



Malvern Hills Trust

Special meeting of the Board

Meeting at which the Trust's accounts for the year to 31 March 2023 will be approved and the auditors for the year ending 31 March 2024 are to be appointed

Thursday 19 October 2023 7.00pm

**In attendance Eleanor Sunderland and Katherine Parkin
(Azets Audit Services)**

**The Cube
Albert Road North
Malvern WR14 2YF**

Special Meeting of the Board

Malvern Cube, Albert Road North, Malvern WR14 2YF

Thursday 19 October 2023 7pm

Meeting at which the Trust's accounts for the year to 31 March 2023 will be approved and the auditors for the year ending 31 March 2024 are to be appointed

Please see overleaf for arrangements if you wish to attend the meeting

Eleanor Sunderland and Katherine Parkin from Azets Audit Services will be present at the meeting.

Agenda

1. Apologies for absence
 2. Chair's Announcements
 - Arrangements for public questions
 3. Declarations of Interest
 - Trustees are reminded to keep their Register of Interests up to date
 4. To approve the minutes of the Levy Payers Meeting held on 1 December 2022
 5. Public questions on the accounts
 6. To receive and approve the Trustees' Annual Report and Accounts for the year ended 31 March 2023
 7. Appointment of Auditors for the financial year ending 31 March 2024
 - It is proposed to re-appoint Azets Audit Services
 8. Public Comments (Standing order 13.2)
 9. To approve the minutes of the Board meeting of 5 October 2023 To follow
 10. Arrangements for Trust elections Verbal update
 11. Car park takings for second quarter 2023/24
 12. Management accounts to 30 August 2023 To follow
 13. Update on arrangements for obtaining a new Act Verbal update
 14. To approve relocation expenses policy Paper A
 15. Reports:
 - Recreation Advisory Panel Paper B
 - Project update (including postponements) Paper C
 16. Urgent business
 17. Date of next meeting
 - Annual meeting 16 November 2023
 18. Confidential
 - Resolution to exclude the public for discussion of items 19 & 20 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 (personnel matters).
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- CONFIDENTIAL**
19. Appointment of Secretary to the Board Paper D
 20. Report from Working Group for appointment of CEO

Members of the public wishing to attend this meeting please note:

1. Copies of the accounts are available from the Trust's office or on the web site <https://www.malvern hills.org.uk/> from 29 September 2023.
2. If you want to ask a question at the meeting in relation to the Annual Report and Accounts, it would be helpful if you could please forward the question in writing by 12 noon on 18 October 2023 to info@malvern hills.org.uk. to ensure we have the information available at the meeting.
3. Any member of the public wishing to nominate a firm of auditors for appointment should notify the Trust of their proposal at least 12 clear working days before the meeting.
4. Levy payers can participate in the vote on agenda item 7. If you want to vote at the meeting, you will need to establish that you are a levy payer. It would be helpful to provide a copy of your Council Tax bill when you contact us (see paragraph 5 below) as this will speed up administration at the start of the meeting. **Alternatively please bring a copy of your Council Tax bill to the meeting.**
5. If you wish to attend it would be helpful if you could E-mail cindy@malvern hills.org.uk (or write to Mrs L Parish at the Trust's office), giving your name, E-mail address and contact number and provide a copy of your council tax bill if you wish to vote on agenda item 7.

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.

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.

Car Park Meter Takings 2023/24

	Budget	Actual	Variance
April	£ 38,015.00	£ 36,788.00	-£ 1,227.00
May	£ 21,178.00	£ 39,015.00	£ 17,837.00
June	£ 39,324.00	£ 25,069.20	-£ 14,254.80
July	£ 26,213.00	£ 25,434.21	-£ 778.79
August	£ 35,227.00	£ 36,996.63	£ 1,769.63
Sept	£ 35,766.00	£ 25,610.17	-£ 10,155.83
Test Tickets		-£ 154.94	
	£ 195,723.00	£ 188,758.27	-£ 6,809.79

Resident Pass Sales 2023/24

	Budget	Actual	Variance
April to September	£ 33,166.00	£ 27,509.34	-£ 5,656.66

Annual Pass Sales 2023/24

	Budget	Actual	Variance
April to September	£ 20,000.00	£ 20,851.37	£ 851.37

Parking charge payments 2023/24

	Budget	Actual	Variance
April to September	£ 1,000.00	£ 2,617.52	£ 1,617.52

Total Car Park Takings April to September

	Budget	Actual	Variance
	£ 249,889.00	£ 239,736.50	-£ 10,152.50

Special meeting of the Board
Relocation Expenses policy
19 October 2023

Malvern Hills Trust last amended its relocation expenses policy in 2015.

