

House of Lords

Session 2024-26

MALVERN HILLS BILL

REPRODUCTIONS OF HISTORICAL MINUTES OF THE MALVERN HILLS CONSERVATORS
SUBMITTED AT THE REQUEST OF THE SELECT COMMITTEE

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Minutes of the proceedings of the Malvern Hills Conservators at the Ordinary Monthly Meeting duly convened and held at the District Council Offices, Malvern, on Wednesday the 10th day of May 1899.

Present:—

Colonel Boydard (Chairman)

Rev. W. C. R. Douglas

Mr. C. R. W. Raper

Mr. F. Ballard

Mr. J. A. Peddingham

Mr. J. Highfield

Mr. J. E. Price.

The Minutes of the Meetings held on the 12th and 22nd ultimo, were read and found correct.

A letter was read from Mr. Green with reference to the fencing and boundaries of his property at the Wyche.

Resolved that Messrs. Highfield and Ballard be appointed a committee with the Ranger to view the place.

A letter was read from Mr. Marshbury, as to the deposit of refuse on the Common by Contractors at West Malvern, and the Ranger was instructed to investigate the matter.

The Chairman read a letter addressed to Dr. Jacob by Dr. Lloyd of West Malvern complaining of trucks being allowed to place vehicles on the Common.

A petition was read as to gipsies encamping on the Purlieu, and asking for permission for a Notice Board to be put up. — Mr. Raper kindly undertook to have a Notice Board erected at his expense. — The Clerk was directed to write to the Chief Constable asking the assistance of the police in abating the nuisance

Mr. Raper submitted a plan of the covered seat or shelter proposed to be erected at West Malvern by the executors of the late Hardy Clegg Fielding, of which the Board approved.

The Reports of the Ranger and Waywardens were read.

The Clerk was directed to write to Mr. J. Thomas Oliver requesting him to discontinue depositing refuse from his cottages on the Common; also to write to Mr. Barber, blacksmith, to remove old iron etc., deposited by him on Colwall Green; also to write to the Ledbury Rural District Council asking them to direct their Sanitary Inspectors to investigate the nuisance caused by the sewer ventilators at the Wyche.

The Ranger was instructed to fence the lands rented by the Conservators from Mr. Highfield.

Mr. Watson West Malvern, through Mr. Highfield, applied for permission to erect two poles on the common land.

Resolved that permission be granted on Mr. Watson paying 1/- a year as an acknowledgment.

A deputation consisting of Messrs. W. B. Evans, D. Baughan and C. Summers attended before the Board and complained that they with other owners of property on the Danzell Estate, West Malvern,

had been deprived of the water supply to their respective properties hitherto enjoyed by them from the Danzell Spring, through the works now being carried out by the Malvern Urban District Council, and asking the assistance of the Conservators.

Resolved that the Clerk write and remind the Malvern Council that when the consent of the Conservators was sought to the breaking up of the soil for the works, it was distinctly stated and agreed that all existing rights were not to be interfered with, and if these rights have not been safeguarded it is contrary to the arrangements given to the Conservators.

The Clerk produced an Order of Quarter Sessions served upon him in respect to the Appeal of Messrs. Sparkes and Molland. — Resolved that the Clerk obtain the opinion of Counsel as to the validity of such Order as drawn, particularly as to the payment of Solicitors and Counsel costs to the Appellants by the Conservators, and that he be instructed to take such steps as Counsel may advise with reference thereto.

Frederick Ballard

Chairman

Malvern Hills Conservators.

Malvern Hills Acts 1884 & 1909.

Minutes of the proceedings at the first Meeting of the Malvern Hills Conservators as constituted under the Malvern Hills Act 1909 duly convened and held at Belle Vue Chambers, Malvern on Monday the 29th day of November 1909 at 2.30 p.m.

Present:—

The Rev. S. R. James.

Lieut.-Col. Thurlow.

