

Malvern Hills Trust

Ordinary Meeting of the Board

By video/telephone conference and live stream

Thursday 11 March 2021 7.00 pm

Present: Mr C Atkins, Mr D Baldwin, Mr R Bartholomew, Dr S Braim, Dr E Chowns, Mr D Core, Dr G Crisp, Mr M Davies (Chair), Mr D Fellows, Mr R Fowler, Mrs H I'Anson, Mr J Michael, Mrs C Palmer, Dr T Parsons (joined during item 7), Mr C Penn, Prof J Raine, Mr C Rouse, Ms S Rouse, Ms H Stace, Mr T Yapp.

In attendance: CEO, Secretary to the Board, Finance and Administration Manager, Conservation Manager, Community and Conservation Officer.

Mr Davies welcomed everyone to the meeting.

1. Apologies for absence

Ms M Alexander, Mr M Dyde, Mrs L Hodgson, Mrs G Rees.

2. Chair's announcements

- An election would take place in Priory Ward on 6 May to fill the vacancy on the Board.
- The Annual Review publication had been posted on the web site (with printed copies available on request).
- The work on validating an easement application for an access off Guarlford Road adjacent to Mill Lane had been completed. The public consultation would start later in the month. A second application had been received and the Officers were going through the validation process.
- Item 9.3 (the contingency plan) would be dealt with in the confidential part of the meeting.
- The video of the GDPR training had been loaded onto the member section of the web site.
- Work was ongoing on the web site to overcome a problem with the search facility.
- There were a number of items of urgent business – an application from a local pub to permit them to use part of the common on a temporary basis and the CEO's appraisal and salary review (confidential section).

3. Declarations of interest

Mr Atkins – He had rights of common over Trust land.

Dr Crisp – He had an interest in relation to the easement application off Guarlford Road as he lived on Guarlford Road.

Mr Rouse – He had rights of common over Trust land and might have an interest in relation to the easement application off Mill Lane.

4. Public Comments

There were none.

5. To confirm the Minutes of the Board meetings held on 21 January 2021 and 8 February 2021

Some requests for substantive changes had been notified to the Secretary to the Board before the meeting and had been incorporated.

On the proposal of Mr Davies, seconded by Mr Penn it was **RESOLVED** (with three abstentions in relation to the minutes of the meeting of 8 February) to approve the minutes of the meetings held on 21 January and 8 February 2021.

6. Matters arising

There were none.

7. Governance Committee

7.1 On the proposal of Mr Bartholomew, seconded by Mr Core it was **RESOLVED** unanimously by the Committee members present to approve the minutes of the meeting of the meeting on 4 February 2021.

7.2 Matters arising

Mr Bartholomew went through the minutes. Mr Davies said the working group appointed to look at the costs and benefits of taking forward a private bill had met and co-opted Mr Fowler and Mr Dyde to assist. The working group appointed to look at better ways of working had taken no action and their remit had probably been subsumed into the implementation work arising from David Russell's reports.

7.3 Adoption of minutes

On the proposal of Mr Davies, seconded by Mr Atkins it was **RESOLVED** unanimously to adopt the minutes of the meeting held on 2 February 2021

8. Update on progress towards decision on promoting a private Bill

The Secretary to the Board had contacted the Charity Commission to try to obtain further detail about what would be required in support of an application under s74 Charities Act 2011.

9. Finance Administration and Resources Committee

9.1 On the proposal of Mr Core, seconded by Mr Penn, it was **RESOLVED** by the committee members present to approve the minutes of the meeting held on 11 February 2021.

9.2 Matters arising

Mr Core confirmed that the investments in fossil fuels had been sold in accordance with the policy change agreed in 2020.

9.3 Adoption of minutes

Dr Crisp raised a query about the Acceptable Use Policy, in particular, altering data on third party equipment. The CEO said he would discuss this with Dr Crisp direct. On the proposal of Mr Core, seconded by Mr Davies it was **RESOLVED** (with 1 abstention in relation to the resolution in minute 9.2) to adopt the minutes of the meeting held on 11 February 2021 and to resolve as follows

Item 7 (Reserves Policy)

To adopt the revised reserves policy as set out in the paper.

