



**Malvern Hills Trust**

**Ordinary Meeting of the Board**

**Thursday 22 September 2022 7.00pm**

**The Council Chamber,  
Malvern Hills District Council,  
Avenue Road, WR14 3AF**



**Ordinary Meeting of the Board**  
**Council Chamber, Avenue Road, WR14 3AF**  
**Thursday 22 September 2022 7pm**

**Agenda**

1. Apologies for absence
  2. Chair's Announcements
    - Update following meeting on 8 September 2022
  3. Declarations of Interest
  4. Public Comments
  5. To confirm the Minutes of the Board meeting held on 14 July 2022 (May be dealt with in confidential part of the meeting if necessary) Pages 1 - 6  
Confidential page 1- 2  
Any matters arising from the previous Board meeting not discussed at Workshop on 5 September 2022
  6. To review the Letter of Representation addressed to Bishop Fleming and authorise the Chair of the Board to sign Pages 7 - 9
  7. Trust bank deposit accounts Paper B pages 12,13
  8. Arrangements following Levy Payers meeting: Appointment of auditors – tendering exercise
  9. Local Authority Boundary Commission Review: update and to approve a budget Paper C pages 14 - 16
  10. Updates Risk Management Schedule Verbal update
  11. To consider the outcomes from the trustee workshop on the Governance Toolkit exercise
  12. Review of temporary fencing Paper D pages 17 - 19
  13. Purlieu Field – land management Paper E pages 20 - 24
  14. Hunting on Trust land Paper F pages 25 - 27
  15. H & S update Paper G pages 28, 29  
Including review of Covid precautions and meeting arrangements.
  16. Information
    - 16.1 Management accounts to.31.7.22 Separate bundle
    - 16.2 GDPR breaches Verbal update
    - 16.3 Conservation Mangers report from 5 September 2022 Verbal update
  17. Urgent business
  18. Date of next meeting  
10 November 2022
  19. Confidential  
Resolution to exclude the public for discussion of item 22 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 (HR matter).
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- Confidential**
20. Land purchase Paper J page 3

Following the Government announcement 'Living with COVID-19', it remains the responsibility of employers and organisations to put arrangements in place to try to reduce the spread of infection at meetings and events. Malvern Hills Trust, having assessed the risks of face-to-face meetings, will continue to take measures to keep everyone as safe as possible.

**If you or anyone in your household has experienced any Covid symptoms in the last 7 days, please do not attend this meeting unless you have a negative lateral flow test result on the day of the meeting. The Government has updated the list of symptoms and the most common are now runny nose, sore throat, headache, fatigue and sneezing and not necessarily a cough, fever or loss of sense of taste or smell.**

As cases remain high, when attending meetings please:

- Continue to wear a face covering once inside unless you are exempt from doing so (or when speaking).
- Use the hand sanitiser provided when you enter and leave the building
- Seats will be placed socially distanced within the venue - please don't move the chairs closer to others unless you have checked that they are happy for you to do so
- Once the meeting is over, please leave the building - if you want to chat it is safer to do it in the open air

We risk assess the meeting venue. Once the capacity for the venue has been reached, in order to keep attendees safe, no further people will be admitted. Anyone (other than trustees) who wishes to attend must apply in writing to [cindy@malvern hills.org.uk](mailto:cindy@malvern hills.org.uk) (or write to Mrs L Parish at the Trust's office), giving their name, E-mail address and contact number. Places will be allocated on a first come first served basis. Cindy will confirm whether there is a place available.



## Malvern Hills Trust

Ordinary Meeting of the Board

Council Chamber, Avenue Road, Malvern

Thursday 14 July 2022 7pm

**Present:** Mr C Atkins, Mr R Bartholomew, Dr S Braim, Dr E Chowns (arrived during item 3), Mr P Clayburn, Mr D Core, Mr M Davies (Chair), Mr R Fowler, Mrs L Hodgson, Mrs H I'Anson, Mr J Michael (arrived during item 7), Dr T Parsons, Mr C Penn, Prof J Raine, Mr C Rouse, Ms M Turner, Mr D Watkins, Mr T Yapp.

**In attendance:** CEO, Secretary to the Board, 1 members of the public, Andy Thomason (Bishop Fleming)

Please note – reporting items set out on the agenda which were not for decision were dealt with at an online workshop (“the Workshop”) on Monday 11 July 2022 which was streamed for members of the public. This action was taken because of the continuing high numbers of Covid-19 cases in order to shorten the face-to-face meeting.

Mr Davies welcomed everyone to the meeting.

### 1. Apologies for absence

Mr D Baldwin, Mr D Fellows, Mrs C Palmer, Mrs H Stace, Finance and Administration Manager.

### 2. Chair's announcements

- Trustee Workshop (by Zoom) 21 July - review of car parking arrangements
- Trustee Workshop (by Zoom) 8 August 6.30pm – first quarter's accounts and the impact of escalating prices
- Castlemorton Parish Hall 16 August 7pm – Trustee Workshop to discuss the outcomes from the Governance Toolkit exercise
- Stroll 31 August Malvern Link 6.30pm
- The Trust had purchased a piece of land in Evendine Lane
- A portfolio update letter had been received from Brewin Dolphin, which had been circulated to all trustees
- A letter from the Charity Commission had been received confirming that they had closed their file in relation to a regulatory compliance case.

### 3. Declarations of interest

There were none.

### 4. Public Comments

There were none.

### 5. Audit completion report

Mr Core confirmed that there was a clean audit report and that he and Mr Davies had had a meeting with the auditors without staff present.

Mr Thomason said that the process had gone very smoothly and the Malvern Hills Trust team had been brilliant. There were no management letter points. He summarised the report which had been circulated. He asked whether any trustee was aware of any post balance sheet events - there were none raised.

He outlined the statistical tests which were applied for error and fraud detection, and the results set out in the report, which raised no concerns. There were no unresolved prior year points.

He confirmed that, in relation to the pension scheme, the auditors did not enquire into the figures presented by the actuary, as they were the specialists.

Mr Core thanked the team from Bishop Fleming and the team at the Trust for all their hard work.

Mr Thomason left the meeting.

**6. To confirm the Minutes of the Board meeting held on 12 May 2022**

On the proposal of Mr Clayburn, seconded by Mr Atkins it was **RESOLVED** (with 7 abstentions) to approve the minutes of the meeting held on 12 May 2022. There were no matters arising.

**7. Staffing Committee**

7.1 On the proposal of Mr Davies, seconded by Mr Penn it was **RESOLVED** by the committee members present to confirm the accuracy of the minutes of the meeting held on 31 May 2022.

7.2 Prof Raine confirmed that there were no updates.

**7.3 Adoption of minutes**

On the proposal of Mr Davies, seconded by Mr Bartholomew it was **RESOLVED** (with 2 abstentions):

- i. To adopt the minutes of the meeting held on 31 May 2022
- ii. To introduce a 20p per mile tax free bicycle mileage allowance for business journeys with immediate effect.
- iii. That the carry forward provisions for staff annual leave in the Employee Handbook have the following added – ‘to allow all untaken annual leave (including bank holidays) as at 31st March 2022 to be carried forward and used before 31st March 2024’,

That the carry forward provisions for TOIL in the Employee Handbook have the following added – ‘that overtime balances outstanding at 31st March 2022 can be carried forward, to be used before 31st March 2024’

The matter be reviewed at 31 December 2022.

The recommendations from the confidential part of the Staffing Committee meeting were dealt with in the confidential part of this meeting.

**8. Finance Administration and Resources Committee**

8.1 On the proposal of Mrs Hodgson, seconded by Prof Raine it was **RESOLVED** by the committee members present to confirm the accuracy of the minutes of the meeting held on 9 June 2022.

8.2 Mr Core confirmed that there was a regulatory requirement for the Trust’s investment managers to write if a fund fell by more than 10 % from the previous



quarterly valuation. Such a letter had been sent out in June as a result of a fall in value of the Land Purchase Fund. Whilst this was to be regretted, these were long term investments and was not a matter of immediate concern to the Committee. The Committee had agreed to hold a workshop for all trustees once the June management accounts were available to consider the impact of increasing prices and staff costs on the Trust's budgets for 2022/23.