Dr. Jacob.

Messrs. F. Ballard,

R. Rea Brown Isaac,

W. Davis,

G. A. Jones,

Matthew Jones,

W. James,

A. D. Melvin,

F. A. Morschell,

J. A. Peddingham,

R. W. Raper,

J. O. Shearme Rees,

A. Wilmshurst.

G. H. J. Foster (Clerk)

H. H. Foster (Deputy Clerk)

A. King (Ranger)

Waywardens:— A. Clarke and B. Pitt.

Mr. R. W. Raper was elected Chairman of the Meeting pro tem.

The Clerk as Returning Officer at the Election of Conservators held under the Malvern Hills Act 1909 reported the result as follows:—

Conservators elected:—

Parish of Great Malvern

Dr. H. W. Jacob.

Mr. William Davis.

Rev. S. R. James.

Mr. Matthew Jones.

Mr. F. A. Morschell.

Parish of Malvern Link

Mr. A. Wilmshurst.

Parish of West Malvern

Mr. M. H. Orr Ewing.

Parish of Malvern Wells

Mr. G. A. Jones.

Parish of Colwall

Mr. William James.

Mr. J. A. Peddingham.

Parish of Mathon

Mr. W. R. Karolake.

Colonel E. S. Thurlow.

Parish of Guarlford

Mr. A. D. Melvin.

The Clerk reported he had received Notice of the appointment of Mr. R. W. Raper as Representative on the Board in respect of the Above named Parish, Colwall and of Mr. Frederick Ballard in respect of the Winnington and Prossersd Estates, Colwall.

On the proposition of Mr. J. A. Peddingham, seconded by Mr. William James, Mr. Frederick Ballard was unanimously elected Chairman of the Board.

Resolved that the ordinary Meetings of the Board be held on the second Monday in each month at 2.30 p.m. at Belle Vue Chambers, Malvern.

A letter dated 19th inst. was read from the National Telephone Co. Ltd. asking permission to put up five telephone poles near Brand Green, Colwall as shown on plan. Resolved that permission be granted on the usual terms viz:— the annual payment of 2/- per pole.

An application was received from the Great Western Railway Co. Ltd. for permission to use the small area of common land near the ventilating shaft, Colwall for the purpose of stacking materials during the erection of a ventilating shaft to the tunnel. Resolved that permission be granted subject to the payment of an acknowledgment of 10/- and the surface of the land to be left in good condition.

The Reports of the Ranger and Waywardens were read, and the necessary instructions given thereon.

Resolved that the Ranger be authorised to spend a further sum of £10 on repairs to the Jubilee Drive.

Resolved that Colonel Thurlow and Mr. G. A. Jones be appointed a Committee to deal with the question of lopping the trees and other matters at West Malvern arising out of the Rangers' and Waywardens' Reports.

The Clerk reported that he had received notice of an Inquiry to be held on the 3rd prox. by Mr. J. R. Loughran D.L. appointed by the Board of Agriculture and Fisheries with reference to the borrowing by the Conservators of the sum of £1,500. On the proposition of the Rev. S. R. James seconded by Mr. Morschell it was unanimously resolved:—

“That the Malvern Hills Conservators confirm and approve of the application made for the sanction of the Board of Agriculture and Fisheries to the borrowing of the sum of £1,500 under the provisions and for the purposes of the Malvern Hills Acts 1884 and 1909 and that the Board be asked to extend the period of repayment for as long a term as possible.”

Fred Ballard

Chairman

Minutes of the proceedings at a Meeting of the Malvern Hills Conservators duly convened and held at Belle Vue Chambers, Malvern, on Monday the 14th day of February 1910.

Present

Mr. Fred Ballard (Chairman)

Rev. S. B. James

Dr. Jacob

Mr. W. Davis

Mr. Chas. Jones

Mr. A. Wilmshurst

Mr. J. A. Peddingham

Mr. R. B. Bacon

Mr. W. H. James

Mr. G. A. Jones

Mr. F. A. Morschell

Mr. A. D. Melvin.

