

## **Press Coverage of Malvern Hills Conservators St Ann's Well Dispute**

Please note that many of the articles regarding the dispute were published on the Malvern Gazette website and attracted numerous comments criticising the Conservator's actions. We have provided links to the articles that are online.

**25-09-09:** John Redman receives a letter from Harrison Clark solicitors who act for the Malvern Hills Conservators.

The letter states that the Malvern Hills Conservators oppose the grounds of a new tenancy to Mr Redman. The grounds of opposition are:

1. That on termination of the current tenancy our client's intend to occupy the premises for the purpose to be carried out by them.
2. That you will not be granted a new tenancy in view of substantial breaches by you of your obligations under the current tenancy (save as to payment of rent) or for any other reason connected with use or management of the premises.

### **01-10-09: Conservators unveil plans for St Ann's Well**

MALVERN Hills Conservators have unveiled new plans to develop facilities at St Ann's Well - but have told the present tenant to leave.

John Redman, who has been running the popular cafe on the hills for nearly 20 years, learned on Saturday that his lease will not be renewed when it ends in six months.

The Conservators will be taking St Ann's Well back under their own management from March 2010, said director Ian Rowat.

The plan is to restore the interior and open the room above the cafe as a visitor information centre. The cafe will open seven days a week through the summer and at weekends during the rest of the year.

Mr Redman said: "I'm not very happy about this. It will leave me with nowhere to live and no job, but I'm not altogether surprised. I thought that something like this might be coming.

"I don't know how they think they can make it work because it's not easy. There were some days in July and August when we didn't have a single customer."

He said as well as being his home and business, St Ann's Well provides a meeting venue for various groups, including the Vegan Society.

But Mr Rowat said the change will enable the Conservators to offer much better facilities.

"For a long time, we have wanted to provide a centre where visitors and residents can find out more about this unique and beautiful landscape. The 1995 Malvern Hills Act prevents us from rebuilding the popular cafe at the Beacon and providing a visitor facility there; St Ann's Well gives us the opportunity to realise our aim closer to the town.

"With its position half way up the hillside, St Ann's Well is the logical link between Great Malvern and the Malvern Hills and our proposals include various initiatives to encourage visitors to the hills down into the town centre."

[http://www.malverngazette.co.uk/news/4656865.Conservators\\_unveil\\_plans\\_for\\_St\\_Ann\\_s\\_Well/](http://www.malverngazette.co.uk/news/4656865.Conservators_unveil_plans_for_St_Ann_s_Well/)

02-10-09: After less than a day on the Malvern Gazette web site, the comments board for the story reporting the Conservator's plans has been inexplicably closed, after overwhelmingly negative reactions.

[http://www.malverngazette.co.uk/news/4656865.Conservators\\_unveil\\_plans\\_for\\_St\\_Ann\\_s\\_Well/?](http://www.malverngazette.co.uk/news/4656865.Conservators_unveil_plans_for_St_Ann_s_Well/?)

[ref=mr#show](#)

[http://www.worcesternews.co.uk/news/local/4662618.I\\_will\\_have\\_to\\_leave\\_cafe\\_after\\_20\\_years/](http://www.worcesternews.co.uk/news/local/4662618.I_will_have_to_leave_cafe_after_20_years/)

**05-10-09: Original Gazette article reposted under a new headline with comments open.**

All comments from original Gazette and WEN cross-posted  
PLEASE WRITE TO THE GAZETTE!

[http://www.malverngazette.co.uk/news/4663910.Plans\\_unveiled\\_for\\_St\\_Ann\\_s\\_Well/](http://www.malverngazette.co.uk/news/4663910.Plans_unveiled_for_St_Ann_s_Well/)

**05-10-09: Roger Sutton of Malvern Civic Society comments on the on-line Gazette article.**

rogersutton, malvern says...  
8:51pm Mon 5 Oct 09

The Executive of Malvern Civic Society welcome this initiative by the Conservators.  
A Visitor Centre for the Hills is long overdue and will encourage more visitors to come to the town.

[http://www.malverngazette.co.uk/news/4663910.Plans\\_unveiled\\_for\\_St\\_Ann\\_s\\_Well/#commentsList](http://www.malverngazette.co.uk/news/4663910.Plans_unveiled_for_St_Ann_s_Well/#commentsList)

**05-10-09: Malvern Civic Society News**

The Conservators are to be congratulated on their plans to revive the Café At the Well and set up a Visitor Centre. It will be a major attraction and will encourage visitors into the town.

<http://www.malverncivicsociety.org.uk/news.htm>

**06-10-09: Support for cafe** (Malvern Gazette letters)

I WAS sorry to learn that John Redman will no longer be running the cafe at St Ann's Well after March 2010.

It is the only one of two cafes (Greenlink being the second) in the area that give a choice of vegan food.

St Ann's Well is a lovely peaceful place to relax and have a meal. John and his staff are knowledgeable about the ingredients that go into their food unlike so many other eateries.

I fear St Ann's Cafe will lose all this once it is under new management.

MAXINE ENGEL, Lower Howsell Road, Malvern Link.

[http://www.malverngazette.co.uk/news/letters/4666318.Support\\_for\\_cafe/](http://www.malverngazette.co.uk/news/letters/4666318.Support_for_cafe/)

**06-10-09: Cafe will be missed** (Malvern Gazette letters)

I WAS upset to read that Malvern Hills Conservators will not be renewing John Redman's lease at St Ann's Wells cafe.

Whenever I have friends come to visit me the first place they want to go is up to eat freshly made food and delicious cakes provided by John and his friendly, hard working staff.

I think it is a disgrace that Malvern Hills Conservators are doing a man out of his home and livelihood.

PAULINE BURGESS, Cotswold Road, Malvern.

[http://www.ledburyreporter.co.uk/news/letters/4666396.Cafe\\_will\\_be\\_missed/](http://www.ledburyreporter.co.uk/news/letters/4666396.Cafe_will_be_missed/)

### **09-10-09: Facebook fans defend St Ann's Well proprietor**

MORE than 3,000 people have signed up to a Facebook group calling for Malvern Hills Conservators to halt plans for St Ann's Well.

The plans, revealed in the Gazette last week, will mean that John Redman, the cafe's tenant for nearly two decades, will have to leave when his lease comes up in six months' time.

On Saturday, Martin Taylor, a long-time friend of Mr Redman, started the Facebook group, called Save St Ann's Well.

