Reconvened Annual Meeting of the Board

Tuesday 24 February 2026 at 7.00 pm

Hampton Suite
Colwall Park Hotel
Colwall
Malvern, WR13 6QG

Malvern Hills Trust
Reconvened Annual Meeting of the Board
Hampton Suite, Colwall Park Hotel, Colwall WR13 6QG
Tuesday 24 February 2026 at 7 pm

Meeting at which the auditors for the year ending 31 March 2026 are to be appointed (deferred from the Annual Meeting on 13 November 2025)

Levy payers are entitled to vote on the appointment of the Auditors. Should you wish to vote please show a copy of your Council Tax bill on arrival at the meeting venue and you will be issued with a voting card.

Agenda

Introduction

1. Apologies for absence
2. Declarations of Interest
3. Short opener on the work of Malvern Hills Trust
4. Appointment of Auditors for 2025-26 — **Paper A pages 3-5**
5. Urgent Business
    - 5.1. Land and Property Matters
    - 5.1.1. Temporary licence for pedestrian access to Walden Cottage, Lower Dingle (WR14 4BQ) — **Paper B pages 6-8**
6. Date of next meeting
   Thursday 12 March at 7 pm at Colwall Park Hotel

Paper A
For Decision

Ordinary meeting of the Board

Audit Tender Process for year ends commencing 31st March 2026

24th February 2026

Background

An audit is required (broadly speaking) for a Charity where income exceeds £1m and assets exceed £3.26m or governing documents dictate that an audit is required and that is laid out in the Commissioners Clauses Act.

It was not the recommendation to reappoint Azets at the Annual Board meeting held on 13th November 2026, primarily based on the large fee. It was agreed that the Trust would go out to tender.

Azets confirmed that they would be happy to tender and they have been considered along with a further 6 auditors that have been selected based on a series of criteria. One of these had been proposed by a levy payer following the November meeting.

An invitation to tender was sent to all 7 auditors and the closing date for this submission was Tuesday 10th February 2026 at noon.

The criteria for consideration was:

1. Scope of Audit
2. Cultural fit
3. Technical competency & experience in the charity sector
4. Value for money & fees
5. Team competency
6. Audit Strategy
7. Location

Findings

Of the 7 auditors invited, one declined exclusively because they can’t meet the time schedule but would be very happy to be considered on another occasion.

The following auditors have tendered:

Azets Audit Services
Kendall Wadley LLP
Bishop Fleming
Thorne Widgery Accountancy Ltd.
Wenn Townsend
Kreston Reeves LLP

As detailed in the invitation to tender, and explained at the 15th January 2026 Board meeting, the Finance and Admin Manager (FAM), the CEO, the chair of FAR and the vice chair of FAR met on the 11th February 2026 to discuss all the tenders and each was ranked with regard to the 7 listed criteria detailed above.

A summary of the key points is noted here along with the unanimous recommendation by the 4 individuals (2 officers, 2 Trustees) carrying out the review.

Should any Trustees require further details then this can be made available confidentially. Please make any such request with full details via the Secretary to the Board.

Azets Audit Services
Existing auditor; large fee increase and significantly higher than all other quotes; the team already have experience of the service provided; director and manager led; top 10 firm with 88 UK offices; large charity and NFP team; #6 of 6 rank on cost (most expensive).

Kendall Wadley LLP
Very local helps significantly with getting the job done; older than the Trust which is a good cultural fit; a smaller firm than some but still a training organisation with 3x offices c. 45 staff; some interesting and similar clients; the service is partner led; being based in Malvern they 'appreciate the environment and history of the area and respect the impact MHT makes': #2 of 6 rank on cost.

Memo: FAM worked there from 1996 – 2013 and ACA qualified there which is not at all recent but she has a good understanding of the firm. Whether this is felt to be in some way a conflict is left with the Trustees and levy payers but it can also be seen to be a significant benefit.

Bishop Fleming
Top 25 charity firm; well placed in Cheltenham with c.50 staff and wider network of support (8 further UK offices); 400+ charity clients and 30% are Charity audit; have historic experience of the Trust as auditors for MHT at least 5 years 2018-2022 and excellent service received; high number of staff hold a diploma in Charity accounting; partner led: #4 of 6 rank on cost.

Thorne Widgery Accountancy Ltd.
Local based in Hereford; 50+ staff at Hereford office and a further 3 offices; ICAEW training organisation; they work with a number of similar clients like the Worcestershire Wildlife Trust; carry out a risk based audit and clearly had considered us specifically in the proposal making risk suggestions; will keep a consistency of staff wherever possible: #3 of 6 rank on cost.