The Minutes of the last meeting were confirmed and signed by the Chairman.

Apologies for absence were received from Colonel Thurlow and Mr. W. R. Karolake.

It was resolved on the motion of Mr. W. Davis seconded by Mr. F. A. Morschell, that the Minutes be printed and sent to Members.

The Report of the tree-planting Committee (appointed at the last Meeting) was read; also a letter from Mr. F. B. Toftringer, Estate Office, Colwall, stating that he should be prepared to plant young fir trees at West Malvern if the Conservators would undertake to adequately protect them. Resolved that the offer to present some trees for planting on the Hill land be accepted with thanks, and that the planting and protecting of the trees be left to a Committee of the Conservators to carry out, and that a further sum of £15 be voted to them for that purpose.

A Petition, signed by several residents at West Malvern, calling attention to the state of the road behind the Old Post Office, West Malvern, was received; also letters from Mr. A. C. Gibberd on the subject. The Clerk was directed to lay the matter before the Highways Committee of the Malvern Urban District Council.

It was resolved that the attention of Messrs. Broadhill and also of the Ledbury Rural District Council be called to the dangerous condition of Messrs. Broadhill's Quarry at Colwall, and that the Ranger see to the proper fencing of Gardiner's Quarry.

The Clerk was directed to write and thank the Ledbury Rural District Council for kindly lending their steam roller in connection with the repairs to the Jubilee Drive.

The question of the removal of turf from the Hill Land at Malvern Wells was referred to the General Purposes Committee.

The Reports of the Ranger and Waywardens were read and the necessary instructions given thereon.

Mr. G. A. Jones raised the question as to the fund at Malvern Hills left by Miss Harcourt.

Fred Ballard

(Chairman)

This 14th, 1910

11th November, 1912.

Minutes of the proceedings of the Malvern Hills Conservators, at the Ordinary Monthly Meeting held at Belle Vue Chambers, Malvern, on Monday, the 11th day of November, 1912.

Present:

Mr. Fred Ballard (Chairman)

Lieut.-Col. Thurlow, Dr. Jacob, Canon James, Messrs. A. D. Melvin, W. Davis, M. Jones, A. Wilmshurst, R. W. Raper, E. A. Jones, J. A. Peddingham, W. R. Karolake and Mr. H. Orr Ewing.

Apologies for absence were received from Mr. F. A. Morschell and Mr. W. Foster-Brown.

The Minutes of the last Meeting were read and confirmed.

The Clerk reported that the Election of Conservators took place on the 10th November 1912, and that the following had been elected as under:—

Parish of Great Malvern. Dr. H. W. Jacob, Rev. Canon J. R. James, Mr. F. A. Morschell, Mr. Wm. Davis, and Mr. Matthew Jones.

Parish of Malvern Link. Mr. Arthur Wilmshurst.

Parish of West Malvern. Mr. M. H. Orr Ewing.

Parish of Malvern Wells. Mr. G. A. Jones.

Parish of Colwall. Mr. Fred Ballard and Mr. J. A. Peddingham.

Parish of Mathon. Lieut.-Col. E. S. Thurlow and Mr. W. R. Karolake.

Parish of Guarlford. Mr. A. D. Melvin.

A Nomination was received from Mr. R. W. Raper, re-appointing himself a Conservator.

The Clerk was directed to convey to Mr. Wm. James the thanks of the Board for his past services as a Conservator.

A letter from Mr. J. Armstrong as to tipping rubbish in disused quarry at West Malvern and also a letter from Mrs. Hushfield, were referred to Col. Thurlow and Mr. W. Jones to deal with.

A Committee consisting of Canon James, Mr. Peddingham, and Mr. G. A. Jones were appointed to confer with the Ranger as to selection of stone required for repairs of the Jubilee Drive.

