

## Public Comments for Ordinary Board Meeting – 10 September 2026

### Malcolm McCrae

At the Board meeting in May I asked a number of questions concerning the Chair and Vice Chair's knowledge of and subsequent actions in relation to misinformation contained in the evidence presented to the House of Lords Select Committee in support of the Trust's draft Private Bill. As no response was forthcoming at the meeting or subsequently, at the last Board meeting in July I made a further request for answers together with a query about the validity of the Chair's statements in the press that the Trust had qualified as a Charity since 1804. The only responses made to-date are the insults contained in the draft minutes of the last Board meeting.

When can I expect this type of behaviour by the Chair and Vice Chair to cease and proper answers made to legitimate concerns raised levy payers under this agenda item.

### David Smallwood

There is considerable disagreement about the cost of the Bill. The Trust quotes one figure, those opposed to the Bill quote a much higher amount.

The main reason is that actual costs and budgeted costs have been muddled together.

#### **Budgeted costs**

The budgeted costs are those that you as Trustees have approved. A total of **£705,430** comes from the papers for today's meeting

However, you must include the interest payment of nearly £451,000 because you have approved the loan scheme and therefore it is part of the budgeted costs. You may repay some of the loan early, but that has nothing to do with the budget.

That takes the total budget to over **£1,156,000**

And, you have no budget to deal with the large number of petitions which will be submitted to the House of Commons.

#### **Actual costs**

The actual costs are what you have spent. A total of £562, 284 is taken from the papers for today's meeting.

You have also made the first two interest payments on the loan, but these amounts are not itemised separately in your accounts, so we don't know how much they are.

#### **Grey areas**

There are other costs which the opponents of the Bill believe should be included.

- The cost of the Charities Act scheme which failed. £145,000
- Public relations. Over, £22,000 spent and further £15,000 budgeted for.
- Legal advice dealing with conflicted Trustees and Cynthia Palmer's bullying claim, nearly £22,000
- A mediation budget of £10,000 is being requested today and an additional £3840 has already been spent.

If you add together what has been spent and what is budgeted to be spent, it comes to almost £1.4 million.

### **In conclusion**

Myth Busters 5 on the web site is an example of how the Trust misleads the public over the cost of the Bill

I quote:

“The Trust will be spending over £1 million on the Bill.

This is not true. The budget for legal costs is currently £503,472“.

There is no mention of interest payments, no mention of the budget of £202,000 from your “Other Costs” fund, and no mention of any of the other costs which would have never been incurred if were not for the Bill.

You are selectively publishing information in order to disguise the truth.

So I have one question: So far as Myth Busters is concerned, who is responsible, who gave the final approval for what is published on the web site?

### **Graeme Crisp**

The arrangements for today's meeting of the Board do not conform to standing orders. Additionally they do not conform to the Trust's governing documents. All meetings of the Board are supposed to be open to the public unless a motion is passed by the board to exclude the public. That motion needs to include the reason that the public are to be excluded.

### **Philip Stubbings**

On the 24 April 2025 I submitted an SAR to the MHT Board. In due course I received a response from the CEO informing me that they only held 3 pieces of data in respect to me and that these were in respect to applications for parking tickets. I subsequently responded saying that I didn't accept that and asking for my request to be revisited.

On 15 July 2026, I submitted a 2<sup>nd</sup> SAR and received a response saying that as I had already previously submitted an SAR it was presumed that I was asking for copies of data only from the date of the previous request. I subsequently replied stating that as my initial request had not been complied with I was seeking copies of all data held on me.

On the 27 August I received an email from the CEO confirming receipt of my (2nd) request and an explanation as to how it was being dealt with and an assurance that I would be kept up to date as to progress.

Some 2 days later I received a further email from the CEO informing me that because of the scope of my request involving a large amount of data that MHT were applying the extension that affords an additional 2 months to the standard deadline to respond to such requests and that I would be kept up to date as to progress.

Given the failure by MHT to properly deal with my initial SAR and it took a second one to start taking it seriously - no doubt realising what would happen if they didn't. It is clear to me that MHT is not only a dysfunctional organisation and needs to come up to speed as

soon as possible, but also, an organisation that cannot be trusted to provide accurate and honest information to those seeking it.

I would therefore welcome an assurance from the MHT Board that they intend to rectify this situation.

### **Catherine Swire**

Since the MHT meeting in July, I can report no progress on the repair to this principal access route to the hills. The fissure has collapsed further, and now, although only a thin layer of tarmac remains in places over crumbling earth - with cars nevertheless now also using the track - an accident pedestrian or vehicular is inevitable.

I was away for a lot of the summer in part because of the distress caused in trying to get into our home, the impossibility of access to older family and ill friends and the very risk of wild fire - the fire station and ambulance service are now being approached by us directly to get a fairer assessment of the situation and our risks.

Immediately after return, on August 10th a serious accident where a man's foot was run over, including ambulance and police occurred - as a direct result of the backing up that results daily from the road closed sign. (The road should be closed now except to residents and Google Maps should be notified) . I know one of the parties involved so have heard direct statements about this. On 21st an ambulance was again called to an accident in the same place. The barriers have fallen several times leaving pedestrians open to the large hole and jagged railings. The young often go up this track drunk at night. Barrier restoration seems to depend on us hauling them up again or monitoring them for the Trust - neither is reasonable. My daughter and son both live at the house and struggle to get out of it now, they have pressing and responsible daily work outside the home.

