MALVERN HILLS CONSERVATORS
MEETING OF THE BOARD

Council Chamber, Avenue Road, Malvern
Thursday 11th September 2014, 7:30 pm

Present: Mr M Cordey, Mr R Cousins, Mr D Baldwin, Mr A Golightly, Mr S Ginn, Mr R Hall-Jones, Mr R Morton, Mr B Pilcher, Mrs G Rees, Mr C Rouse, Mr C Smith, Ms H Stace (Chairman), Mr P Tuthill, Mr P Watson (Vice-Chairman).

In attendance: Director, Acting Secretary to the Board, Deputy Conservation Officer, Financial Consultant, 1 member of the public.

1. **APOLOGIES FOR ABSENCE**
   Rev'd C Attwood, Mr R Chamings, Mr D Hawkins, Mr D Street, Mr T Yapp, Mrs S Young.

2. **CHAIRMAN'S ANNOUNCEMENTS**
   Ms Stace welcomed Roger Morton.
   She explained that the AGM had been adjourned because the Board were unable to approve the accounts as a result of outstanding queries relating to the valuation of MHC pension fund deficit. Responses from the actuary were awaited and it was intended to reconvene the meeting immediately prior to the December Board meeting.
   2.1 Chairman's workshops

24 September	Board Evaluation
6 November	Income Generation
January 2015	Grazing

   2.2 Update on Board vacancies
   Simon Freeman had been elected unopposed in Malvern Wells.
   Herefordshire Council had nominated Tony Johnson (Leader of the Council) to join the Board.
   Mrs Adeney was awaiting an opportune moment to speak to the Bishop about a nominee from the Church Commissioners. The Director was in discussions with Malvern Hills District Council and Worcestershire County Council about their nominations.
   2.3 Procedure
   Ms Stace suggested that members who wanted to raise a *substantive* matter at a meeting should raise it beforehand with the Chairman or the Director. This would enable the facts to be investigated prior to the meeting, and raising a difficult or delicate matter for the first time at a public meeting could bring MHC into disrepute. Ms Stace hoped that Board members would act in a collaborative manner. Members with matters to raise were welcome to attend the Chairmen's and Vice- chairmen's briefings or raise questions by E-mail.

3. **PUBLIC QUESTIONS**

There were none.

4. **DECLARATIONS OF INTEREST**

Mr Rouse declared an interest in the HLS scheme, and Mr Tuthill declared an interest in matters related to the pension scheme as he was on County Council Committees engaged in supervision of the scheme.

5. **TO CONFIRM THE MINUTES OF THE BOARD MEETING HELD ON 12TH JUNE 2014**

On the proposal of Ms Stace, seconded by Mr Cousins, it was **RESOLVED** that the minutes be signed as a **TRUE** and **ACCURATE** record.

6. **MATTERS ARISING FROM THE BOARD MEETING**

Item 10 Resurfacing Upper Dingle Track. Following the resolution passed at the June meeting, the Director had notified the residents of the Board's decision and responded to a number of queries from them. He was awaiting further contact from them.

Item 13 Pedestrian access Cockshot Road. Mr Tuthill would speak to Mr Watson to make the position clear and the matter could be considered for discussion at the next Land Management Committee meeting.

7. **MINUTES OF THE FOLLOWING COMMITTEES**

7.1 LAND MANAGEMENT COMMITTEE MEETING HELD 10 JULY 2014

7.1.1 Mr Cousins presented the report of the meeting held on 10 July 2014. On the proposal of Mrs Rees, seconded by Ms Stace, the **ACCURACY** of the minutes was **AGREED**.

7.1.2 Mr Cousins presented the minutes and matters arising to the Board:

Item 3.1 Chairman's Communications. Malvern Hills DC had decided to commemorate Mr Cheeseman by buying a planter to stand outside the Council Chamber.

Item 10 Easement Hunter's Way. The Director reported that the secondary piece of land, which the Committee had considered taking in part payment, had been sold, so consideration for the grant of the easement would be entirely in cash.

Item 15 Land Management Plan. Mr Tuthill asked whether a view had been formed about what equipment (specifically tractors) was appropriate and whether this had been incorporated into the Land Management Plan. The Director said that phase 1 of the plan, which was being completed at present, was a descriptive section and the next phase would analyse what work and hence what equipment was required. Paul had obtained quotes with a view to purchasing the tractor that had been approved in the current year.

