

Special Meeting of the Board

Consultation responses

Thursday 8 August 2024 7pm

Background

The Trust ran a public consultation from 22 May - 22 July on its proposals to update its governance. The Trust thanks everyone who took the time to complete the questionnaire and let the Trust have their views. All responses will be carefully considered.

The Trust made considerable efforts to publicise the consultation including:

- Distributing 15,000 leaflets to households in the area
- Putting up posters on MHT land and parish notice boards
- Distributing posters and leaflets to businesses and cafes
- 2 adverts (One full page, one ¼ page) in the Gazette
- Articles in parish magazines
- Touring Parish Council meetings
- BBC radio and television
- On Social Media and the Trust's website
- 5 Drop in sessions at local venues with over 300 attendees and 3 sessions in Trust car parks
- Speaking at meetings of Civic Society, Wildlife Panel, and talking to attendees at MHT events
- Attending meetings with Malvern Town Council and Malvern Hills District Council Councillors.

In addition, MHT wrote to all local councils and to relevant local & national organisations with an interest in the Hills or with similar objects.

A copy of the consultation document was sent to the Department for Culture, Media and Sport, the lead government department on the Bill. It was acknowledged with an indication that soundings would be taken from any other relevant departments. No comments have been received, and the Trust's agents have reminded DCMS.

The Trust engaged a Market Research Society affiliated Market Research Company to conduct the consultation. The data received was validated and 483 individual responses were analysed, together with 13 responses completed on behalf of organisations. In addition 10 responses were sent by organisations direct to the Trust.

Trustees have received copies of two reports from 56 Degree Insight (one compiling responses from those who classified as organisations and one compiling individual responses). In addition all of the text comments have been made available to trustees.

It should be noted that a significant amount of misinformation was circulated whilst the consultation was taking place. This included statements and letters to the press, posts on

social media, the distribution of leaflets, a YouTube video, and the setting up of a website which included a page on how to make a negative response to the consultation in 4 minutes without reading any of the information provided by the Trust. 56 Degree Insight confirmed that 12 % of the validated consultation responses conformed to the instructions on this website and no one from this dataset agreed to be contacted to discuss their responses.

The statements made included a suggestion that that the Bill would mean the Trust would be more likely to be “selling off” easements (right of access) to make way for big housing developments, that the Bill would allow windfarms/solar farms and commercial development on the Hills, and access to Trust land would be restricted. It is likely that responses to the consultation were affected by this content.

One point which came up in the consultation responses from individuals was that the Trust was subject to “purdah” and should not have been conducting the consultation during the general election campaign. This point was raised by a member of the public at an early stage, and was also circulated on social media. Trustees had the benefit of legal advice confirming that purdah did not apply to the Trust and even if it did, the Government’s own General Election Guidance stated “If a consultation is on-going at the time this guidance comes into effect, it should continue as normal”.

As a result, the Trust has published a myth-buster section on its website:

<https://www.malvern hills.org.uk/governance-changes/myth-busters/>

Two schedules have been prepared, by staff and a group of trustees including the Chair and Vice Chair of the board. These schedules set out:

- the main points arising from the consultation where trustees may wish to review the current proposals
- drafting points which will be passed to the Trust’s Parliamentary Agent
- points requiring clarification for the public; and
- points relating to the management of Trust land rather than to the proposals themselves.

Trustees are asked to consider the points set out in the schedules and if they wish to add any from their own reading of the consultation outcomes. Please inform the Governance Change Officer no later than 4pm on Thursday 15 August.

It is suggested that the Trust’s Parliamentary Agent should continue to work on drafting where the provisions are not affected by the review. The Board is asked to consider how it wishes to conduct a review of the points identified, bearing in mind that the Parliamentary Agent has asked to have clarity on these remaining points by mid-September. The Trust also needs to draft a formal statement on the consultation which can be circulated to the public with the consultation responses.

Susan Satchell

Governance Change Officer 6 August 2024