Malvern Hills Trust

Public consultation – Free text comments

Q2 If you have anything to add about the proposed draft objects of the Trust

1. 1	'Natural Aspect' in my view means everything connected to the natural environment which is related to the hills and aspect doesn't relate to the topographic slope of the hill
2. 2	(4) Subsection (1) unbuilt-on should refer to buildings that exist currently, rather than from the date of enactment to ensure that no significant interim programme of building is undertaken.
3.	(4) subsection (1) unbuilt-on: the exception should refer to buildings which currently exist rather than to those existing at the time the act is passed, to avoid a programme of building being undertaken in the meantime.
4.	(p8) One of the principal objects of the 1884 Act was to protect those with rights of common. Although this now affects very few people, that protection should still be a primary objective – not an afterthought. (s 27 1885 Act).I believe sufficient powers already exist to provide necessary protection
5.	All dogs must be kept on leads... And all car park access points must have drinking water facilities (for humans)
6.	Any occasion where the Trust has invoked the equivalent of the 1995 Act s62 by attach[ing] greater weight to the object ...in s(1)(a) must publish the assessment and justification, including evaluation of weight, for doing so.
7.	Changes to the bill are not required and not needed
8.	Cl.1(1)(b) should refer also to the objects including to promote public understanding of the Malvern Hills, as well as public access.In cl.1(2), the 'Sandford principle' is more nuanced that this provision suggests. All of the purposes in cl.1(1)(a) — landscape, natural appearance, habitats, flora and fauna, geology and archaeology' — are capable of conflicting with each other, so that, for example, the desirability of maintaining an open landscape on the Hills or preserving prehistoric sites can conflict with the desirability of promoting a more accommodating habitat for wildlife.There is no reason why public access and enjoyment should be relegated to a special object which is subsidiary to all other objects, any more than that archaeological objects should be subsidiary to wildlife objects.Instead, we propose that these objects should be of equal standing, and the trustees should continue to rely on specific powers to manage or restrict public access where this is necessary for defined purposes, and subject to existing controls.
9.	CLause 3 seems to override 1a and 1b. Access to nature and hence the HIlls can have naturally occurring dangers. H&S considerations cannot supercede freedom to access. In Clause 4 should replacement buildings be restricted to the same footprint as that which they replace.
10.	Clearly, in updating the language used there has been a change of emphasis, plus the adoption of the Sandford Principle.
11.	Concerned that this may be overused to block, paths, routes etc less 'fencing in' of humans is better as they have so little access to land generally.
12.	Consideration could be given to using the word enhance instead of maintain. The latter is closer to the current protect but enhance would allow for changes in management in the future, e.g. response to climate change. This would also tie in to the new enhanced statutory purpose of the National Landscape, which it lies within, which is intended to allow a more positive , proactive approach to conservation of the landscape.
13.	Does not preserve the natural aspect of the Malvern Hills

14.	Does not recognise that the Trust is a Charity with Public Body functions and responsibility to the Levy Payers to spend public money responsibly.
15.	First - the claim that the Trust is not a public body seems untenable. See ICO & National trust. Things like special powers, bylaws, precept services of public interest are tests that indicate it is bound as a Public Body. If the Sandford Principle is established in law then it is not necessary to exlicity state it. Statements like -1b/4 Leaving the Hills unbuilt on- would prohibit things like the re-erection or preservation of the Donkey Shed. etc. It must be more nuanced.
16.	Generally, the Trust has not explained to my satisfaction the need for the changes and I have not seen a cost benefit analysis. Conservation versus enjoyment have to be balanced - not one or the other.
17.	How can there be a proposed clause, or similar? The proposed clause should be exact or we could be agreeing to some substabntail changes that you may make further down the line. The Trust do not currently preserve the natural appearance.... Electric fences (thereby enclosing common land) and felling of trees is not creating or maintaining the natural landscape. The proposed clause has removed one of the original key objectives of the act Prevent all persons from unlawfully digging or removing any stone gravel clay loam soil or turf forming part of the Malvern Hills (s 21 1924 Act) . Why?As conservation seems to include tree felling and animal grazing, giving it precedence over object 1(b) could be to the detriment of the public.
18.	I am aware that many people are committed to the phrase preserve the natural aspect. Although it has specific meaning in law it could be retained in some form as an introduction to the more specific clauses proposed.
19.	I am concerned by the removal of the term unenclosed. Broadly my view is that the Common should remain free of any fencing or similar - with the possible exception of a small number of exit/entry points where livestock can leave the Common. Does this count as being unenclosed? Lets be careful with this in case the lack of intent to remain unenclosed might encourage future Trustees to consider fencing areas f the Common - I remain firmly opposed to this.
20.	I am concerned that this question is unfair as I agree the proposed clause accurately sums up the Trust's existing duties and is appropriate for the future - however there is no need to change the current governance. The current legislation may be old but it is perfectly understandable and has served its purpose for many years. There is no need to change it.
21.	I am concerned this might mean the Common and Hills for grazing and for public access could in future be closed in winter when the ground is wet. Lack of cleaning out ponds and ditches and run offs by the Trust in recent years (which was always done when we moved here 40 years ago) has resulted in wetter ground and then we will get penalised for The Trusts lack of care. I am not sure why you need a law to fence off the Common, there are already large areas of Castlemorton Common regularly fenced off, why is a law needed for this.
22.	I am confused about the following:"Unbuilt on" in this context means unbuilt on at the date the new Act comes into force and, for the avoidance of doubt, does not prevent the Trust from maintaining or replacing any existing buildings on the Malvern Hills **or building where permitted in accordance with the Acts.** This latter sentence in asterixes is not then included in (4) of your proposed language which just mentions replacing existing buildings. Are there other areas where building is permitted? Are these planned for development?
23.	I believe that the Trustees should have the freedom to resolve conflicts based on their assessment of the specific circumstances

24.	I cant see that the change is much of an improvement on what was there before, but it seems OK, unless Im missing something
25.	I feel it is right to update outdated language that cant be upheld in law
26.	I feel these objects are too complicated and difficult to understand. I disagree with (3)
27.	I like the use of the term natural appearance in Clause 1(a) - It can then be argued that allowing grazing of animals on the hills, and forced formation of grassland on areas of the hills that would not naturally have such habitats, is absolutely outside of both clauses, and, as such, should be prevented.
28.	I object to your explatory statement or building where permitted in accordance with the Acts. in your definition/explanation on p8 of the Consultation document since unbuilt should mean unbuilt with the exception ONLY of maintaining or restoring existing buildings.
29.	I strongly onject to the MHT persuing this new bill. the cost of legal fees and staff time is asronomical and will have to be paid for by the levy payers. All we want is for the MHT and the conservators to look after the common land as they always have done. Also we are being asked to comment on your summary of some items that may be in the Bill. We need to be consulted on wht will actually be in the bill.
30.	I think its fair to adopt a similar process to the National Parks and this amendment makes it clear
31.	I think you have purposfully twisted the the interpretation of the Trusts duties from those set out when it was first established.
32.	I was on the board for 8 years to 2011. This bill is not needed and will change the nature of Malvern hills. It will definitely cost more than is quoted and the cost benefit is not there. I also don't believe the concentration of power into a smaller number of board members is good for the conservator, Malvern of the hills.
33.	I would state that where it refers to buildings existing at the time of the passing of the act or those that replace them I would like to see some provision to state that replacements are "in keeping" and of similar footprint to the original.
34.	If the new objects of the trust are truly those embodied in the 5 acts, there would be no need to alter them.
35.	If your aim is to simplify things & bring everything into 21st century language you are failing. So far the questionnaire wording is proving to be complicated & discouraging to a lot of the general public. This is no way to achieve a complete opinion from anyone with average education. The result will be you will probably get very few returns - perhaps this is your objective!
36.	If your aim is to simplify things & bring everything into 21st century language you are failing. So far the questionnaire wording is proving to be complicated & discouraging to a lot of the general public. This is no way to achieve a complete opinion from anyone with average education. The result will be you will probably get very few returns - perhaps this is your objective!
37.	In my opinion, the clause is written clumsily. The objects of the trust is correctly articulated in section 1 and should be left at that. Sections 2 to 4 are just notes to section 1 which provides the Trusts Mission
38.	In respect of 1a), the additional word of enhance may provide greater aspiration.
39.	It does not
40.	It is noted that under (1)(b) reference to keeping the hills "unenclosed" has been removed. This is not explained in the foreward to this section. Whilst it is recognised that there are various proposals around fencing in relation to livestock, it is important the hills (and in particular Castlemorton Common) remain unenclosed.

41.	It would not be in the interests of the conservation of the Malvern Hills to seek to dissolve the current Acts
42.	Natural appearance is still a vague term, are you refering to the present or some historical appearance? The issue of trees and their prescence or not is a difficult issue to resolve. Should natural appearance be defined with reference to the management plan and the SSSI designation, so the tree cover can be reduced without a need to further debate.It is all very well to prioritise conservation but if visitors choose to ignore requests to not enter certain areas, not control dogs or use BBQs what can you do?
43.	Natural aspect is meaning less but natural appearance is OK
44.	Natural Beauty might be added to the objects to reflect the significance of the Malvern Hills as a key part of the National Landscape. Biodiversity might be used if fauna and flora is felt to be too old cumbersome.
45.	no
46.	No need to change the objects, leave them alone
47.	Permanently securing the grazed commons is the most awful idea I have ever heard for this area. The absolute beauty, attraction and love for this area is 100% down to the open plan access land for animals to graze and roam freely, alongside the public. There have been no statistics shared for animal casualties or accidents linked to open grazing and your proposal does not outline any actual reason for needing this?Fencing OUR common land will physically restrict all sorts of people and animals. As well as emotionally and mentally denying people of freedom in the countryside. Walkers and horse riders are already restricted in this whole country to walk in open land and you want to minimise that further. Styles and gates are NOT a solution but a significant restriction. Fencing will also help you with categorising land to sell and privately rent which should not be the case for “common land”. You suggest that “With very limited exceptions the Trust cannot sell land it owns over which the public have access.” This is not at all reassuring and there is a huge concern in our community that you will be selling or renting out common land. Grazing is already suitable managed without the need for fencing or grids. Why aren’t you focusing on drivers actually sticking to the speed limit across this common land instead or allowing them to be able to then drive faster with clearer roads? This has got nothing to do with moving the trust into the 21st century. It is the trust wanting control and authority.
48.	Please think carefully about the wording/grammar of clause 1b. I had to read it a few times, It seems the first part of the sentence to keep the hill unbuilt on may be causing some confusion as the unbuilt on or otherwise takes undue prominence in the sentence. Perhaps it may be better worded: to keep the Malvern Hills as open space, and unbuilt on, for recreation and enjoyment of the public
49.	Proposed clause omits first priority of Acts Keep Malvern Hills unenclosed. Proposed clause must include the word unenclosed.Wide ranging permission to enclose any or all of the hills will completely defeat original and current intent to keep the hills permanently available for free access.
50.	Protecting the outlook from the hills, the surrounding area and the approaches to the hills (e.g. the Guarlford Road commons and Wood Street) should be no less important (the proposed new clauses don’t capture this at all). In my opinion the phrase natural aspect is fine and clear and as fit for purpose today as it was in previous years. Where easements granted over MHT land might lead to huge housing developments, the MHTs position should always be strongly against any such development, and to do all in their powers to preserve the natural aspect, to maintain the rural landscape and protect wilderness areas and natural open spaces from the threat of development

	(including areas both those under MHT direct management and those which they may have a de facto influence).
51.	Scrap the trust and give the district council control, they are democratically elected we don't need multilayer authorities charging monies to taxpayers like this. The money should be ringfenced and governance should be the politics elected to council not a quango costing more money!!!!
52.	See My response to Q31. Who is going to interpret these clauses? Will they enjoy the confidence of the levy payers? There has not been anything explicit about the trust being good neighbours but it seems common sense that they will need to be, and to avoid impinging on their neighbours quite enjoyment of their land etc, and the current arrangements have largely provided reasonable democratic remedies should the directly or indirectly elected trustees seem to unduly impings.
53.	Seems satisfactory at this stage
54.	Should objects para 1b include a statement to indicate that the public has unfettered access to the hills ans commons, in general, ie there are no restricting open times for the hills, nor planned to be any such.
55.	Some emphasis should be given to enhancing the landscape quality rather than simply maintaining and conserving. This may be achieved for example by creating better views through the selected felling of trees or encroaching vegetation.
56.	Strongly disagree with the proposals and have zero confidence in the MHT.
57.	The above is a misleading question. Clearly we want you to conserve the hills and maintain the ecosystems, but I would not want any clause adding that said that under any circumstances you could restrict public access or build on the hills. The sole purpose of the act is to provide a healthy public free space for the public. Not run a hill farm, logging operation or building site for the rich and influential.
58.	The above makes perfect sense to me
59.	The access to public rights of way on the Definitive map and Statement for Worcestershire should remain open on their definitive line at all times. In addition the Malvern Hills Trust as landowner has the following obligations with regards to these public rights of way and these should be adhered to at all times:• No disturbance of, or change to, the surface of the path or part thereof should be carried out without the written consent of the public rights of way team.• No diminution should be made in the width of the right of way available for use by the public.• Buildings/other materials must not be stored on the right of way.• Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.• No additional barriers should be placed across the right of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.• The safety of the public using the right of way is to be ensured at all times.This may conflict with the trusts aims but is a legal responsibility under the Highways Act 1980.We would like to remind the Conservators of our legal duty as highways authority to sign public rights of way under the Countryside Act 1968, Section 27, the current bylaw can conflict with us exercising this legal duty byelaws-mht-branded.pdf (malvernhills.org.uk) and we would ask that any new legislation supports the exercise of this legal duty.
60.	The Acts, which are peculiar to the Trust, impose an additional responsibility to maintain the "Natural Aspect" of the area, which is not the case with National Parks.Further, not all National Parks are common land – only 28% of the Lake District National Park is common land, so quoting the Sandford principle as applicable to an the Trust's area of 100% common land, is misleadingIn the event of an unresolvable conflict between conservation, maintaining the natural aspect and keeping the hills an open space for public recreation and enjoyment, the priorities should be:Public

	recreation and enjoyment, firstNatural Aspect, secondConservation, third.There is no point in maintaining the natural aspect and nature conservation if it does not serve the purpose of public enjoyment. Natural aspect and nature conservation are not ends in themselves, they are ways of enabling people to enjoy the area.
61.	The assumption is that the commons should be kept as grazing land which effectively means the prevention of tree growth. Given the severe reduction of tree cover over time in the UK and the contribution of woodland to combat global warming I think the Trust should be changing its role to the promotion of re-wilding and establishment of mixed forest.
62.	The clause concerning building on the Trusts land is open to abuse. The clause and any buildings which replace them. should be removed. Replacement of buildings on the Hills should not be an option - any existing buildings should be conserved.
63.	The existing acts as laid out in the MHAct 1924 (5) define the Malvern Hills as the area which includes all common land not just the hills. The Objects proposed do not specify that the Malvern Hills is the Malvern Hills AND the Commons. Already I feel that protection of the commons is given less priority than the hills. The new proposals should specify and Commons clearly. This might diminish the suspicion people have that marginal commons, like those alongside Guarlford Road, are under threat of development or excessive easements.
64.	The existing objects of the Trust include explicit reference to the prohibition of commercial exploitation of the hills - at least in terms of forestry and quarrying. A similar reference ought to be included in the new wording.There is insufficient emphasis in the objects, to maintaining unfettered (pedestrian and equine) access to the hills.
65.	The issue of the maintenance of the Hills seems to have been ignored in all the documentation. The MHT should have to have a duty to maintain the Hills, by regular cutting of undergrowth and the removal of self set trees.
66.	The Malvern Hills Conservators (MHC, trading as Malvern Hills Trust) as described in the MHC Annual Accounts for 2022, is an unincorporated charity. An unincorporated charity is not a legal entity and as such does not have the power to own land/buildings or employ staff. How does MHC have such powers? Are the trustees of the charity personally subject to unlimited liability?
67.	The Malvern Hills should be kept unbuilt on as an open space for recreation and enjoyment of the public.
68.	The natural aspect has been created through various human interactions, therefore is not natura. The wording need to be better defined, if left to naturalise, the hills would take on a natural aspect - it's currently managed.
69.	The organisation was set up to allow folk to escape cities and enjoy the environment of the hills and all of its fauna, flora, geology, and ancient monuments
70.	The proposed objects :- (1) The objects of the Trust are, for the benefit of the public— a) to protect, conserve and maintain the landscape, natural appearance, habitats, flora and fauna, geology and archaeology of the Malvern Hills; and b) to keep the Malvern Hills unbuilt on as open space for recreation and enjoyment of the public. I suggest there should be a requirement in the objects to enhance biodiversity, I think this is different from Conserve as global warming may require creation of new habitat on the hills to enhance biodiversity.
71.	The question is meaningless without a definition of conservation. At present conservation is the sense of preserving the status quo has been pursued although this conflicts with protection of the natural appearance, which means what the reasonable man would think it meant - the regeneration of trees and other flora and fauna when interference by the conservators is kept to a minimum.

72.	The questions are too open and indeed your future proposals omit leaving the hills unenclosed which is important and fundamental to the duties of the Trustees. Natural Aspect is not an old and misunderstood phrase to most people it means, to most people, that the view, or appearance is as produced by nature and not the work of man.
73.	The term benefit is not defined. Access to the open space maybe in conflict with 1(a), but it is important to maintain free access for the public.
74.	The updating and clarity of the revised wording enhances the purpose and philosophy of the Trust and should be applauded.
75.	The word unenclosed should be retained in the objects
76.	The wording of proposed object 1 appear to appropriately define the meaning of preserving the "Natural Aspect" of the landscape and expands upon it to clearly incorporate the other vital environmental aspects of the hills that are intrinsic to its appearance.The application of the Sandford Principal provides a clear policy framework for decision makers and its adoption and application by the Natural Parks demonstrates its efficacy.
77.	There are already powers under the Acts to exclude the public from dangerous places which would cover the point about health and safety
78.	There is no need, and you have no right to seek to change the objects in the original Bills
79.	There is nothing in the new wording to clarify natural aspect about the potential impacts of the use of the air space above the hills or mining under the hills. Mining for minerals and use of space underground, or the air space above (eg pylons, drones, future air transit vehicles) are all becoming likely technologically, just as the car has since Victorian times. Excluding the public from areas (page 9) temporarily must be for a maximum of 1 year. The wording used implies exclusion could be for an indefinite period. Setting a limit will force the Trust to act and not just fence off. Page 10 - any buildings that are rebuilt must be like for like, on the same footprint and same height. Without this, multistorey and more extensive development could occur while being called rebuild
80.	There needs to be a distinction throughout between a publicly accountable body (the Conservators) and the charity (the Trust). This is blurred throughout the consultation. The Trusts charitable objects need to be agreed with the Charities Commission, not by Act of Parliament.
81.	There should be more emphasis on access to the hills and its promotion. 1b seems inadequate to me.
82.	things are great as they are. we dont need to change the trust and how its run.
83.	This is a disgusting encroachment on the people who visit this beautiful are of our wonderful country. Please keep your mucky hands off of our beautiful land.
84.	This is a leading question and ignores the important issue of enclosure. The changed wording would seem to facilitate enclosure of the common lands specifically prohibited under the existing acts. I object strongly to any additional powers to enclose the land and to any change in governance that permits this.
85.	This is a welcome update.
86.	This questionnaire is not at all user friendly, expecting people to read reams of information (which you have not put in the questionnaire) to answer a single question. This is designed to put people off from answering the questionnaire and the questions are very leading with limited responses which doesnt allow people to give their full opinions. Consolidation of existing Acts seems acceptable but this is a way to bring in unnecessary and unwanted amendments under the radar. The excessive costs of the proposals would be far better spent on maintaining the hills for all, rather than

	expecting levy payers to foot the bill, especially during a cost of living crisis. The proposals water down the democratic process by seeking to reduce the number of representatives. Malvern Hills District Council has 38 councillors and Worcestershire County Council has 57 members and these bodies operate successfully and democratically. Also, if representatives are good, why are you seeking to limit their time in office?
87.	Unbuilt needs to be further clarified, it should be clearly laid out that no building at all shall take placeConservation of wildlife should have priority and not keeping livestock if this is considered as natural appearance
88.	Unenclosed seems to have been omitted - this is an important aspect.
89.	we are being asked to comment on your summary of the bill. wee need to be consulted when the complete bill is published
90.	While not disputing the importance of conservation any conflict should be considered on an individual basis.
91.	Whilst clarifying any conflicting duties is necessary, it is important that it be done in a way which continues to benefit the local community in particular.
92.	Why is this consultation continuing whist the General Election is underway?
93.	with a caveat to second section that it should not impede access to the hills. An unintended consequence in the future might be that people traveling to the hills are producing pollutants which could harm the conservation of the hills. Therefore banning all people from the hills would be the ultimate protection. So there should be carefully balanced wording showing that access is maintained throughout just sections of land may be protected.
94.	Yes. Properly explain this to the people and actually REACH the people rather than 1% of the population of malvern.
95.	You should not be looking to tinker with the purpose of the Conservators
96.	You should not be seeking to change the objects.
97.	Your proposals are an affront to common sense.

Q5: If you have anything else you would like to add about the way trustees are appointed, please type details

1.	Board should be mandated to include representatives with “appropriate ecological expertise” which could be a private individual with the time and knowledge to contribute, or an eNGO as appropriate. Their would be a great advantage to including eNGOs as that will allow joined up projects producing large scale landscape change, which is what the nature crisis needs.
2.	1 or 2 I could swap - I think spending money in 3 could easily be avoided as presumably that may be an expense?
3.	10 trustees are sufficient
4.	A distance from Land owned and managed by the trust should be the boundary for trustees to be eligible. Welland is surrounded by Trust land but we are not eligible to pay the levy (which I think Welland should because they put a lot of pressure on your sites) not eligible to be elected
5.	A fourth option - that of having a selection panel of say 6, comprising a mix of senior staff, trustees and external independants could be considered. Ie Panel of 7, 3 trustees, 2 staff and 2 external.
6.	A one mile barrier may prevent you from bringing people with the skills you are looking for, and you may want to approach
7.	A panel of trustees and senior staff to appoint new trustees.
8.	a) A minimum number of trustees should be specified: suggest 9 (max. 12); two thirds elected, one third appointedb) If INP system adopted, first panel to be selected by the current board. Panel of 5c) Appointed trustees to come from 3 Counties area (Herefordshire/Worcestershire/Gloucestershire)d) Non levy-paying parishes under jurisdiction of MHT to retain the RIGHT to become levy-paying areas. Whilst status quo exists, at least one trustee to be allocated a mandatory role to liaise with these parishes.e) Where an elected trustee leaves and is replaced temporarily by a selected person, that person must stand down IN ADDITION to those due to retire by rotation, in order to retain the original balance between elected and appointed trusteesf) If the diversity and experience criteria are met but not all the appointed places filled, how might this affect the balance?g) Trustees should be able to stand for re-election, or be re-appointed, for a second term but should then stand down for at least a two-year period.
9.	All appointments of Trustees, both elected and selected for expert knowledge, should be widely advertised locally and nationally, and all meetings concerning their appointment should be open to the public. . The conservation of the Malvern Hills and its value to the area and to the nation must be subject to complete transparency.
10.	All levy payers should be given opportunity to choose from a short list of qualified applicants. We dont get local paper, why was this plan by MHT not notified to every levy payer? Public consultation totally inadequate -

	information completely one-sided - 76 pages of unnecessary, confusing and biased window-dressing of real plans - a massive power-grab by an undemocratic, small group of trustees who intend to massively change every aspect of current public levy -payers rights whilst claiming carte-blanche for MHT to act in effect without scrutiny or independent control for regulation.
11.	All levy payers should have the opportunity to view and select the qualifications and suitability of the trustees. Very few of the above statements are in line with democracy (Q4). You are not a court of law, therefore elected members of the trust should be allowed to represent the views, concerns and wishes of those who they are elected to represent.
12.	All Trustees should also be Levy Payers. The Charity Board recommendations for Board size are not appropriate given that the Trust is a Public Body spending Levy Payers money. There should be more elected Board Members.
13.	All trustees should be elected
14.	All Trustees should be elected
15.	All trustees should be elected through the proper electoral process as provided by the law. There should be at least twice as many elected trustees as any other persons on the board.
16.	all trustees should be from the local area, whether nominated or elected.
17.	All trustees whether elected or appointed have to live within or close to Malvern. Anyone living more than 5 miles from the Malvern hills boundary is barred from being a trustee.
18.	An odd number of trustees might avoid split decisions.
19.	Anyone who has Common rights and lives in a parish of a Common which is cared for by the MHT should be able to vote. Why is this not being included in the new law change.
20.	Appointing trustees may bring desires that are not compatible with the purpose of the organization
21.	Appointments of Trustees to the Board should invite candidates from residents of the Malvern Hills - i.e levy payers.
22.	At least one trustee should be a resident on Trust land
23.	Avoid the list of circumstances when the board can remove a trustee. 75 % in favour should be sufficient to avoid victimisation and protect diversity. This gives the Trust more flexibility in the future.The different parishes have very different relationships to the hills and commons. Eg Castlemorton vs Colwall vs Pickersleigh. There should be some provision for ensuring these different interests are represented or considered as part of the overall diversity of the Trustees. For this reason I think there should be a minimum number of Trustees who are resident in the parishes, across the whole board, elected and non-elected. For a Board of 12, it should be possible to have 4 such residents.The commoners should

	have a specific representative to reflect their historic role creating this wonderful environment. It is clearly advantageous to retain as much commoning practise as possible therefore this small but important group should have a voice. I think 1 of the non-elected trustees should be a commoner representative, nominated by the commoners.
24.	Cannot answer Q4 as no choice for dont know disagess etc as provided in other questions
25.	Cannot answer Q5 if you disagree with unelected trustees
26.	Cannot get the drag above to work
27.	Combining the electoral area is a great idea. However, I strongly feel that at least 7, preferably 9, of the board should be elected. This will hopefully help prevent the formation of an old guard or similar in the future. Following the debacle of the St Anns Well legalities, we must take care not to allow the board to become a bullying committee.
28.	Declarations of any interests should be very strongly enforced.Unclear how/why local trustee recruits should not represent local opinions? Otherwise how can public opinion be taken into account?
29.	Dont agree with any of thse. Why can I not make my views known
30.	Each of the options is flawed in their description as a result of the brevity of the statements. Greater consideration should be given to the prevention of candidates with vested interests seeking selection, to them unduly influencing any process or decision.
31.	Elected trustees should always outnumber appointed trustees. So if there are 12 trustees, at least 7 should be elected.
32.	Elected Trustees should at least be a majority on the trustee board. I would prefer all 12 Trusttes to be elected and the selected nembers be no voting members.The chair must be an elected member.
33.	Electoral areas need to be equally represented as its cannot be guaranteed that elected trustees will serve the best interests of the charity rather than “represent” an area.
34.	Even 12 seems more trustees than required. * or 10 would seem efficient.
35.	From the point of view of a levy payer, I cant agree that the proposals work. There should be no taxation without representation. To combine all the areas is impractical as the voting wards for eg West Malvern now include a large are outside the parish. Unless you are proposing setting up a parish electoral register fir each of the parishes that pay a levy, , you will not be able to have list of electors. To set up a register will be impractical and expensive.
36.	Full open public disclosure and consideration by the men and women for the men and women on the land - as is the law
37.	Having been a Director and Trustee of a charity, I would suggest 8 is the minimum size of the board and 12 is the maximum. You need enough people for a meeting to be quorate but not too many so it is