### 8.3 Adoption of minutes

On the proposal of Mr Core, seconded by Mrs Hodgson it was **RESOLVED** unanimously:

- i. To adopt the minutes of the meeting held on 9 June 2022
- ii. To adopt the amended reserves policy
- iii. To record that the assessment of the reserves position at 31<sup>st</sup> March 2022 was satisfactory

## 9. **Governance update**

This had been discussed at the Workshop.

Mr Atkins reminded trustees that a summary of the main outcomes of the Governance Toolkit exercise had been circulated in advance of the workshop on 16 August. If trustees had other issues which they wanted to include, they should contact Mr Atkins before the meeting.

## 10. **Final Management Accounts to 31.3.2022**

These had been circulated. There had been a small number of adjustments which were set out in the accompanying paper. It was confirmed that there had been no expenditure in the year in connection with the Governance changes.

## 11. **To approve the narrative on the Trustees' Annual Report.**

An E-mail from the Finance and Administration Manager together with Mr Fowler's response had been circulated to trustees. It related to a proposed amendment to the narrative which had been discussed at the workshop on 17 May 2022. The proposed change had been considered after the workshop and the Finance and Administration Manager reported that she believed that the wording of the Trustees' Annual Report as previously circulated properly reflected the Trust's legal status and the proposed change was not appropriate. Mr Atkins said that he believed the assertions in Mr Fowler response of 14 July, which were represented as matters of fact, did not present a full and accurate picture. Mr Davies pointed out that the debate about whether the Trust could properly be labelled as a "public body" was one which was likely to be central to the discussions on the outcomes of the Governance Toolkit, and the Workshop on 16 August might be the best place for a discussion on how the issue might be resolved.

Mr Penn had made a number of points in an E-mail to the Finance and Administration Manager. It was agreed to insert the words "...of pensionable salary" after "10%" at the end of para 4 page 18.

On the proposal of Mr Davies, seconded by Mr Bartholomew it was **RESOLVED** (with 2 votes against and 2 abstentions) to approve the wording of the Trustees' Annual Report with the addition of the words "of pensionable salary" at the end of para 4 page 18.

#### 12. Authority for bank mandate

On the proposal of Mr Core, seconded by Mrs Hodgson it was **RESOLVED** (with 2 abstentions) to alter the Lloyds Bank mandate to add the Secretary to the Board as a signatory with online access to the account.

#### 13. Proposed amendment to Standing Orders

As outlined in the paper, some minor anomalies had been identified and the changes were intended to clarify the existing wording of Standing Orders.

On the proposal of Mr Bartholomew, seconded by Mr Clayburn it was **RESOLVED** unanimously to amend Standing Orders as follows:

4.3 There shall be a minimum of 9 trustees appointed to Land Management Committee and a minimum of 9 to Finance, Administration and Resources Committee

4.9 If the number of members on any standing committees except the Disciplinary Committee falls below that set out in 4.3 and 4.4 the chair and vice-chair of the Board with the chair and vice-chair of the relevant committees will, with the consent of the member/s concerned, appoint additional trustees to serve until the following November Board meeting.

4.10 If the number of members on the Disciplinary Committee falls below that set out in 4.5, on the proposal of the chair and vice chair of the Board, additional committee member/s will be appointed by the board to serve for the remainder of the term of the board

9.2 Only trustees who have signed the Trustees' Code of Conduct will be eligible for membership of the Disciplinary Committee.

Renumber existing paragraphs 9.2 – 9.4 accordingly

#### 14. Approval Risk Management Schedule

The content of the Risk Management Schedule had been discussed in a workshop and a final draft had been circulated. The CEO reminded everyone that this was a living document and subject to change. The Chair thanked the CEO for his work on the document.

On the proposal of Mr Core, seconded by Mr Penn it was **RESOLVED** unanimously to approve the wording of the Risk Management Schedule.

#### 15. Local Government Boundary Commission (LGBC) revised proposals

The Secretary to the Board had circulated an E-mail summarising the current proposals and the LGBC comments on the Trust's response to the original proposals. The LGBC were now consulting on further proposed changes – the amalgamation of four wards into two, thus potentially making a change to the



warding arrangements which would be inconsistent with the wording of the Malvern Hills Acts. The Trust would respond in the further consultation and was seeking advice on how it could address the necessary legislative change were the current recommendations to be adopted. If the Malvern Hills Acts could not be amended by the Secretary of State pursuant to s 67(2) Local Democracy, Economic Development and Construction Act 2009, being a consequential change flowing from the adoption of the recommendations, exercising the other options open to the Trust to amend the wording of the current statutory provisions could be very costly.

The proposed changes would not affect the precepting arrangements, only the voting arrangements. There was a change made to the numbers of wards in 1958 and an amendment to the Acts was made by Statutory Instrument.

An additional issue was whether the change could be made in time for the scheduled Trust elections in November 2023. The breaking of the link between voting arrangement and payment of the levy was potentially divisive.

#### **16. Arrangements for Levy Payers' Meeting**

The Secretary to the Board confirmed that the Levy Payers' Meeting would take place before the September Board meeting. The Trust offered the opportunity to members of the public to ask questions on the accounts as a matter of good practice.

A complex question was put at the meeting in 2021, to which it was not possible to give a full answer during the meeting. An option would be to revert to the practice of asking for questions to be submitted in advance of the meeting in order to avoid this situation arising again. Any questions posed on the accounts without prior notice could be answered at a later date. The public information about the meeting made it clear that questions could be asked on the accounts. Questions could be asked at any time on other topics through the office.,

#### **17. H & S update**

There had been one minor accident in the period after the report had been written.

The CEO suggested keeping the existing Covid precautions in place given the high case numbers – they were not onerous.

On the proposal of Dr Chowns, seconded by Mr Bartholomew it was **RESOLVED** (with 2 abstentions) to continue the current precautions.

#### **18. Information**

These items had been discussed in the Workshop, but the comments recorded below were made at the meeting:

##### **18.1 Management accounts - interim accounts to 31.5.22**

Mr Core said there had been a small decline in car park takings but they were still ahead of the pre-pandemic figures. The CEO pointed out that car park takings declined during very hot weather.

##### **18.2 Expenditure approved under delegated authority 2022**

The CEO had understood that WCC would be contributing 50 % of the cost of the work required to the roadway at Westminster Bank. He had subsequently been

told that they were not able to do that within this year's budget. They would only make a £1,000 contribution from the public Rights of Way budget.

**18.3 Conservation Manager's Report**

**18.4 GDPR breaches** There were none to report.

**18.5 Malvern Spa Association**

**18.6 AONB Joint Advisory Committee**

**18.7 Wildlife Panel**

**18.8 Recreation Advisory Panel**

**18.9 4Cs**

**18.10 Management Report**

**19. Urgent Business**

There was none.

**20. Date of next meeting**

8 September 2022 after the levy payers' meeting

**21. Confidential**

On the proposal of Mr Davies, seconded by Mr Core it was **RESOLVED** unanimously to exclude the public for discussion of item 22 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 (HR matter).

**The meeting closed at 9.00pm**



Bishop Fleming LLP  
10 Temple Back  
Bristol  
BS1 6FL

Dear Sirs

## FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2022

The following representations are made on the basis of enquiries of management and staff with relevant knowledge and experience such as we consider necessary in connection with your audit of the charity's financial statements for the year ended 31 March 2022. These enquiries have included inspection of supporting documentation where appropriate and are sufficient to satisfy ourselves that we can make each of the following representations. All representations are made to the best of our knowledge and belief.

### 1. Responsibility for the financial statements

We have fulfilled our responsibilities as trustees under the Charities Act 2011 for preparing financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice), for being satisfied that they give a true and fair view and for making accurate representations to you.