We have had a ruling from our complaint to the ombudsman for the Council, through a neighbour, that responsibility for the collapse and lead response lies with the Trust. We also have had a letter from the Trust refusing both responsibility and accountable timescale - it seems to us and to everyone consulted this cannot in any scenario be fair. It has been hard to see a way forward but we are advised legally the County Council takes precedence and so are reporting MHT to the Charity Commission for dereliction of charitable duty on two counts - and reluctantly seeking legal advice.

I predict that if the Trust continues to ignore its responsibility to repair this track and negotiate more openly with the council we are likely looking at another death on the hills as a result of the collapse over this year. The fact that a neighbour interviewed the surveyor staying at the Malvern Hills Hotel to quote for repair and that the cost quoted was well under a tenth of what the Trust has spent on abstract conflict in reorganising its structure against the will of many of its trustees and residents in Malvern only strengthens the power of our complaint. The key to MHT is the word Trust. As a resident on the hills

for over twenty years the Trust's failure to respond intelligently to the fact we are at risk, our cars have been damaged and we cannot get access to our own house has broken it.

### **Anthony Madigan**

I was at the public meeting held by the Malvern Environmental Protection Group on 5 September in Christ Church. While I wasn't converted, it was a decent attendance for a meeting on a warm Saturday afternoon.

I have two asks and two matters of record to make, and I don't need a response on any of them today.

The resident who lives close to the track up to St Ann's Well spoke on Saturday about the real access problems they're having. It was raised at the last Board meeting, and something has clearly gone wrong there. Civil engineering issues are never straightforward, we only need the example of the Wells Road to know that, but communication is the easiest problem to fix. Whatever the underlying issues getting in the way of resolution, a good flow of information about this and similar works in progress would be helpful all round.

The update on the Bill's progress made at the meeting on Saturday seemed accurate as far as it went. What it did not cover was all the important areas of the Bill that the Select Committee examined and upheld, and there was little detail on any of the changes that have been recommended as part of a healthy process of scrutiny.

It was a protest meeting, and it was never their job to share information that undermines their arguments. But there is a real information gap that makes it easy for selective truths to take hold. Sure, the Select Committee's report was hard on the Trust in some places, and those aspects were widely quoted locally. But the main findings of the report for all levy payers were that the case for the Bill had been made, that with amendments the clauses of the Bill are "expedient and necessary", and that it could go to the next stage. I suggest that most people in Malvern don't know that and they should.

So I would ask the Board to look hard at communicating in plain English for the benefit of all levy payers, on the channels people use, what the Select Committee (in this case) supported and what it changed. There's no such thing as overcommunication in this space.

Now, I want to put on record two examples of things that were said on Saturday that the report does not support, and I would encourage anyone to check with the Select Committee report itself rather than take my word, or anyone else's word, for it.

An extract from the Committee's proceedings was read out to argue that the Trust is a public body and not properly a charity. Paragraph 136 addresses the argument that a

body cannot both be a charity and levy people who have no choice about paying, and the Committee's settled answer is that there is no incompatibility.

It was also said that the Bill's general power would let the Trust sell easements to developers. Paragraphs 90 and 173 of the report say the opposite. That power expressly cannot be used to acquire or dispose of land, to grant any interest in land, to borrow money, or to erect any building or fencing. An easement is an interest in land. It cannot be granted under that power.

The more that people have ready access to useful information, the harder it is for misunderstandings and their related fears to take hold. Everyone in Malvern should be able to understand the reality of the Bill and the process so they can make up their own minds about what they hear. The Trust can definitely play its part in doing that.

### **Andrew Pitt**

When asked at the last Board meeting how much more money he was prepared to sanction to be spent on the Bill, the Chair replied 'watch this space' or words to that effect, and stated that there would be a meeting in August when Trustees and The Public would learn what funds Officers considered to be necessary to continue to support the Bill through Parliament.

It is therefore clear Officers have engaged in work to understand the additional costs.

The Trust must now fund activity related to the 'take note' debate even before the Bill gets to a third reading, where it appears certain Peers will table amendments, again requiring Parliamentary Agent time and expense. Also there are costs related to the passage of the Bill through the Commons, where, if it gets that far, it is sure to face a record number of petitions ~ this time not just from private individuals, but other statutory authorities, thus incurring yet more expense.

Therefore can I learn what the Chair thinks this Bill is going to cost us all in the end?

Can the Chair please tell us what risk analysis work he has undertaken in respect of ensuring he does not allow his Board to blindly throw good money after bad? If he has done this work, has he shared it with the Board, will he now share it with the Public?

Finally, there is an increasing likelihood that this Bill will not survive its passage through Parliament. So will the Chair please give us all a personal assurance today, if at any point he considers the Board is proposing to throw good money after bad, he will step down as Chair and resign as a nominated trustee from Malvern Hills District Council?