

MALVERN HILLS CONSERVATORS MEETING OF THE BOARD

Council Chambers, Avenue Road, Malvern
Thursday 12th September 2013 7:30 pm

Present: Rev'd C Attwood, Mr D Baldwin, Mr R Chamings, Mr M Cordey, Mr R Cousins (Vice Chairman), Mr S Ginn, Mr T Musgrove, Mr T Perry, Mr B Pilcher, Prof J Raine, Mrs G Rees, Mr J Roskams, Mr C Rouse, Mr C Smith, Mrs H Stace (Chairman), Mr J Tretheway, Mr P Tuthill, Mr P Watson, Mrs S Young.

In Attendance: Director, Deputy Director, Financial Consultant, Conservation Officer, Minute Taker, Mr M Regan, and 5 members of the public.

1. APOLOGIES FOR ABSENCE

Mrs S Adeney, Mr R Hall-Jones, Mr D Hawkins, Mr P Hughes, Mr J Plant, Mr D Street, Mr P Watts, Mr T Yapp.

2. CHAIRMAN'S ANNOUNCEMENTS

2.1 Maternity Cover. Miss Rebecca Baker will be starting on Monday to replace the Deputy Conservation Officer when she goes on maternity leave. There will be one month's handover.

2.2 New Board Members. Malvern Hills District Council had appointed Mr Tim Perry to fill a vacancy as a nominated Member and Professor John Raine who was replacing Mrs B Nielsen. Mrs H Stace extended a welcome to the new Board Members.

2.3 Note to cancel Governance Committee. No meeting to be held on 26th September. This was due to the work of the Committee being ahead of schedule. Instead it was suggested that Members may wish to join an evening stroll. If Members would like to join an evening stroll please contact the Deputy Director.

2.4 Minutes. The Deputy Director wished to apologise to the Chairs and Vice Chairs of the Board and of Committees that the draft minutes had not been circulated prior to the Board papers being sent out due to tight timeframes. Members were asked to raise any amendments to the minutes.

2.5 Wimbledon Common: Mrs H Stace stated that the Chief Executive of Wimbledon Common Conservators visited MHC in summer and it had been planned for MHC to visit Wimbledon Common on 15th September. However this will now have to be rescheduled.

3. PUBLIC QUESTIONS

None.

4. DECLARATIONS OF INTEREST

Mr C Rouse declared a personal interest in the Higher Level Stewardship Scheme.

5. TO CONFIRM THE MINUTES OF THE BOARD MEETING HELD ON 11th JULY 2013

Mrs H Stace requested an amendment to the minutes to reflect that Mr T Musgrove's resignation had not been accepted.

On the proposal of Mr C Smith, seconded by Mr R Cousins it was **CARRIED** with 3 abstentions that the minutes be **ADOPTED** as a **TRUE** and **ACCURATE** record.

6. MATTERS ARISING FROM BOARD MEETING

6.1 12.2 St Ann's Well Inquiry. Rev'd C Attwood stated that the letter sent to all Board Members should be added to the end of Part One of the Inquiry Committee's report so that the public are informed that there had not been a breach of duty. Several Board Members asked to see the solicitor's report. Mr R Cousins reminded Members that the Board had voted that the un-conflicted Board Members would receive the solicitor's report. Other Board Members had the opportunity to read the solicitor's report at a Chairman's Workshop but no Board Members came forward. Advice from the Charity Commission and the solicitor is that the solicitor's report should remain confidential. Mr R Cousins reported that the Charity Commission are happy with the solicitor's report and that there had been no breach of trustees' duty. Rev'd C Attwood stressed that the report was legal advice for the Board and because of this it should remain confidential as advised by the Charity Commission. Mr R Cousins stated that if Board Members wish to see the report that they should contact the Director to arrange to do so, but that Members will be required to sign a non-disclosure letter to ensure confidentiality is maintained as Members have a duty of care as a trustee of a charity and must act in the charity's best interest.

Mr R Chamings had not received the letter sent to all Board Members and this will be rectified.

7. TO CONFIRM THE MINUTES OF THE SPECIAL BOARD MEETING HELD ON 16th JULY 2013

Mrs H Stace requested that a sentence be removed from paragraph two as it was duplicated under item 3. Mr P Tuthill and Mr B Pilcher requested that their names be added to Apologies for Absence.

On the proposal of Mrs H Stace, seconded by Mr C Smith, it was **CARRIED** with 7 abstentions that the minutes be **ADOPTED** as a **TRUE** and **ACCURATE** record.

8. MATTERS ARISING FROM THE SPECIAL BOARD MEETING

8.1 3. Easement across Common at Mill Lane, Guarlford Road. Mr R Chamings expressed his concern that this issue was brought back to a Special Meeting of the Board after it had been agreed by 9 votes for to 6 votes against not to grant the easement. Mr R Chamings also raised concerns that Standing Orders had been suspended and that 2 other matters were discussed at the Special Meeting that had not appeared on the agenda. Mr R Chamings argued that the decision to approve expenditure for the RoSPA report was not properly authorised by the Board.

Mr R Chamings proposed that the Board overturns the adoption of the minutes of the Special Meeting. The proposal failed to find a seconder.

Mrs H Stace stated that the debate had occurred in public so that the matter was discussed in an open and transparent manner, but that the precise amount of money involved was not available to the Board at that time. Mrs H Stace explained that Standing Orders had been suspended to allow the meeting to take place, to discuss the decision made at the Board Meeting, and to allow 2 other items to be tabled at the meeting.

Standing Order 1.4 states the Chairman has to give 48 hours notice for a Special Meeting; Members were given 4 day's notice. Standing Order 16 was used to allow Members to vote to suspend Standing Orders. The suspension of Standing Orders allowed previous decisions to be discussed and voted upon (Standing Order 7) and other items to be tabled (Standing Order 1.4). Mrs H Stace stated that procedures had been followed properly.

A discussion ensued and the following points were raised:

- The Board Meeting raised several issues that were not for the Board to consider as these were planning issues.
- A clause would be put into the Deed of Grant that would require any future development using this easement to need the consent of MHC.
- It was challenged that the processes were not duly followed.
- The Special Meeting was called not to change the original decision, but to provide appropriate information that had not been available for the Board Meeting therefore allowing Members to fully understand their financial responsibilities as trustees.
- It was suggested that the developer should have sought planning permission before bringing the matter to the Board.
- This item did not go to Land Management Committee first as due to time constraints it went directly to the Board.
- Standing Orders will be examined to iron out difficulties. Easement Policies will also be reviewed at Workshops, Land Management Committee, Governance Committee and then through the Board.

- Members at the Special Meeting voted to grant the easement; they could have voted against the easement.
- Not all Board Members were aware of the amount of money involved.
- The 6 month rule should have been followed.
- The 6 month rule could restrict the Board if a decision was taken that later proved to be an illegal decision.
- The parameters within which Board Members must make a decision needs to be examined as it may be that Members are not able to make easement decisions without leaving Members susceptible to personal liability. This could be discussed in a Chairman's Workshop.
- The Board has a remit for the land under its jurisdiction only, not the wider setting of the Hills.
- The Director had received legal advice that the Board could have been challenged over its original decision.

The discussion was closed.

