

MALVERN HILLS CONSERVATORS ANNUAL MEETING OF THE BOARD

8 November 2007 at 7 p.m.

The Committee Room, The Council House, Malvern

Present:- Mrs S Adeney, Mr R J Chamings, Mr C Cheeseman, Mr M K Cordey, Mr R F Hall-Jones, Dr T R Hunt, Mr M Morgan, Mr A Myatt, Mr A J Phillips, Mr B J M Pilcher, Mr J Plant, Mr R G Roberts (Chairman), Mr C A Rouse, Dr B G Smith, Mr C T Smith, Mr J Smith, Mr M Soley, Mrs S Thetford, Mr R Thomas, Mr P Tuthill, Mr D Watkins, Mr P J Watson, Mr P Watts, Mr W J R Watts, Mr J Webb, Mr B A Wilcock.

In attendance:- Director, Administrative Officer, Conservation Officer.

The Director in welcoming members to the Annual Meeting of the newly elected Board and in particular the 12 members who were attending their first meeting gave a brief outline of the duties and work of the Board.

1. APOLOGIES FOR ABSENCE. Mrs J Kellie, Mrs H Stace.

2. ELECTION OF CHAIRMAN FOR THE ENSUING YEAR. On the proposal of Mr Wilcock, seconded by Mr C T Smith, Mr. Roberts was **ELECTED CHAIRMAN.**

3. ELECTION OF VICE CHAIRMAN FOR THE ENSUING YEAR. Mrs. Thetford, seconded by Mr C T Smith proposed Mr Andrew Myatt and Dr Smith, seconded by Mr Roberts, proposed Mr Richard Thomas. Following a paper vote Mr Thomas was elected Vice Chairman by 14 votes to 10 with one abstention.

4. ANNUAL REPORT OF CHAIRMAN FOR THE PREVIOUS YEAR. In the absence of Mr Tretheway the Director presented the report as follows:-

Mr Tretheway began by saying what an honour it had been to serve as Chairman of the Hills Conservators for 12 months. During the year the well written and user friendly new Management Plan had been produced to aid understanding of the land management responsibilities and legal obligations.

The Grazing project continued to receive national recognition. Higher Level Stewardship would fund the stock and scrub management as well as conservation objectives, e.g. ancient monuments and the Sites of Scientific Interest (SSSIs) for the next decade.

During the year a Forward Strategy steered by the previous Chairman, Bryan Smith, was adopted. This document sets out specific objectives such as opening up the views from contour paths above Malvern and helping to establish the Town as the gateway to the Hills.

Visitor management and public relations have formed part of the year's Agenda. Whilst such work was not "a duty", the number of visitors was increasing and we have obligations to provide for them as well as for local people.

The Memorandum of Understanding entered into with the Malvern Hills Area of Outstanding Natural Beauty would help clarify the objectives of both organisations.

Mr Tretheway thanked the staff for their continued dedication and especially the Conservation Volunteers and Voluntary Wardens.

In conclusion Mr Tretheway stated that with the new Board, new blood would surely bring new ideas and add enrichment to the long history of the Malvern Hills Conservators.

It was **AGREED** that a letter should be sent to Mr Tretheway thanking him for all his work for the Board over the last 11 years.

5. MEMBERSHIP OF COMMITTEES FOR THE YEAR TO 31 OCTOBER 2008.

Administration & Resources

Adeney, Mrs S
Cordey, M K
Hall-Jones, R F
Morgan, M
Myatt, A
Roberts, R G (ex-officio)
Smith, B G
Smith, J
Thomas, R (ex-officio)
Tuthill, P
Watkins, D
Watson, P J
Watts, P
Wilcock, B A

Land Management

Chamings, R J
Cheeseman, C
Hunt, T R
Kelly, Mrs J M
Phillips, A J
Pilcher, B J
Plant, J
Roberts, R G (ex-officio)
Rouse, C A
Smith, C T
Soley, M
Stace, Mrs H
Stockton, R
Thetford, Mrs S
Thomas, R (ex-officio)
Watts, W J R
Webb, J

6. ELECTION OF MEMBERS TO SERVE ON OUTSIDE BODIES FOR THE YEAR TO 31 OCTOBER 2008.

6.1 Malvern Hills AONB Joint Advisory Committee. On the proposal of Mr Wilcock, seconded by Mr Hall-Jones, Dr Bryan Smith was **ELECTED** to serve as the Board's representative on the JAC.