It was decided to call the attention of the Surveyor of the Malvern Urban District Council to the fencing of quarries in the Urban District.

On the motion of Mr. Raper, it was resolved to purchase two dozen copies of the deposited map of the Malvern Hills and that each Conservator be supplied with a Copy.

The Reports of the Ranger and Assistant Ranger were read, and the necessary instructions given thereon.

The Following Cheques were passed:—

J. Armstrong — A. B. Clayton dept. Rent £7-10-0

J. Bourne — 8 wages Cheque @ £2-7-4 £2-15-8

Mr. Edward Davies	£2-4-9
„ Tho: Griffiths	11-11-4
„ Alfred E. Parsons	£5-4-0
„ Arthur Bennett	£2-0-0
„ J. R. Quarrell	£39-5-3
„ G. H. T. Foster Expenses Election	£400-0-0

Fred Ballard

Chairman

10th August 1925

Minutes of a Meeting of the Malvern Hills Conservators duly convened and held at the Public Library Malvern on Monday 10th August 1925.

Present:—

Mr. F. Ballard (Chairman)

Messrs. J. Maycock, W. J. Price, W. H. Stayers, J. W. Morgan, J. Mason, W. Evans, J. W. Hewitt, A. H. Wright, J. A. Peddingham, R. J. Suckling, and W. A. Grundy.

1. Apologies for absence were received from Mr. W. L. Prickett, Major Matheson, Dr. Jacob, Mr. W. G. Davis, Mr. W. Brewer, and Rev. Barton Allen.

2. A letter was read from Dr. Jacob thanking the Board for their resolution of sympathy on the death of Mrs. Jacob.

3. Minutes of Meeting held 20th July were confirmed and signed.

4. Malvern Link Common. Parking of cars. Applications from tradespeople and letters from the Midland Bus Co., J. Homer & Son, and the Landwheel Motor Co. were read complaining of the excessive charges for the parking of cars at the Link Top area. After discussion it was resolved that the following scale of charges be authorised and adopted in lieu of those previously sanctioned namely:—

Horse Vans — 1/6 per day or 1/- not exceeding 4 hours

Taxis and cars — 1/-

Motor cycles — 6d

5. British Camp Parking Area. A letter was read from Mr. C. A. Berry with regard to the charges. After discussion it was resolved that the same charges be adopted as those at the Link Top area.

It was further resolved that any ticket issued for the Link Top area be available for the same day only at the British Camp area and vice versa.

6. The following Report of the Quarries and Parliamentary Committee held 21st July was confirmed and adopted:—

Belle Vue Islands, British Camp and Back Lane. The Clerk was instructed to write to the Malvern Urban District Council that the Conservators would be prepared to enter into negotiations as to sale of this property.

Ecclesiastical Commissioners & Miss Calver. The Chairman and Clerk reported on their interviews with the Solicitors to Miss Calver and it was resolved that the Clerk and Chairman interview the Solicitors to the Commissioners.

Grey Manor. The Clerk was instructed to give notice to quit to the Malvern U.D.C. in respect of their Quarry at North Malvern.

7. The following Report of the Finance & General Purposes Committee held 21st July was confirmed and adopted and the accounts passed for payment:—

J. W. Ford — tools etc. £17 : 6

Malvern News — Advertising £2 : 4 : 0

Lewis & Mussell — “Law of Mines” ... £2 : 5 : 9

Malvern U.D. Council — Hire of Room ... £6 : 0 : 0

R. Bourne — wages 15th August	£2 : 3 : 10
„ 22nd „	£2 : 3 : 10
„ 29th „	£2 : 3 : 10
„ 5th September	£2 : 3 : 10
✓ „ 12th „	£2 : 3 : 10
H. A. Hosler — National Insurance stamps (for Bourne) postage etc.	9 : 1 : 4
T. Dean — refund of amount paid for special constable Whitcombe)	£0 : 0 : 0
W. J. Lloyd — Commission on sales	£5 : 15 : 3
Malvern News — Printing	£1 : 6 : 0

With regard to the commission due to Lloyd it was agreed that the Board be recommended to add to the aggregate order sheet 25% on the amount collected and paid to Bank up to the Friday prior to preceding Board Meeting.