And the group has grown rapidly since, with almost 1,000 new members joining on Monday alone. One Malvern-born member has joined from as far away as Canada.

He said: "It doesn't seem quite right to be putting John and his employees out on the streets in difficult times like this.

"The success of the site has been remarkable. There are a lot of people out there who like John and think he does a good job."

Yesterday Mr Redman said: "It's very very humbling that so many people are saying nice things about me. I'm more than delighted."

He said he could not comment further because he is taking legal advice.

A statement released by the Conservators this week says: "There have been reports over recent years that the café and the toilets are not open when required. With increased leisure time, the number of people visiting the Hills all the year round, and particularly the large sponsored walks that have become a popular feature, need to be catered for."

Chairman of the board Ray Roberts said: "We have had an enthusiastic response from national funders for this project and are talking to art and design students to see if we can incorporate energy-efficient ideas. We would like to hear from the public with their ideas for its use – please watch our website [malvern hills.org.uk](http://malvern hills.org.uk)."

\* See this week's Malvern Gazette for readers' letters about St Ann's Well

[http://www.malverngazette.co.uk/news/4672664.Facebook\\_fans\\_defend\\_St\\_Ann\\_s\\_Well\\_proprietor/](http://www.malverngazette.co.uk/news/4672664.Facebook_fans_defend_St_Ann_s_Well_proprietor/)

### **09-10-09: Keep St Anne's (Malvern Gazette letters)**

WE read with great dismay in the Malvern gazette about the intention not to renew the lease of St Anne's Well cafe to John Redman.

We have lived in West Malvern for over 20 years and have regularly visited the cafe to enjoy home made cakes and a warm welcoming atmosphere.

We deplore the intention to turn St Anne's Well cafe into yet another corporate venture geared to the needs of tourists and with not a thought given to those of us who live in Malvern and contribute to the upkeep of Malvern Hills Conservators through our council tax precept. Were it not for Mr Redman and his efforts to keep the cafe viable no doubt St Anne's well would have fallen into disrepair many years ago.

We for one will be disinclined to use the cafe once it is in the Conservators hands as it will no doubt lose its unique character once you have "improved" it.

We question the need for a visitor centre, it should be placed somewhere like British Camp where visitors turn up in cars. Better to keep St Anne's as it is and improve the fabric of the building and commission an exciting new build for the visitor centre perhaps based in one of the redundant quarries.

LEE AND JOHN DRINKWATER, Lamb Bank, West Malvern.

### **09-10-09: Support for idea (Malvern Gazette letters)**

I AM delighted to learn that the conservators will be opening the St Anne's Well cafe every day in the season and at week ends throughout the year.

The cafe and toilets at St Anne's Well are so often closed and frustrate and disappoint visitors.

The idea of an information centre featuring information about the hills and the town is excellent. At the moment the Octagon space above the cafe is just wasted. We have something to look forward to in 2010.

COLIN BUTLER\*, Malvern.

\*Associate of Malvern Civic Society

Organised NSPCC Hack (June 27th 2009) which was attended by David Hawkins (see below).

The walk commenced at 7am from Welland and the organiser was unhappy that the cafe was closed at 9am, even though he had contacted the proprietor in advance and was informed that the cafe did not open until 10:30am.

#### **09-10-09: It's short sighted** (Malvern Gazette letters)

I WAS horrified to read in the Malvern Gazette of the Conservators' short-sighted plan to remove John Redman from the St Anne's Well cafe and redevelop the site.

St Anne's Well Cafe in it's present form is an important part of what makes the Malvern Hills unique. To replace it with some new 'corporate' visitor centre in the name of progress would be a massive mistake both for the local community and tourism.

I hope the Conservators will reconsider their decision and think about what the community really needs.

FIONA CURNOW, Benbow Close, Malvern Wells.

#### **09-10-09: Letter to Malvern Gazette** (Unpublished)

Dear John,

I was upset to hear that the Conservators feel the need to evict the proprietor of over 15 years from the St Ann's Cafe. There is not sufficient justification for this move, as the proposed Visitor Centre will not attract any additional trade, because of the location. I would be surprised if any of the elected Conservators can climb the hill! There is no parking provision or disabled access either, and to install further staff on the Conservators' payroll (4 would be needed) is not a justified use of the Malvern Council Taxpayers' money. The Band D precept of about £26 means that the people of Malvern should have a say as to how the money is utilised - just as they do with the Councils . Apart from all that is the consideration of the nature of the facility. Whereas Mr Redman has run the cafe successfully for longer than almost any other catering establishment in Malvern and it is one of the few to provide home made vegetarian food in a relaxed atmosphere, the proposed Centre will sell "refreshments" - no doubt from the microwave. He should be congratulated, not evicted.

I have had experience of running a cafe and a restaurant and I am certain that the Board have no idea of the problems involved, unless money is no object. St Ann's Well may be the only building the Conservators can or will own on the Hills, but that does not make it the best option if they want a Visitor Centre. Other suitable places owned by the Council and NHS are boarded up. If over half a million pounds had not been squandered in pressing a Bill through the House of Lords which prevented them rebuilding the Beacon Cafe that burned down they would have a better option. They should not be above scrutiny.

Best regards,

Cllr Malcolm Victory

**10-10-09: Conservators produce a response: 'St Annes Well - some facts':**

<http://www.malvernhills.org.uk/Content/St%20Ann%20Well%20some%20facts.pdf>

14-10-09: St Ann's Well (Malvern Gazette letters)

SOME maintenance work over the past 20 years while John has been there wouldn't have gone amiss. Any work done has been out of the rent paid by John to the Conservators so where are the vast sums going to come from for the proposed restoration?

The underhand manner in which John has been treated is unbelievable.

People visit St Ann's Well for its timeless, quirky and unspoilt qualities blending in with the hills as it does.

John has provided just the sort of refreshments, homemade soups and cakes that are appreciated by visitors and regular locals. Many a time he has been there to help people who have had an accident on the hills.

In case the Conservators haven't noticed the Malvern Tourist Office is conveniently placed at the top of Church Street so that information is available before venturing onto the hills. We don't need a twee gift shop at St Ann's Well.

BARBARA STRUGGLES, Castlemorton.