### 2. Completeness of information

All the transactions undertaken by the charity have been properly reflected and recorded in the accounting records.

All the accounting records have been made available to you for the purpose of your audit. We have provided you with unrestricted access to all appropriate persons within the charity, and with all other records and related information requested, including minutes of all management and trustee meetings and correspondence with The Charity Commission.

The financial statements are free of material misstatements, including omissions.

### 3. Internal control and fraud

We acknowledge our responsibility for the design, implementation and maintenance of internal control systems to prevent and detect fraud and error. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

We have disclosed to you all instances of known or suspected fraud affecting the entity involving management, employees who have a significant role in internal control or others that could have a material effect on the financial statements.

We have also disclosed to you all information in relation to allegations of fraud or suspected fraud affecting the entity's financial statements communicated by current or former employees, analysts, regulators or others.

### 4. Laws and regulations

We have disclosed to you all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial statements.



## 5. Legal claims

We have disclosed to you all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial statements.

## 6. Transactions with trustees and other related parties

Related party relationships and transactions have been appropriately accounted for and disclosed in the financial statements. We have disclosed to you all relevant information concerning such relationships and transactions and are not aware of any other matters which require disclosure in order to comply with legislative and accounting standards requirements.

In addition, the charity has had at no time during the accounting period any arrangement, transaction or agreement to provide credit facilities (including loans, quasi-loans or credit transactions) for trustees or connected persons nor to guarantee or provide security for any such matters.

## 7. Grants and donations

All grants, donations and other income, the receipt of which is subject to specific terms or conditions, have been notified to you. There have been no breaches of terms or conditions in the application of such income.

## 8. Control

We confirm that there is no controlling party.

## 9. 51% Group companies

We confirm that there are no 51% group companies related to this charity for tax purposes.

## 10. Going concern

We believe that the charity's financial statements should be prepared on a going concern basis on the grounds that current and future sources of funding or support will be more than adequate for the charity's needs. We have considered a period of twelve months from the date of approval of the financial statements and have factored the impacts of COVID-19 into our assessment. We have considered funding that will be available to the Malvern Hills Trust over the next twelve months. Additional funding likely to be raised from other income such as car parks, passes and rentals. We have also performed sensitivity analysis on budgets provide to assess level of expenditure.

We have also considered the adequacy of the disclosures in the financial statements relating to going concern and are satisfied that no further disclosures are required relating to the charity's ability to continue as a going concern are required in order to give a true and fair view.

## 11. Accounting Estimates

The methods, data and significant assumptions used by us in making accounting estimates, and their related disclosures, are appropriate to achieve recognition, measurement and disclosure that is reasonable in the context of the applicable financial reporting framework.

In particular we confirm that the fair values of the following items are reasonable:

- Heritage Assets	£1,173,644
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## 12. Subsequent events

All events subsequent to the date of the financial statements which require adjustment or disclosure have been properly accounted for and disclosed.





# Malvern Hills Trust

## 13. Assets and Liabilities

The charity has satisfactory title to all assets and there are no liens or encumbrances on the charity's assets, except for those that are disclosed in the notes to the financial statements.

All actual liabilities, contingent liabilities and guarantees given to third parties have been recorded or disclosed as appropriate.

We have no plans or intentions that may materially alter the carrying value and, where relevant, the fair value measurements or classification of assets and liabilities reflected in the financial statements.

## 14. Livestock

We confirm that all relevant information has been made available to you concerning the quantity and value of livestock. In our opinion, all livestock, wherever situated, has been accurately counted and appropriately valued. We have considered the need for provisions in respect of obsolete or damaged stock, making provision as necessary. All livestock belongs to the charity. We confirm that the value of livestock held as at 31 March 2022 is £25,320.

We acknowledge our legal responsibilities regarding disclosure of information to you as auditors and confirm that so far as we are aware, there is no relevant audit information needed by you in connection with preparing your audit report of which you are unaware.

Each trustee has taken all the steps that he or she ought to have taken as a trustee in order to make themselves aware of any relevant audit information and to establish that you are aware of that information.

As minuted by the board of trustees at its meeting on 8<sup>th</sup> September 2022.

Yours faithfully

.....

Michael Davies, Chair

Signed on behalf of the board of trustees



## Ordinary Meeting of the Board

### Bank deposit accounts

8<sup>th</sup> September 2022

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The Trust's cash reserves are currently deposited in one of 3 deposit accounts:

Lloyds 30 day notice account £186,000 paying 0.2 %  
Charity Bank 40-day deposit account £630,000 paying 0.66 %  
CAF Gold Account (instant access) £206,000 paying 0.5 %

There is also £250,000 in the Lloyds current account.

All 3 banks are being very slow to increase their rates and CAF Bank have written to tell us that they have changed their terms and conditions and will be closing the CAF Gold deposit account to customers who do not keep their current account with them in September 2022. We therefore need to find an alternative deposit account.

An interesting alternative to directly opening accounts is the CAF Charity deposit platform, which is provided by Flagstone Investment Management. This platform allows charities with a minimum of £50,000 available to place funds on deposit, with a choice of 80 accounts (from 20 banks and building societies) via the platform. Interest rates and terms are easily visible and FSCS guaranteed banks can be selected.

Accounts are linked to a nominated 'Source account', which would be the Lloyds Bank current account. Transfers off the platform can only be made back to the source account. The platform uses industry-leading Transport Layer Security (TLS) to encrypt and transport data.

Trustees will be aware that bank deposits are protected under the FSCS guarantee scheme up to £85,000. Should a bank fail, any funds on deposit above this amount could be lost. The CAF Charity deposit platform gives access to numerous deposit accounts through the portal, so the total funds deposited can be split into deposits of £85,000 per bank, thus fully guaranteeing all of the Trust's deposits.

There is of course a catch, and that is that there is a 0.25 % charge for using the platform. We did look at Flagstone a while ago and concluded that in the time of very low interest rates, the cost could not be justified. However, with interest rates increasing, this could be a good time to move to the platform. To search the internet for charity deposit rates is very time consuming, and then to get a Board resolution to open an account can take several weeks. Hence we have tended not to move the Trust's money around very often.

By using the platform, multiple available accounts are visible making it quick and easy to identify the best rates available.

Current rates (at 22/8/22) available on the platform for fixed term deposits are:

3 month (95 day) – 1.76 % - 1.87 %  
6 month – 2.14 %  
12 month – 2.75 %

We had hoped to speak to a user of the platform before sending these papers out but haven't yet made contact, so will follow this up before the meeting and give a verbal update.

### Cash flow requirements for the 2022/23 financial year

The updated summary cash flow for the 2022/23 financial year (based on the outlook prepared in July) is shown below:

	General fund	Designated funds	Restricted funds	Total
	£	£	£	£
Cash balances brought forward	330,752	820,028	16,904	1,167,684
Net cash inflow/(outflow)	(65,050)	(60,086)	(8,891)	(134,027)
Cash balances carried forward	265,702	759,942	8,013	1,033,657

### Conclusion

With financial uncertainties and rising interest rates the Trust would be ill advised to tie up its surplus cash for too long. However, it is clear the interest currently being earned is below market rates, so the following recommendation is proposed.

### Recommendation

1. To close the CAF Gold deposit account,
2. That a total of £340,000 be transferred to the CAF Charity Deposit platform (being the full balance on the CAF Gold account with the balance from the Lloyds 30-day notice account) for a trial period of 12 months. Blocks of £85,000 to be invested across a range of 3 to 6-month deposits.
3. That deposit accounts be kept under review, with a further report to FAR or the Board in 12 months' time (or sooner if needed).

Cheryl Gentry  
Finance & Administration Manager  
22nd August 2022

## **Ordinary Meeting of the Board**

### **Local Government Boundary Commission Review**

8 September 2022

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#### **Background**

E-mail to trustees 11 July 2022

MHT response in second consultation sent to trustees 15 August 2022

The Board is aware that the Local Government Boundary Commission (LGBC) is carrying out an electoral review of Malvern Hills District Council. A summary of the relevant changes proposed in the second iteration of their proposals were set out in an E-mail to trustees of 11 July 2022.

