



Malvern Hills Trust

Ordinary Meeting of the Board

Thursday 11 May 2023 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 11 May 2023 7pm

Agenda

1. Apologies for absence
2. Chair's Announcements
 - Welcome back to Michelle Alexander
3. Declarations of Interest
4. Public Comments
5. To confirm the Minutes of the Board meetings held on 9 & 23 March 2023
 - Pages 1 – 10
 - Confidential minutes 1,2
6. Matters arising from the previous Board meetings not otherwise on the agenda
 - To confirm that until the appointment of a new Finance and Administration Manager, the CEO should be responsible with the Chair of Finance Administration and Resources Committee for the movement of funds as resolved in item 10 of the meeting 9 March 2023.
7. To appoint Michelle Alexander to Land Management Committee
8. Health and Safety update
 - Paper A page 11
9. Impact of ward boundary changes
 - Verbal update
10. Plans for audit and approval of accounts and Annual Report
 - Verbal update
11. **Governance Committee**
 - 11.1 To confirm the accuracy of the minutes of the meeting held 20.4.23
 - Page 12
 - 11.2 Questions and updates
 - 11.3 Board to adopt the minutes
12. Information
 - 12.1 Expenditure approved under delegated authority
 - 12.2 GDPR breaches
 - Verbal update
 - 12.3 AONB Joint Advisory Committee
 - Verbal update
 - 12.4 Wildlife Panel
 - Pages 13 - 15
 - 12.5 Recreation Advisory Panel
 - Pages 16
 - 12.6 Malvern Spa Association
 - Verbal update
 - 12.7 Conservation Manager's Report
 - Verbal update
 - 12.8 Management Report
 - Pages 20 onwards
13. Urgent business
14. Date of next meeting
 - 13 July 2023
15. Confidential business
 - Resolution to exclude the public for discussion of item 18 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).

Confidential

16. Appointment of Parliamentary Agent in connection with Private Bill, resolution to proceed and matters outstanding from Russell report Paper B
17. Update on recruitment of Finance and Administration Manager

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. Symptoms are commonly runny nose, sore throat, headache, fatigue and sneezing and not necessarily a cough, fever or loss of sense of taste or smell.

Members of the public who wish to attend are asked to notify cindy@malvern hills.org.uk (or write to Mrs L Parish at the Trust's office), in advance of the meeting, giving their name, E-mail address and contact number.

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.

Malvern Hills Trust

Ordinary Meeting of the Board

Council Chamber, Avenue Road, WR14 3AF

Thursday 9 March 2023 7pm

Present: Mr C Atkins, Mr D Baldwin, Mr R Bartholomew, Dr S Braim, Mr P Clayburn, Mr D Core, Mr M Davies (Chair), Mr R Fowler, Mrs L Hodgson, Mr J Michael, Mrs C Palmer, Dr T Parsons, Prof J Raine, Mr C Rouse, Ms H Stace, Mrs M Turner, Mr D Watkins. Dr D Westbury

In attendance: CEO, Secretary to the Board, New and Outgoing Finance and Administration Managers, Conservation Manager, 3 members of the public.

Mr Davies welcomed everyone to the meeting.

1. Apologies for absence

Mr D Fellows, Mrs H I'Anson, Mr C Penn.

2. Chair's announcements

- Plans were in hand for a second workshop on stakeholder engagement, to take place on 16 March at 7pm.
- A get-together was planned for trustees and staff on 23 March at 4.30pm.
- The Trust had received a letter from the Charity Commission advising that it had received allegations of unspecified inappropriate conduct at the board meeting held on the 19th January. The letter directed trustees to the Commission's general guidance and asked them to work together to resolve any outstanding issues and to focus on the best interests of the charity. Mr Davies surmised that the allegation concerned the discussion about a request for information relating to the ward boundary changes. He had raised the matter in the meeting in order that the trustees could establish a reasonable response to the request. He now realised that initiating the discussion in a public meeting risked damaging the reputation of the Trust and he apologised to trustees and staff for his misjudgement. He also apologised to Mr Fowler if he felt in any way aggrieved as a consequence of his actions. If trustees wished to consider their response to the letter, Mr Atkins had offered to organise a workshop. Trustees were asked to contact Mr Atkins if they were interested in participating.
Mr Clayburn commented that it was difficult to have a constructive discussion without more information about the nature of the complaint.
- Mr Davies welcomed, the newly appointed Finance and Administration Manager to the meeting.
- Mr Davies thanked the outgoing Finance and Administration Manager for her work for the Trust over the past 20 years and wished her a happy and fulfilling retirement.
- Mr Davies welcomed Dr Westbury to his first board meeting.

- There was an item of urgent business, relating to capital expenditure on the Donkey Shed. Mr Davies said that a formal opening of the restored Donkey Shed was anticipated in the near future and he thanked the Civic Society and the AONB for the grants which had made the restoration possible.

3. Declarations of interest

Mr Rouse –rights of common over Trust land.

4. Public Comments

See Schedule

5. To approve the Minutes of the Board meetings held on 19 January and 16 February 2023

The Secretary to the Board confirmed that the title to the February minutes should be amended to a Special meeting. On the proposal of Mr Clayburn, seconded by Ms Stace it was **RESOLVED**

- a) (with 1 vote against and 3 abstentions) to approve the minutes of the meeting held on 19 January 2023
- b) (with 1 vote against and 4 abstentions) to approve the minutes of the meeting held on 16 February 2023

6. Matters arising from the previous Board meeting not otherwise on the agenda

Mr Fowler read out a statement in relation to the meeting on 19 January.