Mrs Rees asked whether, in the context of item 8, MHC had been in touch with Harriet Baldwin and Bill Wiggin. The Director said that he would check with the Conservation Officer.

7.1.3 Ms Stace proposed the **ADOPTION** of the report and its recommendations. This was seconded by Mr Cousins and the proposal was **CARRIED** with two abstentions.

7.2 GOVERNANCE COMMITTEE MEETING HELD ON 31 JULY 2014

7.2.1 Mr Cousins presented the report of the meeting held on 31 July 2014. On the proposal of Mrs Rees, seconded by Mr Ginn, the **ACCURACY** of the minutes was **AGREED**.

7.2.2 Mr Cousins presented the minutes and matters arising to the Board.

7.2.3 Mrs Rees proposed the **ADOPTION** of the report and its recommendations. This was seconded by Mr Pilcher and the proposal was **CARRIED** with one abstention.

7.3 FINANCE, ADMINISTRATION AND RESOURCES COMMITTEE MEETING HELD ON 14 AUGUST 2014

7.3.1 Mr Cordey presented the report of the meeting held on 14 August 2014. Mr Tuthill asked that the word "necessarily" be added under item 17, page 21 "but not *necessarily* to separate from the group scheme". Subject to this amendment, the **ACCURACY** of the minutes was **AGREED**.

7.3.2 Mr Cordey presented the minutes to the Board, and Ms Stace highlighted the recommendations which had been made.

7.3.3 The Director gave an update on St Ann's Well. The Director and Ms Stace were planning to set dates to meet members of the public at St Ann's Well. The architects were still in the process of preparing the drawings and specifications. Ms Stace proposed the **ADOPTION** of the report and its recommendations. This was seconded by Mr Watson and the proposal was **CARRIED** with two abstentions.

8. INVESTMENT MANAGER APPOINTMENT UPDATE

The Director, Financial Consultant and Mr Street had met Ian Burrows of Brewin Dolphin. Brewin Dolphin had recommended 2 changes to the MHC draft Investment Policy. First, that the ranges within which they had to operate were set at 10% either side of the benchmark indices, not 5% and secondly, the APCIMS index had been changed to the WMA index. The Financial Consultant confirmed that MHC funds would initially be held in a cash deposit and would be fed into the different investment sectors at times which Brewin Dolphin considered best. Brewin Dolphin would be invited to attend to report to the Board meetings on a periodic basis, and would provide quarterly written reports to trustees. There was also an online facility. On the proposal of Mr Cousins, seconded by Ms Stace it was **RESOLVED** unanimously to adopt the use of the WMA index with an operating range of 10% either side of the benchmark.

9. TO APPROVE THE SORP RISK ASSESSMENT

The Director talked through the reasons why certain areas had been categorised as high risk. On the proposal of Mr Cousins, seconded by Ms Stace it was **RESOLVED** unanimously to approve the risk assessment.

10. **GOVERNANCE REVIEW**

Ms Stace explained that the intention was to establish what changes to the governing Acts MHC would like to make and put their proposals to the Charity Commission. The Charity Commission would then indicate whether they would be able to take the individual matters forward. The Director understood that their criteria would be that the scheme enabled MHC to better achieve its objects. In response to a question from Mr Hall-Jones, the Director said that he envisaged the working group would identify stakeholders and ensure that they were consulted. Mr Hall-Jones thought a public consultation would also be necessary in due course, as experience had shown that when the 1995 Act was debated, objections were raised which had not been anticipated. Ms Stace felt that consultation should be delayed until after the Charity Commission had indicated which matters it was possible for them to promote. Mr Cousins reminded the Board that in 2015 there would be a new Board and it would be advisable to progress matters as far as possible before the collective knowledge and experience of the current Board was lost. Mr Tuthill suggested that the Director should contact the National Trust to ask what their experience of going through the process had been.

On the proposal of Mr Cousins, seconded by Mrs Rees it was **RESOLVED** unanimously that the Governance Committee should establish a working group to develop a scheme to amend MHC Acts of Parliament – working with the Director and with external advisors (where appropriate). The working group should look further into the feasibility of making the changes listed in Paper C – along with other amendments deemed necessary. Final proposals for the scheme must be approved by the Board before being communicated to the Charity Commission. The need for public consultation was recognised.

11. **URGENT BUSINESS**

There was none. Mr Tuthill asked what response had been received from the Actuary. The Director confirmed that some further details had been received a few hours before the meeting and therefore he and the Financial Consultant had not had a chance to review his E-mail. It was agreed that the Director should write to Board members once the exchange had been concluded.