The original proposals had the effect that some residents in Newland would become eligible to vote in Trust elections (but would not pay the levy), and some residents in Upper Welland would lose the right to vote but would still be liable to pay the levy.

The modified proposals would have a more serious impact if adopted in their present form. It would result in the legislation which governs the Trust's constitution (in relation to the election of trustees) being at odds with the legislation which governs the constitution of Malvern Hills District Council, in particular its electoral wards. The effect would be that Trust elections could not be held in accordance with the Acts as they now stand.

The final conclusions of the LGBC and recommendations for an Order to change the electoral arrangements in the Malvern Hills District are due to be published on September 16<sup>th</sup> 2022, with any changes coming into effect (subject to parliamentary approval) by May 2023. Because of the statutory considerations which the LGBC must take into account when making its recommendations, it is thought unlikely that the Trust's representations in the consultation will carry much weight and result in a change to the proposals. Time to resolve any mismatch between the new electoral framework and the requirement of the Malvern Hills Acts is extremely short because the next Trust elections are due to take place in October 2023. The Trust cannot afford to wait until 16 September before taking further steps.

For the avoidance of doubt it is only proposed to take urgent action to try to resolve the problem created for the holding of Trust elections. The disparity between the electoral areas and the levy paying areas will have to await the revision of the Trust's Governing Acts.

Initial advice has been taken from Parliamentary Agents. In summary:

It appears the LGBC has no power to include anything that can resolve the disparity within the order that will put into effect its recommendations.

The option of an Order under the Public Health Act 1875 (which was used in 1958) is no longer considered to be available.

It might be possible for the Secretary of State to make an order under s67 of the 2009 Local Democracy, Economic Development and Construction Act. No order has been made under this section before. It is by no means certain that this mechanism can be used because of the slightly unusual wording of the section. If the Department took the view that an order could be made, it is not clear what the Parliamentary process would be. If the House of Lords were to take the view that a s67 Order should be treated as a hybrid instrument, and there were petitions lodged against the making of the order, this would increase Departmental costs and result in delays which would mean the Order might not be in place in time for the October 2023 elections.

The Trust has been advised that the next step should be to identify and take soundings from the relevant Department officials to ascertain whether they would support applying for a s67 order, and also see whether the House of Lords authorities would give a preliminary view of whether an order would be treated as a hybrid instrument.

If the Department decline to take the matter forward by this route (the costs would fall substantially to the Department and the Trust would not require s 74 Charities Act consent), then the Trust would be faced with making any changes by way of a private Bill, with the associated costs falling to the Trust.

Normally any private bill would need to be lodged by November and there would be no guarantee the bill would complete its passage in time for the Trust's 2023 elections. If the Trust fails to achieve legislative change by early August 2023 at the latest (because of the election timetable) it would be forced to come up with some sort of "fudge" in order to conduct elections in the affected wards (or not hold elections), with consequent risk of legal challenge.

Given the prevailing view that it is essential that the Trust makes other changes to its governing Acts, it would make little sense to take forward a single item Bill with its associated costs. However combining the changes needed to resolve the election issues with the suite of other changes to the Acts would almost certainly extend the time the bill would take to go through Parliament.

The Trust have not yet received an invoice for advice to date but the fee estimate was in the region of £3,500.

### **Recommendation**

None of this work was foreseen when the budget for 2022/23 was set. Tackling the complications of the Parliamentary process are not within the skill set of Trust officers and further help will be required to take the matter forward. The Board is asked to agree that work should proceed immediately to seek to resolve the issue which the LGBC recommendations are likely to create. If by any chance the LGBC drops its proposal to reduce the number of wards within Malvern to 5, work can cease immediately. Progress

reports will be given to trustees by E-mail (or if necessary in a Workshop) or Special Board meeting can be called if a decision is required before November.

The Board is asked to authorise a budget for legal fees of up to £10,000 (to include costs to date) to carry out the next steps towards trying to secure an Order under s 67 Local Democracy, Economic Development and Construction Act 2009.

To **RESOLVE** that work should proceed immediately to address the inconsistency which would be created by the implementation of the LGBC proposals, which would result in the provision of the Acts in relation holding Trust elections no longer being consistent with the MHDC warding arrangements within Malvern.

To authorise a budget for legal fees of £10,000 and set up a designated fund.





## Ordinary Meeting of the Board

### Review of temporary fencing on the Malvern Hills

8 September 2022

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#### Background Documents

Malvern Hills Acts, specifically the 1995 Act section 15  
Land Management Plan 2021-2026

#### Background

Section 15 of the 1995 Malvern Hills Act sets out ways in which the Trust may use temporary fencing to regulate or prohibit access by the public.

15(3)

*(a) after consultation with the Historic Buildings and Monuments Commission for England, for the protection, so far as is reasonably necessary, of any ancient monument or any area of archaeological or historical interest;*

*(b) for the protection and restoration of the natural beauty of the Malvern Hills and their suitability for rough grazing or recreation;*

*d) if advised by the Nature Conservancy Council for England that regulation or prohibition of access would be desirable in the interests of protection or preservation of flora or fauna or any area of scientific interest on the Malvern Hills, for such protection or preservation, so far as is reasonably necessary;*

Temporary fencing is very rarely used with the intention of prohibiting or restricting public access. The use of temporary fencing to manage grazing stock is a key tool in the effective delivery of the land management plan and for the maintenance and recovery of the SSSI habitats. There has been an ongoing debate as to whether public access via gates constitutes “restricting” access. Any “restriction” is, in almost all instances, a side effect of using fencing to guide grazing animals. Regrettably this is another instance where the wording of the statute does not fit the management requirements of the Trust.

Natural England has stated:

“We acknowledge the role of temporary electric fencing in order to achieve suitable levels of grazing intensity .....

Natural England is satisfied that the use of temporary electric fencing to further the conservation grazing of the lowland acid grassland feature represents the optimal management approach. At the time of writing, taking account of the SSSI’s steep landform and its proximity to public roads and private property, no alternative, practical and affordable grazing controls are known.  
We recommend that a review of alternative management controls is completed no later than January 2031.”

For clarity, the use of permanent fencing for public safety is authorised under a separate power in the 1930 Malvern Hills Act (s 4 (b)) and fencing to protect recently planted trees is authorised by the 1909 Act.

This paper provides detail of the current use of temporary fencing and provides opportunity for review by the Board.

### **Temporary fences**

Temporary fencing used on the MHT estate over the last 12 months is listed below.

In all cases, when the arrangements were initially set up, notices were erected to explain the reasons for the fencing to the public and, where appropriate also advertised. Details of grazing activities are reported online via 'stockwatch' on the Trust's website and reported in the Malvern Gazette.

#### **Instances where temporary fencing for stock management is used, and public access is available:**

1. Temporary, electric livestock compartments rotated around parts of the Northern Hills (End Hill – Summer Hill) over 12 months. The purpose is to enclose and guide grazing animals for the purpose of preserving the flora, as advised by Natural England (formerly Nature Conservancy Council) under (3)(d). Public access is permitted via handgates.
2. Temporary, electric livestock compartments rotated around parts of the Central Hills (Perseverance Hill – Wynds Point) to enclose and guide grazing animals for the purpose of preserving the flora, as advised by Natural England under paragraph (3)(d). Public access permitted via handgates.
3. Temporary, electric livestock compartments rotated around parts of the Southern Hills (British Camp – Ragged Stone Hill) over 3 months. The purpose is to enclose and guide grazing animals for the purpose of preserving the flora, as advised by Natural England under paragraph (3)(d). Public access is via handgates.
4. Temporary, electric livestock compartments rotated around parts of Castlemorton Common over 3 months. The purpose is to enclose and guide grazing animals for the purpose of preserving the flora, as advised by Natural England under paragraph (3)(d). Public access is permitted via handgates.