8.2 5. Urgent Business Gullet Quarry. The Director stated that an initial draft report had been received from RoSPA, but remains confidential until all other parties have been consulted. Once this is completed it will be released. Mr R Chamings reiterated that this item should not have been discussed at the Special Meeting, but Mr T Musgrove repeated that Standing Orders had been suspended.

9. TO CONFIRM THE MINUTES OF THE FOLLOWING COMMITTEES

9.1 LAND MANAGEMENT COMMITTEE HELD ON 1st AUGUST 2013

9.1.1 Mr C Rouse presented the report to confirm the minutes with one amendment to page 16 as requested by Mrs H Stace. On the proposal of Mrs H Stace, seconded by Mr R Chamings, the **ACCURACY** was **AGREED** with the requested amendment.

MALVERN HILLS CONSERVATORS LAND MANAGEMENT COMMITTEE

**Manor House, Grange Road, Malvern
Thursday 1st August 2013, 4:00 pm**

Present: Mrs S Adeney, Mr R Chamings, Mr R Cousins (ex-officio), Mr D Hawkins, Mr P Hughes (Vice-Chairman), Mr B Pilcher, Mr J Plant, Mrs G Rees, Mr C Rouse (Chairman), Mrs H Stace (ex-officio), Mr T Yapp, Mrs S Young.

In attendance: Director, Deputy Director/Secretary to the Board, Conservation Officer, Operations Manager, Mr C Smith.

1. APOLOGIES FOR ABSENCE

Mr D Baldwin, Mr P Watts.

2. DECLARATIONS OF INTEREST

Mr C Rouse declared a personal interest in the Higher Level Stewardship Scheme.

3. CHAIRMAN'S COMMUNICATIONS

3.1 Deputy Conservation Officer Maternity Cover. The Director stated that interviews were conducted on Tuesday. The appointment offer was made and accepted. The candidate is finishing a contract in September but hopefully will be able to have a few weeks handover with the current post holder.

3.2 Future of art installation – West Malvern Road. The Director stated that the houses were there after the period of 8 – 12 weeks. They are still attracting attention. Mr R Cousins proposed that the houses are left in place until they need to be reviewed due to deterioration. This was **AGREED**.

3.3 Gullet Quarry. The Director stated that RoSPA (Royal Society for Prevention of Accidents) were undertaking a review of safety at Gullet Quarry. The timeframe of the review depends on the other partners that need to be consulted, but it is hoped to be completed within 2 weeks. A discussion ensued and the following points were raised:

- The Quarry could remain as it is, but with advice as to what safety measures could be undertaken next summer.
 - The water could be fed into a stream.
 - The lake could be drained, either fully or partially to make it safer.
 - The Conservation Officer confirmed that the quarry had previously been drained from a sump 20 feet below the path so that the work could be carried out on the quarry floor.
 - The ATBRU team of volunteers assisted at Gullet Quarry
- It was agreed that the RoSPA report would be brought back to the Land Management Committee.

3.4 The Hacketts. The Director and the Conservation Officer are looking again at the Hacketts. The Committee had previously AGREED that the lean-to needed to be demolished. The building needed to be repaired or a new building erected as the current structure was deemed

unsafe. It would require an agricultural planning application to erect a new shed. A discussion ensued and the following points were raised:

- The Committee could apply for pre-application advice from the planning department to ascertain if the new build would be favoured as this would be cheaper than a full application.
- The AONB had looked at the design and had suggested a grey finish and the building's orientation on the site.
- Two sets of advice are needed: safety and the design of the building and whether it is legitimate to construct a new building under MHC's Acts.

4. MATTERS ARISING FROM THE MEETING OF THE 6th JUNE 2013

4.1 8. Invasive and Injurious Weeds. The Director stated that ragwort is a serious danger to horses and other livestock. The new policy set out the percentages of weed cover and the various actions necessary to control or eradicate certain weeds. The Field Staff have been pulling ragwort and burning it, but some still remains on Castlemorton Common.

4.2 Rose Cottage. The Director stated that the owners of Rose Cottage had commissioned a model to show how the proposed tunnel connecting the two buildings would work. There are a number of concerns regarding the new building as it is much larger than the original building. The owners have an existing overground access to the property but they plan to dig out the tunnel and then backfill. This would require a temporary closure of the track to other users. The owners have not yet applied for planning permission so this item will come back as a paper to the next appropriate Committee meeting.

4.3 Development near Mill Lane. This item had been discussed at the Board Meeting held on 11th July 2013 and at a Special Meeting of the Board held on 16th July 2013. The Director stated that the decision at the Board Meeting had caused unrest amongst Board Members and therefore the issue needed to be reconsidered as a matter of urgency. This matter will go to a Chairman's Workshop, then to the Governance Committee and then will be discussed at the next Board Meeting.

5. FUTURE OF GRAZING REPORT

The Conservation Officer stated that the report from Cumulus had been received and the next step was for staff to examine the recommendations to determine which ones to take forward, which may be acted on in the future and which would be rejected. It was explained that the text in italics represented staff comments and that red indicated that the recommendation should be acted on now, and black indicated the

recommendation should be acted on in the future or not at all. One of the key issues was temporary fencing, moving it and maintaining it etc. A new monitoring form will ensure that checks are made on signage, the affect on stock and the effectiveness of fencing. This will enable MHC to ensure that the graziers are fulfilling their role and that habitat is improving.

A discussion ensued and the following points were raised:

- Item 3. Temporary Fencing. The fences from the quarries and the Clock Tower could be joined together, but this will need investigating.
- The legality of fencing needs to be examined as the Acts state that the Hills should be kept as open spaces.
- Fencing for grazing is different from fencing dangerous places for the safety of the public.
- There are some gaps in the fencing around the quarries.
- Access to the Hills needs to be maintained for walkers.
- If the Hills are not grazed they will become overgrown.
- Not fencing can cause danger on the roads as sheep and cattle can stray onto highways.
- Item 3.6. Cattle grids may have to be looked at again. In the past this had been rejected due to public opinion.
- Item 4.4. Goats Grazing. The Parish Council will be consulted before any trials of goats grazing on the central Hills.
- Agreements are in place with the graziers so some of the report is not relevant as there are only so many conditions we can alter in the grazing agreements.
- Items 7 & 8. Improvements to communications and monitoring grazing will help.
- Item 4. Trial burning of scrub. MHC is working with the Fire Service to test burning on the Hills. The Fire Service will consider any trial burning as a training exercise therefore it should not incur any expense for the Fire Service to be present when burning occurs. Any environmental impact from carbon or residue from burning will have to be monitored, and also any atmospheric considerations. It was noted that the carbon released during burning is carbon that is otherwise locked into the structure of the plant. Public opinion regarding burning will also need to be considered, although the presence of the Fire Service should assist in this. Burning would be undertaken in late winter before the ground nesting birds are nesting. It was noted that one of the most favourable areas of habitat is on Perseverance Hill which is where the last area was burned.
- MHC could talk to MHDC and Hartbury College to source apprentices.