A copy of the policy is attached with a few minor changes to the wording.

Since the policy was approved there has been a 44.98 % change in the RPI and revised figures have therefore been suggested. The reference to contracts for less than 12 months has been removed.

Recommendation

The Board is asked to approve the revised policy.

Susan Satchell
Secretary to the Board
9 October 2023



Allowances Payable to New Employees Relocating

Approved

Allowances payable to employees relocating

1. Introduction and eligibility

1.1 Malvern Hills Trust (MHT) provides reimbursement of relocation costs to support the recruitment of high quality candidates from other areas.

1.2 MHT reserves the right to consider each application under the Scheme on its merits.

1.3 This scheme provides assistance up to a maximum of £7,250 in respect of one claimant or household that can be used towards the following costs:

Removal expenses

Estate Agent fees

Stamp duty etc

1.4 This scheme is available to those appointed to their first post with MHT, on or after 1 December 2007, who substantially maintained a household (e.g. either owner occupier or rented dwelling) prior to their appointment and who need to move home as a result of accepting their appointment:

Staff appointed to a permanent post or to a fixed term or temporary contract of two years or more will be eligible for this scheme. However, if they leave MHT within two years, these expenses will have to be repaid, on a sliding scale (see 1.5 below).

1.5 If the employee subsequently leaves the service of MHT within two years of starting employment, they will be required to repay the allowances paid on the following scale:

(a) up to one year – 100 per cent repayment

(b) over one year – the percentage refund to decrease by one-twelfth for each completed month's service in excess of a year

1.6 This repayment may, **in exceptional circumstances**, be waived on the written authority of the CEO/Board Chairman.

1.7 Employees who are dismissed by reason of redundancy from the service of MHT within two years of starting employment will not be required to repay allowances.

1.8 Employees who are dismissed from the service of MHT within two years of starting employment for any other reasons will be required to repay allowances in accordance with the scale in 1.5 above.

1.9 If the employee did not substantially maintain a household (e.g. if living with parents or in student accommodation) prior to appointment but needs to move home on taking up the post, they will be eligible to receive a general disturbance allowance of £725.

1.10 The Scheme requires the employee to demonstrate the need to move home. This need must be established **within three months** of commencing employment with MHT by the completion of Appendix A.

1.11 Normally, claims will not be considered:

- a) if the employee already lives within 20 miles of the new workplace or
- b) the intended move is less than 10 miles

1.12 If the employee needs to move home and wishes to apply to the Scheme they will generally be expected to move to be within 9 miles of the new workplace.

1.13 To register their intention to claim, employees **must** complete, sign, date, and return the appropriate form (see Appendix A) **within three months** of commencement of employment with MHT. No claims will be considered until after commencement of employment and reimbursement will be in respect of one claimant/household.

1.14 Employees will be required to demonstrate their intention to make a permanent move by putting their home for sale, normally **within three months** of commencement of employment with MHT.

2. Expenses which can be reclaimed

2.1 MHT will reimburse (up to a total as specified in 1.3 and 1.9) the following expenses incurred as a result of your move:

- (a) Stamp Duty
- (b) Removal Expenses
- (c) Storage of Furniture
- (d) Cost of Home Information Pack
- (e) Estate Agents Fees

2.2 The expenditure must have been incurred and receipts must be provided for all claims submitted.

3. Administration

3.1 The Scheme is administered by Malvern Hills Trust.

3.2 The Scheme will be reviewed and revised as necessary from time to time.

4. Queries and suggestions

4.1 If you have any queries regarding the Scheme please contact the CEO.

Appendix A

Employee recruitment – scheme of allowances Application for reimbursement

To register your intention to claim this form **must** be completed, signed, dated, and returned **within three months** of commencement of employment with MHT. No claims will be considered until after commencement of employment and reimbursement will be in respect of one claimant/household.