The Trust also uses temporary stock fencing with gates for a short period of time (less than 28 days) to assist the main grazier on Castlemorton Common to manage his ewes and lambs immediately after lambing. The fencing is employed across narrow strips of land. All paths are gated. The use of such temporary sheep pens for less than 28 days is permitted on common land under DEFRA guidance .

**Instances where temporary fencing for stock control is used but access is prohibited for safety.**

1. Temporary, electric livestock compartments rotated around parts of the Old Hills over 3 months. The purpose is to enclose and guide grazing animals under (3)(b). Public access is prohibited due to the small compartment size and proximity to cattle.
2. Temporary fencing at Summer Hill for the purpose of protecting / restoring the flora from further erosion as advised by Natural England (formerly Nature Conservancy Council) under paragraph (3)(d). Public access is prohibited.

The relevant information will be included in the MHT annual review.

**Review by trustees**

The use of temporary fencing is necessary to achieve the aims set out in the Land Management Plan. The Trust only prohibits public access where it is absolutely necessary to achieve the protection required or in the case of Old Hills, access is restricted in small areas for a limited time because of safety considerations. The Trust does not seek to restrict public access when using grazing compartments as an essential part of its management of the Hills but it is inevitable that access to the compartments is limited to the access points, so some users may be inconvenienced.

Board members are invited to review the continuing use of temporary fencing and make staff aware of any queries or concerns.

**Recommendation**

That the Board agree the current uses of temporary fencing.

Duncan Bridges  
CEO  
24 August 2022



## Ordinary meeting of the Board

A management prescription for Upper Purlieu Field  
8 September 2022

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### BACKGROUND PAPERS

Land Management Plan 2021-2026

#### BACKGROUND

The Board acquired 2.6 ha (6.4 acres) of land off the Purlieu track in May 2021 to further the conservation of the Malvern Hills and Commons landscape.

This acquisition was reported to trustees along with the proposal to research the site, its historic management and undertake field surveys over 12 months prior to deciding on a suitable management prescription to be included in the Land Management Plan (LMP).

This paper summarises the research results and provides a recommended Management Prescription (Appendix 1) to be reviewed by Board ahead of incorporation into the LMP.

#### UPPER PURLIEU FIELD

Staff met with the previous owner/manager of the site. Recent **historic management** has included cutting in summer followed by, in some years, sheep grazing near Christmas time. Minor woodland management was undertaken on an ad-hoc basis, e.g. felling dangerous trees.

**Public access** was only via an informal permissive path from Purlieu track to Park Wood via gate and stile. Use here is reportedly minimal and mainly by local dog walkers. There is no way through to Lower Purlieu Field (already owned by MHT).

Surveys by staff with help from local botanist Peter Garner, have proved this site to be a super mixture of **habitats** owing to its geology, hydrology and historic management. These are very similar to habitats present in Lower Purlieu Fields. They include: species-rich grassland, ancient woodland, wet woodland, bracken, a pond and wood pasture.

The central area has an attractive display of spring and summer wildflowers including Bluebells and Common Spotted Orchids.

The area of woodland in the northeast corner has some ancient woodland indicators including Herb Paris that would do well not to be grazed.

**Archaeology** includes a trackway that related to the lime workings in Park Wood.

The upper ground commands good views westward over Herefordshire and Wales.

The boundary fencing is poor and the costs of replacing this, and adding a source of drinking water, were flagged to Board in the acquisition paper.

## MHT'S LAND MANAGEMENT

Over the last 12 months, MHT have stuck close to the original management regime. In summer 2021 the grassland was cut and baled to remove excessive grass. Grazing of cattle and sheep took place in autumn/winter. This year, bracken has been cut in July and livestock are grazing in August.

A lack of drinking water is a problem in this field.

## THE WIDER PICTURE

Upper and Lower Purlieu Fields collectively form a large glade within Park Wood. Open areas are an essential part of woodlands, providing vital resource for both grassland and woodland wildlife, vistas for walkers and showing off the history of the area.

In recent years the management of Lower Purlieu Fields has been dependant on volunteer effort with various amounts of cutting, bracken rolling and livestock grazing. Keeping the bracken at bay here is a real challenge. The difficult terrain and division into small parcels add further challenge and ongoing maintenance costs.

The boundary between the 'old' land and the 'new' is a recently replaced livestock fence. However, this is present largely for social reasons demarcating land ownership. This is not necessary anymore.

Management would be easier, public access improved if a gateway was added.

See Appendix 1 for the Management Prescription. It follows the normal format of Part 3 of the LMP.

### **RECOMMENDATION:**

That the trustees approve the Management Prescription.

Jonathan Bills  
Conservation Manager  
17.8.2022



**UNIT: 6.29 Upper Purlieu Field****STATUS**

Public access	Y	Scheduled Monument	N
Common land	N	Rights of Way	N
SSSI	N	Scheme (e.g. stewardship)	N
AONB	Y	Water Source Protection Zone	N
Listed building/artefact	N	Local Geological Site	N

Landscape character area:	Principle Wooded Hills
Nationally important habitats:	Limestone grassland / broadleaf woodland and wood pasture mosaic
Nationally important species:	Herb Paris, bats
Cultural heritage:	Old tracks related to the lime industry
Earth heritage:	N

**DISCUSSION**

This 2.6ha parcel of land was bought at auction by MHT in 2021.

Historically it has been cut in late summer and occasionally grazed by sheep in winter.

The central area is of species-rich grassland including Common Spotted Orchids. This is surrounded by a mixture of open grown trees, bracken, alder carr, a pond and an area of woodland in the northeast that has Herb Paris.

The north, east and south boundary fences are in poor condition but are essential for livestock grazing. Grazing is further made tricky by a lack of drinking water.

Public access is limited to a single path with gate and stile.



This site together with Lower Purlieu field function as a large glade within Park Wood.

Management should focus on maintaining the species-rich mosaic, reducing bracken, improving access and simplifying the delivery.

**UNIT PRIORITY:** medium

**WORK SCHEDULE:**

	Years✓					Who	Cost £	Fund
	1	2	3	4	5			
Replace the northern, eastern and southern boundary fences. Pinch in the fenceline to exclude the ancient woodland patch (which will become part of Park Wood).		✓				FS	£1000	Parl
Install a gate in the western fence joining the site to Lower Purlieu Fields.		✓				FS	£400	Parl
Purchase and install self-closing handgates on the permissive path and to replace the stile at Lower Purlieu Field.		✓				FS / CT	£1600	Grant aid?
Install a solar water pump to bring water from the stream to a suitable drinking location for livestock.		✓				CT / Gra	£600	Parl
Install MHT identifier and boundary markers.		✓				FS	£200	GF
Cut the bracken in late summer across the whole site.		✓	✓	✓	✓	FS	-	GF
Graze the whole site in late summer and in autumn.		✓	✓	✓	✓	Gra	-	GF
Undertake further survey work.		✓	✓	✓		CT	-	GF
Maintain fences, gates and other infrastructure.		✓	✓	✓	✓	FS	-	GF





Purple circles = new handgates  
Orange circles = new fence

lilac circles= add gate into this fence  
green circles = boundary fence for removal



## **Ordinary Meeting of the Board**

### **Suspension of trail hunting on Trust land**

8 September 2022

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#### **Background**

Policy on hunting and disturbance of wild animals September 2017

Paper C Board meeting 11 November 2021

Minutes 11 November 2021

All organised events on land under MHT jurisdiction require prior consent from MHT under the byelaws. In September 2017 the Board adopted a policy for trail hunting on MHT land to enable staff to manage trail hunt events with the aim of protecting and conserving MHT land and wildlife and managing these activities alongside other users of the Hills and Commons.

Consultation was undertaken with six outside groups (three hunts and three anti-hunt organisations) on that policy whilst it was in preparation during May – August 2017, both at its first draft stage and again before consideration by Board.