- Item 5. Income after HLS scheme has ceased. The prices are flexible. It may be that graziers could develop a meat supply operation. This could be branded as MHC Conservation meat. This could be straying from MHC's remit. The Graziers know there is money available if they wish to expand their stock numbers.
- In-bye land. Younger graziers do not have alternative land to over winter their stock. MHC does not have to buy in-bye land but if land comes up for sale it should be considered.
- Item 6 Sheep Worrying. This item has already started to be addressed as posters have been put up and information is on the website. MHC subsidises dog training to prevent dogs from chasing sheep. Wardens could have literature that they hand out to dog owners. This issue has been publicised in the Gazette. Signage has also been place on gates going into grazing compartments and there are signs in car parks to say where stock are grazing.
- It was noted that MHC land is not classed as open access land under the CRoW Act.
- Item 7. Communication. An annual programme of site visits for Board Members could be established.
- Graziers could be invited to attend Board meetings.
- Item 8. Monitoring. NVC survey field work has finished and is being written up. The monitoring will be mapped and a presentation will be done on the findings. (BARS is Biodiversity and Action Recording System).
- The Graziers will have to submit details of where animals grazed, number of stock etc, when they put in a claim for payment.

On the proposal of Mrs H Stace, seconded by Mr B Pilcher, it was **AGREED UNANIMOUSLY** that the Committee adopt the recommendations in red for immediate action, and that the recommendations in black will be considered at a later date.

6. MANAGEMENT PLAN PROGRAMME

The Conservation Officer stated that the new Land Management Plan would soon be started and that the delay was due to staff changes. The new plan will cover the period 2014-2019. A timetable for its production has been created and circulated.

A discussion ensued and the following points were raised:

- Advice will be sought regarding Secretary of State permission regarding fencing.
- The plan should be in two parts: write a draft, consult, review and amend and write second draft.

- It was noted that as elections draw nearer that the consultation period may need to be extended.
- It was noted that the timetable is flexible and was designed to capture the stages in the process.

7. VISION FOR COMMUNITY WOODLAND

The Director presented the paper and stated that the Community Woodland is looking neglected and some paths are impassable.

A discussion ensued and the following points were raised:

- MHC needs to clarify what it wants to achieve with the woodland. It could provide access to woodland for those who find the Hills too rugged but in its current state it is only accessible when conditions are dry.
- The area may attract people not normally engaged in walking pursuits such as shoppers or workers from the nearby retail park. A surfaced path network, benches and signage may be needed. Partnerships could be forged with businesses in the retail park and this could attract funding and volunteers. An information board at Morrisons could inform the public about the Community Woodland.
- The planting in the woodland is good, but care needs to be taken that the area does not evolve into scrub. More focus on biodiversity would be good.
- It was questioned whether this was a task for MHC and whether it was something that is not in the Acts of Parliament.
- The Community Woodland was and is for the enjoyment of the public.
- Schools could use the area to undertake science studies but this may involved education packs.

On the proposal of Mr B Pilcher, seconded by Mr R Cousins, it was **AGREED UNANIMOUSLY** that the visions and aims as set out in the paper were endorsed by the Committee.

8. THIRDS WOOD TREE SAFETY

The Director stated that a site visit had been made and that some of the trees near the road were marked for felling for safety reasons. This will take place in winter and publicity will be needed to inform the public as to the reasons for felling the trees. About 12 trees will need to be felled. The symbols on the trees are a cross to fell or to remove dead wood if a tree has been marked with a line. The work will be undertaken on approximately 20 trees. The road may need to be closed while the work is carried out. It was suggested that heavy horses could be used to move the timber and that this may generate public interest.

The press and public will be excluded from the remainder of the meeting as publicity would be prejudicial to the public interest as the nature of the information to be conveyed to members is exempt information under Schedule 12A to the Local Government Act 1972 as it is information relating to the financial or business affairs of any particular person (including the authority holding that information).

CONFIDENTIAL – NOT FOR PUBLICATION

9. THIRDS WOOD – THE FUTURE

The meeting closed at 6:02

9.1.2 Mr C Rouse presented the minutes and matters arising to the Board.

9.1.2.1 3.3 Gullet Quarry. Rev'd C Attwood requested that it be recorded in the minutes that he personally thanked the Director for his sensitive handling of the tragedies at Gullet Quarry and for seeking advice from RoSPA. This was echoed by the Board and it was further highlighted that these events occurred when the Director was also managing the issues surrounding Mill Lane.

It was **NOTED** that there are crayfish and other wildlife living in Gullet Quarry.

9.1.2.2 4.2 Rose Cottage. A paper will be brought before the Committee at the next appropriate meeting.

9.1.3 Mr C Rouse proposed the **ADOPTION** of the report as amended. This was seconded by Mrs G Rees and was **CARRIED** with 1 abstention.

**9.2 FINANCE, ADMINISTRATION & RESOURCES COMMITTEE
HELD ON 15th AUGUST 2013**

9.2.1 Mr P Tuthill presented the report to Committee and asked for a proposer. On the proposal of Mr C Smith, seconded by Mr T Musgrove the **ACCURACY** of the report as amended was **AGREED** with 5 abstentions.

**MALVERN HILLS CONSERVATORS
FINANCE, ADMINISTRATION AND RESOURCES
COMMITTEE**

**Manor House, Grange Road, Malvern
Thursday 15th August 2013, 7:00pm**

Present: Rev'd C Attwood, Mr C Cheeseman, Mr R Cousins (ex-officio), Mr S Ginn, Mr R Hall-Jones, Mr T Musgrove, Mr C Smith, Ms H Stace (ex-officio), Mr D Street (Vice-Chairman), Mr P Tuthill (Chairman).

In Attendance: Director, Deputy Director/Secretary to the Board, Financial Consultant, Finance Officer, Mr T Yapp.

1. APOLOGIES FOR ABSENCE

Mr M Cordey, Mrs B Nielsen, Mr J Roskams, Mr P Watson.

2. DECLARATIONS OF INTEREST

None.

3. CHAIRMAN'S COMMUNICATIONS

3.1 Deputy Conservation Officer Maternity Cover. The Director stated that the position had been offered and it was hoped that the candidate will formally accept. The start date should be mid September. It is a 12 month fixed term contract with a break clause in case the current post holder would like to come back to work earlier.

4. MATTERS ARISING FROM THE MEETING HELD ON THE 13th JUNE 2013

None.

5. ANY OTHER MATTERS ARISING

None.

6. MANAGEMENT ACCOUNTS FOR THE 3 MONTHS ENDED 30th JUNE 2013

The Financial Consultant stated that the financial position was encouraging as the fine weather had increased income generated from car park revenue.

The Committee were asked if there were any questions on the accounts and the issue of the increased amount of rent was raised. It was confirmed that the figure was greater than budgeted due to a timing issue.

The Financial Consultant presented the paper and stated that the Lloyds TSB deposit of the land acquisition fund matures on the 28th August. The initial recommendation had been to place the matured fund in the CAF deposit account paying 0.6% interest. However as the Financial Consultant and Deputy Director had met a representative of Lloyds TSB the previous day, it was now recommended that the maturing fund be placed on a 3 month deposit that will mature on 5th November 2013 that will attract an interest rate of 0.9%. The fund will remain with Lloyds TSB. It was noted that Scottish Widows have just dropped their interest rate to 0.4%. The short term 3 month deposit may be revisited in the FAR Committee meeting in October.

On the proposal of Mr P Tuthill, seconded by Mr C Smith it was **AGREED UNANIMOUSLY** that the Land Acquisition maturing fund be reinvested in Lloyds TSB short term deposit at 0.9%, and that the balance that is currently held in Scottish Widows is halved between the CAF account and the Scottish Widows account.

