Ordinary Meeting of the Board

Thursday 13 March 2025 at 7.00 pm

Hampton Suite
Colwall Park Hotel
Colwall
Malvern, WR13 6QG

Malvern Hills Trust
Ordinary Meeting of the Board
Hampton Suite, Colwall Park Hotel, Colwall, Malvern WR13 6QG
Thursday 13 March 2025 at 7 pm

Agenda

Introduction

1. Apologies for absence
2. Chair's Announcements
3. Declarations of Interest
4. Public Comments

Confirmation of Previous Board Meeting

5. To confirm the Minutes of the Ordinary Board meetings held on 16 November 2024 and 16 January 2025, and the Special meeting held on 13 February 2025
Pages 4-35
Confidential pages 2-11
6. Matters arising from previous Board meetings not otherwise on the agenda

Items for Decision

7. Land Management Plan timetable — Paper A Pages 36-38
8. Staff Protocol — Paper B Confidential pages 12-15
9. Finance
    - 9.1. Meeting allowances and expenses and Staff Handbook updates
    Paper C Pages 39-40
    - 9.2. Accounting Policies & Procedures Manual — Paper D Page 41
10. Urgent Business

Other Committee Business for Decision

11. **Land Management Committee**
    - 11.1. Board to adopt the minutes of the meeting held on 5 December 2024
    Pages 42-47
    - 11.2. Vice-Chair of Committee - updates and questions
    - 11.3. Resolutions recommended to Board (not otherwise on the agenda)
        - To approve confirmation of prescriptive right and a parking licence for Orchard House, Mayfield Road, Malvern, subject to the conditions listed in the paper received by the Committee on 5 December 2024.
12. **Finance, Administration & Resources Committee**
    - 12.1. Board to adopt the minutes of the meeting held on 12 December 2024
    Pages 48-56
    - 12.2. Chair of Committee - updates and questions
    - 12.3. Resolutions recommended to Board (not otherwise on the agenda)
        - To resolve that there should be an exit interview for all leavers (trustees and staff), when the leaver will be reminded of their post-employment confidentiality responsibilities.
    - 12.4. Annual Investment Review held on 26 February 2025

13. **Staffing Committee**
    13.1. Board to adopt the minutes of the meeting held on 22 January 2025 Pages 57-63
    13.2. Chair of Committee - updates and questions
    13.3. Resolutions recommended to Board (not otherwise on the agenda)
    - None

Items for Information

14. Red flags on the Risk Register (verbal)
15. Private Bill Update (verbal)
16. South Worcestershire Development Plan update Paper E Pages 64-65
17. Final Budget 2025-26 Paper F Pages 66-72
18. Management accounts to the end of December 2024 Paper G Pages 73-82
19. Conflicted Trustees Paper H Pages 83-84
20. Date of next meeting
    Thursday 9 May 2025 at 7 pm at Colwall Park Hotel

Confidential items

Resolution to exclude the public for discussion of items 21-22 on the agenda on the grounds that publicity would be prejudicial to the public interest by reason of the exempt or confidential nature of the business to be transacted (matters relating to individuals/legal privilege)

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21. Matters arising from the confidential section of the previous Board meetings not otherwise on the agenda
22. Serious Incident Reports Paper I Confidential pages 16-22

Malvern Hills Trust

Annual Meeting of the Board
Council Chamber, Avenue Road, WR14 3AF
Thursday 14 November 2024 7pm

Present: John Michael (Chair), David Baldwin, Richard Bartholomew, Paul Bennett, Robert Berry, David Core, Allan Cottam, Mark Driscoll, Lucy Hodgson, Charles Penn, John Raine, Felicity Robinson, John Stock, Mary Turner, Frances Victory, Malcolm Victory, Mike Wilkinson, Sheila Wren.

In attendance: CEO, Secretary to the Board, Finance and Administration Manager, Finance Officer, Governance Change Officer, Conservation Manager, 15 members of the public.

Absent: Richard Fowler.

John Michael welcomed everyone to the meeting and checked that all levy payers wishing to vote on the appointment of the auditors had a voting card. He recorded the apologies of the Auditors' representative, who was indisposed, but who had provided a statement to the meeting.

1. **Election of Chair**
   John Michael was elected unopposed as Chair, nominated by David Core and seconded by Richard Bartholomew.

2. **Election of Vice-Chair**
   David Core was elected unopposed as Vice-Chair, nominated by Richard Bartholomew and seconded by Mary Turner.

3. **Apologies for absence**
   David Fellows, Chris Rouse, Duncan Westbury.

4. **Chair's Report for 2023-2024**
   This is attached at Schedule 1.

5. **Chair's announcements**
   - 5.1 John Michael noted that the week prior to this meeting had been National Trustees' Week. He drew trustees' attention to the 5 minute guides for trustees on the Charity Commission's website and encouraged trustees to study them.
   - 5.2 John Michael was pleased to report that local MPs Dame Harriett Baldwin and Ellie Chowns had recently visited the Trust's offices.
   - 5.3 The CEO and two Wardens had represented the Trust at local Remembrance Sunday commemorations.
   - 5.4 The Trust had received a letter from a local blue badge holder, expressing their gratitude to the Trust for making its car park available to the public at

evenings and weekends. John Michael said that this was a good example of the Trust giving back to the local community.

5.5 John Michael announced that there would be a special Board meeting on 20 November 2024 to consider the draft Bill. One Trustee voiced objections to the date and time since it conflicted with an MHDC committee meeting. John Michael said that any trustee unable to attend the meeting could submit comments for consideration.

6. Declarations of interest

There were none.

7. Public Comments

Public comments were received from Dr Graeme Crisp and Professor Malcolm McCrae. These are attached at Schedule 2.

8. Public Questions on the Accounts

Questions were received from Professor Malcolm McCrae and responded to by David Core and the Finance and Administration Manager (FAM). These are attached at Schedule 3. Professor McCrae declined to allow for his questions to be summarised; therefore, David Core and the FAM read them out in full; the Secretary to the Board (SttB) advised that the FAM should not be expected to do this.

Trustees expressed concern at remarks made by Professor McCrae within his questions concerning the capabilities of the staff. The Chair stated that he would not expect either staff or trustees to read out public comments and questions in future and that he would not tolerate such language in Trust meetings.

9. Risk Management Strategy for 2024

Trustees received the Strategy for approval. The CEO reported that there was a requirement for it to be approved at the Annual Meeting, although the strategy had already been reviewed and approved by the Board on 23 July 2024. She confirmed that all risks listed were being actively managed (indeed some had reduced), but the register itself was a work in progress. It had not yet been possible to schedule a workshop on risk, but it was intended that committees would scrutinise the particular risks relating to their areas of responsibility. One recent example of improved risk management was in health and safety, through the creation of a Trustee Health & Safety Working Group and the recent training delivered to trustees.

A trustee asked whether all trustees would continue to see the full risk register once it was allocated to committees and the format revised. The CEO confirmed that it would be published on the Members' area of the web site. She added that each committee would have a schedule for reviewing their particular risks and that the new format for the register was intended to be simpler to read, follow and act upon.

On the proposal of Lucy Hodgson, seconded by Richard Bartholomew, it was RESOLVED unanimously to approve the Risk Management Strategy for 2024.

10. Trustees' Annual Report and Accounts for the year ended 31 March 2024

The Annual Report and Accounts were received. The FAM reported that these had been discussed in detail at the FAR meeting on 29 August 2024. There had also been a meeting with the auditors prior to the FAR meeting, attended by the Board Chair and Vice-Chair, Chair of FAR, the CEO and the FAM. It was *not* a requirement for the auditors to be present in order for the Accounts to be approved.

The FAM read out a statement from Katherine Parkin of Azets Audit Services, which is attached at Schedule 4. She said that if anyone had questions for Ms Parkin, they were invited to send them to the FAM and she would pass them on.

On the proposal of Lucy Hodgson, seconded by John Raine, it was RESOLVED, with 17 in favour and one abstention, to approve the Trustees' Annual Report and Accounts for the year ended 31 March 2024, which were then signed by the Chair.

11. Letter of Representation

The proposed Letter of Representation was received. The FAM confirmed that there had been no changes to the letter since the draft was circulated with the meeting papers.

On the proposal of Lucy Hodgson, seconded by Sheila Wren, it was RESOLVED, with 17 in favour and one abstention, to approve the Letter of Representation, which was then signed by the Chair.

12. Appointment of Auditors for 2024-25

It was noted that the Trust proposed to reappoint Azets Audit Services. Levy payers present were invited to vote on the appointment.

On the proposal of David Core, seconded by Charles Penn, it was RESOLVED unanimously, with 22 levy payers voting in favour, to reappoint Azets Audit Services as the Trust's Auditors for 2024-25.

Several members of the public left the meeting following the vote.

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13. Appointment of Committees for 2024-25

A paper listing individual trustees' applications for committee membership was received. The proposed committees were therefore as follows:

Land Management 1. David Baldwin 2. Richard Bartholomew 3. Mark Driscoll 4. John Michael 5. Felicity Robinson 6. Chris Rouse 7. John Stock 8. Frances Victory 9. Malcolm Victory 10. Duncan Westbury[1] 11. Mike Wilkinson 12. Sheila Wren	Finance, Administration & Resources 1. Paul Bennett 2. Robert Berry 3. David Core 4. Allan Cottam 5. David Fellows 6. Richard Fowler 7. Lucy Hodgson 8. Charles Penn 9. John Raine 10. Mary Turner
Governance (7) 1. Richard Bartholomew 2. Robert Berry 3. David Core 4. Mark Driscoll 5. David Fellows 6. Charles Penn 7. John Raine	Staffing (7) 1. David Baldwin 2. Richard Bartholomew 3. Lucy Hodgson 4. John Raine 5. Mary Turner 6. Frances Victory 7. Sheila Wren

On the proposal of David Core, seconded by Richard Bartholomew, it was RESOLVED unanimously to approve the committee memberships for 2024-25.

14. Appointment of Board Members to Other Bodies for 2024-5

A paper listing individual trustees' applications to serve on Other Bodies was received. It was noted that there was one vacancy each remaining on the Recreation Advisory Panel and the Wildlife Panel. Sheila Wren volunteered to serve on the Wildlife Panel. The proposed appointments were therefore as follows:

[1] Duncan Westbury resigned from the Board on Friday 15 November 2024.

Recreation Advisory Panel (4)	Castlemorton Common Co-ordinating Committee (4Cs) (2)	Wildlife Panel (4)	Malvern Landscapes (1)	Malvern Spa Association (1)
David Baldwin David Fellows	Chris Rouse Mike Wilkinson	Mark Driscoll Felicity Robinson Mike Wilkinson Sheila Wren	Frances Victory	Mary Turner

On the proposal of John Stock, seconded by Felicity Robinson, it was RESOLVED unanimously to approve the appointments to Other Bodies for 2024-25.

15. Confirmation of Previous Board Minutes

15.1 Ordinary Meeting of 12 September 2024

On the proposal of Malcolm Victory, seconded by Mark Driscoll, it was RESOLVED, with 14 in favour and four abstentions to approve the minutes of the Ordinary Meeting of 12 September 2024.

15.2 Special Meeting of 19 September 2024

A trustee asked for the accuracy of minute 5.1 to be checked . Approval of the minutes was therefore deferred to the next Ordinary meeting on 16 January 2025.

15.3 Special Meeting of 10 October 2024

On the proposal of Mary Turner, seconded by Charles Penn, it was RESOLVED, with 12 in favour and six abstentions to approve the minutes of the Special Meeting of 10 October 2024.

15.4 Special Meeting of 17 October 2024

The CEO asked for the Trust’s response to Cynthia Palmer’s public comment to this meeting to be appended to the minutes. This response was read out by the SttB.

On the proposal of Lucy Hodgson, seconded by David Core, it was RESOLVED, with 16 in favour and two against, to approve the minutes of the Special Meeting of 17 October 2024, subject to the addition of the Trust’s response to Cynthia Palmer’s public comment.

16. Matters Arising from Previous Board Minutes

16.1 MHT Public Consultation outcomes report

A paper prepared by the CEO was received. The CEO reported that the Bill Working Group had worked very hard to analyse the free text comments in the consultation. It had been hoped to be able to bring the outcomes report to the Special Meeting on 19 September 2024, but this had not been possible. In the interests of transparency, the CEO had signed the report off for publication as soon as it was ready and ahead of formal Board approval, which was now being requested retrospectively. A full suite of papers was now available on the website.

On the proposal of John Stock, seconded by Malcolm Victory, it was RESOLVED, with 16 in favour, one against and one abstention, to approve the MHT consultation outcomes report.

17. Private Parliamentary Bil

The Board received a paper from the Governance Change Officer (GCO), detailing the final resolutions that were still required before the Bill could be lodged.

17.1 **ECHR Delegation and Draft Bill**

The GCO had hoped that Counsel's advice on compliancy with the European Convention on Human Rights (ECHR) would be available in time for this meeting, but it remained outstanding. Final approval of the Bill would be deferred until a Special Meeting on Wednesday 20 November, to give trustees more time to study the text.

The GCO advised that the preparation of Counsel's advice on ECHR compliance had been a major undertaking. Although the Trust had budgeted £3k for the advice, at Counsel's normal hourly rate the cost currently stood at over £12k. However, the GCO had been advised that Counsel's Clerk would agree to a fee of £4.5k and the GCO was seeking Board approval for this.

On the proposal of Richard Bartholomew, seconded by Lucy Hodgson, it was RESOLVED, with 17 in favour and one against, to approve the increase of the budget for Counsel's advice on ECHR compliance from £3k to £4.5k.

17.2 **Delegation**

The Board had agreed at the Special Meeting on 17 October 2024 to delegate certain administrative tasks to the individuals holding the posts of Chair, Vice-Chair, Chief Executive Officer and Governance Change Officer of the Trust (together the 'Delegates'). The Board had time limited the delegation to the point of deposit of the Bill. However, the GCO advised that it would need to be extended to cover the various steps required to the end of petitioning in Late January or early February. The Parliamentary Agent (PA) had provided a list of relevant tasks, which had been shared with trustees by email; the GCO read them out to the meeting.

It was suggested that there should be a review of the delegation after six months. A trustee queried whether the Trust's Standing Orders permitted this delegation to officers and trustees. It was confirmed that the Board had the power to make standalone decisions to delegate. The FAM said that staff were covered by management liability insurance. It was emphasised that the Delegates would continue to report to Board on a regular basis and that any substantive issues would be brought to the full Board.

On the proposal of David Core, seconded by Charles Penn, it was RESOLVED, with 16 in favour and two against, to delegate to the individuals holding the posts of Chair, Vice-Chair, Chief Executive Officer and Governance Change Officer of the Trust (together the 'Delegates') the power and discretion to take all such steps as they consider to be necessary or desirable to give effect to the Trust's resolution to promote the Malvern Hills Bill. This resolution will be reviewed after a period of six months.

17.3 **Bill Drafting Points**

17.3.1 Appointed trustees

It had been proposed in the consultation document to include a provision in the Bill to provide for flexibility in the number of appointed trustees, with a minimum of four and a maximum of six. It had been apparent in the trustee workshops that this proposal had caused some concern, and it was therefore now recommended that there should be a fixed number of six appointed trustees.

On the proposal of Mary Turner, seconded by John Raine, it was RESOLVED, with 16 in favour and two against, that there should be a fixed number of six appointed trustees.

17.3.2 Transitional Provision

A transitional provision had been included in the Bill so that in the event the newly constituted Board included fewer than three existing trustees, the existing trustees might co-opt up to two trustees to serve for a period of six months with the 12 new trustees in order to provide some continuity (the existing trustees being those in office between the date on which the Act was passed and the new Constitution date).

On the proposal of Richard Bartholomew, seconded by John Raine, it was RESOLVED, with 16 in favour, one against and one

abstention, to include a transactional provision in the Bill to provide that in the event that the newly constituted Board included fewer than three existing trustees, the existing trustees may co-opt up to two trustees to serve for a period of six months with the 12 new trustees.

17.3.3 Elections timescale

The GCO had discussed with electoral services providers the timescale for running a by-election in the event that there were two vacancies amongst the elected trustees on the Board. The original proposal had been that no by-election would be called if the vacancies occurred within six months of a scheduled election, but it had been pointed out that it would take nine weeks from declaring the vacancy to announcing the results and that it might therefore be better to set the cut-off point at nine months. It was noted that there was concern amongst some trustees about a democratic deficit if there were fewer elected than appointed trustees The GCO said that the proposals had been adapted after the first consultation to reduce the period over which this could happen.

On the proposal of Mary Turner, seconded by John Stock, it was RESOLVED, with 16 in favour, one against and one abstention, where there was more than one vacancy amongst the elected trustees, a by-election would not have to be held within nine months or less of a scheduled election.

17.3.4 Trustees taking up an office with the Trust

Trustees were asked to consider whether they wished to re-enact the provision in the Commissioners Clauses Act 1847 that if any trustee were to take up an office within the Trust, they would automatically cease to be a trustee. It was noted in discussion that the members of the independent nomination panel could not be either trustees or staff members.

On the proposal of Robert Berry, seconded by Mark Driscoll, it was RESOLVED, with 17 in favour and one abstention, that if any trustee were to take up an office within Malvern Hills Trust, they would automatically cease to be a trustee.

17.3.5 Land Acquisition Fund

The GCO advised that section 12 of the 1995 Act had provided for the creation of a Land Acquisition Fund; this provision had never been used and had not been included in the draft Bill, because the powers set out in Part 7 of the Bill allow the Trust could create reserves and designate funds. Section 12 of the 1995 Act allowed the Trust to transfer up to 5% of the levy into the Land Acquisition

Fund. The Trust's solicitors had advised that there was sufficient flexibility to make re-enacting this provision unnecessary. A trustee asked what would happen if there was a major donor who restricted their gift to land purchase; the GCO said that any gift with a condition automatically became a restricted fund. There was no objection from trustees to the removal of the provision.

17.3.6 Power to sell surplus renewable energy to the National Grid

The GCO said the Bill specified that the Trust could generate its own energy from apparatus on ancillary land or buildings and sell any surplus back to the Grid. It was noted that there had been serious concerns during the consultation about the prospect of solar panels on the Hills and it needed to be clear that this was not permissible. The GCO asked if trustees were happy with the reference being to 'renewable' energy rather than 'solar'. The GCO pointed out that solar panels on ancillary land would still require planning permission in the normal way. It was pointed out that planning legislation could change in the future but also that the word 'renewable' gave some flexibility if other methods of generation were developed. A trustee considered that more detailed analysis was needed as to the implications of generating energy from ancillary land. .

The Finance Officer left the meeting at 8.53.

On the proposal of Malcolm Victory, seconded by Allan Cottam, it was RESOLVED, with 12 in favour, five against and one abstention to change the wording in the provision from 'surplus solar energy' to 'surplus renewable energy'.

17.3.7 Schedule of admin provisions

There had been a suggestion from Parliamentary Counsel about how to deal with administrative provisions which could be amended by the Trust within the Bill. The Trust would be able to make changes subject to the agreement of the Charity Commission. The Charity Commission had yet to comment on the change. Trustees were comfortable with the change.