During the agenda item on the Local Government boundary changes, the Chair had raised the issue of a request for information which Mr Fowler had made in relation to that topic. Mr Fowler believed the Chair presented selective information which was designed to lead other trustees to consider Mr Fowler's request unreasonable and thereby instigated a bout of bullying. He said that the Chair had apologised for bullying in the past. Mr Fowler went on to make a number of criticisms of other trustees, in particular their lack of understanding of information before them and their failure to attend meetings.

He believed no single trustees should be denied access to information on the grounds that other trustees did not require it.

He had raised a complaint about the conduct of the meeting on 19 January with the Vice-Chair, but had receive no formal response.

The Chair suggested that the matter should be discussed outside the meeting. Mr Fowler felt any resolution of the complaint should be made public.

He said he was not familiar with what was contained in any letter to the Charity Commission.

In response to a number of other general points that were raised, the Chair made it clear that if trustees needed further clarification on items which were not matters arising from the minutes, they should contact the CEO.

7. Land Management Committee

7.1 On the proposal of Dr Braim, seconded by Mr Atkins it was **RESOLVED** (with 1 vote against and 2 abstentions) by the committee members present to confirm the accuracy of the minutes of the meeting held on 15 February 2023.

7.2 There were 2 recommendations from the Committee for adoption by the Board. Points were raised in relation to removal of non-native conifers, tree planting in West Field, the purchase of a bowser and the management regime for West Field. The future management of the conifers would be addressed in the Conservation Manager's plan which would be considered by the next Land Management meeting. The CEO reiterated that the rationale for purchasing the bowser was that rather than spending money on putting infrastructure in fields which would only be grazed occasionally, a bowser could be used across the Trust's entire estate as and when needed.

Dr Braim referred all trustees to the paper which had been prepared for Land Management Committee on the Trust's powers in relation to the expenditure of funds on the proposed new building. The Conservation Manager confirmed that there had been a discussion with the grazier, and it had been agreed that he would pay a small rent for the use of the building and for West Field.

7.3 Adoption of the minutes and recommendations

On the proposal of Dr Braim, seconded by Mr Bartholomew, it was **RESOLVED** (with 2 votes against and 1 abstention) to approve the work programme for Stonepit Field, Swinepit Rough, West Field, Colwall Coppice and Norbridge Field for inclusion in the Land Management Plan, including the proposals:

- i. That the lower part of West Field be sparsely planted (20 – 30 trees) with a mix of orchard and broadleaved trees within the pasture.
- ii. That the Conservation Manager should develop a viable plan for removing the exotic trees and establishing new site appropriate tree/shrub species.

On the proposal of Dr Braim, seconded by Mr Bartholomew, it was **RESOLVED** (with 1 abstention) to approve the expenditure of up to £40,000 from the Parliamentary Fund to construct a building to replace the temporary structure at Colwall Lands.

On the proposal of Dr Braim, seconded by Mr Bartholomew it was **RESOLVED** (with 2 abstentions) to adopt the minutes of the Land Management Committee meeting held on 15 February 2023.

8. Residents' parking pass policy

The CEO referred to the paper. The terms and conditions were a compilation of all of the existing information relating to parking. Two changes were agreed - that the document should include reference the Trust's policy on free parking for blue badge holders and a small change ("and" to "but") on the second substantive line.

On the proposal of Mr Core, seconded by Prof Raine it was **RESOLVED** unanimously to approve the terms and conditions document as amended.

9. Update to investment policies

The new Finance and Administration Manager (FAM) introduced the paper. The policies (as updated following the January Board meeting) were attached to the paper and the Board was invited to review them.

On the proposal of Mr Core, seconded by Mrs Hodgson it was **RESOLVED** with 1 abstention to adopt the policies and authorise the Chair of the Board and the Chair of the Finance, Administration & Resources Committee to sign the investment policies for the Land Purchase (1992) Fund and the Parliamentary & Land Maintenance Fund on the Trust's behalf .

10. Use of Flagstone account

The new FAM went through the paper. Comments made included:

- Concern was expressed about placing more than £85,000 with one institution. because in the event of the collapse of that company, the excess funds would not be protected.
- On what basis was the BBB rating assessed as a "safe" credit rating.

Mr Core said these were important concerns. Since 2008, the regulations had been strengthened to reduce risk in the retail banking sector. The Trust had high levels of cash holdings at the present time and this proposal was an attempt to maximise the return. The FAM and Chair of Finance Administration and Resources Committee would have to weigh what was a reasonable risk for the Trust to take – for example, it might not be worth taking a risk for a 0.05 % return, but a 0.5 % difference might be significant.

It was suggested that a level should be set for a maximum investment with any one institution, and that any deposits exceeding £85,000 should be reported to the Board when the investment was made.

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

1. That movements of funds (as distinct from withdrawal of funds for expenditure) between the current account, the two deposit accounts and the Flagstone platform be at the discretion of the Finance & Administration Manager in consultation with the Chair of the Finance, Administration & Resources Committee.
2. That should deposits with any one FSCS registered organisation be greater than £85,000, the institution chosen should have a credit rating of BBB or above.
3. The sum deposited with any one organisation should not exceed £100,000 and deposit with one organisation of a sum greater than £85,000 should immediately be reported to all trustees.

11. Review of CEO's delegated authority

The new FAM introduced the paper.