	unmanageable. & an independent panel must be that ie independent with no links to any interested or potentially interested parties.
38.	Having seen the way that having so many trustees impedes their ability to make decisions I feel strongly that this body should be slimmed down.
39.	How can any such process be independent as it is run by the trust?
40.	I am extremely unhappy about the proposed new structure and processes, in particular the inadequate checks and balances. All members of the board (including appointees) should be subject to a democratic election process. Also why the 1-mile rule and not just people within a parish where the Conservators have land? - this proposal (amongst others) creates suspicion of jerrymandering...
41.	I am not convinced that the proposal to amalgamate the parishes into a single block is in the best interests of us, the precept payers.What is the origin of the assertion that board members are not representing their local areas?
42.	I am not in favour of appointing Trustees subject to a process defined by Diversity, Equality and Inclusion. Trustees should instead be appointed on the merits of their motivation, skills, experience and ability to carry out their duties, not because they happen to be of a particular gender, race, creed or colour.
43.	I believe that the majority of the Board should be elected members to protect the interests of Malvern residents. As a Vice Chair of a charity of similar size I think 5 non-elected members with skills is more than enough.
44.	I can see why for practical purposes fewer trustees are preferred, but there is a risk that representation of the local people is reduced and that the new board might in the future pursue policies which run counter to the interests of local people and might, for example, centre around the raising of money. It is not that this will necessarily happen, but there is a heightened risk which makes me nervous.
45.	I did not answer Q 4, because there was no 'none of the above' included, ie the question assumed agreement with the idea of selection of Trustees. I would agree with a slightly smaller Board and would suggest not having the County Councillors, fewer District Councillors and no one from the Church Commission. An odd number would avoid stalemate.
46.	I dont agree that they dont represent the people who vote for them and pay the Precept/Levy.
47.	I dont agree that Trustees can come from anywhere outside of the electoral area at all, not even one mile. This should apply to both elected and selected trustees. I do agree that appointees should be selected based on skills and experience but not 50 % necessarily. The consultation paper might have been better served to highlight the skills and experience gaps the current board feels it lacks so that respondees could better judge the split between elected and selected Trustees, and also whether or not there is a realistic need for the candidates to come from outside of the electoral area. I agree that the District Councils should not

	nominate Trustees as I can see it could create conflicts of interest. I do not agree that Combining Electoral areas is a an appropriate solution to disparities in the size of the electorates. I can see the point that Trustees have a responsibility to serve the best interests of the Charity but I disagree that they should not represent the area they come from. It is possible to do both, given that that the term represent could be thought to mean bring knowledge of an area, experience of living in an area, understanding of local issues and history, and still be able to serve the best interests of the Charity. Despite the fact that the consolation reminds that the MHT is a Charity, not a Public Body, levy payers strongly feel that as they have no choice in whether they can pay the levy or not, they have a right to appoint a local representative. There has been much opposition to the Private Bill on social media, and this issue is the root cause of it. I think merging some of the parishes is a much better way to remove the disparities, even if not easy
48.	I dont like any of these options.
49.	I dont see why people from outside the electoral area should able to stand. Why 1 mile, or three miles? One mile seems random .
50.	I dont understand question 4. We should be voting for half the trustees
51.	I feel strongly that the 12 trustees should consist of 8 elected and 4 selected to allow the elected trustees to have a greater say on behalf of the people of Malvern
52.	I feel strongly that the majority of the Trustees should be elected rather than appointed. On page 17 of the consultation document there is a proposal that merely working having a place of work in a parish where the Trust has land is sufficient to be eligible to stand for election, which is not reflected in the questions and which I strongly disagree with. It is clear that the Trust is moving further towards becoming a full charity (and further away from being a Public Body) and exploring alternative sources of income, e.g. becoming a membership based organisation. The proposal also makes it abundantly clear that the elected trustees are not to be considered as representing the levy payers of the areas that elect them. Given these facts, I fail to see how continuation of the levy can be justified if the Trust proceeds with the proposals. In effect, the levy will become a compulsory donation to the charity.
53.	I feel strongly that the Trustees should have a majority of elected members since they come from those who will pay the majority of the Trusts income. Having a body that can charge folk but then not give them the majority say is wholly undemocratic in my view and open to abuse. I also have reservations about selecting skilled or expert Trustees. Who decides what special skills or experiences are needed? If the board needed specialist input over a particular issue, it could seek that input at the time. In my view, the main requirement for any Trustee is that they are blessed with a huge level of common sense.The process for selecting Trustees is not well defined and somewhat opaque. I think this process needs to be well defined before the bill goes to Parliament and not sorted out afterwards.If a vacancy for an elected Trustee appears outside of the

	normal election schedule, I think the other elected Trustees should be responsible for appointing an interim Trustee, not the selected Trustees.
54.	I feel that at most 4 of the board should be elected trustees and a greater percentage to be appointed. This is to allow the the charity to have a board with the a better spread of skills to run it efficiently.
55.	I feel that it would be better for senior staff to manage the recruitment to avoid issues of bias and conflict of interest.
56.	I feel very strongly that trustees should be voted on, not appointed. No taxation without representation! Elected trustees would have local knowledge and be best placed to direct the MHT. If experts are to be appointed for their expertise they should be in the minority. If they needed for their expertese they could be coopted on to the board but not have any voting rights.
57.	I find it surprising that there are other villages locally who do not have a right to vote, particularly when they are so close to MHT land- for example I live in Welland, immediately adjacent to Castlemorton Common, and would argue that I have a closer relationship and interest in the MHT than people in Guarlford. Are the levy areas fixed and how were they decided? Why can the wider community (e.g. a radius from the hills) not be involved in a voting process?I think that a mile only outside of the boundary of the area is unnecessarily restrictive still - what if there was a perfect candidate living 1.5 miles away? 2 miles away, but extremely engaged in the local community? I think this distance should be increased or not specified as long as links can strongly be demonstrated with the community/them being nominated. So I disagree but not for the reason of having a wider area being a bad idea.
58.	I have just read the Malvern Hills Action Groups fact checking on these matters. Why do you make so many false statements? Why cant you be honest?
59.	I imagine other primary legislation deals with definition of ward and parish boundaries, I don't feel there's a need to duplicate.
60.	i object to trustees being appointed by any of these methods. Trustees should be voted in by the levy payers. No taxation without representation! The risk is that the people appointed are friends of MHT and do not represent the levy payers who fund the MHT.
61.	I question whether basing trustee selection criteria on where people live is the correct thing to do. Having moved to West Malvern just over a year ago, I have been surprised how many local people I have met have never been up the Hills where as I regularly walk the paths with my dogs.The selection criteria, in my opinion, should reflect the expertise and interests of the key stakeholders who use the Hills - conservationists, graziers, walkers as primary stakeholders, other stakeholders such as mountain bikers, local authorities and tourist boards could also be considered.It would be interesting to know how other comparable conservation Trusts are made up. From this can the size of the Trust board be defined.

62.	I support the reduction in the size of the Board but the balance of membership should favour elected members. The conduct of the Board risks being driven by the external professionals to the detriment of the electorate.
63.	I think 12 trustees is still too many.
64.	I think elections for all members should be the way to run it and then "experts" with the required "skills" should be bought in for relevant discussions
65.	I think the Conservators should revert to being a public body only and give up their charitable status.
66.	I think the entire board should be elected.
67.	I think the Trust should follow charity best practice and undertake regular skills audits of the board and advertise publicly for people to be appointees who would bring the skills that are recognised as needed. This broadens the potential group from which appointees can be drawn beyond those that the staff and trustees might think of, brings in new and different perspectives and increases diversity. The Trust could also indicate at election time which skills and experiences are being sought in board members so that elected members could be part of the skills pool too.
68.	I think there should be a majority of trustees elected.
69.	I wish to continue to be able to vote for a local Conservator every 4 years, I dont want officers deciding who our Trustees are
70.	I wish to remain able to vote for a local person
71.	I would be happy to see a significantly wider residential qualification
72.	I would like them to be elected by the constituents at the same time as local council elections.
73.	I would suggest that all of the board should be selected for their knowledge and skill not half of them
74.	If a candidate has required skills or expertise and is willing and able to serve then their home or work location should not prevent them being appointed as a trustee. Putting a distance limit could also limit the quality of candidate available.
75.	If more than 1 or 2 elected Trustees have to be replaced by selection, then an election must be held. Without this, the whole set of Trustees could become over-dominated by selected rather elected Trustees. Page 13 - Someone suitable to be a Trustee who does not wish to stand for election, should not be considered to be suitable! Board membership should be on rotation, so there is not a complete change of members. However, it needs to be clear whether a position becoming vacant before the term of office is complete, is filled for the rest of the term left by the vacancy or for a full term of office. The Trust should find out why there is so little interest for people to become trustees. They may still have

	difficulty finding suitable people to fill the positions, especially as they are likely to be even more busy with the smaller membership.The maximum total period as a Trustee should be 2 terms ie 8 years maximum. The Charity Governance Code is NOT by the Charity Commission itself (Government), but written by a separate charity ie not Government.
76.	If the board was reduced to 12 all 12 must be present and included to make any permanent decisions. We disagree that any decision can be made by only 5.
77.	If your aim is to simplify things & bring everything into 21st century language you are failing. So far the questionnaire wording is proving to be complicated & discouraging to a lot of the general public. This is no way to achieve a complete opinion from anyone with average education. The result will be you will probably get very few returns - perhaps this is your objective!
78.	If your aim is to simplify things & bring everything into 21st century language you are failing. So far the questionnaire wording is proving to be complicated & discouraging to a lot of the general public. This is no way to achieve a complete opinion from anyone with average education. The result will be you will probably get very few returns - perhaps this is your objective!
79.	Important to avoid any suggestions of bias or preferment
80.	In an election the antis will always get their vote out, so how do you get the general public who are not really interested in the election to get out and vote and to vote for the good guys? How do the public know who the good guys are without promotion from MHT which the antis will argue has prejudiced the election? What happens if too many antis win election? Unfortunately, even if the antis fail to win election, they are not going to go away, but find other ways to annoy or disrupt the workings of MHT. What happens then?Putting a boundary on where trustees live in order for them to be a trustee risks excluding many knowledgeable people from Worcester, Birmingham or elsewhere, - university academics etc
81.	In order to ensure the primacy of the local voice in decisions there may be merit in having 7 Trustees elected and 5 appointed. Whilst this is not vital I think a discussion on this matter would mean that whatever the decision it would be more robust.
82.	In other settings the senior staff would advise the trustees on the selection process and manage the process while the trustees decide on the skills and knowledge that would best compliment those already on the Board. Final selection would then be with the trustees, with advice from the CEO. Some consideration might be given to input from the current appointing bodies.Will the electoral arrangements still have limits to candidate election expenses? And if so will they follow the existing local election limits?Although I agree strongly with the proposal to reduce the size of the Board I would favour a smaller Board of perhaps eight trustees.

83.	In theory, I prefer an independent body body as shown but that in itself needs careful consideration as to its makeup (should that be a separate consultation?).Not sure how many senior staff there are to make a selection but may be too small and if number of trustees is reducing there may not be a big enough pool.
84.	Increase the boundary for eligible voting and interests to include Ledbury - HR8 2.. postcodes.
85.	Increasing diversity and reducing potential conflicts of interest (or the appearance of conflicts of interest) seem important.
86.	Involvement of the local community in the process. Eg focus group discussion.
87.	Is it possible to ensure that a minimum number of those selected for there skills and experience are done so for their knowledge of conservation, land management etc rather than being experts in the running of an organisation (finance, HR, corporate leadership). How do we ensure that the members of the independent panel are indeed independent and not selecting on the basis of their own contacts or personal views on how the organisation should be run.Given the sensitivity of the issue, is it possible to have a small majority of elected trustees eg 6 to 5, to ensure that any future controversial decisions always have some elected mandateDo we need to make it clear that trustees are not to be paid (other than reasonable expenses) and are not permitted to enter into any commercial relationship related to the activities of the trust
88.	It feels important that those paying a levy should be included in the recruitment process
89.	It is a ridiculous proposal that senior staff should pre-select those who will become trustees - the very people who will subsequently be responsible for ensuring these senior staff do their jobs properly. The Trust's consultation document highlights this conflict in Option 2 page 18, "The disadvantage is that they may be accused of selecting friends or of picking people who are similar to themselves".If an Independent Nomination Panel were to be established, the Chief Executive should not be permitted to attend is meetings. Their very presence in the room would jeopardise the independence.Alternatively, the new Act could name certain organisations who could appoint a trustee, for exampleFoundation for Common LandOpen Spaces SocietyNatural EnglandWorcestershire and Herefordshire Wildlife TrustsWorcestershire and Herefordshire Law SocietiesNine years is far too long for appointed trustees to remain in office. The board should be refreshed more frequently with new blood and new ideas. Four years should be the maximum term.Removal of trustees – there is no obligation on trustees to sign the Trust's Code of Conduct, although the Trust has avoided making that explicitly clear in their booklet "Becoming a Trustee".As such, no sanctions should be imposed on any trustee who has not signed it, because they have not agreed to be bound by the Code.

90.	It is a well known fact that the last few trustees to be elected managed to do so by gathering votes from friends and family so that they could promote their own concerns. The low turn out and the current electing system has allowed this to happen.
91.	It is crucial that trustees are firmly embedded in the area
92.	It is important that trustees have expertise. They should know the Malvern Hills area and be knowledgeable about the geology which shapes the MHT area and the biodiversity. People living in parishes which contribute towards the MHT must be represented. It is not fair otherwise. Councils should only be able to appoint trustees if they have special knowledge and expertise. A reduction to 12 trustees is too much of a cut in numbers.
93.	Keep cost of elections down, eg by combining with council elections where possible
94.	Keep it the same
95.	Local council control not a trust
96.	Maintaining an elected element of the board is vital and opening the appointment of board members to unelected members is equally vital to reflect the life changing importance of the hills to the millions of the public who do not live within the levy paying area. This is a national asset to be cared for for the nation.The opportunity to appoint unelected board members opens the field for skilled and knowledgeable people who don't live in the levy paying parishes to bring a potentially more diverse and insightful contributions to the decision making of the board.Over the decades the involvement of the public in the election of trustees has been woefully lacking in interest save for when one or two single issue campaigns have demonstration the vulnerability of the current 'arrangements' to these factors. The proposed changes are a practical, workable set of arrangements that will encourage greater engagement for both electors and a greater diversity of potential trustees and will help minimize the conflict of interest tensions that are often present in trusteeships.It would be as well if potentially non-elected trustees could demonstrate strong local connections to the HillsWe believe that the current local authorities who are presently able to nominate trustees should be seen to be influential in the nomination of unelected trustees.The current arrangements are archaic and dysfunctional. This is 2024
97.	More transparent and open process aligned with other charities. Eg. Interview
98.	Must be a public vote and not fixed by internal parties
99.	My preference would be that there always be a majority of elected trustees over appointed trustees. If constrained to 12, then a majority of 7 to 5.
100.	My view is no taxation without representation. The majority of Trustees should be elected by precept payers and some should be appointed by

	MHDC but agree there are too many put forward by councils at present. I strongly agree with the last Chair time should be taken to fully engage with precept payers to mutually agree a position on this.
101.	Neither of options in Q4
102.	No more than one member of any household or family should be appointed as a trustee
103.	No option to say none of these
104.	No stated options are satisfactory
105.	None are suitable
106.	None of the above. Trustees should be appointed through an public election in the area they REPRESENT
107.	None of the options are satisfactory
108.	None of the options provided in Q4 are suitable and so it is not answered.
109.	Not enough options to capture full range of resonses
110.	Notwithstanding that is has never been the case that trustees are elected to represent an area, there is a very strong feeling amongst some, perhaps many levy payers that they are or should be. I fear that until some accommodation is found here this is never going to go away. Going forward perhaps a fair solution could be sought, maybe with the assistance of MHDC, which allows this connection whilst still reducing the size of the board, enabling skills-based appointments to the Board where needed and maintaining the principle of collective responsibility. Unless there is some give on this issue I fear the current toxic and energy sapping campaign against the Trust will continue, to the detriment of the Trusts reputation and the morale of staff and Trustees.
111.	Option 2 (trustees elect other board members) is very dangerous in terms of cronyism, so is not acceptable
112.	Option 3 is preferred with the nominations panel to be selected from senior executives drawn from charities with relevance to the objectives of the Trust.
113.	Parish Councillors may be appointed if they live within 3 miles so there is a case for applying the same criterion There is a case for having 4 directly elected + 6 nominated by MHDC/Herefordshire/Worcestershire Council with the power to appoint a further 2-4 trustees based on required skills. This would preserve something closer to the current balance between appointed and directly elected members.
114.	Personally, I would prefer to see a smaller Board, but I accept that a reduction from 29 to 12 is already a big step.Re the selection process, I feel that senior staff are in the best position to review the skills of existing Trustees, identify the gaps required on the Board and carry out a recruitment process. A panel of Trustees could also do this, but would need guidance from staff.

115.	PLEASE SEE ATTACHED
116.	Q3 An elected trustee should not be replaced by a selected trustee. The post should remain vacant
117.	Q4 - All unacceptable. The word trustees is meaningless as the Conservators are not a Trust but a public body and Board members should be chosen by the relevant statutory method. Certainly not a majority of appointed over elected Board Members. The options in Q4 are all unacceptable.
118.	Q4 - Indicated 3rd position for each answer.
119.	Q4 is invalid as I am forced to choose one of your dictated options. Where is nonoe of the above?
120.	Q4 None of these are appropriate.
121.	Quality of trustees (knowledge experience insight and professional expertise) is more important than where the trustee lives. It is key that a proportion of trustees are invited from a wider geographical area. Suggest nationwide as there are national landscapes nationwide which may have faced and overcome similar issues.
122.	Reducing the number of trustees to get a quicker approval process can be extremely damaging as this may not take all local views into account. Reducing the number of elected trustees would similarly not benefit parishioners
123.	Rules for co-opting board members must be very clear and only in the gift of Trustees. Senior staff can recommend candidates with a full explanation of their value to the board. Final selection by the Trustees must be to consider qualified candidates in an objective comparison to specified job characteristics and demonstrable history of transferable skills. Personal interests must be declared.
124.	Selection committee made up of senior staff and Trustees
125.	Strongly think there should be a minimum of 9 board members with a max of 12. Imperative that appointed trustees must have local knowledge.Selection process order - ideally would be by an independent panel but might be difficult to find one! - having staff run the recruitment could be seen as favouring those who what the same opinions etc.
126.	Suggest you talk to National Trust who have an Appointments panel which I have served on. it led to a lot of unrest over the last 10 years accusations of vote control by the Trust
127.	Surely an odd number of trustees is a better idea to help decision making. What happens in the case of a voting deadlock?
128.	The allowed options are not sufficient to allow a meaningful answer.
129.	The criteria for trustees should be defined, and encourage a diverse group of members, not existing local councillors and those with a vested interest

130.	The criteria used to select trustees for appointment (those who are not voted to the Board) should be outlined
131.	The current trustees are too much of a clique and not appropriate to our modern society.An influx of professional and experienced trustees are vastly to be preferred to the current bunch of amateurs who are too blinkered in their approach
132.	The dual-status as a public body and a charity would seem to give rise to a conflict of interest - is a board members duty to represent his constituency or to the charity? This highlights the democratic deficit of a charity.
133.	The first INP to be selected by the current Board - panel of 5Balance of trustees: 8 elected and 4 appointed/selected. Appointees to be from the local area - within 20 mile radius of land under MHT areas of jurisdiction.One of the appointed trustees to be allocated mandatory liaison role with those non-levy paying parishes with land under MHT jurisdiction.
134.	The full bill should be public before any consultation
135.	The Hills are to be enjoyed by everyone. I think the area should go outside of the Parishes. I live in Hanley Swan and I am not happy that I am able to take the full benefits of living so close to the hills - could there be an option as to who pays the levies for the hills. The area should go much further to take into account the fact that regular users can come from a wider distance due to improvements in transport
136.	The independant panel should be made up of the residents of that particular area.
137.	the majority should just stay elected by the people
138.	The minimum size of the board should be 9, so that neither elected nor appointed trustees could be the only type on the board.Castlemorton is not a levy paying area but historically has the right to be so. I would not want to loose this right and would quite possible prefer to be a levy paying area.
139.	The proportion of elected members should be greater than unelected onesNone of the options in the above boxes are satisfactory
140.	The proposal to reduce the number of trustees to 12 is dangerous. A larger Board provides more checks and balances and greater resilience for instance if there is an interim vacancy. Every charitable organisation is different and quoting what the Charity Commission may suggest about optimum numbers is misleading because it will entirely depend upon the particular organisation. I have lived my entire life in Malvern and can only think of one incidence where the Conservators made a decision which was widely criticised. You have not given any examples of the reasons why 29 is unworkable. If there is any reduction it should be to the appointed trustees and NOT the elected. Only levy payers should be allowed to vote, it is our democratic right just like being a paid up member of a Union. I am completely opposed to the Trust being allowed

	to appoint and select trustees that opens the Trust to suggestions of cronyism even if it doesnt exist - you are best avoiding such suggestions which could result in costly litigation. I have not answered Q4 because the Trust should NOT have this power.
141.	The proposals are vague, with no clear proposals for the appointment of Trustees, and its difficult to make an informed choice above.
142.	The proposed extension to 1 mile beyond the border makes no sense at all. Why 1 mile?
143.	the question is leading
144.	The reduction in board numbers is long overdue as is the selection method. I strongly endorse these changes.
145.	The reduction in size of the Board was broadly supported, although a minimum of nine was felt more appropriate to ensure that there were always at least some elected and some nominated Board members (see below for further comments on nominated Board members). Concern was expressed that Castlemorton, which is not currently a levy paying area, would lose its representation. We believe it is important that a Castlemorton resident or nominee is appointed to the Board. This particularly being the case given the large are of MHT land within Castlemorton. Similarly, considerations may apply for other non-levy paying areas either now or in the future. This could be achieved by, say, up to two of the appointed Board members being reserved for local residents in non-levy paying areas. This would still leave four appointed member slots available to fill skills gaps, which should be plenty. In this regard it is noted that throughout the Malvern area there is wealth of people with relevant skills so filling skills shortages from local residents should be possible and, indeed, should be encouraged in the drafting of the Bill.It is also noted that areas such as Castlemorton that were bought by the Trust can under the existing 1984 Act (section 31) be levied subject to having representation. Whilst this has not been done in the past, it would seem that this power (and effective right of parishioners in this regard) should be retained. The current inequality of funding for the Trust, whereby some parishes contribute whilst others do not, is being set in stone unnecessarily and the position could be exacerbated were the Trust to buy further parcels of land.
146.	The use of an independent panel seems the most professional route - but is always subject to the quality of the recruitment or employment of the panel too. For example immersion in both the requirements of the Trust and the ethos and the type of role are needed. The appointment of the panel will require safeguards to avoid a situation whereby a lot of money is spend on a professional service that does not deliver the expected results. A process to review the success or otherwise of the appointments would also be advisable (with reviews, benchmarks and clear objectives etc for the panel.A blend of Senior Staff ad independents may be a better solution
147.	The way trustees are appointed should be transparent. At the moment it is not. You are spending publicly raised tax money and there should not

	be taxation without proper accountable representation. You have appointed a CEO without any consultation.
148.	The work put in to creating this proposal and consultation illustrates the complexity of the responsibility. A skilled team is central to the achieving the core outcomes.
149.	there has been alot of argument and misunderstanding about what the Malvern Hills Trust is doing with reducing the numbers of trustees.I understand that a board of 29 trustees is not efficient. I think there is also a misconception that being elected means that the trustees should be reflecting their constituencies. I wonder whether a better model would be like the National Trust where members vote for the Council (18 are elected) and then the Council appoints Trustees. This would then keep the roles separate. It could also allow members (from a membership organisation) to have a vote. This would enable those of us who live outside the levy paying areas who want to contribute to fund the MHT could then also participate in elections.
150.	There is no provision here to comment on the preferred option of three members being elected every second year by post. By my estimate there are about 35,000 electors. Wont sending a ballot pack to 35,000 members every three years be very costly compared with holding elections for 6 members alongside local government elections every four years? Continuity would be likely through some of the 6 elected members staying on each election (to a maximum of two terms). Similarly with the selection of expert members - this could happen every four years (in-between the election of members). I could not see a recommendation for how the new arrangement would commence to enable the election and selection of members to occur in alternate years.
151.	There is nothing wrong with the existing trustee structure - it has served the trust well over decades and has prevented planning abuse and preserved the Hills. Moving to a smaller board with half of them so-called experts who are appointed and a minimum of 4 to be quorate inevitably leads to the possibility of outside influences gaining traction in decisions made regarding planning and access across Trust land for development purposes. The larger existing board of local people means this is far less likely. The purpose of the Trust is to conserve not develop. Restricting trustees to the levy-paying area would mean that (for example) Newland and Castlemorton - which have a common but do not pay the levy - would not be represented by right.The need to fill an interim vacancy is predicated on having a smaller board, where there is a risk of not being quorate. It is not an issue with the existing board.
152.	There should be less elected trustees and more appointed trustees
153.	There should be more than 6 elected trustees and fewer appointed ones, maybe 8 and 4
154.	There should be the power to remove a trustee where necessary. Elections should be conducted by post and onlineSupport proposals on term of office

155.	there should definitely be a degree of independence when selecting trusee members
156.	This change is not needed, the board with its current structure should be retained.
157.	This is a thinly disguised land grab
158.	This is about the relationship of appointed and elected trustees to nominated and elected board members, but you havent provided a box for commenting on that. The consultation is flawed in blurring the relationship between Conservators and Trust (for instance the Trust is NOT covered by any of the Acts, the Conservators are). The key point is that the Conservators are accountable to their electors or to the bodies who nominated them. This democratic accountability and oversight would be completely lost under the proposals. I recommend that you abandon these flawed and undemocratic proposals and reconsult on new proposals which would continue to provide democratic and expert oversight through a board which continues the current arrangements albeit with reduced numbers. The Conservators and Trust MUST remain separate.
159.	This is always going to be tricky. There are pros and cons of any system. How to ensure independence. We can look to other env organisations but yes the Trust has a very small number of staff to manage this. Keep up the consultation process to gather ideas, allay fears and keep stakeholders informed.
160.	This is not an Independent method but a club where similar individuals with similar views keep selecting similar individuals to support a monolithic viewpoint to the detriment of local views and the views of those whos taxes pay for the majority of the Trust.
161.	This Q cannot be answered as not all options have been provided
162.	This questionnaire is not at all user friendly, expecting people to read reams of information (which you have not put in the questionnaire) to answer a single question. This is designed to put people off from answering the questionnaire and the questions are very leading with limited responses which doesnt allow people to give their full opinions. Consolidation of existing Acts seems acceptable but this is a way to bring in unnecessary and unwanted amendments under the radar. The excessive costs of the proposals would be far better spent on maintaining the hills for all, rather than expecting levy payers to foot the bill, especially during a cost of living crisis. The proposals water down the democratic process by seeking to reduce the number of representatives. Malvern Hills District Council has 38 councillors and Worcestershire County Council has 57 members and these bodies operate successfully and democratically. Also, if representatives are good, why are you seeking to limit their time in office?
163.	Whilst recognising that our organisation is very different we have recently addressed the issue of trustee numbers and skills and would strongly concur with the proposals.