17.3.8 Use of the term 'natural aspect'

It was recognised that there was affection for the term 'natural aspect', although it only appeared twice in the Acts. The term had been changed to 'natural appearance'. However the objects (clause 6(1)(a)) referred to "natural appearance" and to other things the Trust was required to care for. It was suggested that the provision relating to the granting of overground easements should reference all of the things set out in clause 6(1)(a) and not just "natural appearance". It was hoped that this would reassure those who regretted the loss of the previous term.

On the proposal of Lucy Hodgson, seconded by Richard Bartholomew, it was RESOLVED, with 17 in favour and one against to require consideration of all of the features referenced in clause 6(1)(a) in the clause relating to the grant of easements.

18. Potential electric substation on Trust land

The Board received a paper prepared by the Conservation Manager (CM) regarding an application from the National Grid to site an electric substation on MHT land at Lower Gardeners Common. Board members had had an opportunity to visit the site. The CM went through the paper. He advised that the National Grid (NG) had a substation on Jubilee Drive that needed replacement and the current site was not suitable; attempts to find a new site on private land had failed and so the NG had approached the Trust. The NG would prefer to buy the land from the Trust; it was inalienable so would need to be leased, although the NG did have powers of compulsory purchase that they could use as a last resort.

There were at least six substations on MHT land already. The likely impact of the proposed substation on local properties and car parks was negligible, but it was nevertheless historic common land. There would be good mitigation features, but it would still be possible to see the substation. The NG had offered £1.5k to lease the land at Lower Gardeners Common car park, but the Land Agent had valued it at £10k. The CM had found an alternative site on the Kettle Sings field, which he had suggested to the NG; this site was not common land, but it was still Trust land and subject to the Acts. The NG had not yet responded to the proposal.

NG could have used their compulsory purchase powers to acquire the site looked at previously that was not on MHT land. The Trust might need to check that the impact on the Hills would not be worse at that site than at Lower Gardeners Common. A trustee with industry experience advised that it was possible to install transformers underground, but NG would not mention the option because it was expensive. Another trustee who had visited the site that there was a perfectly good site 2m away from the proposed site, which on the other side of the fence and on private land.

On the proposal of David Core, seconded by John Stock, it was RESOLVED, with 16 in favour and two abstentions that the Board would not permit the proposed substation at this site.

David Baldwin left the meeting at 9.30 pm.

19. Easement applications

19.1 2 Spa Cottages

The CEO updated the Board: an application had been received from the property owner, but it was for an extension of an existing easement and there was no easement in place. The Trust could not proceed without the correct application and there had in any case been insufficient time to organise a site visit.

19.2 Caravan park at Brooklands, Mayfield Road

The Board received a paper prepared by the CM, who explained that the applicant was seeking a new easement for business purposes to facilitate a new, five-pitch caravan park and also to park their own motorhome. The measurements and background information were provided in the paper; the CM advised however that the information provided by the applicant on agricultural easement was not relevant, because this application was for business. The area was suburban, but it was part of a wider area of verges and it was common land. The CM agreed with the statement made earlier in the meeting by Dr Crisp suggesting that there was insufficient turning space.

Malcolm Victory left the meeting at 9.35 pm.

The Land Agent had provided a valuation of £10k.

The CM said that the impact in terms of size and area was low. He pointed out that easement applications were normally for access to a building and were therefore granted in perpetuity. This application only applied to the current owners and the CM had therefore suggested to the applicant that the Trust consider granting them a temporary licence similar to those granted to ice cream vendors.

In answer to questions, it was confirmed that the gateway to the field would not have to be widened, but it would be pushed back into the field, which would form part of the approval; the Trust's land would be restored to its original state at the end of the licence.

Robert Berry left the meeting at 9.40 pm

There was concern from trustees concerning possible damage by large vehicles, use of appropriate stone, drainage, impact on traffic (especially because it was a one way road) and Mayfield Road's position on the boundary between town and country. The CM said he had asked the applicant if he had spoken to Highways, but the applicant did not want the expense. A trustee urged that a proper survey was essential and cautioned that the Trust could not impose lifetime conditions on a limited company (the applicants having applied as a limited company). Trustees agreed that further enquiries and negotiations were needed before they could make a decision.

On the proposal of John Michael, seconded by Paul Bennett, it was RESOLVED unanimously to defer a decision on the easement application for Brooklands, Mayfield Road in order for the Conservation Manager to be able to have further discussions with the applicants and make additional enquiries.

20. Urgent Business

None

Paul Bennett and the GCO left the meeting at 9.50 pm.

21. Governance Committee

David Core reported that the Committee had met on 7 November 2024. There would be a full report at the next meeting, but there was one urgent resolution that was needed now. The Committee had learned of a recent employment tribunal appeal, which had indicated that trustees as well as staff might be protected by whistleblowing legislation. This needed to be adopted by the Board. David Core said he would urge *anyone* who had a grievance or complaint to raise it internally first if at all possible to try to resolve the matter quickly.

On the proposal of David Core, seconded by Lucy Hodgson, it was RESOLVED unanimously to extend the Trust's existing whistleblowing policies and procedures to include trustees.

22. Management Accounts to the end of September 2024

The Accounts were received and trustees expressed their appreciation for the FAM's clear covering notes.

23. Future Meetings

23.1 **Date of Next Meeting**

Thursday 16 January 2024

23.2 **Meetings Schedule for 2025**

Trustees noted the schedule for Board and Committee meetings in 2025.

24. Confidential

On the proposal of David Core, seconded by Lucy Hodgson, it was RESOLVED unanimously to exclude the public for discussions of items 25-28 on the agenda on the grounds that publicity would be prejudicial to the public interest by reason of the exempt or confidential nature of the business to be transacted (legal privilege).

The meeting closed at 10.10 pm

Schedule 1

Chair’s Annual Report to Board

There have been major changes at theTrust this year of which I’m sure you’re all aware. I am glad to report that the new senior staff appointees have settled into their posts following a difficult period towards the end of last year. Our new CEO Deborah Fox has not only stabilised the ship but got it heading in the right direction which has led to a happy crew thanks to her positive and effective leadership.

I thank the local community and the public at large in showing such interest in theTrust this year which demonstrates their desire to see the Hills well managed and open to all. We had feedback from around 500 members of the public and organisations about our proposed governance changes and we meet somewhere near 300 people at the drop in sessions we ran throughout the summer. Numerous individuals have taken the time to make comments at our Board and committee meetings which are always open the public. We encourage such participation and while some of the views stated made uncomfortable reading it is vitally important that their views are heard and acted upon. Much of the criticism has been about how theTrust communicates with the general public and I acknowledge our need to improve and we will be reaching out to people even more in the coming year. We have limited resources to meaningfully engage with our many neighbours bordering the Trust’s land in addition to our local residents and the many visitors who visit the Hills but it is work in progress as we develop more effective ways of engaging so please do have patience with us.

Trustees have given an immense amount of service this year, supporting the staff at the public drop-in sessions and taking on board the many views expressed. Special thanks must go to the consultation working group and those that put up hundreds of posters, distributed leaflets and attended meetings along with our new CEO to publicise the consultation and encouraging engagement in it. There have been other significant voluntary contributions from the various Chairs and members of committees and I thank them for their input which also includes those who have worked with staff in creating the new Staff Trustee Protocol designed to improve relations which was adopted by the Board in May of this year. I also extend my thanks to those who have given their expertise in a voluntary capacity such as in land management while we eagerly await the arrival of our new land and property manager taking up her post at the beginning of February next year. Finally in this section I wish to record, on behalf of all the trustees, our thanks to all the hard work and dedication displayed by our Office Staff, Wardens and Field Staff, who are the engines of the Charity, in the day to day care of managing the hills and commons that we all enjoy.

Most recently, the Board overwhelmingly voted to submit a Parliamentary Private Bill by 27th November. Back in November last year the new intake of trustees received their induction training and there were several workshops run to get them appraised on the governance changes proposals. This is the culmination of ten years of planning and

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consideration which included two public consultations that broadly supported these proposals. I now expect all trustees to act collaboratively and in accordance with the principles of collected responsibility in regard to this important decision the Board has made

John Michael
Chair of the Board
MHT

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Schedule 2

Public Comments

1. **Graeme Crisp**

With reference to item 19.1 on your agenda (Easement application Brooklands Mayfield Road) I would like to advise the board, as an experienced caravanner, that the proposed access across Trust land is inadequately sized. An area of only 4 square meters is allowed for splays on the board's land.

This is wholly inadequate because Mayfield Road is a single width unclassified track with no pavement. My own access has a splay of 8 m by 1m provided by the lowered pavement and even so it is only just possible to tow in and out using the full width of the Guarlford Road, which is a B class highway. My caravan is a small one (14 ft) and most caravans require more turning room than I do. It is inevitable if the proposal is implemented, even on a temporary basis, that the verge adjacent to the access will be damaged by the traffic entering and leaving the proposed caravan site.

With reference to item 15 on your agenda I would draw your attention to the inaccurate reporting of the Special Board Meeting of 17th October. No mention is made in the draft minutes of the discussion concerning the amendment, which was carried, of a resolution to delegate powers. That amended resolution was not then put to the vote. The draft minutes erroneously report that the amended resolution was passed with 17 in favour, one against and one abstention. I trust that inconvenient as it may be, that the Board will ensure that their minutes reflect the truth of what actually took place at the meeting.

2. **Malcolm McCrae**

The first meeting organised by MHT that I attended in late 2020 was advertised as the Annual Levy Payers meeting. I expected it to involve a dialogue between levy payers and the Board about a variety of issues including the confrontational and dismissive approach that MHT was taking to its interactions with levy payers such as myself. In fact, it turned out to be nothing more than a cynical device to facilitate compliance with the requirement of the Commissioners Clauses Act of 1847 that MHT's auditors must be approved by Levy Payers. The device involved bolting the advertised meeting for levy payers onto the font of a standard MHT Board meeting and then, despite the obvious conflict of interest, allowing Trustees who also happened to be levy payers to ram through the Board's recommendation. The ongoing concerns about the Board's attitude led to levy payers voting down the Board's recommendation that Bishop Fleming be re-appointed as auditors at the equivalent meeting in 2022. This was despite the claim made at the meeting that the recommendation to reappoint followed a rigorous due diligence process having been carried out. In the acrimonious aftermath of this meeting it emerged that this claim was another example of MHT being prepared to be 'economical with the actualité' in pursuit of an objective.

Levy payers now find that MHT has abandoned its earlier ploy and simply rolled the auditor approval process into a standard Board meeting. This simply will not do. If the Board expects to retain any credibility that it leads an open and transparent organisation, item 12 on tonight's agenda needs to be held over to a future properly advertised separate meeting of levy payers at which, to meet normal conflict of interest requirements, Board members who are also levy payers are barred from voting.

When can levy payers and stakeholders more broadly expect an apology for and an on the record correction of the erroneous statements such as MHC/MHT has always been a charity, and the unsubstantiated assertions made both by Trustees and Senior employees in the media and in response to public comments made at Board meetings in recent months.

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Schedule 3

Public Questions on the accounts received from Malcolm McCrae and responses from the Trust

1. In recent years the Financial accounts have been ascribed as being those of an organisation designating itself in a confusing variety of ways. Changing from a long standing and clearly defined designation of being those of a public body with charitable status to a charity that on occasions carries out public services and for the last few years as being those of an unincorporated charity. This designation is not defined in charity law but possibly what was meant was an unincorporated association which is defined in charity law as having no legal standing and hence prohibited from owning assets or letting contracts in its name. In these accounts MHT gives itself yet another confused designation. It is now a charity which appears to also be a statutory corporation, a designation for which I can find no definition. Does this signal the beginning of a march back towards MHT's original designation as a public body with questionable charitable status? If so, which body or bodies to whom the organisation is accountable for the taxation based public funds that provide the overwhelming bulk of its income have been consulted and approved these perambulations?

   Response from David Core, Chair of Governance Committee
   The Trust's status is as described in the annual report and accounts and is unchanged. The Cabinet Office guidance "Classification of Public Bodies: Guidance for Departments" describes a public body as "a formally established body that is (at least in part) publicly funded to deliver a public or government service". However, it goes on to note that "some Public Bodies are also classified and registered as charities by the Charities Commission. This is a separate system of classification that applies to institutions that are established for charitable purposes only and subject to the High Court's charity law jurisdiction".

   The position was made clear in response to your public comment at the Board meeting on 30 July, provided at the 8 August Board meeting. The Trust was created as a body corporate under s5 of the 1884 Malvern Hills Act. The 1924 Act s7 confirms the Trust as a body corporate having power to hold and manage lands

   The definition of a statutory corporate is a corporate body created by an act of parliament or Royal Charter.

2. These accounts show that the precept levy is approximately 1.9 % of the Council Tax paid by those subject to it. The Trust's primary legislation sets the maximum for the levy at 0.4 % of Council Tax plus a contingency allowance, when required, of 10 % of turnover. When the Trust was asked previously about its apparently

long-standing practice of overcharging on this legally defined maximum, the only authorisation provided was that from the wrong Secretary of State who had no authority in the Trust's primary legislation. It also concerned, not the currently extant levying power, but a second levy whose designated purpose had been completed many years previously and so should no longer have been being levied. So, I ask yet again, what is the legal basis for this apparently illegal overcharging of tax?

Response from David Core, Chair of Governance Committee
As was explained in a written response to your public comment at the 30 July Board meeting the calculation of the maximum levy is no longer as defined in the Malvern Hills Acts. The old rating system was replaced under the Local Government Finance Act 1988. The levy is now charged under the Levying Bodies (General) Regulations 1992.

3. Page 15 of the accounts reports on permission being received from the Charity Commission (CC) for the Trust to make a loan over a 25yr term of up to £306,000 at 6 % interest from the Land Purchase (1992) Fund to cover some of the costs associated with the Trust's ongoing efforts to update and 'modernise' its statutory mandate as a tax levying public body. Setting aside the fact that some £150,000 of this sum have already been spent on the inept 2019 Section 73 submission, what evidence can the Trust provide that the CC has any authority over the taxation based public funds making up the Land Purchase (1992) Fund? The inability of both the Trust and the CC to show that proper due diligence was carried out in 1984 when charitable status was granted coupled with the absence of the word charity or any mention of the CC in the fourth updating of MHC's mandate 11 years after charitable status was granted indicates that to-date MHT has failed to demonstrate that this use of the taxation-based Land Purchase Fund is legal.

Response from David Core, Chair of Governance Committee
Please see the response to Question 1 above

4. Simple comparative perusal of these accounts and those from previous years available on the Trust's website show alarmingly wide variations in the increases to the main income streams of the Trust. For example, in 2020/21 there was a 42.7 % increase in the income from car parking charges that increased again, albeit by a much smaller amount, in the 2021/22 accounts. However, these increases led to a 5.8 % increase in the Levy in 2021/22 and a 10.9 % increase in 2022/23. What analysis of the Trust's in-year management accounts is undertaken, presumably by your Finance Committee? This being needed to ensure that the level for the uplift in the Levy for the following financial year ameliorates the impact on Levy payers, who are forced to pay the Levy under threat of criminal prosecution, in the current 'difficult' financial climate for household budgets.

Response from the Finance & Administration Manager

Management accounts include a detailed review of significant variances to budget lines as well as comparison with prior year information. They are produced and shared monthly with trustees and the most recent cumulative accounts are included in Board and FAR meeting papers which are available to the public, as well as on the website.

The Trust sets its budget for the following year at its January meeting after detailed review at the December FAR meeting. Many factors are taken into account when setting all budget lines, including the levy, and not just historic and projected car park income.

5. During my superficial perusal of previous year's accounts, I discovered simple arithmetic errors. For example in the 2022/23 Accounts the band D Levy is given as £44.76 which is said to be £3.42 higher than that charged in the previous financial year. However, in the 2021/22 accounts the band D levy is given as £40.35. I do not know what mathematical training those involved in preparing and checking the accounts ahead of submission had but there is a very obvious arithmetic error with these figure ie: they just don't add-up! This error is compounded in the current 2023/24 accounts under consideration where the Band D levy is said to be £45.34 up from £41.34 in 2022/23! The obvious lack of trust instilled in all the figures in the accounts under consideration here by these errors must be apparent and will clearly have an impact on financial planning for the coming financial year. So my question here is what is the Trust's process for submitting revised audited accounts that have errors of this type corrected as I can find nothing in your Governance code on this?

Response from the Finance & Administration Manager

In the 2022-23 accounts the narrative in the Trustees' Report page 13 under the heading 'principal sources of funds' was incorrect, stating that the average Band D levy payable was £44.76. This should have read £41.34. This was a single line of narrative in the Trustees' Annual Report and whilst important does not impact any of the reported numbers in the Statement of Financial Activity or the Balance Sheet. I can only apologise on behalf of the Trust for this error; the report was prepared before I arrived.

In the 23/24 accounts the equivalent information is on page 16 and the figure is correctly stated for both this year and last year.

Generally speaking, if a material mistake needs to be corrected in a subsequent financial year this would be done via a prior year adjustment. The Charity Statement of Recommended Practice and accounting and auditing standards would be followed and of course we would seek advice from our auditors.

6. Finally, on P33 the income of the Trust is ascribed to being spent wholly on charitable activities. Whilst under the current definition of charitable activities this may be technically correct, the implication is that these funds are charitable funds ie: funds given to the trust that are not subject to criminal prosecution if withdrawn. I have certainly heard both trustees and officers refer to the bulk of its income as charitable funds. This is not correct, only a very small fraction (<2%) of income come from charitable giving, the overwhelming bulk of the income comes from taxation based public funds. In the interest of pursuing its' claims to be an open and transparent organisation the Trust needs to revise this attribution of what the bulk of its income is actually spent on, which is fulfilling its statutory public service mandate.

   Response from David Core, Chair of Governance Committee
   The sources and use of funds in the report and accounts follows the reporting standards outlined in FRS102 and the Charities SORP. These used as the Trust is a registered charity. You seem to be confusing income and expenditure.

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Schedule 4

Statement from Katherine Parkin, Audit Partner, Azets

As outlined in our Audit Findings Report, the audit was conducted in line with international Standards on Auditing, and this document communicates formally those matters which we are required to report to those charged with governance. Subject to final approval of the financial statements and the letter of representation, and also our final going concern and post balance sheet event reviews (where we do not anticipate any issues arising), we intend issuing an unqualified (clean) audit opinion.

We do not believe that the matters raised in our report and adjustments arising as a result of our audit work are indicative of significant deficiencies in internal controls, systems and processes.

We have complied with the FRC's Ethical Standard and there are no independence or other ethical matters which we believe should be brought to your attention.

We are pleased to report that the audit progressed smoothly and in line with the agreed timetable; we would like to extend our thanks to Nicky, Lisa, Deborah and the rest of the team for all their help and assistance throughout the audit process.