On the proposal of Mr Core, seconded by Mr Bartholomew it was **RESOLVED** unanimously that with effect from 1st April 2023 the CEO be granted authority to

approve unbudgeted expenditure up to a total of £15,000 per financial year (with a limit of £5,000 per single item), to be exercised in consultation with the Chair of the Finance, Administration and Resources Committee.

12. TOIL buyback

The outgoing FAM introduced the paper.

The following comments were made:

- People were not using annual leave because they were taking their TOIL. It would be better to clear the outstanding TOIL balances.
- Was it appropriate to set a deadline for booking leave – what if people had to take leave at short notice for example because of caring responsibilities? It was confirmed that the proposal was for booking statutory leave only.
- Could holiday dates be changed after this deadline? It was anticipated that they could be if necessary.
- Did the problem arise from having a single leave year, rather than staggered leave years?
The outgoing FAM said the problem with the Trust was that people did not have time to take their leave. The HR consultant had advised against staggering the leave years.
- Should TOIL be lost after a defined period if it was not taken?
- The Trust needed to get back to its pre-Covid holiday and TOIL carry forward arrangements.

The CEO said that the Trust benefitted enormously from the flexibility of the staff and putting too short a time scale on taking TOIL would inhibit Trust operations.

On the proposal of Mrs Palmer, seconded by Ms Stace, it was **RESOLVED** unanimously:

1. That staff be offered payment for outstanding TOIL balances as at 31st March 2023 and the HR Consultant be asked to draft a letter to affected staff about this.
2. That a deadline of 31 December be introduced for staff to book the statutory component of their annual leave (20 days plus 8 days bank holidays) each year.
3. That the employee handbook be updated to reflect the revised carry forward provisions (7 days for staff with less than 5 years' service and 12 days for staff with more than 5 years' service) and the annual leave booking deadline, again with input from the HR Consultant,
4. That a letter be drafted to all staff explaining the annual leave booking deadline and carry forward provisions (also with help from the HR Consultant),
5. That a policy of paying for overtime and for management of TOIL be considered further at the next meetings of the Staffing and Finance, Administration & Resources Committees.

13. Ward boundary changes

The Secretary to the Board said that a follow up meeting between Harriet Baldwin and the minister had been scheduled in the next week. Any updates would be fed back to trustees.

14. Information

14.1 Management accounts

The new FAM said that the general fund surplus was £24,000 better than budget for the 10 months to the end of January. The significant variations were set out in the paper. The February car park taking had been above budget, and there was a slight reduction in staff costs as a result of a field staff vacancy.

The Trust had met with the new auditor to go through the Trust's processes and controls. The feedback had been very positive.

14.2 Malvern Spa Association

The theme for the Well Dressing would be Kings and Queens. Mrs Palmer noted the death of Dr John Harcup.

14.3 AONB Joint Advisory Committee

No meeting

14.4 Wildlife Panel

No meeting

14.5 Recreation Advisory Panel

No meeting

14.6 Conservation Manager's Report

The winter works programme had gone well. Only 2 planned work tasks had not been completed (east Worcestershire Beacon and east Perseverance Hill). The general tree safety felling was continuing – there had been a delay in obtaining permissions for Conservation Areas and TPO trees.

The Conservation Team would be making plans for the newly acquired land and trying to obtain grants for the work where possible. In answer to a question, the Conservation Manager confirmed there was an ongoing programme of clearance of views from benches.

14.7 Management Report

Since the report was prepared, extra work had been carried out on the fallout from the ward boundary changes. The Secretary to the Board had been asked to prepare the s74 application. Staff capacity issues would have to be considered.

15. Urgent Business

The CEO was finalising the work on the Donkey Shed. The original costs had increased slightly. Most of this was attributable to Covid which resulted in the bat surveys having to be re done, and work had to be monitored because of the signs of bats which were found (additional £1,500). More authentic cast iron guttering had been used at additional cost. There had been a £2,800 overspend.

On the proposal of Mr Davies, seconded by Mrs Turner it was **RESOLVED** unanimously to authorise additional expenditure from the Gift Fund of up to £3,000 for work to the Donkey Shed.

16. Date of next meeting

11 May 2023.

17. Confidential business

On the proposal of Mr Core, seconded by Mr Bartholomew if was **RESOLVED** to exclude the public for discussion of item 18 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 8.55pm

CONFIDENTIAL

MINUTES RELEASED

18 CEO appraisal and pay award

The Chair had circulated a paper summarising the outcomes of the appraisal and the recommendations and comments of the Remuneration Committee.

On the proposal of Mr Davies, seconded by Mrs Stace it was **RESOLVED** unanimously that the CEO's salary increment for the 2023/24 financial year be in line with the local government services pay award given to other staff, the salary increase to be backdated to 1 April 2023..

Schedule

Graeme Crisp

Prior to the 19th January meeting, the Trustees and public were given no information as to the scope of a meeting involving Trust Officers and DLUHC other than that an order would be sought to solve the "Boundary Change Problem". The Chair made his disapproval of Mr Fowlers's request for information clear to the Board before inviting their views. There followed a set of disapproving comments which would be best described as bullying. Mr Fowler pointed out that his request for information had been polite and in order and that the information requested should have been supplied. In my view the way in which Mr Fowler was treated was disgraceful.

The special Board meeting of 16th February so lacked debate and discussion on such a complex and strategic issue as altering the manner in which representatives are elected to the Board that it must be concluded that those arguments had been conducted previously under the guise of a workshop and behind a closed door.