[http://www.malverngazette.co.uk/news/letters/4680928.St\\_Ann\\_s\\_Well/](http://www.malverngazette.co.uk/news/letters/4680928.St_Ann_s_Well/)

**16-10-09: Appalled by plan** (Malvern Gazette letters)

I WAS appalled, on returning from holiday, to read of the Conservators plans for St Ann's Well. What they are proposing is vandalism. John Redman has served both residents and visitors extremely well over the years.

He does not deserve to be treated in this way.

They are proposing to spend a great deal of what is taxpayers' money on this refurbishment and visitor centre, without so much as a by-your-leave. What will we have, when they have finished? Just another piece of dull civic conformity. No doubt they will replace Mr Redman's wonderful home-made refreshments with the usual mass produced rubbish! Why do we need a visitor centre? What's wrong with Tourist Office. Even if we do, St Ann's Well is the wrong place, there will be many people who are unable to get there. I would have thought that The British Camp was a more suitable venue.

M JACKSON, Alexandra Road, Malvern.

**16-10-09: Think again about John** (Malvern Gazette letters)

AS PROPRIETOR of St Ann's Well immediately prior to John Redmans current tenancy I was surprised and saddened by Malvern Hills Conservators intention to oust John from his home and livelihood. I had always found them fair and supportive landlords. I have visited the café a couple of times this year and enjoyed fresh, home-made food, welcoming staff and a clean environment. I don't know if the Conservators intend the café to be run by tenants in the future. If so I would strongly advise a prospective tenant against it.

The use of the Octagon room for functions contributed considerably to the profitability of the business and the out of hours privacy of the entire building to its attractiveness as a place to live.

If the Conservators intend to pay people to run it then it will be the ratepayers of Malvern who will subsidise it, the quality of the food will likely plummet and the unique character of the café be lost. I understand John may not have been meeting all the terms of the lease.

These are extremely onerous and given the poor weather of the last two summers and the current

recession may not be reasonable.

I would urge the Conservators to think again before taking such pre-emptive action against John.  
MELANIE NASH, Malvern.

#### **16-10-09: Welcoming and appropriate** (Malvern Gazette letters)

WHETHER hot, sweaty, and thirsty, or cold, soaked, and muddy, in its present form St Ann's Well Cafe provides a welcoming and entirely appropriate haven for every hill walker, in all weathers. This unique cottage business is memorable not only for its delicious vegetarian home-made soups, cakes and door-step sandwiches, but also for its friendly staff and proprietor. They really love this historic site and the staff even make great efforts to dress the Well Room beautifully. John Redman adds substantially to the individual character of the place, with his passionate discussions on many topics with visitors, from the headlines in the daily newspapers he provides, to global warming, or about the fascinating memorabilia and history of the Well itself.

All these things give visitors a rare sense of place, invaluable among the increasing monotony of today's corporate style of heritage promotion.

This is not the first time that John Redman has been threatened in this way by his landlords, the Malvern Hills Conservators. In order to renew his lease last time, he was made to also undertake the daily cleaning and management of the quite separate public loos, as well as running the demanding cafe business.

After 20 years he should be praised and supported not evicted, for his continuing efforts to sustain a viable cafe up a steep hill slope, whilst living in the tiny, damp, neglected, 180-year-old building, in an isolated, dark, dank, hill-hollow.

Surely the Conservators can find an amicable way forward with John Redman for the upstairs of the Octagon without threatening his livelihood or 'gentrifying' the rustic cafe, as both should be included among the hills' most valuable assets.

ROSE GARRARD, Malvern

#### **18-10-09: Well Facebook site reaches 5,000 mark**

A FACEBOOK site calling for a halt to plans to develop St Ann's Well topped 5,000 members this week.

The site was founded two weeks ago by Martin Taylor, a friend of the Well's tenant John Redman, who faces eviction when his lease runs out in six months.

Malvern Hills Conservators have unveiled proposals for the beauty spot, which they say will improve the facilities.

[http://www.malverngazette.co.uk/news/4687052.Well\\_Facebook\\_site\\_reaches\\_5\\_000\\_mark/](http://www.malverngazette.co.uk/news/4687052.Well_Facebook_site_reaches_5_000_mark/)

#### **20-10-09: St Ann's Well debate** (Malvern Gazette letters)

ROSE Garrard's beautifully written letter that was featured in last week's Malvern Gazette expresses perfectly the sentiments of the vast majority of Malvern people regarding the Conservator's plans to evict John Redman from St Ann's Wells and to revamp the cafe there.

Malvern Hills Conservators probably has scant concern for the wishes of the local populace. However, for what its worth, let me add my voice to the burgeoning tide of opposition to the proposed changes. The St Ann's Well Cafe is one of the last remaining outposts of real Malvern, that has so far escaped being forced to adopt a bland corporate identity and has managed to remain as an oasis of ethical, natural living that all its patrons benefit so much from. Very few individuals - whether they be locals or visitors from elsewhere - wish to see this replaced by a wholly inappropriate trendy snack bar selling ciabattas and muffins, with steel chairs, grossly overpriced pseudo-Italian coffee, and a Schweppes-sponsored visitor gallery in The Octagon Room above,



presided over by uniformed staff selling souvenir tea towels and model Morgan sports cars. Should such a fate ever befall St Ann's Well, I for one shall refuse to go there again. I would rather hunker down in a sheltered cleft of rock with a Thermos and a pack of sandwiches, than patronise a place such as this, which would be a very travesty of what it had replaced.  
OWEN MORGAN, Cowleigh Road, Malvern.

[http://www.malverngazette.co.uk/news/letters/4691980.St\\_Ann\\_s\\_Well\\_debate/](http://www.malverngazette.co.uk/news/letters/4691980.St_Ann_s_Well_debate/)

**21-10-09: A walker's view** (Malvern Gazette letters)

I HAVE walked in the hills for 20 years with my dogs I also did bed and breakfast for many years. A visit to St Ann's Well was part of the treat for my guests and myself. There are not enough good words to say about John Redman and what he and his staff provide. When the toilets were opened at all hours there was anti-social behaviour and vandalism. St Ann's Wells is a business, opening all hours is not cost effective, the Conservators would find there would be a lot of interest in the beginning and then would find out providing a bacon buttie on a winter's afternoon does not justify opening late. It would take a long time to build a new place, meanwhile where do we all go? Conservators, I urge you to reconsider you decision, speak to John. I am sure there is room for flexibility. We have a first class tourist office. We do not want a soulless place with plastic trays and plastic food. We certainly do not want to see John and his wife homeless and redundant, especially when he has created a place where everybody smiles, nobody is alone. Please hear us Conservators before something good has gone forever.  
MRS DIANA BARNES, Albert Park Road, Malvern.