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Malvern Hills Trust

Ordinary Meeting of the Board
Colwall Park Hotel, Colwall, Malvern, WR13 6QG
Thursday 16 January 2025 at 7pm

Present: John Michael (Chair), Simon Baggaley, David Baldwin, Richard Bartholomew, David Core, Allan Cottam, Mark Driscoll, Richard Fowler, John Raine, Felicity Robinson, Chris Rouse, John Stock, Mary Turner, Frances Victory, Malcolm Victory, Mike Wilkinson,

In attendance: CEO, Secretary to the Board, Finance and Administration Manager, Governance Change Officer, Conservation Manager, five members of the public.

1. **Apologies for absence**
   Paul Bennett, Robert Berry, David Fellows, Lucy Hodgson, Charles Penn, Sheila Wren.

2. **Chair's Announcements**
   2.1 John Michael reported on work done by the Wardens to manage recent festive events, highlighting the risks of illegal letting off of fireworks. He also thanked the Wardens and Field Staff for their hard work keeping the public safe during recent poor weather.
   2.2 The Private Bill had passed its first hurdle on 18 December, when the examiners confirmed compliance with Standing Orders. The Bill had been allocated to the House of Lords and a petitioning period was open until 6 February. The Trust was urging anyone with questions or concerns to come in to talk to Trust staff; this could be arranged via the info@ email address. The deposit of the Bill meant that the proposed governance changes would be made under full public scrutiny. Ten members of the public had visited Manor House to view the Bill or purchase a copy over the festive period.
   2.3 John Michael recorded his thanks to Beck Baker for her 11 years of excellent service including as Community & Conservation Officer and welcomed the new postholder, Marie Dipple.
   2.4 John Michael welcomed new trustee Simon Baggaley, nominated by Colwall Parish Council. On the proposal of Mary Turner, seconded by John Stock, it was **RESOLVED** unanimously to appoint Simon Baggaley to the Finance, Administration & Resources Committee.
   2.5 The Special Board meeting scheduled for 30 January 2025 had been postponed.

3. **Declarations of interest**
   David Core had a conflict of loyalty relating to a confidential item.

4. **Public Comments**
   A comment was received from Dr Graeme Crisp. This is attached at Schedule 1.

5. Confirmation of Previous Board Minutes

5.1 Special Meeting of 19 September 2024

Following a trustee query on minute 5.1 of these minutes, the draft had been reviewed and a revised version emailed to trustees by the Secretary to the Board on 14 January.

On the proposal of Mark Driscoll, seconded by John Stock, it was RESOLVED, with 13 in favour, one against and two abstentions to approve the minutes of the Special Meeting of 19 September 2024, as amended. The trustee voting against asserted that Board minutes were changed 'to suit the narrative'.

5.2 Annual Meeting of 14 November 2024

These minutes were not yet ready and would be presented to the next meeting.

5.3 Special Meeting of 20 November 2024

On the proposal of David Core, seconded by Malcolm Victory, it was RESOLVED, with 13 in favour and three abstentions to approve the minutes of the Special Meeting of 20 November 2024.

6. Matters Arising from Previous Board Minutes

There were none.

7. Budget 2025-2026

The Board received a paper prepared by the Finance and Administration Manager (FAM), highlighting changes made to the proposed budget for 2025-26 following the meeting of Finance, Administration & Resources Committee (FAR) on 12 December 2024. She confirmed that FAR had scrutinised the budget line by line with comparison to previous budgets. The following changes had been highlighted for amendment: the increase in categories for staff salary costs from three to four, which was presentational only; the removal of the recommendation to close the dog campaign, further to advice from the new Community & Conservation Officer; an allocation of £25k for marketing and PR, and; the inclusion of a transfer of the first capital budgeted amount of the internal loan from general fund in the 2025-26 budget.

7.1 **Recommendations from FAR**

7.2 Car parking prices to increase as follows:

- Daytime car park meter prices from £5.50 to £6.00 from 1 April 2025
- Evening car park meter prices from £3.20 to £3.50 from 1 April 2025
- Residents' annual passes from £7.50 to £8.00 from 1 June 2025
- Annual passes from £52.50 to £55.00 from 1 April 2025, with second car increasing from £26.95 to £28.00

The FAM advised that the budget for car parking assumed that parking meters would be installed at Old Hills in 2025-26.

Questions were invited on the parking charge recommendations. A trustee asked whether there would be some pre-warning about the meter installation at Old Hills. The Conservation Manager (CM) confirmed this, adding that the Trust would also publicise the creation of additional car parking spaces in the Southern car park. The Trust would also install bollards to prevent people parking anywhere other than the car parks. A trustee asked whether there was a reasonable chance of the meters being installed in 2025-26; the CEO said there was, because the Land & Property Manager was due to take up her post in February.

On the proposal of Mary Turner, seconded by John Raine, it was RESOLVED unanimously to increase car parking charges as set out below

- **Daytime car park meter prices from £5.50 to £6.00 from 1 April 2025**
- **Evening car park meter prices from £3.20 to £3.50 from 1 April 2025**
- **Residents' annual passes from £7.50 to £8.00 from 1 June 2025**
- **Annual passes from £52.50 to £55.00 from 1 April 2025, with second car increasing from £26.95 to £28.00**

7.3 WCC Grant Claim

On the proposal of Richard Bartholomew, seconded by David Core, it was RESOLVED unanimously to request the WCC Grant claim at £14,175.

7.4 Balances on Designated Funds

On the proposal of David Core, seconded by Richard Bartholomew, it was RESOLVED unanimously to release the balances on the designated funds for fundraising (c£10k) and the sink hole (c£28k) to the general fund.

7.5 Long service awards and on-call allowances

FAR had recommended the introduction of a budget of £2k for long service awards and £3k for on-call allowances. The CEO reported that both would be discussed by the Staffing Committee and were being introduced on the advice of the HR Advisor. It was noted that the measures had arisen from the recommendations in the Staff Review. The CM added that they were being introduced to try to retain staff. The Trust was very unusual; there was much for new staff to learn that was bespoke to it.

A trustee queried the link between on-call allowances and where you live. 25 miles (as amended in the Relocation Policy) could affect response times. The CEO said that in most cases out of hours calls were handled remotely and said she would circulate a description of what it meant to be 'on-call' at the Trust.

HR advice was to have two members of staff on call if possible and this would mean extending on-call to other staff. The Vice Chair felt this was an operational matter.

On the proposal of Frances Victory, seconded by Mike Wilkinson, it was RESOLVED, with 15 in favour and one abstention, to approve the introduction of a long service award for staff (£2k budget in 2025-26) and an on-call allowance for staff (£3k budget in 2026-26).

7.6 Levy

FAR had been through an extensive process looking at various levels for the Levy and had recommended setting it at £732,100 (an increase of 5 %), subject to a possible review of the total once the tax base information had been made available, which it now had. Due to additional costs, the FAM had also prepared calculations based on a 6 % increase, cautioning that the Trust was already budgeting for a loss, that the level of reserves was dropping, and that unrestricted designated funds would have to be used. The FAM said that each 1 % of the levy equated to approximately £7k of income for the Trust. An increase of 6 % as opposed to 5 % would add 24p per year to the levy on a Band D property. The Chair and Chair of FAR said that they were happy for the Board to debate a 6 % increase. The Vice Chair of the Board reminded the meeting that the Board had not increased the levy line with inflation in the 35 years since rates were abolished, noting that the Trust now had an opportunity to review what it hoped to achieve through the Land Management Plan and how it might raise additional income. A trustee suggested that the Trust should also look at what it wanted to achieve through the Business Plan and consider fundraising within the powers of the (existing) Acts and savings that might reduce the levy in the future.

On the proposal of David Core, seconded by Malcolm Victory, it was RESOLVED, with 15 in favour and one abstention, to set the 2025-26 levy at £739,100

John Raine, seconded by Richard Fowler, proposed a Vote of Thanks to the FAM for her work on the Budget.

8. Costs Update in relation to Parliamentary Bill

The Board received a paper from the Governance Change Officer (GCO), detailing expenditure on the Bill to the end of November 2024. The GCO said that at present there was still plenty of capacity within the limit set by the Charity Commission, but expenditure would be increased if petitions against the Bill meant there had to be a Select Committee hearing. More petitions meant higher costs, detriment to the Trust's work and more pressure on the levy. The GCO observed said that people were being encouraging to petition. She emphasised the Trust's desire to engage with anyone who had concerns about the Bill so that opportunities for compromise could be explored; professional stakeholders had already held discussions about their concerns, but the offer for dialogue was open to everyone. The GCO pointed out that it was likely in the near future that Malvern Hills District Council would be subsumed into a Worcestershire unitary authority, meaning that a new Malvern Hills Act would be even more critical to the Trust.

A trustee said that there had been on-going concern over some years from members of the public about the reduction in the number of elected trustees and that they would lose ‘representation’. It was pointed out that currently less than 40% of trustees were elected and this would rise to 50% under the proposed arrangements. The consensus in the workshops had been for 12-14 trustees, which was what had been proposed originally in 2016. It was clarified that once elected, trustees had to act in the best interests of the *Trust,* and not to those who had elected them.

9. Land and Property Items

9.1 **Easement resurfacing**

An updated version of a Land Management Committee paper of 5 December 2024 was received. It was noted that technically an MHT overground easement is a right to cross MHT land with easement owners being responsible for maintenance; therefore, the Trust did not have a policy on repair of easements and normal practice was for owners to inform the Trust when they needed to do repairs. However, the Trust did recognise the impact of problems on residents. John Stock had carried out some work as a volunteer to look into various issues that had been reported by residents and make recommendations.

The Chair suspended Standing Orders in order to invite residents from The Rhydd and The Purlieu to make statements to the Board. The CEO then read out a statement from a resident at Westminster Bank

Discussion included that:

- Residents present that represent The Rhydd rejected the Trust’s proposal for single track, which would enable restoration of a portion of common land. They requested drainage improvements and a permanent fix to potholes. They rejected removal of ‘overspill parking’.
- A resident of The Purlieu was keen to collaborate with the Trust and see joint improvements implemented, starting with a solution at the top part of the track.
- A trustee said that one of the locations was an old packhorse track and a grant might be available in contribution to costs.
- Another trustee suggested the residents at the The Purlieu might contact SatNav companies to advise of limited access; and at The Rhydd to approach Royal Mail to decommission the Postbox.

- The CEO would take forward conversations along with the Land and Property Manager.

The Chair re-imposed Standing Orders and read out the recommendation. It was confirmed that no change to the 2025-26 budget was being proposed.

On the proposal of Mark Driscoll, seconded by David Core it was RESOLVED unanimously that applications for financial assistance with easement repairs should be considered on a case by case basis [therefore the proposed overall £40k budget was not approved] and that a contribution might be made if it was to the Trust's benefit. The Trust would require technical input into any projects but would not wish to lead them.

9.2 **Guarlford Parish Council request for vehicle activated sign**
The Board received a paper prepared by the Conservation Manager (CM). Guarlford Parish Council had applied for permission to erect two metal, permanent posts to hold Vehicle Activated Signs (VAS) on MHT verges near Guarlford. The CM was proposing that the Board adopt a similar approach to that taken with Malvern Wells Parish Council's request for new signage in July 2024. He recommended that the Board give permission for the first site, providing that the VAS could be installed near or ideally on an existing structure, but that permission for the second site be declined, because there was a risk of damage to the landscape, which went against the Trust's object to maintain open countryside.

On the proposal of Malcolm Victory, seconded by Richard Bartholomew, it was RESOLVED with 15 in favour and one abstention, to grant permission for VAS post one as requested by Guarlford Parish Council, provided that it could utilise existing structure, or failing that, be grouped with the signs already present, subject to approval by the Conservation Manager. It was further RESOLVED to decline the request for a second VAS at its current proposed location; MHT would however consider an alternative location within the residential area nearby.

9.3 **Request for a parking space at 396 Pickersleigh Road**
The Board received a paper prepared by the CM following a request for the construction of a parking space on MHT land for use by medical and care staff caring for a resident. This request could be accommodated by the granting of a licence, to be linked to the individual and not the property. The CM advised that there was a flight of steps that would be partially obstructed by a parked vehicle, but it would be possible to walk round and a vehicle in any case would only be present for a limited time.

There was a discussion about how the Trust could be alerted when a property changed hands and whether the imposing of a nominal charge in this

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instance might serve to highlight if the resident left the property; it was decided not to charge. A trustee asked whether there would be a sign advising that the space was for use by this property only and this was confirmed.

On the proposal of Malcolm Victory, seconded by David Core, it was RESOLVED unanimously to agree in principle to the parking space request and to instruct staff/agents to draw up a suitable licence, incorporating the terms recommended in the paper.

9.4 **Request for a surfaced path at Elmhurst, Colwall Green**
The Board received a paper prepared by the CM following a request for permission to construct a new surfaced path on land under MHT jurisdiction. The Board could choose to grant this by means of a licence. The CM was happy to recommend this, although he thought that the proposed width of the path (1.15 m) was too much. Colwall Parish Council had been consulted and had raised no objections.

On the proposal of David Core, seconded by Richard Bartholomew, it was RESOLVED unanimously to approve the request for a surfaced path of up to 1 metre in width and to instruct staff/agents to draw up a licence to cover the construction and maintenance of the path, incorporating the terms recommended in the paper.

10. Review of Board and Committee Effectiveness
David Core, as Chair of Governance Committee, observed that the Board had experienced a busy and challenging year, which had highlighted some concerns and difficulties. It seemed an appropriate moment to commission Governance Committee to identify a suitable mechanism to review the effectiveness of Board and committee business. Terms of reference would come to the Board for approval.

On the proposal of David Core, seconded by Allan Cottam, it was RESOLVED unanimously to delegate a review of Board and Committee Effectiveness to the Governance Committee.

11. Confidential
On the proposal of David Core, seconded by Lucy Hodgson, it was RESOLVED unanimously to exclude the public for discussions of items 25-28 on the agenda on the grounds that publicity would be prejudicial to the public interest by reason of the exempt or confidential nature of the business to be transacted (matters relating to individuals/legal privilege). *These agenda items had to be taken at this point in the meeting in order for the Board to be able to approve the 2025-26 Budget.*

The two remaining members of the public left the meeting. There were confidential items (minutes 12 and 13). The meeting then returned to open session.

14. Approval of the 2025-2026 Budget

On the proposal of David Core, seconded by Mary Turner, it was RESOLVED unanimously to approve the General Fund, Designated Funds and Restricted Funds budgets for 2025-26.

15. Governance Committee

15.1 Minutes

On the proposal of Mark Driscoll, seconded by David Core, it was RESOLVED, with 12 in favour and four abstentions, to adopt the minutes of the Governance Committee meeting held on 7 November 2024.

The CEO withdrew from the meeting at 9.52 and returned after the resolution was taken on 15.2.2.

15.2 Resolutions

15.2.1 On the proposal of David Core, seconded by Malcolm Victory, it was RESOLVED unanimously:

- **That members of the public should be required to submit public comments in writing at least one day in advance of the meeting;**
- **That if a member of the public wishes to make a comment, but is unable to be present at the meeting, they may nominate another member of the public to read the comment for them; the nominee may not be a member of the MHT Board or staff; and**
- **That Standing Order 13 be amended to take account of the above resolutions.**

15.2.2 On the proposal of Mary Turner, seconded by Felicity Robinson, it was RESOLVED, with 15 in favour and one against, to extend the deadline in the Relocation Expenses Policy for application for reimbursement from three to 12 months and to extend the qualifying area from within nine miles of the workplace to 25 miles.

15.2.3 On the proposal of David Core, seconded by Frances Victory, it was RESOLVED unanimously that the Minutes Protocol should replace the flowchart for presenting committee minutes to Board in the Governance Handbook.

16. Land Management Committee

Deferred until the next meeting.

17. Finance, Administration & Resources Committee

17.1 **Minutes –** deferred until the next meeting

17.2 **Resolutions**

On the proposal of David Core, seconded by John Raine, it was **RESOLVED** unanimously:

- To approve the allocation of costs against the £30k contingency allocation to address matters raised in the Staff Review;
- To accept the introduction of an annual professional membership/qualification and its associated fee for each of the senior management where appropriate; and
- To introduce an exit interview to remind leavers (trustees and staff) of their post-employment confidentiality responsibilities.

18. Management Accounts to the end of November 2024

The Accounts were received for information.

19. Date of Next Meeting

Thursday 13 March 2025

The meeting closed at 10 pm

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Schedule 1

Public Comment from Graeme Crisp

First, I have two questions concerning the recommendation of the Governance Committee to amend the relocation expenses policy.

As a precept payer I would like to know how many members of staff currently employed by the Trust stand to benefit from the proposed changes to the relocation expenses policy? And second has any independent advice been sought concerning this proposal.

Second I have some comments to make about paper B.

I note that the paper B admits that the costs of the private bill fall on the precept payers who were never asked if they wanted a bill in the first place. The figures presented in paper B should ring alarm bells. The parliamentary agent's fees to date are 50% above the amount allowed for in the Trust's estimates. (£128,501 vs £85,500)

How did the Trust get the estimating so wrong?

Is there outstanding work for the parliamentary agent left to be done, and is the cost of that work also expected to exceed the original estimate by 50%?

Noting the position as suggested in paper B is wholly inadequate. Trustees should find out what has gone wrong, reassess going forward what the costs of the bill will really be and make this information public. If necessary they should take action, to stem the waste of precept payer's money on what is becoming an ever more expensive bill..

Response from the Trust

The CEO said that three members of staff stood to benefit from the change to the Relocation Expenses Policy and confirmed that regular advice had been sought on the matter from the Trust's HR Advisor.

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Malvern Hills Trust

Special Meeting of the Board
Park View Community Room, Malvern Town Council, Victoria Park Road, Malvern WR14 2JY
Thursday 13 February 2025 at 7pm

Present: John Michael (Chair), Simon Baggaley, David Baldwin, Richard Bartholomew, David Core, Allan Cottam, Mark Driscoll, Lucy Hodgson, Charles Penn, John Raine, Felicity Robinson, John Stock, Mary Turner, Frances Victory, Malcolm Victory, Sheila Wren.

In attendance: CEO, Secretary to the Board.

Absent: Paul Bennett, Robert Berry, Richard Fowler, Chris Rouse.

1. **Confidential**
   On the proposal of John Stock, seconded by Lucy Hodgson, it was RESOLVED unanimously to exclude the public for discussions of items 4-5 on the agenda on the grounds that publicity would be prejudicial to the public interest by reason of the exempt or confidential nature of the business to be transacted (matters relating to individuals/legal privilege).

2. **Apologies for absence**
   David Fellows, Mike Wilkinson.

3. **Chair's Announcements**
   None.

   There were two confidential items (minutes 4-5)

6. **Date of Next Meeting**
   Thursday 13 March 2025

The meeting closed at 8.50 pm

Paper A
For Decision

Ordinary meeting of the Board

Title: Revised timescale for the production of the next Land Management Plan
Date: 13 March 2025

In June 2024 the Land Management Committee agreed a timetable for the production of the new Land Management Plan and this was subsequently approved by Board with a completion date of 31 March 2026.