This lack of transparency shows little regard for the public at large and the voting precept payers in particular.

The fact that a trustee arrived late during the special Board meeting of 16th February, half way through the only item on the agenda of substance and then voted, is not recorded in the draft minutes. That the trustee concerned did so demonstrates that the real business of the meeting took place beforehand. Its omission from the minutes demonstrates the acquiescence of the Trust's senior management.

As a matter of more minor importance, the meeting of 16th February is wrongly described in the minutes as an Ordinary Meeting.

Malvern Hills Trust

Ordinary Meeting of the Board

Castlemorton Parish Hall, Castlemorton WR13 6BE

Thursday 23 March 2023 7pm

Present: Mr C Atkins, Mr D Baldwin, Mr R Bartholomew, Dr S Braim, Mr D Core, Mr M Davies (Chair), Mr D Fellows, Mr R Fowler, Mrs L Hodgson, Mr J Michael, Mrs C Palmer, Dr T Parsons, Mr C Penn, Prof J Raine, Mr C Rouse, Mrs M Turner, Mr D Watkins.

In attendance: CEO, Secretary to the Board, 3 members of the public.

Mr Davies welcomed everyone to the meeting.

1. Apologies for absence

Mr P Clayburn, Ms H Stace, Dr D Westbury.

2. Chair's announcements

There was an item of urgent business.

3. Declarations of interest

There were none.

4. Public Comments

There were none.

5. Allocation of further funds for legal expenses arising out of Local Government boundary changes

The Secretary to the Board had prepared a paper setting out the position.

The CEO said that the general fund budget for legal fees was currently underspent and he thought some of that could be made available for legal fees in relation to the problems arising from ward boundary changes.

On the proposal of Mr Bartholomew, seconded by Prof Raine it was **RESOLVED** unanimously to increase the budget for legal costs in connection with the repercussions from the ward boundary changes to £20,000.

The Secretary to the Board reported that Harriet Baldwin had had a follow up meeting with the Minister, Lee Rowley. The question of whether the Department of Levelling Up would take action to assist the Trust remained unresolved. They were still awaiting legal advice on whether an order could be made under s 67 Local Democracy, Economic Development and Communities Act 2009 ("s67"). The Department had been in touch with the District Council who had confirmed that they believed they could run an election in October 2023 based on the old ward boundaries. Officers said they thought this still left the Trust open to challenge.

Mrs Baldwin raised the question of whether the issue could be resolved by an amendment to the Levelling Up Bill currently going through the House of Lords. It was agreed that to make a direct amendment to the Malvern Hills Acts via this Bill

would create a hybrid instrument. This would have to follow a different Parliamentary process and delay the Bill, which no one wanted. The Trust's Parliamentary Agent had put forward an alternative proposal to amend the 2009 Act itself, to remove any ambiguity about whether it could be used in these circumstances

Following the meeting, Mrs Baldwin asked Baroness Stuart to propose the Trust's amendment to the Levelling Up Bill in the Lords. An under minister from the Department responded that they thought the amendment was inappropriate and said the Department was trying to assist the Trust in other ways. The amendment was withdrawn.

Mrs Baldwin had put in a lot of effort on the Trust's behalf and confirmation was still awaited from the Department about whether a s 67 Order could be used. The Trust were now taking advice on the risk to the Trust and to the Returning Officer, when running the 2023 elections. The Malvern Hills Acts would still need to be changed, even if the Council could run the 2023 election based on the old boundaries.

6. Urgent Business

The CEO explained that there were a number of cultivation-related items in the capital acquisitions part of the next year's budget (rotovator, roller, flail, harrow). The grader belonging to the Trust needed to be replaced and was a higher priority than these items, so he wished to make a substitution in the budget. The cost was similar. The grader could also be fitted with a snow plough adapter which could be used on the car parks.

On the proposal of Mr Core, seconded by Mrs Hodgson it was **RESOLVED** unanimously to make the substitution in the budget for 2023/24 as requested.

7. Date of next meeting

11 May 2023.

8. Confidential item

Mr Fowler queried why item 9 was in the confidential part of the meeting. The Chair responded that this was because information was likely to be discussed that related to remuneration of staff. On the proposal of Mrs Hodgson, seconded by Prof Raine it was **RESOLVED** (with 3 votes against) to exclude the public for discussion of item 9 & 10 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 matters).

The meeting closed at 8.20pm

Ordinary meeting of the Board
Health and Safety Report
11th May 2023

1 Health and Safety Incidents.

Reported Accidents in the period 14/12/22 to 27/04/2023 1

19th March - Volunteer fell over whilst walking on hills after end of work party (Non RIDDOR circumstances). Severe sprain / suspected fracture.

Notifiable Accidents in last 12 months: None

Reported Accidents in last 12 months: 5

2 Training

3 staff will require First Aid update training in the coming 4 months. Additional training on ladder use will be required for wardens and new field staff members. Familiarity training for staff in fire extinguisher use is being organised for May / June.

3 First Aid

Kits for offices/volunteers reviewed and updated.
Additional items were added to field staff and wardens kits for forestry-related first aid in line with the supplementary First Aid training which they undertook.

4 Vibration testing and monitoring

There are regulations relating to hand/arm vibration and whole-body vibration levels which apply to various machines owned and operated by Trust staff. Those regulations set limits on daily cumulative exposure levels that operators should be exposed to.