6.2 Malvern Spa Association. On the proposal of Mr Pilcher, seconded by Mr C T Smith, the Chairman was **ELECTED** to serve as the Board's representative.

6.3 Great Malvern Town Centre Partnership. On the proposal of Mr Wilcock, seconded by Mr. Pilcher, the Chairman was **ELECTED** to serve as the Board's representative.

7. CHAIRMAN'S ANNOUNCEMENTS. None.

8. PUBLIC QUESTIONS. None.

9. DECLARATIONS OF INTEREST. None.

10. CONFIRMATION OF MINUTES. On the proposal of Mr Wilcock, seconded by Dr. Smith it was **AGREED** that the Minutes of the meeting held on the 13 September 2007 should be **CONFIRMED** and **SIGNED** as a true and correct record.

11. MATTERS ARISING. None.

12. COMMITTEE REPORTS.

12. 1 Land Management. Mrs Thetford presented the following report of the meeting held on the 4 October 2007 and moved its adoption. This was seconded by Mr Pilcher.

LAND MANAGEMENT COMMITTEE Thursday 4 October 2007 at 2 p.m.

Present:- Mrs S Adeney, Mr A J Phillips, Mr B J M Pilcher, Mr J Plant, Mr R Roberts, Mr C Rouse, Mrs S Thetford (Chairman), Mr R Thomas, Mr J A Tretheway, Mr J Webb.

In attendance:- The Director, Administrative Officer, Conservation Officer, Ian Butler (Lemur Trainee), Mr D A Masters, Mr B Wilcock.

1. SITE VISIT TO LAND ADJOINING THE HERMITAGE, WESTMINSTER BANK, WEST MALVERN. The meeting began with a site visit to Westminster Bank, West Malvern to look at the area subject to an easement application to be discussed under item 10.

2. APOLOGIES FOR ABSENCE. None.

3. DECLARATIONS OF INTEREST. None.

4. CHAIRMAN'S COMMUNICATIONS.

4.1 Mrs Thetford thanked members and officers for their support over the last four years. These had been very proactive years for the Committee when good ground rules had been laid for the future management of the land.

5. MATTERS ARISING.

5.1 4.2 Tank Quarry. The Director reported that contractors would shortly be carrying out the drainage and tarmacing work to the track into the Quarry to prevent stones washing onto North Malvern Road. This was **NOTED**.

5.2 4.3 Water Features. The Chairman expressed her pleasure at the work of refurbishment at the Lower Wyche Spout.

5.3 8. Higher Level Stewardship. The Conservation Officer reported that the Board had been successful in obtaining Higher Level Stewardship to support the grazing project on the Hills for the next ten years. This amounted to £70,000 per annum, together with capital payments of approximately £5,000. Mr Thomas formally congratulated the Conservation Officer for the very satisfactory outcome.

6. PRESENTATION ON THE SUMMER WORK. The Conservation Officer gave a presentation of the work carried out by the Field Staff during the summer which included repair to erosion runnels on the monument and path at British Camp, partly funded by English Heritage and additional work dealing with the mature trees which had fallen following the exceptional weather. In answer to a question, the Conservation Officer advised that different processes for using the firewood taken off the Hills was being looked into, taking into account the logistics and costs of taking timber from steep slopes. The Conservation Officer was also pleased to report that following the grass seed harvesting carried out last year, the company had donated, free of charge, enough seed for all our reinstatement work this year.

