



Malvern Hills Trust

**Meeting of the
Land Management Committee**

Thursday 13 October 2022 7.00 pm

**Gueston Suite
Lyttelton Well
Church Street
Malvern**

Meeting of the Land Management Committee

Gueston Suite, Lyttelton Well, Church Road, Malvern

Thursday 13 October 2022 at 7:00 pm

Members: Mr C Atkins, Mr D Baldwin, Dr S Braim, Ms E Chowns, Mr R Fowler, Mrs C Palmer, Dr T Parsons, Mr C Rouse, Ms H Stace, Mrs M Turner.

Agenda

1. Apologies for Absence
2. Declarations of Interest
3. Chairman's Communications
4. Public Comments
5. Matters Arising (if any) from previous meetings
6. Winter works programme 2022/3 Paper A
7. Visitor number and erosion- -consultant reports (project 35) Paper B
8. Vehicle deterrents Paper C
9. Black Hill carpark Paper D
10. Improvement to agricultural buildings Colwall Lands Paper E
11. Application to surface easement Clouds End Paper F
12. Project progress update Paper G
13. Land acquisition Verbal update
14. Ash dieback Verbal update
15. Graziers' Report Verbal update
16. Conservation Manager's report Verbal update
17. Operation Manager's report Verbal update
18. Wardens' report Verbal update
19. Urgent business
20. Date of next meeting 1 December 2022

Following the Government announcement 'Living with COVID-19', it remains the responsibility of employers and organisations to put arrangements in place to try to reduce the spread of infection at meetings and events. Malvern Hills Trust, having assessed the risks of face-to-face meetings, will continue to take measures to keep everyone as safe as possible.

If you or anyone in your household has experienced any Covid symptoms in the last 7 days, please do not attend this meeting unless you have a negative lateral flow test result on the day of the meeting. The Government has updated the list of symptoms and the most common are now runny nose, sore throat, headache, fatigue and sneezing and not necessarily a cough, fever or loss of sense of taste or smell.

As cases remain high, when attending meetings please:

- Continue to wear a face covering once inside unless you are exempt from doing so (or when speaking).
- Use the hand sanitiser provided when you enter and leave the building
- Seats will be placed socially distanced within the venue - please don't move the chairs closer to others unless you have checked that they are happy for you to do so
- Once the meeting is over, please leave the building - if you want to chat it is safer to do it in the open air

We risk assess the meeting venue. Once the capacity for the venue has been reached, in order to keep attendees safe, no further people will be admitted. Anyone (other than members of the Land Management Committee) who wishes to attend is asked to notify cindy@malvern hills.org.uk (or write to Mrs L Parish at the Trust's office) in writing to giving their name, E-mail address and contact number. Places will be allocated on a first come first served basis. Cindy will confirm whether there is a place available.

LAND MANAGEMENT COMMITTEE

TITLE: Winter Works programme 2022/23

DATE: 13 October 2022

This paper presents the plan for this winter's work towards our ongoing programme of open habitat maintenance and restoration as outlined in the Land Management Plan (LMP). It follows the format of previous years giving both data and maps.

On Castlemorton Common and the Southern Hills these works form part of the suite of capital works included within the respective Countryside Stewardship agreements. These works therefore receive approximately 2/3 of the costs from the Stewardship scheme.

No other capital works funding has been available from Natural England this year, therefore work on other parts of the holding are paid from the General Fund.

The work will be delivered by a mixture of field staff, contractors, partner organisations and wardens/volunteers.

Please note that work on Castlemorton Common and Old Hills has already begun in order to avoid the wet ground conditions prevalent from October.

Please note work on Swinyard Hill has already been completed in order to minimise any possible negative impacts on any protected species present, as per Government guidance.

There will be a Powerpoint presentation at the meeting.

RECOMMENDATION:

That the Committee note the programme of works.