Mr P Tuthill reminded the Committee that 4 Investment Advisors were due to meet with Board Members on the 21st and 28th August to provide information on investment opportunities. This will assist the Board to review the Investment Policy.

The Director stated that the server has experienced major problems and that a new server has been ordered. The new server will have contracted IT support that will ensure 24/7 cover.

7. PERMANENT ENDOWMENT INTEREST

A discussion ensued regarding the advice received from the Auditors related to the use of interest generated by the permanent endowment funds. The following points were raised:

- Is further legal advice necessary as the Charity Commission may not think that the expense is warranted?
- The power to grant easements is in the 1995 Act and also that the interest from capital monies can be used, therefore further legal advice is not needed.
- Section 12 of the 1995 Act refers to a land acquisition fund and that this may lead to confusion with the Land Acquisition Fund created by revenue from Townsend Way. It was suggested that the inclusion of Townsend Way in the name of the fund would clarify this issue and clearly identify where the money had originated.
- The decision required at present is whether further legal advice should be obtained to determine if the interest could be moved to the General Fund. A further paper should be forthcoming to set out the pros and cons of moving the interest to the General Fund.
- The interest could be designated for a particular purpose rather than just be placed in the General Fund.

Mr P Tuthill proposed an amendment to the recommendation that the Committee will set a new policy that the interest generated by the Land Acquisition Fund (Townsend Way) the detail of which will be brought in a paper to the next appropriate Committee meeting. This was seconded by Mr C Smith and was **AGREED UNANIMOUSLY**.

The Financial Consultant stated that this can be worked into the Business Plan and future budgets. To calculate the interest from the capital of £660K will be a detailed exercise as monies have been going in and out of the account and the opinion of the Auditors will also be sought.

8. CHEQUE SIGNATORIES

Mr P Tuthill asked for comments on the current processes for cheque payments and BACS transactions and the following points were raised:

- The same signatories should be responsible for both cheque and BACS payments.
- It was suggested that the new responsibilities of the Chairman and Vice-Chairman of the FAR Committee should require those persons to be cheque signatories for larger sums of money.
- Cheque payments can be checked to ensure that the payment has gone to the correct recipient however BACS payments do not have this facility therefore the two processes are not the same.
- The Financial Consultant confirmed that there were approximately 1 or 2 BACS payment runs per month and approximately 200 cheque payments made per year.
- BACS payments can only come from the General Fund but cheque payments can come from restricted funds that is why the signatories are different for cheque payments.
- The signature from the Chairman or Vice Chairman of the Board is required for payments from restricted funds.
- BACS payments currently do not require a Board Member's signature.
- Do Board Members want to have to sign up to 600 cheques per year.
- There should be a level of delegation to officers and this needs to be reviewed.
- The council pays BACS for things like payroll but all other payments are made by cheque requiring the signature of 2 council members.
- It would be unusual for a charity to require the signature of a Board Member for every transaction as this is usually delegated to staff.
- BACS payments could be signed off internally by a Board Member at regular intervals rather than when the payments are made.
- The Auditors had asked for a separation of duties regarding the payroll as the same two officers who generated the payroll also had approved the payment. This has now been addressed and the approval for payment is now made by the Director and the Financial Consultant checks the journal entries.
- Any Board Member is entitled to come into the office without notice to inspect the journals and payment runs.
- The current review of Standing Orders will separate out the financial controls into a Finance Manual and limits of expenditure can be set out in that document.
- The budgets are brought to Committee for approval and any extra expenditure is brought back to Committee such as payments from the Land Acquisition Fund (Townsend Way), the Gift Fund or Capital Fund. Therefore all expenditure is approved, and internal orders are raised which are tallied with the BACS payment lists and are checked by the Auditors. The BACS lists are available to Board Members to inspect.
- The payment processes would be hindered if Board Members were needed to authorise all payment runs.

- The processes for BACS payments and financial procedures will be reviewed and a new Finance Manual document will replace the financial items in Standing Orders.

Mrs H Stace proposed that the Chairman of the Finance, Administration and Resources Committee be a signatory on cheque payments. This was seconded by Mr S Ginn and was **AGREED UNANIMOUSLY**.

The new Finance Manual will be produced within the next 6 months.

9. GRIEVANCE PROCEDURE

Mr P Tuthill invited comments on the new procedure and the following points were raised:

- The second page, third bullet point. The last sentence should be amended to read '*...and may result in the employee becoming the subject of disciplinary proceedings*'.
- Page 3 under Formal Grievance, second paragraph should be amended to read '*you should refer your grievance to the Director. If the Director is your manager you should refer your grievance to the Chairman...*'
- Page 3 under Grievance Hearing, the second sentence should have the following phrase deleted '*if you make a reasonable request*', as the right to be accompanied is a right of the employee. However it was noted that ACAS has guidelines as to whom an employee may bring as a companion to a meeting.
- Page 3 under Outcome, the second sentence should read '*He*' rather than '*They*'.
- Page 4 under Appeal, the second sentence should be amended to read '*...or a Board Member nominated by the Chairman*'.
- A separated procedure could be adopted for grievances relating to Board Members as this policy relates to employees only. It needs to be clarified if Board Members are eligible to raise grievances as they are not employees, therefore this matter could be dealt with in the Code of Conduct for Board Members.
- The term '*Vexatious*' needs to be defined as malicious or not genuine as the term can also mean repetitive.

On the proposal of Mr R Cousins, seconded by Mr C Smith, the Grievance Procedure subject to the above amendments was **AGREED UNANIMOUSLY**.

The meeting closed at 7:55 pm.

9.2.2 Mr P Tuthill presented the minutes and the matters arising to the Board.

9.2.2.1 7. Permanent Endowment Interest. This item was highlighted by the newly appointed Auditors who are advising the Board on how the interest can be used. Mr P Tuthill stated that the Board had also received presentations from 4 investment advisors and that two decisions were required: whether the Board

should increase its risk appetite and which investment advisor the Board should appoint. It was **NOTED** that a paper on these two decisions will be prepared by the Investment Working Party.

9.2.2.2 9. Grievance Procedures. This item has been amended to incorporate suggestions made by Mr S Ginn.

9.2.3 Mr P Tuthill proposed the **ADOPTION** of the minutes as amended. This was seconded by Mr C Smith and was **CARRIED** with 1 abstention.

9.3 GOVERNANCE COMMITTEE HELD ON 25th JULY 2013

9.3.1 Rev'd C Attwood reminded the Board that the work of the Governance Committee was a requirement of the Charity Commission who had also requested that the Board take legal advice to determine if there had been a breach of trustees' duties. Therefore the governance review was a requirement to ensure that the Board understood its duties. Rev'd C Attwood thanked the Board for its input into this process and Mrs H Stace for all her work in this area.

On the proposal of Mrs H Stace, seconded by Mrs G Rees the **ACCURACY** of the report was **AGREED UNANIMOUSLY**.

MALVERN HILLS CONSERVATORS GOVERNANCE COMMITTEE

**Manor House, Grange Road, Malvern
Thursday 25th July 2013 6:00 pm**

Present: Mrs S Adeney, Mr R Cousins, Mr S Ginn, Mr T Musgrove, Mr B Pilcher, Mrs G Rees, Mrs. H Stace (ex-officio)

In attendance: The Director, Mr C Smith, Mr T Yapp and Minute Taker.