Wenn Townsend
Only suggestion put forward by a levy payer; FAM had a very comprehensive chat with the partner; established 1876 so older than the Trust which is a good cultural fit; top 50 charity auditor nationwide; 'we will be an extension of your finance team'; lead partner is on the ICAEW audit faculty; extensive list of charity clients that he looks after many sound like a good fit and this was apparent from his knowledge when the FAM spoke with him; Oxford based but had no issue with travel for meetings; uses the Inflo document sharing platform that the finance team are already familiar with and like; good price

notably lower than current audit fee and a charity discount applied which carries through to following years: #1of 6 rank on cost (cheapest).

Kreston Reeves LLP
Auditor for Wimbledon & Putney Commons, which is a similar charity in that it also receives a levy; Chichester based so location added significantly to the fee quote and was explained in the pre tender information meeting; ranked top 30 in charity audits: #5 of 6 rank on cost.

Recommendation:

After careful review of all tender documents and discussion among the CEO, FAM, Chair of FAR and vice chair of FAR, the recommendation to levy payers is to appoint:

Wenn Townsend.
Initially for year ended 31st March 2026 but with the intention of continuing the arrangement for the following 2 years.

Memo: Second choice would be Thorne Widgery and third choice Kendall Wadley.

Nicky Gutteridge FCA
Finance and Admin Manager
17th February 2026

Special Meeting of the Board
Temporary pedestrian licence, Walden Cottage, Lower Dingle WR14 4BQ
24 February 2026

Background
Boundary plans confirm the hazardous slope is on MHT land immediately beyond the cottage's title; there is no practicable internal realignment. The Plan of the Proposed Path (1:500 @ A4) illustrates the MHT jurisdiction, the proposed alignment, the Registered Common Land layer, and the nearby public right of way. Officers would agree the pegged line on site within the corridor shown.

MHT accepts a prescriptive right on foot to the cottage as a residential dwelling, meaning the route is used as of right and must remain available for pedestrian access.

Issues of concern
Long-standing winter slipperiness has been reported; previous private measures (gravel/grids) failed due to runoff and erosion. A delivery operative (milkman) fell on 27 January 2026 on the slope. Photographs show steep gradients, eroded and bare soil.


Images taken 11.12.25 of current access, over which the pedestrian pathway is requested.

Site designations
This land is registered common. Any permissions required under the Commons Act 2006 s.38, and any other consents (planning, SSSI, AONB, utility permissions) are the applicant's responsibility. The Trust acts only as landowner-licensor and gives no warranty as to consentability.

A further constraint is the presence of Public Footpath WO/West Malvern 534(c). Any works intersecting, adjoining or affecting this footpath require the applicant to obtain the necessary permissions and approvals. This is independent of MHT's powers under the Malvern Hills Acts. The licence will specify that compliance with all public footpath legislation and consents remains the applicant's responsibility.

Policy Framework & Precedent
Under the Malvern Hills Acts (1884–1995), the Trust may regulate works on its land by licence, protecting public access and landscape. The Elmhurst case (Board 16/01/2025, Item 9.4) provides a precedent for a surfaced private access path with standard conditions.

Options
Option 1 Do nothing. Risk remains high; continued incidents possible; reputational/legal exposure; progressive erosion. Not recommended.

Option 2	Temporary permission (licence) now. Narrow reversible surfacing; immediate risk reduction; all external consents by applicant; mirrors Elmhurst practice. Recommended.
Option 3	Defer to a comprehensive long-term solution only. Unacceptable delay through winter; risk persists. Not recommended.

Proposed licence conditions

1. Width ≤75cm; line agreed on site by officers.
2. Surface to MHT-approved 'Malvern-type' aggregate-bound specification; reversible.
3. All statutory/third-party consents to be obtained by the applicant (including Commons Act s.38, planning, SSSI/AONB, utilities) before works; copies lodged with MHT.
4. Works by competent contractors; £5m Public Liability Insurance; RAMS to address public safety, signage and cordons.
5. Utilities search and protection: applicant/contractor responsibility.
6. All costs (installation & maintenance) borne by applicant; land remains under MHT jurisdiction and open to public access.
7. No posts/rails/lighting/kerbs/signage without separate consent.
8. No vehicular use; any variance requires prior written approval.
9. Duration: temporary (e.g., 12 months) pending Board review.
10. Licensee is solely responsible for obtaining all required statutory and third-party consents, including Commons Act 2006 s.38 and any permissions affecting Public Footpath WO/West Malvern 534(c), with no warranty from the Trust as landowner-licensor.
11. Reinstatement at the end of the licence at the applicant's cost.

Summary taking risk into consideration

Current risk High (active incidents, steep gradient). Residual risk after surfacing Low–Moderate. Landscape impact Low, reversible; public access retained. Precedent consistent with Elmhurst.