Jonathan Bills
Conservation Manager
26.9.2022

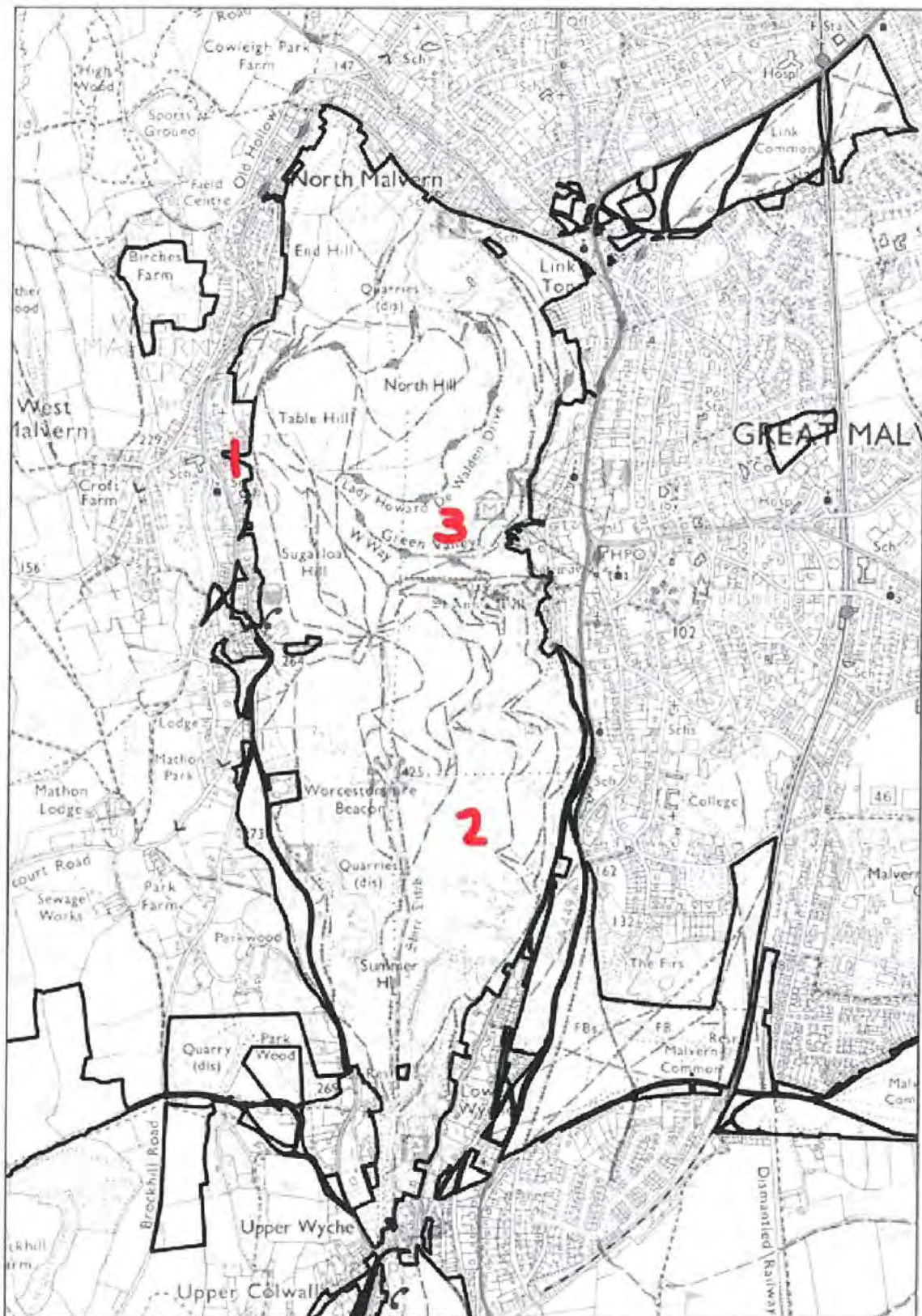
Winter Works programme

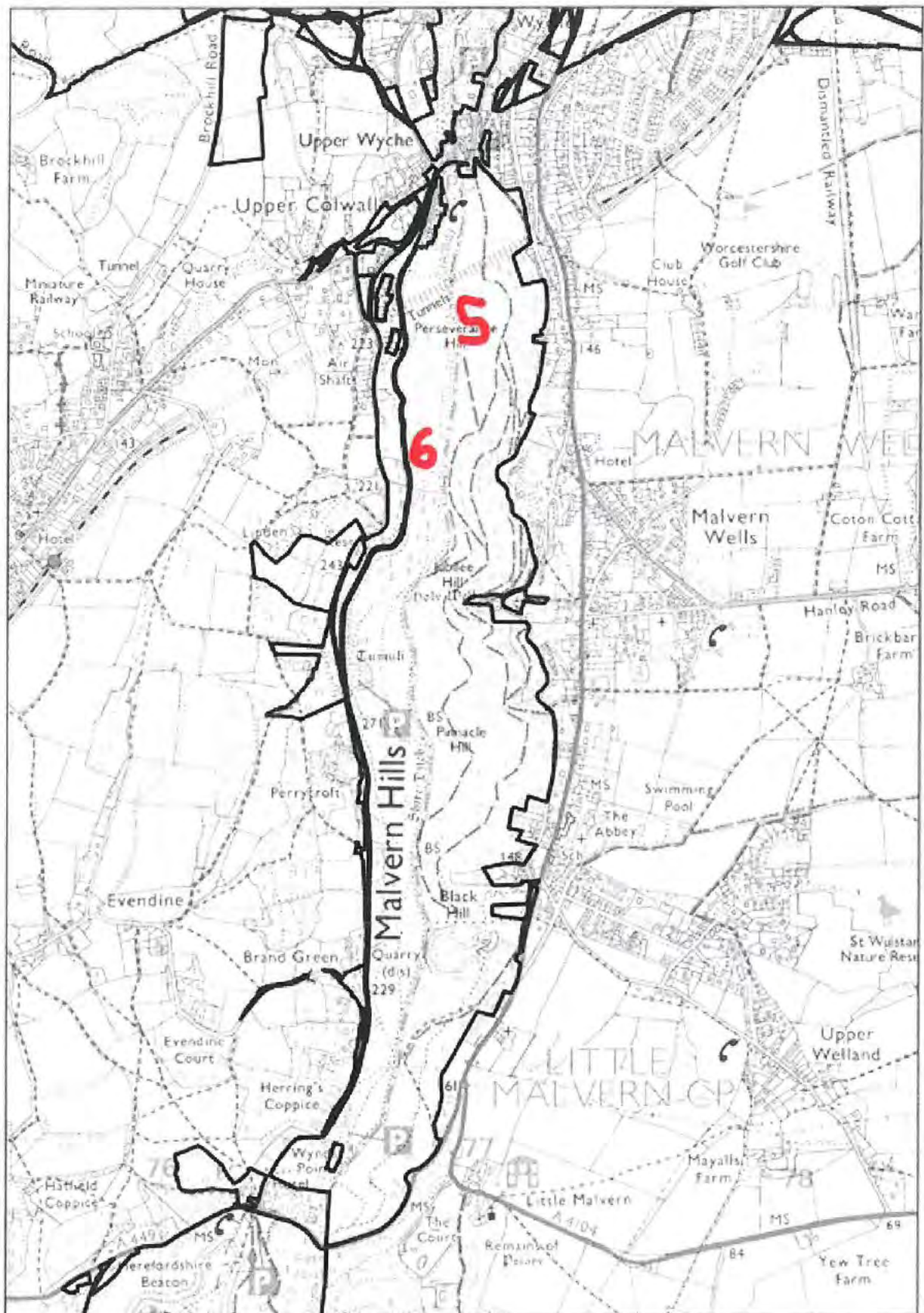
Winter 2022/23 v1

Background:

- Restoration of open habitats by scrub and tree felling are a key component in the adopted land management plan (LMP).
- Coupled with conservation grazing, it plays a role in safeguarding our important features (habitats, species, archaeology, landscape character, earth heritage) and special qualities (access, views). Many of these are legally protected.
- These works are often done in partnership with other bodies or volunteers, such a Butterfly Conservation West Midlands.
- The overall plan of where shall be open and where wooded is given in the LMP and the 2036 vision map from Natural England.
- This document covers the exact sites and related details for this winter's work only.
- Work is delivered by MHT field staff (FS), wardens & volunteers (vols) and contractors (cont).

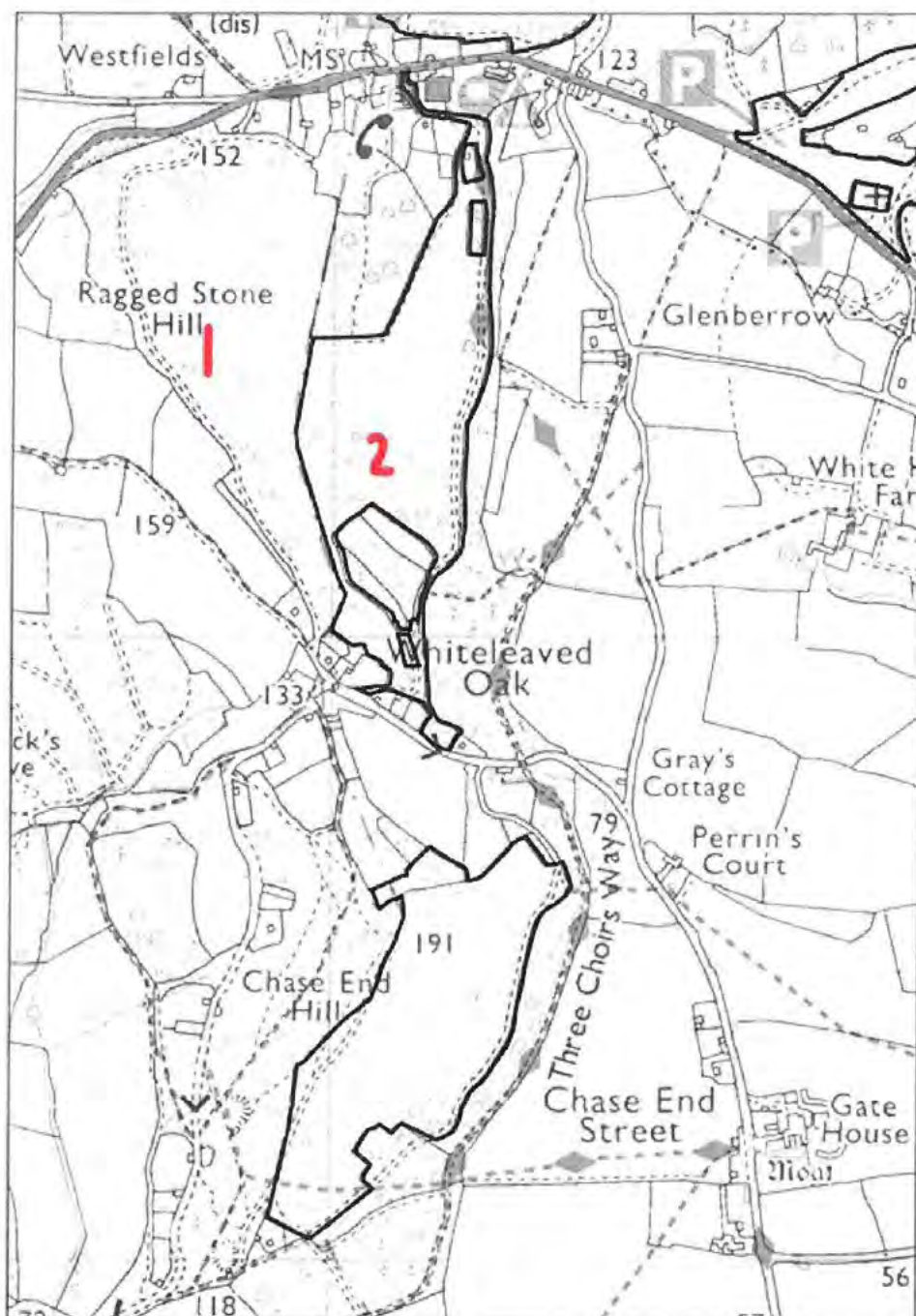
No.	location	Area ha	task	Hls/CS funded ?	who	Done?
	NORTHERN & CENTRAL HILLS					
1	Westminster bank	0.1	Stem inj sycamore, then clear.	n	cont	
2	Worcs beacon	0.3		N	FS	
3	Happy Valley	0.2	Continuing sycamore felling for open grass restoration.	n	FS	
4						
5	Pinnacle Hill east	0.2	Restore open habitat where tree line approaches the ridge.	N	Vols FS	
6	Pinnacle Hill west	0.3	Sycamore control vis stem inj.	N	Cont	y
7						