[http://www.malverngazette.co.uk/news/letters/4694110.A\\_walker\\_s\\_view/](http://www.malverngazette.co.uk/news/letters/4694110.A_walker_s_view/)

**26-10-09: Petition launched for well tenant**

SUPPORTERS of ST Ann's Well have launched a petition calling for cafe tenant John Redman to be allowed to stay at the hills landmark. Malvern Hills Conservators, which owns the cafe, says it will not renew Mr Redman's lease when it comes due six months from now, because of plans to redevelop the site. The petition, launched by Jackie Carey, had 1,466 signatures as of yesterday (Thursday) morning, and can be found at: [www.gopetition.co.uk/online/31335](http://www.gopetition.co.uk/online/31335)

[http://www.malverngazette.co.uk/news/4700009.Petition\\_launched\\_for\\_well\\_tenant/](http://www.malverngazette.co.uk/news/4700009.Petition_launched_for_well_tenant/)

**26-10-09: St Ann's Well demands** (Malvern Gazette letters)

DESPITE their considerable income, the Malvern Hills Conservators were only able to restore the pond and tea gardens at St Ann's Well with the help of a substantial Heritage Lottery Fund grant. Yet last week's letter from Adrian Ward suggests that in past years they have expected John Redman, a struggling sole-trader, to bear all the costs for the renovation of the historic Well building and Octagon. What further demands have been thought up to demoralise Mr Redman and try to force him out of business? He has already been made responsible for cleaning and maintaining the separate public toilets, as well as the tea gardens and the Well Room, whilst trying to earn a living by running the isolated café in all weathers and acting as a night-watchman. Now come unrealistic complaints that he wouldn't work all hours to open the café, or the toilets, or hire out the Octagon in the evenings,

... it seems that some people expect this tenant is to behave like a bonded serf, who has to meet all the demands of oppressive medieval landowners or be driven from his home and livelihood. Surely the renovation of the fabric of this picturesque building is the long neglected duty of the Conservators. Of course Adrian Ward is right when he states that they, not John Redman, "must invest in the property now". But let this be done in sympathy with the proprietor and the vast majority of his customers, who do not wish to see either a 'heritage' style revamp of the café interior and Octagon, or the eviction of John Redman himself. Come on Hills Conservators, find a fair way forward to enhance and support the unique character of all these assets at St Ann's Well.  
ROSE GARRARD, Malvern.

[http://www.malverngazette.co.uk/news/letters/4702616.St\\_Ann\\_s\\_Well\\_demands/](http://www.malverngazette.co.uk/news/letters/4702616.St_Ann_s_Well_demands/)

### **26-10-09: A Conservator's view** (Malvern Gazette letters)

I AM a newly elected County Councillor and a newly appointed Conservator. Prior to my involvement in the Conservators I knew little about the charity and how it worked, only of its existence.

Having become involved I am staggered at how much goes on to protect and enhance the wonderful landscape around the Malvern Hills. A team of 14 runs a host of activities. This year alone they have overseen the safe arrival of 167 new lambs. The passing seasons brings a regular cycle of tree pruning, pathway maintenance, fence building - especially where people might be at risk of falling over old cliff faces - clearing out the 82 ponds and preserving the hills from encroachment or development, particularly relevant in light of current plans to build 25,000 new homes in South Worcestershire.

Some people think that the Conservators are an unelected quango. Of the board of 29, 11 are directly elected every four years; the rest are nominated Councillors who have received a mandate to speak on behalf of residents who have already elected them to represent their areas.

I was excited when I heard about the plans to re-develop St Ann's Well, as, like many others, I enjoy walking the Hills. The Conservators' plan is to bring the management of the Café (which it will remain) in-house. Once the current lease expires the post will be open to applications from all quarters, including from the current Manager, so that we can help the café become more widely used and enjoyed by the whole community.

We want to develop a Café accessible to everyone and from next month we will be trialling an electric vehicle to take young families and older visitors up and down the hill. Whilst the Conservators have re-invested the current annual rent back into the building, it needs significant further investment to make it easier for anyone with a disability to access. We also want to bring the building up to zero carbon emission standards whilst maintaining all the well-known and distinguished Grade II Listed features.

The Conservators have already invested £70,000 in the toilets and the Well area itself, with a further £35,000 invested in landscaping the surrounding gardens, opened in 2006. We'd like to make sure we're taking on fresh ideas so we're putting out a brief for a competition for architectural and landscape students. We would also really like to aim for a café that is open for the many participants on charity walks taking place on the Hills, even, where possible, when these occur outside regular hours.

Plans for the proposed development will shortly be exhibited in public and we will be welcoming ideas from anyone who lives and works in Malvern, Worcestershire and surrounds, who loves the Hills and wants to see them used and enjoyed by many for many years to come.

BEVERLEY NIELSEN, Malvern Hills Conservator, Worcestershire County Councillor, Malvern Trinity Division

[http://www.malverngazette.co.uk/news/letters/4703669.A\\_Conservator\\_s\\_view/](http://www.malverngazette.co.uk/news/letters/4703669.A_Conservator_s_view/)



### **28-10-09: Comment on the Conservators** (Malvern Gazette letters)

AS a contribution to the current public debate on the future of the café at St Ann's Well, it may be useful to ask some questions about those who are, or will be making the decision on our behalf. The first question that I would like to ask is, who should influence this or any other decision regarding the Hills? I believe that it should be the council taxpayers through their elected representatives. However looking at the structure of the Conservators Board it appears to me that this is not the case. The membership of the Board is made up of elected and nominated representatives. The elected members represent the council taxpayers of Malvern, Colwall, Guarlford and Mathon. Fair enough, but what about the nominated members? Their nominating organisations do not collect money to support the upkeep of the Hills yet they have seats on the Board. As a tax payer I consider this to be unfair. To make this point another way, the following information was published by the Conservators. "There are 29 elected conservators to cover various interests of the hills and guide the 16 staff in their work." That speaks volumes. Perhaps it is time that the arrangements for the Conservators were modernised and made fairer for the tax payers that are paying the bills.  
BRIAN CHAMBERS, Cowleigh Road, Malvern.

