

14 June 2018

## Malvern Hills Trust

Ordinary Meeting of the Board

Council Chamber, Avenue Road, Malvern.

Thursday 14 June 2018 7.00 pm

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

**In attendance:** Chief Executive Officer (CEO), Secretary to the Board, Conservation Manager, Finance and Administration Manager, Conservation Officer.

**Non-attendance:** Mrs P Cumming, Mrs E Holton, Mr J O'Donnell, Ms S Stewart.

### 1. Apologies for absence

Mr R Bartholomew, Ms C Bovey, Mr A Golightly, Mrs C O'Donnell, Mr C Rouse.

### 2. Chair's announcements

- i. The purchase of the 4 acres at Hollybed Common had been completed. Mr Freeman pointed out that the content of the minutes of the meeting of 3 May remained confidential.
- ii. Mr Freeman introduced the new Conservation Officer Andy Pearce.
- iii. There would be a talk by Katey Stephen on 25 July 7pm at the Octagon Community Centre on the new SSSI at Lower Malvern Common.
- iv. It was planned to hold the Stroll on 23 August at British Camp (6.30pm).
- v. Former Board member Brian Wilcock had died.
- vi. It was anticipated that there would be 2 special board meetings in the near future, one to discuss the final draft of the public consultation document for the Charity Commission Scheme and the other to determine the application for an easement off Chance Lane.

### 3. Public questions

There were none.

### 4. Declarations of interest

There were none.

### 5. To confirm the Minutes of the Board meetings held on 8 March, 3 & 17 May 2018

On the proposal of Mr Freeman, seconded by Ms Rouse it was **RESOLVED** to approve the minutes of the Board meetings held on 8 March, 3 & 17 May 2018.

### 6. Matters arising not on the agenda

There were none.

## 7. Staffing Committee

7.1 On the proposal of Ms Stace, it was **RESOLVED** to approve the minutes of the meeting held 29 March 2018.

### 7.2 Matters arising

Ms Stace went through the minutes. The CEO confirmed that a report on Benchmarking staff salaries had been received. He intended to go through it with the Chair and Vice-Chair of the committee to see if any further analysis was required before bringing it to the committee.

### 7.3 Adoption of the minutes and the recommendations contained in them

It was agreed to defer appointing 2 nominated Board members under the Bullying and Harassment Policy until a later date.

On the proposal of Ms Stace, seconded by Mr Penn, it was **RESOLVED** (with 2 abstentions) to adopt the 2 following recommendations and to adopt the minutes of the meeting:

#### i) **Bullying and Harassment Policy**

To adopt the amended the Bullying and Harassment section of the Staff Handbook to widen the reporting options to include the CEO, another staff member of a different gender and 2 nominated Board members.

#### ii) **Staff expenses for attending evening meetings**

To adopt the draft policy.

## 8. Land Management Committee

8.1 On the proposal of Mrs Rees, seconded by Mr Freeman it was **RESOLVED** to approve the minutes of the meeting held 12 April 2018.

### 8.2 Matters arising

Mrs Rees went through the minutes. Mr Hall-Jones said that the rhododendrons south of Rose Bank Gardens had been planted by the Board in memory of Joyce King. The Conservation Manager confirmed that he would prepare a paper for the next Committee meeting to clarify the arrangements for updating the Land Management Plan. The CEO confirmed that a structural engineer's report had been commissioned to look at whether better use could be made of the top floor of Manor House. It appeared that some structural strengthening would be required if it was to be used as additional office space.

### 8.3 Adoption of minutes

On the proposal of Mrs Rees, seconded by Dr Braim, it was **RESOLVED** unanimously to adopt the minutes of the meeting held on 12 April 2018..

## 9. Finance Administration and Resources Committee

9.1 Subject to one amendment, on the proposal of Mr Davies, seconded by Ms Rouse, it was **RESOLVED** to approve the minutes of the meeting held 10 May 2018.

### 9.2 Matters arising

Mr Davies went through the minutes. The audit clearance meeting would take place on 27 June. Ian Burrows of Brewin Dolphin had attended a meeting at Manor House in the current week and had reported stronger performance of both portfolios. Mr Davies also confirmed that the Fundraising Working Group had met and was looking at ways of raising around £60,000 in the next financial year. Mr Yapp asked (in relation to “red” items on the Risk Register) whether it was right that the risks associated with the pension scheme should be downgraded. The CEO said that both the level of risk and the probability of a crisis arising had reduced, as a result of the steps which the Board had taken and the agreement reached with the Pension Scheme trustees.

### 9.3 Adoption of the minutes and the recommendations contained in them

On the proposal of Mr Davies, seconded by Mrs Hodgson, it was **RESOLVED** (with 1 abstentions) to adopt the 4 following recommendations and to adopt the minutes of the meeting:

i) **Investment review and updates to policies**

To approve the revised Parliamentary & Land Maintenance Fund and Land Acquisition Fund policies.

ii) **Reserves policy**

a) To adopt the draft reserves policy

b) That reserves be measured against the level stated in the policy and reported each quarter

c) That the policy be reviewed annually and

d) That the “low point” for reserves and cash be identified for each financial year when the budget was being set

iii) **Management accounts for the year ended 31st March 2018**

a) To retain the 2017/18 investment income earned on the Parliamentary Fund (£19,612) and Lands Maintenance Fund (£5,154) in those funds rather than transferring it to the General Fund, given the satisfactory level of reserves in the General Fund

b) To set up a designated fund of £10,000 at 31st March 2018 for fund-raising support costs to be incurred in 2018/19

c) To set up a designated fund of £4,000 to cover the costs of the Mountain Bike Campaign

d) To set up a designated fund of £20,000 to cover the Charity Commission scheme public consultation costs

iv) **General Data Protection Regulations (GDPR)**

To adopt the draft privacy policies for volunteers and members of the public.