164.	This whole section of the consultation document is vague and confused. There is reference both to a nomination panel and a selection panel. Are these the same, or distinct? The idea of having two separate panels, when the appointment is made by yet another body (the trustees themselves) seems ludicrous. Specialist skills are no doubt needed on the board, and justify some appointed members. Independent nominations or proposals seem the most reasonable course of action, but I question whether a formal panel is appropriate. For example, it may usually be valuable to have one or more members with special nature conservancy knowledge - nomination by local RSPB, Wildlife Trust, Butterfly Conservation etc might be appropriate. But a nomination board member put forward by these organisations may have little to add to the selection of board members with knowledge of eg civil engineering, finance etc. I would suggest that when the skills required have been identified by the board, appropriate local qualified organisations might be invited to nominate members.Regarding the election of members living outside the precept paying area - the main justification given is that it is sometimes difficult to find enough willing candidates. But as the number of elected board members is proposed to be (roughly) halved and in view of likely population increase, this is unlikely to be an issue in the future.
165.	To provide resilience against accusations of cliquism, cronyism and groupthink, trustees should be appointed by an independent panel.If it was decided not to fill all 6 appointee places on the board, who would make this decision and on what basis?
166.	Trustees must be directly answerable to all levy payers, via the Malvern Hills District Council. Trustees should be freely nominated local residents, with proven commitment to Malvern and relevant experience AND SUCCESSFULLY ELECTED. Any Act relating to the Malvern Hills must reflect the spirit and intentions of the original five Acts.
167.	Trustees should always be elected by the precept payers
168.	Trustees should be appointed from local people by local people and have a vested interest in preserving our heritage to which we as locals pay towards.
169.	Trustees should be elected in a ballot where the Precept payers vote for them.
170.	Trustees should be selected in a manner which allows their dismissal via the ballot box, either in trustee elections or in the elections held for appointing bodies such as the district council. None of the above options is satisfactory. The third option begs the question who appoints the appointers?
171.	Trustees should be vetted to make sure they are not working against the ethos of the Trust, or that they have not got a vested interest in proceedings. They should be working to protect the Hills, not their own little patch of Malvern!
172.	Trustees should be voted in independently, to maintain a balanced Board, that makes the correct decisions for the town and its land. Trustees

	should not be appointed if they hold other roles (councillors etc) that create a conflict of interest.
173.	Trustees should give full disclosure of their business and reasons why they want to be a trustee.
174.	Trustees should not be chosen by the Conservators
175.	Trustees should only be appointed from Precept paying people. NOT from outside the area.
176.	Trustees should only be appointed from those who pay the Precept
177.	Trustees should ONLY be appointed to Malvern Hills Trust by election, to allow all precept payers in the ward(s) which fall vacant to vote
178.	Trustees should represent the people who live in the area and pay the precept. 6 elected trustees is not enough to do that. If that is seen as inefficient, so be it. Ther are people with detailed local knowledge whose views should be taken into account. 6 trustees parachuted-in are probably not in that position.
179.	Until 2016/17, the elected representative represented the electorate aka the taxpayer. Its well known by local people and documented in parish council minutes and newsletters. The Malvern Hills Conservators then changed their name to the Malvern Hills Trust and the Director became the CEO. It then seemed expedient to deny the taxpayer representation; to control the elected representative. So the Malvern Hills Conservators let it be known that the elected representative represented the Board, not the electorate. If you tell people the same thing for long enough, they believe it. For this reason alone, the MHC Board cannot be trusted; they have tried to initiate taxation without representation. We lost a colony because of that and suffragettes worked hard to overturn that outdated Victorian concept. Also - if there are 12 trustees, there should be a 4: 8 split - 4 nominated, 8 elected. The Director has the casting vote - the precept-payers already know that the elected representatives could and probably would be outvoted in all controversial decisions. For these 2 reasons, the current Board and the CEO should be dismissed.
180.	Voting should be at polling stations but aligned with local elections. Moving online would have a detrimental on older voters who are more likel to vote than younger ones. This is proven in all elections
181.	While I recognise the potential difficulty of recruiting and maintaining an INP, it is the kind of thing for which I personally would be prepared to volunteer and to which I would be qualified to contribute e.g. retired after a long career in Research management (UK RAF.IAM and European Collaborative Aviation Research) which included the identification of requirements for expertise on multidisciplinary projects, recruitment and interview panels for both staff and contractor personnel. I know my type of profile is far from unique in the Malvern demographic - so it might be less of a challenge than you suggest. I believe that an independent identification of the right spectrum of expertise is as critical as the individual selection and the INP offers the best possibility of that.

182.	Whilst 12 trustees is obviously a considerable reduction, what would happen in the event of a tie on certain issues? Would raising to 13 or 15 be a more rounded number.Agree that elected board members have disproportionate electors in determining them, would be better if more evenly split or clearly reflect parish/parish ward boundaries as proposed.
183.	Who selects the selectors? What remedy will there be if levy payers feel that some trustees are acting against their neighbours interests either without good enough reasons in terms of the objectives or without an adequate understanding of the relevant issues, including having a view of the trusts relationship with residents that seems fair to residents?If we do not like our MP we can have a recall petition. Might not there be some similar safeguard? (See Q.31)
184.	Why are there so many false statements in the consultation document
185.	You want to get the best people to represent the boards issues who might have specialist skills e.g. in understanding the natural environment they are making important decisions on so qualified people might be required and this should not be closed off. Not everyone within 1 mile could fulfill that role specifically
186.	Your proposals are not what local people want. Regardless of which way you spin it.

Q12: If you have anything else you would like to add about the arrangement for the Board's administration,

1	'general power' proposals are vaguely worded. You can't on one hand argue about unclear language of natural beauty and use this.
1.	75 % of trustees confirm support for the decision is arbitrarily and doesn't make sense. If trustees don't come to a decision quickly enough I.e. miss a deadline to respond then the decision should be made on those who have responded in time.
2.	A Membership Organisation - excellent idea - provided the running costs are met by the members and do not come out of precept money.
3.	A membership organisation should primarily be utilised to better engage levy payers. No other groups or individuals should be allowed to be a member, not to influence decisions. The payment of levy should be the subscription that defines membership.
4.	A membership organisation was set up in 2005 and needed staff dedication and very time consuming to fulfil therefore was abandon. I beleive it took away from the main purpose of Managing the Hills. I am concerned that with remote meeting Conservators could dodge their interface with the local people who pay for the up keep through the levey thus furthering mistrust.
5.	Again looking to unintended consequences of raining funds. these should not be at the expense of the free access to the hills.
6.	All Board and Committee meetings should be open to the public. There are numerous occasions when the public is excluded supposedly due to confidentiality. This has eroded any confidence the public may have in the board. There is already a membership scheme - the precept payers. The Conservators should not be able to borrow against assets bequeathed to them.
7.	All Board meetings should be open to the Public who are the Levy Payers.
8.	All dogs must be kept on leads... And all car park access points must have drinking water facilities
9.	All full meetings of the trust board should be open to precept payers to attend in person. Questions should be not only be permitted but actively encouraged by Malvern Hills Trust, to ensure future transparency in the use of public funds by a public body, which the Trust is. Meetings online should be an occasional facility used only in extraordinary circumstances, as under Covid restrictions. Meetings must be conducted as openly as possible in future, since a climate of secrecy and bad faith has hung around the administration of the Trust for a number of years. Corruption or croneyism have been charges made in the past which must not continue to blight this organisation.
10.	All meetings should be open to the public as they are now.
11.	All public meetings should be open to the public whether or not a decision is to be made We do not agree that MHT should be extending their powers but should continue to rely on their existing powers If precept payers are electing a representative, they would expect that person to represent their views. Although 29 members might be unwieldy, we disagree with the reduction to 12 and feel that 14

	members would be more appropriate, comprising of 10 elected members and 4 members appointed for specialist expertise.
12.	all too much power
13.	By being elected, the Board have been given decision making authority on behalf of the Trust. I would have thought hosting decision making meetings in public would delay the process. Consideration could be given to hosting twice a year public events to promote the aims of the trust and collect public feedback.If a decision making item is significant enough e.g. these governance changes then the correct path is a consultation document like this one.
14.	Could there be included a way in which new purpose land and/or ancillary land become purpose land?
15.	Do not agree with u and w. The trust should not have the power to turn the Malvern Hills into a commercial revenue generating area. This contradicts the objects of the Trust.
16.	Do not think it is the business of the Trust to borrow money and mortgage land. If this is done then there is the risk that the administration of the Trust/Hills will be focused on money raising issues. This area already has 2 very active and successful Wildlife Trusts who purchase land with the help of public funding. The Trust should concentrate on the land currently under their jurisdiction.
17.	Dont disdain the skills & experience of those without higher or further education.
18.	Every meeting regardless of whether or not a decision is made should be open to the public
19.	Extending the powers of the Trust will open it to greater risk. The Trust and the Conservators have always been a low key, non commercial organisation and that has served its purpose well.
20.	Full open public disclosure by the men and women for the men and women on the land - as is the law
21.	General Power (v) - at no time may the Trust act in any political manner, its representations must always be directly AND SUBSTANTIALLY related to the Objects of the Trust and never stray into other policy, legislative or regulatory areas.
22.	General power 2 seems to subsume the main provision of object 1. Trust cannot be permitted to exercise a power over the need to preserve and protect.
23.	Given the trustees already have a clear set of legal and charitable requirements to meet I do not see the need to restrict, further, the exercise of their duties and powers.
24.	How can you ensure that borrowing does not accrue a lot of debt?
25.	I strongly object to the Trust having general powers as they could be mis-used in the future. MHT board members have given long lists of things the General Powers will NOT be used for but that does not guarantee that in the furture with different Trustees that the powers will not be mis-used. The Trust has not made a credible case as to why it needs general powers. Potentially MHT could instigate things against the wishes of the precept payers who would have no influence or veto.

26.	I absolutely understand the term Natural Aspect, yet you claim it has no meaning and needs changing. It doesn't. So I then read the above pages and to be honest I don't understand much of your "modern" terminology!!!!! Is it as if your consultation document has been carefully worded with terminology to confuse rather than simplify. So for this reason I have ticked Strongly Disagree.
27.	I agree that the Trust should have more flexibility to use modern working practices but would favour retaining face to face meetings as the preferred way of working. I would be happy if committee meetings remain open to the public even when no binding decisions are being taken. It may not always be clear when committees might or might not be making decsions, complicating the arrangements for advertising meetings. It might be better to refer to the membership organisation as a friends group. It makes it clearer that it is a mechanism for those not already contributing to the Trust through the levy to support the Trust financially.The general power could be seen as allowing the Trust the ability to change is fundemental objectives so careful wording will be required to show that it can only be used to achieve statutory objectives.
28.	I am concerned that if investment decisions are delegated, there should be ratification by the full Board
29.	I am concerned that setting up and maintaining a membership scheme will represent a lot of hard work for what may be very limited uptake. I strongly suggest that promoting your already good web presence will provide much of what the Trust is hoping to gain from this proposed initiative.
30.	I am extremely concerned about any possibility of the Trust having a general power. This would allow the Board to do almost anything provided it was not illegal and could in the future be abused. The way the Board currently operates has resulted complete loss of respect and trust and I have absolutely no faith in how the gang of controlling trustees would use a general power.
31.	I am extremely unhappy with the proposal because it gives the Board and Trustees wide powers with little or no opportunity for the levy payers to control their actions but yet levy payers will suffer the consequences.
32.	I am slightly wary of the idea of a membership organisation. I am not sure the benefits would outweigh the administration and am concerned that this type of organisation can, if you are not careful, wield too much authority in debates etc. There are definite factions for whom the Trusts aims are second to their own interests and this could be another mechanism by which they can be thwarted.
33.	I am unconvinced by the General Power as I am unclear as to how this might be interpreted by future Trustees
34.	I do not agree with a body unelected by the people then seeking to have a general power to sidestep the democratic process
35.	I do worry that not all those interested in the Trust will be IT proficient so I would not want online meetings to be the normI am in favour of a membership organisation as long as it does not lead to differences in services provided to members and non members Happy with the changes on borrowings provided there are controls in place to ensure that the Trust does not borrow too much!

36.	I don't support borrowing against practises against assets, I can't imagine the revenue will increase substantially to cover repayments or favourable rates provided as per other local government set ups.
37.	I dont agree with borrowing money based on assets that include the Malvern hills land. That is a step to far.
38.	I dont consider that the public should be able to attend all decision making meetings. I know of no other charity that permits this. I understand this is considered to be a long held right of levy payers, but so few people take this up anyway that it seems unnecessary to preserve this outdated practice. Perhaps this could be a discretionary option eg when considering significant easements. I agree strongly that meeting could be held on line, but do not feel they need to be streamed to the public. I consider it would be extremely helpful for the Board to have the facility to make decisions by electronic means when urgent matters arise at short notice. I am strongly in favour of a General Power. I am strongly in favour of having the ability to pay Trustee reasonable out of pocket expenses. I consider that this limits the ability of some people to put themselves forward as Trustees and hence limits Board diversity.
39.	I dont know much about powers to borrow, but dont think the Trustees should be borrowing large sums of money and mortgaging parts of the Malvern Hills.With regard to a membership the MHT is a public body funded by precept payers. Having a membership suggests the MHT wants to turn the Conservators into a clone of the National Trust which is not paid for by Council Tax Payers. The two cannot be reconciled.
40.	I find it incredible that youre going to borrow some £300K to fund the changes and yet there is no mention of this in this consultation and the risks that there could be and how to manage them!
41.	I found Qs 10 and 11 very difficult to grasp, so could not answer them. The Board should be as transparent as possible when dealing with matters that will affect residents significantly. I think many were dismayed, and disappointed, to learn in the Chance Lane Easement just how far the Trust had become involved with a developer before anything was revealed to local residents. I don't think having 'membership' is a good idea. Like levy payers putative members would expect some kind of role in decision making.
42.	I have said I strongly agree with the Trust being able to borrow against ancillary land but I am unhappy with the idea of borrowing against future revenues. Perhaps that clause should just be borrowing against the land that is being purchased? I think a membership organisation is a brilliant idea - the Malvern Theatres have benefitted hugely from the Friends association. It is a standard structure in the arts. I would even favour a membership structure like that of the National Trust where members have serious democratic powers - voting on all board members and future plans - but a Friends type association is better than nothing. Care would need to be taken to make sure that the membership organisation is properly open and inclusive.
43.	I note that the Trusts proposed clause on the General Power is broadly in line with section 5 of the Charity Commissions model trust deed, which is reassuring. However, my slight agreement on Q10 is on the strict understanding that it would not permit the Trust to carry out actions that are specifically prohibited in the current Acts.

44.	I support anything that makes it easier for the organisation to operate
45.	I think it would be helpful to have clarity about what might constitute an urgent decision. Question 9: There isnt really any clarity as to what a membership organisation would provide. What would this involve/entail? Would it become a 2 tier system of access to hills/car parks/events/etc and would this compromise access or enjoyment of the hills for those who dont want to become members? I dont really see what this adds and would need more clarity. The section on prohibition of reumeration previously state that trustees are unable to contract with the trust, something that is not mentioned in your proposed changes. I am not sure if I am interpreting this correctly, but is this like the PPE and government ministers having interests/shares in the companies that are contracted situation? Is it proposed that this prevention of trustees contracting with the trust will continue? Apologies if I have misunderstood.
46.	I totally disagree with this statement, and note you have not asked a question as to whether it should be included in the bill. It is also proposed that there should be an express power to close a meeting to the public if the normal conduct of the business was being disrupted. This is in addition to the current provisions allowing the board to exclude the public for the discussion of exempt information. This essentially gives the board power to ignore protests or trample over peoples right to protest. At least 90 percent of the board should agree in writing on urgent matters, not 75 % I do not agree with setting up a membership organisation for people outside of the levy paying area. Membership organisations such as this can become vocal and drive change in a way which may not suit the locality or the people within. Only those in the Malvern Hills levy area should be able to drive the direction of the board. I absolutely do not agree with giving any membership group power to appoint or suggest board members. The trust should absolutely not have any general power, or more power than they already have. There is too much potential for that to be abused. Historically, it has been shown that the Trust cannot actually be trusted with money. (See the legal fees surrounding the failed eviction attempt of St Anns Well). Consent from the Secretary of State will at least offer a further layer of assessment with regard to use of finances.
47.	I understand that the Trust has, to date, committed in excess of £800k for this project in different fees. This brings Trusts fiscal skills/capabilities into question.
48.	If ancillary land is offered to a lender as security against a loan to purchase purpose land, it is not clear if, should the Trust fund itself unable to honour the terms of the loan, the Trust might lose the Ancillary Land offered as security.
49.	If in the future land being acquired had to be sold, would you have criteria in place as to who it could be sold to?
50.	If MHT had general powers it could do things that were not in the interest of the levy payers who would have no say over what was done. we have heard a lot of explantation by the trust as to what they would NOT use the powers for so obviously the General powers are not needed.
51.	If your aim is to simplify things & bring everything into 21st century language you are failing. So far the questionnaire wording is proving to be complicated & discouraging to a lot of the general public. This is no way to achieve a complete opinion from anyone with average education. The result will be you will probably get very few returns - perhaps this is your objective!

52.	If your aim is to simplify things & bring everything into 21st century language you are failing. So far the questionnaire wording is proving to be complicated & discouraging to a lot of the general public. This is no way to achieve a complete opinion from anyone with average education. The result will be you will probably get very few returns - perhaps this is your objective!
53.	In relation to Q7 it may be useful to clarify that written agreement includes such agreement made by electronic means.
54.	Is there enough ancillary land to offer a reasonable security for a loan (especially considering that each piece of ancillary land could only be used for one loan at a time).
55.	It is difficult to give any informed view of a membership organisation without the details of its scope and benefits being defined.
56.	You have been given the honour and responsibility of maintaining an area of outstanding natural beauty, the benefit was seen and felt by the people of Malvern in the pandemic. You now want to reduce your accountability furthermore, with the only aim of making money and benefit only being provided to the few. You have wasted £800,000 of our money without even asking. You have not provided the proposed bill for comment. You are faceless people who are trying to prevent a full discussion. You have tried to inhibit peoples ability to take part and have their views registered by dealing with this farce if a consultation in this way.
57.	It seems preferable that borrowing is subject to external oversight.
58.	ITs critical that the Trust should have a general power to avoid having to go through thte cost of another Parliamentary Bill
59.	Maybe some urgent matters could be decided on a reduced majority (Q7) but the range within which this can happen should be limited e.g. by matter type or negative impact after a risk assessment.
60.	Meetings of the Board should always be open to the public
61.	Meetings of the Trust should always be open to the public
62.	Membership organisation. Our organisation decided not to proceed down this route as we felt it might give some people the ability (e.g. at AGMs) to oppose the trustees and our aims and objectives. If adopted the terms of membership for MHT will need to be clearly and carefully defined. Perhaps a supporter role might be more appropriate?
63.	Membership- we would need more detail relating to a propsed membership set up. Would members have voting rights?I believe that the trust dont own the land, rather that they are there to protect it! Therefore they have no right to borrow against something they dont own
64.	No decisions which cannot be changed should be made without the consent of the public who live in the area.
65.	No expenses paid for trustees other than local travel expenses. Suggestion re one comprehensive power to borrow applicable in all circumstances - absolutely outrageous! Extending levy-payers debts in anyway needs higher independent regulation. MHT must not be a judge in its own case.

66.	Not all members of the public have internet access.Q9 Membership of what, exactly?Q10 very dangerous proposal - too much power - the powers in the existing Acts are sufficient. General power could (and, I believe, would) be abused.
67.	Nothing further to add. no sums it up.
68.	Nothing to add.
69.	of a board of trustees of 12, 8 should be elected - ie two thirds.default - all meetings should be open to the public unless publicly specified, with reasons given
70.	On setting up a membership organisation I would like to see how this interacts with living inside the levy-paying area as they are kind of members already.
71.	On-line meetings should be stored and made available for watching at any time. Details of forthcoming meetings should be displayed prominently in the Malvern Gazette so that those of us who pay the levy are aware of what is happening.The most worrying feature of the proposed plan is 'General Power'. What does this mean? Does it give permission for a cable card to be built for example without the approval of subscribers, or the erection of visitor centre with shop and cafe similar to the one on top of Mount Snowdon.
72.	Only remove the Secretary of State's consent to secure borrowings against new purpose land provided that adequate provision is in place to prevent undue risk-taking by Trustees.
73.	P31 I disagree that 'trustees' should be able to claim expenses. Regarding travel, very little mileage is involved unless one envisages those 'appointed' under the new proposals coming from much further afield; in which case their willingness to personally cover any expenses involved would reflect their commitment to the organisation. The single parent/carer scenario is nothing but falling in line with current P.C. absurdities. It would be interesting to know how many people have been deterred from standing for election or whose role as a conservator has led to financial difficulties.
74.	People should have access to committee meetings as well as board meetingsQ10 is too wide a brief
75.	Powers to borrow money against land suggest that MHT wish to mortgage some of the Trusts land. This has not been explained fully to the Malvern precept payers. The popular view is that the Malvern Hills belong to the people of Malvern. This financial power should not become law by default when so little is known about the Trusts real intentions by Malvern residents. Existing consultation meeting have been too little , too late!
76.	Publicise the draft bill
77.	Q10 - It would be sensible to enable some amendments to the bill to future proof although the bill should set out the limitations. For example The National Trust has a general power but still requires prior written agreement from the Charity Commission for particular changes.
78.	Q10 What a loaded question. If you agree, the Trust will get a restricted general power. If you disagree, the Trust will assume that they are entitled to unrestricted general power. Its lose or lose for the precept payer. Sack the Board.

79.	Q11 is super dangerous and will result in the consequences that are negative to the Malvern hills borrowing should never be secured against land
80.	Q6 - Are meeting normally public? If not then why does eg ZOOM participation require public streaming.
81.	Q6 At least 2 meetings per year should be held in person
82.	Q6: Sometimes on-line attendance or even totally on-line meetings may be necessary or at least highly desirable. But who is to judge? It seems to me that there should be a strong preference for in-person attendance by trustees and adequate arrangements for public attendance, and that exceptions should be open to democratic critique by levy-payers, with a clear procedure for remedy should levy payers think that these arrangements are being abused. Similarly for Q7. Just reporting hardly seems adequate.Q9: Any organisation should be fully and freely open to all levy payers, and its operation fully transparent and subject to democratic supervision by levy-payers (Maybe indirectly via trustees).Q10: This does seem very sensible, provided that it is under adequate (direct or indirect) democratic supervision by levy payers to avoid consequences (unintended or otherwise) that levy payers might reasonably regard as outside a reasonable interpretation of the Trusts objectives. (See Q1, 31)There is also a long list of powers that are being sought. Why not include a general clause that these should be not be used to the detriment of levy-payers or neighbouring land-owners without reasonable democratic consultation and oversight?
83.	Q7 - what constitutes urgent decisions?
84.	Q8 But I do not agree that this is the only time meetings should be open.
85.	Q8 could be misinterpreted, to mean a narrowing of the number of publicly open meetings ie only allow public ifa decision is being made. ALL meeting should be open apart from legal / staff confidential matters.
86.	Q8 Meetings should always be open to the public, not just for binding agreements.
87.	Q9 A membership organisation should be independent. It should not be seen as a tool of the Trust. What influence do they have - what do they get? What happens if you find that are you going to do if a mountain-biker fraternity starts agitating for free access? Whereas a Friends group work comprises volunteers with independent minds and will object to be being managed. They can raise funds, contribute to projects.The trust already has a core of volunteers, who do free labour, but you seem to be looking for something different. Having said that, is this actively prohibited in your Acts? Wheres any questions on trustee remuneration? P.31??? Trust should be able to sell agricultural products & timber from its land (and charcoal etc.)
88.	Q9: A membership group with voting rights could be infiltrated by pressure groups. A softer, self-managing, fund-raising Friends group - without voting rights - would be acceptable.Q11: Borrowing on Ancillary Land: Any residential development on In-bye land to be subject to an Agricultural Tie in perpetuity.
89.	Q9: A membership group with voting rights could be targeted/infiltrated by single-issue or radical elements. Its operation would also incur costs and MHT time. A self-managang, fund-raising friends group - without voting rights - would be very acceptable. Q11 Any residential development on in-bye or purpose land would need to be subject to an Agricultural tie, in perpetuity

90.	Q9. This proposal is woolly and undefined. To offer a position on a reduced board to a Member of an undefined membership organisation seems premature.Q10. This proposal is not written in clear English - I have no idea what it means in fact. Q11. I am not qualified to give an opinion on this but if you secure borrowing against land held isnt there the possibility that you might lose the hills and commons in full or part to a creditor?
91.	Rather than all these provisions why not ask for the Malvern Hills, and the surrounding Malvern National Landscape to be run as a National Park and to adopt the same structures as National Parks do?
92.	Regarding Q6 - I think ok for trustees to attend meetings 'on line' but the practice should be strongly discouraged and only with good reason. Perhaps permission to do so should be limited to a maximum number of times. Regarding Q8 - this question, like many of the others in this questionnaire is ambiguous/leading - I ticked Agree strongly that meetings should be open to the public, but I do NOT agree it should be only when a binding decision is to be made, but there is no option to allow for this opinion.
93.	Regarding the power to set up a membership organisation, I understand the advantages that could bring. My doubts are based on experience of working for the National Trust, where groups with a particular interest or agenda have joined an attempt to force through a single cause or interest. This can take up a great deal of time and money.
94.	Scrap the trust power to the council
95.	Should the Trust have need to exercise the general power then it should publicly declare the use of the general power and its context as soon as is reasonably possible
96.	Some definition of 'urgent' for decisions should be includedThe restricted power should be linked to the objectives of the Trust Usual safeguards for borrowing should be applied
97.	Some very far reaching and scary ideas here. No! I dont want to be liable for debts when grandiose plans go awry.
98.	Stop this power grab now
99.	The Board pays wages and should know what is going on cost wise etc, as CC says. In the last 10 - 12 years management has taken over and Board has been pushed out.
100.	The Board should not be allowed to secure borrowing against the beautiful Malvern Hills. This is not appropriate.
101.	The conversvators should constrain their interests to those living within their statutory boundaries.
102.	The current acts only allow the Trust the very limited powers prescribed in those acts and it would seem prudent and proportionate to provide a general power in the unlikely event that circumstances imposed some existential choices on the trustees.Possibly the anxieties about potential misuse of these powers might be addressed by requiring a 'special' majority of trustees to make the decision.