7. GRASS CUTTING ON ROADSIDE VERGES AND TOWNSEND WAY. In presenting his report the Conservation Officer highlighted the opportunity to improve the wildlife value of the verges adjacent to Townsend Way as the current three year grass cutting contract was coming to an end. He had discussed the possibility of leaving an area (highlighted brown on the plan attached to the report) uncut until the wildflowers had set seed. This had been discussed with Conservators during a site visit to Townsend Way to look at hedging when wildflowers had been identified in the sward. He therefore recommended that the areas highlighted be left for a late annual flail cut. On the proposal of Mr Pilcher, seconded by Mr Tretheway, the recommendation was **CARRIED UNANIMOUSLY**.

8. MILL POND REPAIR AND CONSERVATION. The Conservation Officer reminded members that at the Board meeting on the 13 September 2007 it had been requested that the Board looked into the future management of the Mill Pond for the purposes of recreation and wildlife. He had therefore contacted the Ponds Conservation Trust and the RSPB for advice and would be consulting with local users. A full report would be brought to the next meeting of the Committee. The Director reported that the contract for the repair of the earth wall had been let and it was hoped that work would start shortly. This was **NOTED**.

9. REVIEW OF POLICY FOR GRANTING OVERGROUND EASEMENTS. The Administrative Officer presented her report and recommended that the existing policy guidelines be extended. On the proposal of Mr Pilcher, seconded by Mr Roberts, it was **UNANIMOUSLY AGREED** to include:-

- The condition that the formal deed confirming the easement was completed within six months. If it was not completed and the time had not been extended by the Board, the permission would lapse.
- The Board shall appoint an independent Valuer and be guided by his advice. In proposing a figure the Board's Valuer would be entitled to take into account any representations made by the applicant's Valuer but the Board would not deviate from his final advice.

10. EASEMENT APPLICATION FOR LAND ADJOINING THE HERMITAGE, WESTMINSTER BANK, WEST MALVERN. On the proposal of Mr Roberts, seconded by Mr Pilcher, it was **UNANIMOUSLY AGREED** to refuse the application in view of the detrimental effect the works would have on the natural aspect of this hill land.

11. INFORMATION.

11.1 Major Projects. The Director presented his report setting out a list of the major projects to which the Board had committed. This was **NOTED**. With regard to landscaping of the Old Hills Car Park, the Director agreed to contact the Highways Authority to discuss ways of preventing storm water from the highway eroding the track and car park.

11.2 Development of the Old Railway Sidings, Malvern Wells. In view of local concern at the latest planning application for 33 dwellings, the Administrative Officer advised that the Board had objected to the planning application in April 2007 for 42 dwellings which was subsequently withdrawn. The Committee had met with developers in June when details of the present scheme had been presented and members had been assured that their concerns had been addressed and it was agreed that our Valuer should continue negotiations regarding the easement required over the common into the site. The meeting in June had been taken in private as the developers wished to share their plans with members before making a formal planning application and bringing the matter into the public domain. This was **NOTED**.

11.3 Downs School Planning Application. The Director drew members' attention to a recent planning application for junior classrooms and library and highway works at The Downs School, Brockhill Road, Colwall. The highway works involved the extension of the grassed area at the junction of Brockhill/Old Church/Walwyn Roads to make one roadway off Walwyn Road instead of the current two. He had written to Herefordshire Council Planning Services advising that the triangle of grass at this junction came under the management of the Malvern Hills Conservators and permission would be required from the Board for any alterations. Also, if the work went ahead it would be sensible to come to an agreement over the maintenance of the grass. This was **NOTED**.

11.4 Common Land Seminar. The Conservation Officer reported on the Seminar he had attended recently, together with Mrs Thetford and Mr Tretheway, held at the University of Gloucester. He advised that the Commons Act 2006 gave exemptions for works on commons that had previously required consent under Section 194 of the Law of Property Act 1925 and as a result of this he had sought advice from a leading common land lawyer as to how this affects the Malvern Hills Acts. This was **NOTED**.

The meeting closed at 3.59 p.m.

Arising.