Subject to permitting temporary consent for 12 months, it is requested that the Trustees review the licence position at Board over the next 12 months to establish whether the licence should be permitted to rollover on an annual basis until such notice is served to bring the licence to an end, or whether the licence should be terminated and the land reinstated at the applicant's own cost.

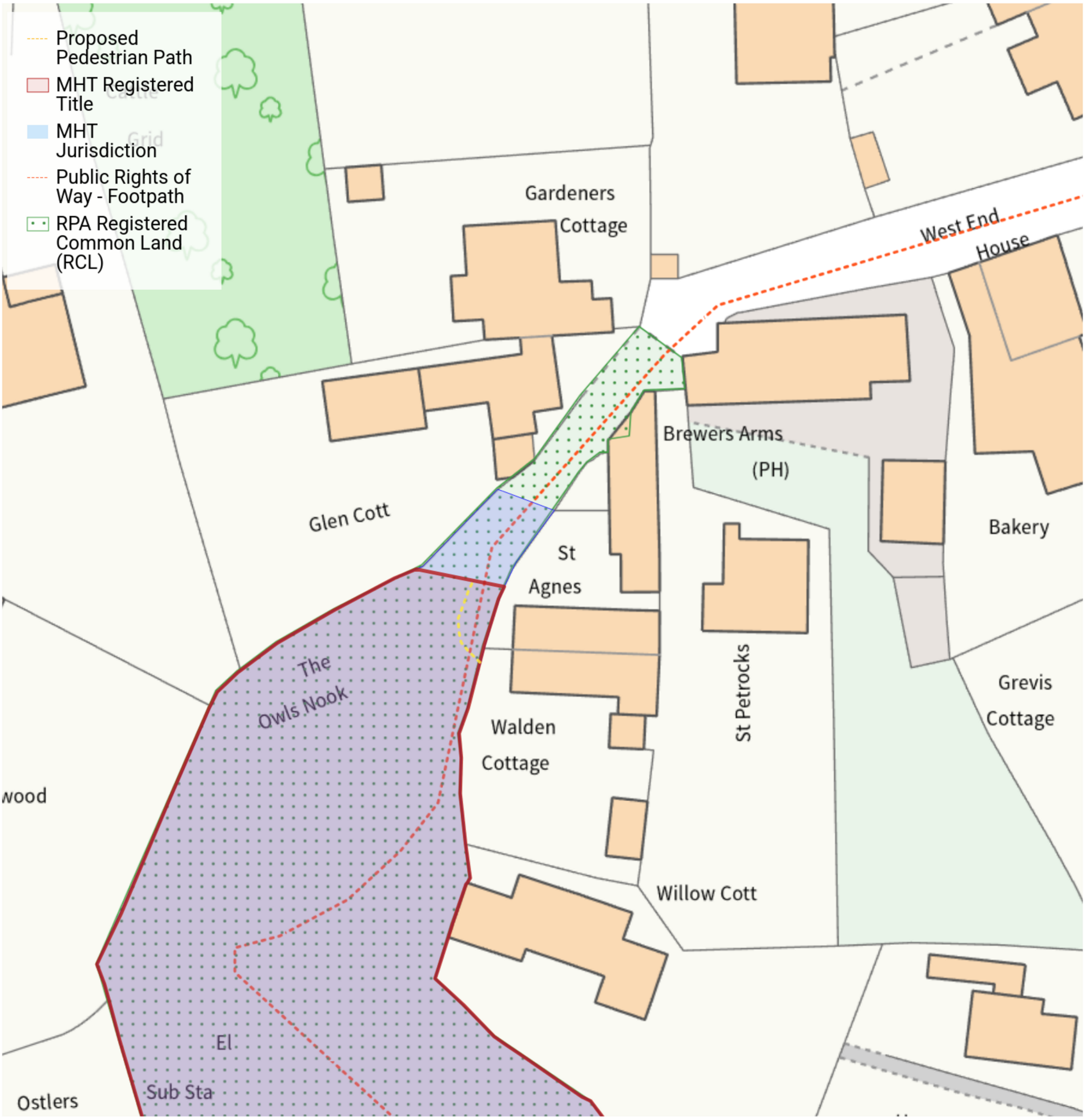
Recommendation:

That the Board resolve to ratify its preliminary agreement to grant without delay temporary permission/licence for a ≤75cm wide pedestrian surface on the specified line across MHT land forming the access to Walden Cottage, in accordance with the Plan of Proposed Path received by the Board and subject to conditions. This temporary permission will be for 12 months and will be subject to annual review by the Board.

Sarah Jordan
Land and Property Manager
10 February 2026

Malvern Hills Trust

Walden Cottage - WR14 4BQ



Produced on Land App, Feb 5, 2026.

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