However, the Conservation Manager (CM) would like to request a 12-month extension to the timetable for the reasons given below:

1. Funding increase – the amount MHT receives from its stewardship agreements has recently increased due to Defra making changes in the payment rates. This will provide a useful resource for conservation works linked to the stewardship agreements. Extra time will allow for the planning of how to best use this extra income on delivering the LMP.

2. Evidence – the LMP's objectives have key performance indicators that require data and evidence. Whilst some of this can be collected by staff, we do rely on external bodies too – this provides independent and expert data. Included within this category is the condition of the Sites of Special Scientific Interest (SSSIs). Historically these have been assessed by Natural England but this has not happened in many years due to their resource constraints. The CM has flagged this issue with Natural England and requested that the Malvern SSSIs are assessed. We do not at this stage know if Natural England will assign any resource to this. If they do not then staff will have to arrange a proxy.

3. Operational handovers – although, the new Land and Property Manager is in post, the CM is still dealing with 'legacy' land and property matters and investing much time on this and on the Land and Property Manager's and new Community & Conservation Officer's inductions and first few months of 'feet-finding'. (This will also soon be the case for the new Operations Manager too).

4. Following the recommendation from the recent Alder Report, it is desirable to undertake more communications about the LMP, especially the build up to the revision. This was not planned for in the original timetable and an extension would permit an increase in communications.

5. As the CM writes, in mid-February, significant staff and trustee resources are still required on the Parliamentary Bill and this is likely to continue into 2025. It does not seem sensible to ask staff and trustees to be dealing with this plus the LMP drafting.

Paper A
For Decision

LMP TIMETABLE

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2024											1 LMP review (CM)	
2025			2 Data and evidence gathering									
				3 Consultation (inte		4 Comms on the LMP (public)					5 Drafting	
2026				6 Consultation on the draft			7 Feedback analysis,			8 Final drafting		
				(public and stakeholders)			response and LMC					
2027	9 Board final review and			10 LMP								
	adoption.			starts.								

1 CM to review the current document and list all errors and omissions.

2 Data and evidence gathering – staff, volunteers and contractors will gather targeted, contemporary information that will a) understand the current plan's performance against objectives and b) update the information base of Part 1.

3 Internal consultation on the current LMP allowing staff and trustees to feedback.

4 A range of different communications with the public to raise the profile of the LMP, inform them of what it is and what it delivers and how they'll be able to review a draft of the new LMP soon.

5 Drafting of the new LMP.

6 Consultation on the draft LMP following publicity build up. All stakeholders and public.

7 Review, analysis of the consultation feedback. Liaison with LMC over any changes to be made in response.

8 Final drafting.

9 Presentations and workshops for Board to allow final consideration. Adoption.

10 LMP goes live on 1 April 2027.

Paper A
For Decision

RECOMMENDATION:

That the Board considers the above and approves this revised timetabling of the Land Management Plan.

Jonathan Bills
Conservation Manager
13 March 2025

Paper C
For Decision

Ordinary meeting of the Board

Staff Handbook updates

13th March 2025

Update #1

Expenses and allowances for staff required to attend evening meetings (3.9 in staff handbook)

This section of the staff handbook has not been updated since JUN18 and so a revision is suggested at this time.

Amendments to the old wording are noted in yellow.

Staff required to attend evening meetings (being any meeting likely to end after 8pm) may claim the following allowances:

Travel

Staff who work their normal day and need to go home before returning for an evening meeting may claim mileage at the normal rates. If this allowance is claimed, subsistence will not be payable.

Staff may choose to modify their work hours (eg start later) by agreement with their manager to incorporate meetings if this is possible and practical.

Subsistence

Staff who work their normal working day who are then required to attend an evening meeting and do not need to or are unable to travel home before the meeting, may claim for a meal ~~a meal allowance of~~ up to ~~£10.00~~ £15.00 which must be supported by appropriate receipts. This will be reimbursed via employee expense claim and is not subject to tax and NI.

Out of pocket expenses

Staff who incur out of pocket expenses for child care, animal care or care of dependant adults may claim the cost of that care for the duration of the meeting, subject to a maximum of current national living wage (https://www.gov.uk/national-minimum-wage-rates), at the time of writing this is £11.44 per hour. ~~£10 per hour~~. Claims must be agreed in advance with the CEO and receipts presented with the claim.

Approved 14.6.2018

Sent for Board approval 13.03.25

Update #2

<u>Staff parking permits (new 3.13 in staff handbook)</u>

All staff members will be entitled to 2 x free of charge Malvern Hills Trust parking permits for use on their own vehicles. Staff must provide 2 registration numbers for these vehicles and a pass will be issued annually whilst you are a member of staff.

(Previous policy was 1x free pass).

Update #3

Minor changes and updates from HR Department in January 2025:

1. Medical Assessment (1.2 staff handbook) – The word Applicant removed as no medical questions can be asked prior to appointment.
2. Motor Vehicles (3.10 staff handbook) – Text added to say that you are required to give the company access to your details held on the DVLA website.
3. Flexible working requests (7.18 staff handbook) can be submitted from day 1 of employment.
4. New Carers Leave (8.4 staff handbook) paragraph inserted as below.
5. Carers Leave (8.4 staff handbook):
    - Employees are permitted from day one of employment, to request one week of unpaid leave a year to care for a dependant with a long-term care need. Employers can postpone the time if the operation of the business would be severely affected. Employers must explain this in writing giving notice before the leave was due to begin and allow the employee to take it within a month.

Recommendation:
Board to approve all three updates to the Staff Handbook, effective immediately.

Nicky Gutteridge
Finance & Administration Manager
13 March 2025

Paper D
For Decision

Ordinary Meeting of the Board
Accounting policies and procedures manual ANNUAL UPDATE
13 March 2025

The Accounting Policies and Procedures Manual is maintained and updated as frequently as is required. If something pressing is needed, for example the delegated authority for CEO, then this can be dealt with as a standalone Board item and that was the case in July 2024.

The Finance and Administration Manager (FAM) proposes an annual review and update every year in February, for March Board approval capturing any and all other amends that might be needed.

The Manual is not included in the meeting papers since it is available on the Members' section of the website.

Trustees have been alerted to the updated manual in advance of the 13 March meeting for their review and comments.

Recommendation:

To approve the updated Accounting Policies and Procedures Manual February 2025 as detailed in the Members' section of the website.

Nicky Gutteridge FCA
13 March 2025

Malvern Hills Trust

Ordinary Meeting of Land Management Committee
Guesten Suite, Lyttelton Well, Church Street, Malvern WR14 2AY
Thursday 5 December 2024 at 7 pm

Present: Mike Wilkinson (Chair), David Baldwin, Richard Bartholomew, David Core (non-voting), John Michael Felicity Robinson, Chris Rouse, John Stock, Malcolm Victory, Frances Victory, Sheila Wren.

In attendance: Matt Gardner, CEO, Conservation Manager, Secretary to the Board, Operations Manager, incoming Community & Conservation Officer, two field staff, one warden, two members of the public.

John Michael welcomed everyone to the meeting as outgoing Committee Chair.

1. **Election of Chair**
   Mike Wilkinson was elected unopposed as Chair, nominated by John Michael and seconded by Felicity Robinson. He thanked John Michael for his work as Chair over the last year and welcomed members of staff and members of the public to the meeting. He particularly welcomed the new Community & Conservation Officer, who was attending her first meeting.

2. **Election of Vice-Chair**
   Felicity Robinson was elected unopposed as Vice-Chair, nominated by Sheila Wren and seconded by Richard Bartholomew.

3. **Apologies for Absence**
   Mark Driscoll.

4. **Declarations of Interest**
   Chris Rouse has commoners' rights on parts of the Malvern Hills that he has exercised in the past and could do so again.

   In addition, his son, Matt Rouse, was formerly a grazier on MHT land under a grazing licence. This gives Mr Rouse a potential Conflict of Interest in relation to awarding the grazing licences and supporting the licensed grazier.

5. **Chair's Communications**
   Mike Wilkinson advised that he intended to re-order the agenda so that staff could leave when they had given their reports.

6. **Public Comments**
   There were none.

7. Field Staff Presentation

A member of the Field Staff Team gave a presentation on the variety of work undertaken by the Team. The presentation was much appreciated by Committee members.

- In answer to a question about what one thing would make life easier for the Team, the staff member commented that it was hard work, but staff enjoyed it. Most members of the public were appreciative and there was little negative feedback, although there were occasional sexist remarks. The worst part of the job was dealing with dog excrement.

8. Operations Manager's Report

The Committee received a paper from the Operations Manager (OM) detailing work undertaken by Field Staff between June and November 2024. The OM commented that the weather had brought particular challenges this year, with a wet spring and then a wet September which had hampered the mowing and vegetation management programmes. It had been difficult to keep on top of these and to manage the expectations of members of the public. The Trust had chosen to leave some areas unmowed; there had been a mixed reaction from the public, with some approving the decision, while others felt they weren't getting value for money. A trustee suggested that signs might be erected to explain why not mowing was a good thing and the OM added that it was interesting to see what started to reappear when an area was not mowed. The CEO said that the Land Management Plan made it clear what work was to be done where and that the Trust could refer to this in the case of a complaint.
A trustee asked about the particular issue at the Evendine Spring Culvert. The OM explained that the overflow from the spring went into drains on the other side of the highway. Over time some pipes had gone out of line due to traffic and roadworks and it was difficult to keep them clear of debris, especially in winter. Herefordshire Highways had been informed, but it was not clear whose responsibility the pipes were. They would need replacing soon and the OM anticipated complaints from local residents. A trustee commented that the Council had unblocked pipes there in the past.

A trustee asked if the mini tractor was too big to deal with strimming works on the paths. The OM said it could be used in some areas.

9. Wardens' Report

A Warden provided a verbal summary of works recently undertaken by the Wardens.

- Wardens had led 14 conservation days with volunteers
- Due to wet and windy weather, the Wardens had had to clear tracks and to deal with flooding and fallen trees.
- Wardens had worked with the police to deal with the problem of cars performing 'doughnuts' on the Commons, nighttime metal detectors eroding

the Hills and stealing objects, and nighttime mountain bikers going through electric fencing.

- Two notices had been served on rough sleepers and Wardens had cleared up following their departure. A trustee asked whether support was offered to rough sleepers and it was confirmed that the Wardens would alert Maggs Day Centre.
- Wardens had undertaken manual handling training to assist with the problem of managing heavy bags of dog excrement. The weight of full sacks were believed to have far exceeded safe lifting levels and the CEO was working with the Town Council to address this, perhaps with smaller sacks. The CEO was also working with local councils on good practice and a 'show and tell day' had been suggested. The CEO asked for a volunteer from the Committee to work on possible solutions; John Stock and Richard Bartholomew both volunteered. The CEO cautioned that there was no budget for this project.
- Wardens had dealt with two significant dog attacks on livestock. They had been able to catch the dogs and speak to the owners.
- Wardens were due to beat the bounds with the new Land and Property Manager when she started work in February. The Trust needed a single repository for the locations of the paths, rather than relying on the knowledge of individual members of staff.

10. Graziers' Report

Matt Gardner (MG) gave a verbal report.

- Professional dog walkers were becoming an issue for the graziers; there was one persistent offender who did not keep their dogs under control. MG queried whether the Trust should require professional dog walkers to be licensed; it was confirmed that this provision was included in the Private Bill. The CEO said that dog walker groups were happy to work with the Trust.
- Grass levels at Castlemorton were quite good.
- Stock in September had looked much as it did in February or March due to the wet weather.
- Sheep numbers had recovered and were now similar to the same time last year. There had been no recent cattle deaths on the roads, although there had been a couple of sheep incidents. Members of the public now seemed to call the police more often regarding stray livestock.

The Warden left the meeting at 8.20.

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11. Matters Arising from the meeting held on 27 June 2024

The Committee was pleased to learn that the new signs requested by Malvern Wells Parish Council had now been installed. Temporary variable messaging signs were also now in use. This positive outcome was the result of MHT and the Parish Council working together.

12. Land Management Budget for 2025-26

The Committee received the draft Land Management Budget for 2025-26, together with a covering paper from the Conservation Manager (CM), which he went through. It was noted that it was proposed to increase most items only by inflation; a figure of 4% had been used. The CM highlighted areas where expenditure was forecast to increase by more than inflation (contractor fencing) and where budget lines differed from those of previous budgets. Maintenance of ponds and ditches had been separated, since these were very different; Fixed Assets had been split into annual, regular, special and due for replacement. In answer to a question, the CM advised that replacement of Warden vehicles was included in the General Fund and not in the Land Management budget.

A trustee asked whether the Trust was aware of the second hand value of its fixed assets; the CM confirmed this and added that there would be some trade-in to offset the full purchase prices. The CEO suggested that the Committee might wish to include consideration of the budget for Visitor Services, adding that the new Land and Property Manager might well want to present this budget next year.

The CM reported that large increases in income had been budgeted for from the two Higher Tier Stewardship Schemes, following increases made by Defra to certain land management options. The Trust was aware that the Rural Payments Agency was always tardy in paying and we propose not committing the additional income until it had actually been received. The payment for the Countryside Stewardship for Castlemorton of £146k, due by the end of June 2024, had only just been received.

On the proposal of Malcolm Victory, seconded by Richard Bartholomew, it was RESOLVED unanimously to recommend to Board the approval of the Land Management Budget for 2025-26.

13. Purchase of remote controlled mower

The Committee received, for information, a paper on the potential purchase of a remote controlled mower. The CM explained that the Trust had historically been dependent on tractors for the management of vegetation. Remote control machinery had been available for some time, but when the Trust had last looked at the possibility 10 years previously, the technology had not been sufficiently developed at that time. It had now however become highly desirable for a number of reasons, which were listed in the paper; the CM also drew attention to a photograph of a member of staff manoeuvring a tractor on the hillside. The OM pointed out that this member of staff

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was due to retire and the other drivers were reluctant to drive on slopes. It was likely that the replacement member of staff would come from an agricultural background and would not be used to driving on slopes. The Trust was therefore likely to be obliged to look at alternatives.

The CM reported that outright purchase of remote controlled mower would cost around £70k and the Trust would need to factor in some extras in the interests of health and safety. Longer term hire would be much cheaper and would have the advantage of the owner being responsible for repairs and being able to trade in the model every few years, but there was a risk of the machine then not being available when the Trust wanted it.

Malcolm Victory left the meeting at 9 pm

There was a general agreement amongst trustees that it would be sensible to hire a machine in the first instance and then look into purchase if the trial was successful. More analysis was needed on the financials and the availability of a machine for hire.

Matt Gardner, the Operations Manager and the Community & Conservation Officer left the meeting at 9.05 pm.

14. Easement Resurfacing

The Committee received a paper prepared by the CEO, detailing current requests by easement owners for the Trust to contribute to significant resurfacing or repair of base layers. The paper included an appendix of advice from John Stock (provided in a volunteer capacity) on potential projects at The Purlieu and The Rhydd. The CEO advised that requests from easement owners had been considered on a case by case basis in the past. The Trust's solicitors had confirmed that there was no obligation on the Trust to contribute to repairs and that even if it had done so in the past, it was not obliged to do so again. However, the Trust needed access to its land and wanted to be a good neighbour. The CEO went through the various requests and recommendations in the paper, urging committee members to think about the principle of contribution.

David Baldwin and a member of the public left the meeting at 9.20 pm.

The committee did not make a decision on any of the specific projects in the paper or allocate a budget. Instead, they considered that any possible project should be determined on a case by case basis informed by the following principles: Any potential contribution should be assessed on the level of benefit of the works to MHT's own operations. MHT would not usually lead a project but would expect the easement owners to do so. MHT could provide technical input and advice on the design of works. The CEO was content to respond to the easement owners on that basis.

15. **Request for easement confirmation and parking licence for Orchard House, Mayfield Road**
The Committee received a paper prepared by the Conservation Manager. It was noted that the property owners were requesting a confirmation of their prescriptive right to drive across MHT land to access their garage, via Deed of Grant. The Committee was also asked to consider the drawing up of a temporary licence to serve as a parking area for two vehicles. Staff had discovered that an area of MHT land had been resurfaced with Cotswold stone and edged with wood, and plants introduced, which was in breach of the byelaws. A trustee asked whether the Trust could offer a 'half way house' of a PVC grid. The CM said that the Trust would offer a licence with specified conditions.

On the proposal of John Stock, seconded by Sheila Wren, it was RESOLVED unanimously to recommend that Board approve confirmation of prescriptive right and a parking licence for Orchard House, Mayfield Road, Malvern, subject to the conditions listed in the paper.

16. **Winter Works Programme and Conservation Manager's Report**
Due to the late hour, it was agreed to circulate these reports to committee members after the meeting.

17. **Outdoor visits and meetings 2025**
The CM said he would circulate ideas for outdoor visits. He suggested trustees might be interested in a two hour walk of the King's Third. A trustee suggested that a visit could be arranged around a key topic in the Land Management Plan.

18. **Urgent Business**
There was none.

19. **Dates of next meetings**
Thursday 3 April
Thursday 26 June (Summer Walk)
Thursday 4 December

The meeting closed at 9.40 pm

Malvern Hills Trust

Finance Administration and Resources Committee
Guesten Suite, Lyttelton Well, Church Street, Malvern WR14 2AY
Thursday 12 December 2024 at 7.00pm

Present: Lucy Hodgson (Chair), Robert Berry (left 9.20), David Core, Allan Cottam (left 9 pm), Richard Fowler, John Raine and Mary Turner.

In attendance: CEO, Secretary to the Board, Finance & Administration Manager (FAM), Wolfie Papirnik of RBC Brewin Dolphin (for item 7).

Absent: Paul Bennett

David Core opened the meeting.

1. **Election of Chair**
   David Core reported that two nominations had been received: Robert Berry, proposed by Richard Fowler and seconded by David Fellows; Lucy Hodgson, proposed by David Core and seconded by Mary Turner. Lucy Hodgson was elected by a majority vote in a secret ballot.

   Lucy Hodgson took the Chair.

2. **Election of Vice-Chair**
   Robert Berry said that he did not wish to stand for the role of Vice-Chair. No nominations had been received by the deadline and so the election was deferred until the next meeting.

3. **Apologies for absence**
   David Fellows, John Michael.

4. **Chair's communications**
   Some of those present had worn Christmas jumpers in recognition of the Save the Children Christmas Jumper Day. A collection was taken for the charity.

5. **Declarations of interest**
   There were none

6. **Public comments**
   There were none, no members of the public being present.

7. **Investment Report**
   The Committee received, under confidential cover, a report from Wolfie Papirnik, Charity Investment Manager for RBC Brewin Dolphin, on the current situation of the

markets in general and the performance of the Trust' investment portfolio in particular. Mr Papirnik presented the report to trustees and questions were invited.