12.1.1 7.1.1 Tank Quarry. The Director reported that the tarmacing of the entrance to the Quarry had now been carried out. This was **NOTED**.

12.1.2 Easement application for land adjoining The Hermitage, Westminster Bank, West Malvern. The Director advised that West Malvern Parish Council had thanked the Board for its stance on this easement application. This was **NOTED**.

The report was **CARRIED**.

12.2 Administration & Resources. Mr Wilcock presented the following report of the meeting held on the 18 October 2007 and moved its adoption. This was seconded by Dr. Smith and **CARRIED**.

ADMINISTRATION & RESOURCES COMMITTEE
18 October 2007 at 7.30 p.m.

Present:- Mr A Myatt, Prof J Raine, Mr R Roberts, Mr P Rumney, Dr B G Smith, Mrs H Stace, Mr J A Tretheway, Mr B A Wilcock.

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

1. APOLOGIES FOR ABSENCE. Mr M K Cordey, Mr A K C Macmillan.

2. DECLARATIONS OF INTEREST. None.

3. CHAIRMAN'S COMMUNICATIONS. As this was the last meeting of the current Board Mr Wilcock recorded his thanks to members and staff for their support during his period in office and also thanked members for the contribution they had made to the organisation in general over the last four years. In response Mr Tretheway on behalf of members thanked Mr Wilcock for his robust chairmanship.

4. MATTERS ARISING FROM THE MEETING HELD ON THE 23 AUGUST 2007.

4.1 6. Representation on the Board. The Administrative Officer advised that a communication had been received from the Parliamentary Agents stating that they would be writing in greater detail shortly but in the meantime could advise that MHC could not amend their constitution by means of an Order made under Section 303 of the Public Health Act 1875 as extended by Section 19 of the 1924 Act. Subject to discussion with DEFRA, they believed that the way to deal with the proposed change of the constitution was by means of a Private Bill in Parliament promoted by the Conservators. Whilst noting the advice, members looked forward to receiving more detailed information explaining how this conclusion had been reached.

4.2 8.1 Land Registry. The Administrative Officer advised that the Board had been successful in obtaining possessory title of two more areas of land at Castlemorton and Worcestershire Beacon. This was **NOTED**.

5. REVIEW OF CAR PARKING CHARGES. It was **UNANIMOUSLY AGREED** to adopt the recommendation that the existing charges for car parking were retained for the year 2008/09.

6. WEB SITE. The Director presented the report of the Working Party and drew members' attention to the recommendation that the website designer be employed to carry out improvements to the MHC site and that £4,000 was allocated within next year's budget. It was noted that the decision as to whether to go to level 2 would be on operational one depending upon the success of level 1. On the proposal of Mr Roberts, seconded by Mr Myatt, the recommendation was **CARRIED UNANIMOUSLY**.

7. FLOOD DAMAGE COSTS. The Director advised that the contract for repairing the land slip at 51 Old Wyche Road had been awarded to a local contractor at a cost of £8,550.00. With regard to the dam wall at the Mill Pond, as advised by the structural engineer immediate measures were taken to reinstate the contour of the bank. Stage 2 is to cut steps and reprofile with clay material at a cost of £8,860.00 and stage 3 is grouting which involves injecting with concrete. Investigations are currently being carried out to find a specialist firm which has the expertise to do this work. This was **NOTED**.

8. INFORMATION. None.

On the proposal of the Chairman, seconded by Dr Smith, 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 8.22 p.m.

13. REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES.

13.1 Malvern Spa Association. Mr Roberts reported that the Association had been sorry to lose its Chairman, Rose Garrard, who had been a tireless fighter for the restoration of Malvern's heritage water features. The Vice Chairman, Dr John Harcup, was acting Chairman until the AGM. Except for 'snagging' and fitting some plaques the restoration work had been completed on the Clock Tower, Wynds Point, Hayslad, Weavers Well, Willow Spring, Lower Wyche, Westminster Spout and Barnards Green Trough. This was **NOTED**.

