

BOARD MEETING MINUTES

10 May 2007 7 p.m.

The Committee Room, Council House, Malvern

Present:- Mrs S Adeney, Mr M Cordey, Mr R F Hall-Jones, Mr D Masters, Mr J Mills, Mr A Myatt, Mr B Pilcher, Mr R Roberts, Mr C Rouse, Mr P Rumney, Dr B Smith, Mr R Stockton, Mrs S Thetford, Mr R Thomas, Mr J Tretheway (Chairman), Mr J Webb, Mr B Wilcock.

In attendance:- The Director, Administrative Officer, Conservation Officer and members of the public.

1. APOLOGIES FOR ABSENCE. Mr A Macmillan, Mrs P Raven, Mr S Try, Mr W Watts.

2. CHAIRMAN'S ANNOUNCEMENTS.

2.1 It was with sadness the Chairman reported that Conservator, Richard Witcomb, was seriously ill. On behalf of members he would be writing to Richard and his family.

2.2 There was one urgent business item to be considered. As it concerned the possible acquisition of land the matter would be taken in committee at the end of the meeting.

2.3 The Chairman welcomed Ian Butler, Trainee Conservation Officer, who was on a 9 month placement with MHC under the Lemur Project funded by the Lottery.

3. PUBLIC QUESTIONS.

3.1 Ms. P. Burgess. Ms. Burgess asked two questions:-

Question 1. Are the Malvern Hills Conservators allowed to run a business from the Malvern Hills?

The Chairman advised that there was nothing in the Malvern Hills Conservators' constitution to prevent them from trading but as a levy-charging authority and a registered charity they are not permitted to carry out substantial trading activities as a way of raising money as they would be expected to invest their money prudently rather than being risked in trading activities.

However there are special rules to help charities that wish to carry out small amounts of trading when all of the profits are to be used by the charity which is the case with the grazing project.

Question 2. Why are the Conservators breeding more sheep than they need to keep the scrub down?

The Chairman responded that there are three reasons why the MHC breed from all their ewes:-

- 1. In order to run the sheep on the Hills we need to provide replacements for the older ewes that are taken off the Hills for their own welfare. We currently require between 30/50 ewe lambs per year to replace the older ewes. If we assume that the ratio of males to females is 50-50 then we will be producing double the amount of lambs in order to breed enough replacements. With our current flock of 150 ewes this means breeding from 120 ewes to ensure that there are enough replacements.*
- 2. The nutrient requirements of a breeding ewe means that it eats a broader range of vegetation and is therefore more effective in keeping the scrub levels down.*
- 3. If the remaining 30 ewes are not put in lamb then it is likely that a stray ram may cover the ewes on the unenclosed common. In this instance we would not know when the ewes were covered and therefore when they would lamb and so it would put the welfare of these extra ewes under threat.*

It is important to note that the Conservators do not deliberately breed extra lambs for profit but for the practical implementation of the grazing.

3.2 Ms. J. Pritchard. Ms. Pritchard asked two questions:-

QUESTION 1. Do the Conservators recognise that if they pass this proposal they will be giving power to the officers to sell the lambs, not just to conservation bodies but to anyone including mainstream agriculture (where farmers are unlikely to be interested in learning good welfare practice from the Malvern Hills Conservators)?

The Chairman thanked Ms Pritchard for recognising the Conservators high animal welfare standards which is appreciated. The proposal to sell breeding sheep to conservation bodies and other breeding flocks is intended to promote best practice conservation management, to help other conservation bodies to achieve this management and to demonstrate to local farmers that putting sheep on the common can be a viable proposition. Our policy is geared towards encouraging farmers to take over the stock on the Hills and that is why we are evolving our mechanism. This practice has already encouraged two more graziers onto the Hills.

There are also many farmers involved in conservation grazing in this country. It may be necessary to sell breeding sheep to these farmers in order for them to carry out the grazing for conservation bodies. This is why other pedigree breeders were included in the proposal.

QUESTION 2. At present the adult flock on the hills is almost entirely ewes. Why cannot the flock be mainly composed of wethers, with only sufficient ewes to breed genuinely needed replacements, which would then be hefted?