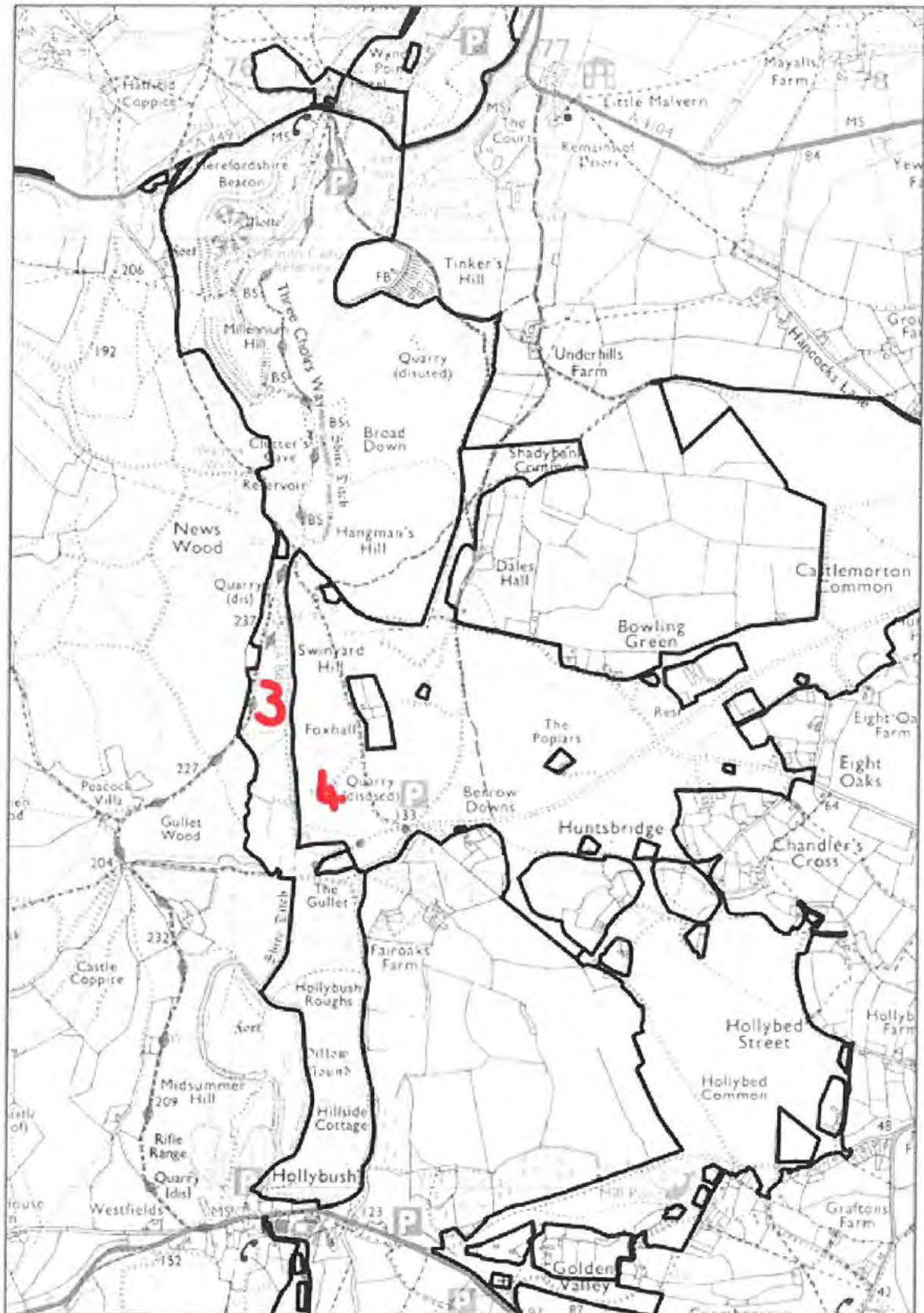




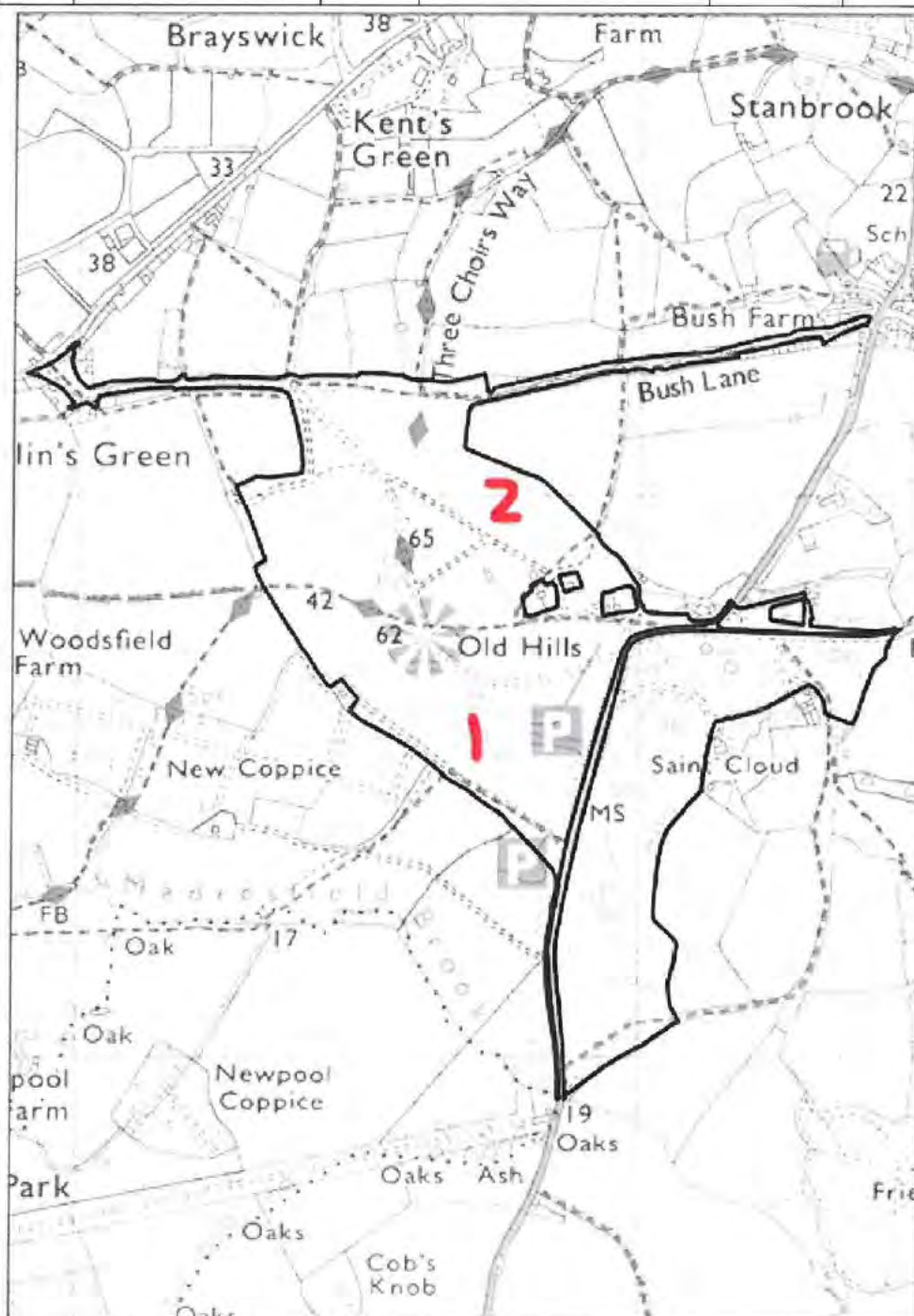
No.	Location	Area ha	task	Hls/CS funded?	Who	Done?
	SOUTHERN HILLS (with Eastnor Estate)					
1	Ragged Stone Hill	1.2	Reduce scrub at hill top and mid-slope	y	cont	y
2	Ragged stone hill	0.5	Reduce scrub	y	cont	
3	Swinyard Hill	2	Fell secondary woodland to restore wood pasture	y		y
4						

No.	Location	Area ha	task	Hls/CS funded?	Who	Done?
	CHASE END HILL (with Bromesberrow Estate)					
1						
2						