[http://www.malverngazette.co.uk/news/letters/4707788.Comment\\_on\\_the\\_Conservators/](http://www.malverngazette.co.uk/news/letters/4707788.Comment_on_the_Conservators/)

### **03-11-09: St Ann's Well debate** (Malvern Gazette letters)

MY wife and I have known John at St Ann's Well, for some time, as have four of our children. Her parents used to listen to Blind George there. We also know the team who support John. The cafe provides and meets a need like no other. A warm welcome on a cold day. Good wholesome food. Uncomplicated prices. It is alternative. Quirky. It has a personality, a reflection of the people who make your tea or serve you cake. No-one hassles you. It's a place to reflect. To recharge batteries. To watch others. A place where a woman on her own feels welcome and safe. A singular place for the dispossessed. Those who are lonely receive a warm smile. Unique is a difficult word to assign, but it does it for us.  
Call us paranoid, but we sense a conspiracy here. Rose Garrard's letter is truthful eloquence. Beverley Nielson's letter smacks of a 'black PR op'. Get the 'independent' newcomer to praise the plans of the establishment. And, then we have the sop. 'John can apply' for his old job. A reverse serf?  
There's another story here. One yet to be told.

CHRIS MAIR AND MERYL JOHNSON-MAIR, New Street, Upton upon Severn

[http://www.malverngazette.co.uk/news/letters/4717098.St\\_Ann\\_s\\_Well\\_debate/](http://www.malverngazette.co.uk/news/letters/4717098.St_Ann_s_Well_debate/)

### **05-11-09: Town council gives backing to St Ann's Wells plans**

MALVERN Town Council decided narrowly this week to support Malvern Hills Conservators' plans for St Ann's Well.  
At Tuesday's meeting of the council, members voted 7-6 in favour of a notice of motion brought by North Malvern member Adrian Ward, calling on the council to "support the action taken by Malvern Hills Conservators to develop a visitor centre and improve the refreshment facilities" at the well. Coun Ward said: "I believe the Conservators need our support.  
"St Anne's Well is placed between the town and the hills, and it should be run for the benefit of both residents and visitors. This building is in heritage terms at the heart of what Malvern is about, the basis of the whole Victorian spa town.  
"We harp on about rebuilding the cafe on the beacon and building a funicular railway, but we really

know that's not going to happen in a long time, if ever. St Ann's Well is a fantastic site and if run professionally it could be wonderful."

But coun Alistair Macmillan urged the council not to declare support for the Conservators until more was known about what the board planned for the well site. "I'm afraid that it will end up as a lame-duck enterprise that will end up being supported by the taxpayer," he said.

A vote on Coun Macmillan's amendment for deferral was a tie, with seven votes for and seven against. Normally a tied vote is decided by the chairman's casting vote, but chairman Paul Tuthill had declared an interest as a Conservator board member at the start of the meeting, and was barred from voting. The vote on the substantive motion was then taken.

The plans, revealed in the Gazette early last month, will mean that John Redman, the café's tenant for nearly two decades, will have to leave when his lease comes up in six months' time. Supporters of Mr Redman set up a facebook campaign opposing the changes. This has attracted thousands of members.

[http://www.malverngazette.co.uk/news/4720205.Town\\_council\\_gives\\_backing\\_to\\_St\\_Ann\\_s\\_Wells\\_plans/](http://www.malverngazette.co.uk/news/4720205.Town_council_gives_backing_to_St_Ann_s_Wells_plans/)

**09-11-09: Letter to Malvern Gazette (Unpublished)**

Dear Sir

Has Alistair Campbell been taken on by the Conservators to advise them on how to sell their ideas for St Ann's Well to the public? Beverley Nielsen's letter told us a number of things which I did not know before, but was she writing as the Conservators' official spokesman/person or was she trailing ideas to test the public's reaction?

Let me make it clear. I am not opposed to spending more money on St Ann's Well nor am I opposed to the idea of having a vehicle to take young families and older visitors up and down the hill. The record should testify to that. (I wonder whether an electric vehicle will be sufficiently powerful to take very many people but that will become apparent during trials)

My main concerns are over the idea of "bringing the management of the Café in-house" and the suitability of St Ann's Well as a visitor centre.

Apparently the plan is to keep the Café open from ten till six for seven days a week between Easter and the end of September. This will require three people in the Café and one in the Visitor Centre all being paid by the Conservators. During the sort of summer we have just had is there any chance of making it pay?. At least under the present arrangements we know that it is the tenants money that is at risk.

I am totally in favour of having a Visitor Centre but it must be accessible by car and it must be open at weekends and on public holidays. The Conservators' offices are in quite the wrong place mid-way between the Priory and the Theatres and should be turned into a museum /art gallery which would attract a different kind of visitor i.e the day tour bus trade. Furthermore the Conservators' offices are never open at weekends or public holidays.

Fortunately the Conservators are falling down with money from selling land for the retail park. Would it not make much more sense for them to build a Visitor Centre on the hills open seven days a week which would incorporate their offices and perhaps a small cinema to show nature films and a café operated under contract?

Yours faithfully,

Cllr Alistair Macmillan

**10-11-09:Response to Conservator's letter** (Malvern Gazette letters)

I AM writing in response to Beverley Nielson the newly appointed Conservator.

I have been a regular customer at St Ann's Well for 15 years and worked there for a year. I am confused by several of the points in her letter. She says that she wants the cafe to be enjoyed by the whole community, I think it already is, perhaps if she and her fellow Conservators ever visited the Well they would be better placed to make decisions regarding it's future.

The idea of having an information centre in the Octagon Bar is a nonsense, it is inaccessible due to the steep and dangerous steps. Over the years people have tried to run shops and galleries in the bar and have spent many lonely hours waiting for someone to come in. When I worked there whole days would go by with no customers. The Conservators will have to employ several people to man the cafe and Octagon Bar at great expense to us, the Council Tax payers.

As far as driving people up to the Well is concerned, the Conservators have already had a feasibility study carried out and been told it is not possible as there is now way of separating vehicular and pedestrian access, a serious health and safety issue. The idea that young families need to be driven up is obviously foolish, I have a young family myself and we walk up on a regular basis. It also does not fit with her hopes of a zero carbon footprint and, again, the cost of employing a driver to sit around doing very little for seven days a week would presumably also fall to the Council Tax payer.