Item 9.2 (GDPR)

To adopt the updated Privacy Policy and the Acceptable Use Policy.

9.4 Vanguard investment

The Vanguard holding had been reduced in order to bring the investment within the parameters in the risk profile.

10. Health and Safety update

The paper set out a number of incidents which had occurred over the winter. The CEO explained the actions which had been taken following the incidents referred to. The Government website was being checked weekly for updated requirements in relation to Covid-19.

Mr Fowler said that he felt near misses were not being properly reported.

Dr Chowns asked if the Trust kept track of accidents affecting members of the public and whether there was any obligation to grit paths. The CEO said that such accidents were often not reported to the Trust. The Trust gritted the car park ramps, the main car parks and the path entrances to the car parks.

The CEO confirmed that two lengths of barbed wire had been placed across 2 downhill trails. The police had been informed. These could have caused serious injury and were removed as soon as possible.

11. To approve the Equality and Diversity Policy and refer it back to the Staffing Committee in order that the Committee may review how it was being implemented in practice

Mr Bartholomew asked if the policy should mention s 149 Equality Act 2010 (Public Sector Equality Duty)? The Secretary to the Board said she would investigate and refer the issue back to Staffing Committee. On the proposal of Mrs Palmer, seconded by Mr Bartholomew it was **RESOLVED** unanimously to adopt the amended Equality and Diversity Policy and to refer the question of implementation back to Staffing Committee.

12. Change of name of Lands Acquisition Fund

The Finance and Administration Manager had set out in a paper the reason why it would be sensible to change the name of the Land Acquisition Fund. On the proposal of Mr Core, seconded by Dr Brain it was **RESOLVED** unanimously to change the name of the Land Acquisition Fund to the Land Purchase (1992) Fund.

13. Land Management Plan 2021 - 26

The Conservation Manager had set out in the paper, for information, an explanation of how the implementation of the Land Management Plan would be financed. He confirmed that all major projects would come back to the Board as they were being planned.

The CEO said that once the Land Management Plan had been agreed, it would feed into the Business Plan, on which he hoped to start work in late spring. Funding sources for some of the work would need to be identified.

Mr Davies said that staff had done a fantastic job evaluating the operational land management requirements.

The paper was **NOTED**.

On the proposal of Mr Atkins, seconded by Mr Bartholomew it was **RESOLVED** unanimously to adopt the Land Management Plan 2021 – 26.

14. Urgent Business

Mr Core declared an interest as the Three Horseshoes was the nearest public house to his property. The CEO said he had received a request from the licensee of the Three Horseshoes for a time limited agreement to use Trust land in front of the pub. The

pub had no outdoor space of its own and would otherwise not be able to trade when the Covid restrictions were lifted to permit outdoor service. The pub would have to ensure their liquor licencing arrangements permitted service in this area, and it was covered by their insurance. The CEO could give the licence under his delegated authority and the Board were supportive of this proposed action.

The other item of urgent business would be dealt with in the confidential section.

15. Information

15.1 Malvern Spa Association – Mrs Palmer said the well dressing would go ahead. The Spa Association, Malvern Hills District Council and Friends of Priory Park would be looking at the watercourses in Priory Park.

15.2 AONB Joint Advisory Committee – No meeting had been held.

15.3 Wildlife Panel met on March 3rd and the minutes would be presented to the next meeting. They had planned two outdoor meeting over the summer.

15.4 Recreation Advisory Panel - No meeting had been held.

15.5 4Cs - No meeting had been held.

15.6 Management Report - a report had been circulated. There had been a lot of activity by Utility Companies on Trust land and there were plans to lay an electricity cable up Beacon Road, which would require careful management.

16. Date of next meeting

10 June 2021.

17. Confidential business

On the proposal of Mr Davies, seconded by Mr Bartholomew it was **RESOLVED** unanimously to exclude the public for discussion of item 18 on the agenda, a resolution from Finance Administration and Resources Committee and an item items of urgent business 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/personnel matters and commercially sensitive).

The meeting closed at 9.50pm