe to walk.

Response from CEO: Hound exercise on a public right of way is lawful and MHT cannot demand that the Hunt tell us in advance. In the draft policy there is a discussion on limitations on dogs being exercised over Trust land off rights of way.

Roberta Balfour: When Ledbury Hunt exercise hounds on the common, would Malvern Hills Trust stop quad bikes from joining them? There should be no need for terrier men to join them at any time.

Response from CEO: There is no reason for quad bikes to have access over our land and we do not permit quad bikes on the commons. They can be run legally on the roads.

Janet Hughes: I am writing to request that the Land Management Committee postpone the decision on a new hunting policy on Castlemorton and Hollybeds Commons. Given this is such an important topic, it is vital that decisions are taken after taking all advice possible therefore I suggest that a decision is not made until after discussion with the hunts concerned and an agreement drawn up between the parties.

Donald Haden: (Stated that the report was flawed and contained many inaccuracies and that MHT management had failed to consult the Ledbury Hunt on what to them was a very important issue). I respectfully suggest that it would not be proper for your Committee to make a decision without proper information in front of them and I ask the Land Management Committee if they would agree to defer their decision until a proper consultation process had been completed noting that there is no hunting activity during the summer period.

Response from CEO: There is a Board meeting in June and it would be better to make a decision on the policy before the Autumn hunt season starts so it was clear to any hunts operating over MHT land what the policy is before they set their winter calendar of events, so that was the reason for the policy coming to this Land Management Committee meeting.

Louise Daley MFH: (MHT had also received a letter from the Ledbury Hunt commenting on the paper and the process of drawing it up, which had been circulated to Committee members): What is the procedure we need to follow to object if the Committee decide to recommend to the Board the proposals made by the CEO with regard to option 3 on hunting policy and hound exercise?

Response from CEO: The Land Management Committee do not make the final decision, they make a recommendation to the Board, so any member of the public would be entitled to put a question to the Board meeting (which would be the June Board meeting in this case).

The CEO said that he had not undertaken a consultation with either the pro or the anti-hunt lobbies, but he felt it would be inappropriate to consult with one party. The Ledbury Hunt was the one which was most active over MHT land. There had been several meetings with the Ledbury Hunt prior to events over the winter. The Board had to make a decision on the basis of the byelaws and the Acts. A reference had been made to "factual inaccuracies" in the paper, and MHT had responded to ask what those were, in order that they could be corrected if appropriate, but no further information had been received.

## 6. To consider MHT's policy on hunting

The CEO said that the rights and wrongs of hunting were not the issue before the Committee but they needed to consider the best way to manage lawful events run over MHT land to make sure that they remained lawful and did not contravene the byelaws. He went through the paper.

The CEO clarified, in response to questions, that there was no charge made for policing Hunt events. One of the reasons a three year trial period was proposed was to see whether activities could be managed in such a way that ensured they were lawful and any byelaw breaches were minimised. Overseeing hunting activities took up a lot of staff time and this was one of the reasons for limiting the number of events. If there were significant repeated breaches of the policy, it would be within MHT's rights to decline permission for hunting events in the future. The CEO confirmed that representations from the Hunt about the policy could be considered in 3 years when it was up for review. Mr Gardner said that he had spoken to the 4 principle graziers in the Castlemorton area and they had no issues about the Hunt coming across the Common. The Hunt consulted them and respected their requests to avoid stock in a particular area.

Mr Hall-Jones pointed out that there would be an opportunity for representations to be made on anything that may have been missed before the matter was given consideration at the Board meeting.

On the proposal of Ms Stace, seconded by Mr Hall Jones it was **RESOLVED** unanimously to recommend to the Board the adoption of the following policy statement:

### **Disturbance of wild animals**

1. The unauthorised chasing, killing, hunting or trapping of any animal on MHT land is prohibited under Section 7 of the Malvern Hills Byelaws 1995.
2. In accordance with the law, the hunting of wild mammals with dogs over any land under MHT jurisdiction is prohibited.