Finally I was intrigued to hear that the Council have voted in favour of the Conservators' plans, even though their only published plan is to evict Mr Redman from the place that has been his home and his living for 20 years. No-one knows what the Wells needs more than him and yet the Conservators are spending large amounts of our money on solicitors fees trying to get rid of him, and they won't even tell him why.

Mrs Nielson claims that they will be welcoming ideas from the public, obviously not from the 99% of the present customers of the Wells who have signed the petition opposed to the Conservators plans. It is another example of the arrogance and ignorance of our so called representatives and it makes me very angry.

ERIC ASTON, Lower Montpelier Road, West Malvern.

[http://www.malverngazette.co.uk/news/letters/4729971.Response\\_to\\_Conservator\\_s\\_letter/](http://www.malverngazette.co.uk/news/letters/4729971.Response_to_Conservator_s_letter/)

12-11-09 Conservators stonewall SSAW member's questions at public meeting.

Transcript: [www.savestanns.org.uk](http://www.savestanns.org.uk)

Video: <http://www.youtube.com/watch?v=wzWLE16qS34>

Minutes: <http://www.malvernhills.org.uk/Content/Documents/archive/mhc-board-minutes2009-11.pdf>

**19-11-09: St Ann's Well supporters disappointed at meeting**

SUPPORTERS of St Ann's Well proprietor John Redman were disappointed with the response they got during a question-and-answer session at a Malvern Hills Conservators meeting.

Some 40 friends of Mr Redman went to the board's meeting last Thursday and confronted members with a barrage of questions about plans for the well.

However, Conservators chairman Ray Roberts said he could not answer them because of the legal situation surrounding the termination of Mr Redman's lease.

Following the announcement last month that the Conservators were intending to terminate Mr Redman's lease, 6,000 people have signed up to a facebook group in his defence.

This week, Mr Redman said he is happy to talk to Malvern Hills Conservators about the future of the facility. "I've been there since 1991 and I do have some idea of what will work and what will not at the Well. I'd be happy to sit down and talk to them.

"If they could let me have some volunteer helpers I could give it a go for a year."

[http://www.malverngazette.co.uk/news/4748492.St\\_Ann\\_s\\_Well\\_supporters\\_disappointed\\_at\\_meeting/](http://www.malverngazette.co.uk/news/4748492.St_Ann_s_Well_supporters_disappointed_at_meeting/)

#### **27-11-09: Venue for Visitors** (Malvern Gazette letters)

RE the proposed changes at St Ann's Well and the comments which have appeared in this paper, I wish to express my support for the Conservators.

The site is potentially a wonderful venue for visitors and residents but has been under-used for many years. I have nothing but admiration for the way the Conservators manage the Malvern Hills AONB and am confident any alterations they make to St. Ann's Well will be in good taste and sensitively carried out.

VALERIE GILMER\*, Cowleigh Road, Malvern.

\*Malvern Civic Society Heritage Officer & Trustee

#### **04-12-09: Our right to question board** (Malvern Gazette letters)

THE Malvern hills Conservators have publicly stated that their 'exciting plans' for St Ann's Well are 'yet in the form of ideas'.

Their decision to serve the manager of the well with a notice to quit appears to be based on a notion that runs along the lines of 'let's get John Redman out then see what we can do with the place.'

I have come to this conclusion after thorough scrutiny of the records of the Conservators' Board meeting of November 12, which 40 concerned members of the public attended and properly submitted questions to as directly invited by the Conservators on their website.

During the Q&A session, people were derided by one of the Conservators, who said: 'All these silly questions should be coming to our elected members. Not wasting the boards time!' That Conservator was obviously uninformed as to the special circumstances of the meeting he was attending.

However, that is no excuse for denouncing the public's questions which are based on very genuine concerns, as 'silly'.

The transcript of the Q&A session, along with unedited audio and video footage can be viewed on the website [www.savestann.org.uk](http://www.savestann.org.uk)

I would encourage people to read the material and draw their own conclusions.

The people of Malvern – and others who love the Hills – must do all they can to ensure that the Malvern Hills Conservators are not allowed to squander the money they levy from our Council Tax by abusing their power and making decisions in the manner of feudal landlords.

JACKIE CAREY, Yates Hay Road, Malvern.

<http://www.notjustmetal.com/Docs/MalvernGazetteLetters4thDec2009.jpg>

#### **08-02-10: Threats to Malvern's heritage** (Malvern Gazette letters)

IT would appear that as we move into 2010, the security of Malvern's conservation is under threat as it has not been for many years.

Not only does the future of St Anne's Well Cafe apparently remain unresolved, it now appears that the status of the red telephone boxes on the hills is also now in question. As if this were not enough, the latest blow to Malvern's integrity is the uncertain future facing The Foley Arms Hotel. Nigel

Thomas and his staff put up a heroic fight to keep the Foley as an independent, locally-run concern, for which I can only applaud them and express my deepest sadness that it did not succeed. I noted with deep foreboding the comment by Weatherspoons reported in the Gazette, that they will 'own the site' once their purchase negotiations are completed. These are ominous words - does this suggest that they will actually seek to demolish this beautiful place in the months ahead?

If MHDC and also the Conservators, are truly serious in their oft-stated claim to wish to safeguard the heritage, character and conservation of our town, then I along with thousands of other people expect them to put their words into deeds and to work for the preservation of these facilities. Both organisations are well aware of the weight of public feeling over all three issues - thus, if they would in any way claim to represent the wishes of the community which they serve, the Conservators will work with John Redman to secure his tenure at St Anne's Well and also invest in maintaining the hills' red phone boxes, whilst the Council will act to prevent Weatherspoons from in any way damaging or restructuring the 200 year old Foley Arms.

As we progress through Spring in to Summer, I shall be following developments closely. Failure on the part of our local authorities to safeguard the important local features mentioned above, will not only be a devastating blow to this unique part of the world - it will also terminally undermine the credibility of local democracy, and prove once and for all that the feelings of the public count for nothing.

OWEN MORGAN, Cowleigh Road, Malvern.

[http://www.malverngazette.co.uk/news/letters/4994361.Threats\\_to\\_Malvern\\_s\\_heritage/](http://www.malverngazette.co.uk/news/letters/4994361.Threats_to_Malvern_s_heritage/)

### **11-03-10: MHC Board Meeting**

Minutes: <http://www.malvern hills.org.uk/Content/Documents/archive/mhc-board-minutes2010-03.pdf>

### **12-03-10: Advisable in this climate? (Malvern Gazette letters)**

GIVEN the current financial climate and the fact that the Malvern Hills Conservators accounts show a large deficit in their pension fund, should they be considering taking over St Ann's Well with a view to running a visitors centre that was deemed unnecessary by the Heart of England Tourist Board and taking on a cafe that is already running to the satisfaction of thousands? (See Facebook Group Save St Anns Well). These are activities that fall well outside their core duties.