In response the Chairman stated that the requirement for replacement sheep varies from year to year. In some years there will be the need for more grazing due to the weather and we are also increasing our grazing in other areas on the Hills as per our policy. If we do not have the spare breeding capacity to produce the stock when we need them, then we would have to buy in sheep from elsewhere that would not be hefted and would therefore be more likely to wander from the Hills putting them at greater risk.

In conclusion the Chairman remarked that it was his view that if the questioners wished to see a change in the law they should lobby their representatives at Westminster.

4. DECLARATIONS OF INTEREST. None.

5. CONFIRMATION OF MINUTES. It was **AGREED** that the Minutes of the meeting held on the 8 March 2007 should be **CONFIRMED** and **SIGNED** as a true and correct record.

6. MATTERS ARISING.

6.1 2. Commons Act 2006. The Chairman drew attention to the previous meeting when an interesting talk had been given on the Commons Act 2006. He reminded members that the next meeting of the Board would begin with the Annual Meeting of Council Taxpayers and it was suggested to members as to whether they felt it would be appropriate to have a guest speaker. The Director had contacted Dr. Payne who had agreed to give a talk entitled 'Geology and Landscape of the Malvern Hills' beginning immediately after the Annual Meeting of Council Tax Payers. If members agreed he suggested that Priory Lodge Hall would be a more suitable venue. This suggestion was supported by Mr. Roberts and it was **AGREED** that arrangements should be made.

7. COMMITTEE REPORTS.

7.1 LAND MANAGEMENT. Mrs. Thetford presented the following report of the meeting held on the 12 April 2007 and moved its adoption. This was seconded by Mr. Pilcher.

LAND MANAGEMENT COMMITTEE
Thursday, 12 April 2007 Manor House, Malvern 2 p.m.

Present:- Mr B J Pilcher, Mr J G Plant, Mr R Roberts, Mr C Rouse, Mrs S Thetford (Chairman), Mr R Thomas, Mr J A Tretheway, Mr W Watts, Mr J Webb, Mr R G Witcomb.

In attendance:- Director, Administrative Officer, Conservation Officer, Ian Butler (Lemur Trainee), three members of the public.

1. APOLOGIES FOR ABSENCE. Mrs S Adeney, Mr A Phillips.
2. DECLARATIONS OF INTEREST. None.
3. CHAIRMAN'S COMMUNICATIONS. None.
4. MATTERS ARISING FROM THE MEETING HELD ON THE 1 FEBRUARY 2007.
 - 4.1 4.1 Restoring the Views. The Director reported that he had received two letters in favour of the work being carried out and one against. This was NOTED.
 - 4.2 6. Request for Easement to 107 Guarlford Road. A letter had been received from Dr. Crisp, who lives in the property Rose Farm adjacent to 107, agreeing to remove the stones placed on the grass alongside the track across the common to his property once the legal arrangements for the new easement to 107 were in place. This was NOTED.
 - 4.3 7. Parking on the road at The Wyche and British Camp. A letter had been received from the Traffic Engineer at Herefordshire Council advising that he was seeking the views of his Councillors prior to commencing formal consideration of the introduction of a Traffic Regulation Order prohibiting waiting at any time at these two locations. This was NOTED.
 - 4.4 13.3 Lemur Placement. The Conservation Officer stated that he was pleased to report that Bernadette Noake had been successful in obtaining an 18 month contract with Butterfly Conservation. He was also pleased to welcome the new Lemur placement, Ian Butler, who would be working with MHC for the next 9 months. This was NOTED.
 - 4.5 14. Rose Farm, Guarlford Road. To be taken in committee.
5. TANK QUARRY. The Director presented his report and explained that the safety rail requested by Malvern Hills Outdoor Centre was necessary for the safety of the children and young people using the steps. With regard to events, it was felt that as North Quarry had residential properties close by the Quarry at the West of England would be a more suitable venue for group events.