In the absence of the Chairman and Vice Chairman of the Committee, Mrs H Stace chaired the meeting.

1. APOLOGIES FOR ABSENCE

Rev'd C Attwood, Mr R Hall-Jones.

2. CHAIRMAN'S ANNOUNCEMENTS

2.1 Wimbledon Common Visit. The Director reported that Gordon Vincent, Chief Executive/Clerk/Ranger of Wimbledon & Putney Common had visited on the 13th July 2013. As it was the day after the second fatality at the Gullet Quarry it was not possible to give him quite the visit that had been planned. However there were very interesting comparisons between the two organisations and also the same issues. He reminded members that it was the intention to have a Countryside Day on Link Common next year and it was interesting to note that they held a similar day on Wimbledon Common with countryside events to which the public were

invited. This year it takes place on the 15th September and Board Members were invited to attend on that day. Staff would be there and it would be a good opportunity to talk over mutual matters of interest. He asked Members to consider this and he would forward an email to everyone as to availability in due course.

During his visit Mr Vincent explained about the constitution. There were 12 members of the Board with three nominated from the Home Office and MoD. In view of the time taken for the Government Departments to appoint members, it was the Conservators' practise to find a suitable appointee which was then confirmed by the department concerned. Members felt that with the current skills audit being undertaken this was something the Board could consider with regard to the County Councils' and Church Commissioners' representatives. It was agreed to bring this back to the next meeting.

Mrs H Stace repeated her request that all Board Members thought about the Standing Orders and what should be changed as this would be considered at the next Chairman's Workshop.

3. DECLARATIONS OF INTEREST

None.

4. MATTERS ARISING FROM THE MEETING HELD ON THE 24 JUNE 2013.

4.1 Charity Commission – Expenses. The Director advised that he had received an email from the Charity Commission stating that it was their view that the Commissioners Clauses Act took precedence over Charity law and therefore Board Members could not claim expenses for Board and Committee meetings. Expenses incurred for outside meetings would be claimable. The Director would forward the email to Mr S Ginn for consideration before the Board reached a decision.

5. CODE OF CONDUCT

In presenting the draft Code of Conduct Mrs H Stace advised that this had been compiled using very many sources and those issues discussed in the Chairman's Workshop and circulated a revised Annex B (Breaches of the Code of Conduct). A full discussion took place and alterations and amendments made to the draft which Mrs Stace would incorporate in the Code. This would then be emailed to members, with a deadline for responses, before further consideration at the next meeting.

Mr Cousins entered the meeting at 7.20 pm.

6. DATE OF NEXT MEETING

29th August 2013 at 6:00 pm.

The meeting closed at 7:40 pm.

9.3.2 Mrs H Stace presented the minutes and matters arising to the Board.

9.3.2.1 Wimbledon Common Visit. The Chief Executive of Wimbledon Common Conservators had visited MHC earlier in the year and had invited Board Members to visit Wimbledon Common on Sunday to attend their Countryside Day. Due to unforeseen circumstances the visit on Sunday was not able to go ahead. Mrs H Stace asked for a show of hands to determine the level of interest for a visit to Wimbledon Common in the spring and as there was sufficient interest this will be organised and the date communicated to all Board Members.

9.3.2.2 Trustees' Expenses. Mrs H Stace stated that conflicted advice had been received and therefore more research would be undertaken on this issue.

Mr R Chamings asked Rev'd C Attwood about the Charity Commission's interest in Malvern Hills Conservators. Rev'd C Attwood confirmed that the Charity Commission were still asking for updates to ensure that the Board was complying with their duties and undertaking the requested governance review.

9.3.3 On the proposal of Mr R Cousins, seconded by Mr D Street, the **ADOPTION** of the report was **CARRIED UNANIMOUSLY**.

9.4 GOVERNANCE COMMITTEE HELD ON 29th AUGUST 2013

9.4.1 Mrs H Stace presented the report to Committee. Mr P Tuthill asked that the minutes be amended to reflect that he was present for only part of the meeting. Mrs H Stace proposed the **ACCURACY** of the report subject to the above amendment. This was seconded by Mr T Musgrove and was **AGREED UNANIMOUSLY**.

MALVERN HILLS CONSERVATORS GOVERNANCE COMMITTEE

**Manor House, Grange Road, Malvern
Thursday 29th August 2013 6:00 pm**

Present: Mr S Ginn, Mr T Musgrove, Mr B Pilcher, Mrs G Rees, Mrs. H Stace (ex-officio)

In attendance: The Director, Mr C Smith, Mr P Tuthill, Mr P Watson and Mr T Yapp.

In the absence of the Chairman and Vice Chairman of the Committee, it was agreed that Mr S Ginn would chair items 1 – 6 and Mrs H Stace would chair items 7 – 11.

1. APOLOGIES FOR ABSENCE

Mrs S Adeney, Rev'd C Attwood, Mr R Cousins, Mr R Hall-Jones.

The Director reported that Beverley Nielsen has stepped down from her position as a Worcestershire County Council nominee on the Board. She is to be replaced by Professor John Raine.

2. CHAIRMAN'S ANNOUNCEMENTS

2.1 Trustee training programme provided by Crowe Clark Whitehill. It was generally felt that the training was interesting and worthwhile. It had sparked a good deal of discussion amongst those present. Mr T Musgrove said the training had raised a number of questions and he would email a list of these to the Director. There was agreement that further training, looking at different subject areas, would be worth undertaking in the future. The Director agreed to discuss this with Crowe Clarke Whitehill.

3. DECLARATIONS OF INTEREST

None.

4. MATTERS ARISING FROM THE MEETING HELD ON THE 25th JULY 2013

None.

5. CHARITY COMMISSION LETTER IN RESPONSE TO ST ANN'S WELL

Rev'd C Attwood had wished to make a statement at this point. However, as he was unable to attend this was deferred until the next meeting.

6. MILL LANE DECISION

It had been requested that this item was put on the agenda in order to review the principle and the process under which the Mill Lane decision was called in.

Regarding the process, it was stated that there was a clear procedure, under standing order 7, for rescinding decisions and this was not followed. However, the meeting was called as a Special Meeting of the Board as it was felt that this was an emergency. One Board Member had offered their resignation and there was considerable unease amongst a number of other Board Members. At the Special meeting, the Board voted to use standing order 16 to suspend standing order 7 by a majority of 11 votes for to 2 votes against. Therefore the decision at the Special Meeting was legally valid.

It was clear from the discussions that there remains disagreement regarding the circumstances under which the Conservators should grant easements (if at all). Therefore further discussion on this issue is required.

It was proposed by Mr B Pilcher, seconded by Mr T Musgrove, that the conclusions of Paper A should be accepted and should form the basis of discussions at future Chairman's workshops. This was **AGREED UNANIMOUSLY**.

7. STANDING ORDERS

Mrs H Stace presented the revised Standing Orders. A number of points provoked debate.