Please complete all sections (Block Capitals) (*delete as appropriate)

Name:	
Position:	Start date:
Work phone:	Payroll number:
Permanent/temporary* (please specify the length of contract if not permanent)	
Full time/part time* (please specify hours worked if part time)	

Applicant details prior to appointment with MHT

Did you substantially maintain a household prior to appointment?	Yes/No*
Address:	
Postcode:	
Is this property within Worcestershire	Yes/No*
Is this property more than 20 miles from Malvern? Please specify distance:	Yes/No*
Was this property?	Your Own/ Rented*
If rented:	
Date of expiry of tenancy agreement:	
Was it furnished?	Yes/No*
If you own this property:	
Current market value of the property:	
Is it currently on the market?	Yes/No*

Applicant details after commencement of employment with MHT

Address:	
Postcode:	
Is this property within 9 miles of Malvern? Please specify distance:	Yes/No*
Is this property more than 10 miles from your old property? Please specify distance:	Yes/No*

Employee confirmation

I confirm that I substantially maintained a home prior to my appointment with Malvern Hills Trust and I understand that in the event of my leaving the service of MHT within 2 years of starting employment I am required to repay the relocation allowance received on the following scale:

- a) up to one year – 100 % repayment
- b) over one year – the percentage refund will decrease by one-twelfth for each completed month’s service in excess of one year.

Print name.....

Signed.....Date.....

CEO approval

Either

I confirm that the above employee is eligible for allowances under MHT’s relocation scheme. I am satisfied that he/she has demonstrated the need to move home and has substantially maintained a household prior to appointment.

Print name.....

Signed.....Date.....

Or

I confirm that whilst the above employee is not eligible for allowances under the Scheme, he/she has demonstrated the need to move home and, therefore, is eligible to receive the general disturbance allowance (see paragraph 1.9).

Print name.....

Signed.....Date.....



DRAFT - Report of the Recreation Advisory Panel
Wednesday 13th September, United Reformed Church Hall,
Malvern Link

Present: Beck Baker (Community and Conservation Officer), David Baldwin (chair, trustee), John Cuthbertson, Nuala Dalton, Mick Davies (trustee), Richard Davies, Stuart Mayson, Andy Pearce (Conservation Officer), Ray Quinlan, John Raine (trustee), James Richards.

1. Welcome, introductions

The Chair welcomed everyone to the meeting and a new member to the panel:

- Ray Quinlan – walking representative

2. Apologies for absence

Apologies from Jonathan Bills (Conservation Manager), David Fellows (Trustee), John Freeman (Soaring Club), Steve Hannon (Soaring Club), Simon Smith (MHDC), Dorothy Weet (dog walking rep), Ian Wells (bird watching rep).

3. Matters arising from the report of the meeting held on the 29th March 2023

Events and drop-ins - The CCO informed the Panel that the Trust had restarted a series of events which had included guided walks and some children's activities. Drop-in sessions were put on hold this summer as we recruited two wardens Angela and Mike in June who are now getting to know the work of the Trust and the land we care for. It is anticipated that the drop-in sessions will be held next spring / summer 2024.

Erosion control – Following our work to try and reduce erosion of the ridgeline (Summer Hill), we have received reports that path erosion along the route of the Trumper (for hire from Café H₂O) is making access difficult. Countryside Mobility who administer this scheme nationwide will return to reassess the route with MHT staff and plans for repair or rerouting will be discussed. The CCO added that this was a popular scheme which provided access to the top of the Worcestershire Beacon and is important to maintain for visitors.

The CO added that a small section of the Shire Ditch to the north of the Worcestershire Beacon has become eroded and temporary barriers have been erected to reduce footfall and allow the vegetation to recover. Vegetation cover forms a protective layer on ancient monuments that helps to stop further water erosion. Signs have been placed on the barriers to explain the reason for their placement.

4. Q & A find out more about mountain biking on the Malverns

James Richards (mountain bike representative) introduced himself to the group for a Q&A session. Questions asked by panel members or comments were answered and responded to by JR.