On the proposal of Mr. Pilcher, seconded by Mr. Roberts, the following recommendations were UNANIMOUSLY AGREED:-

- o That the Administration & Resources Committee was asked to approve the use of money in the Lands Acquisition Fund for the capital works.
 - o That the Director explore ideas with the Geopark and Earth Heritage Trust for geological interpretation and bring these back to the Committee for further consideration.
6. EASEMENT REQUEST, LOWER WYCHE ROAD. It was UNANIMOUSLY AGREED to grant permission for an overground easement across approximately three metres of common adjacent to Lower Wyche Road, subject to the usual conditions.
 7. PEACHFIELD ROAD RAILWAY BRIDGE. It was AGREED to defer a decision on this matter until the results of the planning application on the former railway sidings land was determined.
 8. STUDY OF CAR PARK SECURITY. The Director presented his report which had been prompted by complaints of anti-social behaviour in car parks on the west side of the Hills. This was NOTED. Following consideration, it was AGREED to leave the matter in abeyance until the next meeting so that a full discussion on the future management of the middle car park at Gardiners Quarry could take place.
 9. WATER FEATURES. In presenting his report the Director advised that West Malvern Parish Council were in favour of the West Malvern Tap being reconnected, the only concern being the traffic that could be generated by the scheme. It was therefore AGREED on the proposal of Mr. Tretheway, seconded by Mr. Plant, that permission should be given for an underground easement across MHC

land for a piped water supply to West Malvern Tap, free of charge, and to approve, in principle, a water supply to the Wyche Spout, subject to the Director receiving a satisfactory report on plans for the drainage water from the Spout.

The Director showed members a drawing of the proposed twin spouts for the Hayslad Spring and in order to make a judgement on its suitability, members asked if they could be circulated with a picture showing the new apparatus in situ. This was AGREED.

10. COMMUNITY USE OF MALVERN HILLS CONSERVATORS' LAND. Members thanked the Director for bringing this to their attention and it was AGREED to leave decisions on applications for events on MHC land to the Director's discretion.

The Director advised that 2009 marked the 125th anniversary of the passing of the 1884 Malvern Hills Act and the 100th anniversary of the 1909 Act. He felt this was an opportunity to involve the community in celebrating this landmark. He had had an idea from the local artist to have reflective prisms on the Hills. He felt that over a two week period in the summer of 2009 this could be used to demonstrate that the Hills are constantly changing by highlighting the current tree line. Members felt that this was something that could be explored further and the Director was asked to invite the artist to make a presentation at a future meeting.

11. SELLING EWE LAMBS AS BREEDING STOCK. In presenting his report the Conservation Officer read a letter from Ms. Pritchard and a report submitted by Ms. Burgess, was read out in full, with a copy offered to all members of the Committee. These expressed concern about the proposal to sell ewe lambs as breeding sheep as the Conservators lose direct control of their future. This was noted.

On the proposal of Mr. Tretheway, seconded by Mr. Roberts, it was CARRIED by 7 votes with 1 against and two abstentions that members agree to the MHC selling ewe lambs as breeding sheep.

12. BREEDING BIRD BOOK. It was UNANIMOUSLY AGREED on the proposal of Mr. Tretheway, seconded by Mr. Pilcher, that MHC should publish this book and that any surplus revenue should be given towards recording bird sightings on the Hills and Commons.

13. WILDLIFE PANEL. NOTED.

14. GRAZING MONITORING GROUP. The report was NOTED. Members were advised that the weekly 'Stock Watch' published in the Gazette could be found in the events section.

15. INFORMATION

15.1 Fun Fair. The usual fun fair would be held on Malvern Link Common from the 7th to the 13th August 2007. This was NOTED.

On the proposal of the Chairman, seconded by Mr. Tretheway, it was AGREED that the remainder of the meeting should be taken in committee as the matters to be discussed were confidential.

The meeting closed at 4.02 p.m.

Arising.

7.1.1 8. Study of Car Park Security. The Director reported that a tractor stolen from Ledbury had been driven recklessly at Gardiners Common car park causing extensive damage to the parking meter and wall. The police had attended the scene promptly and the Wardens had managed to get the meter back and running. The overall cost of the offence could be in the region of £4,000.00. This was **NOTED**.