The vibration levels of all relevant machinery (either as provided by manufacture or as independently measured) is known and has been assessed. In light of changing standards and replacement of machinery, updated systems of annual assessment and logging are being prepared.

Duncan Bridges

CEO

28 April 2023

Malvern Hills Trust
Governance Committee
Manor House Grange Road Malvern
Thursday 20 April 2023 6.00pm

Present: Mr C Atkins (Chair), Dr S Braim, Mr P Clayburn, Mr D Core, Mr M Davies (non-voting), Prof J Raine, Ms H Stace.

In attendance: CEO, Secretary to the Board, Mr R Bartholomew, Mr R Fowler

Mr Bartholomew (as outgoing vice-chair) took the chair and welcomed everyone to the meeting.

1. Election of Chair

Mr Atkins was elected unopposed. He took the chair.

2. Election of Vice-Chair

Prof Raine was elected unopposed.

3. Apologies for absence

David Fellows.

4. Chair's announcements

Mr Atkins announced that Michelle Alexander had re-joined the Board as the Worcestershire County Council appointee for Powick.

5. Declarations of interest

There were none.

6. Timing of meetings

These would be called as and when needed.

7. Urgent business

There was none.

8. Date of next meetings

Mr Davies said there had been a query about the amount of information published about trustees on the website and he wished to put that forward for discussion at a future meeting.

TBA

The meeting closed at 6.08pm.



WILDLIFE ADVISORY PANEL

NOTES FROM THE INDOOR MEETING – 29 March 2023

Present: Duncan Westbury, Stephen Braim, Chris Atkins, Richard Comont, Helen Woodman, Dave Taft, Mel Mason, Hayley Murray, Peter Garner, Andy Pearce, Jonathan Bills

1. **Appointment of Chair** (annual). Stephen Braim kindly chaired the meeting and began with welcome and introductions.
2. **Apologies for absence.** Received from: Charlie Long, Johnny Birks, Nigel Hand, Simon Roberts, Helen Stace.
3. **Matters arising from the previous meeting.** Peter Garner had no further news on the possible invasive plant on the Purlieu. Natural England had been invited to join and were present today.
4. **Verbal report from the outdoor meetings** – none held.
5. **Reports/views from the Panel** (written reports can be circulated).

Duncan Westbury DW reported that the University of Worcester use MHT land for student project including a recent mapping project on scrub at Castlemorton Common as part of a BSc course.

Any suggestions for student project topics would be welcome by both DW and JB.

DW reminded the panel of the idea to use the money raised from sales of NOMB for pond creation.

Dave Taft DT reported of the general trend in low numbers of invertebrates he had recorded around the Hills. However, high numbers and of a good range of species were recorded at the Trust's newly purchased Norbridge Field near Colwall, including Downland Villa fly.

Peter Garner PG reported of sightings of a pair of Peregrines near to the Hills. He also concurred that invertebrate numbers are generally low, having run a home moth trap for over 30 years.

Hayley Murray HM as part of work for Natural England, a condition assessment of the Eastnor Estate's SSSI woodlands has been undertaken recently.

Mel Mason MM stated that 2022 was a good year for clouded yellow and green hairstreak butterflies but not a good year for grayling, with just one individual recorded on the Malverns and loss of inland populations across the region including Herefordshire.

The fritillary project was going well, we shall see how emergence pans out later this year.

Helen Woodman HW told the panel of the new partnership project 'Severn Treescapes' which will be offering grants for tree planting and land management advice to land managers from Wentwood to Wye to Wyre.

Richard Commont RC also concurred at the low invertebrate numbers around, with moth exceptions in 2022 being Dotted Chestnut, Merveille de Jour and Hummingbird Hawkmoth.

RC has overseen a student project based on the Hills that involved installing pitfall traps for ants and beetles. Some interesting new records had been gleaned including *Myrmica ruginodis*, *sabuleti*, & *sulcinodis* (red ants). RC also reported the scarcity snow bunting, seen on the Hills on 27 October.

Porcellio spinicornis (woodlouse) - new to the Hills, scarce in the region. Western Beefly *Bombylius canescens* - only previous Worcs record in Stourbridge in 1935. Also Dotted Beefly *B. discolor*, gradually colonising the region. *Homalenotus quadridentatus* (harvestman) - new to the Hills, 1 previous Worcs record (Martley, 1987)

Chris Atkins CA told the group of recent work to improve the perry pear collection held at Three Counties Showground. An amazing 104 varieties were now stationed there.

Deer numbers seem to be rising locally, especially Reeves muntjac (informed through use of thermal imaging tech). This would have a negative effect on the woodlands of the Malverns.

AP provided mammal news on behalf of Johnny Birks and Charlie Long. Johnny is using camera traps in woodlands along the Hills and recording mammals as follows:

27.3.23 - 13 sites completed		
Species	No. video clips	No. sites present
Grey Squirrel	185	10
Muntjac	95	12
Badger	28	8
Fox	17	8
Rabbit	14	2
Roe deer	7	2

CL had been recording dormice and provided a list of records and of boxes that need replacing.

6. MHT updates:

JB and AP presented a powerpoint presentation to inform the group on:

- Petty whin & black poplar reintroductions.
- Open habitat restoration – Old Hills, Swinyard Hill.
- Forest School & woodland improvement works.
- New lands acquired by MHT – Colwall Coppice & West Field, land off Evendine Lane.

7. This year's outdoor meetings –

It was agreed to visit Swinyard Hill in spring and newly acquired land at Evendine Lane in summer.