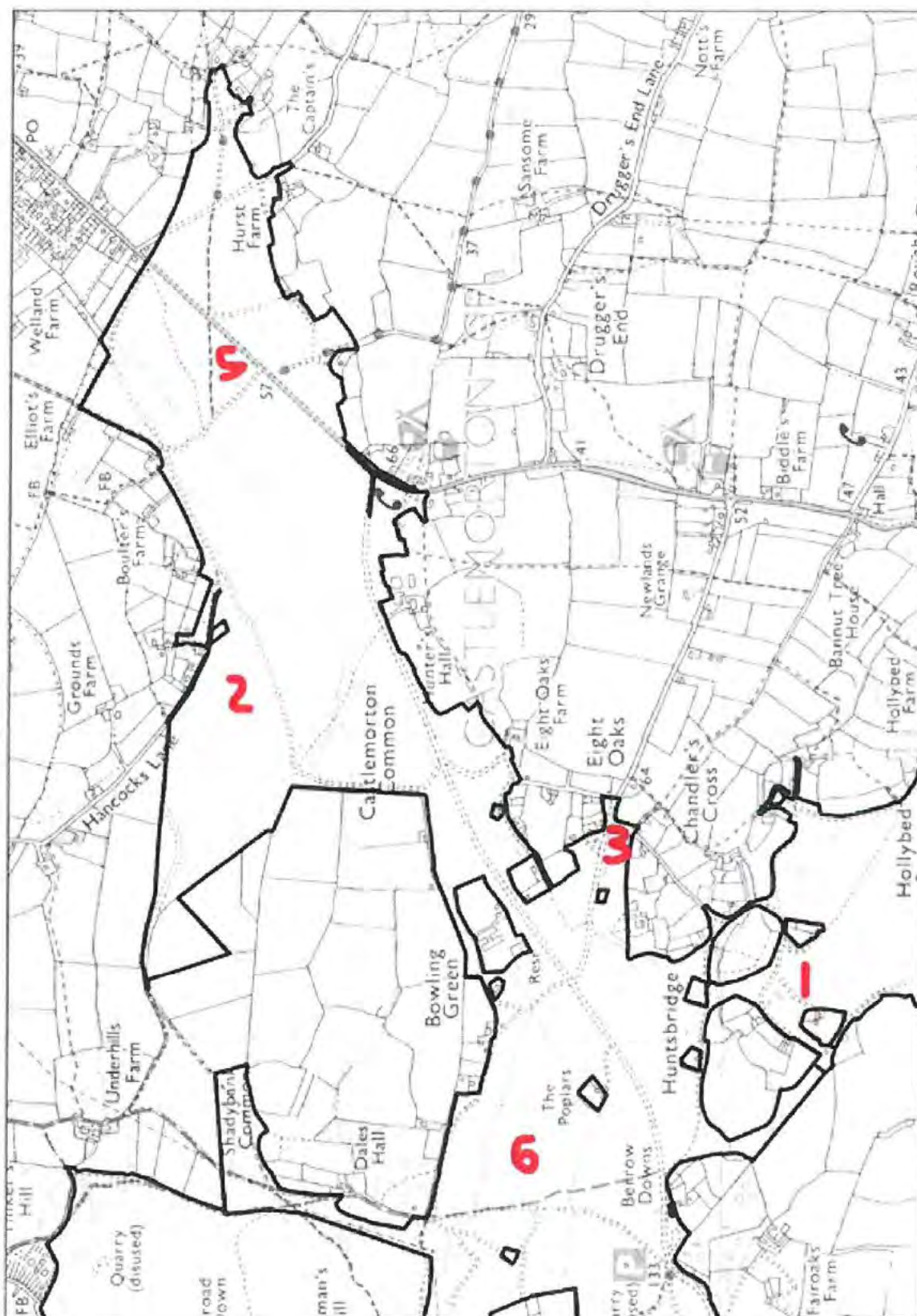




No.	Location	Area ha	task	Hls/CS funded?	Who	Done?
	OLD HILLS					
1	South-west	4	Thin secondary woodland	y	cont	y
2	North-west	0.3	Reduce scrub	n	vols	
3						
4						



No.	Location	Area ha	task	Hls/CS funded?	Who	Done?
	CASTLEMORTON COMMON					
1	Hollybed pond	0.5	Reduce scrub to restore grassland and open up pond.	y	Vols FS	
2	Area near Hancocks lane ford	0.9	Fell secondary woodland to restore mire.	y	FS	
3	Land off New Road, Chandlers Cross	0.4	Fell secondary woodland to restore grassland and reveal archaeology.	y	FS	
4	Swinyard Quarry	0.1	Reduce scrub to reveal geological features.	y	Cont EHT	
5	Land at junction of Hancocks Road and Gloucester Rd	0.4	Fell secondary woodland to restore grassland	y	FS	
6	Land near 'The Poplars'	0.8	Clear bramble and scrub selectively in jan/feb for reptile conservation.	y	FS	
7						
8						
9						



LAND MANAGEMENT COMMITTEE

TITLE: Two reports on visitor erosion

DATE: 13 October 2022

BACKGROUND PAPERS

Land Management Plan (LMP) 2021-2026

BACKGROUND

Rising numbers of visitors to parts of the Hills are having a significant effect, chiefly erosion along the ridgeline, which negatively effects nationally important features.

The LMP states we are to research and undertake adaptive measures to manage/mitigate for high visitor numbers especially on the SSSIs and Scheduled Monuments (project 35).

To inform MHT's next steps, two research projects were commissioned in summer 2022:

- PROJECT 1: A survey of the ridgeline recording a) the degree of erosion present and b) the coverage of acid grassland community.
- PROJECT 2: An assessment of the different types of erosion on various locations on the ridgeline followed by production of a list of recommended fixative techniques with costings.

These were funded through the Field Consultancies budget.

This paper provides copy of those two reports.

PROJECT 1:

Malvern Hills Ridge Line Erosion Survey, August 2022

The ridge line is divided into 328 thirty metre transects, with a GPS position recorded in the centre of each transect (at 15 m). A labelled photo is taken from one end of the transect; photos are taken either looking north or south depending on which shows the best view of the ridge. Ridge erosion and U1 grassland intactness is estimated for each transect for a width of 8 m (4 m either side of the measuring tape).

Severity of erosion and intactness of U1 grassland-type community is estimated using standardised categories:

RIDGE EROSION		U1 GRASSLAND INTACTNESS	
Category 1 0-5%	No/very limited signs of erosion (bare ground, loss of soil, signs of material transport and/or deposition, loss of vegetation etc).	Category A 0-5%	No u1 type plants remain.
2 6-50%	Some erosion taking place with compaction, small bare areas present, loss of topsoil and some reduction/loss in vegetation cover.	B 6-50%	A limited number of u1 type plants remain at the periphery, small patches or in crevices only. Highly fragmented.
3 51-94%	Active erosion underway. Significant areas without vegetation or topsoil. Soils and rock being transported. More rock than vegetation.	C 51-94%	U1 type vegetation has been fragmented and replaced in some areas by compacted, limited plant community or bare topsoil or rock. Fragmented.
4 95-100%	Severe erosion already occurred, bare rock making up most of the area.	D 95-100%	Intact cover from side to side, with a good diversity of appropriate herbaceous and lower plants.

Constraints:

- GPS accuracy is poor at 3-6 m and is intended only as a guide of transect location; the transect photos show the plot start/end point and should be used for relocation should the survey be repeated.
- Due to the extreme hot/dry weather of summer 2022 and the late timing of the survey (missing ephemeral species), U1 intactness is estimated based on quantity (not species composition) of remaining vegetation visible at the time of survey.
- No photos were taken for transects 1-8 and 45
- British Camp and Midsummer Hill are excluded from the survey

Charlie Long

RESULTS AND ANALYSIS

Results - numerical

1A	1B	1C	1D	2A	2B	2C	2D
0 (0 %)	6 (1.8 %)	13 (4.2 %)	8 (2 %)	12 (4 %)	88 (27 %)	106 (32 %)	0 (0 %)

3A	3B	3C	3D	4A	4B	4C	4D
5 (1.5 %)	88 (27 %)	0 (0 %)	0 (0 %)	2 (0.5 %)	0 (0 %)	0 (0 %)	0 (0 %)

Results – spatial

A Powerpoint presentation will be given at the meeting including maps showing the spatial distribution of the relevant data o

Interpretation

It is good to see that little of the ridgeline was recorded in the most eroded category 4. The two transects that were in this category are now bare rock and are probably beyond easy repair.

It is rather disheartening to see that only 8 % of the ridgeline was recorded in category 1, least eroded. These areas should be protected to prevent them from becoming eroded slopes.

The majority of transects (63 %) were identified in category 2 with some erosion taking place, unfortunately the majority of these (32 %) were also category C meaning the acid grassland is limited and fragmented.

Over a quarter of transects are classed as 3. This is worrying as this means active erosion is taking place and the chances of restoration are getting smaller. The 88 3B transects are high priority for intervention to prevent them getting worse.

Interpretation and analysis has not yet taken place on the spatial data.

PROJECT 2:

This report will be provided as soon as it is available before the Committee meeting.