103.	The General Powers element of the proposed Bill seem to be the most contentious item. Having read the details and the intent I can see the value and support the intent. If a lot of the local mistrust and opposition is regarding this section the I believe the Trust needs to engage with the movement and identify and consult more specifically on any concerns raised. However, at this point in time I, personally, am not aware of a list of items that could be resolve, reassurance given or explored more deeply. This seems to be a requirement that could scupper the enterprise.
104.	The idea of borrowing money on the security of ancillary land appears attractive, but has the possibility of a fall in the value of the ancillary land been considered? This could compromise the Trusts ability to repay borrowing using ancillary land alone. Perhaps there should be a provision to prevent land being purchased with a high loan to value percentage?
105.	The installation of solar panels on buildings on the Hills should not be permitted. If needed on Trust-owned property in built-up areas, that would be acceptable although not desirable.If the board remains with its current structure I would be happy for it to have this General Power but a smaller board wielding this additional power would be concerning.Buying new purpose land using a mortgage secured on that land and with a right of sale - in a default the land would have to be sold - does the trust still maintain jurisdiction over that land and the ability to prevent development?
106.	The organisation does not need extra powers, and should not be looking to commercialise itself
107.	The proposed arrangements do not give sufficient details of the safeguards for the preservation of ownership of the main asset of the Trust, the land holdings, against adverse investment of borrowing decisions.
108.	The proposed powers to borrow are unsatisfactory so the need to consult the secretary of state is unnecessary as no such borrowing should take place.
109.	The questions in this section are leading, and you have not proper defined or explained the potential damage you could achieve with a General Power
110.	The Secretary of State's consent should be required to secure borrowings against new purpose land I see no reason why MHT should not be able to do this of its own volition and see no reason why the SoS should have a locus.
111.	The trust should not be purchasing any land for the purpose of farming! All of the space should be open for public use and not fenced off for cattle grazing. Cattle are dangerous, they create massive habitat destruction and dances etc restrict access and are very unsightly. The hills should be wild spaces for public access and enjoyment not a farm yard.
112.	There is no definition of the status of a member. The status appears to be different from that of a Patron or Friend (Section 6, subsection n). Does a member become in any sense responsible for the liabilities of the organisation, as normally applies to the membership of an unincorporated association? Liability without a vote to change the management would not be acceptable.Might members at some time in the future be granted access privileges denied to levy payers? Is this a concealed ploy to allow areas of the Malvern Hills to be fenced off for paid access only?The clause giving the MHC the ability to take any lawful action is so far ranging as to be

	unacceptable. The scope of permitted activity is defined in the objects as stated on page 10 of the consultation document, which should suffice.
113.	There should be no general power granted.
114.	There should be oversight from another party to avoid complications of vested interests
115.	Theres no verifiable evidence to support any of these proposals
116.	These amendments bring the procedures up to date, and appear to provide some transparency.
117.	These proposed powers (page 27 - 28) are FAR FAR too broad, open to interpretation and likely to be unmanageable by just the proposed 12 volunteer Trustees. There should be much more explicit definition of what is intended under each of the items a - w before any agreement to them. As a specific point, a Charity should not invest - these could lose as much money as they gain! Trading could lead to numerous unwelcome commercial style ventures that are not appropriate.
118.	This all seems a little bit cloak and dagger
119.	This questionnaire is not at all user friendly, expecting people to read reams of information (which you have not put in the questionnaire) to answer a single question. This is designed to put people off from answering the questionnaire and the questions are very leading with limited responses which doesnt allow people to give their full opinions. Consolidation of existing Acts seems acceptable but this is a way to bring in unnecessary and unwanted amendments under the radar. The excessive costs of the proposals would be far better spent on maintaining the hills for all, rather than expecting levy payers to foot the bill, especially during a cost of living crisis. The proposals water down the democratic process by seeking to reduce the number of representatives. Malvern Hills District Council has 38 councillors and Worcestershire County Council has 57 members and these bodies operate successfully and democratically. Also, if representatives are good, why are you seeking to limit their time in office?
120.	Transparency is clearly a problem in relation to the boards activities, so meetings should be as open as possible, including to people who are not technology savvy. I am nervous about general powers, particularly if the raising of money might cause certain actions to be taken which run counter to the interests of local people and the natural aspect of the hills. I dont like the idea of the Trust borrowing money - I dont see the need for it and I dont like the future focus on raising money that would necessarily emerge in order to pay it back.
121.	Trustees should not received renumeration although reasonable out of pocket expenses back by legally recognised receipts should be met providing those costs where solely incurred in relatrion to their work as a trustee
122.	Unfortunately this section of the proposals is not clear cut. The number of trustees will influence this mechanism and therefore the proposal needs to be reviewed with that in mind. With a larger number of elected trustees, the membership scheme might be quite valuable but should not be considered as 'approval' by a reduced number of elected representatives

123.	Very concerned about apparent lack of transparency and the potential of its continuation. We were told at the meeting in May that the MHTs Code of Conduct includes a Non-Disclosure Agreement, which conflicts with a Trusts transparency.
124.	We are unclear as to how a membership organisation would enable more effective engagement with the general public. A number of National Landscapes have set up their own charitable arm to assist with fundraising. We have not done this on the advice of the Charities Commission who advised against setting up a proliferation of charities covering this area with very similar aims. We would like to do this ourselves so would welcome discussion with MHT.There may also be a conflict of interest between levy payers and remote members.
125.	What are you proposing to give the membership organisation? what are you going to charge them and for what?Who would you expect to pay for the borrowings that you propose and may have already incurred? That is not the responsibility of Levy Payers who have not been asked to approve any borrowings. Many people do not have access to computers so all minutes should also be available in writing- perhaps fully in the local paper and on the notice board in the office.
126.	Would be better if meetings were streamed online but attendees must attend in person. It opens it up for the public then like Malvern Hills District Council do their meetings.
127.	You need to look at your conservation duties to the Malvern Hills, you should not be playing at high risk financial games with our money
128.	Your present loan to present this consultation has been supported by a large loan at 6 % interest as well as a large amount of money from levy payers £800,000 to date. This does not represent value for money and a lot more will be needed and bring the Bill to Parliament. Clarification of setting up a membership organisation is required; how and who you arm to co-opt for this and the shape it would take.

Q20: If you have anything else you would like to add about land and buildings, please type details below

1.	not dispose of ancillary land without full public consultation (5)(c)
2.	10 years is too long and the lease should be reviewed to check it is not affecting the Malvern Hills adversely.
3.	All matters should be subject to planning permission where required.
4.	Any building should be only for agricultural purposes and maintenance of the Trusts objectivesLeases should only be given if related to and help the objectives of the Trust
5.	As long as any buildings look tasteful. No Kardashian style properties here!
6.	Building in furtherance of its objects - this might be interpeted to include buildings that can be rented out for others to use, and provide an income. This may be a useful facility but needs to be overseen.
7.	Buildings for livestock yes, buildings for visitors (e.g. shops or cafes) no. There are enough visitor facilities in surrounding town/villages, please do not bring visitor centres onto the landscape.
8.	Buildings for the management of livestock should be unobtrusive or screened and in keeping with their surroundings.
9.	Clarify Q19 common land I assume all core MHT land is what is being referred to- is this all actually common land ?
10.	Council tax payers should not be subsidising rents of employees of MHC. They should be paid a fair wage in the first place.
11.	Difficult to give a clear answer as would depend on individual proposal. I would not be in favour of new buildings in sensitive areas but would probably be in favour of repurposing existing buildings etcOn the question of grazing, I am happy that the existing grazing is maintained to help with land management but it does make popular areas less appealing to walkers etc and I feel the Trust should not be encouraging an increase in grazing due to the CO2 emissions from cattle etc
12.	Disagree because no clarification of who licences might be granted to and for what purpose. This private bill must be watertight or the Board will find loopholes.
13.	Each purchase of land should be looked at individually to ensure it is the the right purpose of looking after animals. The power to open a shop needs stipulations, e.g, cannot be a Tesco etc.
14.	Feels this is for financial benefit- acquire more land and buildings but I'm really against this if more things are charged for on the Malvern hills eg. Levy fee, car parking and registration of events.
15.	Full open public disclosure by the men and women for the men and women on the land - as is the law
16.	I am concerned over the proposal to provide residential accommodation for the trusts employees. It should have a specific limitation such as for direct livestock management only.
17.	I am concerned with Q 19: there is no limitation or qualification is given re what kind of purposes for which licences might be granted. Again, local residents should be consulted.
18.	I am very concerned about the prospect of more purchase of land for the provision of more refreshment outlets, retail sale of goods, residential occupation for staff, development of visitor information centres. This seems to shift the focus away from conservation of the existing areas to development of tourism and increasing footfall. Malvern already provides accommodation and many refreshment outlets

19.	I can see the advantage of the Trust's having power to grant leases as described, however would such leases require the lessees to use the land or buildings in any particular way?
20.	I do not understand why property would need to be built for staff at low rent. Would there be an assurance that any buildings deemed necessary would have the appropriate planning permission and would not be visible from the Hills?
21.	I don't understand the need for additional buildings to function.. it appears adequate set ups are there already. Farmers will lease fields, I don't see why the trust can't lease a field if required?
22.	I have no strong view on this
23.	I know this could be contentious, it will depend on circumstances. I would suggest more information is required on this.
24.	I strongly object to the clause providing residential occupation for employees of the Trust, which may be made available tothose employees on such terms and conditions (including at less than market rent)as the Trust thinks fit. This is a scandalous misuse of levy-payers taxes.
25.	If MHT have the right to licence to land it may impact on the publics right of access.
26.	If this would enable the Trust to grant a licence for a new electrical sub-station, I agree!
27.	Im distrustful of this change - as I dont believe the land should be leased to farmers, I object to this power.
28.	Is there a need for buildings for tourism and for refreshments, can the Hills cope with more tourism, doesnt building tourism centres encourage more people here and doesn't this contradict the terms used in the document page 10 point 2. The Malvern Hills Trust have always told me they don't want tourists as they are here as conservationists. Where would the staff come from to manage these buildings as the MHT are always short staffed to keep up with the work they have now, in my experience. I was told only last Summer there was no one available to pull up the Ragwort growing on Castlemorton Common, a very poisonous plant growing among the grazing livestock. To take staff away from the conservation to run a shop doesn't seem the best way forward.
29.	It is extremely unsatisfactory, that the consultation document does not include a map showing the trusts ancillary land, to which much of this section applies.
30.	It needs to be made clear that these powers are only exercisable by the Trust in pursuit of its objects.Also, given Q 21 which talks about other licences it might delivery greater clarity if this was specifically related to Ancillary Land and Buildings
31.	It would be strange, given that the trust owns buildings such as St Anns Well, if it did not seek the power to grant licences. However the mess up made of the reletting of St Anns Well a few years ago convinced many that the trust did not have the skills or staff to grant and maintain licences. Accordingly it might be better to have the power but to sub contract the work to a larger authority such as the district or county council.
32.	Just look after the hills and keep them open.
33.	My worry is that a commercial mentality would emerge and/or that peoples access to land would ultimately be curtailed
34.	No commercial building or construction licences should be granted without specific public consultation in each case.
35.	No financial analysis so have to reject all
36.	No proper definitions have been provided to answer this question
37.	No residential buildings are necessary as most employees live locally. You have for years refused to replace the café on the Beacon, so why do you now want to replace it - anywhere? There are plenty of refreshment areas in the vicinity including one staffed by those with disabilities and Malvern has an information centre and many businesses

	selling Malvern related goods. It is the responsibility of the owners of stock to supply buildings and shelter for their animals.
38.	No, leave things as they are
39.	None.
40.	Not to interfere with grazing rights.
41.	Overall impression of this method of public consultation is that it fails. MHT seems to have made no effort to inform levy payers directly of any matters relating to the hills. No wonder participation is poor. Financial information regarding state of MHT is kept hidden. Vast majority of locals ignorant of total land and buildings owned by MHT and without the most basic of information easily provided to levy payers are rendered disenfranchised and irrelevant.
42.	Power to the council scrap the trust
43.	Q 18-19 -20 This is extremely important and this question should be readdressed with a full explanation of exactly which type of land, where it is, what use is proposed and is this a change of use? e.g. a pop up refreshment kiosk selling coffee in disposable cups has recently appeared in North Quarry car park and we have returned to the kiosk empty cups found littering the hills as a consequence.
44.	Q18 - Section should only apply to ancillary land acquired AFTER the date of the new Act.
45.	Q18 Amend wording by inserting or purpose land after commons. Again, any residential development on purpose land or in-bye land must be subject to an Agricultural Occupancy Tie, in perpetuity.
46.	Q18, retail sale of goods seem like a slippery slope to somewhere.
47.	Q18: Insert or Purpose Land after commons
48.	Q18: Unless this is covered elsewhere I would like to see a statement added that any new build is designed to be sympathetic to the environment. e.g. a refreshment store should not be painted in bright colours and have music blasting out
49.	Q18. 3(d) and 5 are a good ideas, but particularly need to be fully transparent and subject to adequate democratic oversight. I would also suggest a clause requiring all decisions to be taken with the interests of levy-payers, neighbours and any others who may be adversely affected in mind. Perhaps also the impact on the natural aspect?Similarly for Q19. (See Q31).
50.	Q20. I dont understand fully the effect of this proposal.
51.	Re Q19: 10 years is long enough.
52.	Such rights should remain with the Conservators not the Trust
53.	The Malvern Hills area is not a theme park. Putting up buildings to sell ice cream and tourist tat would be anathema to the ethos of the original trustees and should be viewed similarly by the current ones.
54.	The natural aspect should be maintained without buildings.
55.	The organisation should have the same powers to issue licences and leases of its ancillary land and buildings in the same way as the vast majority of other charities have, and do. Non Ancillary land leases and licences should rightly have some conditions for access, but having a condition that all non-ancillary buildings shall be subject to right of public access could be overly limiting. Eg St Anns Well has accommodation for the tenant but if the condition of access is applied to the lease of that building it would give a right of public access to that living space in future leases. The proposed condition that such licences or leases are subject to the public right of access should only applie to non-ancillary land.Note - Including Q19 a) above in this section on Ancillary Land is confusing for the respondee.

56.	The proposals are talking about buying animals for grazing, and also erecting buildings for grazing.There must be controls so that the trust does not start buy more animals, build more buildings, etc as this could lead to extensive developments, that then may become surplus and converted for other uses.
57.	The proposals on page 48 are in contradiction with the Trusts statement on commercial activity in their Mythbusters in that the Trust does indeed plan to set up a Trading organisation and the proposal makes specific mention of the retail sale of goods. Accepted that the intention is to raise funds for the furtherance of the objects, but this is still a form of commercial activity.
58.	The subject of buildings and licensing for future buildings is wholly concerning on a SSSI and Natural landscape/AONB. This can be an opening for exploitation by developers with greater development visions . The power to grant or refuse development needs also to be made by those without any involvement, self interest and overseeing from a position of duty for the landscape and local character.
59.	The Trust already have power to aquire land and grant licences, so why do they need more powers??
60.	The Trust does not have to buy the land for inbye grazing it could rent as fluctuations demand. The Trust already has land eg Mathon which needs maintenance and therefore does not benefit the objectives of managing the Hills and common in the same way
61.	The Trust should have no powers to change anything on the Common. I am strongly AGAINST ANY changes in the current Bye-laws.
62.	The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
63.	The Trust should not become a commercial landlord. I do not know what buildings and land are being referred to and I am surprised that it owns such property which does not appear to coincide with its core purpose. More transparency about exactly what the Trust might want to do could assist but I would oppose and unfettered right which smacks of commercialism.
64.	The Trust should not being seeking to acquire all these extra powers.
65.	The Trust should not seek to become farmers, that is not its purpose
66.	There is already the power to quiet land and to build agricultural buildings. What you are looking to do is get into building development which was never the objectives of the conservation
67.	There is no mention of the power to put roads/access in on ancillary land. P49:5f - power to exclude the public from ancillary land - the mechanism to do this should be stated and subject to democratic (local) consent.
68.	There is too much moral hazard attached to the Trust being able to receive payments from speculative builders, for example in granting easements.
69.	There should be wider public consultation before any building.
70.	These clauses are likely to allow the trust to further promote damaging animal agriculture, and to profit from this. The trust should not have any power to make significant profit through activities that could easily become corrupt.
71.	These proposed powers would vastly increase the Trusts business/money-making potential and create incentives to commercially influence the proposed 12 trustees, especially if 6 of them were to be appointed from any area of the country! The land of the commons and hills, donated in perpetuity and held in trust by the Conservators are to be held for the access and enjoyment of the people of Malvern and the wider public. There have already been raids on conservators land in applications to breach (Ease) strips and verges, in order to open up land to develop executive homes within the boundaries of the Malvern Hills Trust estate. Some have been successfully opposed when the public realised what was happening and were rejected. No promise to create

	affordable homes was taken into account since the Conservators had no interest in the eventual outcome of the permissions they granted. Money for the charitys purposes was all that was promoted. Seemed like a self- serving oligarchy. Beware masked interest groups on this point!
72.	This is a way of granting easements across common land so contractors can build housing estates. You are dressing this up in such language to try and disguise the fact. This is meant to COMMON LAND not land for your private use.
73.	This isnt what the Conservators were set up to do!
74.	This questionnaire is not at all user friendly, expecting people to read reams of information (which you have not put in the questionnaire) to answer a single question. This is designed to put people off from answering the questionnaire and the questions are very leading with limited responses which doesnt allow people to give their full opinions. Consolidation of existing Acts seems acceptable but this is a way to bring in unnecessary and unwanted amendments under the radar. The excessive costs of the proposals would be far better spent on maintaining the hills for all, rather than expecting levy payers to foot the bill, especially during a cost of living crisis. The proposals water down the democratic process by seeking to reduce the number of representatives. Malvern Hills District Council has 38 councillors and Worcestershire County Council has 57 members and these bodies operate successfully and democratically. Also, if representatives are good, why are you seeking to limit their time in office?
75.	This sort of licensing and leasing power should never be given to a trust ... the trusts job is to manage the Malvern Hills and common land ... nothing else!
76.	We don't want the trust to have the ability to grant any building on the hills. The first and main purpose is to maintain and free, natural wild space for the public. Not for the benefit of trustees, farmers, land owners or developers ! No building ! And no more commercial grazing. Leave the hills to wild animals
77.	What buildings and land do the Trust own?
78.	Where public access is currently possible but not official, this right to roam must be maintained.
79.	Who wrote bill?
80.	Why should the trust have any more right than any of the local to buy land or build. The trust want to take over common land and this is not fair
81.	Would a break clause be inserted in leases of buildings and land.
82.	Would there be merit in having the ability to grant leases for longer than 10 years in exceptional cases?
83.	Yes. The rust should not Build to further its Objectives. Its sole purpose should be for the betterence of the TAX paying public. You load of greedy shits
84.	You tried owning sheep/cattle - you were no good at it. Stick to you currently defined purpose.

Q22: If you have anything else you would like to add about licences, please type details below

1.	Administrative charges should be reasonable and proportionate to the costs to the Trust of administering the licence.
2.	Again no licenses for businesses and no building. No services built over the hills. No objection to temporary stalls for selling food drinks, or for management of events
3.	An explicit power to grant licences for activities/businesses is far too broad - ranging from dog walkers to operators of wind/solar farms etc
4.	business/activities should be compatible with the purpose of the Trust
5.	Can the long gone beacon cafe be resurrected?
6.	Charitable walks, runs etc should NOT have to have an administrative charge. Professional dog walkers should not have to have a licence as the agreement is between the dog owner and the dog walker - not the Trust who have no responsibility - unlike the situation if the Trust have their own stock. In over forty years of walking the hills, I have never been disturbed by these well organised charity events. However cyclists have often been a problem!
7.	Commodification of the Hills on the Sly. Stop it.
8.	Consultation should be with both Landscape partnership and planning authority as well as any other interested party
9.	Could the licenses be renewable every year and could a cap be placed on the number of them (and for foodstalls)
10.	Council and police do this already
11.	Council should have the power not the trust scrap the trust
12.	Do not want licences granted frequently that it will destroy erode the wild character of the hill landscapes with over commercialisation exploitation with fast food services, cafes, coffee outlets numerous ice cream vendors in car parks or on edge of hills.
13.	Does it need to be made clear that if an application for a licence is refused, then continuation or initiation of the activity in question would be in breach of the byelaws?
14.	Dog walkers - recommend each dog walker should have a licence for each dog being walked and no more than 4 licences per person ie a dog walker should not be allowed to walk more than 4 dogs at a time. This would be irrespective of whether in a personal or professional capacity. Professional dog walkers must be able to show insurance documentation. Licences should be available for purchase for a day, a week, a month or for a year.
15.	Events should not be subsidised through car parking and levy fees. These are not endless pots of money to rely upon to pay for everything the trust does
16.	For established events such as those on the Link Common this should apply but any new licences should only be granted where no mechanical power is involved. Re temporary food stalls see comment above
17.	For the 1st part of the question professional dog walkers are used as an example. I do not think that those who live in the area and therefore pay the levy and will no doubt also be using the car park and therefore paying via an annual pass should also have to pay for a licence. Cyclists and runners are far more of a nuisance to other hill users than professional dog walkers.
18.	Full open public disclosure by the men and women for the men and women on the land - as is the law
19.	Granting licenses for food stalls etc for short periods should sit in the remit of MHDC.
20.	Having coffee at North Quarry Car Park is an excellent addition for visitors.

21.	How would this be policed? It would be impossible to police, you can't ask every person walking the hills to prove they aren't being paid to walk a dog!!! Who is going to pay for the staff to police this? You would be better bringing in a law stating no one person should be in charge of more than 3/4 dogs at any one time on the hills and that any reactive dog should be walked muzzled on the Hills, as these dogs are a danger to other dogs, to people and to livestock. Are you going to charge farmers for running their business on the Hills, what about people doing guided walks of the hills will they need a license? How much will the license cost. So many questions on this one….. Food stalls - who will clean up the mess, once again this has not been thought through, where are the extra staff and money to pay them coming from? Will more of your staff work weekends to keep an eye on these food stands and to tidy up any mess left by the inevitable extra people who will be dropping litter and damaging the area, the car parks are already jammed full on a weekend, are you building more car parks and getting more staff ?
22.	I am a professional Dog Walker and have been walking the Malvern Hills for over 14 years. I would welcome Professional Dog Walkers to be licensed and have to buy a licence to cover admin, prduce insurance and Public Liability documentation on a yearly basis. I and 3 other professional dog walkers collect litter, dog mess and are incredibly valuable to visitors on the hills by providing directions and always being friendly, professional and approachable. Please work with us, not against us. I am . . This is our livelihood, PLEASE WORK WITH US.
23.	I am against any food being sold on the Commonland. An experience in the past has been the remains of a hog roast being thrown into the bracken following the Shindig. This is a hazard to wildlife & dogs (i.e. cooked bones stuck in throats). The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
24.	I am against any food being sold on the Commonland. An experience in the past has been the remains of a hog roast being thrown into the bracken following the Shindig. This is a hazard to wildlife & dogs (i.e. cooked bones stuck in throats). The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
25.	I am wary of licensing and charging. Charging people to walk dogs is not a great look. Who will do the charging and how much? What happens if people refuse to pay? There is a world of potential conflict here that needs to be very carefully considered.
26.	I cannot support these proposals, without the scope of such licensed events and activities being defined and limited.
27.	I disagree with any explicit powers being granted.
28.	I have significant concerns on this as the answers I was given at one of the Trusts drop in sessions intimated that this particular proposal impacts walking groups and other local clubs and societies who meet on the hills for non-business related activities. I would, for example, object strongly if this would mean that a small group of levy payers (less than 20 people) meeting together for a walk on the hills would require the Trusts permission and a contribution towards the upkeep of the land.
29.	I support the proposal that running a business on Trust land should require a licence but I am less sure about activities. For example, the hills are used for charity walks now and again and we have the Malvern walking festival. I would not be happy if these people were forced to pay an administrative charge to conduct their activities yet this power would enable the Trustees to do so.Temporary licences for food stalls should be accompanied with a clause that requires the owner/operator of the stall to clear up afterwards and if they havent, the right to seek financial compensation by the Trust for paying for the clear up to be done by others.

30.	I think it is important that the local planning authority is involved.
31.	I think seeking the view of the local planning authority (who have local accountability) is as important as seeking views of MHNALP who presumably have no local accountability. Im not sure what the Trust has in mind for para 2 but I would not like to see an increase in more organised events and activities run on Trust land. I am concerned this is geared towards increasing commercialisation of the area.
32.	I would agree for larger businesses but I think for professional dog walkers this is ridiculous. Why should their access to the hills be restricted or charged - and how would this be policed? How is somebody walking multiple of their own dogs any different to this? I disagree because I think this risks targeting small local businesses and individuals.
33.	If the National Landscape was to be consulted how would this work in practice. We have no powers here. Does the term Partnership mean consultation with the wider partnership/JAC or do you mean the NL Unit or planning officer? This needs clarifying.
34.	If the sale of licenses becomes a way of making money, there will be an incentive for the Conservators to issue 100 many licences and contaminate the hills and commons with noisy music and money-making commercial activities. Re food stalls: people can bring their own food when they walk on the hills, or visit the cafes in the town. The hills are not a High Street to be commercially exploited.
35.	If the Trust has the power to grant licences for temporary food stalls, the licences should include strict provisions to ensure that there is no litter left behind, either by the stall itself, or by customers. For example, any food etc. bought from such stalls to be consumed within a defined radius of the stall. Litter bins must be provided eith by the stall operator or by the Trust itself.
36.	In an unusual position of close family tendering as a drink supplier and having the ongoing contract. Clearly temporary licences will impact on the tendered positions.
37.	Issuing licences to people or organisations who wish to carry out activites... - whilst I understand the CROW Act 2000 does not allow access for driving a vehicle, bike, horse , swim, sail or bring any other animal than a dog to the land - so this would align it to the CROW Act.I agree that camping or erection of tents/marques should be licenced. I cant see why the trust should be licencing nature walks or a large family playing cricket or picnicking. I think the wording is unhelpful - what activities need licencing?I would support the licencing of commercial dog walkers
38.	It depends what the business is, there should be no damage to the land, and the Trust objectives should be maintained
39.	It is accepted that events involving infrastructure on the Common or Hills should be subject to licensing and where appropriate (and the risks warrant it) insurance required. However, licensing of activities should not apply to everyone. For example, locally organised nature walks should be allowed with permission when required, say when over 15 people are to participate. Insurance should not be required for such activities, which are no more harmful to the environment than people exercising their right to roam under open access. Administrative charges should only be made for commercial events aimed at making a profit for individuals or businesses.
40.	It is not clear whether the Trust is intending here to make the granting of easements easier, and hence to raise revenue this way. The current arrangements seem to be working fine - there doesnt really seem a need to start imposing administrative burden on very small businesses, such as dog walkers, making a living. 6 mobile stalls are already allowed - this seems sufficient without having to expand such activity.
41.	It is not unreasonable to ask businesses to pay an administration charge (licence to carry out their business) With regards to professional dog walkers it would be acceptable to check they are qualified dog walkers and have appropriate insurance.

