

20 January 2022

Malvern Hills Trust

Ordinary Meeting of the Board

Council Chamber, Avenue Road, Malvern

Thursday 20 January 2022 7pm

Present: Mr C Atkins, Mr R Bartholomew, Dr S Braim, Dr E Chowns, Mr D Core, Mr M Davies (Chair), Mr R Fowler (left during item 7), Mr D Fellows, Mrs L Hodgson (joined the meeting before item 7), Mr J Michael, Mrs C Palmer, Dr T Parsons, Mr C Penn, Prof J Raine, Mr C Rouse, Mr D Watkins.

In attendance: CEO, Secretary to the Board, Finance and Administration Manager, 1 member of the public.

Please note – reporting items set out on the agenda which were not for decision were dealt with at an online workshop (“the Workshop”) on Tuesday 18 January 2022 which was streamed for members of the public. This action was taken because of the continuing high numbers of Covid-19 cases in order to shorten the face-to-face meeting.

Mr Davies welcomed everyone to the meeting.

1. Apologies for absence

Mr D Baldwin, Mr P Clayburn, Dr G Crisp, Mrs H I’Anson, Mrs H Stace, Mr T Yapp.

2. Chair’s announcements

- There would be a Business Plan workshop by Zoom on 27 January 2022.
- Mark Dyde had resigned from the Board and the Chair thanked him for his contribution to the Trust.
- There was a consultation taking place on the draft proposals put forward by the Boundary Commission in relation to the Malvern Hills District Council area. The Trust would need to consider the implications of the proposals and comment as appropriate.
- The Staffing Committee meeting would now be held on 31 March.
- There would be a site visit in place of the Land Management Committee meeting scheduled for 14 April.

3. Declarations of interest

Mr Rouse – he had rights of common over Trust land

4. Public Comments

There were none.

5. Any issues arising from the Brewin Dolphin Investment report

Mr Burrows had reported at the Workshop. There were no matters arising.

6. To confirm the Minutes of the Board meetings held on 11 November 2021

On the proposal of Mrs Palmer, seconded by Mr Penn it was **RESOLVED** (with one abstention) to approve the minutes of the meeting held on 11 November 2021.

7. Matters arising from the previous Board meetings not otherwise on the agenda

Mr Fowler said that the committee selection process had not been determined in accordance with Standing Orders and the Governance Committee had taken no action on this matter for 3 years. He also took issue with the fact that appointments to 2 outside bodies had been oversubscribed and in one case (AONB) the applicants had been invited to pitch to the trustees but in the other (4Cs) the Committee Chairs' recommendation had been put to the Board without the candidates having the opportunity to make their cases. He left the meeting stating that he would consider what action he should take.

8. Committee appointments

On the proposal of Mr Davies, seconded by Mr Core it was **RESOLVED** unanimously to appoint Paul Clayburn to Land Management Committee.

9. Land Management Committee

9.1 On the proposal of Dr Braim, seconded by Mr Atkins members of the Land Management Committee **RESOLVED** to approve the minutes of the meeting held on 2 December 2021.

9.2 Updates and questions

The CEO reported that an offer had been received in respect of the Countryside Stewardship Scheme (CSS) application for Castlemorton. This was being discussed with the graziers.

He confirmed that the work on the sewage treatment plant at British Camp was almost complete but landscaping work would be finished once the ground had dried out.

9.3 Board to adopt the minutes

On the proposal of Dr Braim, seconded by Mr Bartholomew it was **RESOLVED** unanimously to adopt the minutes of the meeting held on 2 December 2021

10. Staffing Committee

10.1 On the proposal of Mrs Palmer, seconded by Prof Raine, members of the Staffing Committee **RESOLVED** to approve the minutes of the meeting held on 7.12.2021.

10.2 Updates and questions.

The benchmarking exercise was underway.

10.3 Adoption of the minutes and the resolutions set out

On the proposal of Mrs Palmer, seconded by Mr Davies it was **RESOLVED** to adopt the minutes of the meeting of 7 December 2021.

Agenda item 9 Abusive, Persistent or Vexatious Complainants Policy

On the proposal of Mr Penn, seconded by Prof Raine it was **RESOLVED** unanimously to adopt the revised Abusive, Persistent or Vexatious Complainants Policy.

Agenda item 10 Bullying and Harassment Policy

On the proposal of Prof Raine, seconded by Mr Bartholomew it was **RESOLVED** unanimously to adopt the revised Bullying and Harassment Policy

Agenda item 14 Estate Supervisor post

On the proposal of Mrs Palmer, seconded by Mr Fellows it was **RESOLVED** unanimously to extend the duration of the temporary Estate Supervisor post for 6 months to 21 September 2022.

11. Finance Resources and Administration Committee

11.1 On the proposal of Mr Core, seconded by Mrs Hodgson, members of the Finance Administration and Resources Committee **RESOLVED** to approve the minutes of the meeting held on 09 December .2021.