In December 2020 the Land Management Committee supported the suspension of licences for trail hunts on MHT land for the remainder of the 2020/21 season following the release of two webinars which led to a criminal charge against a director of the Master of Foxhounds Association (MFHA) in March 2021. The person concerned was convicted of encouraging and assisting people to evade the ban on fox hunting but this conviction was set aside on appeal in July 2022.

In addition a review of the record of hunt event organisers' compliance with the adopted policy and trail-hunt activity on Trust land was undertaken in 2021. That review came before the Board in November 2021. (See Paper C for that meeting). It was resolved at that meeting to suspend the issue of licences for hunting on Trust land indefinitely. In making their decision, trustee considerations primarily focused on the failure of hunts to comply with the requirements of the Trust's policy.

The current suspension has resulted in a marked reduction in the number of staff-days spent on monitoring licenced trail hunts. The Trust has carried out some precautionary monitoring in case of any unauthorised trail hunting activities through the winter of 2021/22. One event on adjoining land requiring a full day's monitoring (15 person hours). A further 10 person hours were spent on monitoring, following two separate reports from members of the public of the hunt carrying out its activities on land adjacent to Trust land. Wardens also arranged their regular patrols of Castlemorton and Hollybed Common on Monday morning when the hunt could be expected in the area.

Therefore a total of 25 person hours (approximately 3.3 person days) was spent monitoring in 2021/22 season, compared with 2018/19 season – 7.5 days and 2019/20 season – 7.5 days.

#### **Current position**

The Ledbury Hunt has written to the Trust asking for the decision to suspend trail hunt event licencing to be revised. The Ledbury Hunt is a limited company which organises private events for its members.

The use of Trust land for trail hunting is quite different to most organised activities. The presence of horses, a pack of loose hounds, and the fact that the hunt can also attract a considerable number of car followers who frequently park on the common, creates a high risk that breaches of one or more of the byelaws might occur:

Byelaw 7 - prohibits the hunting and killing of any animal (whether deliberately or inadvertently)

Byelaw 31 – having charge of a dog which chases, hurts or worries any other animal present on the hills,  
Byelaw 19 - undertaking a pursuit which may cause hurt or inconvenience to persons using the hills)  
Byelaw 24 - riding a horse to the danger, annoyance or inconvenience of any other person  
Byelaw 8 (a) - unauthorised driving on the hills.

Unlike most other organised activities which the Trust permits, the hunt has shown a great deal of reluctance to agree and follow an agreed route.

In conclusion, the Hills have to be managed for the benefit of everyone and not permitting the holding of private events on Trust land is not a restriction of public access.

It might be considered that permitting a private event which carries a high risk of breaching the byelaws, run by organisers with a poor record of compliance against policy conditions might spoil the enjoyment of the Hills for others.

The suggestion in the letter that the Trust failed to consult when the policy was approved is not correct and it is not clear why the Hunt should think that the views of “other landowners” are material in this context.

#### **Recommendation**

In light of the evidence of the Hunt’s track record on compliance with the Trust’s adopted policy on hunting, the risk of disturbance of wild mammals, the impact on staff time spent monitoring and potential risk of byelaw breaches during this type of event, trustees are asked to consider whether they wish to reaffirm their decision to suspend indefinitely trail hunting events on Trust land

Duncan Bridges  
CEO  
24 August 2022





08 AUG 2022

**Ledbury Hunt Limited  
Bury Court  
Redmarley  
Gloucestershire  
GL19 3LB**

05/08/2022

Your Ref: BBLM2021.1116 Trail Hunting

Dear Mr. Bridges

**Trail hunting on land under the jurisdiction of Malvern Hills Trust**

I wrote to you in February this year in response to your letter to Mrs Daly.

In that letter I pointed out that a number of policies that you accused us of breaching were unreasonable and I believe that you have had a conversation with various landowners who had the same concern. Many groups use the Malverns for recreational activities and we are very aware of the pressures this brings with it but it is meant for public use and as we are part of that group we feel that banning us is against the spirit of what you are meant to manage.

As I put in my previous letter we believe that preventing us continuing our lawful activity on land under the jurisdiction of the Malvern Hills Trust is restricting public access to the Malverns. We would obviously like you to revise this decision and revise your policies to make them reasonable to all parties (and we would be very happy to be consulted in the process this time!!)

If you are not prepared to do this can you inform us of the appeal process or if it is a case of going to court? We have consulted with our National Association who are supporting us and I have spoken to a number of landowners who believe we have been poorly treated.

Yours sincerely

William Windsor-Clive  
Chairman – Ledbury Hunt Limited



## Ordinary meeting of the Board

### Health and Safety Report

8<sup>th</sup> September 2022

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#### 1 Health and Safety Incidents

Reported Accidents in the period 28/6/22 to 22/08/22 1

Notifiable Accidents in last 12 months: None

Reported Accidents in last 12 months: 4

4<sup>th</sup> July 2022 - One incident of a staff member suffered cut head from encounter with wall at main entrance.

#### 2 Training

Chapter 8 Road Safety Signage and Underground Services (CAT detection) training was carried out for 6 staff (Field staff and wardens) on 28<sup>th</sup> / 29<sup>th</sup> July.  
First Ladder access training for two field staff undertaken in early July.  
Further sessions of both above planned for September.

Since 28<sup>th</sup> June the following First Aid training has been undertaken:  
Emergency First Aid at Work update provided for field staff and volunteers.  
First Aid at Work update, including forestry supplement, provided for 1 warden in July.

Abrasive wheel certificate update training is required for some staff.

#### 3 Covid precautions update

The Office for National Statistics and Zoe Covid Study data shows the infection levels in the West Midlands have reduced significantly from a peak. This may be linked to school holidays and the good weather.

Whilst numbers are declining, Government advice remains is that people with Covid 19 should stay away from work. Two staff have been off work with Covid in last period. While one returned to work within 8 days, the other has experienced more severe long-covid symptoms, with continuing limitations on their availability for work. Using the working-from-home arrangements for staff, and adopting flexible hours helps manage this situation, but it highlights the continued risk Covid poses to effectiveness of small staff teams such as ours.

Test kits are still retained by the Trust and made available to staff in the event they experience symptoms, as well as for confirming when those who have had it can return to work.

Guidelines on mask wearing were amended in June, summarised as follows:

*When to wear a face covering*

- *when you are coming into close contact with someone at higher risk of becoming seriously unwell from COVID-19 or other respiratory infections*
- *when COVID-19 rates are high and you will be in close contact with other people, such as in crowded and enclosed spaces*
- *when there are a lot of respiratory viruses circulating, such as in winter, and you will be in close contact with other people in crowded and enclosed spaces*

### **Recommendation**

In light of the above information, it is proposed that for the benefit of both staff and trustees, some Covid precautions and procedures continue to remain in place.

These are summarised as follows

- Maintain existing Covid precautions for Board and Committee meetings, including reduced numbers of meetings, use of online Workshops to report on items where no decision is required, and physical spacing
- Using hybrid working arrangements where possible to avoid crowded office spaces
- Maintain requirements in line with Government advice for staff to stay away from work if infected, until a negative test result is achieved.
- To continue to provision of a limited supply of test kits for staff

There is no obligation to continue wearing of face masks during face-to-face meetings. However given the age demographic of trustee's, and potential impact on operations through loss of staff availability, continuing the wearing of face masks during meetings (unless speaking or exempt) would be a sensible, and non-onerous precaution to continue.

These precautions will be reviewed again in 6 weeks' time or in the light of changed circumstances.