7.1 **Questions and comments from Trustees**

- *What is likely to happen with inflation?* We expect inflation to remain above 2% during 2025, but below 3%.
- *Why are the top performers on the portfolio all American?* We have a preference for the US. The election of Donald Trump as the next president has had a positive response from the markets.
- *Are there any sustainability funds in our portfolio? I am concerned that Croda International uses pesticides and that we shouldn't be investing in a company providing pesticides.*
- *It is four years since MHT last reviewed its Investment Policy; we should do this in 2025 and identify particularly businesses that we would like to prioritise for investment.*
- *How low is the portfolio's ESG Risk compared with the average*? It is unusual for the figure to be lower than 21%, although it is possible.

Trustees thanked Wolfie Papirnik for an interesting discussion. It was noted that RBC Brewin Dolphin would need prior warning if the Trust wished to consider further restrictions on its investments; any restriction should be in line with the Trust's values and objects.

Wolfie Papirnik left the meeting at 7.50 pm.

8. **Matters Arising from the FAR meeting held on 29 August 2024**
There were none.

9. **Management Accounts for the 7 months to 31 October 2024**
The Committee received the accounts. The Finance & Administration Manager (FAM) reported that the reserves position was being reviewed quarterly. The free reserves had stood at £780,470 at the end of September 2024; these included the unrestricted gift fund. The FAM said there were no issues with the reserves level but warned that the Trust might need to use some reserves.

The FAM made the following points:

9.1 **Balance Sheet**

- It was an audit requirement to show the Flagstone monies as cash.
- The RPA stewardship scheme payments had been slow to arrive; in October, the Trust had still only received 83% of the monies owed for 2023. The Trust was mindful that it could not commit this money until it had actually been received.

9.2 **General Fund**

- The income percentage of the Levy would be shown in the Notes to the Management Accounts for each report, together with a memo on how this had been calculated. It would be shown on a month-by-month basis from next year.
- The sum of £5k had been spent from the Communications budget on a specialist report and there was more expenditure to go against this line before year end. Overall communications investment was still lower than the Trust would like, but it was resource driven.
- Governance-related legal advice currently stood at £21,185; this was **not** Bill-related.
- Training was over-budget due to an active decision to invest in health and safety training in particular.
- Recruitment was over-budget due to the post of Land & Property Manager having to be advertised twice, as well as the Community & Conservation Officer advertising.

9.3 **Designated Funds**

- A trustee asked whether it would be possible to remove the designation fund on boundary commission, given the likely changes to local government. It was noted that Parliament was due to discuss the next stage of the local government reorganisation very shortly and that it would be sensible to wait for the outcome of those discussions.
- The FAM drew the Committee's attention to the separation of Bill costs into Promotion & Preparation legal costs and Other Costs. There would be an updated spend statement for the web site shortly.

9.4 **Restricted Funds**

- It was planned to spend from some small, restricted pots.

9.5 **Questions and comments**

- The CEO had been in discussions with Herefordshire Council, who had previously questioned their £22k contribution towards cleaning and compliance at British Camp. It was noted that the Council had been committed to this payment for some time, but the question of withdrawal had been raised before. Now that services were outsourced, it was difficult for councils to absorb such costs.
- The CEO referred to the overspend on recruitment, commenting that advertising vacancies had become very expensive and indeed the Trust had chosen not to advertise in the local press for the second round of the Land & Property Manager recruitment. In answer to a trustee question, she confirmed that online advertising also cost money, with LinkedIn being very expensive.

10. **Loan Drawdown Tranche #1**
The Committee received, for information, details of the proposed loan drawdown of £100k on 31 December 2024; further drawdowns were budgeted for 31 March (£90k) and 30 September 2025 (£50k), and 31 March 2026 (£60k). The FAM drew the meeting's attention to the breakdown of the Parliamentary Costs budget in the paper, explaining that the £20k showing as 'contingency' was for other legal advice. It was noted that the Chair of FAR would sign off the drawdown, which would be reported to the Committee once completed.

11. **Report on spend of £30k contingency approved by Board January 2024**
The Committee received a report prepared by the FAM and the CEO. It was noted that since the Land & Property Manager would not be taking up her post until February there was capacity for the Trust to address some of the other recommendations in the Staffing Review. Not all the measures could be included in the contingency budget, but would appear in the 2025-26 budget, for example long service and on-call allowances. The increases in staffing capacity and the handover between the outgoing and incoming Community & Conservation Officers, both made possible by the contingency, had been really useful.

The Trust was required to cover professional fees for the new Land & Property Manager, and so it was thought appropriate to offer professional memberships to the other senior management team members too; this would benefit the charity and help to retain staff. SMT wanted all members of staff to benefit in some way from the contingency; for example, there were plans for a one-off personal allowance for staff for outdoor clothing to enable them to purchase anything not covered by their current allowance. The Trust might not be able to uplift salaries, but it could contribute to clothing.

It was noted that some of the provisions would have a minor impact on future budgets. It was also noted that there had been a slight overspend of the contingency: £34,650 against a £30k budget.

Questions and comments from trustees were invited.

- A trustee suggested that there overspend of the contingency should not be seen negatively, because there was a good explanation for it.
- A trustee expressed concern that benefits given to staff should not turn out to be benefit in kind for tax reasons. The trustee was also concerned that the Trust might be asking staff what they *wanted* rather than providing what they *needed*.
- A trustee asked which organisation(s) the Trust intended to use for its benchmarking exercise. The CEO explained that the Trust's HR provider had a database that allowed them to benchmark against thousands of similar roles. She confirmed that the HR Advisor would explain the procedure to staff; it might or might not result in salary uplift.

- In answer to a question about whether the benchmarking exercise would go into detail about professional development, the CEO stressed that she did wish to plan a progression path for outside staff.
- A trustee expressed concern that the Committee was being asked to prioritise the various costs in the paper when they all seemed very important. Although it was confirmed that there was no additional budget available, it was confirmed that some costs could be moved around, for example the backdated pay award.

The Committee RESOLVED unanimously to recommend that the Board:

- **Approve in principle the prioritisation of costs against the £30k contingency;**
- **Accept the introduction of an annual professional membership/qualification and its associated fee for each member of senior management team, where appropriate.**

12. **Budget 2025-2026**

The Committee received a draft budget for 2025-26, together with detailed accompanying notes prepared by the FAM. The FAM warned that after transfers the Trust was forecasting a deficit of £71,947; reserves were likely to reduce, the gift fund would have to be used, and the Trust would need to find a way to generate income to cover additional costs.

12.1 **Income - Levy**

The FAM drew the meeting's attention to a table in the appendix detailing projected total income and likely individual charges to tax payers at Band D level, with a selection of percentage increases from zero to 10%. The FAM had been advised that MHDC planned to raise their share of Council Tax by 2.91% and that she should assume the tax base would remain the same, although it might increase slightly. She told the Committee that if the Band D Tax Base were to increase by even 1%, trustees should consider the Levy further before and at the Board meeting on 16 January. A trustee asserted that the Board would not be observing its objects if it took such an action, suggesting that the Trust was not actually in deficit, but only appeared to be because of how the accounts were structured. The CEO countered that there were certain things that the Trust was deferring because they couldn't be afforded. A trustee added that the Board had to start with what the Trust needed to operate effectively, observing that it was already charging well below the figure it might have been charging by now, had the Levy always been increased by the maximum amount possible. It was agreed to defer a decision on the Levy until the Committee had scrutinised the whole budget.

12.2 **Income - Car Parking**

It was noted that additional meters were planned for Old Hills in 2025-26. A trustee asked whether it would bring in additional income if there were a half day tariff. The CEO said this was on the list of things to review; the Trust benchmarked with similar organisations, but it did not currently have the necessary depth of understanding of consumer behaviour or the warden capacity to bring this in. The FAM thought that half-day parking would *reduce* income.

12.3 **Income – Grants**

The budget included a 5% uplift to the WCC grant, although the FAM queried whether it should be 6%. A trustee suggested that this was not in line with RPI, but it was pointed out that the budget was set on a line by line basis and the Trust wanted to close the gap between grants and the Levy. The CEO stated that a policy on fees and charges was needed.

12.4 **Income – Rentals**

The FAM had looked carefully at previous year's actuals and the budgets were based on those. The Malvern Hills National Landscape Team had agreed to vacate one room in Manor House for both they and MHT staff to use for hotdesking and so the income from them would decrease.

Allan Cottam left the meeting at 9 pm

12.5 **Expenditure – General Fund**

The FAM made the following points:

- Although there had been an underspend on communications in recent year, the budget had been left at 2024-25 levels, because there were plans in place following the arrival of the new Community & Conservation Officer. The CEO advised that if the Trust commenced corporate PR, there might be in-year pressure on this budget.
- The IT budget had been increased following the loss of the previous Community & Conservation Officer's IT expertise and in recognition that much of the Trust's hardware was old.
- A trustee asked whether a retainer for legal costs had been considered. The FAM said that the Trust had just signed a new agreement with its solicitors. She added however that the new Land & Property Manager was a qualified surveyor and that it was therefore possible that property-related legal costs would reduce.
- A trustee asked whether the £500 budget for staff events included trustees and it was confirmed that it didn't. It was clarified that this budget was for team building events.
- There was a 11% uplift to the salaries budget, including a projected 4% cost of living rise in April 2025. A trustee asked what the exit strategy was for the Governance Change Officer post. It was noted that the Parliamentary Agent had confirmed that the post would still be required on an annualised hours basis.
- It was confirmed that the proposed staff long service award would commence in April 2025; this would not be backdated. A trustee

queried whether the introduction of an on-call allowance constituted a change of terms and conditions, observing that there had been no definition of the meaning of 'on-call', and asked if these had been looked at in detail. The trustee added that they had seen no improvement in productivity with the increase in numbers of staff and pay costs. The FAR Chair referred the question of productivity to the Staffing Committee.

Robert Berry left the meeting at 9.20 pm

- A trustee asked about the long service award. It was confirmed that 13 members of staff would benefit from this in 2025 and that awards would range from £100 for five years' service to £350 for 25 years' service. The trustee suggested that these levels were too low. It was noted however that staff retention was not all about money.

12.6 **Expenditure – Designated Funds**

The FAM made the following points:

- Although the paper stated that the dog campaign fund was to be closed, the new Community & Conservation Officer had plans for it and so the FAM was not now proposing to release that fund.
- The Trust hoped to implement deferred major projects at Top Shed and Lower Shed.

12.7 **Recommendations**

Prior to the vote on the Levy, the Chair asked the meeting to consider whether the appropriate course of action was to set the Levy at an increase of 5%, but that if the Tax Base turned out to be different, this should be discussed again. A trustee queried whether 5% could be justified if inflation was below 5% and asked whether the FAM had assumed 5% increase in all costs across the board. The FAM stated that she had been through every budget line individually and that the increase percentages varied.

On the proposal of Mary Turner, seconded by John Raine, it was RESOLVED, with five in favour and one abstention, to recommend to Board that the Levy for 2025-26 be set at £732,100, subject to possible review of the total when the MHDC tax base information was made available in mid-January 2025. If the tax base Band D number were to change by 1% or more, there should be a new sensitivity analysis and discussion at the January Board meeting, when the final decision would be made.

On the proposal of David Core, seconded by Lucy Hodgson, it was RESOLVED unanimously to recommend to Board that daytime car park

meter prices at main car parks be increased to £6.00 per day and evening rate charges be increased to £3.50, both from 1 April 2025.

On the proposal of David Core, seconded by Mary Turner, it was RESOLVED unanimously to recommend to Board as follows:

- That residents' car park passes be increased to £8.00 per annum from 1 June 2025;
- That annual car park passes be increased to £55 per annum, plus £28 per annum for a second car, from 1 April 2025;
- That the necessary work and installation of two car parking meters at Old Hills be carried out in 2025-26;
- That the WCC Grant claim be requested at £14,175;
- That the balance on the fundraising designated fund (c£10k) and the sink hole designated fund (c£28k) be released to general funds;
- That long service awards and on-call remuneration for staff be introduced;
- That the General Fund Budget for 2025-26 be approved;
- That the Designated Funds Budget for 2025-26 be approved; and
- That the Restricted Funds Budget for 2025-26 be approved.

John Raine proposed a Vote of Thanks to the FAM for her comprehensive budget preparation.

13. **GDPR – Review of Data Breach Log**

The Committee received an update report from the CEO. She highlighted the following points in her report:

- Trust staff had received Data Protection Awareness training from the Trust's Data Protection Officer (DPO), Ametros Group. The slides had been shared with trustees.
- Trust staff, supported by Ametros Group, had responded to a Data Subject Access Request (DSAR). The scope of the DSAR had been very wide and the learning from this was that the Trust might negotiate on scope should a similar request be received in the future.
- The CEO referred to data breaches by present and former trustees and the related advice given by the DPO. One of these concerned a trustee who had emailed Trust information to a personal email account before resigning; this was considered unauthorised removal of information.

On the proposal of John Raine, seconded by Mary Turner, it was RESOLVED unanimously to recommend to Board that there should be an exit interview for all leavers (trustees and staff), when the leaver would be reminded of their post-employment confidentiality responsibilities.

14. **Risk Management Red Flag Items**
The CEO reported that the Trust was currently addressing these, via items to this Committee meeting a) recommendations in the Staffing Review and b) reputational risks.

15. **Audit of Reputational Vulnerabilities and Strategic Options**
The Board received, under confidential cover, a paper prepared by the CEO, following a reputational audit by a specialist company. The Trust was working towards a new marketing and communications strategy. The CEO proposed to drawdown £25k from reserves to resource public relations, on the basis that over several years, communications budget underspends had been absorbed back into reserves.

On the proposal of David Core, seconded by Mary Turner, it was RESOLVED, with five in favour and one against, to authorise a drawdown of £25k from reserves to resource new experienced communications and marketing capacity for a year to 18 months and to accept a proposal from the specialist company for a Board communications workshop and media training.

16. **Date of Next Meeting**
Thursday 22 May 2025

The meeting closed at 10.05 pm.

Malvern Hills Trust

Ordinary Meeting of Staffing Committee
Hampton Suite, Colwall Park Hotel, Colwall, Malvern WR13 6QG
Thursday 23 January 2025 at 6.00 pm

Present: Frances Victory (Chair), David Baldwin, Richard Bartholomew, David Core (non-voting), Lucy Hodgson, John Raine, Mary Turner.

In attendance: CEO, Secretary to the Board, Finance & Administration Manager.

1. **Election of Chair**
   David Core opened the meeting and welcomed Frances Victory as the new Chair. She was appointed unopposed, nominated by Sheila Wren and seconded by David Baldwin. Mrs Victory took the Chair.

2. **Election of Vice-Chair**
   Sheila Wren was appointed unopposed as Vice-Chair, nominated by Frances Victory and seconded by David Baldwin.

3. **Apologies for absence**
   John Michael and Sheila Wren.

4. **Chair's announcements**
   Frances Victory was pleased to note the provisions for improvement of staff well-being and retention included in the 2025-26 Budget, which had been approved by the Board.

   There was a discussion about a start time for future meetings that might be convenient for both committee members and any staff who might wish to attend. It was agreed that future meetings would commence at 4.30 pm.

5. **Declaration of interests**
   There were none.

6. **Public Comments**
   There were none.

7. **Matters arising from the Minutes of the meeting held on 22 August 2024**
   7.1. Review of the Staff Protocol
   The Staff Protocol Working Group was due to meet in February to review how the Protocol was working. The CEO said that telephone contact from trustees appeared to have reduced, certainly for the Conservation Manager, but she was concerned that some of the contact had transferred to the Chair of the Board and this needed to be addressed. There had been some limited use of the

referral form, but in some cases this had been completed by a member of staff on receipt of an enquiry.

8. **Staffing Matters**
Frances Victory introduced this agenda item by reminding the Committee that its focus should be on strategy and policy, not implementation, which was the responsibility of the CEO.

8.1 Staff Review Recommendations
The Committee received an update report from the CEO on progress to date against the Staff Review recommendations. The CEO reported that the £30k contingency allocated by the Board had made a real difference, highlighting particularly the increase of capacity and the introduction of new staff benefits, which the contingency had made possible. The appointment of a new Land and Property Manager was major progress and would introduce expertise into the staff team that it had not previously had. The new postholder was due to start work on 3 February and a comprehensive induction was being arranged for her. There would be a backlog of work to cover, but going forward the CEO anticipated better tracking of infrastructure and improvements to relationships with neighbours. It was also hoped that the new manager's work would aid Land Management Committee's decision-making.

There had been numerous positive interactions between trustees and staff, not least the Wassail that had taken place the day before this meeting. Committee members were pleased to see photographs of the event. The CEO recorded her thanks to those trustees who had attended the leaving event for the outgoing Community & Conservation Officer. The CEO said that she planned to include further examples of interaction on future Staffing agendas. She acknowledged that some trustees chose not to engage, but these examples would show that interaction was happening.

The new weekend rota for the Wardens was working well, although it had been a difficult period with illness and injury, which resulted in there sometimes being only one Warden on duty. It had been necessary to call in the Field Staff team out of hours following an amber warning for snow. The Board had given permission for a new part-time Warden, whose hours would be arranged to complement those of existing staff. Remuneration for on-call work had been approved by the Board and would be incorporated into staff contracts; the opportunity to be on-call was to be extended to suitably qualified staff. In answer to a question, the CEO said that there were few incidents that required staff to attend in person – these included, for example, enforcing byelaws against the use of barbecues, or a dealing with a fallen tree on Trust land that was of immediate potential danger to the public. In most cases, the role of the on-call person was to alert the emergency services.

The plan to change the title of the Wardens to Rangers was noted with interest, since this had previously not been popular with staff; however, current staff had requested it. In answer to a question about when the change would be made, the CEO said that it would be part of a package of changes to contracts and minor rebranding, which would all be done and communicated at the same time. She added that a Trust volunteer archivist had carried out some research into the history of the Wardens and there were some interesting stories that could be released. It was part of the Trust's communications plan to write more in 'Ranger voice', because it was thought that the public responded better to an 'outdoor' voice. A trustee recommended being very clear about the reasons for the change of title and the CEO assured the meeting that this would happen. She added that there was only a modest cost to the change.

The CEO said that some recommendations were still in progress, including a review of the roles of the Board and executive staff, and a complete review of current staffing and objectives. The latter would not have been appropriate during her first year in post. A salary benchmarking exercise had begun and job descriptions and salaries had been passed to HRDept (the Trust's HR Advisor). The CEO was aware of some uneasiness amongst staff about the exercise and was arranging for the HRDept representative to deliver a session to staff on the process, so that it was transparent and understandable. The approach to objective setting had been quite varied across teams in the past. Now that the CEO had agreed hers, she intended to cascade down to managers and thence to staff, so that individual objectives were in line with Trust objectives.

A trustee asked about staff development from a wider perspective, for example sustainability training for field and conservation staff. The CEO hoped that over time there would be more opportunities for staff to learn as a team via away days. She was keen to there to be more shared understanding of conservation principles and more holistic land management.