7.1.2 11. Selling Ewe Lambs as Breeding Stock. Mr. Masters drew attention to a letter he had received from one of the questioners and expressed sympathy with some of her concerns. He did not agree with the present removal of tree cover and questioned the Board's grazing policy in general. As this was not the item being considered, it was

proposed by Mr. Wilcock, seconded by Dr. Smith, that Mr. Masters be ruled out of order and this was **AGREED**.

The Conservation Officer drew members' attention to a letter of objection to the sale of lambs from Ms. Melanie Burgess of Aberystwyth and a petition containing 122 names. In response he stated that the Conservators worked with bodies such as Natural England, the Forestry Commission, The National Trust, the Wildlife Trusts, the RSPB, local wildlife experts and the Department for the Environment Food and Rural Affairs. All these bodies were supportive of the work on the Hills and Commons and had never raised concerns over the processes in place. In fact, it was used as an example of good practice all over the country and the initiation of the grazing led to English Nature awarding the Board a national wildlife management award for best practice. The Conservators also work closely with Trading Standards' Animal Health Division, the National Sheep Association and State Veterinary Service. The petition was misleading in that the statements the public were signing up to suggested that the environmental policy of the Conservators was not best practice and that the Conservators did not adhere to the best practice animal welfare standards. The petition also gave the false impression that its aims were to deforest the Hills. The scrub on the Hills was managed, not eliminated. The Malvern Hills Conservators value scrub and all the wildlife it supports as stated in the Management Plan. It was due to the successful scrub management on the Malvern Hills that the Worcestershire Biodiversity Partnership had asked the Malvern Hills Conservators to help write the Habitat Action Plan for Scrub for the whole county of Worcestershire.

On being put to the vote it was **AGREED** by 16 votes with one against and one abstention that MHC should sell ewe lambs as breeding sheep.

7.1.3 12. Breeding Bird Book. The Conservation Officer advised that the publishing of this book had been possible due to the enthusiasm of a number of volunteer ornithologists giving their time to record breeding birds across the Malverns over the last 20 years. It was an opportunity to promote the work of the Conservators in protecting these habitats as well as recording the efforts of the recorders. This was noted with appreciation.

The report, including items 14 and 16 taken in committee was **CARRIED**.

7.2 ADMINISTRATION & RESOURCES. Mr. Wilcock moved the adoption of the following report of the meeting held on the 26 April 2007. This was seconded by Mr. Roberts and together with items 10-12 taken in committee, the report was **CARRIED** with one abstention.

ADMINISTRATION & RESOURCES COMMITTEE
26 April 2007 at 7.30 p.m.

Present:- Mr. J. Mills, Mr. A. Myatt, Mr. R. Roberts, Mr. P. Rumney, Mr. J. Tretheway, Mr. B. Wilcock (Chairman).

In attendance:- The Director, Administrative Officer, Conservation Officer, Financial Consultant, Financial Assistant, Mrs. S. Thetford.

1. **APOLOGIES FOR ABSENCE.** Mr. M. Cordey, Mr. R. F. Hall-Jones, Mr. A. Macmillan, Dr. B. Smith.
2. **DECLARATIONS OF INTEREST.** None.
3. **CHAIRMAN'S COMMUNICATIONS.** None.
4. **MATTERS ARISING FROM THE MEETING HELD ON THE 15 FEBRUARY 2007.**

4.1 5. Management Accounts for the 9 months to 31 December 2006. It was reported that the extra expenditure incurred carrying out work to trees damaged during the snow storms in early February amounted to £2,350.50. This was **NOTED**.

5. RISK ASSESSMENT FOR 2007/08. In presenting his report the Director advised that Dr. Smith had queried whether it was necessary to include public liability in the risk assessment. This was noted and the Director was asked to look into the current public liability insurance and if it was considered necessary include this in the risk assessment. Subject to this the recommendation that the Committee accept the officer's paper for inclusion in a Risk Assessment required by the Charities Statement of Recommended Accounting Practices was **UNANIMOUSLY AGREED**.