There had not been a meeting of the Governance Committee.

## 10. Charity Commission Scheme

Updates:

Prof Raine reported that there had been 3 successful workshops and a very helpful debate. The attendees had considered and settled on the best way forward in relation to some of the outstanding issues.

Prof Raine and the CEO had been to see CEO of Herefordshire Council, Bill Wiggin, MP for North Herefordshire (and had met with Harriet Baldwin in 2017) and were planning a meeting with Worcestershire County Council following the appointment of their new CEO. The Secretary to the Board and Conservation Manager were planning to meet with some of the graziers and adjoining landowners.

Prof Raine, Mr Penn, Mr Freeman, the CEO and Secretary to the Board had between them given a presentation at 10 Parish Annual Meetings. The response had been very positive, and the questions gave an indication of the areas where MHT needed to make sure there was a clear explanation of both the problems which the Scheme was seeking to address and the reasons for MHT's suggested solutions.

The Secretary to the Board said that she was awaiting the next draft of the consultation document from the solicitors. She hoped the document would shortly be ready for consideration by the Governance Committee and then by the Board. It would be necessary to hold a Special meeting to adopt the draft for public consultation in order to achieve the aim of holding the public consultation in late summer. It was intended to prepare a simple summary, together with a more detailed explanation of some of the key issues to accompany the consultation document. MHT had enlisted the help of a consultant (Fiona Narburgh) experienced in public consultations and also the services of Worcestershire County Council who would assist with setting up the web site for the consultation and analysing the responses.

Costs to date were about £50,000.

### **Arrangements for voting in MHT elections**

The Secretary to the Board went through Paper A.

Points made in discussions were:

- It was difficult to persuade people to come out to vote, and postal votes made up an increasing number of the total votes cast in local and national elections.
- Would Electoral Reform Services give an indication of expected percentage of people voting?
- Did MHT want to keep open the option of reverting to the old system if the postal vote didn't work well?
- It was enormously helpful for all households to get candidate information
- With postal voting it was easy to put the papers on one side and forget them
- If there was a long list of candidates, it would be easier to vote with all the candidate information to hand
- Would candidates be able to send out their own literature as well?

On the proposal of Ms Stace, seconded by Prof Raine it was **RESOLVED** unanimously to make provision in the Scheme to change the method of voting for Board members from using the District Council regulations to a system which allowed postal voting.

#### **11. Malvern Common SSSI**

The Conservation Manager went through the paper. It was a real achievement, and a tribute to the management of the site over many years, to get this designation. The mowing regime had been reviewed and it had been agreed with Natural England to make a single cut round the edge of the common for highway safety reasons, with a little more cutting around junctions. The Conservation Manager confirmed that the old football pitch on the lower common would not be reinstated. MHT had been asked not to publicise the creation of the SSSI until the end of the period when objections could be lodged. Prof Raine asked if this could be an opportunity to address the issue of litter in the area and Mrs Hodgson asked if all the residents had been informed? It was suggested that when publicity was permitted, MHT should tell the public how much of the Hills was SSSI.

The report was **NOTED**.

#### **12 Urgent business**

There was none.

#### **13 Information**

13.1 AONB Joint Advisory Committee - A report had been circulated.

13.2 Wildlife Panel – The minutes of the meeting had been circulated. Ms Stace commented on the high quality of the information supplied by the panel members and said the next event was a walk in July to look at glow worms.

13.3 Recreation Advisory Panel – The report had been circulated.

13.4 Malvern Spa Association – No report.

13.5 Management Report – The CEO reported that a fishing permit system had been set up at Clevelode. This required that applicants produce their Environment Agency fishing licence and enabled the wardens to challenge people who were fishing there. Reports continued of inappropriate behaviour and he had appointed a volunteer water bailiff. He had one item to discuss which needed to take place in confidential session. The Conservation Manager (his report item 11) confirmed that he had met with Natural England and MHT's officer was in support of MHT's case.

The CEO confirmed that the rockfall in Tank Quarry was relatively minor but was none the less a severe risk. He anticipated reopening the car park but not access to the lower quarry.

Mr Freeman reminded everyone of the publication of the Nature of the Malverns book.

#### **14 Items for future consideration**

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There were none.

**15 Date of next meeting**

The next scheduled meeting was on 13 September 2018.

**16 Confidential item**

On the proposal of Mr Freeman, seconded by Mrs Rees it was **RESOLVED** unanimously to exclude the public for discussion of the remaining item on the agenda on the grounds that publicity would be prejudicial to the public interest by reason of the exempt or confidential nature of the business to be transacted (commercially sensitive matter).

**The meeting closed at 8.50pm**