Questions were invited on the £30k contingency. The CEO noted that due to the Land and Property Manager not starting until February, there might be an opportunity to do other things before the end of the financial year. David Baldwin said that he had previously provided information about land-based apprenticeships to the former CEO and suggested that the idea be revisited. The CEO said she would look into the possibility of offering an apprenticeship.

The CEO reported that the approved General Budget for 2025-26 included provision for long service and retirement awards. The Operations Manager and a member of the Field Staff team were both retiring in the summer and it was planned to hold an event at which to present their awards. Both vacancies would be advertised together at different levels. In answer to a question, the CEO confirmed that internal candidates would be welcome to apply, but she wanted to advertise externally as well in order to test the market. She commented that other organisations were more skilled than the Trust at promoting their staff benefits package and she was working with HRDept to improve the Trust's offer. A recent recruitment process had attracted candidates from further afield, but the CEO would like to have seen more qualified candidates to choose from. In answer to a question, she confirmed that the Trust was very specific about preferred qualifications.

8.2 Staffing next Steps
The CEO reported that the Protocol Working Group was due to reconvene and would be overseeing an anonymous Staff Survey. Sheila Wren had already seen the proposed questions. HRDept would carry out the analysis.

Tackling bullying & harassment training was being arranged for staff on Tuesday 25 February and the staff contacts, Lucy Hodgson and David Core, were invited to join that meeting. It was suggested that trustees who had been unable to attend the equivalent trustee course in November might be invited, but it was thought that some staff might not be comfortable with this. HRDept would be carrying out training for the four nominated contacts on the same day. The CEO said that she had previously felt vulnerable when trying to handle a bullying complaint and that it would be good to understand the process to follow.

The CEO confirmed that it had been decided not to recruit a communications staff member; it was not the right time and there was insufficient availability in the budget. Committee members agreed that this was the right decision.

The CEO advised that her performance review was due in March and would be carried out by the Chair and Vice-Chair of the Board.

8.3 Recommendations
On the proposal of John Raine, seconded by Lucy Hodgson, it was RESOLVED unanimously that:

- **the CEO should update the existing Serious Incident Report using her reports to this meeting and that of 22 August 2024 as evidence base and bring it to the Board for consideration at its March meeting;**
- **the CEO should continue reviewing current staffing provision, in consultation with the senior management team, and undertake a bespoke, internal job evaluation and pay banding exercise to be completed by March 2025; and**
- **in the light of trustee training in preventing and tackling bullying and harassment, there should be a review of the Trust's current policy and associated processes.**

Staffing Committee recorded their appreciation of the progress made so far.

9. **Changes to Staff Handbook**
No changes had been notified by the Trust's HR Advisor, but the CEO noted that some minor amendments would be needed following the introduction of staff benefits just approved by the Board.

David Core reported that conversations had started on Terms of Reference for the Board Effectiveness review, to be led by Governance Committee. He hoped that the review would lead to a better balance between strategic and operational business, especially in relation to what committees and the Board actually needed to approve and where it was sufficient for the CEO to report action taken. The Staff Handbook largely covered delegated responsibilities on how staff were managed.

10. **Health and Safety Update**

10.1. Health and Safety Report

The Committee received a report prepared by the CEO, who spoke to the paper. Significant progress had been made since the summer to address non-compliance and opportunities for improvement. The CEO recorded her thanks to Cheryl Morris for all her hard work, observing that considerable effort was needed to get even minor things done. All the Trust's health and safety documentation was now in order. It had been really helpful to have the Health & Safety Advisor, Keith Tomkins, on call; he had confirmed that there was nothing urgent outstanding and he had been impressed by the improvements made and staff enthusiasm about getting things right. In answer to a question about whether the Trust was inspected by the HSE, it was confirmed that there could be spot checks.

On the proposal of John Raine, the Committee recorded a vote of thanks to Cheryl Morris for her hard work.

A trustee asked whether a further online training session for trustees was required. The CEO confirmed that there would be an annual refresher, reminding the meeting that the Board could not fully delegate responsibility for health and safety. A trustee suggested that the Board could be better informed about the safety issues around outside machinery and working practices, and about public liability to those visiting the Hills.

The CEO reported that an asbestos management survey had been commissioned for each site and was due to take place in late February. There had not been a survey for 10 years. There was known to be a small amount of asbestos in Manor House, but this was safe provided it remained undisturbed.

The CEO referred to on-going safety concerns about bin emptying. She was investigating how this was handled by similar organisations and by the Council, with Richard Bartholomew representing the Land Management Committee. There was no immediate solution, since the Trust did not have the funds to outsource bin emptying.

10.2. Accidents, Near Misses, Incidents and Training

A trustee expressed concern that no Near Misses had been reported during the last period. The CEO insisted that staff were clear on the procedure for reporting Near Misses and that there was no hesitancy about doing so; there simply hadn't been any and there were accidents to note. David Baldwin said that he had previously devised reporting templates for near misses and safety observations; it was suggested that the availability of the latter be highlighted to staff.

The CEO confirmed that that the Health & Safety Working Group would look at patterns of accidents. She intended to obtain legal advice on the Trust's position if a grazier was injured when not wearing a helmet. She was developing a relationship with Visit Worcestershire with the aim of helping visitors prepare to visit the Hills e.g. by wearing appropriate clothing.

11. **Training Update**

- The Secretary to the Board reported that she was part way through an online course in Supporting Good Governance, run by the NCVO. The most recent session had covered review of board effectiveness, which was directly relevant to work currently being undertaken by the Governance Committee.
- Lucy Hodgson had attended training in risk management for trustees.
- The Finance & Administration Manager had attended an annual update course run by Charity Finance Group. The slides were with the Secretary to the Board for upload to the Board Members' area of the website.
- The CEO hoped to arrange for training for both trustees and staff in developing organisational values.
- The CEO wanted a more rigorous assessment of training needs, now that the training budget was being set for 2025-26 and she invited trustees to think about what trustee training might be needed.

12. **Urgent Business**

12.1. **Trustee Exchange**

The CEO reported that the Civil Society Trustee Exchange would take place in London on Tuesday 29 April. She had attended with David Core in 2024 and intended to go again. She would be writing to Chairs of Committees to find out if any of them were interested in attending.

12.2. **Staff Well-being**

- Mary Turner reported that she was representing trustees on a Staff Trustee Social Group. She thanked the CEO for her hard work organising the Wassail, which had been good for staff and volunteer well-being. The Social Group would be reviewing the event at their next meeting in February and thoughts about future events were invited.

- Mary Turner asked where well-being fitted into health and safety. The CEO confirmed that the HSWG would cover it, but it remained the responsibility of Staffing Committee. It was agreed that staff well-being should form a standing item on Staffing Committee agendas and the responsibility for it added to the committee's Terms of Reference.

12.3. **Volunteers**

The CEO suggested that the Committee should consider a paper on Trust volunteers and that volunteers might be invited to meetings.

13. **Date of next meeting**

Thursday 10 April 2025 at 4.30 pm

The meeting closed at 7.45 pm

DRAFT

Ordinary Meeting of the Board
South Worcestershire Development Plan Review – Inspectors' Examination
13 March 2025

Development can have an impact on the MH landscape and can also affect MHT land both directly (easement applications for example) and indirectly (extra visitor pressure on sensitive sites for example). It is therefore highly relevant that staff engage in Planning processes including the South Worcestershire Development Plan.

Background Documents
Historic:
- South Worcestershire Development Plan Review Trustees' Workshop (Dec 2022)
- MHT Response (Dec 2022) to South Worcestershire Development Plan Review Public Consultation (Regulation19).

Current:
Documents submitted by MHT due to be reviewed by the Inspectors:
- Exam1G Briefing Note on the Malvern Hills Acts (Aug 2024)
- Exam 64 Statement of Common Ground between the South Worcestershire Councils and the Malvern Hills Trust (Feb 2025)
- Written Statement Index
  Malvern Hills Trust Response to Inspectors matters, issues and questions (Feb 2025)
  Matter 10: Urban Extensions WS10/6 Malvern Hills Trust
  Matter 13: Malvern Hills Allocations WS13/13
  Matter 16: Policies for Transport, Green Infrastructure, Historic Environment, Tourism, Leisure and Community Facilities WS16/10

To view the above current documents please use the following link: South Worcestershire Development Plan Review | Local Plan Examination Services

Background / Current Status
Planning Inspectors have been appointed to undertake an independent examination into the soundness and legal compliance of the South Worcestershire Development Plan Review. The Inspectors' role / position is to consider the soundness and legal compliance of the submitted Plan, based on the criteria set out in paragraph 35 of the National Planning Policy Framework 2023 and associated regulations, namely the Planning and Compulsory Purchase Act 2004, the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Inspectors will take into account the representations submitted upon the Regulation 19 Draft Plan as far as they relate to soundness considerations. A number of informal debates will take place on the principal matters identified by the Inspector; these are termed Hearing Sessions. These Hearing Sessions commenced on 4th March 2025 and take place over a 4-week window. The SWDPR will be live-streamed and is available to watch via the following link https://www.youtube.com/@SWDPR

MHT officers will attend the Examination on the dates detailed below and where applicable will represent the Trust at the Hearing Sessions:

- 25 March 2025, Matter 10: Urban Extensions
- 26 March 2025, Matter 13: Malvern Hills Allocations
- 29 April 2025, Matter 15: Policies for climate change, resource management and environmental quality
- 30 April 2025, Matter 16: Policies for Transport, Green Infrastructure, Historic Environment, Tourism, Leisure and Community Facilities

At the end of the Examination, the Inspectors will prepare a report to the Local Planning Authorities with precise recommendations.

Sarah Jordan MRICS FAAV
Land and Property Manager
13 March 2025

Paper F
For Information

Ordinary meeting of the Board

Final 2025/26 budget as approved by Board

13 March 2025

Attached the FINAL 25/26 budget with all agreed adjustments from the January 2025 board meeting that were approved, now incorporated.

Please note that opening balances (01.04.25 B/F reserves) are estimates and these will get updated for actual balances when the 31 March 2025 year end is ready for the auditor, this will be before audit adjustments. The absolute final opening balance position will not be definitive until the 2025 audit is signed off in November 2025.

Nicky Gutteridge FCA
13 March 2025

Malvern Hills Trust
General fund budget 2025/26

Outlook 2024/25 at NOV24 £		Budget 2025/26 £	Prior year budget £
	Income		
630,800	4000 - Levy MHDC	668,700	630,800
66,270	4005 - Levy Hereford Council	70,400	66,270
13,500	4010 - WCC annual grant	14,175	13,500
0	4015 - Other grants	4,000	10,000
352,006	4100 - Car park meter takings	401,361	351,000
33,071	4110 - Residents' passes	35,000	34,500
40,831	4120 - Annual passes	44,625	42,500
2,850	4125 - Parking fines	4,000	1,600
7,788	4200 - Donations	8,000	6,000
11,050	4300 - Property rentals	11,100	11,100
6,463	4310 - Land rentals	7,400	8,200
2,011	4320 - Sundry rentals	120	50
0	4330 - Fairs and circuses	0	750
2,915	4340 - Ice Cream concessions	2,800	2,800
16,400	4350 - Easements	0	0
433	4360 - Wayleaves	6,000	4,000
7,747	4380 - AONB contribution	6,500	7,750
0	4370 - Sales of books, leaflets and maps	0	0
250	4400 - Administration charges levied	0	500
500	4410 - Compensation for work on land	0	1,000
11,356	4420 - Sundry income	6,500	6,000
125	4425 - Fishing permits	100	100
15,241	4510 - Bank interest receivable	21,000	9,000
8,413	4700 - Profit on disposal of fixed assets	5,000	10,750
1,230,020	**Total income**	**1,316,781**	**1,218,170**
	Land management purchases		
15,117	5000 - Contract labour	11,500	16,300
3,220	5001 - Tracks and paths	11,500	6,440
2,108	5005 - Drainage works	1,562	2,500
14,452	5010 - Vehicle and equipment expenses	17,836	17,150
13,344	5015 - Field staff vehicles fuel	14,300	13,750
0	5020 - LM equipment purchases less than £500	0	0
1,180	5025 - Hire of plant and equipment	3,000	2,300
8,335	5030 - Waste management	9,360	9,000
24,965	5035 - Treework	30,940	29,750
5,008	5040 - Grass cutting	5,533	5,320
9,161	5045 - Purchase of materials	8,000	11,440
1,694	5046 - Purchase of tools under £500	1,500	1,150
2,673	5050 - Protective clothing	2,700	3,250
915	5055 - Field consultancies	1,904	1,830
4,300	5060 - Tree safety survey	4,472	4,300
621	5065 - Conservation volunteers	1,196	1,150
499	5070 - Evendine Spring	603	580
3,841	5080 - Gardening	3,952	3,800
260	5081 - LM miscellaneous	6,520	520
0	5085 - Management plan	750	0
111,693	**Total land management purchases**	**137,128**	**130,530**
	Visitor services expenses		
8,300	5200 - Parking meters maintenance and repairs	7,800	11,155
16,476	5210 - Parking meters IT costs and transaction charges	20,500	17,700
1,108	5220 - Parking meters - tickets	250	1,155
1,335	5230 - Parking passes printing costs	3,465	3,465
2,500	5240 - Car park repairs	5,000	5,000
0	5250 - Other car park expenses	0	0
6,334	5300 - Wardens' vehicles fuel	6,500	7,200
4,085	5310 - Wardens' vehicle maintenance	4,444	4,040
709	5320 - Wardens' uniform and PPE	1,200	1,000

Malvern Hills Trust General fund budget 2025/26 - cont'd			
Outlook 2024/25 at NOV24 £		Budget 2025/26 £	Prior year budget £
2,309	5330 - Wardens' tools and equipment	2,530	2,300
736	5340 - Wardens' mobile phones	792	720
0	5350 - Wardens other expenses	0	0
43,891	**Total visitor services expenses**	**52,481**	**53,735**
	Communications and public engagement expenses		
1,000	5400 - Leaflets	2,450	2,000
435	5405 - Council tax payers leaflet	0	450
850	5410 - Annual report	850	850
100	5415 - Newsletters	200	200
500	5420 - Campaigns	1,000	1,000
1,368	5425 - Signs	2,000	2,000
750	5440 - Events programme	1,500	1,500
755	5445 - Exhibitions	1,500	1,500
0	5446 - Membership scheme	0	0
10,763	5455 - Other PR expenses	1,500	1,500
0	5456 - Annual picnic	0	0
0	5457 - Malvern RHS shows	0	0
232	5500 - Fundraising expenses	250	250
5,000	5510 - Communications support and engagement	10,000	10,000
21,752	**Total communications and public engagement expenses**	**21,250**	**21,250**
	Administration and governance expenses		
2,727	6000 - General rates	3,000	2,740
1,757	6001 - Rates British Camp car park	1,700	1,560
3,324	6005 - Water rates	4,320	4,150
8,087	6010 - Buildings maintenance	10,000	10,000
5,658	6015 - Electricity	7,500	7,200
1,771	6016 - Pay & Display meters electricity	2,600	2,300
1,593	6020 - Gas	3,500	2,300
2,401	6025 - Telephones - landlines	2,500	2,604
1,855	6030 - Mobile phones (exc wardens)	3,000	1,260
0	8010 - Depreciation - car park improvements	0	0
39,162	8015 - Depreciation - land managment equipment	40,750	37,000
3,153	8020 - Depreciation - office equipment	3,500	3,500
35,131	6045 - Insurance	37,000	36,000
2,191	6050 - Office equipment maintenance	1,600	3,850
436	6055 - Office equipment purchases under £500	1,400	0
2,320	6060 - Photocopier	2,500	2,200
4,612	6065 - IT support costs	6,000	5,155
12,020	6066 - IT other costs	15,100	12,510
722	6070 - Website	1,000	1,000
32,602	6075 - Legal fees	30,000	25,000
500	6080 - Valuation fees	1,000	1,000
13,375	6085 - Audit fee	14,000	13,000
2,663	6095 - HR consultant	3,000	2,625
16,354	6100 - Other professional fees	6,500	9,000
4,868	6101 - H&S	4,000	0
2,050	6210 - Room hire	3,000	2,000
1,394	6215 - Training - Board	3,000	2,000
2,247	6105 - Subscriptions	5,000	1,800
3,779	6110 - Bank charges	2,600	5,000
434	6116 - Flagstone Charges	1,800	0
3,099	6040 - Postage	3,500	3,000
3,959	6125 - Stationery	4,000	4,000
520	6135 - Recycling	700	400
5,367	6035 - Cleaning	5,500	6,000
1,125	6140 - Travelling expenses	1,000	2,000
0	6141 - Visits to other sites	0	0
0	6142 - Board social events	250	200

Malvern Hills Trust
General fund budget 2025/26 - cont'd

Outlook 2024/25 at NOV24 £		Budget 2025/26 £	Prior year budget £
773	6145 - Miscellaneous expenses	3,000	1,000
0	9998 - Suspense Account	0	0
500	6120 - Newspaper ads	1,100	1,000
224,528	**Total administration and governance expenses**	**239,920**	**214,354**
177,301	7000 - Basic salaries - Field Staff	198,400	178,100
114,989	7005 - Basic salaries - Wardens	136,500	115,800
170,984	7010 - Basic salaries - office based staff	211,850	*172,379*
109,725	70xx - Basic salaries - Conservation, Land & Property	135,950	*110,621*
0	7015 - Basic salaries - casual staff	0	0
17,505	7021 - Employer's NI - Field Staff	19,800	20,000
12,168	7025 - Employer's NI - Wardens	13,200	13,600
16,975	7030 - Employer's NI - office based staff	20,300	18,747
13,628	70xx - Employer's NI - Conservation, Land & Property	16,300	15,053
25,376	7040 - Pension Contributions - Field Staff	26,300	25,900
15,201	7045 - Pension Contributions - Wardens	17,200	15,300
20,773	7050 - Pension contributions - office based staff	25,650	21,700
18,668	70xx - Pension contributions - Conservation, Land & Property	23,050	19,500
21,000	Contingency agreed 18.1.24 - staff costs	0	30,000
77,630	7055 - LGPS lump sum deficit contributions	81,200	77,630
0	FRS 102 compensated absences provision	0	0
1,542	7060 - Group life assurance	4,000	4,000
0	7065 - Kiddivouchers	0	0
7,600	7070 - Training - staff	8,500	7,500
5,690	7075 - Recruitment	3,500	3,000
826,756	**Total staff costs**	**941,700**	**848,830**
1,400	Surplus/(Deficit) for the year before transfers	(75,698)	(50,529)
(2,000)	Transfer to LP Fund - loan interest	(12,900)	(13,770)
	Transfer to Promotion & Prep - loan capital	(7,600)	0
(162,000)	Transfer to other funds	(43,000)	(122,000)
2,259	Transfers from other funds	38,150	17,472
(160,341)	Surplus/(deficit) for the year after transfers	(101,048)	(168,827)
479,130	General fund brought forward	318,789	387,678
318,789	**General fund carried forward**	**217,741**	**218,851**