11.2 Updates and questions

There were none.

11.3 Adoption of the minutes

On the proposal of Mr Core, seconded by Mr Bartholomew, it was **RESOLVED** unanimously to adopt the minutes of the meeting held on 9 December 2021.

12. To approve the budget and set the levy for 2022/23

The Finance and Administration Manager introduced the paper and the draft budget. Due to an increase in the Council Tax Base, the levy proposed would mean an increased payment for a band D property of 2.45%. This equated to an annual increase of 99p making the sum payable £41.34.

Mr Michael commented that he was against the proposed increase in car park charges.

On the proposal of Mrs Hodgson, seconded by Mr Core it was **RESOLVED** (with 2 votes against) to approve the following increases in car parking charges from 1 April 2022:

- a. Car park meter prices be increased to £4.80 per day
- b. The cost of Levy payers' passes be increased to £6.00 per annum
- c. Annual pass prices be increased to £41 per annum, plus £16 per annum for a second car at the same address

On the proposal of Mr Core, seconded by Mrs Hodgson it was **RESOLVED** unanimously to approve the General Fund Budget as circulated.

On the proposal of Mr Core, seconded by Mrs Hodgson it was **RESOLVED** unanimously to set the levy for 2022/23 at £595,300.

The Board went on to discuss the restricted fund and designated fund budgets. The CEO confirmed that most of the money from the CSS grant went to fund grazing. If the grant was not accepted, it would result in about £10,500 worth of work on Castlemorton Common not being undertaken. The figures on page 3 of the draft budget which related to Castlemorton would have to be amended in these circumstances.

The Finance and Administration Manager clarified that the estimated cost of renovating the Donkey Shed would be £24,000 and grant funding of £19,600 had been secured. It was suggested that the balance might be paid from the Gift Fund.

On the proposal of Mr Core, seconded by Dr Braim it was **RESOLVED** unanimously to approve the restricted fund budget and the designated funds budget, subject to the CSS grant being secured.

13. To appoint replacement nominated contact

On the proposal of Mr Davies, seconded by Prof Raine, it was **RESOLVED** unanimously to appoint Mrs Palmer to replace Mrs Rees as one of the nominated contacts for the purpose of the Bullying and Harassment Policy.

14. Conduct of Trust business whilst Covid 19 infections remain high

The Secretary to the Board introduced the discussion paper on options for the Trust in relation to the conduct of meetings whilst the risk of Covid 19 infections remained a concern.

On the proposal of Mr Core, seconded by Prof Raine it was **RESOLVED** unanimously that the CEO's authority to approve unbudgeted expenditure be increased to £20,000 in total (with a limit of £10,000 on any single item) until 31 March 2023. This additional authorisation to be exercised in consultation with the Chair of Finance Administration and Resources Committee.

It was agreed to try to reduce the duration of face-to-face meetings by having a Zoom workshop prior to meetings (to be live streamed to the public) to receive reports not requiring a decision, to deal with questions and any preliminary discussions. The arrangement should be flexible to reflect changing circumstances rather than setting a fixed timescale for the arrangement. There had been a maximum of 7 people at any one time watching the stream on Tuesday, three of whom were known to be staff.

On the proposal of Mrs Hodgson, seconded by Mr Core, it was **RESOLVED** unanimously to adopt the revised meeting schedule.

15. Update on notice served under The Private Water Supplies (England) Regulations 2016

The CEO had given an update at the Workshop. He confirmed that a warning notice was put up on the spout 2 days after the Trust received the statutory notice (with was subsequently withdrawn) and he apologised to any trustees who were not notified of this at the time.

16. Repairs to bridge Hancocks Lane

The CEO confirmed that repairs were needed to the bridge on Hancocks Lane. This work would take 4 – 5 days. Residents would be notified and the road would be closed. The CEO confirmed Road Closed signs would also be put up at the end of the road. The cost of the work would be up to £5,000.

On the proposal of Mr Fellows, seconded by Mrs Palmer it was **RESOLVED** unanimously to authorise unbudgeted expenditure for bridge repairs of up to £5,000.

17. To agree response to letter from Charity Commission dated 5 January 2022

This was dealt with as a confidential item.

18. Information

- 18.1 Malvern Spa Association
- 18.2 AONB Joint Advisory Committee
- 18.3 Wildlife Panel
- 18.4 Recreation Advisory Panel
- 18.5 4 Cs
- 18.6 Management Report

These reports were dealt with at the Workshop.

19. Urgent business

There was none.

20. Date of next meeting

10 March 2022.

21. Confidential business

On the proposal of Mr Davies, seconded by Mrs Hodgson it was **RESOLVED** unanimously to exclude the public for discussion of item 17 and the confidential item shown 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 matter and information which would disclose the identity of an individual).

The meeting closed at 08. 35pm