RECOMMENDATION:

That the Committee consider the two reports.
Further work will be undertaken and recommendations brought to the committee in due course

Jonathan Bills
Conservation Manager
20.9.2022

LAND MANAGEMENT COMMITTEE

TITLE: Deterring damage by vehicles to MHT land

DATE: 13 October 2022

BACKGROUND

With an increase in visitor numbers and perhaps including an increase in new visitors, the Hills and Commons have endured an increase in vehicles driving and parking on protected areas of the MHT estate causing danger/inconvenience to other users and damage to the landscape, sometimes to nationally important designated features.

Project 35 of the LMP states that we are to... '*develop adaptive measures to manage/mitigate for high visitor numbers especially on SSSI and Scheduled Monuments*'. Likewise, project 19 is to '*develop and enact a strategy to reduce parking on the common, especially the SSSI. Utilise stobs, rocks etc to prevent parking [joyriding] and improve the parking situation...*'

WORK UNDERTAKEN SO FAR

Staff have assembled a list of sites where vehicle damage is prevalent and then prioritised these sites according to the damage/danger being caused.

To date, measures to stop this have been put in place at three sites:

1. Verge parking on Foley Terrace. Here the verges were damaged and the ground compacted leading to poor health with the adjacent ancient trees. Large pieces of wood have been placed at strategic points to prevent driving and parking on the tree roots. Parking is still available in select spots.
2. Verge parking on Chase Road. Here the SSSI has been damaged by vehicles parking off the road. For years this has been a minor effect at the edge when vehicles passed each other, but recently it has become a parking area for cars and now lorries too. Large pieces of wood have been used along with signage to prevent parking. Wood was chosen as this is predominantly a woodland setting.
3. Verge parking at West of England spring. The 'layby' used by those collecting water, has become an unofficial car park through vehicles parking on the ends and extending the parking area. This looks poor in the landscape, blocks a footpath and encourages parking out of MHT car parks thus not supporting the Hills through parking charges.

These techniques are working well so far.

FURTHER WORK AHEAD

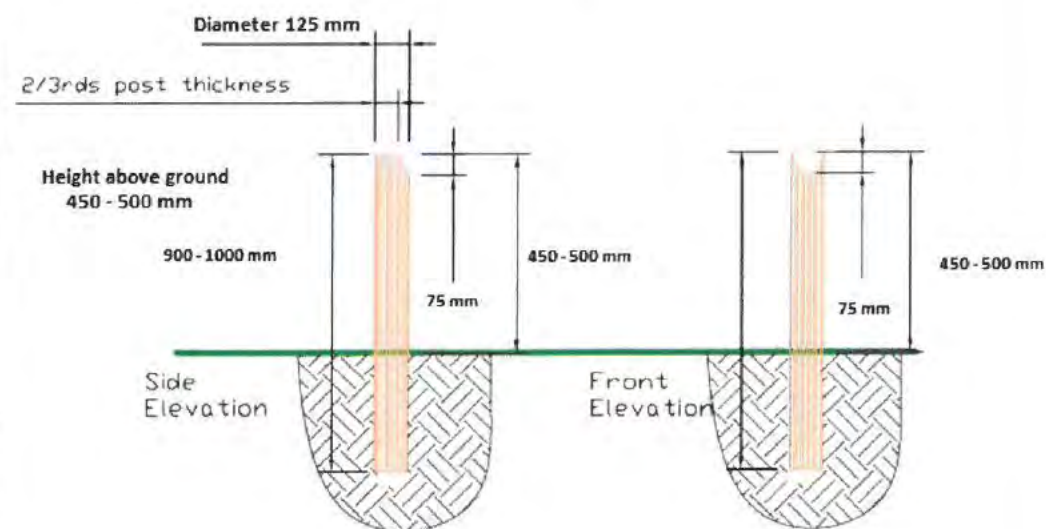
Preventing parking to preserve important landscapes is not unique to the Malvern Hills. Protected landscapes up and down the country utilise a variety of similar techniques.

In addition to the measures the Trust has used as outlined above, many other areas both suburban and in protected landscapes, make use of stobs (dragon's teeth). These are short, wooden posts used to prevent parking or vehicle movements with the minimum of infrastructure and impact on the landscape.

CASE STUDY.

In the New Forest, Hampshire, the New Forest National Park employs a full-time 'verge restoration officer'. Stobs are used throughout the National Park including both suburban and rural situations. They have been using these since the 1960s with not a single legal claim against them for a vehicle collision.

Specification: chestnut wooden posts, untreated, unpeeled. 45-50cm high and 12.5cm wide. Sited 60cm from the roadside.



STOB SPECIFICATION FOR USE ON THE MALVERN HILLS

The stob design must fit in with the landscape. Colour, size, shape and height are key in ensuring these do their job without damaging the landscape character.

It is recognised that two scenarios are likely – where sites have plenty of pre-existing infrastructure and/or vegetation, a stob may need to be taller to be seen, for example a car park within a woodland. A taller stob would not be suitable however, for sites with little infrastructure and a generally open aspect, such as open commons. Here a shorter post will benefit. Two designs are therefore proposed.

Cost, availability and installation are also factors to be considered.

These designs have drawn on guidance from Worcestershire & Herefordshire Highways, the AONB team and also from similar protected sites (see Appendix).

STOB 1 – STANDARD (DEFAULT)

A shorter more rustic stob, suitable for commons, open and rural areas.

Specification

- Material: FSC, treated timber or hardwood.
- Shape: round timber with flat top.
- Height: 45cm above ground.
- Width: 10-15cm.
- Colour: natural wood.
- Spacing: 150cm between stobs (close enough not to allow cars in-between).
- Other information: routed ring at 10cm below top. 3cm thick
- Additions: a reflective band can be added to the routed ring or white/red reflective square where essential.
- Location: To be set at least 50cm from tarmac edge on adopted highways.

STOB 2 - SUBURBAN / WOODED AREA

A taller post to allow reversing / manoeuvring vehicles to see it more easily in a 'busy' setting.

Specification

- Material: FSC, treated timber or hardwood.
- Shape: round timber with flat top and chamfered edge.
- Height: 75cm above ground.
- Width: 10–15cm.
- Colour: natural wood.
- Spacing: 150cm between stobs.
- Other information: routed ring at 10cm below top. 3cm thick
- Additions: a reflective band can be added to the routed ring or white/red reflective square where essential.
- Location: To be set at least 50cm from tarmac edge on adopted highways.

Any length of obstacles such as stobs on common land of greater than 200m (within the same common land unit) requires prior Secretary of State consent under the Commons Act (as would ditching and banking).



Photo: Example of MHT land that would benefit from stobs – Golden Valley, an area of common subject to inappropriate parking, driving and joy-riding.

SUMMARY

Although undesirable from a purely landscape point of view, these measures seem to be a 'necessary evil' of modern times. With care their impact can be minimised and the good they do should outweigh the bad.

RECOMMENDATION:

That the Committee consider the vehicle deterrent measures outlined and approve their sensitive use on the MHT estate.

Jonathan Bills
Conservation Manager
27.9.2022

Appendix 1: use of stobs in other places



Stobs in use at Carding Mill Valley, AONB. National Trust.
Spec: wooden, slanted top, round, 30cm high, no reflective markers, unpainted.



Stobs in use at Hartlebury Common car park, Stourport-on-Severn.
Spec: wooden, square, pyramid top, 75cm high, reflective markers on the outermost stobs, unpainted.

LAND MANAGEMENT COMMITTEE

Black Hill Car Park improvements

13 October 2022

BACKGROUND PAPERS

Land Management Plan 2021- 2026 Project #35

Business Plan 2022-2027- 1.2.2 Black Hills Car Park Capacity

Introduction

Black Hill car park is an unmetalled car park that has a normal capacity of approximately 30 vehicles plus two designated disabled parking spaces. It is accessed by two tracks (tarmacked) from Jubilee Drive. These tracks also provide access to the neighbouring property by way of easement via the car park. See aerial photo below.

In the week, the car park capacity is usually adequate. However, as the closest car park to British Camp, it is the primary over-spill parking area when British Camp is full. During busy periods (bank holidays, bluebell season and some summer weekends) high numbers of visitors can lead to it becoming congested. Vehicles then park outside the stoned area on the grass areas and road verges. In winter this often leads to damage to the grassland, vehicles getting stuck in soft ground or on snow, and parking in an irregular manner so as to obstruct access to the car park and to private property. Access to the disabled bays and the ticket machine are also sometimes obstructed. On such busy days considerable staff time is spent wardening and managing the parking at this location.

Issues and solutions considered.

Capacity.