	But its also important to follow the guidelines the insurers set out i.e number of dogs insured to walk. And not penalise them by reducing the number of dogs the Trust accepts they walk, in the licence, to less than insurers guidelines which is usually six. After all most professional dog walkers are already contributing to the up keep of the hills as they are usually levy payers and so are their clients.
42.	It would be unacceptable to make a charge for charitable or leisure activities on Trust land. The public access should be free of charge for all leisure and charitable activities.
43.	Licences being issued to charitable or community organisations should be done so without charge.
44.	Licences should not automatically incur a charge. Charity walks, school activity groups and such like should not be charged. It would seem that charging would be in contradiction to the object of opening up the hills. Anything commercial, if it is permitted, could be charged.
45.	Licences should not be granted for events that would negatively impact the enjoyment of people using Trust land but not attending the event.
46.	Licensees must pick up costs of cleaning up litter / dog bags etc. Enforcement is clearly an issue in relation to licences but how to prevent unlicensed activities is a big question. It seems to us that dog walkers should in some way contribute to the costs they make the Trust incur.
47.	Many social and charity events use the Malvern Hills and they should not be charged nor have insurance requirements imposed on them by the Conservators.Such provisions should be restricted to commercial businesses.
48.	Maybe it is buried in the materials somewhere but in making judgements on the power to grant licences it would be good to understand what powers similar organisations have and how they are deployed.
49.	MHT has land outside of the AONB, so the proposal for the first question here would only work sometimes, geography dependant.
50.	My neighbours and I have individual drives across the common which we maintain at our own expense. Presumably the rights for these were established long ago, when or before the current houses were built (circa 1920). Will there be any changes to these rights?
51.	no one should have to pay for licences to use the hills and COMMONN land
52.	No to all commercial activities. Keep the hills and commons clear.
53.	No. I pay the precept and my dog is entitled to walk on the hills and commons whether I go with her or if I pay someone to take her for me. You would have to employ more people, design licences, administer and enforce - not what you were set up to do! Even charity walks? Where do you draw the line between groups of friends enjoying the hills and a walking group? All rubbish. Concentrate on looking after the hills and commons. You do not need to interfere in what the public want to do there as long as it is within the law.
54.	Not too many food stalls and they should use biodegradable packaging and clean up after themselves.
55.	Permission from the local planning committee should be essential in all cases
56.	Please do confer with the MHNL re services.
57.	Q21 - Are we no longer an AONB?
58.	Q21: Explicit power to grant licences appears far too open-ended. In the case of activities/businesses this could range from dog-walkers to solar/wind farm operatives.
59.	Referring back to previous answers, the hills need to be protected in as natural condition as possible

60.	See Q31. The issues at Q20 also apply here. (In the past the Conservators have licenced some gross intrusions on their neighbours properties and have even claimed to be compelled to give such licences for reasons which turned out to be spurious. In one case, democratic oversight made them see sense, but should we have to rely on that?)I would also suggest that all those who might reasonably be expected to be adversely affected by any licences should be given specific individual notification in good time to be able to raise objections or clarifications through democratic channels. (For example, licencing a fairground generator 40 from a babys bedroom with no notice.)
61.	Seems a good way of generating income.
62.	subject to admin. charges being proportionate
63.	Such rights should remain with the Conservators not the Trust
64.	The Chair of the National Landscape Partnership is a MHT Trustee - a clear opportunity for conflict, and yet you propose they ought be consulted, ridiculous.
65.	The climate change impact of these licenses should be considered. I particular the climate impact of the food being provided by the food stalls.
66.	The common should remain common land and free for individuals and groups to use without charge or licence. The trust does not need these powers.
67.	The consultation document states that there was a small majority against removing the local authority from this decision making, but it then goes on to say that the Planning Authority didnt want this power, so the Trust now wants it. This is wrong. There should be no areas in the country which are outside the Planning Authority. The consultation document makes the point that people carrying out businesses the hills may be contravening the bye laws but then goes on to say it should be able to licence them. What is the point of the bylaws? This looks like the Trust trying to get extra powers for itself to raise funds. As for food stalls, Ive never seen any in 28 years of living here, so I dont think this power is needed and I would be very concerned about litter etc.
68.	The hills and commons are common land and free access to them is protected by two Acts of Parliament.1994 Malvern Hills Act s clear: the public shall have a right of access to the Malvern Hills on foot and on horseback for the purpose of open-air recreation. 2000 Country Side and Rights of Way Act is equally clear “Any person is entitled to enter and remain on any access land for the purposes of open-air recreation.Both Acts impose almost identical restrictions, which are mainly based on the Countryside Code issued by Natural England.But The Trust have Guidelines for Sponsored Walks and Events, which say that“Permission will need to be sought if your activity is more than 15 people Why do a group more than 15 people having an organised picnic, or on an organised nature walk, or a fund raising walk for charity, need permission to be on common land? There is no specific mention of that in the Malvern Hills Acts.The CROW Act makes no mention of permitting or regulating groups of people. The Trust web site also something they call has Myth-Busters:The myth is: People will be charged to access the Hills.Answer: This is not true. One of our core charitable objectives is to keep the land open for public recreation.But if 20 people wish to hold a nature walk, and this requires a Licence from the Trust, and you have to pay for the licence, then these 20 people are being charged for access.And as the government web site which explains the rights and responsibilities of owners of access land says“You cannot charge visitors for access”.
69.	The Hills should be a bout tranquillity and peace - and not commercial activities
70.	The hills should be kept as open land with free access. There are already many local businesses who may be affected by the grant of additional licences
71.	The licence given to the refreshment wagon on the Old Hills has been a great idea. Some of the die hards dont like it but it is popular and the area is always clean and tidy. The Malvern Hills National Landscape Partnership is on a far better position as an

	independent non-political organisation to make decisions re planning than the local authority which is too inclined to pander tovocal minorities
72.	The licencing events section could affect the publics right to roam & free access to the common
73.	The local authority has/will have it powers amended and curbed in the future - particularly in relation to planning - and does not seem to have the resources or will to even cover its current remit fully. The National Landscape Partnership seems the current best option as it has a duty to protect rather than administer. However, when that organisation is overtaken with the next iteration how will the MHT fare? I assume the detailed wording of the Bill covers the intention of the change rather than the governance of the change.
74.	The Local Planning Authority is the decision-maker. The National Landscape Partnership would only be a non-statutory consultee.
75.	The MHC has been set up for the enjoyment of the environment by the public. The wording should ensure that provision of commercial activities is limited so as to minimise disturbance to the public
76.	The new Trust must ensure it maintains public trust and confidence through transparency so dhould give the local Planning Authority opportunities to comment.
77.	The planning authority would make the correct decision with regards to overland services.
78.	The power to grant licenses should have some level of restriction for the amount that can be charged as a reasonable proportion of income earned by businesses or food stalls
79.	The powers to licence ice cream vans is already in the acts. The Trust is not tasked with running or helping businesses this should be left up to other individuals
80.	The second question is vague and could be perceived as a way to charge for access to the hills . This proposal, as it reads , can lead to suspicion as to the motives of the trust and undermines trust in the process.
81.	The section on overground installations and planning agencies is not future-proofed in its wording. Recent new Government proposals on planning and consents make the proposal unworkable in its current form.
82.	The trust should look at the provision of a semi permanent catering unit close to the position of the former cafe (burnt down) together with the power to grant licences for temporary/ portable toilet facilities
83.	There should be limits to licensing people and organisations activities and businesses on trust land not to restrict public access.
84.	This all sounds reasonable and will mean the organisation is more fit for the future
85.	This power could impact on locals, residents and others just wanting to meet up with families or friends eg. for a picnic.
86.	This questionnaire is not at all user friendly, expecting people to read reams of information (which you have not put in the questionnaire) to answer a single question. This is designed to put people off from answering the questionnaire and the questions are very leading with limited responses which doesnt allow people to give their full opinions. Consolidation of existing Acts seems acceptable but this is a way to bring in unnecessary and unwanted amendments under the radar. The excessive costs of the proposals would be far better spent on maintaining the hills for all, rather than expecting levy payers to foot the bill, especially during a cost of living crisis. The proposals water down the democratic process by seeking to reduce the number of representatives. Malvern Hills District Council has 38 councillors and Worcestershire County Council has 57 members and these bodies operate successfully and

	democratically. Also, if representatives are good, why are you seeking to limit their time in office?
87.	This would enhance thr visitor experience BUT please think about litter bin provision.
88.	Those who use the common to carry out legitimate business eg dog walking, bird watch guiding etc should not have to have a licence for something that they are already entitled to do under right to roam ruling.
89.	Turning the hills into a commercial venue, and promoting even greater numbers of visitors than already visit, is in direct contradiction to Clause 1(a)
90.	We agree that the Trust should have a power to licence activities on the Malvern Hills.We agree that the Trust should have a power to grant licences for temporary food stalls.However, the power should not extend to exclude or restrict the public right of access to the Malvern Hills.
91.	We do not want an Eastnor-style prostitution of the Malvern Hills for commercial gain.
92.	We had a food stall at rhe top of ther Beacon. The Conservators unreasonably insisted that it could not be rebuilt after the fire.This decisoipn should be reconsidered and provoded any new structur is not above the skylin (as was the original cafe) permission shoulkd be granted for its reinstatement.
93.	What constitutes an activity? Informal gatherings or walks by groups of friends should not be covered but for example charity fund raising events should be covered. Im sure St Johns Ambulence charge for supporting other charity events!
94.	Whilst in agreement that the Conservators should have power to issue licences for organised events' and possibly use them as a means of limiting the number of events taking place and consequently reduce the amount of erosion being caused; I do have serious concerns as to how these powers could be used. The example quoted of 'professional dog walkers' sounds alarm bells – the Malvern Hills are not an urban park.
95.	Whilst there may be merit in some of these suggestions - you are seeking to make too many changes through Parliament. It also appears you are seeking to remove your organisation from the control of local authority processes
96.	Why are you trying to make money out of the hills. If you allow food stalls, who is clearly up the mess. Will the wrappers be in your garden? No because you dont live in Malvern
97.	Why not consult both MHNLP and the local planning authority? Get a balanced view in this very sensitive and beautiful area.There is nothing on easements, perhaps the most controversial of all the Conservators decisions. Which is why there is no question on easements. Granting large easements to developers for huge amounts of money is tantamount to selling common land. That is forbidden by law. Malverns hills and commons must be protected against the Conservators greed for money. They are there to preserve and protect the hills and commons, not sell it off. The new Bill should be absolutely precise about what an easement is, maximum size it should be, how many any one applicant may be granted &c There is no mention in this questionnaire about natural aspect - which the Conservators say is outdated and Victorian and meaningless but have forgotten to include on their Proposals what the term should e replaced with. Its controversial, hence the omission. So far, the proposed private bill is suffering from cataracts. Start again.
98.	Why would the Trust want to get involved with other commercial enterprises. It does not fit with their purpose. There is no need to do this and it opens the Trust to risk and criticism.
99.	With any of these powers the public rights of way team would need to be consulted where the event /overground service etc would affect public rights of way. These powers should not give the right of close paths without consent from the public rights of way team. If a path needs to be closed then it is likely this would need a separate

	order or permission to be obtained from Worcestershire County Council or possibly the district Council.
100.	Yes but needs to be controls on events and commercials activities on the hills. Not sure of the makeup of MHNLP but I assume that they would have a strong interest in conserving the hills
101.	You can add as many consultations as you like but if it is only seen as a tick in the box on the way to getting what is desired by the Board, the word has no meaning.
102.	You charge enough as it is, stop being greedy.
103.	You cite professional dog walkers as a business - I think that is extreme and would be difficult to enforce.
104.	You raise professional dog walking. Its is right that they should have a licence and you should check they have insurance. A small charge for this is not inappropriate. The licence should match the current rules and regulations imposed by the insurance companies which specifies a maximum number of 6 dogs. This also makes the business viable for the professional dog walker and thus they are more likely to comply with the need to have a licence and the trust will avoid unnecessary charges and legal time. Furthermore, if the professional is a levy payer a reduction could be made because they are already subsiding the use of the hills - similar to the car park charges. It should also be remembered, that the majority of the dog owners employing the dog walker are probably levy payers too. So not unreasonable if you follow the same rules and limits that the insurance companies demand. To impose more severe restrictions would potentially be open to legal challenge and demand for what basis that judgement was made?
105.	You want people to pay twice for things - no on - you should not be commercialising your organisation - this could be the thin end of the wedge.

Q25: If you have anything else you would like to add about protection of the Malvern Hills, public safety or byelaws, please type details below

1.	Again no fences for commercial animal agriculture purposes. The hills are a public resource not a farm! Cattle grazing is environmentally damaging, dangerous and fences restrict public access as well as spoil the peace and aesthetic of the hills. Referring you to the first and key objective of the trust- maintain a natural free space for the public access. It says nothing about manage a farm , building site or material supply location.
2.	Agreed, if its aimed at the illegal bike riding that occurs constantly
3.	All dogs must be kept on leads... And all car park access points must have drinking water facilities
4.	Although I agree with the principle issuing of fixed penalty notices I feel that carrying this out in practice may be prove difficult. Who would the Trust use to issue these notices? Directly giving people fixed penalty notices (as opposed to on their car when they are not around) could put the Trusts employees in potentially highly inflammatory situations which you would normally expect highly trained and suitably equipped police to handle.
5.	Arent byelaws generally enforced by local authorities? Police? Why does MHT need to exercise this power? Are bikes/cycling not allowed on Malv. Hills?
6.	businesses - yes to licence and insurance, but voluntary orgs NO
7.	By being able to fine extensively in regard to bye laws they would be far more effective and so preserve the hills and commons.
8.	Bye laws are currently presented in very small print in obscure places. Key ones e.g. re barbecues and control of dogs should be prominent e.g in large print in car parks.
9.	Bye laws need to be tightened re cyclists. Cyclists believe that they can access all paths , walkers are on permanent guard for cyclists . Bells should be compulsory.
10.	Bye-laws only enforceable if public is aware of them - eg more permanent, vandal- and stock-proof notices should be displayed in appropriate areas.Q24: On the spot fines not desirable as MHT enforcers may be challenged by members of the public.
11.	Can you do anything to stop mountain bikes from using the ridge paths and going off the permitted tracks. I have had a few near misses with cyclists going very fast round blind bends in the hills. The mix of pedestrians and dogs, children, bikes is an accident waiting to happen.
12.	Cause too much trouble.
13.	Consideration will need to be given to the practicality of enforcement of on the spot fines, particularly in relation to repeated misuse of mountain bikes.
14.	Cyclists are a major risk to public safety and cause environmental damage. Much more needs to be done to mitigate this significant risk.
15.	Definitely would like to see more protection for users of the hills as I see too many dangerous (to humans and other animals) and insanitary incidents happening on the hills and visitors (and locals) should be held accountable for their poor manners, thoughtless, (and deliberate) littering, reckless and unneighbourly behaviour.
16.	Enforcement will need to be worked through and the Board will no doubt draft a policy for this
17.	Failue to give any detail eg will wardens be able to arrest people. If so then need special powers if not anyone can simply walk away. Il thought out question
18.	Fixed penalties are simple and avoid costly court processes. If someone refuses the FPN, how do staff escalate this? Which staff would issue tickets? As a dog walker, I am sick of the minority of other dog walkers who let their animals foul the hills and FPN would be very useful, if only as a deterrent.

19.	Fixed Penalty notices are likely to be hard to enforce, but the possibility should not be excluded.
20.	Fixed Penalty Notices probably should be expanded to ensure that fines are proportionate to the byelaw contravened.
21.	Fixed penalty notices, particularly for Mountain Bikers riding off piste from appointed routes and often at hazardous speeds. And higher penalties still should exist where the individuals concerned ride through precious natural habitats without any regard for conservation work. Additionally in summer I feel strongly that on the spot fines should be applied to any member of the public using portable barbecues on the hills (particularly during dry spells).
22.	Full open public disclosure by the men and women for the men and women on the land - as is the law
23.	Hopefully threat of fpn is deterrent enough. Staff and volunteers should not be put in any danger
24.	How do the wardens feel about enforcing this?
25.	I am wary of moves to over-police the Common unless there is a specific, clear and demonstrated need. The Consultation does not appear to provide this.
26.	I actually think you should have cameras (temp or otherwise) where there is repeat offending but somehow installed to not affect the view/ landscape, eg in the car parks. We are in a modern world with modern crime.
27.	i agree you need to enforce but i am worried how this would be rolled out in practice? For instance, I have 2 dogs and each of my 3 daughters have 1. They regularly stay with me for protracted periods. I therefore walk them on the hills. I am not a professional dog walker but i am on the hills with 5 dogs? Would i repeatedly be given a ticket because i am not licensed? Yet I receive no payment - other than a hug or two! So are the hills then patrolled by parking type attendants issuing instant tickets for every infringement even though in this case i am not breaking any bylaw? How do you strike the right balance is my question if you have this power. Because once granted it will be hard to remove.
28.	I am unhappy about the proliferation of new paths on the slopes due to mountain biking off piste.
29.	I assume that somewhere there would be notices explaining the bye-laws and the penalties that would be incurred.
30.	I believe you should make dog walkers responsible for managing dog waste, rather than fining people.
31.	I consider that it is essential for MHT to have better means to address breaches of byelaws. The hills are arguably, overused and the potential for conflict between users, particularly those in breach of byelaws, is ever increasing.I would be particularly keen to see this power used to address cyclists riding off bridleways and people parking repetitively on the common (effectively annexing parts of the common for their own use). The latter issue could be resolved by means of licences where it can be shown that properties have no reasonable prospect of parking within their own curtillage.
32.	I have put that I disagree because the Trustees seem to betaking upon themselves powers which far exceed the intentions of the original 5 acts, toward the public on the Malvern Hills. The powers being promoted seem to be commercial, fundraising or law-enforcement priorities.
33.	I have read the pages but the wording above doesn't make sense.
34.	I notice the proposed wording does not explicitly mention right of access for cyclists. I would welcome this being clarified, largely from concern for public safety - cyclists get up to a great speed coming down from summits, and in creating new trails can cause damage.

35.	I think that any notices to put up temporary notices should be both on website and personal
36.	I very strongly disagree with the wardens being given the responsibility of issuing fixed penalty notices. There is a vast difference between sticking a notice onto an inanimate vehicle and handing one to a person. That would totally alter the public perception of the role of the warden, from one who is always approachable, informative and helpful, to someone who is on the look-out for miscreants to whom they can issue notices. There is also the safety aspect in that wardens generally work alone and verbal abuse is not unknown when they inform someone that they are breaking a byelaw; these incidents could well escalate into something much more serious if a fixed penalty notice were being issued.
37.	I've experienced a growing problem with antisocial behaviour especially the use of drones, loud music and discourteous cycling in the past 2-3 years. Greater powers are needed to deter such behaviour.
38.	If staff are going to be issuing Fixed Penalty notices to members of the public those staff need protecting from abuse and potential violence. Self defence training must be provided. Notices should be issued by a minimum of two members of staff and not a lone individual. Cameras should be worn. Pay review for those staff issuing Fixed Penalty Notices as their work will become more dangerous.
39.	In any claim you would look at CROW for guidance any way. Byelaw enforcement by fixed penalty would put the staff employed to do this at potential personal risk.
40.	In my view impractical and the safety of wardens issuing fixed penalty notices could be put at risk.
41.	In order to reduce littering, fixed penalty notices may help. I suggest more bins particularly at entry and exit points would be very effective.
42.	In recognition that not every one has access to the internet I would suggest that in addition to the publication of notices on its website, the Trust could also post copy of such notice on the site. This need not be an express condition included in the wording of the act.
43.	Inadequate publicity of bye-laws (as at the moment) would make enforcing of fixed penalty notices difficult - suggest initial formal warning procedure necessary.
44.	Internet notices are useful but are lazy. Where individual access is affected then such notices do not push for attention, so there is still a need for formal posted notices Fixed penalty notices are not appropriate for a charity to issue. If, however, the Trust was to accept it is a Public Body, with suitable oversight , then it may be acceptable.
45.	Is the bicycle sufficiently covered? right to access..foot or horseback.. Most of our user complaints are to do with bicycles.
46.	Issuing fixed penalty notices is a job for the police force, NOT the Malvern Hills Trust. The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
47.	Issuing fixed penalty notices is a job for the police force, NOT the Malvern Hills Trust. The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
48.	Issuing penalty tickets is already a power held by the local authority. The Trust is not a council or police force.
49.	It is true that dog fouling can be a problem in some places, for example the path going up from North Qarry car park towards Ivy Scar. I am not sure that issuing fixed penalty notices is a good solution. It would require a warden to be present at the exact moment when an offence is being committed, which is unlikely. It might also put any warden attempting to issue a fixed penalty notice at risk.I have often thought that a few more bins for dog waste might be a good solution.

50.	It would seem a good idea to continue to notify organisations of any use of powers which would affect them. Foe example erection of fencing across public rights of way the county council should still be notified as the highway authority responsible for them.
51.	Littering and dog mess and motorbike riders would be great. I pity the poor wardens having to do it though.
52.	May not be relevant, but Id like to be able to access parts of the hills better by regular public transport. The bus services (I think 675 and 676) are not very often. I do not think there is a service at all that goes along Jubilee Drive. I prefer not to have to drive and park, but it is a long way to walk from parts of Malvern to get on to and up to higehr reaches of the hills.
53.	Maybe if a temporary fence directly affects an individuals property or livestock they should be notified, as they would be unlikely to be reading the website on a regular basis
54.	MHT already has powers for temporary fencing for 28 days which is enough.If they were given powers to issue fixed penalty fines it could be turned into a money making venture eg residents visitors parking outside their own gates on common land.
55.	Needs some indication of consequences and value of such notices
56.	Neither are you policemen, focus on what you are suppose to be dealing with.
57.	No further comment.
58.	Nothing to add.
59.	Notices should not only be on the difficult to access website. If dangerous trees are reported and not dealt with then the Trust does have a responsibility. I reported a large tree branch which was broken and was held up by another branch & it took the trust over 18 months to deal with it.
60.	Only the council scrap the trust
61.	Only the police should issue penalty notices as they have the ability to deal with difficult people who might be breaking the law. If trust officers are expected to issue penalty notices this might put staff at risk and this become an enforcement issue. In my view only the police should issue penalty notices. They also have the training to deal with difficult people and situations. Trust staff should not be placed in these positions of authority. Needs to be done by trained professionals
62.	Particular attention should be paid to enforcing existing Trust regulations to control movement of mountain bikers who are endangering the environment by making tracks across the existing bridleways to suit their own purposes while also grossly raising the risk of injury to pedestrians using the paths (see two attached photos taken on the hills this week) noted lower down on west side after asking a group of 4 mountain bikers not to proceed off the bridleways – this group changed their direction and remained on the ridge pathways due to our intervention and said they were unaware of the rules and noted the routes marked on the stone on the ridge below the Beacon for the first time – So a definite need for Trust wardens to monitor and enforce the existing rules if serious about protecting the Hills and its people.
63.	Penalty notices should be appropriate
64.	People probably wont see something just posted on a website. This reminds you of the Hitch-Hikers Guide to the Universe ;-) I worry that there could be a new form of uniformed officer roaming the hills issuing penalties and having targets to pay for their own salary... this sound horrendous and unnecessary.
65.	Power to issue FPNs would have harmful unintended consequences. Why is there no question about liability to people on the Hills? (see p55 of the document).
66.	Public trust is key therefore more efforts than just posting on the website are needed. More comma and engagement must be routinely employed to ensure confidence in its transparency and accountability.

67.	Q 23 - What does it mean? Having read pages 53-59 twice, the question is unintelligible.
68.	Q23 Notices on site also required, website not a sufficent source of information that people will check
69.	Q23 would be easily solved by means of something like a mailing list so I dont understand why you are proposing to remove it. People cannot reasonably be expected to check your website every day for the likelihood of a new announcement being made - this is silly. Q24: There would need to be consideration about a) an appeals process b) safeguarding against unfair or overzealous fines c) how the burden of proof (in the case of a contested fine) would be upon the malvern hills trust. E.g. are you going to be wearing bodycams? Or is it your word against theirs if they contest? Will their be reasonable judgement e.g. for people who were genuinely unaware of rules (thinking more now of cycling/metal detecting rather than littering) vs those who are repeat offenders? How well will these rules be published - there are multiple entry points on to the hills, are they going to be advertised at every single entry point? I agree that on the spot fines for littering are appropriate.
70.	Q23- I am not sure if removing this requirement would affect the life of locals who live in properties on the hills and always enjoyed this personal communication in the past.Q24 - This would possibly need to be done with a light hand as far as residents are concerned, to ensure local support!
71.	Q24: Bye-laws are only valid if enforceable and only enforceable if the public is aware of them. More permanent, vandal- and stock-proof signage should be displayed in relevant areas.Q24: On-the-spot fines not desirable as may bring MHT staff into conflict with members of the public.
72.	re Q 23 It is not sufficent to only use a website for communicating key information to residents and other interested parties.
73.	Re: publication of notices of temporary fencing, individuals should be able to register to receive notification by email or other electronic means; simply publishing a notice on a website is insufficient.
74.	Re. Q23 - I would hope that notification would also appear in the local press.Re. Q24 - It is important that any fixed penalty notice should be acted upon and not nearly threatened!
75.	See Q31, For Q23 see Q22. For Q24 it all depends on how these provisions are tidied and who interprets them. Under current custom and practice this has not been an issue, but who knows how things might change if a democratic deficit should come about (intentionally or otherwise)?
76.	See the Malvern Action Groups analysis to find out why I cannot vote for any of these proposals
77.	Such powers should remain with the Conservators not the Trust, which should have no rights of enforcement
78.	The ability to issue on the spot fines for breaches of byelaws is not objected to. However, if this is to be effective it will be necessary for byelaws to be more clearly displayed so people (including those from outside the area) are aware of them. It is also important that fines do not become a revenue raising mechanism, charging people for relatively minor breaches, a requirement for a warning before a fine would seem appropriate. To the extent that fines are levied it should be focused on anti-social behaviour (including for example vehicle doughnuting on the Common), an area the Trust has always appeared reluctant to address effectively. The members bill would seem to be an ideal opportunity to get effective powers to deal with this issue but none seem proposed.
79.	The consultation document is silent on the actual implementation of this power. On the spot penalties imposed by undefined authorised officers should not form part of the

	powers of the trust. There are sufficient existing powers to enforce byelaws through prosecutions. This change is authoritative in essence and seemingly only being made to increase the powers of the trust.
80.	The enforcement of byelaws on the Hills is pitiful. Cyclists regularly use paths clearly and unambiguously allocated to walkers with total impunity. BBQs have burned holes in the grass and scorched the benches. The wardens just shrug their shoulders and shuffle back to their SUVs.
81.	The fencing off of the Gullet Quarry is not a good idea. People who want to do and can get through to swim, and the fencing prevents the rapid access of public or emergency services help in the event of help being needed. How about water safety notices, some rings and a defib with 999 instead? A lot more pragmatic.
82.	The notices of fencing should be available online however it is helpful for walkers for notifications at the fence to continue. People should be able to sign up to a mailing list (potentially for a fee) and then receive online notification of all and any temporary fencing. 1 list would not be onerous to maintain and would provide reassurance to highly interested parties.
83.	The Open Spaces Society should be consulted and the Secretary of State before any plans to fence the Hills and Commons are contemplated.
84.	The power to issue fixed penalty notices must come with the appropriate risk assessment and training for staff.
85.	The practical enforcement of an on the spot fine seems impractical in the majority of cases. As such the provision appears both draconian and ineffective. Power to confiscate property used in contravention of byelaws (metal detectors, drones...) might be more proportionate but probably equally impractical.
86.	The public dont want to see wrong-doing and if penalties help reduce fly-tipping, illegal cycling, parking off road, then that should be permitted.
87.	The right to appeal any fixed penalty notice must be included.
88.	The Trust absolutely should NOT have the power to issue fines or request personal details. They are not the police and they have not received the extensive training that police officers do with regard to these matters.
89.	The Trust is not a law enforcement agency, and fixed penalty notices should be left to the Police for enforcement of byelaws in exceptional cases.
90.	The trust should act fairly and reasonably at all times.
91.	The Trust should have better powers to limit the running dogs on the hills. They should always be on leads on paths. They leave mess, they annoy wild and grazing animals, destroy habitat.
92.	The Trust should never have any right to issue fixed penalty notices. This is a massive overreach.
93.	The Trust should not be able to employ law enforcement officers because they will alienate the public.
94.	The Trust should not restrict access of information to individuals by assuming that all people have internet access.
95.	there are a lot of discussions to be had about dogs and their owners ... I assume that is coming later
96.	There is a long-standing issue with cyclists ignoring the signposted cycling trails and going wherever they want. This is dangerous for walkers and has led to significant erosion and degradation of some paths.
97.	There is likely to be a problem of additional irrecoverable costs to enforce payment from casual public users of the hills.