On the proposal of Ms Stace, seconded by Mr Hall Jones it was **RESOLVED** with one vote against to recommend to the Board:

1. That MHT agree to permit a limited number of trail hunts each year over MHT property, within a defined area and subject to conditions set out in the policy, for a period of 3 years during which compliance by Hunt organisers with the policy could be monitored.
2. That they adopt the policy set out in Annex A to the paper.

On the proposal of Ms Stace, seconded by Mr Hall Jones it was **RESOLVED** with one abstention to recommend to the Board that hound exercising be limited to public highways and bridleways and hounds were not be authorised to cross MHT land where there was no public right of way.

## 7. Underground Easement Policy

The Secretary to the Board went through the paper. Mr Rouse asked that any easements or wayleaves permitted under the delegated authority to the CEO should be reported back to the Committee.

On the proposal of Mrs Rees, seconded by Mr Rouse, it was **RESOLVED** unanimously to recommend adoption of the policy to the Board.

#### **8. Update winter scrub work**

The Conservation Manager went through the paper. Mrs Rees proposed, which the Committee endorsed, a vote of thanks to the volunteers, in particular those who had worked on opening up the views from the benches. This had been much appreciated by the public. Mr Hall-Jones asked the CEO to consider whether enough was done to thank the volunteers.

#### **9. Land Management Plan – One year in**

The Conservation Manager went through the paper.

It was agreed to add an update to the Land Management Plan reports detailing any progress made towards securing additional interests in land.

In response to questions, the CEO confirmed that there was a programme to replace the old MHC signs over a period of 2 years and that he could give a periodic progress report on this. The Conservation Manager confirmed that grants to restore the donkey shed were being applied for and staff were researching what the shed originally looked like. Volunteers were undertaking a survey of path condition on the Northern Hills. The CEO and Conservation Officer were working on rolling the Land Management plan forward for a further year.

Mrs Rees said that work needed to be done on the walkers' shelter at the top of the Wyche cutting.

#### **10. Capital projects update**

The CEO went through his written report. He said that the Conservation Manager had put a huge amount of time and effort into completing the Countryside Stewardship grant application and this had now been submitted. The outcome would not be known for some time, but it appeared it was accepted that the scheme would run for a 10 year period.

Mr Hall-Jones asked if the MHT boundary could be marked at Townsend Way as a priority, as he felt the retail park were treating some of MHT's land as their own. The CEO reported that a geologist had been to look at Heart of England Quarry and had recommended that it should remain closed to the public, and the slippage should be allowed to continue until a more stable slope angle was achieved. The advice was that the quarry face was not inherently unstable, but it would continue to calve off sections over time. Mr Watson felt that there might be issues with Gullet Quarry and North Quarry. The CEO said that he intended to have these inspected in due course. Gullet Quarry was securely fenced and visited frequently by the wardens. Mr Rouse said the Upper Dingle Quarry was not fenced.

#### **11. Grazier's Report**

Mr Gardner reported that 17 sheep had been killed on the Hills and Commons since 1 January 2017, 12 in road accidents and 5 by dogs. 1 cow had been

attacked on the Northern Hills and 2 cattle hit by cars. Some of the incidents on the road involving sheep had been in daylight on relatively straight sections of road.

The CCO had prepared a press release and the sheep worrying incident would be reported in Friday's paper.

## **12. Conservation Manager's Report**

Third's Wood - the felling licence had been granted and the work was being put out to tender with a view to it starting in September. He hoped to complete all of the major works over one winter.

Countryside Stewardship – negotiations could last until October, and the Scheme would go live on 1 January 2018. The area covered by the application was Northern and Central Hills, Malvern Common, Brockhill Fields, Old Hollow, Ballard's Land & Park Wood.

Good Neighbours' Leaflet – this was in draft and everyone would get the opportunity to check the content.

Mowing Schedule – was available for inspection should anyone wish to do so.

Mountain Bike campaign – this had been on hold whilst the rebrand work was ongoing. The CCO had been looking at way-marker locations for the mountain bike trail and had met some of the key players in the area who might become ambassadors for the Trust.

## **13. Matters for Future Consideration**

Mr Hawkins asked if MHT should be preparing or starting to replace trees, and should the Trust consider growing their own trees?

## **14. Urgent business**

There was none.

**The meeting closed at 7.54pm**