Providing a modest increased capacity within the designated car park area would alleviate some (but not all) of the issues. There are 2 possibilities:

a) to increase the stone surface area of the car park to facilitate the provision of designated angled or straight parking bays down both sides of the car park and a central line of angled parking bays with two access avenues. This could be achieved by expanding the car park's southern limit by approximately 4 metres, and squaring off the north western corner.

b) Install a further area of soft engineered surfacing to the southern (downhill) side of the north western access track, so as to provide an 'occasional' parking area providing an extra 20 parking spaces during busy periods. This could be achieved by either;

- 1) creating a loose grey/red stone surface (40mm down to dust) over a Type 1 foundation layer, as per the existing car park stoned surface,
or
- 2) Installation of recycled plastic ground reinforcement grid system infilled with soil and grass. Such gridding is normally laid as an interlocking surface grid on sand over a Type 1 base with geotextile membrane over. There are several providers on the market, Ecogrid and TruePave being two such examples. It should be noted that frequent use results in the grass in such areas becoming worn and not as shown in the picture below.



Photo of grid system in use.

Congestion.

During periods of heavy use this car park can become disorderly and congested. To address this, several other measures have been considered:

- Designate and sign the access tracks as a one-way system - one as an entry and the other as an exit.
- Delimit the boundaries of the permitted car park with either stones or stobbs.
- Mark out parking bays with either timbers set into the loose stone surface, or alternately stone/concrete marker bricks set into the gravelled surface. See photo below for example of wooden barriers and sunken bricks (yellow) in use. These would guide the public to park in a more orderly fashion which would make more efficient use of the space, as well as reducing the chances of access for emergency vehicles being obstructed.
- Install 'Keep Clear' markers at the entrance to the designated disabled bays and the entrance to the Easy Access trail/operational management track.
- Demark the pedestrian access way to the ticket machine.



Constraints and permissions.

The car park and its immediate vicinity are not designated as SSSI.

The site lies within the AONB and consultation with AONB office over the proposals will be required.

Part of Black Hill was transferred to the Trust subject to a covenant in favour of the National Trust. The area being considered for car park improvements is not within the area affected by the covenant.

The easement access for the owners of the adjoining property would not be affected but consultation with those owners would be undertaken.

The site lays within Herefordshire area and planning permission may be required for at least some of the works under consideration. Advice will need to be taken from their planning officers.

Costs.

Full specification and cost estimates for the various options under consideration are currently being investigated. Final costs and any contractor selection would be subject to the Trusts normal tender process.

Recommendation

Committee members are invited to discuss the options outlined above and to make any other suggestions.

Duncan Bridges

CEO

15 September 2022

Black Hill car park – As current



Black Hill car park – Areas of potential parking improvement measures.





LAND MANAGEMENT COMMITTEE

TITLE: Improvements to agricultural buildings at Colwall Lands

DATE: 13 October 2022

BACKGROUND

Land Management Plan (LMP) 2021-2026

The land and buildings of Colwall Lands, Brockhill Road are key to the delivery of much of the Trust's land management. They provide essential storage, a working base and in-bye land to support the grazing licensee for the Northern and Central Hills.

To ensure they remain fit-for-purpose, the LMP contains project 27: '*assess buildings against existing operations and progress any capital improvements*'.

This paper reports on that assessment and proposes capital improvements for trustee consideration.

ASSESSMENT

Staff have reviewed the usage of the site and discussed with the grazing licensee how the site, specifically the buildings, supports the conservation grazing.

Overall the site is very suitable. The buildings and hardstanding are in reasonable condition and serve the licensee well in their role. Several improvements are recommended:

1. Adding a stone surface to the **track** between hardstanding and field entry/lambing shed. This will provide a more usable, safe surface for vehicles and livestock and prevent erosion.
2. Adding a concrete surface, drainage and a small retaining wall to the northern **entrance** to the barn. This will provide a more usable, safe surface for vehicles and livestock and prevent erosion.
3. Replacing the Licensee's existing temporary, tarpaulin structure with a permanent agricultural **shed**.

DISCUSSION

Improvements at points 1 and 2 above are straightforward and of low cost.

Improvement three is a bigger project that requires planning notification, engineering works and significant cost. It is therefore discussed further here.

A concrete hardstanding of 18m x 9.5m (168sq m) already exists on the site. For around four years, the licensee has erected temporary tarpaulin structures here to enable lambing indoors. See photos in Appendix 1.

Allowing the graziers to breed from their own stock produces new sheep recruits that, via nature and nurture, are better suited to grazing the Hills than livestock bought in from elsewhere.

The tarpaulin structure is not aesthetically attractive, with a shiny plastic coating that stands out in the AONB landscape. The structure itself is often damaged by wind and requires constant repair.

The licensee lists the following as reasons for erecting a permanent structure:

1. *Indoor lambing reduces losses. Lambing outside makes the lambs vulnerable to predators and inclement weather.*
2. *To lamb the northern and central flocks in one location, more buildings are needed than currently available.*
3. *Housing the sheep in hard weather, reduces poaching damage to the fields.*
4. *Feeding the sheep inside removes the need to take bales onto wet fields, with a tractor thus protecting the ground.*
5. *Housed sheep eat less than sheep outside, due to a lower energy requirement.*
6. *Both hill flocks total 350 ewes. The existing shed can house 150 ewes, the proposed building would house 120.*
7. *The flocks are lambed in two lots. The extra building would allow all the first lot and all the ewes carrying twins to be housed.*
8. *The building will be used at other times of the year, for shearing, scanning, storing winter equipment and lambing equipment.*
9. *The building would give the grazier the option to “finish” more hill lambs ready for a butcher, rather than sell the majority as “stores” for others to finish.*
10. *A permanent building would remove the requirement for the unsightly temporary structures.*

REPLACEMENT BUILDING

A suitable replacement building would be of standard design for livestock buildings, meet British Standard 5502 and closely match the existing building adjacent. The specifications include:

Steel-frame, single bay structure of 18x9.5m with 3m to eaves. A fibre-cement board roofing. Yorkshire boarding clad walls. with a 1m high stockwall. Roof apex should be close in height to that of the existing, adjacent building. Roof colour as advised by the AONB team.

Such a building would be classed as a permitted development and therefore would only need to be notified to Herefordshire Council. It would not require planning permission.

QUOTATIONS

A work specification was sent to reputable local firms and three quotes have been obtained. These are summarised here:

Co.	track	entrance	shed	total
SA Mogg	£3000	£4150	£30,480	£37,630
Browns of Wem	£ n/a	£ n/a	£37,876	£37,876
AJ Griffiths	£38,730			£38,730

Prices are exclusive of VAT. Browns of Wem do not undertake track/entrance works.

FINANCIAL CONTEXT

All engineering companies highlighted that prices are rising and that by the time the work goes ahead prices may have increased. Should, trustees decide to go ahead, it may be sensible to allow another 10 % to allow for this. Subject to Board agreement it is planned to carry out the surfacing works this financial year, but to delay replacing the building for a few months.

Improvements to capital assets are paid from the Parliamentary Fund.
The forecast balance on the fund at 31/3/23 is £284,000.

The Parliamentary Fund will also be used this financial year for capital works in order to:

- Undertake work to newly acquired pieces of land (two at Evendine Lane, plus hopefully soon West Field and Colwall Coppice).
- Expenditure for the Lower Shed of £100k
- £6k for additional parking provision at Black Hill car park
- Works at Manor House, (original budget £50,000 but likely to be a lesser sum.

CONCLUSION

The entrance and track works are not unduly costly but are important to improve the usability of the area around the building.

RECOMMENDATION:

That the LMC recommend to the Board expenditure of up to £7,900 to undertake the track and entrance works in the current financial year

Expenditure on improvement to the buildings will be brought back to the Committee in due course

Jonathan Bills
Conservation Manager
16.9.2022

Appendix 1: photographs



Photo 1: Tarpaulin structure (left) adjacent to existing agricultural shed.



Photo 2: existing entrance to shed

Appendix 2: site map



Yellow dot = entrance for concrete pad and drainage work

Red line = track to be surfaced

Blue line = existing hardstanding and location for proposed replacement building

LAND MANAGEMENT COMMITTEE

Application to resurface easement Clouds End
13 October 2022

PAPERS

Application from resident
Deed of easement
Photo

Introduction

The owners of Clouds End have asked to have a non-standard surface on their easement. The application accompanies this paper. Officers will contact the applicant and circulate recommendations and any additional information received prior to the meeting

Susan Satchell
Secretary to the Board
29.9.2002



Application for a new or amended right of way over land under the jurisdiction of the Malvern Hills Trust

Please note: Easement applications are considered at meetings of the Board's Land Management Committee. The Committee meets on the second Thursday in January, April, July and October. Applications must be received at least four weeks prior to the next meeting to be considered at that meeting.