8. Panel membership.

We welcomed Hayley Murray from Natural England. The panel were still searching for a new member with interest in fungi. Anne Bowker has retired from the group and sent her best wishes to all.

9. Any other business

None.

10. Date of next indoor meeting -

6 March 2024



Report of the Recreation Advisory Panel

Wednesday 29th March 2023, Lyttelton Rooms.

Present: Beck Baker (Community and Conservation Officer), David Baldwin (trustee), Jonathan Bills (Conservation Manager), John Cuthbertson, Nuala Dalton, Mick Davies (trustee), Richard Davies, David Fellows (trustee), John Freeman, Steve Hannon, Stuart Mason, John Raine (trustee), James Richards, Simon Smith, Dorothy Weet.

1. Welcome, introductions and appointment of Chair (annual)

The CCO welcomed everyone to the meeting and the new members to the panel:

- James Richards – Malvern Cycle Sport, Mountain biking
- Nuala Dalton – Boundless Outdoors

David Baldwin was elected as Chair of the meeting.

2. Apologies for absence

Apologies from Warwick Taylor (Malvern Joggers). CCO explained that the representative for walking group was unable to attend as their group had folded and so would no longer be happy joining the panel. A new walking representative was being sought to join the panel.

3. Matters arising from the report of the meeting held on the 30th March 2022

The Conservation Manager informed the panel that the temporary fencing was still in place on Summer Hill and was working well. There were some signs of vegetation reestablishing however recovery was severely affected by the dry and hot summer. The Trust would continue to monitor over the spring and summer to see how it recovers.

There had been no reports of access issues however some temporary posts had been removed and had been replaced with more permanent posts. Signage was on site to explain the reason for the fencing.

The following points were discussed by the panel:

- What were the main causes of erosion?
- Had previous attempts to restore vegetation on the Shire Ditch south of the Wyche Cutting been successful?
- Would this method of allowing places to recover be repeated elsewhere?

The CM explained that the increase in visitors and social distancing during the pandemic had led to increased erosion which was further exacerbated by water run-off. This was a long-term project and it would take a considerable period of time for full recovery. Previous similar works to the Shire Ditch were successful however once the temporary fencing was removed, the erosion continued to it is likely that areas will need to be returned to.

Detailed research had been carried out to provide baseline data for the current levels of erosion along the ridgeline and a consultant had been employed to consider and recommend solutions to reduce erosion and restore vegetation.

The Chair asked that this report be shared with the group.

4. Car park charges and passes

The CCO outlined the upcoming changes to car park charges:

- Increase in pay and display ticket to £5.25 from the 1st April (£4.80 currently)
- Introduction of new evening ticket from the 1st April. Those parking after 6pm would pay £3.00.
- Introduction of pay and display at the Old Hills, Callow End from this summer. Charge to be £2.50 per day.
- Increase in Annual Pass price to £50.00 (second pass for £25.00) from the 1st April (£41.00 currently)
- Levy payer parking passes would be on sale from May costing £7.00 per pass. These are valid from 1st June 2023 to 31st May 2024.

Residents wishing to purchase a Levy payer pass must now provide their Council Tax bill to confirm eligibility and also the V5C document for each vehicle to confirm that the vehicle is registered to the levy paying address. The CCO explained that this was due fraud and people purchasing levy payer passes for owners of vehicles that were not eligible for the concessionary pass. As a charity, the income from the car parks is an essential contribution to the conservation of the landscape.

Contactless payments were available in all car parks. British Camp car park, North Quarry car park, Upper Beacon Road car park also have a cash option.

The CCO confirmed the Annual Pass would apply to the Old Hills car park so those with an Annual Pass could park in the Old Hills car parks without having to purchase another pay and display ticket.

5. Events and drop-in sessions

The Trust would be restarting an events programme for the first time since the pandemic. The first event, a community litter pick, had gone well and the second event, a family woodcraft workshop, will be held on the 11th April. Events will be advertised on the Trust website, social media and with the local Tourist Information Centre.

Trust staff would also be holding 'drop-in' sessions at car parks around the Hills and Commons this spring and summer to engage with visitors and provide information about countryside access, wildlife and the work of the Trust.

Action: Panel members to suggest any information that they think would be beneficial to share with visitors during these sessions.

6. Trustee elections

The CCO explained that the Trustee elections are due to be held in October 2023. Panel members are encouraged to find out more if they are interested in standing for election and to speak to family, friends and those who may be interested in joining the Malvern Hills Trust as a charity trustee.

Further information would be made available in the run up to the nominations. Mick Davies (Chair of Trustees) invited interested members to speak to current trustees to find out more about the role and standing for election. Many of the positions were uncontested due to low numbers of standing nominees so an election was not always contested.

Action: Panel members are encouraged to share this with fellow club members and friends to encourage people to stand for election. Members to contact the CCO to be put in contact with current trustees to find out more information.

7. New land acquisitions

The CM updated the panel that the Trust had recently acquired 16 acres of land on the western side of the Hills. This included an ancient woodland site called Colwall Coppice and pasture land called Westfield. The acquisitions joined land already under the jurisdiction of the Trust together and would be open to the public for access.

At Evendine Lane, near Colwall, 3 parcels of land had been acquired including 2 pasture fields and a woodland area at the foothill of the Malverns.

This land would now be protected as green space in perpetuity. Access arrangements would be the same as that to places already under the jurisdiction of the Trust – open access for those on foot and horseback and bridleways for cycle access. Permissive footpaths would be identified to better connect existing rights of way, for example where walkers are currently forced onto the road for a short section.