13.2 Great Malvern Town Centre Partnership. Mr Roberts advised that as the last meeting of the Partnership had clashed with other commitments he had been unable to attend and he had not yet received the Minutes. This was **NOTED**.

13.3 Malvern Hills AONB Joint Advisory Committee. Dr Smith began by stating that the Malvern Hills AONB was a Partnership made up of funding partners, i.e. Natural England and local authorities within the AONB who had statutory responsibility for the production of the AONB Management Plan. The JAC included these partners, together with representatives from the National Farmers Union, Council for the Protection of Rural England, parish councils and the Malvern Hills Conservators whose land was approximately 11% of the total AONB area. The AONB had a permanent staff of three, together with one Heritage Lottery Project Officer on a short term contract. Dr Smith reported that at the last meeting of the JAC on the 21 September he had been appointed Chairman and Professor John Raine, Vice Chairman. As this was the first meeting since elections it was felt appropriate to have a review of constitutional issues, particularly representation and it had been agreed that initially the matter would be considered by the Steering Group (made up of officers from the partners). Other items on the Agenda had been a talk by the AONB Manager, Paul Esrich, on current projects, discussion on polytunnels, reports from officers, and the Sustainable Development Fund (a small fund to aid projects to the mutual benefits of the AONB). Members had also been on the Annual Study Tour within the AONB designation, this year accompanied by Peter Oliver who had advised on the geology.

14. URGENT BUSINESS. None.

15. INFORMATION.

15.1 Management Report. The Director presented his report which was **NOTED**.

MANAGEMENT REPORT

8 NOVEMBER 2007

CHAIRMAN

- Attended Volunteers 'Thank You' party
- Attended St Wulstan's Local Nature Reserve 10th anniversary celebrations

DIRECTOR

- Visited properties affected by the floods with Structural Engineer
- Attended Recreation Seminar
- Commissioned report on Tank Quarry (recently acquired by MHC) looking at Health and Safety issues
- Attended officers' Steering Group of the AONB (Area of Outstanding Natural Beauty)
- Visited National Trust farm at Sherborne to look at advertising of lamb and farm business tenancy
- Put out tender for work at the Mill Pond, Golden Valley, Castlemorton
- Attended a meeting at Worcestershire County Council to share information on land drainage
- Met with Abberley and Malvern Hills Geopark representative to discuss Geopark Way
- Attended (FWAG) Farming and Wildlife Advisory Group AGM
- Guest speaker at Malvern Probus Club

CONSERVATION OFFICER

- Visit to National Trust farm at Sherborne with Conservators.
- Completion of text for the Breeding Birds of Malvern book.
- Completed and signed Higher Level Stewardship Scheme agreement for the Northern and Central Hills.
- Started the Higher Level Stewardship application process on Castlemorton and on the Southern Hills.
- Completed application to correct the maps on the Rural Land Register held by the Rural Payments Agency.
- Met with Environmental Monitoring Solutions to conduct an environmental review of MHC waste management practices.
- Meeting with Eastnor estate to progress a potential Joint Higher Level Stewardship application.
- Gave a talk on Tank Quarry for the AONB Joint Advisory Committee tour.

CONTRACTORS

- Fencing of Tank Quarry by Glebe Contractors
- 4 dangerous trees removed by contractors

FIELD STAFF

- Repairs to British Camp erosion runnels
- Moved cattle to east side of North Hill, Table Hill and Brockhill Road
- Cleared timber following work opening up the views above Foley Terrace and Wyche Road
- Resurfaced Earnslaw Easy Access Path
- Cut down and thinned some trees adjacent to paths at British Camp and pressure washed plaque at car park entrance
- Cleared fallen trees from various locations
- Levelled and reseeded area at the front of the Clock Tower, North Malvern
- Began scrub clearing on the east side of Beacon Road
- Collecting and delivering polling equipment to polling stations

Sheep Numbers at 30 October 2007

139 ewes
32 ewe lambs (last years)
18 wethers
136 lambs (this years)
6 tups