Name of applicant/agent	Michael Trueman
Address of applicant/ agent	Clouds End Foley Terrace Great Malvern WR124 4RQ
Telephone number	[REDACTED]
Email address	[REDACTED]
Address of property to which the application relates (please also attach map showing location)	Clouds End Foley Terrace Great Malvern WR14 4RQ
Is the application for a new easement or a change of use of an existing easement?	No it is to re surface with a hard surface for safety and durability



Number of properties for which the easement is requested	NA
Proposed use of easement (residential, business or agricultural)	No change
Description of easement being requested e.g. length, width, type of surfacing Please note MHT will not usually allow easements to be surfaced with tarmac and would normally limit the width of easements to 2.75 metres	No change save that the loose surface is dangerous to vehicles and pedestrians so we request permission to use a hard surface for safety and durability, made of porous tarmac with approved grey stones embedded in the tarmac and we plan to insert drainage which the lane has not had before.
Has this route been used previously for vehicle access? If yes, please state the type and length of use	No change  
Have you contacted any of the neighbouring property owners regarding your plans? If yes please state which properties	Yes they are pleased with our plans as they too struggle to access up and down the lane



If the easement relates to a new development or a change of use, please give as much detail as possible regarding the new development/new use in the box below (continue on separate sheet if necessary).

No change to the easement itself. The proposed change is to the surface to make it safe and durable and to ensure it is in keeping with the landscape nature and character of the hills. The lane is very steep and the surface moves and large holes are created by vehicles which skid and slide on even a dry surface in the summer. We are keen to make the lane safe as soon as possible as people have slipped and suffered minor injury and cars have slid around on the loose surface on the steep hill. Steepness is a specified factor allowing for consideration of hard surface, unsurprisingly. The Trust has clearly envisaged the loose surface can be a safety issue on steep slopes as a factor which could indicate a hard surface as the safe option.

We seek permission to make the access lane safe by creating a hard surface which is in keeping with the Hills and landscape. The same seems to have been done with the long steep drive to St Anne's Well and at least part of the way down to Bella Squardo as well as many other steep lanes on the Hills. I imagine this is out of necessity to make the accessways safe for owners and visitors.

I have had a site meeting with the boss at Stoneway our lane surface experts, during which I slipped and fell over on the loose surface. It is not the first time for me or my partner and visitors and I am worried that I, my family, friends and neighbours as well as visitors should not be put at risk by a loose surface to the access drive. It is on a steep slope and is quite dangerous to walk on and to drive on because the surface is loose. It needs to be a firm surface. I am concerned that someone using it might injure themselves as I could easily have done today. It is also very difficult to safely drive up as vehicles skid on the loose surface and move the surface about creating large holes in a short time. Driving down it is perilous and all vehicles skid at the bottom just where one joins the public road which is dangerous to other road users. I do not want to put in a surface which replicates what there is now as I do not want the liability for anyone who is injured or who damages their vehicle. For us too we want a safe surface particularly as we get older.

James firmly advises a porous tarmac surface to make it safe. He could not guarantee the plastic grid system would work as in his experience they split and are at greater risk of doing so on a steep slope as this one is. And they look rather shabby in a short time.

We discussed the option of a porous tarmac surface with an aco drain or a broad open drain on the lower side of the drive which drains straight in to the public main at the bottom of the drive. This would deal with drainage, safety and durability. He can add some grey stone into the tarmac to blend in and edging to keep it within its bounds and to maintain its structure. The size and dimensions remain as in the easement (copy Grant attached).

The materials are hardcore, grey substrate 40mm to dust with porous tarmac and 20mm and 6 mm grey chippings embedded. The would be dug out to ensure the surface is on a flat level sloping toward the drainage. We believe this would create an aesthetically pleasing aspect, and crucially ability to successfully walk and drive up and down the lane safely and it would give durability.



Please tick to confirm that you have enclosed the following:

CHEQUE FOR THE APPLICATION FEE (PLUS VAT AT 20%) See Appendix 1 for table of fees	
Map showing location of property to which the easement relates	See attached grant of easement
Map showing route of proposed easement	See attached Grant
Photographs showing the location of the proposed easement	See attached
If the easement relates to a new development, any plans/drawings of the development	NA

Signature of applicant	
Date	28-9-2022

THIS DEED OF GRANT is made the 25 day of February
Two thousand and twenty one BETWEEN MALVERN HILLS
CONSERVATORS of Manor House Grange Road Malvern in the County of
Worcester WR14 3EY ("the Conservators") (Charity No. 515804) of the one part and
ANDREW JONATHAN NEILL and SUZANNAH NEILL of Clouds End Foley
Terrace Malvern Worcestershire WR14 4RQ (the Grantees) of the other part

WHEREAS:-

- (1) The Conservators are the registered proprietors of the property forming part of the Malvern Hills which property is registered at H M Land Registry with Title Number WR99585 ("the Conservators' Land") and is in part shown hatched green on the plan attached ("the Plan")
- (2) The Grantees are the registered proprietors of the property more particularly described in the Schedule hereto ("the Property") access to which has been gained for many years with or without vehicles for all purposes in connection with the enjoyment of the Property as a single dwellinghouse over the Conservators' Land along the access route shown coloured edged black and coloured blue on the Plan ("the Access")
- (3) In accordance with powers granted to them by section 8 of the 1995 Malvern Hills Act the Conservators have agreed to grant and confirm the Grantees' right to use the Access for the purposes aforesaid subject to provisions hereinafter contained

NOW THIS DEED WITNESSES as follows:-

1. In consideration of the sum of £1.00 paid to the Conservators by the Grantees on or before the execution of these presents (the receipt whereof the

Conservators hereby acknowledge) the Conservators by virtue of the powers granted to them by Section 8 of the Malvern Hills Act 1995 with Full Title Guarantee **HEREBY GRANT** and **CONFIRM** to the Grantees' and their successors in title the owner or owners for the time being of the Property the right with or without vehicles and animals and at all times and for all purposes in connection with the use of the Property as a single dwellinghouse to pass and repass over and along the Access

2. The Grantees' hereby jointly and severally covenant with the Conservators so as to bind the Grantees' and their successors in title being the owner or owners for the time being of the Property and all others entitled to use the Access for the benefit of the Conservators' Land and all others entitled to use the Access that the Grantees will:

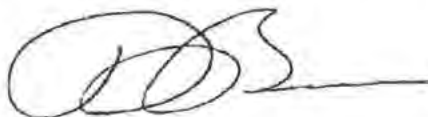
- (i) maintain the Access in a reasonable state of repair and condition but no work shall be carried out without the Conservators' prior written consent and in particular any surfacing work must be carried out with materials appropriate to the location and as specified by the Conservators
- (ii) not enclose or fence the Access or erect or place any structure thereon
- (iii) not place or deposit any building material litter or other matter on the Access or on the Conservators' Land
- (iv) not use the Access for the purpose of parking vehicles
- (v) not interfere with or take any action which might interfere with the rights of the public or any person exercising common rights both over the Access and the Conservators' Land

- (vi) any contractors employed by the Grantees to carry out works on the Conservator's Land to construct or re-surface the easement must agree their method of work with the Conservators and provide the Conservators with evidence of their public liability insurance
 - (vii) obtain such consents as may be required by S38 of the Commons Act 2006 and produce to the Conservators on demand evidence of such consent
 - (viii) keep the Conservators indemnified against all actions claims and demands which may be made against the Conservators by reason of the exercise of the rights and liberties hereby granted except such as may arise through the neglect default or interference of the Conservators
3. The land affected by this Deed is held by the Grantor, a non-exempt charity, and this Deed of Grant is one falling within section 117(2) of the Charities Act 2011
4. The costs of and incidental to the preparation of this deed in duplicate shall be paid by the Grantees

SCHEDULE

ALL THAT freehold property edged red on the Plan and known as Clouds End Foley Terrace Malvern Worcestershire WR14 4RQ registered at H M Land Registry under Title Number WR59782

THE COMMON SEAL of
MALVERN HILLS CONSERVATORS
was hereunto affixed in the presence of:

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line.