Capital items from the General fund	
IT and printers	8,000
Archive cabinet	2,200
Pay & Display meters Old Hills x2	12,000
Chain saws	1,500
Brush cutters	1,500
replace tractor-mounted chipper (high priority)	38,000
replace winch (high priority)	9,000
replace votex mower (high priority)	9,000
replace trailer (high priority)	8,500
replace generator (high priority)	1,000
	90,700

Malvern Hills Trust
Designated funds budget for the year ended 31st March 2026

N/C	Unrestricted Gifts	New Act Other "£104k"	Prom & Prep "£306k"	Marketing & Comms per FAR 12.12.24	Dog campaign des fund	Fundraising	Election exps des fund	Comm advice fund	Car park repair fund	Tree disease des fund	Ash dieback fund	CS North & Central	CS Southern Hills	HLS Chase End	HLS Old Hills	Grazing reserve	Sink Hole	Bad weather	DF assets	Basic Payment Scheme	Total
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
4015 - Other grants	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2,000	2,000
4020 - Stewardship annual grants	0	0	0	0	0	0	0	0	0	0	0	209,000	49,000	3,144	4,020	0	0	0	0	0	265,164
4025 - Stewardship capital grants	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4200 - Donations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4250 - Legacies	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4300 - Property rentals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4310 - Land rentals	0	0	0	0	0	0	0	0	0	0	0	2,279	0	0	0	0	0	0	0	0	2,279
4320 - Sundry rentals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4325 - Licences	0	0	0	0	0	0	0	0	0	0	0	5,500	750	0	0	0	0	0	0	0	6,250
4420 - Sundry income	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4700 - Profit on disposal of fixed assets	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total income	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**216,779**	**49,750**	**3,144**	**4,020**	**0**	**0**	**0**	**0**	**2,000**	**275,693**
5000 - Contract labour	0	0	0	0	0	0	0	0	0	5,000	30,869	9,000	5,000	750	1,000	0	0	0	0	2,000	53,619
5045 - Purchase of materials	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5100 - Graziers	0	0	0	0	0	0	0	0	0	0	0	62,400	15,000	0	2,500	0	0	0	0	0	79,900
5110 - Stewardship schemes direct costs	0	0	0	0	0	0	0	0	0	0	0	3,000	2,219	2,083	500	0	0	0	0	0	7,802
5035 - Treework	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5510 - Communications support and engagement	0	0	0	0	3,501	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3,501
6075 - Legal fees	0	0	107,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	107,000
6100 - Other professional fees	0	2,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2,000
7015 - Casual staff inc on costs	0	30,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30,000
8015 - Depreciation - land management equipment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,500	0	0	0	0	1,500
Total expenditure	**0**	**32,000**	**107,000**	**0**	**3,501**	**0**	**0**	**0**	**0**	**5,000**	**30,869**	**74,400**	**22,219**	**2,833**	**4,000**	**1,500**	**0**	**0**	**0**	**2,000**	**285,322**
Surplus/(deficit) for the period before transfers	0	(32,000)	(107,000)	0	(3,501)	0	0	0	0	(5,000)	(30,869)	142,379	27,531	311	20	(1,500)	0	0	0	0	(9,629)
4600 - Transfers from other funds	0	0	7,600	25,000	0	0	5,000	0	0	13,000	0	0	0	1,000	1,000	0	0	0	10	0	52,610
5105 - Transfer to general fund - stewardship staff time	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8100 - Transfers to other funds	(10)	0	0	0	0	(10,000)	0	0	0	0	0	0	(1,000)	0	1,000	(2,000)	(28,150)	0	0	0	(40,160)
Surplus/(deficit) for the period after transfers	(10)	(32,000)	(99,400)	25,000	(3,501)	(10,000)	5,000	0	0	8,000	(30,869)	142,379	26,531	1,311	2,020	(3,500)	(28,150)	0	10	0	2,821
Funds brought forward	401,464	58,666	(186,579)	0	3,501	10,000	5,000	12,276	0	46,570	30,869	318,521	61,449	2,874	12,294	54,893	28,150	0	10,269	28,983	899,200
Funds carried forward	**401,454**	**26,666**	**(285,979)**	**25,000**	**0**	**0**	**10,000**	**12,276**	**0**	**54,570**	**0**	**460,900**	**87,980**	**4,185**	**14,314**	**51,393**	**0**	**0**	**10,279**	**28,983**	**902,021**

Cash movement	Total
Surplus/(deficit) as above	2,821
Repayment of loan capital	(7,600)
(Increase)/decrease in debtors	0
Add back DF assets movement (not cash)	(10)
Increase/(decrease) in creditors	0
Net increase/(decrease) in cash	(4,789)
Cash brought forward	725,149
Cash carried forward	720,360

1 Capital items purchased from Unrestricted Gifts Fund	
Remote controlled mower (probably cancelled)	10
WARDEN VEHICLE may follow	
left for the template in case it or something else comes back	
	10

Malvern Hills Trust
Restricted funds budget for the year ended 31st March 2026

N/C	Parliamentary fund	Capital Outlay d'chgd	Lands Purchase fund 1	Lands Purchase fund 2	Lands Maintenance fund	BILL LOAN (CAPITAL)	Restricted Gift fund	Picnic bench donations	NIM book	Boost4biodiversity	Access for all	Tree donation scheme	UTCF	SDF fund	Total
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
4015 - Grants	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4200 - Donations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4350 - Easements	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4360 - Wayleaves	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4500 - Investment income @ 3 %	15,375	0	6,491	5,399	5,979	0	0	0	0	0	0	0	0	0	33,244
4510 - Bank interest receivable	0	0	4,982	0	0	0	0	0	0	0	0	0	0	0	4,982
4600 - Transfers from other funds	0	165,000	16,814	3,686	0	110,000	0	0	0	0	0	0	0	0	295,500
Total income	**15,375**	**165,000**	**28,287**	**9,085**	**5,979**	**110,000**	**0**	**0**				**0**	**0**	**0**	**333,726**
5000 - Contract labour	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5036 - Tree planting	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6075 - Legal fees	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6115 - Investment manager's charges	3,075	0	1,887	1,080	1,196	0	0	0	0	0	0	0	0	0	7,238
6116 - Flagstone Charges	0	0	377	0	0	0	0	0	0	0	0	0	0	0	377
6145 - Miscellaneous expenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8000/8005 - Depreciation	0	25,775	0	0	0	0	0	0	0	0	0	0	0	0	25,775
**** - Transfer to/from BILL LOAN CAPITAL RESTRICTED fund	0	0	0	110,000	0	7,600	0	0	0	0	0	0	0	0	117,600
8100 - Transfers to General fund	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8100 - Transfers to COD (capital items purchased)[1]	165,000	0	0	0	0	0	0	0	0	0	0	0	0	0	165,000
Total expenditure	**168,075**	**25,775**	**2,264**	**111,080**	**1,196**	**7,600**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**315,990**
Surplus/(deficit) for the period	**(152,700)**	**139,225**	**26,023**	**(101,995)**	**4,783**	**102,400**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**17,736**
Funds brought forward	512,491	1,630,538	377,391	179,978	199,312	190,000	5,130	7,408	2,901	1,389	2,864	904	2,673	453	3,113,432
Funds carried forward	**359,791**	**1,769,763**	**403,414**	**77,983**	**204,095**	**292,400**	**5,130**	**7,408**	**2,901**	**1,389**	**2,864**	**904**	**2,673**	**453**	**3,131,168**

Cash movement	
Surplus/(deficit) as above	17,736
Loan to restricted fund to cover cost of legal fees for new Act - taken from investment portfolio LP 2	110,000
Add back COD movement (not cash)	(139,225)
Add back funds transferred from investment portfolio to cover expenditure	165,000
less LP investment income retained in portfolio	(11,890)
Net increase/(decrease) in cash	141,621
Cash brought forward	219,280
Cash carried forward	360,901

1 Capital items purchased from Parliamentary fund	
SAW loos water main replacement	10,000
Foxhall Orchard Castlemorton	20,000
Manor House power supply upgrade	5,000
Earnslaw Wall rebuild	10,000
SAW upgrades	25,000
Manor House part 2 (BP 2.4.1)	15,000
Top Shed Storage (BP 2.4.3)	30,000
Lower Shed part 2 (BP 2.4.4)	50,000
	165,000

Malvern Hills Trust
Forecast Balance Sheet as at 31st March 2026

	Opening balance sheet 1.4.25		Closing balance sheet 31.3.26
Fixed assets			
Tangible assets	1,799,202		**1,984,887**
Investments	1,263,615		**1,000,503**
	3,062,817		**2,985,390**
Current assets			
Livestock	31,452		**31,452**
Debtors, prepayments and accrued income	306,520		**306,520**
Cash investments	424,788		**424,788**
Cash at bank	778,410		**775,344**
	1,541,170		**1,538,104**
Creditors: Amounts falling due within one year	272,565		**272,564**
Net current assets	1,268,605		**1,265,540**
Pension FRS 102 liability	(612,000)		**(612,000)**
Net assets	3,719,422		**3,638,930**
Represented by funds:			
Unrestricted - General Fund	318,789		**217,741**
Unrestricted - Designated funds	899,201		**902,021**
Unrestricted - Pension FRS 102 liability	(612,000)		**(612,000)**
Restricted funds	3,113,432		**3,131,168**
	3,719,422		**3,638,930**

Paper G
For Information

Ordinary meeting of the Board

Management accounts for the 9 months ended 31st December 2024

13th March 2025

Attached the management accounts for the first 9 months of the financial year are presented for Trustees' information.

Reserves review

Free reserves stood at £582,500 at the end of December 2024. Be mindful that the gift fund whilst unrestricted is generally held for spend on specific identifiable assets/projects. This may need to change as free reserves levels continue to fall. This was discussed at length in FAR DEC24. Also be mindful that the timing of the Levy income is a little distorting in DEC24 as mentioned in the notes to the accounts. This will be remedied in 25/26 as the levy will be spread month my month pro rata.
Actual reserves are being reviewed quarterly.

		ACTUAL
Policy		> £ 350,000
	31/12/2024	
General Fund Total	304,934	
Remove NBV of assets (vehicles and equipment + office equipment)	171,458	
rounding		
General Fund excluding NBV of assets	133,476	
All designated Funds:	**Free**	**Not free**
Gift fund	403,004	
HLS		76,578
Countryside Stewardshep		367,424
Tree disease fund		33,570
Ash dieback		91,246
Fundraising	10,000	
Modernisation of Acts - other costs		56,465
Modernisation of Acts - Prep/promotion of bill		-169,513
Election expenses		0
Dog Campaign	3,501	
Car park repairs	4,369	
Boundary commission advice		12,276
FAM/CEO replacement		0
Sink hole fund	28,150	
Track & Tree bad weather		7,000
Designated fixed assets		10,940
	582,500	
	166.43%	

Nicky Gutteridge FCA
13th March 2025

Malvern Hills Trust

Balance Sheet as at 31st December 2024

	£	£	NOTES
Fixed Assets			
Heritage assets	1,346,835		
Other land and buildings	208,897		
Improvements to capital assets	57,217		
LM vehicles & eq't	163,023		
Office equipment	8,434		
Investments	1,352,103		**B1**
		3,136,510	
Current Assets			
Livestock	31,452		
Investments	424,788		**B2**
Debtors & accrued income	331,260		**B3**
Deposits and Cash	576,472		
VAT Asset	2,583		
		1,366,554	
Current Liabilities			
Creditors : Short Term	95,883		
Payroll Taxation	13,941		
Wages	4,886		
VAT Liability	0		
		(114,711)	
Current Assets less Current Liabilities:		1,251,842	
Total Assets less Current Liabilities:		4,388,352	
Long Term Liabilities			
FRS 102 pension liability		(612,000)	**B4**
Total Assets less Total Liabilities:		**3,776,352**	
Capital & Reserves			
General fund	304,934		
Designated funds	935,010		
Restricted funds	3,148,408		
FRS 102 pension	(612,000)		
		3,776,352	

Malvern Hills Trust

General fund income and expenditure versus budget for the 9 months ended 31st December 2024

	Actual 9 mnths £	Budget 9 mnths £	Variance £	*Budget Annual £*	NOTES
Income					
Levy	381,670	697,070	(315,400)	*697,070*	**G1**
Grants	13,500	20,997	(7,497)	*23,500*	**G2**
Car park takings	337,222	332,788	4,434	*429,600*	**G3**
Donations	5,882	4,500	1,382	*6,000*	
Rents and licences	14,477	14,508	(31)	*19,350*	
Fairs & circuses	0	750	(750)	*750*	
Ice cream concessions	2,273	2,097	176	*2,800*	
Easements & wayleaves	22,978	3,878	19,100	*4,000*	**G4**
AONB contribtions	5,809	5,814	(5)	*7,750*	
Admin charges and compensation	75	1,125	(1,050)	*1,500*	
Sundry income	8,589	4,572	4,017	*6,100*	**G5**
Investment income	19,596	6,750	12,846	*9,000*	**G6**
Profit on disposal of fixed assets	8,413	8,064	349	*10,750*	**G7**
Total income	**820,483**	**1,102,913**	**(282,430)**	***1,218,170***	
Land management expenses					
Contract labour	7,532	12,222	4,690	*16,300*	
Drainage	1,722	1,872	150	*2,500*	
Vehicle and equipment expenses	15,276	23,175	7,899	*30,900*	
Hire of plant and equipment	5,060	8,478	3,418	*11,300*	
Tree work	1,360	27,319	25,959	*29,750*	**G8**
Grass cutting	3,348	3,987	639	*5,320*	
Purchase of materials and tools	7,774	9,441	1,667	*12,590*	
Protective clothing	2,261	2,439	178	*3,250*	
Field consultancies	4,179	5,677	1,498	*6,130*	
Conservation volunteers	712	864	152	*1,150*	
Water testing	209	432	223	*580*	
Gardening	2,607	2,853	246	*3,800*	
Tracks and paths	0	4,833	4,833	*6,440*	
LM miscellaneous	0	387	387	*520*	
Total land management expenses	**52,039**	**103,979**	**51,940**	***130,530***	
Visitor services expenses					
Car park meter expenses	16,943	22,767	5,824	*30,010*	**G9**
Car park passes	1,955	3,465	1,510	*3,465*	**G9**
Car park repairs	0	3,753	3,753	*5,000*	**G9**
Wardens' vehicle expenses	6,942	8,433	1,491	*11,240*	
Wardens' uniform and tools	2,334	2,475	141	*3,300*	
Wardens' phones	553	540	(13)	*720*	
Total visitor services expenses	**28,726**	**41,433**	**12,707**	***53,735***	
Communications and public engagement expenses					
Leaflets	435	1,953	1,518	*2,450*	
Annual report	0	850	850	*850*	
Newsletters	0	153	153	*200*	
Campaigns	0	747	747	*1,000*	
Signs, display and information boards	532	1,503	971	*2,000*	
Events programme	0	1,125	1,125	*1,500*	
Exhibitions	5	1,125	1,120	*1,500*	
Other PR expenses	13	1,125	1,112	*1,500*	
Fundraising expenses	164	189	25	*250*	
Communications support and engagement	10,103	7,497	(2,606)	*10,000*	**G10**
Total communications and public engagement expenses	**11,252**	**16,267**	**5,015**	***21,250***	**G11**
Administration and governance expenses					
Rates	8,065	7,414	(651)	*8,450*	
Buildings maintenance	5,836	7,497	1,661	*10,000*	
Electricity and gas	5,830	8,856	3,026	*11,800*	
Telephones	3,873	2,898	(975)	*3,864*	
Depreciation	34,164	30,375	(3,789)	*40,500*	
Insurance	25,696	27,000	1,304	*36,000*	
Office equipment	2,668	4,536	1,868	*6,050*	
IT	11,672	13,257	1,585	*17,665*	
Website	530	747	217	*1,000*	

Malvern Hills Trust

General fund income and expenditure versus budget for the 9 months ended 31st December 2024

	Actual 9 mnths £	Budget 9 mnths £	Variance £	*Budget Annual £*	NOTES
Legal and professional fees	33,674	28,215	(5,459)	*50,625*	**G12**
Governance costs	3,171	3,006	(165)	*4,000*	
Subscriptions	1,848	1,350	(498)	*1,800*	
Bank and investment charges	2,386	3,753	1,367	*5,000*	
Postage	2,091	2,250	159	*3,000*	
Stationery, printing and recycling	3,483	3,294	(189)	*4,400*	
Cleaning	3,763	4,500	737	*6,000*	
Travelling expenses	326	1,503	1,177	*2,000*	
Miscellaneous exps	550	947	397	*1,200*	
Newpaper ads	335	747	412	*1,000*	
Total administration and governance expenses	**149,962**	**152,145**	**2,183**	***214,354***	
Staff costs					
Basic salaries	443,772	455,175	11,403	*606,900*	
Employer's NI	42,110	50,553	8,443	*67,400*	
Pension contributions	138,879	139,424	545	*160,030*	
Group life assurance	2,313	4,000	1,687	*4,000*	**G13**
Training - staff	6,645	5,625	(1,020)	*7,500*	**G14**
Recruitment	4,689	2,250	(2,439)	*3,000*	**G15**
Total staff costs	**638,408**	**657,027**	**18,619**	***848,830***	
Surplus for the period before transfers	**(59,904)**	**132,062**	**(191,966)**	***(50,529)***	
Transfers from other funds	3,708	2,148	1,560		
Transfers to other funds	(118,000)	(87,336)	(30,664)		
Surplus for the period after transfers	**(174,196)**	**46,874**	**(221,070)**		
General fund brought forward	479,130	409,634	69,496		
General fund carried forward	**304,934**	**456,508**	**(151,574)**		

Malvern Hills Trust - Designated Funds Income and Expenditure for the 9 months ended 31st December 2024