- JR grew up in West Yorkshire exploring the outdoors and discovered mountain biking at a young age. Being involved in the sport has taken him all over the world including Pakistan, the Chilean Andes and across the UK.
- JR continues to work in the industry coaching and mentoring riders with his partner Tracy Moseley and Malvern Cycle Sport.
- Many top athletes who compete at an international level have links to Malvern including Tracy Mosely (World Enduro Champion, 5th place at recent eMTB competition), Evie Richards (Cyclo-cross world champion, Olympic competitor, and Commonwealth Games gold medalist), Harriet Harnden (U23 British cross country national championship) and Liam Killeen (Commonwealth Games bronze medalist and Olympic competitor).
- Where do they train? The Malverns provide plenty of challenging rides and the climbs provide the fitness training they need. Other nearby locations for training include the Forest of Dean and Cannock Chase. Malvern has a long-standing history of cycling clubs which foster local mountain bike riding and the sport continues to grow.
- Do people race on the Hills? Local riders don't race but do "efforts" which means they challenge themselves on beating their previous times. Private land also offers opportunities to train.
- In questionnaires, a significant number of people have mentioned how cycling and walking interfere with each other and there could be conflict? There are many places around the country for example the Lake District where cycling is accepted as a way of enjoying the outdoors and its one of many such activities (walking, jogging, horse riding etc). It would be great to see that on the Malverns.
- Could it be that in these areas people tend to be "visitors" rather than the local community who perhaps feel the Malverns are their safe space? This may be the case however, using the example of vehicles on the road, pedestrians are more likely to be injured walking on the pavement than being injured by cyclists on the Hills.
- People have heard about others being too frightened to walk on the Hills due to their experiences with mountain bikers including them coming out of nowhere at speed with no warning and being sworn at by individuals? JR said he was very involved at Malvern Cycle Sport, particularly with youngsters promoting good behavior including 'Be Nice, Say Hi'

<https://www.cyclinguk.org/press-release/be-nice-say-hi-cycling-uk-and-bhs-guidance-cyclists-and-horses>

It is extremely difficult to police individuals who cause these issues. Malvern Cycle Sport coaching sessions are also oversubscribed so some people will miss out.

- How easy or effective is it to identify bridleways and footpaths? It is very difficult to do so as it's not clear on the ground and some of the routes don't make sense. Local riders often chose to ride at quieter times (e.g. not on Bank Holidays) to reduce likelihood of issues. Only 22% of Public Rights of Way in England are open to cyclists. Wales have recently been moving towards a Scottish Style open access / Right to Roam and JR supports this approach.
- Are Strava and Google maps used to navigate? Yes they are and once a route appears on Strava, other riders are likely to follow. CCO added that as part of the Malverns by Mountain Bike campaign some routes were opened up to cycling to improve the network.
- JR explained that a local trail association has been volunteering with MHT to open up some lost bridleways to give back to the landscape.
- ND added that local children were creating trails in woodlands. CCO added that the creation of off road trails was one of the most damaging aspects of irresponsible riding. It was also difficult for MHT to provide dedicated spaces for this type of activity due to the protected landscape and nature of the Malvern Hills Acts. JR responded that providing facilities such as the new pump track near will encourage more people to ride leading to a healthier society and more opportunities to educate riders.

The CCO and Chair thanked James for his information and for answering the panel's questions.

5. Trustee elections

Mick Davies (Chair of the Board of trustees) introduced this item. The Trust has 29 board members, 11 of which are elected by levy payers in the wards of Malvern and the parishes of Colwall, Guarlford and Mathon.

Elections take place every 4 years and will be held on 1st November 2023.

Levy payers elect trustees for the Board but once elected, the trustees must act in the best interest of the charity.

Those eligible to stand for election must be registered to vote in, live in or work in one of the wards and parishes that pay the levy. Nominations open on 27th September and close at 4pm on Thursday 5th October. Those interested in finding out more about becoming a trustee and the election process are invited to contact the Trust on 01684 892002 for an informal chat.

John Raine (Trustee) added that this was an important time to get involved with the Trust as it was reviewing its current governance arrangements and working towards updating the Malvern Hills Acts to bring them into the 21st Century.

MD agreed that this would be an opportunity to shape the future of the organisation and the care of the Hills.