Section 1.2. It was recognised that the Code of Conduct may not be legally binding. However, it was generally agreed that it was important for all Members to sign a Code of Conduct. This is standard practice in public bodies and charities and MHC are therefore not asking Board Members to do anything out of the ordinary. Mrs H Stace proposed the inclusion in Standing Orders of a requirement to sign the Code of Conduct. This was seconded by Mr B Pilcher and was **AGREED UNANIMOUSLY**.

Section 2.1. There was discussion over the proposed new meeting schedule which would involve quarterly Board meetings. There was a counter proposal that MHC hold monthly Board meetings but it was felt that the opportunity to debate issues twice – at Committee and then at Board – was important. Mr B Pilcher proposed that the Board move to quarterly Board meetings. This was seconded by Mr S Ginn and was **CARRIED** by 4 votes for to 1 vote against.

Section 2.2. There was general agreement that the quorum for Board meetings should be increased to 10. However, it was acknowledged that the 1924 Act states that a quorum 'shall be 6 unless altered by special resolution of the Conservators'. The Board may therefore need to vote on this.

Sections 3.1 and 3.2. These items were discussed. On the proposal of Mrs G Rees, seconded by Mrs H Stace, it was **AGREED UNANIMOUSLY** to adopt the changes in appointing the Chairman and Vice Chairman of the Board.

Section 3.4. The draft presented to the Board proposed that if a Chair/Vice Chair had held office for 3 consecutive years they should not be able to hold the same office again for either 1, 3 or 4 years.

On the proposal of Mr S Ginn, seconded by Mrs G Rees, it was **CARRIED** by 3 votes for to 1 vote against and 1 abstention that in the event of an individual holding the same office for 3 consecutive years, that he or she should not be eligible to hold that office again.

There was some discussion under Section 7 regarding the frequency of Governance Committee meetings. It was felt that the Committee should meet at least twice per year. The Director would give thought to the best timing for these meetings.

Section 10. It was noted that in the 1924 Act at least 4 Board Members were required to allow a Special Meeting to be convened and that this must be put in writing to the Clerk (Director).

Section 18. There was some uncertainty about the types of information that the public can ask to see. Mr T Musgrove agreed to research this.

The following 4 recommendations were proposed by Mrs H Stace and were seconded by Mr B Pilcher:

1. The revised Standing Orders, subject to the amendments as a result of discussion at this Governance Committee, be referred to the Board for their approval and adoption;
2. That the financial section, formerly part 13 of the Standing orders, be referred to Finance, Admin and Resources Committee for incorporation into a new financial governing document;
3. That a paper would be prepared on access to information and presented to a future Governance Committee meeting;
4. That a new Governance Handbook be compiled, in time for the November Board, incorporating all the revised documents produced by Governance Committee and signed off by the Board over the course of the 2012/13 governance year.

The above recommendations were **AGREED UNANIMOUSLY**.

8. CODE OF CONDUCT

There was debate about whether Board Members should be required to sign the Code of Conduct. It was generally agreed that although it was not legally binding – and it may not be possible to require a Board Member to resign – it would place a strong moral obligation on Board Members to abide by the Code of Conduct and to resign if they were asked to do so as a result of a serious breach of the Code. Where nominated Board

Members failed to abide by the Code of Conduct, this could be reported to the nominating body. It is hoped, and expected, that this will not be required.

Some of the Board Members nominated by MHDC had questioned the need to sign a second Code of Conduct. However, it is clear under MHDC's Code of Conduct that councillors acting on outside bodies are expected to abide by the Code of Conduct of that outside body.

A number of amendments were made and these will be reflected in the version presented to the Board.

The Committee thanked Mrs H Stace for all her work on the Standing Orders and the Code of Conduct.

9. TRUSTEE EXPENSES

The Director reported that Mr S Ginn had looked again at the Malvern Hills Acts and felt that they do not permit the payment of attendance allowances, they do permit the payment of expenses to Board Members for attending meetings. This differs from previous advice received and it may be necessary to discuss this issue again at a future Board Meeting.

10. PROGRESS AGAINST TIMELINE AND PROGRAMME

The Director reported that the Committee are making very good progress against the Governance Review programme drawn up in May. The Committee are on schedule to complete all of the work identified in the review by the November deadline which it set itself.

11. DATE OF NEXT MEETING

The next meeting will be held at 6.00pm on Thursday 26th September 2013 at Manor House.

The meeting closed at 9:10 pm.

9.4.2 Mrs H Stace presented the minutes to the Board but there were no matters arising.

9.4.3 Mrs H Stace proposed the **ADOPTION** of the report as amended. This was seconded by Mr S Ginn and was **CARRIED** by 13 votes for with 2 abstentions.

10. CODE OF CONDUCT

The Director stated that it is standard practice for a charity to have a Code of Conduct for the trustees to ensure that the organisation is open, effective and accountable and to provide a process for unacceptable or inappropriate behaviour.

A discussion ensued and the following points were raised:

- Crowe, Clark & Whitehill have commented on the document and have provided a couple of suggestions.
- One Board Member had sent an email to state that he disagreed with the document and would not be signing the Code of Conduct.
- To require future Board Members to sign the Code of Conduct it may discourage people from standing for election.
- People who are standing for election may not have a background in local government and this document may help them to understand the processes and how the Board works.
- It was suggested that that document could be shortened as some points were repeated.
- Concerns were raised that this was not a legally binding document.
- The document was standard with some content originating from the Charity Commission and the Trustees Act. Trustees should be aware of their responsibilities and that to be a charity trustee is different from being part of local government.
- The document is clear and spells out Members' responsibilities.
- Some Members were reluctant to sign the Code of Conduct; other Members were happy to sign the document. Some Members were not happy that some of the Board would sign and others would not.
- The Code of Conduct is too prescriptive.
- If a Member disagrees with a decision of the Board, and speaks against the Board's decision to the press, that Member would not be acting in the interests of the Board and would therefore be in breach of his or her duties as a trustee.
- Local Government can be adversarial whereas a charity should try to reach decisions by consensus.
- The best time to introduce a Code of Conduct is when it is not urgently needed, which is why this is being addressed at this time.
- It was suggested that MHC follows the example of the National Trust and focuses on managing the Hills and Commons rather than the organisation's charitable status. However it was argued that MHC is a charity by its charitable purposes and therefore the organisation must comply with its charity status. Once the governance review is completed the focus will return to the management of the Hills and Commons, but this process needs to be completed.

- Because the Board consists of 29 Members there will always be contrasting views therefore to arrive at decisions by consensus may not happen.
- Members who are nominated and do not wish to sign the Code of Conduct are still bound by the codes of conduct from their nominating body. Elected Members who do not want to sign the Code should be encouraged to do so as there is nothing there that should concern people.
- The Code of Conduct is only for when things go wrong.
- The governance review is being undertaken purely to protect the Board against breach of duties, thereby ensuring that Board Members do not have to face personal liability.

Mrs H Stace proposed that the bullet point regarding social media needs to be amended so reflect that social media should not be used to attack or undermine a decision by the Board.

Mr M Cordey suggested an amendment to the Code of Conduct so that it reads in the third person not the first person (replacing '*I will...*' with '*A Board Member should...*') thereby a vote to adopt the Code would equate to the Board agreeing to its terms without the need for signatures.

Mrs H Stace proposed that subject to the revision of the paper to be in the third person not the first person and subject to a revision of the bullet point regarding social media that the Board **ADOPTS** the Code of Conduct. This was seconded by Mr M Cordey and was **CARRIED** by 13 votes for to 4 votes against.