RD asked if the new land could be mapped for use by the Harlequins Orienteering Club. CM confirmed this was fine.

8. Access for all

The Trust had applied to the Defra Access for All grant fund and had been successful. The funding for nine new hand gates of the latest design would replace stiles and other types of gate, and provide new access points into recently acquired Trust land. The gates would improve accessibility into these areas for a wider range of visitors.

A second round of Access for All grants from Defra will be available in 2024/25 and the Trust would be looking to draw up projects to apply.

JR asked whether the opening of a section of disused bridleway on North Hill would be funded? The CM replied that it was likely that only new projects would be eligible but the question would be asked of the funder.

Action: Panel members to let the CM jonathan@malvern hills.org.uk know about any potential access projects for which funding could be applied for.

9. Vehicular deterrents

CO reported that there had been a spate of antisocial behaviour on Castlemorton Common where drivers were driving on the common causing damage and disturbing the local community. The police have been involved and the Trust have carried out extra patrols however it has been difficult to witness these activities.

The Trust has been considering the use of appropriate deterrents including lines of rocks, bank and ditch, and wooden bollards to stop vehicles. A survey has been undertaken and 1/3 of the Common is protected by bank and ditch or scrub. A 'whole common' plan is being considered to stop vehicular access whilst maintaining public access for legitimate users.

These measures would require Secretary of State consent under the Commons Act. The Panel discussed various points relating to:

- Consultation to identify any concerns from groups e.g. cyclists, horseriders etc would be carried out

- Police are drawing up a letter of support
- Some deterrents were already in place. Due to the meterage these cover, consent was not required however a large project with longer sections of deterrents would require consent
- CCTV could be employed to identify drivers with neighbours' consent for erection on their property. Source for CCTV cameras to be identified.

10. Round-the-table updates

John Cuthbertson, Disabled Ramblers – Thanked the Trust for work to repair the path from North Quarry car park which had opened access for the Trampers in this area. A programme of rambles would be organised for the Malverns later this year.

James Richards, Malvern Cycle Sport- Would like to open a discussion relating to legitimising access for mountain bikers on the western side of the Hills in Herefordshire. The following discussion included

- Local riders using these routes for many years / concern riders are already using routes they shouldn't
- Opening up more space for cyclists would spread people out more thinly and reduce conflict
- Use of bells / calling out, slowing when approaching walkers or horseriders would reduce conflict
- A larger campaign may be needed to provide information for mountain bikers on where to ride and how to share / drop in sessions to provide visitor advice

Nuala Dalton, Boundless Outdoors (Malvern) – the centre was seeing an increased number of visitors who used the Hills in some of their activities.

Simon Smith, Malvern Hills District Council – Plans for the upcoming Well Dressing Festival were well underway with tours and activities. SS invited the Trust to share their events with the TIC / Visit the Malverns for promotion.

Richard Davies, Harlequins Orienteering Club – orienteering events continue alongside the detailed mapping of sites.

Stuart Mason, Malvern Hang Gliding Club – Volunteers from the club had been clearing scrub, in liaison with MHT, on the slopes of Pinnacle Hill to improve their flying conditions.

11. Any other business

RD requested that information about the planned winter scrub work be included on the next agenda. This was noted.

ND requested information about access to the Tank Quarry be shared for abseiling activities.

Action: The CCO would ask wardens to contact to arrange access.

DW raised a concern about the number of dogs being walked by professional dog walkers. This was noted as a possible topic for a future agenda.

12. Date for next meeting

6pm Wednesday 13th September 2023

Indoor meeting – venue to be confirmed

MANAGEMENT REPORTS March/April 2023

CEO

1. Dealing with financial and admin matters including recruitment of new Finance and Admin Manager
2. Work in relation to recruitment of Warden and Field Staff member
3. Liaising with brokers on insurance matters – annual cover renewal and ongoing claim issues
4. Responses to various planning matters
5. Dealing with various boundary and access issues – the Purlieu, Westminster Bank, West Malvern and others
6. Work with IT support on hardware replacements and software upgrades
7. Ongoing and preparatory work on various projects – St Ann's Well, Donkey Shed, Bottom Shed and capital equipment replacements
8. Undertaking annual appraisals with staff
9. Dealing with ongoing utility wayleave matters – Gigaclear, Full Fibre, BT and Cadent
10. Attended stakeholder workshop, LMC outdoor meeting and Trustee Exchange

Secretary to the Board (SttB)

1. Preparing Board/Special Board & committee agendas and papers, attending meetings and preparing minutes.
2. Preparing for, attending and minuting 4 C's meeting.
3. Reviewing planning applications.
4. Easements and wayleaves - Gigaclear, Cadent + private easements.
5. Local Government Boundary changes –liaising with Parliamentary Agent, Department of Levelling-up and MP. Instructing solicitors to advise on consequences of the ambiguity created by the changes in ward boundaries.
6. Dealing with outfall from resignation of Finance and Administration Manager.
7. Dealing with Board member queries.
8. Drafting instructions to Parliamentary Agents to prepare estimate of costs for Private Bill.
9. Drafting s74 Charities Act application.
10. Attending Trustee Exchange
11. Responding to public queries.