Action: Panel members are encouraged to consider standing as candidates if they are interested in playing a part in the guardianship of the Malvern Hills and Commons or to share this information with friends, family club members who may be interested.

6. Commercial dog walking code

The CCO introduced this item. This had been added to the agenda following a request from panel members at the previous meeting. Examples of Commercial Dog Codes / licenses had been shared with the Panel ahead of the meeting and Panel members were encouraged to share thoughts and ideas of what should be included in a code. Suggestions included:

- Dogs on leads at all times - livestock worrying, ground nesting bird issues
- Dogs on leads in car parks – safety of dogs and adequate control when starting a walk
- Should commercial dog walkers be identifiable?
- Must pick up dog poo
- Are these businesses earning money by parking in Trust car parks? Should they be paying for a license?
- Provide information about secure dog fields as alternative locations for this activity in information for dog walkers?
- Would there be a restriction on certain types of dogs?
- How many dogs would be the maximum? 4 or 6?
- Requirement to have adequate insurance
- A voluntary code or a formal license?

The CCO would continue to research similar organisation and draw up a draft code which can be brought to a future meeting. Consultation and discussion with commercial dog walkers would be essential.

7. Round the table updates

James Richards – The summer series for Junior Coaching sessions was going to an end in the next couple of weeks. A road, gravel and MTB event was being held on private land near Storridge on the 30th September.

It was positive to see that there had been no other e-motorbike incidents on the Hills. CCO added that the police and MHT wardens responded quickly to an incident in April where e-motorbikes were reported on the Hills.

Richard Davies – The urban orienteering event went well on the 10th September based at Link Common. One competitor went around the course

using an electric wheelchair. RD asked John Cuthbertson (Disabled Ramblers) about potential joint events or promotion to encourage wider participation in orienteering events.

RD informed the group about Map Run which is a simplified map which can be accessed by mobile phone. Using this, people can find GPS points rather than placing something physical (control points) in the landscape which is more accessible and can be done independently.

Andy Pearce (CO) updated the Panel on various projects and activities by the Trust:

- Reintroducing Petty Whin, a species similar to gorse, to Castlemorton Common from where it had been lost.
- Increasing the genetic diversity of the Black Poplar tree by planting genetically different trees from other locations in the UK on Trust land.
- Cattle have returned to the northern part of the Old Hills to graze this autumn. In October they will leave but will then return in the spring to graze an area to the south west of the site to increase botanical diversity.

Ray Quinlan (walking rep) introduced himself to the group and said that many of the group walks take place off the Hills but many individuals and smaller groups use the Hills.

John Cuthbertson (Disabled Ramblers) explained that he was undertaking a new project using a 360 degree camera to map accessible routes. Currently working on the Monarch's Way, the images which are like Google Street View will allow tramper or mobility scooter users the opportunity to assess the suitability of the route before setting off. Some routes have already had 8,000 views and people have reported having the confidence to go out if they can see the terrain or route condition beforehand. It is hoped that the Malverns will be mapped in the future.

8. Any other business

CCO informed the group that a large event for Help for Heroes was taking place on the 16th September and there was expected to be a Spitfire flyover. Both of these may affect other recreational activities on the Hills and Commons.

9. Date of next meeting – 10th April 2023

Outdoor meeting – location to be confirmed. To include a Q&A session with John Cuthbertson from the Disabled Ramblers.