Duncan Bridges

CEO  
22/08/2022



**Expenditure 2022/23 - authorised in addition to budget**

### Annual limits

20,000	20,000
(£10,000	
single item	
limit)	

To be reviewed 31/3/23

Anything over the £10k total in consultation with Chair of FAM  
Approved Board 20th June 2022

# BOARD

## Project Progress update

22<sup>nd</sup> August 2022

Project	Ref Code	Budget Actual Cost					Update	Status
			1	2	3	4		
Bridleway Link Common	BP 1.2.3	£2,500 (General)					Now anticipated autumn 2022	Delayed
Improve Access Community Woodland	BP 1.2.3	£4,360 (Gift fund)					Main path works completed August 2020. Additional surface blinding completed October 2021. Signs installed. Benches to be installed	Part Complete
Marking Boundaries	BP 4.2.1	£1,250 (General)					Volunteer surveys are carried out winter months. These were suspended during Covid restrictions. Work restarting Autumn 22	Delayed to autumn.
Restore Shire Ditch	BP 1.1.5	£3,000 (General)					Plans drawn up and currently seeking Scheduled Monument consent. Survey work underway	Ongoing
Pond Restore Castlemorton	BP 1.1.8 LMP #18	Gift/grant					Fencing & plastic sheeting removed first week of November. Effect. Spring monitoring showed no crassula present. Project successful.	Completed
Gullet Lake vegetation scheme	BP 1.1.8 LMP #13	Est £2,000					Expected to start early autumn.	
Manor House development plan	BP 2.4.1	£5,000 (Parl Fund)					Revision of costings and plans in progress.	Delayed
Manor House Works	BP 2.4.1	£50,000 (Parl Fund)					Part complete. 2 <sup>nd</sup> floor improvements made. Lighting replaced with LED October 2021. Other work to be undertaken dependant on above Carried over into 2022/23	Ongoing
Lower Shed Review	BP 2.4.4	Pt 1 £5,000					Revised specifications drafted and outline costing sought. Containers for temporary storage required. Project carried over to 2022	Ongoing
Donkey Shed Restoration	BP 1.1.5 LMP #8	£26,000 Grant and Gift Fund					Work started July 18 <sup>th</sup> Grants confirmed. Civic Society £5k plus £1800 for interpretation signage. FIPL £14k. Bat survey and licence completed. Timber work completed.	Ongoing
BC sewage system	BP 2.4.5	Est £40-50K (Parl Fund)					Main contract works completed. Completed and operating.	Completed
Guarford Trough Restoration	BP 1.1.5.	Est £11k					Contractor to started June 13 <sup>th</sup> and completed within 2 weeks	Completed
St Anns Bowl restoration	BP 1.1.5	Est					Stage 1 works completed. Stage 2 was due Summer 2022. Listed building consent received. Stonemasons due late autumn.	Ongoing
Implement Building Maintenance Schedule	BP 2.4.6	£3,000					Minor Repairs to St Ann's completed. Top shed interior lighting upgrade in progress	Ongoing

Brockhill Road building improvements	BP 2.4.4	Est£ 5,000					To develop and implement increased capacity to the stock buildings. Design and costings being sought	Ongoing
Snookes Croft Building	BP 2.4.4	Est £50,000					To replace existing barn structure with new. Design stage. Delayed pending above project costings.	Delayed
Car Parks - repainting lines	BP 1.2.2	£1,000 (Parl)						
Black Hill Carp Park improvements	BP 1.2.2	£6,000					To design and implement increased capacity within the car park. Specification currently under draft	Ongoing
Vehicle Control	BP 1.2.6 LMP #19	£3,000					To improve vehicle control and management. Specification for stobbs in design consultation stage with other agencies.	Ongoing
Update Interpretation Boards	BP 3.1.4	£15,000 p/a (Gift Fund)					Blackhill and Gardner's complete and installed. Earnslaw ongoing. Beacon Road to do.	Ongoing
Update location signage	BP 3.1.4	£7,000					Swinyard and West of England completed.	Completed
Replace Access Signs	BP 3.1.4	£2,500					Recommended. New batch of signs now delivered and installation in progress.	Ongoing
Install new location identification signage.	LMP #1	Est £25,000 over two years.					Project to develop quality site markers to all separate land parcels and popular parking areas. Design work ongoing.	Ongoing
Research visitor usage and ways to tackle erosion.	BP 1.2.7 LMP #35	Est £2000 2 Year					New LMP project to undertake research in to visitor numbers using Trust land	
Install people counters	BP 1.2.7	Est £2000 2 Year					Counters to provide data to support above project.	
Reprint Mountain Bike Leaflet	BP 3.1.5	Est £2,000						
Material for events	BP 3.1.6	Est £1,500					On-site drop-in events cancelled to date due to illness.	
CAPITAL ITEMS								
4x4 ATV vehicle to replace LR or Pickup	BP 2.3.2	£20,000					Undergoing trials with loan and rental vehicles	Ongoing
Timber Trailer	BP 2.3.2	£6,000					Put back in schedule to 2023/24	Put Back to 2023/4
Small side arm flail	BP 2.3.2	£6,000 (£6,800)					Brought forward in schedule from 2023/24. Ordered	Ongoing
5 or 8 ton trailer	BP 2.3.2	£3,000					Models and sources scoped.	Ongoing
Plant Trailer	BP 2.3.2	£3,500 (£2,950)					Second hand trailer sourced and bought.	Completed
Replacement Van - Wardens	BP 2.3.1	£24,000					Options under consideration and trials being organised	Ongoing
VOIP Phone system	BP 2.5.2						Price quotes in progress	Ongoing

BP = Adopted Business Plan 2016-2021 LMP = Adopted Land Management Plan 2021-2026



## MANAGEMENT REPORTS July 2022 – August 2022

### CEO

1. Liaison and meetings with contractors on projects at Donkey Shed, St Ann's well and Guarlford Trough
2. Meeting with and responding to the Boundary Commission re proposed changes
3. Dealing with utility companies (Full Fibre, BT, Western Power and Severn Trent) over installation projects on Trust Land.
4. Work in relation to land acquisition.
5. Meetings with IT support and website providers as to update changes and security improvements.
6. Work on car park review including electrical vehicle charging options.
7. With land agent undertaking review of St Anne's well lease.
8. Interim budget and inflation review with FAR manager.
9. With Op Man & Est Sup organising capital equipment acquisition.

### Secretary to the Board (SttB)

1. Preparing Board agendas and papers, attending meetings and preparing minutes
2. Set up and attend workshop
3. Reviewing planning applications
4. Work on Governance Toolkit
5. Easements and wayleaves - Cadent gas, Gigaclear and Western Power + private services easements
6. Continuing to check deed archives to ascertain what parts of the Trust's land holding had been given to MHT since 1884 and to update references
7. Covering for CEO's absence
8. Assisting with acquisition of gift of land from the late Mrs Sealy
9. Dealing with purchase of land in Evendine Lane
10. Consider Boundary Commission new proposals, instructing solicitors, attending Zoom meeting
11. Dealing with Board member queries
12. Responding to public queries

### Conservation Manager (CM)

1. Multiple visits and meetings at the newly acquired Norbridge Field, Evendine Lane.
2. Completed first aid course.
3. Overseen two contractor surveys – 1 erosion of the ridgeline 2 repair techniques for the ridgeline.
4. Attended 4Cs outdoor meeting.
5. Multiple trips watering and weeding new hedges and trees (Colwall Lands & Hacketts) with CO.
6. Defra Test & Trial – attended workshop on Governance and New Forest visit.
7. Meeting with Wyche Primary School about setting up a Forest School.
8. Liaised with contractors over hay cutting.
9. Met two local residents to resolve issues.
10. Oversaw bracken rolling by ponies on Swinyard Hill.
11. Put up notices and delivered resident letters regarding forthcoming tree works at Old Hills and Swinyard Hill.
12. Organised robocut works on various sites.
13. Attended Castlemorton Common CS delivery group outdoor meeting.
14. Assembled paperwork for this year's Ash Dieback works with CCO.

### Operations Manager and Field Staff

#### July 2022

1. Vegetation management – grass mowing and strimming MHT car park areas and sites around Malvern including West Malvern, Old Hills, Sherrards Green, Newland, Guarlford, Poolbrook and Peachfield Roads.
2. Vegetation management – strimming bracken on hill paths to maintain access for the public and stock.
3. Vegetation management – bracken rolling in accordance with land management plan on sites in the northern hills area.