98.	There is no mention of who takes responsibility in the event of a legal challenge, which could be on a safety issue. As an unincorporated charity MHC has no legal status. Would unlimited liability fall on staff or board members or on the membership? This merits clarification.
99.	There needs to be much more work done on fire risks on the Hills arising from barbecues. More research is needed on accommodating bicycles without compromising the safety of walkers. There should be more regulation of hang gliders etc.
100.	There should be traffic-calming measures on Jubilee Drive with the power to issue fixed penalty notices if they are not observed.
101.	This could be overused, want it to be a space of freedom not fences or notices, the things that make humans have less freedom and space then even the livestock.
102.	This is a major item. The Hills are being ruined by the use of mountain bikes and dog mess, sa well as portable barbeques.Byelaws already exist prohibiting this, and cycles are supposed to keep to nominated bridle patchs only. May cyslists are inconsiderate or downright damgerous and careless. Footpaths are being eroded by cyclists who should not be using them and walkers are are risk from collisions from reckless cyclists.(I speack from personal ex[perience.) The offenders ignore the byelaws and simply do not care. Cyclists now believe or assume tnat they can go anywhjere on the HIlls. This never used to be the case and we need to return to them beong confined to designated bridleways.More Wardens with powers to impose fines or other penalties are need to keep the HIlls safe for walkers.
103.	This is an outrageous power grab!
104.	This proposed power would turn employees who are effectively park keepers into traffic wardens and quasi police officers. It would put their safety at risk and wardens may not wish to undertake this proposed new role. They would also find themselves open to verbal abuse.The answer is for the Trust to make a number of successful prosecutions and publicise these widely. This would act as a deterrent. It is understood that fines in such prosecutions got to the Police.Importantly, visitors to the area and most local residents are unaware of the existence of the Trust's bye-laws and can easily infringe them unwittingly. These are hardly displayed anywhere and it will be a legitimate legal defence against a penalty fine that no information was clearly displayed nearby to indicate that a particular regulation was in place.Organisations such as Tesco already face challenges, when the terms of use of their car parks are not easily visible from each individual parking space.The Trust would face expensive and time consuming legal challenges, outweighing any perceived benefits.Parking is already permitted without charge in certain non-car-park areas, such as the entrance to Welland and Golden Valley by the Mill Pond. Elsewhere on Castlemorton Common, parking is tolerated near the road edges, where families pull off to picnic, play ball games with their children and enjoy the natural surroundings.. A visitor would be entitled to believe that parking in similar places was permissible.An overview of "permitted" parking on the Malvern Hills could describe the present situation as irrational and utterly confusing.
105.	This questionnaire is not at all user friendly, expecting people to read reams of information (which you have not put in the questionnaire) to answer a single question. This is designed to put people off from answering the questionnaire and the questions are very leading with limited responses which doesnt allow people to give their full opinions. Consolidation of existing Acts seems acceptable but this is a way to bring in unnecessary and unwanted amendments under the radar. The excessive costs of the proposals would be far better spent on maintaining the hills for all, rather than expecting levy payers to foot the bill, especially during a cost of living crisis. The proposals water down the democratic process by seeking to reduce the number of representatives. Malvern Hills District Council has 38 councillors and Worcestershire County Council has

	57 members and these bodies operate successfully and democratically. Also, if representatives are good, why are you seeking to limit their time in office?
106.	this would make the hills more like a car park than an area of outstanding natural beauty
107.	We generally agree the proposed measures for the protection of the Malvern Hills and for public safety.Where a fence interferes with any highway, the requirement should be to insert a gate to British Standard 5709:2018 or such successor standard as may be apposite. Where the interference is to last more than 42 days, there should be a requirement to consult with the highway authority.Where the powers are to be exercised for more than 42 days and affects access on horseback, there should be a requirement to consult with the British Horse Society.Any person should be empowered to ask for notification by email (only), by submitting a request to that effect. Such provision would impose no costs on the Trust, save the requirement to administer an email list.
108.	What collection powers would the Trust and its staff have? Would it put unnecessary stress on the staff?
109.	With additional powers comes additional cost to monitor and provide, I don't see the benefit.
110.	With MHT increasingly (and rightly) reducing the number of trees on the hill and trying to increase the amount of grassland on the hill what can MHT do about new access routes? There are off road cyclists, walkers and runners whose enjoyment or desire for tough training is to take routes that are not currently footpaths or tracks on the hills, but one that go straight up the side of the hill causing erosion scars. Would these result in penalties under the bylaws? If not why not? Would the use of BBQs on the hills be covered by the bylaws, and again, if not why not?
111.	With regard to bylaws, The Hills has a Public Right of Way Network that is not fit for purpose, many Bridleways starting in Worcester turn to Footpaths at the Hereford Border which runs along the ridge for much of the Hills length. Yet it is written in the Byelwaws that Horses are able to use the entire Hills.Working with Worcester and Herefords Rights of Way depts Bridleway provision on and around the Hills must be improved, to legitimise the existing use of Footpaths by cyclist and improve the network for active travel purposes keeping people safe from our busy roads.
112.	With regard to Q24, I believe there should be a right to appeal to a body independent of the Trust.
113.	Yet another money grabbing scheme akin to ULEZ, TV licensing and Post Office scandal
114.	You are not the police and a private organisation should not be given a power to issue notices to anyone. You are introducing a mechanism which is open to abuse, which will be used for making money and will be administering a judicial function. How are you going to create and administer a right of appeal
115.	You are supposed to be conservators, not third rate policemen. You really have lost waht it means to be a conservator
116.	You have not properly considered the knock on consequences of this.
117.	You were not set up to nanny everybody and monitor health and safety to the nth degree, or send enforcement officers round to check.
118.	Youre not an elected council or the police...

Q28: If you have anything else you would like to add about third party rights, change of name, consolidation of the Acts or power to make future amendments, please type details below

1.	All dogs must be kept on leads... And all car park access points must have drinking water facilities	
2.	Change of name – NO! It would be interesting to know the extent and scope of the 'market research' carried out regarding the change of name (prior to the 2019 consultation) as I have asked quite a number of people for their opinion on the subject and, although a very few were indifferent, the overwhelming majority are in favour of retaining the distinctive name of the Malvern Hills Conservators. To argue that the name change would bring it into alignment with 'similar trusts' such as the Wildlife, Woodland, Wildfowl and Wetland trusts rather than justifying the change of name amply demonstrates why it should not be changed. All the examples quoted have as their prime purpose the preservation and protection of British natural history and it is obviously advantageous for their name and logo to be recognised as part of the same umbrella organisation wherever they operate throughout the U.K. In marked contrast to these, the Malvern Hills Conservators have the responsibility for managing a small, but well-loved part of the English landscape, much of which they own.As to misunderstandings regarding the name; to be met when canvassing for election with, "I never vote Conservative" provides a good opportunity to briefly explain the role of the Conservators. To change the name in the 21st century in order to bring it in line with a number of natural history 'trusts' which were so named in the 20th century is hardly modernisation. Neither does it give any indication of the distinctive powers and responsibilities of the Conservators; e.g. power to raise a levy, and responsibilities to commoners.	
3.	Changing of name is a waste of public money and a ridiculous notion. Changing the Acts is clearly an attempt at a power grab.	
4.	Common rights not to be interfered with. Employment Agency. Changes subject to Parliament.	
5.	Conservators is a perfectly valid name, Trust is open to more misinterpretation	
6.	Conservators!	
7.	Full open public disclosure by the men and women for the men and women on the land - as is the law	
8.	Great idea to change the name, conservator is a confusing description these days.	
9.	Having lived on the common all my life I always understood that the Rights of Estover includes the felling of trees for certain uses. However from my experience this has never been abused & good trees are not felled - rather old, dying or those needing pollarding are touched.	
10.	I am strongly in favour of clarifying rights of estover.	
11.	I do not see why anyone should find it difficult to understand the word Conservator. It conveys the very reason why the organisation was set up in the first place. This document states that the word 'Trust' has "been accepted and widely accepted". This is obviously because of the widespread branding and use of the name in documents, website etc.	
12.	I DO NOT WANT TO LOSE MY COMMONERS RIGHTS. The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.	

13.	I DO NOT WANT TO LOSE MY COMMONERS RIGHTS. The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.	
14.	I don't understand this are you taking away our rights to estover, once again your claim to simplify the wording hasn't done this. Why are you asking us if you can change your name to MHT when you have already done this years ago. Shouldn't we have been consulted before all the money was spent doing this ?	
15.	I dont understand the implications of the rights of common - these need to be explained better in the consultation document.	
16.	I have slight concerns about the ability of the Trustees to change their responsibilities and delegate decision making to committees. I foresee situations where the make up of a committee could be chosen based on the decision required to ensure it is passed. Also, the idea that bodies can self-regulate is fanciful. Prejuduce and self-interest always rise to the fore!	
17.	I see no need to change the name from the Malvern Hills Conservators	
18.	I wouldnt die in a ditch over it being called Conservators but it seems a bit old fashioned. The Trust could have run a competition to select a new name.	
19.	I'm unclear why you want to change the name, the Conservators seems reasonable, and is not associated with any detrimental double meaning	
20.	It is disturbing, almost frightening, to read MHTs proposals for changing its current and future plans without reference/consultation/oversight of diligent public bodies/authorities. Among the admin arrangements listed, are these all considered the most trivial of changes? Delegation of management of investments? Decisions outside meetings? Trustees duties + responsibilities? MHT could and should be more transparent. Communication is essential and in effect is totally lacking. Information regarding all matters pertinent to levy payers is difficult if not impossible to obtain. We pay a levy of £79.16 to MHT this year, an increase of 5 %. There was a 9.4 % increase in the levy in 23/24. How is the levy calculated? Information published in the Malv. Gazette indicated current levy levels are five times greater than the maximum allowable under the Acts. The existence of such rights to charge compulsory levies on locals is surely an anomaly in the 21st century. MHT claims to be a charity but charities are voluntarily funded. Extending powers to a tiny number of individuals is dangerous and undemocratic. Independent strict control and oversight is essential.	
21.	It is misleading to rename the MHC as MHT because no evidence is supplied that MHC qualifies as a Trust. It would be more appropriate for the name to be changed to Malvern Hills Commission, with management by Commissioners (with no need to change the acronym MHC).	
22.	It seems churlish to refuse to help other local people to enforce their rights of common (in a very small area), for the sake of small sums, thereby forsaking goodwill by no longer supporting those people with land historically tied to the Malvern Hills Acts. This reinforces the idea that the Trust wishes to make commercial an area of outstanding natural beauty, along Heritage lines, and change the intentions of the original bequests and historic grants to the people who therefore pay a precept or tax to fund it. It must not become a private enterprise for the benefit of a few, funded by many, but without representation!	

23.	Its just a name - I was perfectly happy with Malvern Hills Conservators - actually makes more sense as that is your job - to conserve (not preserve) the Hills for existing and future generations.I am concerned that land on the Hills not currently owned by the Trust could be acquired, the mortgage defaulted and the land subsequently sold for development. It needs to be made absolutely clear that any land on the Hills acquired by the Trust cannot be sold for development.	
24.	Just about everything you have said about the change of name is untrue. See the Malvern Hills Action Groups analysis for further details	
25.	Leave things as they are please.	
26.	Malvern Hills Conservators was a good name - Why change it?	
27.	Malvern Hills Trust should revert to the Conservators.	
28.	Many association members dispute the Trust's assertion that estovers applies only to the collecting of fallen wood and bracken, and the association may seek to challenge this. However it is not deemed unreasonable that if the Trust plants trees, in the interests of conservation, that they should not be cut down. We would like assurances that the text of the bill will not seek to finitely define the term 'estovers rights' and again the simple solution here is to engage prior to the bill going to parliament.This proposal is an area where the drafting of what is proposed also needs to be seen, and in our view should be shared locally before the bill starts parliamentary process. Whilst it is noted the power is to be restricted to administrative matters it is unclear why the examples given require the general power as these are matters which could be set out now and are common to many charities from which appropriate examples could be drawn.	
29.	name - Conservators is what you do, its unambiguous. Trust is just how your legal status was defined as a tax dodge.	
30.	Names are important and so are functions. The body that makes a compulsory levy has to be a statutory, not a charitable one. By all means make a proposal to set up a charity and have membership scheme like the National Trust - but dont then make a compulsory levy on some (not all) people in the areas around the hills.	
31.	No amendments should be made without consulting the levy payers - this gives you too many opportunities to take decisions outside the bar details we have been given.	
32.	No further comment presently.	
33.	None.	
34.	Not a single piece of evidence was provided to support this proposal	
35.	Q26 - sorry I dont fully understand this one!!	
36.	Q27 is badly worded so doesnt make sense. Do you mean change its status from public body to trust? Andy why is MHC already using the phrase Malvern Hills Trust if it has not statutory validity?Power to make future amendments with consent of Charity Commissioners - Why should the Charity Commissioners have power over a public body governed by statute? You state the power sought applies only to administration arrangements but this seems disingenuous as the provisions, e.g. decision making and power to delegate and delegation of management of investment are extremely important and involve the use of considerable power. Body corporate - i, ii and iii are	

	impossible to understand and appear to me to be incorrect. The Acts refer to a public body, MHC, not to a Trust/Charity.	
37.	re Q 27 The Conservators/Trust has a responsibility to ensure other peoples rights to common on the Malverns - I can see that the factt hat you are seeking to shift away from this responsibility reinforces the view that you are seeking to just become a land owner interested in your own self interests, sad to say.	
38.	Retain Malvern Hills Conservators	
39.	S9 1884 Act says nothing about enforcing peoples rights of common; this this question is invalid and meaningless. S9 (1884) deals with the Conservators power to prevent encroachment and to protect and defend rights of common. Nothing at all about enforcement.Q.27 There is an implication in the word Trust. The public is more likely to trust the Malvern Hills Conservators, whose job is to protect and conserve. Currently, the Trust and the charity seem to be one and the same; the Trust is regulated by the Charity Commission. P7 of the Proposal says everything the Trust does is in the best interests of the charity. Surely everything the Conservators do should be in the best interests of the Malvern Hills and Commons. Its not the same thing. I couldnt find any reference to the Malvern Hills Conservators being a public body. This term has been suppressed by MHC over the past 2 or 3 years and it being a public body has occasionally been denied. It should be made quite clear in the new bill that it IS indeed a public body. The bill is not a shining beacon of transparency, is it?	
40.	Scrap the trust and give all power to the council and have dedicated department take the quango away	
41.	Section 31 - Holywell water rises on land within the Malvern Hills but belonging to Holywell not MHT, so a third party agreement may be involved.	
42.	Surely the 1995 act did all the consolidating necessary? is not a lot of this duplication? the refs to Herefordshire Council, MHDC etc. should also include the phrase or their successors in title to avoid having to do yet another update.Above all, the final draft should be put out to consultation to all levy payers - this is only natural justice	
43.	Surely you would not allow National Grid or anyone else to construct power lines over the Malvern Hills! Do they really have a right to do that? And it is strange that you have not included a specific question about this. Or maybe I have misunderstood this point.	
44.	The 1884 Malvern Hills Act (p2) states that the land should be “from henceforth and for ever left free for the freeholders and tenants and commoners to take their common of pasture and common of estovers therein as theretofore they had been accustomed”. The Trust now wish to make a relatively minor change to this right, but nevertheless to do so infringes one of the key founding principles of the Malvern Hills Acts and, as such, should not be permitted. This is the thin end of a wedge. There is no other law that permits the right of estovers to be reduced or limited (other than by a commoner agreeing to give up those rights), yet this proposed Private Bill will run roughshod over all existing legislation which protects commoners rights nationally.As a matter of principle, all commoners rights should remain fully protected for ever.The reference on page 60 to the Trust having a power to regulate the use and enjoyment of the rights of common is misleading. Section 10 of the 1884 Act only requires/empowers the Trust to ensure that rights are exercised in accordance with ancient customs. If they are so exercised, the Trust has no power over them whatsoever. The same applies to the Bye-Laws and the 1930 Act.	

45.	The body constituted must be answerable to the Precept payers who supply the largest income stream. The name Conservators seemed to tell the world that this body is different from other charities and not to be confused with the National Trust. It also implies that its role is more than merely commercial. It is educational too (or should be).	
46.	The change of name is plain silly. Malvern Hills Conservators clearly are concerned with conservation of the Malvern Hills. Malvern Hills Trust is what?	
47.	The changes proposed by MHT are far reaching and gives powers to people as yet unknown. Far more time is needed for the Trust to consult with levy payers. Furthermore, there should be a consultation on The Bill itself.	
48.	The commoners do not always act in the interest of their rights. In my time as Director there even set the Hills on fire to encourage new grass growth. To get other Authorities is time consuming and very often the deed is done.	
49.	The Conservators are the Conservators. Malvern Hills Trust is there trade name.	
50.	The conservators name embodies what is provided, The Trust does not.	
51.	The Conservators seemed a more appropriate name to me.	
52.	The existing name of Malvern Conservators is in keeping with the purpose as stated in the original Act, i.e. holders and managers of the common land.	
53.	The inclusion of Conservators in the title makes clear its purpose - to conserve - whereas Malvern Hills Trusts says nothing other than a connection to the Malvern Hills. Better would be something like Malvern Hills Conservation Trust.	
54.	The name change would be a rational move identifying a new era of more rational governance	
55.	The original name Conservators was an accurate description of the body , they were there to conserve the Hills. The name Trust does not describe the body or it's functions.	
56.	The proposals are very vague - many details such as constitution of independent board members etc have not been thought out. This questionnaire is too long and complex for most people to understand.	
57.	The term Malvern Hills Trust could refer to a funding body etc. Malvern Hills Conservation Trust better reflects its objects and is preferred.	
58.	The The Malvern Hills Conservators has been a satisfactory name and remains so	
59.	The Trust may change its name but this should not apply to the Conservators	
60.	The trust needs to modernise and be fit for the future in carrying out its duties, although it should not act beyond its remit as caretakers of the Malvern Hills	
61.	The Trust should be allowed to govern the common and hills landscape grazing in order to oversee poorly conducted stocking, husbandry and overgrazing outcomes leading to impacts to the SSSI habitats and wildlife.	
62.	The use of the word Trust is really meaningless, how many Trusts are there! The Act was set up to conserve the hills for the delight of folk walking over them. So Conservators seems to be a right name.	

63.	The wording of Q26 doesnt do the intent justice. I think it could sound like the Trust will just ignore abuses of the Commoners rights. If the Trust doesnt take a leadership role and/or support individuals in taking this on then enforcement may be harder to achieve.	
64.	There is no need to change the name of The Trust.	
65.	Things should stay exactly as they are in this regard. They have - as you have pointed out to us in the press worked well for 140 years.	
66.	This questionnaire is not at all user friendly, expecting people to read reams of information (which you have not put in the questionnaire) to answer a single question. This is designed to put people off from answering the questionnaire and the questions are very leading with limited responses which doesnt allow people to give their full opinions. Consolidation of existing Acts seems acceptable but this is a way to bring in unnecessary and unwanted amendments under the radar. The excessive costs of the proposals would be far better spent on maintaining the hills for all, rather than expecting levy payers to foot the bill, especially during a cost of living crisis. The proposals water down the democratic process by seeking to reduce the number of representatives. Malvern Hills District Council has 38 councillors and Worcestershire County Council has 57 members and these bodies operate successfully and democratically. Also, if representatives are good, why are you seeking to limit their time in office?	
67.	This strikes me as being a complete waste of time, effort and money.	
68.	To state that Malvern Hills trust have OWNERSHIP of the area it manages & cares for is extremely problematic. This is not their right in law. Conservators did not claim to own but manage and conserve.	
69.	Using Conservators makes it clear the main purpose of the Trust... otherwise, there is a suspicion that money-making could become the primary aim, especially to pay back the huge sums borrowed to pay for this new bill.	
70.	What is prposed is not just a consolidation as claimed it is a consolidation WITH AMENDMENTS. The process is too expensive, has no guarantee of success, and is unnecesssary.	
71.	What is wrong with Malvern Hills Conservators. I disagree with trusts. The hills need conservation!	
72.	Whilst consolidation of the acts is desirable, change for change sake is unnecessary, expensive and cumbersome.	
73.	Whilst recognising the confusion that can arise from the word Conservators, its use does point to the long history of the MH Conservators and is a link to that history. It also is a much more distinctive term than Trust and one I would like to be retained	
74.	Who decides what changes are trivial. How well sighted will the Charities Commission be of the intentions of the old acts, their arrangements for (direct or indirect) democratic oversight, the interest of levy-payers and neighbours and long-established custom and practice? And is consultation enough? See Q 31.	
75.	Why are you ashamed to call you selves conservators?	
76.	Why cant you be conservators?	

77.	Why change name? what was wrong with Malvern Hills Conservators? One gets the impression of some form of underhand operation.	
78.	Why do the Trust need a power to enforce people common rights, we commoners already know our rights .The Trust have changed all their logos on vehicles and websites to the effect of The Trust so why need for a power to the effect	
79.	Why should the Trust have any obligation to act on behalf of others? Unfortunately the word conservator has fallen from common usage whereas trust is widely used to describe organisations with similar objectives.	
80.	Why was it necessary to change the name, why is is now know as Malvern Hills trust and what was the cost of this change?	
81.	You are Conservators and you should conserve and be proud to conserve. By no stretch of the imagination are these proposals just consolidation of the Acts. You have wasted enough money already on rebranding as MHT so I dont want you to paint over all your vans again as conservators but that is what you are.	
82.	You are meddling for the sake of it. Leave it alone.	

Q30: Equality Act

	Access of information should not be restricted to internet or other on line services. To do so may exclude low income households or those without computer skill.
2.	As I mentioned previously, myself and 3 colleagues respectfully use the Malvern Hills to work. We walk our dogs daily in a very respectful way and clear litter and dog waste from the hills.
3.	Bias against older people when so-called diversity is mentioned - that is protected
4.	By borrowing money for the bill, this would need to be reclaimed somehow, and a likely method is to raise the car parking fees at a much higher rate than they would have done otherwise. This could negatively impact the access of the poorer and more disabled sections of society to the hills.
5.	By putting up a fence it could hamper disability access.
6.	Clear the fencing by the gullet, it does not prevent people from going in, only help from rapidly accessing them if needed (mental health episodes are less accessible) . Wider paths for off road buggy and chair access.
7.	Fences/gates etc will impact on all visitors to the hills but definitely discourage disabled users. Unlimited access is currently available + appreciated & should be maintained.
8.	Fencing might make access for disabled people difficult
9.	Fencing will increase the amount of walking required to access trust land and to access any point within it
10.	Full open public disclosure by the men and women for the men and women on the land - as is the law
11.	Further detail required before responding to an open question
12.	I am not sure enough to answer No.
13.	I do not have the details of the Equality Act so cannot refer to them, however I do feel that in your desire to fence large areas for up to a year, with gates in and out, people are not being treated equally. those with disabilities or ethnic differences are being excluded from all areas of our Hills.
14.	I feel that the trust is now treating the local residents with contempt and arogance.
15.	I feel the objective is to grant too much power to the Trust formerly Conservators
16.	I'm saying yes because there nearly always is an equality issue. I would have liked a "don't know", but you didn't give that option. The fact that there will be an appointment system for board members nearly always leads to underrepresentation of women and minorities
17.	Im not a lawyer. MHCs lawyers should consider the whole consultation document against the relevant law and statutory guidance. One particular concern - the gates giving access to fenced off areas are in many places impossible for someone with

	limited mobility or strength to open. This presents a H&S danger too because people may need to get out of the fenced area in a hurry e.g. if cattle attack them.
18.	In reducing elected representatives and searching for additional trustees with specific skills and knowledge, it may be difficult to resolve a conflict of representation with a significantly reduced number in total
19.	It is well known that people who are members of minority representations within the community typically find it difficult to access not only the amenity I e. the land in this case but also the governance. You intend to create further barriers for them.
20.	Restricting access to common land denies access to certain users that currently have equality
21.	Securing the common might limit access for the disabled.
22.	Significantly
23.	Some people, particularly the elderly, do not have access to the internet.
24.	Sorry I meant to leave Q29 blank because there is no option for Dont know which there should be.
25.	The consultation questions are very loaded
26.	The present Malvern Hills Acts service Equality perfectly in a balanced manor, the changes to the Acts being proposed by this Bill being put forward challenges that stance
27.	The proposal to introduce selection rather than election
28.	The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
29.	The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
30.	This consultation is in breach of of the equality act.
31.	This document is inaccessible to the vast majority of people and the consultation period should have been extended due to the election period
32.	We want the right to be represented by our politics and council not this trust
33.	Whether this is directly relevant to the Equality Act it is clear there are major issues within the Trust and trustees. The resignation of the Chairperson at last weeks meeting is most concerning and raises many questions about how this came about; bullying and other reasons & having to report to the Charity Commission must be reconciled before ANY progress can be made.
34.	You are contrary to it already because you have ignored PURDAH

Q32: Unintended consequences

1.	A large protest by levy payers who are providing funds in the main for this private bill.
2.	A lot of the proposals will make it harder for traditional graziers (using their common rights) to carry on doing so.
3.	A membership body will likely increase visitor numbers and this will need management through parking provision and possibly shuttle buses etc. with disabled provision.
4.	Allow easement for motor vehicles may grant planning to land that has until now been blocked
5.	Allowing trustees to be appointed may end up with a delegation wanting to enforce a change that is not welcomed by the rest of the trustees. I feel that small boards allow this to happen, 29 may be too many, I think 15 or 16 a better size to enable any odd ball decisions to be squashed.
6.	Any change is liable to have unpredictable consequences
7.	Be careful about monetisation- I understand you believe fundraising will be focused on the charitable aims but the unintended consequence is restricting free access - fencing, fundraising and barriers for a walking event etc raising money from 'administrative charges' for other charities and dog walkers etc who don't have much money. I really hope there's a strong commitment to accessibility, open access as this encourages people to use the space which is so good for physical and mental health. I worked in the charity sector for 20 years and think some of the changes are good and necessary but please be committed to open access.
8.	Candidates for election as Tristees should be rigorously vetted to ensure that their personal interests or means of livelihood do not conflict with the aims and objectives of the Trust. For example, a candidate whose main activity is housebuilding and or property development should be viewed with suspicion and their motives explored in detail.
9.	Centralisation will always take power away from the people to benefit a corporation. Not good.
10.	Commercialisation of what is currently public space.
11.	Commercialisation the mitigation is therefore leave things as they are.
12.	Commercialization of the hills which will cause further damage due to higher footfall etc.
13.	Disenfranchisement of levy payers, particularly through reduction of Trustees and the proposals around candidates for election
14.	Fencing causing lack of access to common land. Making the area commercial with stalls etc at events held, which in itself takes away the whole purpose of the hills as clean unspoilt and naturally beautiful .Making charges for some activities etc contradicts the whole ethos of the hills being common land for all to use free of charge - apart from carpark charges.

15.	Fencing off the commons will lead to them no longer being common. Slackening of building regulations will lead to more buildings being built and spoiling the nature of the area. The best mitigation is not to make the changes.
16.	Filling fields with solar panels for profit
17.	Fixed penalty notices are an extreme way to respond to breaches of byelaws in all but the most severe of incidents; implementing these widely this will lead to unnecessary conflict between the Trust and public users of the Malvern Hills Trust land. It would be mitigated more appropriately by engaging with users and local stakeholders to reduce breaches of byelaws and identify areas of concern that the wider community can work with the Trust to address.
18.	For Q30 it needs a Dont Know option. The common land and hills need to be open for people to enjoy for free. There is a risk with the act the precept payers and visitors could be charged or forced to join a club to use and enjoy the hills. I strongly object to this concept.
19.	Further detail required before responding to an open question
20.	General Competency assumption is same power used by some local councils to invest in risky projects resulting in loss of millions of pounds for levy payers/council tax payers. Reference the good intentions of sharing educational assets countrywide-Malvern Art College now in serious jeopardy of loss due to greedy and vastly indebted Warwick Institution.
21.	General powers are by definition general, therefore vague and open to misuse
22.	Governance: Important that non-levy paying areas under MHT jurisdiction receive nominated, mandatory liaison trustee.
23.	Governance: non-levy paying parishes under MHT jurisdiction could lose their voice on the Board. This could lead to poor relations with MHT. There should be a designated trustee mandated to liaise with these parishes. Granting Licences: Powers too broad and general and lacking specificity. This could lead to local disputes. Local/parish interests should have the right to be consulted.
24.	growing opposition to paying a precept to MHT as more visible income-generating activities on Trust land increase.
25.	Have you seen the Geoff Buys Cars video? And it has also given me ideas for writing a dystopian novel.
26.	I agree that 29 trustees is too many so moving to 12 is a good idea, however elected or appointed trustees should have a fixed term length for service. E.g. for two terms of 4 years duration of similar.
27.	I can foresee the hills getting developed and corporations making money from the area.
28.	I dont know what they will be specifically - but they will happen. So mitigation and mechanisms to deal with things flexibly is key here. I am not a devious person but I would like to hear from someone with a more machievellian mind than me as to what advantages could be taken of the new rules/opportunities etc. There is clearly a lack of trust from a portion of the local population who are very concerned as to what might happen in the future. However, it is hard to foresee what will come.