12. **INFORMATION**

Mr Smith left the meeting.

12.1 Malvern Spa Association

A written report had been received. The Deputy Conservation Officer asked the Board to note some amendments. The reference to the Old Hills Ponds should have said that the Association had requested a visit to Old Hills to see the ponds. The ponds were not in need of any work. Secondly, in relation to the water tests, MHC had had a meeting to discuss the failed tests with the Worcestershire Regulatory Authorities and negotiations were ongoing about either putting up signs indicating that the water was unfit for human consumption or doing work to make the springs clean and paying for

regular testing. The practical issue was that one bacterium in a sample would result in a failed test and such contamination could arise from placing a dirty container against the spout. Mrs Rees pointed out that she regularly saw vans by the springs with 20 – 30 plastic containers. The byelaws stated that water could not be taken for commercial use. Mr Cousins asked for the matter to go onto the Land Management Committee agenda.

12.2 AONB Joint Advisory Committee

There had not been a meeting.

12.3 Wildlife Panel

Ms Stace reported that there had been a site visit to see some of the rarer plants on Castlemorton Common, with a discussion on management of their habitat.

12.3 Recreation Advisory Panel

There had not been a meeting. Ms Stace felt that better use should be made of the panels in order to feed information into the management plan.

13. **MANAGEMENT REPORT**

The following additional points were made:

MHC submission to the pre-planning consultation in relation to the Qinetiq site had indicated that MHC would object if the development were to have any significant impact on the Common.

The Director confirmed that he had been approached by members of the public and asked if MHC would buy Hayslan Fields. He had taken the opportunity to listen to their concerns but also to explain that the land did not meet MHC's acquisition criteria and in any event would be too expensive if planning permission were granted. If permission was refused MHC would consider the matter again.

Gullet Quarry had been quieter than in previous summers but there had still been people swimming there. The Police and Fire and Rescue services had been very supportive.

The MHC Annual Report for members of the public was to be synchronised with the Trustees' Annual Report and the Director had been preparing the text. It could not be completed until the accounts were finalised.

There had been a visit from the Chairman and Chief Executive of Wimbledon Common Conservators, primarily to discuss Governance issues. It was planned to have a return visit. Mrs Rees thanked the Director and the Staff for organising the visit to Coity Wallia.

The Conservation Officer and Field Staff had undertaken (with the help of contractors) a significant amount of mowing on Castlemorton Common.

The Deputy Conservation Officer had been on a Social Media course and the Director drew Board members' attention to the Conservator's Facebook page. The Deputy Conservation Officer had also arranged a lesser horseshoe bat survey with 29 volunteers. The Director said that one of the key areas for the new post was to develop the use of volunteers as there was a great deal of scope to make more use of them.

A volunteer (who had just completed his first year of a Land Management degree course) had spent the summer undertaking a project to record access across MHC land. He had covered most of the main residential roads. He had photographed the easements and recorded them with a brief description and details of either any formal deed of grant or letter of confirmation.
Mr Pilcher asked if the Deputy Conservation Officer could put some of the information which was on Facebook onto the web site, for those who did not use Facebook.
The Director confirmed that archiving of the old paperwork was ongoing.
Ms Stace confirmed she had attended a workshop called by Natural England on the New Environmental Land Management Scheme. Attendees included representatives from Forestry Commission, Environment Agency, NFU, and CLA. The aim of the workshop was to provide feedback on the information Natural England had gathered to help target the new schemes. She felt that the arrangements were not currently good enough.
Mr Cordey asked whether some of the old documents which had been found during the archiving process could be displayed at St Ann's Well, or on the web site. Mrs Rees said that there were a lot of old postcards in Colwall Historical Society's records, many of which had been scanned in. The Director asked if he could view them.
Ms Stace recommended the Britain from Above web site which had aerial photographs of the hills dating back to the 1920s. http://www.britainfromabove.org.uk/ Mr Cousins had previously asked to put up 2 photographs showing the hills in 1945 and 1998 in the board room.

14. **ITEMS FOR FUTURE CONSIDERATION**

Grazing on Castlemorton Common.	(Land Management Committee)
Cockshot Road path.	(Land Management Committee)
Mountain biking.	(Land Management Committee)
Review of the skylark experiment.	(Land Management Committee)
Water quality issues.	(Land Management Committee)

Ms Stace asked that any conflict with Mountain Bikers should be reported to the office.

The meeting closed at 9.14pm.