Special Board Meeting
Project Progress update
19 October 2023

Project	Ref Code	Budget <i>Actual Cost</i>	2023/4				Update	Status
			1	2	3	4		
Bridleway Link Common	BP 1.2.3	£2,500 (General)					Now anticipated autumn 2023	Set Back to autumn 23
Improve Access Community Woodland	BP 1.2.3	£4,360 (Gift fund)					Main works completed. Benches delivered and installed. Some supplementary path works to do.	Main work complete
Marking Boundaries	BP 4.2.1	£1,250 (General)					Some markers re-installed winter/spring 22/23. Further markers required for autumn winter 2023/4	TO BE SUSPENDED
Restore Shire Ditch (Hangman's Hill section)	BP 1.1.5	£3,000 (General) To be reviewed.					Outline plans drawn up. Survey work completed. Restoration and drainage works required larger than anticipated. Revised methodology and costing required.	Ongoing
Gullet Lake vegetation scheme	BP 1.1.8 LMP #13	Est £2,000					Due to staff capacity put back to later in 2023	TO BE SUSPENDED
Lower Shed Review	BP 2.4.4	Pt 1 £5,000					See paper LMC 01/12/22. Architect and surveyor engaged.	TO BE SUSPENDED
Top Shed Review Machinery Storage	BP 2.4.3						Capacity and need of buildings to be assessed.	TO BE SUSPENDED
Donkey Shed Restoration	BP 1.1.5 LMP #8	£26,000 Grants Civic Soc £5k £1800 for interp signage. FIPL £14k.) balance from Gift Fund					Completed save for installation information board. Board delivered and awaiting installation	Ongoing
St Anns Bowl restoration	BP 1.1.5	Est MSA grant					Listed building consent received. Stonemasons still finalising carving. Technical Report on works to date received. Expected finish Nov 23	Ongoing
Brockhill Road building improvements	BP 2.4.4	Est £40,000					Contractor completed main works end of September	Main works COMPLETED
Black Hill Car Park improvements	BP 1.2.2	£6,000					See paper D meeting October 2022. Contractor and cost estimates sought.	TO BE SUSPENDED
Unauthorised vehicular access in MHT land	BP 1.2.6 LMP #19	£3,000					See paper C October 2022. Design of stobs approved. Affordable supplier still being sought.	TO BE SUSPENDED
Update Interpretation Boards	BP 3.1.4	£15,000 p/a (Gift Fund)					Beacon Road to do.	TO BE SUSPENDED
Update location signage	BP 3.1.4	£7,000					Swinyard and West of England completed.	Completed
Replace old access signs	BP 3.1.4	£2,500					Recommended. Additional replacement signs being erected.	Ongoing

Install new location identification signage.	LMP #1	Est £25,000 over two years.			Site markers to land parcels and popular parking areas. Costings for 87 posts and cast signs estimated. Design work ongoing. Trials of sign to be carried out.	TO BE SUSPENDED
Research visitor usage and ways to tackle erosion.	BP 1.2.7 LMP #35	Est £2000 2 Year			Project to research visitor numbers and erosion impacts. Survey completed and reported to last LMC meeting.	Completed
Install people counters	BP 1.2.7	Est £2000 2 Year			Counters to provide data to support above project.	TO BE SUSPENDED
Fencing, gates and footbridge at Evendine		Est £13,580 £9160 FIPL grant			Works to new land at Evendine (Stock fencing, pedestrian gates and footbridge) finished.	Completed
CAPITAL ITEMS						
Timber Forwarding Trailer	BP 2.3.2	£6,000				Put Back to BP review
Small side arm flail	BP 2.3.2	£6,000 (£6,800)			Brought forward from 2023/24. Ordered. Delivered and in use	Completed
5 or 8 ton trailer	BP 2.3.2	Est £5,000 (£7,500)			Models selected. On order	Ongoing
Replacement Van – Wardens A	BP 2.3.1	£24,000			Supplier and model identified Costings & work plan for upgraded power supply needed from Power Distribution Company.	TO BE SUSPENDED
Replacement Compact Tractor	BP 2.3.2	£25,000 (22,700)			Massey Ferguson replacement sourced and delivered May 2023	TO BE SUSPENDED
Replacement Van – Wardens B	BP 2.3.1	£24,000			As for replacement A above.	Rescheduled to 2024/25
Rotovator / Harrow / Spring Tines / Roller	BP 2.3.2	£2250 / £1200 / £800 / £1200				Rescheduled - path grader priority
Replacement Flail Mower	Board Approved				To replace damaged existing machine. On order. Delivery awaited	Ongoing
Water Bowser		Est £3,700 FIPL grant £2,640			Ordered and delivered	Ongoing
Path grader	BP 2.3.2	£5000			Additional – To replace above items. Board Approved. Delivered	Completed

BP = Adopted Business Plan 2022-2027. LMP = Adopted Land Management Plan 2021-2026

Items marked **TO BE SUSPENDED** to be temporarily shelved due to limited staff capacity whilst recruitment of CEO and FAM is ongoing.

Report as at 9th October 2023