	Realistically, good intentions and levy payers holding the Board to account is the only way forward.
29.	I have concern about trustees having powers to alter the hills in a way not foreseen e.g grant too many licenses for enterprise and ruin the hills.
30.	I have stated these throughout my answers. The fear is by giving the Trust the power to section off and remove access vs conservation then in 30 years it could easily be argued keeping people away is the best form of conservation and lock away the hills. How do you ensure a % of the land is always available for enjoyment?
31.	I have two issues:1. Raising £300k to pay for the changes is risky. There is a lack of transparency and credibility in not explaining how. This should be publicly addressed.2. The trading and commercialisation should be clearer and say what is excluded to avoid claims that it will adversely affect local businesses.
32.	I strongly object to the changes made to the old Charitable Conservators. You just want the power to be concentrated in fewer hands with less oversight from the precept payers and become a land developing agency, buying here, selling there whenever a developer hands you a bag of cash. Youre a disgrace.
33.	I think that the proposals will lead to less accountability and could lead to a detrimental affect on use and access to common land.
34.	I think while the current people who work for the Trust have good intentions, I don't feel the changes have been thought through and many of the intended changes could lead to future problems when new people take charge of your management as time moves on. I am very worried that changes could be allowed that will ruin our beautiful and currently well protected Hills and Commons. Plus much of what you propose requires more staff and I know from my dealings with you, that you have said you are already over stretched and under staffed.
35.	I worry that by borrowing huge sums of money to pay for this parliamentary bill, there will then necessarily be a focus on raising money to pay this back, plus the interest payments. Various activities and behaviours will then be triggered that are not in the interests of the local public, nor people travelling to the hills to enjoy its natural aspect. By changing the structure of the board, it could become easier for a cabal to take over and force through changes that focus on making money at the expense of what should be much higher priorities, like conservation and maintaining the natural aspect and beauty of the hills.
36.	If allowed many of your proposals could see a continuation and even increase of cattle grazing and the use of the hills as a private farm. They could result in more environmental damage, continue to restrict public access to the hills and create a dangerous environment. All of these effects can be mitigated by no longer allowing cattle grazing on the hills. This would prevent further erosion and habitat destruction. Remove the need and cost of the large scale fencing of the hills which contradicts the primary purpose of the malvern hills trust.
37.	If the amount of dogs we as professional dog walkers are allowed to walK on the hills changes, this will affect the health and wellbeing of dogs we can no long accommodate, akin to the closure of a nursery place!
38.	If the Malvern Hills Trust are granted further powers it could affect both wildlife, the general environment & local residents. The land should remain a Conservation area

	& an Area of Outstanding Natural Beauty. The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
39.	If the Trust do not take into account their status as a Body with precepting powers and model themselves totally as a charity then there will be calls for the removal of there status and morph into an fully constituted charity.
40.	Im again worried about the increase in powers that could be misused and more farming allowed in the area. I would like to see any grazing banned
41.	Impossible to speculate in advanced but you need to have policy in place to rapidly reduce any impact of these unintended consequences.
42.	In my view there is a potential ongoing conflict between the Conservators originally set up as a Public Body, and the new organisation the Trustees seem to be wanting to create.
43.	In recent years there has been a distinction made between conservation and rewilding. My concern is that preserving the "look" of the land that has existed over the past few hundred years may at some point be shown through scientific research to be at odds with wider ecological and environmental best practice. Whatever changes are made, I feel strongly that there needs to be provision for a reinterpretation of The Trust's purposes and activities so that they can be aligned with any change in the scientific evidence base around environmental and ecological best practice. I think it is very important that unbiased scientific evidence be used in an evolving way, at all times in the advisory and executory powers of the Trust. I suggest an appropriately worded clause (which I may have missed in the proposal) that requires the trust to make decisions around land management that align with evolving scientifically underpinned best practice which aligns with both environmental and ecological sustainability.
44.	Individuals trying to consolidate power to make profit
45.	Introduction of membership could be a slippery slope to temporary or local limitation of access by the public.
46.	Japans Fukushima didnt foresee the possibility that their biggest walls in the past would be inadequate for a bigger earthquake & tsunami in the future.
47.	Lack of access for the public and MHT empire building
48.	LAnd grabbing self serving tossers
49.	Loss of existing democratic accountability. This can be avoided by maintaining the separation between Conservators and Trust and by more clearly defining that separation. The consultation does not demonstrate an understanding of that separation or the need for it.
50.	MHT could lose its public body status, and become a full charity yet still able to claim levy, with no accountability!!! Its general powers can be abused without proper scrutiny
51.	Nepotism in Trust appointees, increased opportunities for corruption with reduced numbers in the Trust board.

52.	NO PROPER REPRESENTATION FOR THE LEVY PAYERS, OPPOSE AS IT STANDS
53.	Not immediately clear on first reading but experience dictates some residual unintended consequences are inevitable.
54.	Nowhere in the documentation is access to the Trusts lands for users other than pedestrians and horse riders mentioned. Surely all those with access to bridleways, such as cyclists, should be included explicitly in any changes made.The changes assume a benign and honourable Trust is in place to oversee the operation of the Trust. The powers suggested, in the hands of a rogue board, could be used to change the open and free access to the Trust lands, the imposition of unreasonable fees etc.
55.	Of course there could be unintended consequences of the proposed changes - it is such in life. I wish to make a broader point, that for various questions above, the answer might be it depends. There are various times when the Trust or any other env organisation will act in good faith but there will be contentious issues. It depends on everyone having integrity. There has been times in the past when the Trust/Conservators took what were poor decisions. Such issues will of course come up in the future too. Some of my work background is in public participation in environmental policy and processes. All I would suggest is keep up the consultation and stakeholder engagement processes. You will need to invest some time and money in them, always. In the end they benefit the organisation by bringing greater accountability, legitimacy and genuine understanding and support from the communities the Trust serves.
56.	Officers dictating policy - arguably they appear to do that now.
57.	Opens the door to more commercial exploitation of the hills to no public benefit
58.	Over centralised control by Staff, not Trustees. Staff engineering things to get Trustees they want/agree with. You should not be seeking to commercialise your activities.
59.	Over commercialisation.
60.	Passing over of pcn and planning decisions would lead to additional office time and cost which is currently provided by others. With a reduced board I don't see how you'll effectively manage these changes without requiring more staff and additional management layers. I think a detailed organisational structure would need to be published for further comment.
61.	Paying for access , no matter how this is concealed by licences etc must not be allowed
62.	People still need to feel and have knowledge of a clear structure of accountability and how to reference any problems, who is responsible etc.
63.	Reputational damage due to people claiming foul play on this process. Mitigate through liaison with Charity Commission and transparency on consultation outcomes.
64.	Restriction of access to common land for all users
65.	Sale of land should not be allowed.
66.	See above

67.	Significantly reduced transparency, democracy and accountability and access being removed from the public.
68.	Smaller number of trustees could affect decision making if there was persistent non attendance
69.	So many it would take all day to list, but thats possibly becuase I have given this more thought than most of your Trustees have I suspect.
70.	Some of the proposals are unclear or insufficiently delineated and, therefore, may be subject to future misinterpretation. The proposed bill should lay out in plain and clear English the primary purpose of protection and continued un-enclosure of the Malvern Hills and the Commons. The relationship of the Trust with the local residents should be treasured as a source of a body of people to draw on for support in the objects of the Trust. Proposals relating to election of Trustees should aim to enhance the relationship. Proposals relating to Membership Bodies should be considered with great care as this might entail a danger of divorcing the Malvern Hills from its position in the hearts of the local residents.
71.	Staff and volunteer time and cost requirements increase to fufil the revised/new powers
72.	Taxation without representation
73.	the pressure by powerful interests could be intense - especially with the 50/50 elected/appointed split that you propose. hence the need for elected trustees always to have the majority. The quorum should be similarly defined.
74.	The ability to grant licences for food outlets and events may create disturbance and habitat degradation in order to earn money. The board and objects need to be very strong and in case of conflict biodiversity must take precedence. Board make up and objects are key.
75.	The arrangements proposed seem inadequate to prevent a drift into a democratic deficit, leading to changes to interpretation of even the clauses that have not explicitly changed, e.g. building, easements and licensing, to the detriment of levy payers. This could be seen as taxation without representation and a souring of relations against the interests of levy payers and contrary to the objectives of the trust. For example, visitors enjoyment of the hills might be lessened if the locals are up in arms and the flora and fauna might be compromised if the Trust loses the sympathy of its neighbours.
76.	The changes to the electoral process might make it easier for a group to be elected who did not intend to act in the best interests of the Trust. Careful consideration should be given to the funding mechanism for elections. Staggering the election of trustees should help to limit the risk.The general power might be open to misuse. Mechanisms should be included to ensure that it can only be used in pursuance of the Trusts objectives.If Trust staff have the power to issue fixed penalty notices they may be at risk of adverse public reaction. Careful thought should be given to how such powers might be used to ensure staff are properly protected in such circumstances.Licences for activities on the Hills might be misused, leading to damage to the natural aspect. The Trust should have clear powers to enforce restorative action in such cases.

77.	The encouragement of a membership organisation to put forward Trustees may result in outside groups attempting to exert undue influence by flooding the organisation with members and trying to put forward their own candidate. I would support setting up a membership organisation only if it explicitly had no right to put forward Trustees.
78.	The general power could be misused in the future despite assurances mby the current board.
79.	The key issue which is being swept under the carpet is that the trust has tax raising powers but is now planning to sever all links to local government oversight. The accountability of the trust to those who pay the levy needs to be clearly established and the proposals are silent on this key issue. No information is given on what checks and balances are in place to prevent an excessive increase in the Levy causing the trust to lose local support.
80.	The Malvern Hills Conservators as a body are not trusted to act in the best interests of residents, precept-payers or the preservation of the Malvern hills and commons. The Charity is more interested in making money than preserving the natural aspect. They cannot be trusted to draw up a watertight private bill that is in the best interests of the Malvern Hills and commons, for which purpose the body was established in 1884. Since the 1970s, swathes of common land have been sold or given away to Worcestershire Highways in the form of large easements onto housing estates. Foe example, the easement into Eston Avenue from Guarlford Road. Precept-payers live in dread that MHC will ruin the delightful natural aspect from and to the hills along Guarlford Road from Guarlford to Barnards Green. MHC is not a planning authority so would not be challenged for denying an easement if it could be proven that the natural aspect would, as a consequence, be damaged. For that reason alone, this draft private bill needs to go back to the drawing board.
81.	The new general powers could seriously threaten the surrounding rural areas, open space, wilderness and nature/biodiversity, because the MHT would ultimately be in an unrestricted position to use their new powers to sell easements to allow housing developers access over MHT land to previously inaccessible fields in return for massive financial payouts from the developers. I believe there may be many other unintended consequences as well but all these need to be discussed in a proper and fully transparent public consultation process which this is not.
82.	The proposals increase the powers of the Trust and expose it to greater risk and reputational damage. They make it less democratic and less accountable to the levy payers. The fact that the current legislation is old , with antiquated language and redundant clauses does not matter. As a lawyer I deal with much older Acts and you ignore the parts which no longer apply. My experience suggests that no matter how you try to clarify language it will never be completely fit for purpose and is always subject to interpretation.
83.	The proposed changes need to be made very clear before Q 31 can be answered NO. At present there are a lot of ambiguities and wording to be changed - these could all lead to more unintended consequences (Unintended consequences just mean that noone has been diligent enough in checking!)
84.	The proposed general power is very vulnerable to abuse. Whether this would be unintended consequence or not, the danger is still there. There are many other proposals in this document also vulnerable to adverse consequences.

85.	The reduction of the board to a potential quorate four obviously gives rise to the risk of conflict of interest and corruption. Bribing half of the existing board would be problematic bribing 2 or 3 in the proposed board - not so tricky.
86.	The running of the Trust could easily become too commercial and end up like some local Authorities making bad financial choices and investments.
87.	The skys the limit! And nothing could mitigate if all this were to go through.I
88.	The sweeping powers applied for may prove to be the catalyst for changes that have not been thought of today
89.	The trust is not needed we need the council not the trust
90.	The trust may acquire more power without the suitable training or experience to wield it. This is particularly true with on the spot fines. This could cause considerable conflict. Use of body cameras may stop this, but, is that really the kind of authoritarian situation we want occurring on the beautiful, peaceful, hills? This is not the inner city of London.
91.	The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws.
92.	The trust will be a more powerful local organisation which is positive for conservation but may impact relations and culture. There may be consequences such as no one else locally will be able to buy land because trust would be able to get it in there first, events and charging in trust land potentially prevents other local opportunities developing.
93.	The vagueness of some proposals leaves the open to varying interpretations of the aims of the Trust. particularly where powers are discussed.
94.	The whole proposal is ill judged and is dangerous. The cost will over run, the board will be captured by people who seek to exploit the new freedoms for their own ends, buy land and borrow against it, etc the simplest mitigation is to abandon this plan.
95.	there are many concerns that I have but I no longer have any faith that the board will listen, you are only interested in your own agenda.
96.	There are potentially conflicting interests from health constrained users of the hills with the enclosure proposals potentially creating less access and discriminatory conditions for unaccompanied disabled users of the hills.
97.	There is a lot of ambiguity and uncertainly around future provisions and yet unknown intentions. There is inadequate provisions for scrutiny or accountability going forward. e.g membership proposals.
98.	There just feels some underlying motives to the changes. The fencing of the common in particular - if used at face value just fencing the perimeter is good but across roads within the common is unacceptable along with the 12 month fencing could be extended and become permanent.
99.	There will always be unforeseen consequences
100.	There will be less accountability to the people of Malvern if this bill goes ahead.

101.	theres so much leeway in the proposal, that this could go so badly wrong for our beautiful Malvern Hills. More elected trustees, means more sensible local voices in the mix. Yes we need experts, but we also need what is best for the local area.
102.	They are giving the Trust absolute power to do whatever they feel is appropriate without any input from the levy payers who cannot refuse to pay the levy. You must be the only Charity; who demand money from levy payers. Contributions to charities are voluntary. We also have no real say how these are used and no representation on the board.
103.	They cannot be mitigated. You are removing accountability for the use of our tax. You are creating a way for people who we have not given a mandate to make use of the Hills as they want. Once you granted rights and allowed to people to build over the land or sold it off, we will be unable to get it back.
104.	This consultation is about the powers of the Conservators - once these have been properly addressed then the consequences can be analysed.
105.	This consultation is not a consultation on the proposed Bill, it is consultation on some of the changes that will be in the proposed Bill, and only those chosen by Trust to be part of this consultation.As such it is a deletion and distortion of what will be in the Bill itself. It does not allow responses to be made as this early stage to the content and wording of the actual Bill itself.The questions are so similar to the first consultation that it is hard to see how responses will make any difference.The document is not even neutral, as in places it seeks to influence responses by referring to the responses to the first consultation, for example the last paragraph on page 44 immediately before the Question box.The final version of the Bill needs to be put out for public consultation or their will be opposition to it in Parliament.
106.	Too many vague proposals all at once. Need to make necessary administrative changes first and then come back with detailed and well thought out proposals for further public consultation. Examples of unintended consequences: How would a Membership scheme work - how would this work with the levy payers? Would there be conflict. Would a membership scheme conflict with local wildlife trust - unlikely to attract much public support from beyond the locality. No limits suggested on the value of borrowing. Acquiring new land could detract from the existing land included in the current acts.It sounds as if the Trust wishes to become a more commercial entity and be subject to influence from those.
107.	Unintended issues usually arise hidden in the “small print”, and it is not always obvious until a particular issue arises.
108.	Wardens and others could be be subject to abuse if control measures are not put in place when issuing penalty notices
109.	While I am sure the proposed changes are drafted with the best intentions I have strong concerns about potential for future misuse of the provisions of the new act. Mitigations are both a) to have a larger supervisory body elected from levy payers with oversight of the board to monitor and control inappropriate actions AND b) to ensure unfettered PUBLIC access to all meetings (whether decision making or not) to assure TRANSPARENCY.
110.	Will alienate the Levy Payers who compulsory provide the majority of the Trusts funding. The views of the Levy Payers should be sort and respected.

111.	Wrong powerbase, therefore original purpose of the Conservators will not be enacted
112.	Yes but I do not think they are unintended. It is a move away from, not towards, democracy and representation.
113.	Yes increased powers could see increased measures for the Trust to continue to manage the land in a way in which it reduces open aspect. By looking at the basic principles of why the trust formed!!
114.	Yes plenty ,to many to mention in this short space ,but this Bill reeks of conflict in all sectors put forward
115.	You need to produce the actual draft bill for this question to be answered properly.

Any other comments

1.	By seeking to make such major changes all in one document you are clearly loosing to trust of many people. You should keep the original Acts in place. Please rethink this so called rationalisation - by putting so much of your governance into flux, (and if you go through with your proposal handing over responsibility to people who do not live on the Malverns there would be a strong chance that the special character of the Malvern Hills, both its land and the deep felt relationships people have with it, would become very damaged.
2.	A very thorough process. Yes, the supporting document is lengthy but that just shows how complex the role and operating guidelines of the Trust really are. Its been disappointing to see the misinformation that has circulated in some quarters and an attempt to manipulate submissions by publishing a guide that leads to blanket opposition to the proposals. Hopefully the true and honest opinions of those taking part will come through clearly.
3.	Above
4.	All dogs must be kept on leads... And all car park access points must have drinking water facilities
5.	Although I cant see any unintended consequences, thats not to say there wont be any! Is there any way of recognising that there is the possibility of this and what steps might be put in place to mitigate against any negative consequences? Much like the General Powers section? When so many major changes are proposed it is sometimes hard to keep everything in mind as to the future consequences of this Bill. Might it be useful to have a period of time during the implementation to reflect on the impact of such changes and the option to amend, or would it all be set in stone for another 100 years?
6.	As someone who works and visits land which the MHT has jurisdiction on, I fully support the MHTs governance changes proposed. A very minor point but the consultation document was long. I appreciate it is very important for the future of MHT, but at the same time, response rates are going to be low because people do not have the time to read it all. A more non-technical summary or just what MHT wanted to change would have been a better alternative document.
7.	Bicycles, e-bikes, scooters - anyone over 8 years old should purchase a permit to use their bike/scooter on designated tracks on the hills only. They should not be allowed on any other land or path. Permits should be available to buy for a day, a week, a month or a year. e-scooters, motorised 2, 3 or 4 wheelers, mono-wheelers should not be allowed on any of the trust land. A battery operated/e- scooter for a disabled person should be able to be used on paved paths. No fee would be payable in this instance. Toilet facilities - more are needed overall. This should be researched and recommendations put to the Board for approval and implementation. Any new facility must not disturb the flora, fauna, views etc of the hills and should be of the latest bio-digester type.Signage is insufficient. There needs to be more signs and maps on the main paths.
8.	change is needed so that the trust has the power to impose restrictions that protect the hills specifically erosion due to misuse of the land by recreational pursuits. i.e mountain biking unadoptive paths.

9.	Commercialisation of the Hills and surrounding areas
10.	Consideration should be given to the potential for to become politicised and apply undue political pressure on the Trust through the Trustees they propose. For example, as has been attempted with the National Trust.
11.	Consultation well hidden! Should have been sent to all levy payers. Should not have been launched during general election campaign - potentially illegal. Is this a ploy to ignore outcomes of the consultation on the grounds that the consultation is invalid?
12.	Dont know would have been a useful option for Q31, and is what I would have selected had it been available. The nature of unintended consequences is that we might not be able to foresee them.
13.	Generally this consilidation bill is vital to ensure the long term future of the hills. It seems rediculous to have a board of 29 trustees. I wholeherteldly support the Trusts proposals as outlined in the consultation
14.	Generally, i agree that the MHT requires up-dating and appreciate the efforts involved in preparing this consultation document. However, many of the powers sought appear too broad and unconstrained. This may lead to unexpected and undesirable interpretations in the future.
15.	Given the amount of grazing is reducing & realistically there is unlikely to be an increase in grazing - although I agree that this is the best way to maintain the commons & keep it open, there needs to be more mechanical clearance and maintainance to help keep the commons open otherwise the Trust is failing on its objective to keep the commons & hills open for public to use for leisure use.
16.	Good document that I have been meaning to comment on for some time. I look forward to your future and possibly putting myself forward for one of your elected positions.
17.	Grateful for the work and dedication of the trustees and their employees for the opportunity to provide feedback on these proposals. We hope that the process goes through without further delays and that the Trust can continue to maintain and improve the AONB for the enjoyment of all, residents and visitors alike. Thank you
18.	Great to see Victorian governance being given a modern overhaul.
19.	How will you deal with trustees having other representative functions - you have not addressed this. maybe some trustees should be without other portfolios?the justification of appointed trustees with specialist skills/expertise is weak. If such skills are needed on occasion, non-voting consultants should be brought in,
20.	I am concerned that 5 years on from the last Consultation I am being asked to complete another. Friends and family have raised their eyes when I have urged them to complete it and are puzzled about what happened to the last one.If anything this Consultation is less user friendly than the last as it asks some limited specific questions and then you must comment generally on anything else.I expect the response rate may be low and when you look at the number of people who have signed the 38 Degrees Petition that is a shame.The format of this consultation is off putting. For that reason you are unlikely to get responses from a wide range of respondents. Your outreach has been minimal.The new

	needs to take a breath perhaps go for a walk on our beautiful Hills.She has arrived and resurrected the previous plan without explaining why nothing was done following the last consultation.The proposals seem to veil a desire for a more commercial operation and that is exactly what we dont need.By staying poor, low key, slow, boring, minimal, we have managed to maintain some balance.The bottom line is that we do not need a new Bill. It should have been put to bed after the 2019 consultation. I worry that if enacted we will end up with a commercially driven Trust which becomes something of a monster with greater overhead running costs which then require more commercialisation for funding.Small, slow and boring is good. Leaving things alone is good. Letting nature do its thing is good.
21.	I am deeply concerned about the attempt to have a general power.
22.	I am delighted to see that the Trust is moving with the times and I wish that people would get informed with facts not hearsay before they criticize or cpmlain.
23.	I am very concerned that the voice of the levy payer will be lost or, at the very least, diminished through the proposed changes to Trustee structure. I am especially wary of proposals to expand the parishes and localities to include areas where large landholders are based, but the number of residents is small (for instance tracts of sparsely populated rural land under business management). Whatever the proposals intend I see the opportunity of other vested interests to undermine the Trusts purpose, land use, built environment and commercial attractiveness and to advance their own land development agendas. Despite the assertion that the role of trustees is to put the interests of the Trust first, there are many opportunities to advance alternative agendas to the detriment of the original purpose of the Trust. Levy payers are likely to be unwilling passengers in this scenario, which seems perverse given the financial contribution each levy paying household is OBLIGED to make (I do not reduce in importance the benefits obtained by having the amenity of public space available to levy payers and others). There MUST be greater levy payer engagement and power. This aspect (disenfranchisement and lack of power) is not sufficiently addressed in this consultation document; it is more important to the healthy future of the Trust than this consultation implies.
24.	I appreciate that there would be some benefits in having the parliamentary bill, not least the simplification of legal requirements. However, the cost of obtaining it really does not seem to be justified in terms of the benefits that it brings. Furthermore, there are risks that open up with the new powers and structure being proposed, by which money-making might become a primary aim of the Trust and give rise to a number of behaviours which ultimately spoil the experience of being on the hills and enjoying the natural aspect of the vicinity. It may also cause a rise to the levy and to car parking charges, to the extent that this could negatively impact people able to enjoy the hills for leisure.
25.	I appreciate the effort that has already been put into the preparation of these documents, and much of it is a sensible editing of documents and practices which have become out of date. But the whole business appears to be unnecessarily rushed, and raises suspicions about the motives of those pushing it ahead, a view which seems to be shared by the ex Chair.
26.	I believe the Malvern Hills Trust are 100 % committed to the Hills and the wider community. This proposal is excellent and needs to be given 100 % backing by parliament to allow the Trust to continue its fantastic work.

27.	I cant answer yes or no to the questions above and Im not sure why they are included. Every organisation has to comply with equalities legislation, so why are you asking about it when you have to do so and should have had all the relevant advice and consulted with the relevant bodies before going out to consultation? It looks like a false attempt to engage anyone with concerns instead of doing your homework first.
28.	I cant foresee any unintended consequences because if I did, they would be foreseen! I think it is inevitable that with the substantial changes being made, there will be unforeseen consequences and it will be incumbent on the Trustees to deal with these fairly and wisely.
29.	I do feel concerned that the ability of the organisation to extract money from the local people may get a parliamentary member to say how can a charity make such charges. And may be that ability taken away. I do not think there are many charities that have this ability (Wimbledon). In the past it was treated like a council.
30.	I dont like it, as a precept payer I am alarmed at the money you have already wasted. This is our money and our rights
31.	I have considerable knowledge of the history of the Forest or Chase of Malvern, the creation of the Kings Third and its relevance to the 1884 and subsequent Acts, from the perspective of a historian, not a lawyer.
32.	I have just reach the last page and tracked back as nothing regarding dogs. this may be too granular for this consultation but dogs, dog behaviour, dog excrement management, owner behaviour/training etc. must surely be part of any scheme. This has become a huge issue and as, I hope, a responsible dog owner I find it increasingly difficult to walk on the hills without some incident or other.During lockdown, many people from other communities descended on the hills both when allowed and not. Their behaviour was not always of a great standard and I helped pick up human excrement from the hills. Should there be some stated code of behaviours expected from those who are privileged enough to come to this beautiful space?Also, there are references to voting by reference to parish boundaries - is there a definitive map of current Trust ownership anywhere?
33.	I have no confidence in the MHT.
34.	I have no real idea about equality requirements.
35.	I have read the proposals outlined in depthl and broadly support them. The Trust and Malvern Hills community needs to move forward as we are clearly held back from modernising (in a good way) the amenities and running of the Hills. There is never a solution that satisfies everyone but the work here seems to be well thought through.I am very concerned that there is clearly a lot of dissatisfaction with the plans and mistrust of the MHT. It would be a shame not to be able to proceed if this mobilisation is not assuaged. I think it would be helpful to me to see the items below before I can decide whether to support the intent and/or the timetable vs the clear concerns of some of my neighbours. The Business Case and Opportunity Cost of not moving forward and the investment costs, and financials of the exercise being outlinedThe mitigations that would reassure the concerned community around the General PowersThe evaluation scope and mechanisms for this consultation - what are the key metrics (engagement/responses/support for and against)Is it binding and if so what is required to make it so?