Mrs H Stace thanked Mr M Cordey and Mr S Ginn for their contribution to the discussion.

11. STANDING ORDERS

Mrs H Stace stated that the last sentence of Paper B, page 1, paragraph 4 should be struck out as it did not relate to this version of the document.

Mrs H Stace stated that Standing Orders needed to be reviewed and amended for several reasons, one of which was the creation of the Governance Committee, and it should also make reference to the Code of Conduct. This matter was raised early on in the governance review and items that needed to be addressed have been listed over a period of time. Standing Orders have been examined in Chairman's Workshops and by the Governance Committee and versions had been email to Board Members for comment. The revisions reflect the collective view of the Board. The financial matters of Standing Orders will be removed and produced in a separate Financial Manual that will detail financial policies and procedures. A reduction to scheduled meetings to one meeting per month was also suggested while urgent matters could be brought before special meetings as required. Crowe, Clark

& Whitehill have received a draft of the revised Standing Orders and have suggested two amendments:

- Section 10.7 to read the quorum is 10 Members.
- Section 18.4 to state that minutes of meetings are uploaded onto the website.

Mrs H Stace suggested two other amendments:

- Section 7.2 to read January.
- Section 9.2 to read 14 clear days to advertise the Annual General Meeting to comply with the Commissioners Clauses Act.
- Section 1.1 the last sentence to be removed.

It was noted that amending Standing Orders required a special resolution before the new governing document could be adopted by the Board. Two additional documents will be produced: the Finance Manual and a paper relating to Freedom of Information to determine what items need to remain confidential and what items can be released into the public domain.

A discussion ensued and the following points were raised:

- Reports from Outside Bodies will be dealt with under Section 12.12 Information.
- Corporate accountability appears in the Code of Conduct but should it also appear in Standing Orders? This should appear under Section 14.8.
- An additional clause should be added after Section 20 to state that any additional alterations to Standing Orders should be the responsibility of the Governance Committee to review and propose any amendments to the Board.
- Section 14.8 replaces the 6 month rule of a decision standing, so that if new information comes to light or the legality of the decision is questioned a decision may be rescinded. This is intended to clarify the processes of decision making.
- If a quorum is not present at a meeting, then the meeting is deferred for 7 days until the numbers present can form a quorum. If at the deferred meeting a quorum is still not present, then the meeting is deferred for a further 7 days etc.
- The membership of the Governance Committee would be 7 Members, rather than an even number from the Land Management Committee and the Finance, Admin and Resources Committee.
- Members of the public may attend site visits but will not be permitted to speak to Members.
- Public questions will need to be received 7 days before a Board meeting as often questions do not relate to items on the agenda.
- The provision to suspend Standing Orders has been removed from the revised document, however the governing document is for the Board and

therefore if it is felt that this provision should be reinstated this could be done through the Governance Committee.

Several amendments were **AGREED** as part of the discussion:

1. The last sentence of item 1.1. should be deleted.
2. Item 10.6 should state what the quorum should be.
3. Item 14.8 should include the following statement from ICSA '*When the Board makes a decision, even though it may not be unanimous, the decision is deemed to be the responsibility of all trustees and so all trustees are expected to support the decision once made.*'
4. The 6 month clause should be reinstated to prevent vexatious issues being repeatedly brought before the Board.
5. Under item 20 it will be the responsibility of the Governance Committee to review Standing Orders in the future.
6. Item 3.2 should provide the facility for unsuccessful candidates for the role of Chair to be considered for the role of Vice-Chair.
7. The * needs to be removed from the end of item 3.1 and item 3.2.

On the proposal of Mr R Cousins, seconded by Mr C Smith it was **CARRIED** by 15 votes for with 1 abstention to **APPROVE** and **ADOPT** the revised Standing Orders subject to the above amendments in January 2014 by special resolution.

On the proposal of Mr C Smith, seconded by Mrs G Rees the following 3 recommendations were **CARRIED** by 13 votes for with 2 abstentions:

- That the financial information, formerly Section 13 of the Standing Orders, is incorporated into a new 'Finance Manual' to be prepared by Officers and presented to the Finance, Administration and Resources Committee in March 2014.
- That a paper is prepared for the Governance Committee regarding access to information.
- That the new Governance Handbook, incorporating all the revised documents produced by the Governance Committee, is compiled in time for the November Board meeting and is signed off by the Board.

12. TO RECEIVE REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

12.1 MALVERN SPA ASSOCIATION

Mr P Watson stated that MSA are putting together a list of the historic springs to pass to English Heritage and some of these springs will be located on the Conservators' land.

12.2 MALVERN HILLS AONB JOINT ADVISORY COMMITTEE

Mrs G Rees confirmed that she would be attending a meeting the following week.

13. INFORMATION

13.1 MANAGEMENT REPORT

The Director thanked staff for their assistance during the tragic events at Gullet Quarry as staff were very flexible, helpful and went out of their way to assist in any way they could.

The Director stated that he had met with the tenant of St Ann's Well to discuss what building work needed to be done. It was agreed that work would be scheduled for next spring and that contractors would be sought. A list of works will come to the Board for approval.

The Director stated that the work to the Mill Pond dam was now complete and due to the different pilings being used a saving of over £6,000 had been successfully negotiated. Total costs came in at £4,800 under budget which also included some additional work. Mr J Tretheway stated that he considered the work to be a brilliant job.

The Director stated that MHDC are interested in reintroducing the Hills Hopper bus service and they have approached MHC to ask if the bus could stop in MHC car parks. This has been agreed.

The Director stated that the Events programme is receiving positive comments from the public.

Mr T Musgrove asked about the policy regarding signage as the Wyche Innovation Centre has contacted MHC regarding signage. The Director confirmed that this will be looked into.

It was suggested that a walk be organised to look at Gullet Quarry, Mill Pond dam and the Cider Press. This will be organised for the evening of 26th September 2013 instead of a meeting of the Governance Committee.

MANAGEMENT REPORT

DATE: 12th SEPTEMBER 2013

DIRECTOR

- Reviewed the Land Acquisition Policy and produced a new policy and forms for assessing potential acquisitions.
- Drafted new role description for the Finance, Administration and Resources Committee and for the Chairman of the Committee.
- Undertook annual appraisals for Deputy Director, Operations Manager, Deputy Conservation Officer, Wardens and Field Staff. Produced policy

relating to maternity pay and maternity leave – as we previously had no policy covering these matters.