4. Vegetation management – bracken mowing (following hardening off of bracken after hot weather) Shady Bank Common and Malvern Common (Peachfield Rd.).
5. Vegetation management – cutting thistles on various sites at Castlemorton Common.
6. Vegetation management - grass cutting on sites around Malvern including Link Top, Malvern Common, Barnards Green, Poolbrook Road, Peachfield Road, Guarlford, Newlands, Clevelode and Old Hills.
7. Vegetation management - removal and clearance of fallen branches from sites at Newland and Link Common.
8. Vegetation management – fell dead roadside trees at Castlemorton (Golden Valley) and remove trees from around sewage treatment plant at British Camp.
9. Vegetation management – cutting ivy from trees due to be inspected as part of the hazardous tree survey programme to be undertaken in the autumn.
10. Water trees planted as part of Urban Trees Challenge Fund work.
11. Water orchard trees at Polly's Orchard (Malvern Common) and trees planted last year on Malvern Common (Rotten Row).
12. Complete fencing works on newly acquired area of land near Evendine.
13. Use of ladders training for two members of FS staff.
14. One day emergency First Aid training for three FS staff.
15. One day chapter 8 traffic sign management training and one day underground cable detection training for five members FS staff.
16. Litter collecting and bins emptying.

#### **To mid-August 2022**

1. Vegetation management – cutting ivy from trees due to be inspected as part of the hazardous tree survey programme to be undertaken in the autumn.
2. Vegetation management – clear fallen tree from neighbour's boundary Fossil Bank, Upper Wyche.
3. Vegetation management – mowing grass areas including Poolbrook, Lower Wyche, West Malvern, Barnards Green, Townsend Way and Upper Wyche.
4. Vegetation management – mowing bracken (land at Purlieu, Pinnacle Hill, Black Hill and British Camp reservoir)
5. Vegetation management – mowing and cut and collect from newly acquired area of land at Evendine.
6. Vegetation management – strimming bracken on hill paths to maintain access for the public and stock
7. Water trees planted as part of Urban Trees Challenge Fund work.
8. Maintenance of gutter system on top shed at Upper Wyche Quarry.
9. Installation of new drop bollards at Westminster Bank and on the track from North Quarry car park to prevent unauthorised access by vehicles.
10. Litter collecting and bins emptying.

#### **Contractors**

##### **July 2022**

Complete drain maintenance work at Clevelode and use material to extend earth bunds around parking areas at Newland.

Clear leaf litter from the cattle-grid at British Camp.

Undertake drains maintenance and surface water management works on the path to the Beacon above St. Ann's Well to try and reduce the quantity of water and sediment reaching the lower part of the hill.



## MANAGEMENT REPORTS July 2022 – August 2022

### CEO

1. Liaison and meetings with contractors on projects at Donkey Shed, St Ann's well and Guarlford Trough
2. Meeting with and responding to the Boundary Commission re proposed changes
3. Dealing with utility companies (Full Fibre, BT, Western Power and Severn Trent) over installation projects on Trust Land.
4. Work in relation to land acquisition.
5. Meetings with IT support and website providers as to update changes and security improvements.
6. Work on car park review including electrical vehicle charging options.
7. With land agent undertaking review of St Anne's well lease.
8. Interim budget and inflation review with FAR manager.
9. With Op Man & Est Sup organising capital equipment acquisition.

### Secretary to the Board (SttB)

1. Preparing Board agendas and papers, attending meetings and preparing minutes
2. Set up and attend workshop
3. Reviewing planning applications
4. Work on Governance Toolkit
5. Easements and wayleaves - Cadent gas, Gigaclear and Western Power + private services easements
6. Continuing to check deed archives to ascertain what parts of the Trust's land holding had been given to MHT since 1884 and to update references
7. Covering for CEO's absence
8. Assisting with acquisition of gift of land from the late Mrs Sealy
9. Dealing with purchase of land in Evendine Lane
10. Consider Boundary Commission new proposals, instructing solicitors, attending Zoom meeting
11. Dealing with Board member queries
12. Responding to public queries

### Conservation Manager (CM)

1. Multiple visits and meetings at the newly acquired Norbridge Field, Evendine Lane.
2. Completed first aid course.
3. Overseen two contractor surveys – 1 erosion of the ridgeline 2 repair techniques for the ridgeline.
4. Attended 4Cs outdoor meeting.
5. Multiple trips watering and weeding new hedges and trees (Colwall Lands & Hacketts) with CO.
6. Defra Test & Trial – attended workshop on Governance and New Forest visit.
7. Meeting with Wyche Primary School about setting up a Forest School.
8. Liaised with contractors over hay cutting.
9. Met two local residents to resolve issues.
10. Oversaw bracken rolling by ponies on Swinyard Hill.
11. Put up notices and delivered resident letters regarding forthcoming tree works at Old Hills and Swinyard Hill.
12. Organised robocut works on various sites.
13. Attended Castlemorton Common CS delivery group outdoor meeting.
14. Assembled paperwork for this year's Ash Dieback works with CCO.

### Operations Manager and Field Staff

#### July 2022

1. Vegetation management – grass mowing and strimming MHT car park areas and sites around Malvern including West Malvern, Old Hills, Sherrards Green, Newland, Guarlford, Poolbrook and Peachfield Roads.
2. Vegetation management – strimming bracken on hill paths to maintain access for the public and stock.
3. Vegetation management – bracken rolling in accordance with land management plan on sites in the northern hills area.

4. Vegetation management – bracken mowing (following hardening off of bracken after hot weather) Shady Bank Common and Malvern Common (Peachfield Rd.).
5. Vegetation management – cutting thistles on various sites at Castlemorton Common.
6. Vegetation management - grass cutting on sites around Malvern including Link Top, Malvern Common, Barnards Green, Poolbrook Road, Peachfield Road, Guarlford, Newlands, Clevelode and Old Hills.
7. Vegetation management - removal and clearance of fallen branches from sites at Newland and Link Common.
8. Vegetation management – fell dead roadside trees at Castlemorton (Golden Valley) and remove trees from around sewage treatment plant at British Camp.
9. Vegetation management – cutting ivy from trees due to be inspected as part of the hazardous tree survey programme to be undertaken in the autumn.
10. Water trees planted as part of Urban Trees Challenge Fund work.
11. Water orchard trees at Polly's Orchard (Malvern Common) and trees planted last year on Malvern Common (Rotten Row).
12. Complete fencing works on newly acquired area of land near Evendine.
13. Use of ladders training for two members of FS staff.
14. One day emergency First Aid training for three FS staff.
15. One day chapter 8 traffic sign management training and one day underground cable detection training for five members FS staff.
16. Litter collecting and bins emptying.

#### **To mid-August 2022**

1. Vegetation management – cutting ivy from trees due to be inspected as part of the hazardous tree survey programme to be undertaken in the autumn.
2. Vegetation management – clear fallen tree from neighbour's boundary Fossil Bank, Upper Wyche.
3. Vegetation management – mowing grass areas including Poolbrook, Lower Wyche, West Malvern, Barnards Green, Townsend Way and Upper Wyche.
4. Vegetation management – mowing bracken (land at Purlieu, Pinnacle Hill, Black Hill and British Camp reservoir)
5. Vegetation management – mowing and cut and collect from newly acquired area of land at Evendine.
6. Vegetation management – strimming bracken on hill paths to maintain access for the public and stock
7. Water trees planted as part of Urban Trees Challenge Fund work.
8. Maintenance of gutter system on top shed at Upper Wyche Quarry.
9. Installation of new drop bollards at Westminster Bank and on the track from North Quarry car park to prevent unauthorised access by vehicles.
10. Litter collecting and bins emptying.

#### **Contractors**

##### **July 2022**

Complete drain maintenance work at Clevelode and use material to extend earth bunds around parking areas at Newland.

Clear leaf litter from the cattle-grid at British Camp.

Undertake drains maintenance and surface water management works on the path to the Beacon above St. Ann's Well to try and reduce the quantity of water and sediment reaching the lower part of the hill.