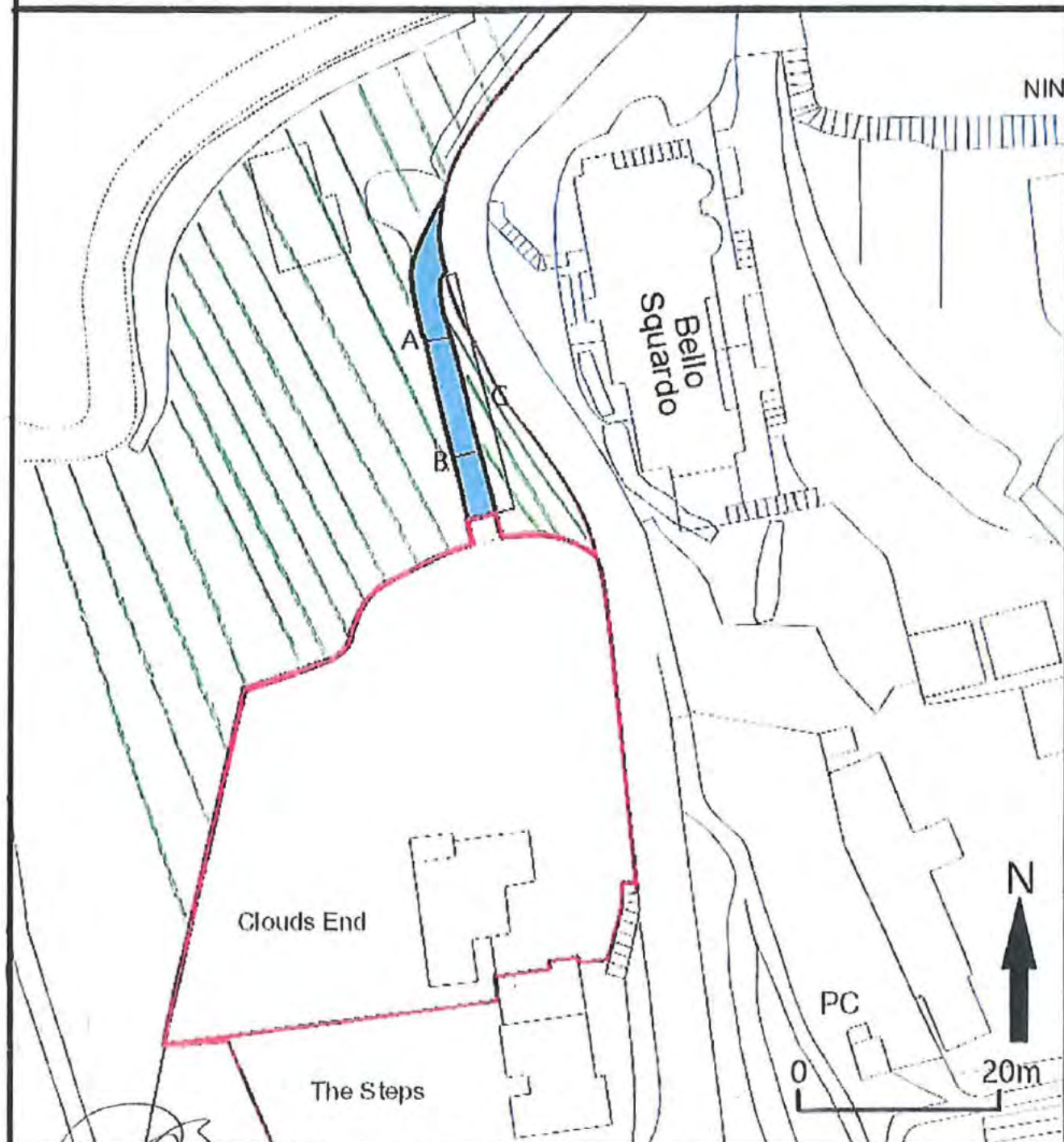
Legend

Boundary of Malvern Hills Conservators Land

Boundary of Clouds End property

Access track

Dimensions: A = 2.5m B = 2.5m C = 22m



SIGNED AS A DEED

by the said **ANDREW JONATHAN NEILL**



in the presence of:-



Joanne Cuming
20 Edgell Street
West Bathurst NSW 2795

SIGNED AS A DEED

by the said **SUZANNAH NEILL**



in the presence of:-



Joanne Cuming
20 Edgell Street
West Bathurst NSW 2795

As solicitors to the Malvern Hills Conservators we confirm that the disposition contained in this Deed is made in accordance with authority granted by section 8 of the Malvern Hills Act 1995

Signed Whatley Recordon

WhatleyRecordon



LAND MANAGEMENT COMMITTEE

13th October 2022

Project Progress update

Paper G
For information

Project	Ref Code	Budget Actual Cost					Update	Status
			1	2	3	4		
Bridleway Link Common	BP 1.2.3	£2,500 (General)					Now anticipated autumn 2022	Delayed
Improve Access Community Woodland	BP 1.2.3	£4,360 (Gift fund)					Main works completed. Benches still to be installed	Part Complete
Marking Boundaries	BP 4.2.1	£1,250 (General)					Volunteer surveys are carried out winter months. These were suspended during Covid restrictions. Work restarting Autumn 22	Delayed to autumn.
Restore Shire Ditch	BP 1.1.5	£3,000 (General)					Plans drawn up and currently seeking Scheduled Monument consent. Survey work underway	Ongoing
Pond Restore Castlemorton	BP 1.1.8 LMP #18	Gift/grant					Spring monitoring showed no crassula present. Project successful.	Completed
Gullet Lake vegetation scheme	BP 1.1.8 LMP #13	Est £2,000					Expected to start early autumn.	
Lower Shed Review	BP 2.4.4	Pt 1 £5,000					Project carried over to 2022. Revised specifications drafted and outline costing sought. Containers for temporary storage required.	Ongoing
Donkey Shed Restoration	BP 1.1.5 LMP #8	£26,000 Grants (Civic Society £5k plus £1800 for interpretation signage. FIPL £14k.) balance from Gift Fund					Work started July 18 th . Bat survey and licence completed. Timber work completed. Metalwork awaited	Ongoing
BC sewage system	BP 2.4.5	Est £40-50K (Parl Fund)						Completed
Guarford Trough Restoration	BP 1.1.5.	Est £11k						Completed
St Anns Bowl restoration	BP 1.1.5	Est					Stage 2 due Summer 2022. Listed building consent received. Stonemasons to start late autumn.	Ongoing
Brockhill Road building improvements	BP 2.4.4	Est£ 5,000					To develop and implement increased capacity to the stock buildings. Part 1 - Design and costings work underway.	Ongoing
Snookes Croft Building	BP 2.4.4	Est £50,000					To replace existing barn structure with new. Design stage. Delayed pending above project costings.	Put Back to 2023/4
Car Parks - repainting lines	BP 1.2.2	£1,000 (Parl)						

Black Hill Car Park improvements	BP 1.2.2	£6,000					To design and implement increased capacity within the car park. Specification currently being drafted.	Ongoing
Vehicle Control	BP 1.2.6 LMP #19	£3,000					To prevent/ manage unauthorised vehicular access and management. Specification for stobbs in design consultation stage with other agencies.	Ongoing
Update Interpretation Boards	BP 3.1.4	£15,000 p/a (Gift Fund)					Blackhill and Gardner's complete and installed. Earnslaw ongoing. Beacon Road to do.	Ongoing
Update location signage	BP 3.1.4	£7,000					Swinyard and West of England completed.	Completed
Replace old access signs	BP 3.1.4	£2,500					Recommended. New batch of signs delivered and installation in progress.	Ongoing
Install new location identification signage.	LMP #1	Est £25,000 over two years.					Project to develop site markers to all separate land parcels and popular parking areas. Design work ongoing.	Ongoing
Research visitor usage and ways to tackle erosion.	BP 1.2.7 LMP #35	Est £2000 2 Year					Project to research visitor numbers and erosion impacts. Survey undertaken by specialist in upland access paths.	Ongoing
Install people counters	BP 1.2.7	Est £2000 2 Year					Counters to provide data to support above project.	
CAPITAL ITEMS								
4x4 ATV vehicle to replace LR or Pickup	BP 2.3.2	£20,000					Undergoing trials with loan and rental vehicles	Ongoing
Timber Trailer	BP 2.3.2	£6,000						Put Back to 2023/4
Small side arm flail	BP 2.3.2	£6,000 (£6,800)					Brought forward from 2023/24. Ordered	Ongoing
5 or 8 ton trailer	BP 2.3.2	£3,000					Models and sources being scoped.	Ongoing
Plant Trailer	BP 2.3.2	£3,500 (£2,950)					Second hand trailer purchased.	Completed
Replacement Van - Wardens	BP 2.3.1	£24,000					Options under consideration and trials being organised	Ongoing

BP = Adopted Business Plan 2022-2027. LMP = Adopted Land Management Plan 2021-2026