Malvern Link Common. The Special Sub-committee (Messrs. W. Evans, G. H. Maycock and E. Taylor) reported as follows:—

August Bank Holiday week. Advertisements were inserted in the Worcestershire and Worcester Daily Times inviting tenders for the sole privilege or for pitches only. Two tenders were received viz:—

Mr. Marshall Hicks — £50 for sole rights.

Mr. H. Kirkland — £20 for sufficient space for two roundabouts etc.

The Committee instructed the Clerk to write Mr. Marshall Hicks that they were not prepared to accept £50 for the sole rights but would grant him sufficient space for the shows he proposed to bring. To this Mr. Hicks replied that owing to the short notice he could not bring his full shows to Malvern but he increased his offer to £65 including roundabout or sole rights.

After full consideration the Committee came to the conclusion that under the circumstances they could not do better than accept Mr. Hicks offer, but they confined him to the space between the Graham Road, Pool Hill and Cockshot Road, reserving the right to let the pitch above Graham Road from which they hope to get some further income for stalls etc.

Experience has shown that the large encampment holders make their arrangements a year in advance and it is suggested that the letting for next year be put in hand early so that tenders can be invited not later than December next.

W. J. Lloyd commenced to collect tolls for Chara-a-bancs on the 22nd inst., as it was found that many of the Chara-a-bancs only stayed a short time it was decided to reduce the charge to 1/- for those staying less than 2 hours.

On the proposition of Mr. Maycock seconded by Mr. Lovindown this Report was confirmed and adopted.

Malvern Hills Act 1924. Malvern Council Loans. A letter was read from Mr. Whalley stating that his house Clerk had instructions to make the charges moderate and reasonable and he reserved the right to amend the Bill if it went for taxation. He could not make any reduction in the London Agents' charges or out of pocket expenses but he was prepared to allow £25 off his own charges if costs were paid off before the end of August.

Resolved that the Board be recommended to apply to the Ministry of Health for sanction to raise a loan to pay the Malvern Council Loans.

8. The Report of the Ranger was read and arising thereout matters were dealt with as follows:—

(a) Encroachment Link Common. Mr. W. Lane. Referred back to the Ranger and Clerk for further consideration.

(b) Pound Bank encroachment. Mr. W. D. Bourne. Letter from Mr. Bourne suggesting 5/- per annum would be sufficient acknowledgment. Clerk instructed to state the Conservators adhered to their previous demand of 10/- per annum.

9. Scouts Camp, Malvern Link Common. A letter was read from the Scout Master asking for a refund against the deposit of £1. Resolved that the sum of 7/6 be refunded.

10. Malvern Link Fair. The Ranger was authorised to employ extra labour for cleaning up the Common. Also authorised to employ additional labour not exceeding £2 to deal with the waste tips on the Common.

11. The Report of the Assistant Ranger was read.

12. St. Ann's Well. A letter was read from Messrs. W. & J. Burrow Ltd., with regard to a roof skylight having collapsed and enclosing an estimate to replace same at £3 : 9 : 0. Resolved that the expenditure be authorised.

13. A letter was read from the Malvern U.D. Council asking permission to lay an electric cable underground to the Bungalow West Malvern for Miss Paull.

Resolved that permission be granted subject to all damage being made good to the satisfaction of the Ranger.

14. The aggregate order for payment of accounts passed by the Finance Committee was adopted.

15. Fern cutting . The Ranger was authorised to issue the necessary permits as from the 24th of August.

Fred Ballard

Sept. 14th 1925.