6. INVESTMENT POLICY REVIEW . The report of the Investment Working Party was noted and it was **AGREED** to recommend to the Board that the investment policy should remain the same for the next three years, i.e. that all the Board's funds should remain invested in the Money Market. However, the Financial Consultant would review the position in 12 months and reconvene the Working Party if she deemed it necessary. The Financial Consultant advised that currently the interest on the Money Market was 4.92%. This was **NOTED**.

7. FUNDING THE BREEDING BIRD BOOK. It was **AGREED** to fund the publication of the Breeding Bird Book from the Parliamentary Fund.

8. WEB SITE. The Director's report was noted and following a full discussion it was **AGREED** that Mr. Myatt, Mr. Roberts and the Director should appeal to young people to help with ideas prior to preparing a brief for a web designer to implement. This brief, together with costs of the project, would be considered at a future meeting of the Committee.

9. INFORMATION.

9.1 Fire Bell. The Director reminded members that when discussing the installation of the fire alarm system and emergency lighting at Manor House it had been agreed to keep the existing manual fire bell in situ. However, he had been assured by the technician that the new system had sufficient back-up should the electricity fail and he therefore asked if the fire bell could be moved to the Upper Wyche Shed. This was **AGREED**.

9.2 Grazing Project Costs. The Director reported that a Conservator had asked for the total cost, including the Field Staff's time, of the grazing project. The Financial Consultant had produced figures for 2005/06 but advised that the final figures for 2006/07 would not be available until Tuesday, 1 May. In the circumstances it was **AGREED** to wait until up to date figures were available and in the meantime clarify whether the total cost was for the grazing on the northern Hills as well as the Southern Hills Grazing Project.

9.3 Leonardo Da Vinci Programme. The Director advised that this had been brought to his attention by a Conservator. It was a European funded programme that gave staff and Conservators an opportunity to study a similar aspect of their work abroad. This was **NOTED** and it was **AGREED** that anyone interested should contact the office.

The meeting closed at 8.51 p.m.

8. REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES.

8.1 Malvern Spa Association. Mr. Roberts reported on a successful Well Dressing weekend which included the Well Dressing competition, a picnic behind the North Malvern Clock Tower and the launching of the MSA web site. Tenders for the minor works were expected shortly, with the work due to be completed by the end of the year. Completion of the work to the Clock Tower had been delayed due to unforeseen problems but this was now progressing. This was **NOTED**.

8.2 Great Malvern Town Centre Partnership. Mr. Roberts advised that the Main Street UK project had taken over the major part of the Partnership meetings. He had attended all monthly meetings of the design group which meets to exchange ideas and reports of these meetings were available on the internet. This was **NOTED**.

8.3 Malvern Hills AONB Joint Advisory Committee. Dr. Smith advised that the next meeting of the JAC would be held on the 18 May 2007. This was **NOTED**.

9. URGENT BUSINESS. Taken in committee.

10. INFORMATION.

10.1 Management Report. The Director presented his following report which was **NOTED**. Mr. Masters reported that he would be happy to replace the two diseased trees and a further two within Guarlford village boundary and that the Parish Council would be discussing his offer at their next meeting. This was **NOTED**.

MANAGEMENT REPORT

DATE: 10 MAY 2007

DIRECTOR

- Met with Severn Trent and Warden to agree reinstatement of Malvern Common. (Severn-Trent are coming back in September to do more work before reconnecting the supply)
- Attended Tourism coach tour of South Worcestershire Attractions. Explained the issues surrounding the Malvern Hills to tourism representatives.
- Attended Malvern in Bloom meeting. Once again judges are visiting St. Ann's Gardens.
- Attended Open Day at Castlemorton.
- Agreed architect's drawings for Wyche toilets. (Herefordshire Council seeking planning consent.)
- Advised Worcestershire Nomads on hedge management.
- Attended seminar organised by The National Trust for their staff on the Long Mynd.
- Met with Worcestershire County Council Highways staff to discuss working arrangements that affect MHC land.
- Meeting with MHDC to discuss role of both organisations with regard to Malvern Hills.
- Composed a Memorandum of Understanding with AONB to submit to AONB Steering Group.
- Arranged Access and Conservation One Day Seminar to look at issues of competing demands on the Malvern Hills.