The Conservators were advised that they will require at least four new permanent staff members. They currently employ fifteen staff in the main paid from local taxes. Should the council tax payers really be burdened with a bill at present paid for by the private sector? I would suggest that some investment from capital funds and grants helping to maintain the historic building should be welcomed, but can see no justification to asking the council tax payer to pick up the bill for a wholly unnecessary venture.

If the Conservator really feel that they require a visitors centre, what is wrong with the spacious building they already have opposite the Malvern Theatres? With it's ample parking and disabled access it would seem the obvious choice. It would have to open during dinner hours and at weekends of course, which is something it fails to do at present, but this would be less costly to the tax payer. I would urge the Conservators to reconsider their plans and listen to wishes of the people who will ultimately be expected to pay.

MR H THOMSON, Malvern.

### **12-03-10: Cafe questions**

SUPPORTERS of St Ann's Well proprietor John Redman were due to ask a series of questions at the meeting of Malvern Hills Conservators' board last night (Thursday). The Supporters have submitted



a list of 29 questions, several of them concerning the plans for the cafe, but others covering subjects including the Conservators' budget and the grazing scheme.

### **03-04-10: John will fight to stay at cafe**

THE long-standing tenant of St Ann's Well Cafe on the Malvern Hills is preparing to fight for his "home and livelihood".

As revealed by the Gazette, John Redman, who has been the cafe's tenant for nearly two decades has been asked to leave the premises by Malvern Hills Conservators, who want to take the well back under their own management and develop a visitor information centre above the cafe.

However, although Mr Redman's lease expired on Wednesday (March 31), he is refusing to leave the cafe and plans to keep on running the business as usual, starting this Easter Bank Holiday weekend.

"I are not going anywhere without a fight," he said. "I have been here for 20 years. What am I going to do? Do they expect me to leave with nothing - no job and no home?"

Mr Redman said he had already spent considerable amounts of money on his campaign to stay at the cafe.

"I've spent more than £7,000 already just defending my home and my livelihood," he said.

Mr Redman says he has received tremendous public support for his bid to stay at the well, with about 10,000 people backing his campaign. More than 6,000 have signed up to a facebook group and thousands more have signed online and hand-written petitions.

Ian Rowat, director of Malvern Hills Conservators, said: "The lease is up but Mr Redman has not vacated the premises. We are now taking legal advice on the best course to proceed."

As well as refurbishing the cafe the Conservators would like to use the property to achieve a long-standing goal of providing a visitor information centre on the hills.

"There are things that we want to do at the well but we want to consult with the public first," said Mr Rowat. "We cannot do that until we have resolved this situation. I would like to re-iterate there is absolutely no intention for us to close the cafe."

[http://www.malverngazette.co.uk/news/6357602.John\\_will\\_fight\\_to\\_stay\\_at\\_cafe/](http://www.malverngazette.co.uk/news/6357602.John_will_fight_to_stay_at_cafe/)

### **09-04-10 On the side of the tenant (Malvern Gazette letters)**

IF Mr Redmond is going to have to fight the Malvern Hills Conservators to renew his lease at St Ann's Well Cafe, then I am on his side.

I remember all too well the last time Conseravtors followed legal advice and sought the approval of absent Parliamentarians to rebuild the Beacon cafe. The only ones to benefit were lawyers and not only do we no longer have our much-appreciated facilities (even the toilet block was removed), Malvernians had to pay the bill.

As I understand it, Mr Redmond took on his lease with an option to renew, which the Conservators certainly had no moral right to refuse, even supposing they became able to via some legal loophole. They originally claimed they wanted to replace the cafe with an information centre; after protests that has become an information centre and cafe (but not Mr Redmond's home). Now they propse to "consult the people" instead of doing what they should have done in the first place: listened to them (indeed, not shut their ears to the many who have already protested). The facts are, the Malvern Hills already have an excellent and far more conveniently located information centre and Mr Redmond doesn't have another home.

D J TAYLOR, Meadow Road, Malvern Link, Worcs.

### **09-04-10: Heard this one? (Malvern Gazette letters)**

HAVE we got a lot of cuckoos up in those Hills? I am talking about Ian Rowat, director of Malvern



Hills and his fellow Conservators.

What a brilliant idea they have got regarding the St. Ann's Well cafe, get rid of the existing tenant John Redman first, then consult the public about their brainwave of refurbishing the cafe, furnish and open a new visitor information centre upstairs. We the rate payers will be bearing the cost of this venture. They will be creating six to ten new full time jobs "Excellent". Cost of advertising the new visitor centre will be in excess of £1,000,000. Cost of maintaining and gritting all the paths to the cafe, remembering the snow and ice last winter. What about lighting, the paths need to be kept open to allow the staff and all those visitors flocking to this new venue. We must not forget the public liability insurance cost. Mr Rowat may argue that the rate payers need not worry as this is a self funding project. They might even generate a profit from new parking meters required in Malvern to accommodate the glut of visitors parking in the town and rushing up the hills to get some information from the centre about Malvern. How wonderful; we should make them Banker's. Yes I must be living in Cuckoo land.

At least if everything fails Mr Rowat can go looking for Mr Redman and pay him handsomely to come back. Perhaps Mr Rowat may even discover that the public would prefer Mr Redman when he carries out his consultation.

CHANDRA DE ALWIS, retired chef Planters restaurant, Malvern Wells.

#### **12-04-10: St Ann's Wells (Malvern Gazette letters)**

I WRITE with reference to your cover story and the ongoing saga relating Mr Redman and St Annes Well Cafe.

One might think that Mr Ian Rowat, who has been elected into the prestigious position of Director of the Malvern Hills Conservators should be fair and open minded enough to listen to the thousands of the local people who have voiced their support in favour of Mr Redman retaining his job and home at St Anns Well.

If Mr Rowat wants to provide an Information Centre and carry out certain improvements to St Anns Well, all well and good, let him. He could easily appoint and install a new member of staff in the vacant room at the side of St Anns Well, and he could also arrange for premises to have a lick of paint and plant some flowers if he wished. All of this could be done without having to evict a very capable and popular man from his home and which would cause the loss of his livelihood.