Conservation Manager (CM)

1. Ongoing liaison with Gigaclear re their works around Colwall.
2. Research on land new to the Trust (both desk and field).
3. Revising Old Hills grazing licence with CO.
4. Drawing up new shed plans and putting these through Herefordshire Council planning. Awarding the contract.
5. Overseeing last of the tree safety works.
6. Obtaining quotes for fencing and bridge works off Evendine Lane.
7. Compiling FIPL grant application for fencing works.
8. Drawing up and advertising hay-making contract.
9. Undertaken CCO annual appraisal.
10. Attended Recreation Advisory Panel.
11. Ran Wildlife Advisory Panel.
12. Attended soil health workshop.

Conservation Officer

1. Participated in the Trustees evening walk around Wells Common and All Saints wood.
2. Finished planting the last black poplars for this year
3. Planted replacement trees following tree safety works
4. Led a volunteer task clearing the ephemeral bank at Summer Hill
5. Continue monitoring non-native species such as Japanese knotweed, Narcissi and Spanish Bluebells, Winter Heliotrope and Sicilian Honey Garlic

6. Continue to stem inject Cherry Laurel across the hills and commons.
7. Maintenance of the tree planting in Thirds Wood.
8. Continue to propagate petty whin and four new clones of native black poplar.
9. Continue to monitor habitat management work at chase End hill, Park wood and Old Hills
10. Assisting with the writing of the new Old Hills grazing licence.

Community and Conservation Officer (CCO)

1. Oversaw the publishing of the Levy Payer's leaflet
2. Attended the Land Management Committee outdoor meeting
3. Advertised the Warden vacancy and hay making contract
4. Publicised and promoted the new Annual Passes, pay and display increase, and introduction of evening charges
5. Led a Stakeholder Engagement workshop for Trustees
6. Hosted a Recreation Advisory Panel meeting
7. Presented at a local community group
8. Dealt with a filming application
9. Assisted with two public woodcraft workshops and a community litter pick
10. Dealt with a number of event applications including well dressing festival and running events
11. Released a number of press releases including for International Bat Appreciation Day, responsible visitors at Easter, and Blossom Day.

Operations Manager and Field Staff

March 2023

1. Vegetation management – Fell potentially hazardous trees at Happy Valley.
2. Vegetation management – Fell ash trees affected by ash dieback at Link Common.
3. Vegetation management – Plant replacement tree at Link Common to replace tree felled due to ash dieback.
4. Vegetation management – Flail brambles and encroaching vegetation around Hollybed pond, Castlemorton.
5. Vegetation management – Cut back trees encroaching on the highway at Holywell Road between Rock House and Laurel Cottage including clearance of branches to provide for 5.2m vehicle clearance in advance of highway maintenance works.
6. Vegetation management – turn composting material at Upper Wyche yard.
7. Vegetation management – Clear fallen tree from Malvern-Ledbury road brought down by snow and a tree on the easy access trail from Earnslaw.
8. Undertake snow clearance at car parks at British Camp and Black Hill.
9. Repairs to stone walling at West of England car park ticket machine and along the front of the donkey shed, Happy Valley.
10. Blade off accumulated leaf litter from back track to Gullet Quarry.
11. Pothole repairs to all car parks and the access track to Mill Pond, Castlemorton.
12. Re-hang gate at entrance to field at Evendine to improve access for water bowser for stock grazing.
13. Drain maintenance at Westminster bank and Colwall Green.
14. Remove dumped tyres collected at bottom yard to authorised disposal facility.
15. Repairs to leak in stock water tank at West Field, Colwall Lands.
16. Replacement machinery evaluation – small tractor and grader blade and movement of redundant machinery for auction.
17. Undertake recruitment exercise for new Field Staff team member.
18. Undertake annual staff appraisals.
19. Checks and maintenance of erosion control fencing at Summer Hill.
20. Litter collecting and bins emptying.

April 2023

1. Vegetation management – Remove ash dieback trees along main path through community woodland and undertake ride-side thinning to open path edges. Chip arisings and partly remove wood from site.
2. Vegetation management – grass strimming around car parks, benches street furniture – multiple sites.

3. Vegetation management – clear accumulated leaf litter from steps on Clare Walk.
4. Vegetation management – compost management at Upper Wyche Quarry yard.
5. Vegetation management – Clear tree that had fallen across the south end of Holywell Road. Undertake survey of adjacent trees to assess potential hazard.
6. Vegetation management – annual overhaul and servicing of flail mowers.
7. Remove accumulated scrap metal from bottom yard for recycling.
8. Fence maintenance in preparation for replacement at Upper Purlieu fields and sourcing chestnut posts and stakes.
9. Erection and subsequent removal of temporary fencing at Castlemorton during lambing period.
10. Repairs to car park potholes at Old Hills.
11. Clearance work at North Quarry to clear/organize dumped materials to facilitate continued use of the site.
12. Drain maintenance work around St. Ann's Well and emptying silt traps at Happy Valley.
13. Remove ivy from stone walls at Lower Wyche spout to avoid further damage to masonry and in preparation for well dressing.
14. Replace damaged stock water tank at West Field, Colwall Lands.
15. Chainsaw training and certification for one staff member – felling trees over 380mm diameter.
16. Install new bench in Polly's Orchard, Malvern Common.
17. Install improved drainage from a spring on the path from Westminster Road around the edge of All Saints Wood and repair path surface.
18. Induction of new Field Staff member – Katie McEvoy.
19. Checks and maintenance of erosion control fencing at Summer Hill.
20. Litter collection and emptying litter bins.

Contractors

April 2023

Richard Horne – Empty silt traps at Happy Valley and complete clearance and organisation of material dumped at North Quarry.