CONSERVATION OFFICER

- Guided walk and talk for Hartpury College Conservation Course
- Completed Higher Level Stewardship application
- Advisory visit from the National Grazing Animals Project
- Attended Castlemorton Open Day
- Exhibited at 'Spring Watch' event at Hereford
- Hosted Natural England's National Access co-ordinators
- Attended Waste Management Seminar at The Three Counties Ground

FIELD STAFF

- Cleared dead Elm trees at Hall Green
- Josh Loader on work experience for two weeks
- Ditch clearing at The Purlieu
- Clearing gorse from paths
- Erected new notice board at Swinyard Car Park to replace vandalised board
- Planted a new tree in Guarlford Village to replace one damaged by a car
- Continued with tree clearance work following snow storm
- Safety fence along the top of the Upper Wyche Quarry following several dogs being stuck on quarry face
- Pressure washed tarmac on British Camp path
- Moved fencing on middle section of the Hills
- Moved cattle and sheep from the Worcestershire Beacon to North Hill
- Started lambing on 28 March
- Mowing at Link Common, Newland, Poolbrook and Guarlford
- Levelling and reseeding bunding at Old Hills car park following vandalism
- Stump grinding above the Plateau Car Park, Jubilee Drive

- o Sheep Numbers at 3 May 2007
- | | |
|-------------------|-----|
| Ewes | 143 |
| Lambs | 135 |
| Last year's lambs | 50 |
| Rams | 6 |

CONTRACTORS

Tree safety work carried out by Adrian Hope Tree Services and Broadleaf Tree Care.

WARDENS

- 2 Conservation Days held on Worcestershire Beacon and Rushy Valley
- 4 Friday meetings of the Conservation Group at Hayslad Bog, Dales Hall Bog and Pinnacle Hill
- Latest edition of the Beacon Newsletter circulated
- Meeting with St. Richard's Hospice regarding sponsored walks
- Voluntary Wardens' meeting
- Attended meeting of the Worcestershire Wardens
- Sustainable Development Fund application finalised for Voluntary Warden training
- Induction for new Voluntary Site Warden
- Byelaw incidents:-
 - o Motorbikes driving on common 4
 - o Boundary issues 5
 - o Mini Motorbikes 2
 - o Abandoned vehicles 2
 - o Remote control cars 2
 - o Camping 7
 - o Unauthorised parking 5
 - o Encroachment of garden plants 1
 - o Flytipping 6
 - o Unauthorised signs 3
 - o Mountain bikers not on bridleways 2
 - o Hill fire on Swinyard Hill covering 4 acres 1
 - o Camp fires 9
 - o BBQs Too many to list
 - o Unauthorised driving of 4 x 4s 1
 - o Vandalism (Swinyard barrier) 1

TRAINING

- Matt Gardner and Dan Lovatt passed their trailer towing test
- Linda Churchill completed Sage Manual Bookkeeping course and Line 50 Stage 1
- 2 Voluntary Site Wardens attended pesticide application and strimmer courses
- 1 Voluntary Site Warden attended chainsaw course
- 1 Voluntary Warden attended First Aid Course

ADMINISTRATION

- The Board's seal was attached to two transfers of land into MHC ownership at Tank Quarry and 0.27 acres of amenity woodland at The Purlieu and a Deed of Grant confirming vehicular access to The Pleck, British Camp, Colwall
- Installation of new telephone answering service to improve efficiency with out of hours calls.
- 17 Planning Applications looked at and comments made on 3.

10.2 Three Counties Show. Mr. Roberts reported that he needed as many people as possible to man the stand and thanked those who had responded to his request. The stand was to be in the same position as last year and the exhibition would include the Conservators' sheep and the theme would be 'walking'. This was **NOTED**.

On the proposal of the Chairman, seconded by Mr. Wilcock, it was **AGREED** that the remainder of the meeting should be taken in committee by reason of the fact that it would be prejudicial to the public interest as the nature of the business to be transacted was confidential.