- Interviewed a candidate for the role of minute taker for Board and Committee meetings.
- Began a review of Risk Assessment for the Field Staff. Most of the tasks being undertaken by the Field Staff have been adequately risk assessed – but there are a few gaps which need to be addressed and this will be undertaken by the Operations Manager.
- Undertook review of the organisational Risk Assessment with the Deputy Director. This review focused on identifying control measures that we have in place to mitigate risks identified by the Risk Working Party.
- Met with the Environment Agency for advice on undertaking risk assessments for lakes, ponds and other waterbodies on MHC land. These risk assessments have been requested by our insurers and will be completed in the next month.
- Liaised with the solicitors providing advice in relation to the Charity Commission's request that we obtain legal opinion on the question of a breach of Trustee duty in relation to the St Ann's Well litigation.
- Carried out induction of the new Conservation Officer.
- Produced a new induction process for the new Board members and put together a revised Induction Pack with information about the organisation and the role.
- Met with insurance investigators to discuss a possible claim against our policy following a fall on the Hills. The outcome of the claim is currently uncertain but, if successful, any payment by insurers is likely to be small.
- Attended social media training given by V8 Media.
- Gave a talk following the AGM of Ledbury Civic Society, attended by approximately 45 people - on the subject of the Malvern Hills Conservators and their work.
- Set up Malvern Hills Conservators Facebook page as a means of communicating news, details of events etc.
- Produced press release on sheep worrying following dog attack which resulted in two dead lambs on Castlemorton Common. New signs are also being put out on the Common asking people to keep their dogs under control.
- Attended Malvern in Bloom meeting. This year the judges will be visiting Link Common and we will be showing them the plots where we have been experimenting with hay strewing.
- Met with resident at 107 Guarlford Road regarding repairs to their easement.
- Organised damp work at St Ann's Well. This work is now completed – with the exception of the redecoration. Associated works were required –

which included a replacement sink and sink unit, a replacement window, tiling and electrical repairs.

- Held pre-contract meeting with Birch Bros to discuss the dam repair work at Mill Pond. This is currently scheduled to start on May 7th and is expected to take 4 weeks to complete.
- Met with organisers of Macmillan sponsored walk to discuss details of walk to be held on Hollybed Common in October this year.
- Attended MHC Access and Recreation panel meeting.
- Attended Colwall Parish Council meeting and provided Councillors with an update on the work of the Conservators.
- Met with the local representative from the Open Spaces Society to discuss a variety of issues relating to our Acts and powers and Common land law. This included car parks, fencing, gates and play areas.
- Met with police re alleged criminal damage on Hollybed Common.
- Met with Chairman of Malvern Neighbourhood Watch to discuss requests for a footpath to be constructed on Malvern Common in order to prevent the need for pedestrians with e.g. pushchairs to walk in the road and a request for surfacing of a bus top on the common. These may need to go to the Land Management Committee.
- Met with resident of the Purlieu to discuss drainage and erosion problems on the section of track leading past Park Wood. The Operations Manager is currently talking to contractors about potential works to resolve these problems.
- Met with IT consultants to obtain quotes for a replacement server. The current server is now 6 years old and is very slow. Mapping work is becoming increasingly difficult to carry out because of slow speed of the server.
- Visited playgrounds in the Malvern Link area with Paul Tuthill with a view to finding a playground which would meet the needs of Malvern Wells Parish Council – whilst being permissible under our Acts and common land law.
- Acted as a judge for the Malvern Spa Association Annual Well Dressing competition.

CONSERVATION OFFICER

- 8 April started work for MHC
- Completed formal induction with Stephen and Fiona
- Set up meetings and tours with key contacts including other MHC staff, AONB staff, graziers, FC, local experts, commoners and Natural England.
- Visited key sites in our ownership.
- Attended the induction for new board members

- Shadowed Stephen and Nicky in meetings with the public to discuss byelaw issues.
- Gave an interview to the Malvern Gazette.
- Joined in on volunteers' skylark and meadow pipit breeding bird survey.

DEPUTY CONSERVATION OFFICER

- Met Steve Roberts, Illustrator, with Director to finalise the design of the cider mill interpretation panel.
- Checked cider mill repair work with Operations Manager.
- Met Peter Dorling, Herefordshire Archaeology, on site and made comments on the draft Conservation Management Plan for British Camp and Midsummer Hill.
- Attended and organised Recreation Advisory Panel meeting.
- HLS management – submitted claims, successfully applied for additional supplementary options at Castlemorton Common (native breeds at risk and mixed stocking) to cover the reduction in annual payments.
- Sent Events Diary press release to BBC Hereford and Worcester and data inputted all events onto BBC 'Things to Do'. Good press coverage received. Produced generic Risk Assessments, safe working procedures and introductory talk notes for events. Attended 2 events.
- Attended First Aid at Work training course enabling me to act as trained first aider at events.
- Met Peter Garner, local naturalist, with Conservation Officer to search for Meadow Pipits.
- Managed work of Volunteer Conservation Assistant who has produced draft dog walking posters aimed to reduce sheep worrying and disturbance of ground nesting birds to put on the Hills.
- Met 2x member of the public about tree queries – tree management policy followed.
- Carried out preliminary vegetation survey of Park Wood with volunteer team. The project aims to establish what impact coppicing has on the abundance and diversity of wildflowers at Park Wood.
- Met Voluntary Site Warden with Warden to discuss new special management area at North Hill for Grayling butterfly.
- Uploaded Vector Map Local and GIS onto computer.
- Met Operations Manager to discuss Shire Ditch repair.
- Attended and organised meeting of the Wildlife Panel.
- Liaised with dog trainer about sheep safe dog training courses.
- Welcomed Conservation Officer to role.

FIELD STAFF

- Cleared ice and snow from car parks.
- Repaired several paths.
- One member of Field Staff and Operations Manager attended tree safety course.
- Clearing fallen boughs after snow.
- Carried out quarry safety checks and repairs.
- Cleaning and re-oiling benches.
- Replaced fence at bottom of Ballards land.
- Carried out appraisals for all Field Staff

CONTRACTORS

- Carried out repairs to wall at Earnslaw car park.

WARDENS

- 1 Worcestershire Wardens' Partnership meeting attended.
- 1 meeting with Onside Advocacy regarding volunteers from disadvantaged backgrounds and special needs.
- 1 meeting with dog trainer regarding joint promotion of their sponsored walk and our code of conduct.
- First aider at Nigel Hand's pond dipping event.
- Litter picking equipment given to 2 new volunteers to litter pick MHC land.
- Met with Jenny Palmer and one of the VSWs to arrange work plan for the coming year at their site on North Hill.
- Finished the programme of felling at the Dormouse site, Holywell.
- Finalised the details for five volunteer events taking place this year.

Incidents:

Parking on the Common	13
Unauthorised Signs	1
Unauthorised Building Material	1
Dangerous Occurrence/Hazard	2
Other Livestock Issue	3
Fly Tipping	4
Driving on the Common	5
Damage to Vehicle	2
Encroachment	1
Cycling on footpaths	2
Attack on livestock	1
Dog out of control	1

VOLUNTEERS

Conservation Day activities:

- Held 7 conservation days with 129 volunteers in attendance.

DEPUTY DIRECTOR AND ADMINISTRATION STAFF

- Conducted research of ownership of Crown Lea Avenue.
- Objected to one planning application
- Completed 1 easement
- Organised insurance renewal
- Approached auctioneers for valuation of artwork
- Attended Automatic Enrolment Pension webinar
- Completed Year End submissions and financial procedures
- Organised art installation opening and press coverage in conjunction with artist
- Investigated fire escape options (on-going)
- Completed Risk Assessments
- Met with Environment Agency to discuss waterbodies risk assessments
- Attended Charity Governance Conference
- Organised PAT of electrical items
- Completed 1 acknowledgement of prescriptive right
- Attended Employment Law seminar in Birmingham
- Completed RTI preparations and submissions

The meeting closed at 9:55 pm.

Signed 14th November 2013
Chairman