NOTES			D1A	D1B		D5					D6	D2	D2					D3	D4		
Category	**N/C**	**Unrestricted Gifts £**	**Modernisation of Acts other costs £**	**Private Bill - prepare and modernise £**	**Dog campaign des fund £**	**Fundraising £**	**Election exps des fund £**	**Tree disease des fund £**	**Ash Dieback fund £**	**Boundary Comm advice fund £**	**Car park repair fund £**	**CS North & Central £**	**CS Southern £**	**HLS Chase End £**	**HLS Old Hills £**	**Grazing reserve £**	**Designated Fixed Assets £**	**Sink Hole £**	**Track & Tree bad weather 23/24 £**	**Basic Payment Scheme £**	**Total £**
01 - Income	4020 - Stewardship annual grants	0	0	0	0	0	0	0	0	0	0	156,910	37,103	2,653	3,212	0	0	0	0	0	199,877
	4200 - Donations	1,540	0	0	0	0	0	0	377	0	0	0	0	0	0	0	0	0	0	2,772	4,689
	4250 - Legacies	12,079	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12,079
	011 - Sales of books, leaflets and maps	0	36	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	36
	4310 - Land rentals	0	0	0	0	0	0	0	0	0	0	4,319	563	0	0	0	0	0	0	0	4,881
01 - Income Total		**13,619**	**36**	**0**	**0**	**0**	**0**	**0**	**377**	**0**	**0**	**161,228**	**37,666**	**2,653**	**3,212**	**0**	**0**	**0**	**0**	**2,772**	**221,562**
02 - Land management expenses	5000 - Contract labour	0	0	0	0	0	0	0	0	0	0	(1,261)	(536)	0	(550)	0	0	(1,850)	(3,000)	0	(7,196)
	5035 - Treework	0	0	0	0	0	0	(2,295)	0	0	0	0	0	0	(8,500)	0	0	0	0	0	(10,795)
5040 - Grass cutting	5040 - Grass cutting	0	0	0	0	0	0	0	0	0	0	(3,200)	0	0	(700)	0	0	0	0	0	(3,900)
	5050 - Protective clothing	0	0	0	0	0	0	0	0	0	0	(220)	0	0	0	0	0	0	0	0	(220)
	5100 - Graziers	0	0	0	0	0	0	0	0	0	0	(46,799)	(10,875)	(1,897)	(1,508)	0	0	0	0	0	(61,079)
02 - Land management expenses total		**0**	**0**	**0**	**0**	**0**	**0**	**(2,295)**	**0**	**0**	**0**	**(51,480)**	**(11,411)**	**(1,897)**	**(11,258)**	**0**	**0**	**(1,850)**	**(3,000)**	**0**	**(83,190)**
03 - Car parks, wardens and PR	5400 - Leaflets	0	(833)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(833)
	5455 - Other PR expenses	0	(838)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(838)
03 - Car parks, wardens and PR total		0	(1,671)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**(1,671)**
04 - Administration costs	6075 - Legal fees	0	(18,406)	(144,624)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(163,030)
	6100 - Other professional fees	0	(6,400)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(6,400)
	6210 - Room hire	0	(384)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(384)
	6040 - Postage	0	(17)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(17)
	6125 - Stationery	0	(31)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(31)
	6140 - Travelling expenses	0	(86)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(86)
	6145 - Miscellaneous expenses	0	(67)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(67)
	6120 - Newspaper ads	0	(2,019)	(10,546)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(12,565)
04 - Adminstration costs Total		**0**	**(27,409)**	**(155,170)**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**(182,580)**
10 - Salaries	7010 - Basic salaries - office based staff	0	(25,230)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(25,230)
	7030 - Employer's NI - office based staff	0	(2,401)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(2,401)
	7050 - Pension contributions - office based staff	0	(5,046)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(5,046)
10 - Salaries Total		0	(32,677)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**(32,677)**
Surplus/(deficit) for the period before transfers		**13,619**	**(61,721)**	**(155,170)**	**0**	**0**	**0**	**(2,295)**	**377**	**0**	**0**	**109,748**	**26,255**	**756**	**(8,047)**	**0**	**0**	**(1,850)**	**(3,000)**	**2,772**	**(78,555)**
	4600 - Transfers from other funds	0	78,000	0	0	0	0	0	0	0	0	0	0	0	0	0	(1,588)	30,000	10,000	0	116,412
	8100 - Transfers to other funds	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Surplus/(deficit) for the period after transfers		**13,619**	**16,279**	**(155,170)**	**0**	**0**	**0**	**(2,295)**	**377**	**0**	**0**	**109,748**	**26,255**	**756**	**(8,047)**	**0**	**(1,588)**	**28,150**	**7,000**	**2,772**	**37,857**
Designated funds brought forward		389,385	40,186	(14,342)	3,501	10,000	0	35,865	90,869	12,276	4,369	170,990	29,446	1,563	22,245	60,060	12,528	0	0	28,211	897,153
Designated funds carried forward		**403,004**	**56,465**	**(169,513)**	**3,501**	**10,000**	**0**	**33,570**	**91,246**	**12,276**	**4,369**	**280,739**	**55,702**	**2,319**	**14,199**	**60,060**	**10,940**	**28,150**	**7,000**	**30,983**	**935,010**

Malvern Hills Trust - Restricted Funds Income and Expenditure for the 9 months ended 31st December 2024

NOTES		R1					R3								R4	R2	R4	
Category	**N/C**	**Capital Outlay d'chgd £**	**Parliamentary fund £**	**Lands Maintenance fund £**	**Land Purchase (1992) fund £**	**Land Purchase 2 fund £**	**BILL LOAN CAPITAL**	**Restricted Gift fund £**	**Picnic bench donations £**	**NIM book £**	**Tree donation scheme £**	**Boost4biodiversity £**	**Foothill Grasslands CSMT £**	**Urban Tree Challenge fund £**	**Access for All £**	**Handgate (DEFRA) £**	**SDF fund £**	**Total £**
01 - Income	4015 - Other grants	0	0	0	0	0	0	0	0	0	0	0	0	4,631	0	0	0	4,631
	4020 - Stewardship annual grants	0	0	0	0	0	0	0	0	0	0	0	1,465	0	0	0	0	1,465
	4200 - Donations	0	0	0	0	0	0	0	5,000	0	0	0	0	0	0	0	0	5,000
	4501 - Income from investment portfolio	0	11,313	4,434	6,854	4,365	0	0	0	0	0	0	0	0	0	0	0	26,966
	4510 - Bank interest receivable	0	0	0	4,434	0	0	0	0	0	0	0	0	0	0	0	0	4,434
01 - Income Total		**0**	**11,313**	**4,434**	**11,288**	**4,365**	**0**	**0**	**5,000**	**0**	**0**	**0**	**1,465**	**4,631**	**0**	**0**	**0**	**42,495**
02 - Land management expenses	5045 - Purchase of materials	0	0	0	0	0	0	0	(1,029)	0	(220)	0	0	(1,311)	0	(453)	0	(3,013)
2 - Land management total		**0**	**0**	**0**	**0**	**0**	**0**	**0**	**(1,029)**	**0**	**(220)**	**0**	**0**	**(1,311)**	**0**	**(453)**	**0**	**(3,013)**
04 - Administration costs	6115 - Investment manager's charges	0	(1,451)	(564)	(1,194)	(644)	0	0	0	0	0	0	0	0	0	0	0	(3,854)
	6116 - Flagstone Charges	0	0	0	(108)	0	0	0	0	0	0	0	0	0	0	0	0	(108)
	8000 - Depreciation - other land and buildings	(2,081)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(2,081)
	8005 - Depreciation - impt's to land and buildings	(16,509)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(16,509)
04 - Adminstration costs Total		**(18,590)**	**(1,451)**	**(564)**	**(1,303)**	**(644)**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**(22,552)**
Surplus/(deficit) for the period before transfers and investment gains		**(18,590)**	**9,862**	**3,870**	**9,985**	**3,721**	**0**	**0**	**3,971**	**0**	**(220)**	**0**	**1,465**	**3,320**	**0**	**(453)**	**0**	**16,930**
	8110 - Investment gains or losses	0	14,142	5,517	15,902	7,004	0	0	0	0	0	0	0	0	0	0	0	42,564
	4600 - Transfers from other funds	0	0	0	0	(100,000)	0	0	(2,120)	0	0	0	0	0	0	0	0	(102,120)
	8100 - Transfers to other funds	0	0	0	0	0	100,000	0	0	0	0	0	0	0	0	0	0	100,000
Surplus/(deficit) for the period after transfers		**(18,590)**	**24,003**	**9,387**	**25,887**	**(89,276)**	**100,000**	**0**	**1,851**	**0**	**(220)**	**0**	**1,465**	**3,320**	**0**	**(453)**	**0**	**57,374**
Restricted funds brought forward		1,631,538	513,363	193,962	512,991	215,458	0	5,130	7,408	2,901	904	1,389	0	2,673	2,864	0	453	3,091,034
Restricted funds carried forward		**1,612,948**	**537,367**	**203,349**	**538,878**	**126,182**	**100,000**	**5,130**	**9,259**	**2,901**	**684**	**1,389**	**1,465**	**5,992**	**2,864**	**(453)**	**453**	**3,148,408**

Malvern Hills Trust - Notes to the Management Accounts 9 months APR24-DEC24

General Funds

G 1 As a result of recent questions on levy amounts in the management accounts and statutory accounts where public statements have not been factual, I will begin adding a note in the management accounts to clear up this confusion

Note that the levy second tranche normally comes in during DEC, hence why budget and actual differ, in fact it was received on 07.01.25. Do not be alarmed by actual income to date being less than budget, it is because of this timing difference

The levy figure in the management accounts is NOT prorata so should not be used to calculate the proportion of total income that is made up by levy
DEC24 year to date levy amount per management accounts is 54.8 % of the total for 2024/25

To summarise:	£
General Fund Income year to date	820,483
Designated Fund Income year to date	221,562
Restricted Fund Income year to date	42,495
Total Income year to date	1,084,540
9/12 Annual levy (prorata actual total)	522,803
Levy % as a proportion of total income year to date	**48%**

Statutory accounts information:

	23/24	22/23	21/22	20/21	19/20	18/19	17/18
Total Levy	663,800	595,300	566,950	534,850	519,250	499,250	482,325
Total all income	1,441,202	1,273,061	1,395,317	991,187	1,415,335	1,226,396	1,042,809
Levy % as total of GF, DF, and RF (all funds)	**46.06%**	**46.76%**	**40.63%**	**53.96%**	**36.69%**	**40.71%**	**46.25%**
				Average over 7 years 17/18-23/24			**44.44%**

** GF = general funds DF = designated funds RF = restricted funds*

G 2 Grant Income comprises: £
24/25 WCC Countryside Conbtribution 13,500
For information - the board approved the equivalent claim for 25/26 at £14,175 which was passed in the JAN25 board meeting

G 3 As at 31.12.24 we are back on track and above budget on car park takings which is encouraging. JAN25 is also looking like a positive month and I anticipate we will still be ahead of budget by c. £5k on meter takings at the end of JAN25

G 4 2 notable easements, one in JUL24 and the other in NOV24 form a large part of the YTD total. Note that we do not budget for easements as they are unpredictable in quantity and value, hence why we have exceeded 24/25 budget

G 5 Includes £5k employment allowance that will be moved at the y/e to NI'er costs per audit advice

G 6 This is all Flagstone interest and Brewin Dolphin investment income earned on Funds invested whereby the earnings are general fund. Historically this was not reconciled until the year end but is now all being dealt with on a monthly basis for Flagstone and quarterly for Brewin

G 7 Disposal of JUN24 Toyota HiLux VE60 XHL resulted in pure book profit of £2,500 as the asset had been fully written off when it was traded in and 2 small pieces of equipment in JUL24 again pure profit. AUG24 was the disposal of a hedgecutter for £5650 book profit

G 8 Large treework costs are still expected in this year, just a little later than budgeted

Malvern Hills Trust - Notes to the Management Accounts 9 months APR24-DEC24

G	9	The carpark expenses budget 24/25 allowed for 2 new meters at Old Hills which will now not meterialise until the 25/26 year, as such overall costs around meter expenses, passes and carpark repairs are notably under budget	
G	10	Vulnerabilities audit by Alder Media Ltd and Marketing and Comms strategy support from Aran Parker	
G	11	Most PR related costs to date have been specific to the bill so are designated	
G	12	Legal and professional fees comprises:	£
		GDPR	675
		DSAR assistance	544
		HR	2,025
		Castlemorton advice	250
		ROSPA report Colwall contribution	121
		Land based legal advice	4,194
		Governance based legal advice	21,799
		Pension disclosure actuary	545
		Health & Safety general	376
		Fire risk assessments (H&S)	3,145
			33,674
G	13	The budget for the group life assurance (outside of the LGPS Scheme) was all charged at renewal but in reality the cost is spread over the year, hence under budget but this will roll out over the course of the year. In 25/26 this will be spread monthly	
G	14	Various training to date including first aid, conservation related and ladder training to AUG24. SEP24 saw significant additional training: winch, woodchipper, pruner, more first aid. OCT24 IOSH training	
G	15	Various advertising in relation to the proposed new Property Manager role. First round was unsuccessful but was re-advertised in SEP24 successfully. SEP24/OCT24 also sees the start of the recruitment for the new CCO. We will see further costs before year end relating to new warden and field staff roles	

Designated Funds

D	1	These are the designated pots set aside regarding the work towards the new bill. From 1st April 2024; 2 separate designated funds will run; one will be for the very specific legal costs as prescribed in the S74 order granted which must not exceed £306k - renamed "Preparation & Promotion of the Private Bill" (D1A). A formal process is required to draw down the loan to cover these costs and that commenced on 31.12.24. The second fund named "Modernisation of Acts other costs" captures all other costs associated with the bill preparation (D1B). During Q1/Q2/Q3, 3x a quarter of the budgeted £104k has been transferred in from general fund to cover these other costs.	
D	1A	OTHER COSTS	£
		Sharpe Pritchard (not prep/promotion of bill)	11,900
		VWV (not prep/promotion of bill)	1,671
		Misc. consultation costs	2,758
		Consultation legal advice	5,083
		Online consultation	6,400
		Bill advertising	1,134
		Staff costs	29,938
		Misc. other	134
		Admin support	2,739
			61,757

Malvern Hills Trust - Notes to the Management Accounts 9 months APR24-DEC24

D	1B	PROMOTION & PREPARATION OF BILL	£
		Sharpe Pritchard	128,551
		VWV	11,398
		Advertising	10,721
		Counsel's fees	4,500
			155,170

D 2 We have finally received most of the Northern & Central 2023 payment (83 %) on 14.10.24. Confirmation received 06.02.25 that a further £10,800 is now approved. Still not quite the whole amount but this is 97 % of the total we were expecting so this is MUCH improved. We have also received as at 11.02.25 75 % of the 2024 N&C and Sounthern payment - EXCELLENT news
The Southern grant payment for 2023 came in 25.09.24

D 3 No final verdict is out on the sink hole yet but it is looking extremely likely that the cost burden will fall on STWA and not on MHT. The designated pot is scheduled and budgeted to be released at 31.3.25

D 4 Per various 2023/24 notes regarding land management costs that did not happen due to the terrible wather at the end of the last FY, £5k tracks and paths and £5k tree work has been designated since the budgeted amounts in 2023/24 were not spent in time. These will happen partially in SEP24 (£3,000, done) and the rest safety treework should be DEC24

D 5 2025/26 budgets are now confirmed and this fund is released at 31.3.25 per the approved budget

D 6 This will be spent in FEB25 on the Welland carpark work

Restricted Funds

R 1 This represents the book value of all land and land/building improvement where the cost was funded from the Land Purchse or Parliamentary funds. These assets are inalienable (they can only be sold in very limited circumstances) and any proceeds must be used for the purchase of land. This includes heritage assets, other land, Manor House and Improvements to L&B

R 2 New designated fund - Handgate (Defra) project. This will see a variety of spends through the year with a grant reimbursing 100 % of costs before year end

R 3 £100k loan drawdown from the Land Purchase 2 fund was initiated on 31.12.24 in line with the terms of the loan. Interest and compensation payments are also activated at drawdown, the former will be an annual adjustment in April each year and the latter is payable 15 days after drawdown so will be in JAN25

R 4 This will be expensed before year end as part of match funding against the bike rack project. The bike project will also make use of the Access for all Fund.

Balance Sheet

B 1 Quarterly investment portfolio revaluation has been carried out to 30.9.24, historically this was only done annually but I am intending to do this quarterly when the reports are available. At quarter ends JUN/SEP/DEC/MAR the value will cover all movements (including market value revaluation) and in between it will just include cash transactions eg management fees or banked investment income

B 2 At the year end only the investments are allocated as either short or long term depending on the maturity at that date. I am not doing that throughout the year it is not particularly useful or worth the effort so will be just done at y/e. This is the split at 31.3.24 and the balance is under deposits and cash

Malvern Hills Trust - Notes to the Management Accounts 9 months APR24-DEC24

B	3	Included here is the income we are due to be paid from N&C and Southern which is slow to be paid over and mentioned also in D2. The accrued income covers all of calandar year 2024 to date and any shortfall from 2023 that we are still waiting to receive
B	4	Revised and updated annually, as advised by Actuary

Ordinary meeting of the Board
Conflicted Trustees
13 March 2025

Background Papers
Malvern Hills Bill petitions, available at:
https://committees.parliament.uk/committee/761/malvern-hills-bill-hl-committee/publications/bill-petitions/
Confidential minutes of the Special Board Meeting held on 13 February 2025 (to be approved at this meeting).

Background
Following the submission of the Malvern Hills Private Bill to Parliament on 27 November 2024, there was a period when individuals and organisations were able to petition against the Bill via the Government web site. Five trustees submitted a joint petition, two of whom also lodged individual petitions. At the Special Board meeting held on 13 February 2025, the Board determined that as a result of their petition(s), these five trustees all have conflicts of interest and loyalty in matters relating to the Private Bill. The Board resolved that the five trustees (the Conflicted Trustees) should be excluded from all further discussions and decisions about the Bill. The purpose of this paper is to clarify how these conflicts will be managed.

- **Adherence to Charity Commission guidance**
  To avoid the Conflicted Trustees being in breach of legal duties as trustees in the administration of the Charity, the Charity Commission advises that whilst **all** trustees must have a chance to contribute to decision making, this does not mean that all trustees have to agree to any decisions. Challenge and discussion are positive when making decisions for the charity but, once a decision is properly made, then trustees have to follow that. There is more guidance about this at *Decision-making for charity trustees - GOV.UK*

- **Board and Committee Meetings**
  - For any items relating to the Bill in open meetings the Conflicted Trustees will be treated as members of the public.
  - They may have access to papers and sit in the meeting but may not contribute to discussions and may not vote.
  - They will be excluded from any confidential Bill items and papers will not be shared with them.
  - Meeting agendas will be constructed so that any other confidential items are discussed before any Bill-related confidential items, after which the Conflicted Trustees will be asked to leave the meeting.
  - The Conflicted Trustees are free to participate in all other aspects of meetings and Board business in the usual way.

- **Workshops and working group meetings**
    - The Conflicted Trustees will be excluded from all such meetings on Bill related business.
    - They are free to participate in any such meetings on other subjects.
    - Any meetings that include both Bill and non-Bill business will be structured so that the Conflicted Trustees can be excluded once non-Bill related business has been completed. As far as possible such meetings will be avoided.
    - The Conflicted Trustees are not eligible to be members of any working group considering Bill related matters.

- **Contact with staff**
    - To avoid unnecessary contact with staff, the Conflicted Trustees should use the Referral Form on the Board members' area of the web site for any questions they may have.
    - On matters pertaining to the Bill, they are entitled only to information that is available to the public.
    - They may respond to any communications from staff on other matters.

- **External communications**
    - The Conflicted Trustees should continue to adhere to protocols around using their Trust email accounts to ensure data protection and also avoid special pleading to the Chair using private email accounts.
    - **All trustees** are reminded of the Code of Conduct requirement that **all public comments on all subjects** must be cleared with the CEO before they are made.
    - The Conflicted Trustees are required to refrain from any further public comments that are not in line with Board decisions, again relating to all subjects, not just the Bill.

Alison Marlow.
Secretary to the Board
13 March 2025