36.	I think it sounds positive and modern and I dont understand all tge resignations and objections.
37.	I think that the Private Bill should not go forward. I believe its costs should be examined by the local District Council. I believe that a PR exercise is needed to restore local faith in the rump of this organisation.
38.	I think this is an opportunity for the trust to allow “friends” greater grazing rights and shrink even further the public right to access. It is, basically, a land grab by some well-connected people to get more free grazing for their friends.
39.	I would add that the experiment with cattle on the Hills is an unmitigated disaster. If a walker/cyclist caused as much damage as the cattle do to the paths and verges they would be arrested. The bracken (which I assume they were brought in to help control) is thriving. The imposing beasts block paths and intimidate walkers and they defaecate everywhere some sections of the Hills require hopscotch skills to negotiate. Get rid of them.
40.	I would object to the sale of meat products by Malvern Hills Trust. Animal agriculture is a major contributor to climate change. If the Trust owns its own animals to graze the hills these animals should be seen to be managing the landscape of the hills and should not be contributing to the meat industry which is causing significant climate impacts and is the biggest cause of animal cruelty.
41.	I’d like to have seen the actual drafted bill
42.	I’d like to thank you for the opportunity to respond to a really thorough and well communicated proposal. I wish the Trust team the very best in taking this forward and my grateful thanks for all the work you have done and continue to do in keeping our hills beautiful, sustainable and well managed.
43.	I’m all for modernisation and agree that no more than 12 people on the board is sensible
44.	If I had the slightest belief that my comments would be read open-mindedly and my ideas respected I would write them down here.
45.	If the Charity commission didn’t think you had addressed the previous consultation responses, taking a back handed approach with a dubious consultation with little detail to comment against other than ifs and maybe is not effective consultation, a new parliamentary act would be as this would be discussed a numerous stages a private bill does not compare to a new acts completeness.
46.	Im not sure anyone of importance will read any of this.
47.	In my view, the proposals in this document are fundamentally flawed since the laws they seek to amend apply to MHC, a public body, and not a trust or charity.
48.	Is it true that so far this has cost nearly £800,000 to get this far with this process. I’m appalled and shocked and saddened if this is the case.
49.	It is a move away from, not towards, democracy and representation. In your own best interests and not the people of Malverns.
50.	It is difficult to comment on a document that has not been made readily available ie: where is the draft bill? It is clear that the Trust is choosing to railroad these

	amendments through with little or no true and proper consultation and in any event the process should have been halted with the government being dissolved.
51.	It is important that the max possible provision is made for people with disabilties were practical. The relationships between the Trust,Parish, Town and District Councils should be developed and an open and tranparent culture developed with in the Trust to invlove the community and keep them informed.
52.	It is quite obvious that a few likeminded folk want to make all the decisions without consultation with levy payers and also deprive us of any REPRESENTATION..I have read 70+ pages of what the board would like to happen 99 % of which l dis agree however it appears that we will not have chance to see let alone comment on the document you actually use to change the act.Why do you waste money buying more land at the WM Parish Council meeting said that only land adjoing common land was being purchased - but for what purpose. K
53.	It seems clear to me that we live in a modern world and these proposals are accommodating that and safeguarding the future. The Hills are important and I respect all the staff I know who are working for it.I do feel disappointed in the disapproving group of individuals who seem to want to wreck the good work done.
54.	It seems to me the Officers and Trustees are pushing ahead too quickly with their private members bill. Time should be taken to listen to and negotiate with levy payers who have genuine concerns, and not dismiss them as trouble makers. I am not clear what the prospects are for getting the proposed bill through parliament. Not all proposed private members bills see the light of day. I would like the Trust to provide a clearer forecast of timescale, cost, how to be funded, prospects of success and business risk. Has the Trust already got someone in parliament to sponsor the proposed bill, if so who?
55.	It would have been less contentious to keep to the reorganisation of the Board rather than tack loads of extra powers that were not particularly needed. EG selling wood this has been going on unchallenged for 30 years.
56.	Ive read the proposals cover to cover and feel they are eminently sensible. I dont feel there would be unintended consequences when theres Charity Law to protect the public
57.	Limit cyclists they are causing the steep parts of the hills to be dangerous for walkers where the surface is like shale and is VERY slippy.
58.	Long overdue. Well done!
59.	Main concern is with the appointment of un-elected Trustees, specifically chosen by the board/its patrons, who are overwhelmingly driven by the minutiae of ecology and habitat conservation using the Sandford principle to restrict social, recreational and cultural access to the commons. At all times there should be Trustees whose backgrounds reflect commitment to Object (1)(b) not just (a)
60.	Malvern Hills Trust should give up charitable status and behave as a public body and revert to Malvern Hills Conservators and be guided by the 5 Acts of Parliament.
61.	MHT is doing a good job and the whole and has my support, many of the proposed changed make very good sense. For me, the red line is fencing and I would wish to see the Trust granted only very specific and limited powers in this area.

62.	Much is said these days about green initiatives such as rewilding, preservation of top soil and moving to a plant based, meat free, diet. These proposals seem to fly in the face of these initiatives and say nothing on sustainability and little on wider environmental benefits - have you missed a trick here?
63.	My biggest concern is the trustee issue. Clearly 29 trustees is ridiculous! 12 would make so much more sense and be workable. Those who are using social media to give false information to the public about the Trust are not working to protect the interests of all and the Malvern Hills; just their own interests. Good luck with this Bill.
64.	My understanding is that the Malvern Hills Trust (Malvern Conservators) is a Public Body that is ultimately accountable to Parliament, hence the need to go back to Parliament to make amendments or additions to the existing Acts. Given that the Trust proposes to move away from this position by becoming a charity with a general power with additional means of raising funds, continuation of the imposition of a Council Tax levy as a source of income is difficult to justify.
65.	No explanation on how this change is being funded.or the costs to precipt payers as it seems the money is being BORROWED from land acquisition fund.
66.	No more temporary fencing, livestock grazing on the hills
67.	Nothing to add at this stage.
68.	P 14 3rd BulletReferences to 'Diversity' needs either to be removed or defined to ensure that Diversity refers exclusively to the diversity of relevant skill sets.
69.	Phew!
70.	Please refer to earlier comments about public transport routes to access the hills.
71.	Please remember that is the residents that pay the trusts wages and over the last few years the board has I feel become untrustworthy.
72.	Please take notice of my disagreement at being forced to contribute to the Conservators through my council tax. No other charity has this privilege
73.	Powers sought appear far too loose in a number of areas and therefore open to wider interpretations in the future.
74.	Provide better publicity
75.	Q3: Nominators should also be able to come from within that extended area.Q6: The presence of the public attending a meeting has a quite different atmosphere and impact to a meeting being streamed. Meetings should be streamed as a matter of course, as with Malvern Hills District council, but only exclusively streamed in special circumstances, such as the needs to isolate with Covid. If trustees find that they have other commitments which prevent them from regularly attending meetings, they should resign and give way to trustees who are willing to prioritise their attendance at meetings over other aspects of their lives. Q8: A member withdrawing from a meeting should leave the room and not be entitled to remain as member of the public.Q9: Only if the full costs of operating it (proportioning staff and office costs and expenses) are less than the income it generates. It should be set up as a Trading Subsidiary so that its accounts can be published as a separate item in the Trust's Annual Accounts.

76.	Re. Q29 - No, though Im sure there will be some objections!I have known and loved the Malvern Hills for about 70 years - and been a regular walker on them for about 45 years. I became a Voluntary Warden in 1986 - until their demise some years later.As an older person I have, in recent years come across problems with cyclists on the hills. You probably cant enforce it, but it would be helpful to me if all cyclists had AND USED a bell to warn people of their approach..... especially if they are coming from behind.It can also be a problem when one comes across riders on footpaths rather than Bridleways or permissive cycle paths. Especially those who insist on riding along the path just above Jubilee Drive, which is clearly signed as being for walkers only!
77.	Reading the literature and talking to trustees, it seems that this proposed bill is well overdue. It seems sensible and pragmatic and make the organisation more manageable to the benefit of all.
78.	Riddle with errors, ie and biased questions
79.	Scrap the trust or at least have only local councillors from the wards in the trust on the board. All powers of enforcement ext should be with council and the trust should have the power to levy money removed and given to the council only!!!!!
80.	Should the Malvern Hills be a National Park and come under this Legislation?
81.	Spending so much money on this bill is unreasonable. The precept payers should have been consulted or asked to vote before this expensive proceess was embarked on. At one MHT meeting one of the trust members said that the people of Malvern would not understand! This was a very arrogant patrnising attitude. We do understand. We think the MHT is in danger of wasting a lot of money and ailianating a lot of precept payers. The chairperson who recently resigned said work on the bill should be paused. I agree!
82.	Stop being silly about the gullet, open it up as it's much easier to manage the risk this way.
83.	Stop cutting the trees down ! Trees should be allowed to prosper and only removed if they pose a danger to the public or cause obstruction to pathways and roads. Decaying wood is a huge source of food for large numbers of wild animals and flora and should be encouraged. The hills are a fabulous resource. My wife and I walk them every day, I am a keen mountain biker and biologist specialising in native habitats and wild flower meadows. I would like to see the hills run as a free public wild space, not a farm
84.	Stop now
85.	The Act of Parliament 1884 should stay in place to protect the Malvern Hills & Commons. I do not want the natural beauty of the Hills & Commons to be brought into the 21st Century! I wish it to remain exactly as it always has been, i.e. an Area of Outstanding Natural Beauty.
86.	The aim of the Conservators is to maintain the character of the Hills and commons, so I urge restraint in regard to any permanent markers, buildings, barriers, signs etc - indeed, anything that shows in the landscape.
87.	The As a public body the Trust should not have been consulting during the Purdah period triggered by the election announcement. This has disadvantaged Malvern

	Hills District Council amongst others. Further fundamentally consultation should be on the Private Bill not on the Trust's presentation of what the Bill will contain.
88.	The Bill in its entirety should not be presented in its present form, it should be rewritten after proper debate ,and the results of the consultation, drop ins,and the general public opinion listened to ,but I doubt this will happen, as the Trust Heirachy want power whatever the consequences
89.	The consultation & presentation of the Bill is being progressed too quickly, and the Bill not available for scrutiny. The restriction of access is a major concern. the monetising of public/common land is in conflict with its direct purpose and provision.All Trustees do not necessarily have to be decision makers. To expect up to 60 % of your funding from levy payers is outrageous!!
90.	The consultation document is admirably clear.Where possible, could Victorian language be replaced by language approved by the Plain English campaign? The example in the display was not clearer than the Victorian phrases, though it might have been a legal definition
91.	The consultation document is biased, and does not give adequate reasoning for both sides of the debate. This is misleading and may adversely affect the result of this consultation .
92.	The consultation document says that the directly elected trustees are not representatives, yet it seems to me that they have by long established custom and practice, and presumably in line with the intention behind the original acts, acted as if they were representatives in seeking to maintain harmonious relationships with their electorate and facilitate good relationships between locals and the Conservators (including staff) so as to facilitate the explicit objectives of the trust, which surely rely on such good relationships. This worked reasonably well when the circus was moved from the Link Common to Poolbrook. Common. Those affected were told (perhaps in good faith) that this was a long-standing arrangement and nothing could be done. But those with local knowledge (having lived in the area for more than 12 months) knew better and were able to use the system to remedy the situation.Some time ago we also had a shepherd on the common who either had poor control of his dogs or no regard for children or road users on the common, or at least no common sense. This stopped after complaints. it was argued that grazing the common was a good thing (which it was) and presumably the shepherd offered a good financial deal. What safeguards will the public have if some (potentially) townie trustees decide that they cannot resolve this conflict?It is not at all clear what would remedy would be available under the new arrangements.There are also all the usual potential difficulties between neighbours that have to be resolved by having a quick chat. The Conservators staff have always been exemplary, and will no doubt will want to carry on have they have done, but who knows how things might change in time under these new arrangements? I particularly note the issue of is it a noxious weed or is it a wild flower and how are noxious weeds to be made to respect our boundaries? Also, maybe, who will decide how good the fences need to be?Finally, the various consultation documents raise reasonable concerns about the (directly or indirectly) elected trustees under the current arrangements (e.g., loss of corporate knowledge, the forming of self-interested cliques) but remove the democratic oversight with no apparent arrangements for avoiding similar or worse problems under the new procedures.You might either take steps to ensure that there can be no democratic deficit or to introduce a subordinate clause 1c) in the objectives to ensure that full

	account is taken of the best interests and views of levy payers and that any potential detriment is in proportion to the contribution to 1a) or 1c) in such a way that Trustees are obliged to act as if they were (directly or indirectly) democratically elected, as under the outdated system.
93.	The consultation document was a long difficult read. I have tried to encourage people to get involved in the consultation but they have given up having seen the document. As such I do not feel it is in an appropriate form for most levy payers and car park users (the people whose money pay for the Trust). I have spend 4-5 hours reading the document once and answering the questions. However I feel I would have to spend many tens of hours re-reading it to truly understand what is being proposed.
94.	The consultation is badly worded and presented. Importantly you are consulting on your proposals but it is not complete nor finalised. You are wasting public money by consulting now. Finalise the Private Members Bill then consult all precept paying public on the final wording. Please recognise the public concern you have created and pause your actions to rethink the way forward.
95.	The consultation is flawed as it is not based on the Private Bill which no-one appears to have seen.
96.	The consultation is flawed. It proposes to remove the existing democratic accountability by creating a new or amended charity which would absorb the duties of the Conservators. Currently precept payers are represented on the board by elected members who can represent them. If these members become charity trustees their duty will be to the charitable objects rather then their electors and taxpayers. No taxation without representation is a fundamental constitutional principle and the proposals would negate that. I object strongly to the proposals
97.	The consultation meetings have not been adequately publicised, especially in the light of the communictions to those residents who are obliged to pay the Precept.
98.	The current middle management, employed by the trust are seemingly unaccountable for their actions, they fail to respond to requests, and would seem to have their own private agenda.I am sure that the majority of the current trustees are unaware of the day to day running issues
99.	The current trustees are titally unrepresentative of the majority of users of the hills and seem to regard it as their own personal fiefdom. The Trust needs to be able to get on with their work unhindered by
100.	The general competency suggested grants unlimited powers. This is totally unjustified & potentially dangerous. These proposals aim to reduce oversight by superior bodies/regulators. The Charity Commission powers are undefined. Levy payers are given no consideration throughout this exercise. We were unaware of the 2019 consultation. We only heard of this one through a concerned friend. The 76 page consultation document is a nonsense - what percentage of locals/levy payers will wade through it? Similarly, this survey form is designed to elicit answers to suit MHT plans. The cost of a new Bill, approx. £800,000 is unjustified. Many experienced lawyers have been navigating, cross-referencing etc the previous Acts since 1884. The object of this proposed Act is overwhelmingly claiming new and extensive powers with little or no independent oversight or regulation. It increases the number of appointed trustees and massively reduces (by 50 %) the number of elected trustees currently. No mention is made during this consultation

	of the loan that MHT is making to itself (subsidised from levy payers?) at 6 % interest. Maximum levy chargeable for 24 almost £774,000 - no details available re balance sheet - credits and debits of MHT. Names of trustees unpublished.
101.	The hills have an unique character and are vital to the conservation of rare habitats and species and in some cases locally scarce across the wider Midlands area and this should be the first and foremost concern for the future management of the hills and surrounding commons and not anover exploitation and increasing commercialisation of this beautiful landscape.
102.	The issue of the extent to which MHT is a public body is also not going to go away. Could MHT make a public statement with accompanying rationale/legal advice explaining its public body-related duties and responsibilities (eg can it be judicially reviewed, is it subject to FOI, etc
103.	The overall effect of these proposals need to be carefully considered and evaluated before being prepared for Parliament. It is vital that the link between the nature of the hills and the local community is both considered and maintained
104.	The proposals are unnecessarily wide and open ended and concentrate too much power in the hands of unelected board members
105.	The proposed changes are unnecessary and give a greater power of the fewer trustees.Given the wealth of knowledge and skills locally, it is insulting to suggest there is a need to hire in non-local people and pay them vast expenses to join meetings on an area they do not live in or love as dearly as the residents.The 12 elected members should not be diluted under any circumstances. We do not choose to pay the precept, therefore you should not take away out representatives.It is irresponsible of the trust to have spent over 1 years precept money on legal fees and the local people are furious about this. How much more will it cost to put this through parliament?There should be greater transparency over the private bill that you intend to put through. Especially putting gagging clauses onto elected members and not even telling them the details of the bill!Why are the Malvern hills trust interested in purchasing livestock as per your documentation?You are a trust to protect the local environment, not a for profit organisation.Please do not change a beautiful, ancient area that is so loved by all of the people of Malvern and beyond. It is precious and should be looked after and as it seems reading between the lines of your proposals, be something to monitise.Please stop this bill.Yours,A life long resident of Malvern.This consultation form is biased and leading, therefore I have not put down any option bar this freeform box.
106.	The questions are leading, Ive no opportunity to give alternate opinion, other than the answers you want, unless I use free text. A very substandard affair.
107.	The removal and erosion loss of public rights as protected in government law/statutes. Furthermore, a futile attempt for land grab and profiteering under disguise. Man and woman are Sovereign on the the land subject only to the creator of life and do not/cannot consent in contact with corporations.
108.	The Society has answered the questions that relate to access, in respect of any other issues it has not offered an opinion.

109.	The Trust should be able to move forwards, and this Bill is a chance to allow it to operate in a modern way, without one arm tied behind its back. The work achieved is a credit to the nation.
110.	The Trust should be open and transparent and stop confusing the public with dubious proposals supported by lengthy, complicated documents and with complex, loaded questions designed to induce confusion and cause overwhelm.
111.	The Trust should be open to public scrutiny and answerable to the levy payers. A further consultation should take place on the actual bill.
112.	The Trust should have no powers to change anything on the Commons & Hills. I am strongly AGAINST ANY changes in the current Bye-laws. The Act of Parliament 1884 should stay in place to protect the Malvern Hills & Commons. I do not want the natural beauty of the Hills & Commons to be brought into the 21st Century! I wish it to remain exactly as it always has been, i.e. an Area of Outstanding Natural Beauty.
113.	The Trust should seriously consider enforcing a 40 mph speed limit on Jubilee Drive which is the norm for roads in recreational spaces shared with walkers, cyclists, horse riders, etc. The Trust should also be responsible for maintaining the road surface which is cratered with pot-holes especially at the Wyche cutting end near the Free Church.
114.	The Trusts proposal to define Estovers as the right to collect fallen timber & bracken only is based on limited advice. I strongly object to this & will contest it. It ignores evidence that there are further rights of estovers such as pollarding trees (the Trust itself states that the commoners pollard trees) & the Trust cannot take away established rights of common.
115.	There are many mentions of buying, building, new activities etc that will all require staff and hence considerable sums of money. However, there is no mention of any budgetary estimates for any of these. How is the money to be raised - nothing is mentioned other than a few vague references to membership, sale of products, a few sales, a few leases etc. Save and continue later on this eform, led to a long delay before the email arrived and we could continue. Pressing back arrow, lost the text if we had not pressed Next first! Really poor! I was very disappointed by the face to face consultation that I attended. The trustees present were just by display panels and answered questions by quoting the consultation document. They did not record any comments or make notes about what we said. This is not consultation and means that only people willing and able to read a very long document and write a response are able to do so. This is NOT an appropriate way in which to enable a diverse response to a very important consultation. The loan of £360k to enable the changes to be made is excessive! How is this to be repaid when one of the proposed changes is because the Trust cant raise money and has suggested no clear plans to do so.
116.	There is comment on social media re the Conservators actions. A comma and engagement strategy to build awareness and understanding should be part of activities. The recent use of interpretation boards by Waitrose were excellent and an ongoing update/ dialogue would be helpful to build trust and ensure accountability and transparency is central to the Body,s endeavours.

117.	There should be a specific chapter dealing with the maintenance of the hills in terms of rubbish removal etc. and also better parking enforcement to reduce pressure on residential parking and traffic
118.	These are all long overdue changes which can only make the administration of the organisation and its management of the hills fit for purpose. I welcome them.
119.	These proposals could drastically change the existing beautiful Malvern Hills, and the existing, unique working commons into something totally unacceptable, maybe not straight away but in years to come. THEN IT WILL BE TOO LATE.
120.	These proposals have been considered at length over 3 successive Boards and I consider them to be sound, well thought through and appropriate.
121.	This consultation document should ask whether the individual is in a parish that makes a financial contribution or not. These opinions should carry more weight.
122.	This consultation is a disgrace. It breaks all of the UK Governments consultation principles and contains lies and false statements
123.	This consultation should follow the consultation guidelines for public bodies and does not.
124.	This document does not clarify how the chair and vice chair of the trustees are to be appointed. This is important given the role of the chair and the use of their casting vote, given the equal number of appointed and elected trustees. Other issues: The purposes and benefits of the new membership organisation are unclear (e.g. funding, social and educational activities etc)Prohibition on mechanically propelled vehicles should include electric bikes and powered model aircraft.
125.	This document is heavily loaded for you to be given the answers which you want. the Trust has failed to maintain the Hills properly for years - repairs not carried out, car park surfaces a disgrace, Earnslaw quarry pool not repaired for many years, the pool on Peachfield common where children used to learn to swim and play with their dogs has not been maintained for over ten years. Felled trees left in a mess and not cleared as are those that have fallen in storms. I feel the money being spent on this needless and expensive Private Bill should be spend on dealing with other issues. I must assume that the levy payers will see the actual bill that you send to Parliament, not this part bill.
126.	This document perpetuates the idea that the MHC is a charity and has relinquished its staus as a public body. How? This needs to be clarified, as there was no formal relinquishing process. It raises a number of conflicts of interest- is a board member representing the organisation or a community? you cannot avoid VAT unless you are a public body - a charity adds 20 % on all outside costs? Are you subject to FOI as a PB or as a Charity? How do you assure communities of the MHCs most visible controversial issues - collecting car park fees and charging for easements? How do you quantify the benefits of the proposed Bill? i can see there are some operational benefits, but how do they benefit the precept payers who are mostly paying for your exercise? To run this properly, you need to identify benefits - both cash and non-cash - and track them. You can then report back periodically and claim savings, fewer bad incidents, more goood things happening etc. A board member should be assigned to manage this benefits tracking and realisation. Youve got a change in key people - the Chair has gone, and the is fairly new in post. now is a good time to draw a halt on the current process, and say you are going to review findings

	and engage with commuities - including the organisation that is objecting. Otherwise - this ambitious schedule is going to be derailed when it hst Parliament and the precept payers are going to foot the bill for your Bill
127.	This document purports to be a consultation document but raises more questions than answers. Not least is no mention is made as to what measures are to implemented if these changes are approved to ensure ACCOUNTABILITY. Therefore as a minimum any powers granted should include being subject to the Freedom of Information Act(s)
128.	This entire process has been criticised by at least one Trustee. At least one Trustee has also misinformed members of the public. It is evident that these proposals are contentious, as indicated by the article in the Malvern Gazette on Thursday 18th July.
129.	This has been an exemplary consultation exercise and the consequent actions will serve the interests of both the environment and users of the hills well. Thank you.
130.	This is absurd obfuscation designed to put people off getting involved. Just ask “do you approve, yes or no?” And I didn’t see a question about spending 300k of public money in legal fees. Funny that
131.	This questionnaire is not at all user friendly, expecting people to read reams of information (which you have not put in the questionnaire) to answer a single question. This is designed to put people off from answering the questionnaire and the questions are very leading with limited responses which doesnt allow people to give their full opinions. Consolidation of existing Acts seems acceptable but this is a way to bring in unnecessary and unwanted amendments under the radar. The excessive costs of the proposals would be far better spent on maintaining the hills for all, rather than expecting levy payers to foot the bill, especially during a cost of living crisis. The proposals water down the democratic process by seeking to reduce the number of representatives. Malvern Hills District Council has 38 councillors and Worcestershire County Council has 57 members and these bodies operate successfully and democratically. Also, if representatives are good, why are you seeking to limit their time in office?
132.	This questionnaire was difficult to find and very long to fill out., most people would give up! I only found out about it last week through a friends facebook page. It has not been well publicized and most people I have spoken to about it havent heard anything about it. I strongly believe that the Bill should be made publicly available in its entirety before any action is taken. How can we agree or disagree with something that we havent been told about. This Bill, if passed, will be here for generations to come. I see it as my duty to safeguard this wonderful place.
133.	This questionnaire/consultation document is in my opinion not fit for purpose. Most of the questions are loaded, leading or closed; not permitting as options the full range of possible answers. Furthermore, the consultation document only provides information which backs up the position/desired outcome of the question-setters. There is therefore an inherent bias towards answers the question-setters seem to be wanting to solicit from the consultee.
134.	This response is on behalf of and incorporates the views of members sent by letter to the MHT on 17 July 2024. In some instances the full text of that letter as it

	applied in sections could not be included due to the limited space. Reference should therefore be made to that letter.
135.	This whole issue and the related Private Members Bill is clearly a complex and lengthy process, so I am astonished that we only heard about it earlier this year, especially as so much time and money had already been spent on it. Quite probably the Trusts intentions are honest and worthwhile, but its been very badly carried out so far, especially with the rushed explanations and consultation taking place so late. It is essential that all concerned should indeed trust the MHT and so work together henceforth - which can only happen if the presentation of the Bill is delayed by 12 months to enable full explanations, true consultation and consequent implementation to take place.
136.	To address the issue of taxation without representation, a solution may be to transfer the funding arrangements from the levy to MHDC, and to be given this as a grant by MHDC. Then the trust can be fully a charity.
137.	To complete this questionnaire I had to use two IPads. It would otherwise have been very difficult to look at questions and read the relevant pages on the accompanying consultation document.I hope that extra comments made will also be taken into account and that this is not just a computer marked answer paper.
138.	To maintain legitimacy with the wider community the authors of the consulation need to ensure greater buy-in from the levy-payers in the process and objectives.
139.	To my knowledge no. I am concerned that the amount of grazing be controlled and that the Trust ensures that securing livestock appropriately does not lead to a reduction in accessI think people are a little concerned about the amount of money spent on the process and would appreciate further clarification on how this is funded and the process by which it was approved
140.	Total failure of MHT to justify practically all of the proposals. Total contempt towards precept payers
141.	Totally wrong. The Malvern Hills Conservators are not a Trust but a QUANGO so stop abusing the intention of the Malvern Halls Acts by this abuse. Return to the proper legal name forthwith..
142.	Updating the way in which the hills are managed seems essential given the challenges and pressures that we are faced with.
143.	Virtually every page of your hateful consultation document contains clauses that I believe are intended to hoodwink us into underestimating the damage & powers you intind to take over OUR hills. If youve ever read the Hitch Hikers Guide to the Galaxy I suggest you revisit the Part where the Planning documents were on view to everyone but they just happened to be on view in a locked basement at the town hall. Do you feel any similarities here?
144.	Vital that presept levy payers have formal right to be an elected trustee member of the Board
145.	We need vto be consulted on the ACTUAL bill.
146.	What has been wrong with how the hills have been looked after for 140 years? This I believe is change to profit certain people.

147.	When I moved to Malvern it was about the time of the cable car to the Beacon issue. If this tidying of the Acts makes it simpler to squash such ideas efficiently then its a good thing. People say, Arent we lucky to live here? Well lots of us made our luck and we entrust others to keep our hills as we know and love them.
148.	Whilst it is important to increase accessibility to the hills, the impact of electric bikes and illegal Motorcross bikes out on the hills must be considered. The assistance of electric bikes allow individuals to travel further than they would be able to on a standard bike causing greater erosion on the trails. With increasing footfall it is all our responsibilities to keep the hills protected for years to come, if we all had to work harder to get to the tops of the hills this would help to solve the issue.
149.	YDOCUMENTOU HAVE NOT ALLOWED ME AS A LEVY PAYER TO SEE A COPY OF THE DAFT BILL AND ARE HOLDING A CONSULTATION BASED ON A SUBSIDIARY DOCUMENT AND MOREOVER DURING A PERIOD LEADING UPTO A GENERAL ELECTION WHEN ALL PUBLIC BODY CONSULTATIONS SHOULD BE SUSPENDED. UNFORTUNATELY IN THE WAY THE ARE CONTINUING TO PROCEED YOU HAVE LOST ALL TRUST TO AN EVER EXPANDING NUMBER OF RESIDENTS IN AND AROUND MALVERN
150.	You are a disgrace. We can see what you are up to.
151.	You are taking the Hills away from the people of Malvern for your own gain. You are ruining the legacy we should be leaving for our children. I say you. I dont even know who you are. You poor choices are going to impact on us.....not you..... because you do not live here.
152.	You should cease progress and get public agreement on a way forward, start being honest with yourselves.
153.	You should not even be running this consultaiton during the election period - but I suspect you already know that.