I can only assume that there is a hidden agenda behind this move and Mr Rowat and others are conducting a witch hunt for personal reasons known only to themselves. There now appears to be no way out, because having dug such a big hole they will not want to be seen backing down from this terrible and unjust situation. Very important people just do not do that. I trust when Mr Redman is finally evicted Mr Rowat can rub his hands and say to himself – job well done.

Mr W LYONS, Malvern

Subsequently removed from Gazette website

[http://www.malverngazette.co.uk/news/letters/8093821.St\\_Anns\\_Wells/](http://www.malverngazette.co.uk/news/letters/8093821.St_Anns_Wells/)

#### **27-04-10: Transition initiatives hit the screen**

ENVIRONMENTAL group Transition Malvern Hills has produced a series of videos highlighting some of the eco-friendly projects taking place in the Malvern area.

The films have been made with the aid of a grant from Malvern Hills Area of Outstanding Beauty to promote the group's upcoming 'People Make Transition Happen' event, which takes place at Malvern Theatres on May 27.

Episodes include 'Local Food', which features a host of local groups and venues such as St Ann's

Well and Malvern Country Markets and 'Wassailing', which was filmed at this year's traditional event in Colwall.

'Gardeners' Question Time' was recorded at Transition Malvern Hills' own successful local event and 'Eat for Health' features a recent talk by local nutritionist Sophie Jones. Future episodes currently in production include 'Community Education' and 'Seeing Energy'. Children from Colwall Primary and St Josephs Primary have also been interviewed about their environmental activities for a special 'Eco Schools' episode that will have its premiere at the event on May 27. Transition Malvern Hills spokesman Nathan Burlton said: "We are highlighting the local, sustainable and resilient initiatives that are going on in the area at the current time and some of the events that Transition Malvern Hills has held in the recent past. "The grant has enabled us to document our activities and publish them for everyone to see, and we have to thank Malvern Hills AoNB for making this possible."

To see the videos visit:

<http://transitionmalvern hills.org.uk/transition/tv>

<http://www.youtube.com/watch?v=sAmnAXxIp5E>

[www.malverngazette.co.uk/news/8124740/8124740.Transition\\_initiatives\\_hit\\_the\\_screen/](http://www.malverngazette.co.uk/news/8124740/8124740.Transition_initiatives_hit_the_screen/)

### **03-05-10: Actor Martin Shaw signs petition to save Malvern cafe**

Actor Martin Shaw has backed a campaign to save a vegetarian cafe in Worcestershire from closure. The star of Judge John Deed and a staunch vegetarian has signed a petition calling for St Ann's Well Cafe in the Malvern Hills to be preserved.

The Malvern Hills Conservators announced last October it wanted to evict the manager and take over the running.

But more than 6,000 people have joined a Facebook campaign to save the cafe.

Manager John Redman said of Martin Shaw's support: "He said he'd found it a tranquil place and was lovely for him to get to when he is at the town theatre."

<http://news.bbc.co.uk/1/hi/england/hereford/worcs/8658605.stm>

### **03-05-10: BBC Hereford and Worcester feature on St Ann's Well**

[http://www.notjustmetal.com/Docs/BBC\\_HW\\_MAY3rd\\_2010.wav](http://www.notjustmetal.com/Docs/BBC_HW_MAY3rd_2010.wav)

### **05-05-10: Celebrities back well campaign**

A STRING of celebrities have added their voices to the campaign urging Malvern Hills Conservators to reconsider their plans for the St Ann's Well Cafe in the Malvern Hills.

The Conservators have informed current tenant John Redman that they will not be renewing his lease, which expired at the end of March, as they wish to take the facility back under their own management and have plans to develop it with a visitor centre.

However Mr Redman does not want to give up his home and the business he has run for the past 20 years.

He has already attracted considerable support, with more than 1,800 people signing an online

petition calling for Mr Redman to be allowed to stay at the cafe. A Facebook group also continues to grow, now boasting more than 6,600 members.

In the last few days actor Martin Shaw, professional photographer Mary McCartney and Alex Bourke, the editor of the Vegetarian Britain guidebook have all shown their support by signing the online petition.

Mr Shaw, perhaps best known for playing Judge John Deed, wrote: "I've used the cafe, and as a vegetarian it was a lifeline for me - please reconsider this decision, which if carried out will deprive so many of us who need and enjoy healthy and ethical food."

Ms McCartney, the daughter of Beatles legend Sir Paul McCartney, wrote: "This sounds like a wonderful cafe with vegetarian theme at its heart which is a extremely important issue for myself for personal and environmental issues.

"I look forward to going there one day, please don't let them close this wonderful cafe."

The online petition can be viewed at [gopetition.co.uk/online/31335.html](http://gopetition.co.uk/online/31335.html)

[www.malverngazette.co.uk/news/8136432.Celebrities\\_back\\_well\\_campaign](http://www.malverngazette.co.uk/news/8136432.Celebrities_back_well_campaign)

### **06-05-10: Celebs back fight for hillside cafe**

Birmingham Post

Lord of the Rings star Sir Ian McKellen came under the spell of the vegetarian spread at St Ann's Well Cafe, no doubt entranced by the vegan fruit cake, spicy bean pasties and dandelion coffee.

Sex kitten Raquel Welch once clambered up the steep track to try out the home-baking at this spectacularly positioned spot in the heart of Elgar country. And maverick violinist Nigel Kennedy was so taken with the acoustics of the Octagon Bar that he played, and recorded, inside this early 19th century hillside retreat.

But the hatch could be about to come down on two decades' of hummus.

The Malvern Hill Conservators, who manages the 3,000 acres of hills and commons, want to oust long-term tenant and cafe boss John Redman to make way for a new visitor attraction, a move which has sparked a furious backlash from the global vegetarian community.

More than 10,000 aficionados have joined an outspoken protest movement. The mass ranks include Judge John Deed TV actor Martin Shaw and photographer Mary McCartney, daughter of ex-Beatle Sir Paul.

Shaw is one of 1,800 people to sign an online petition opposing the closure of Mr Redman's cafe, joining signatories from India, North America and New Zealand. Almost 6,700 supporters have joined a Facebook campaign to Save St Ann's Well and a further 2,000 have signed a paper petition objecting to the Conservators' proposals.

Shaw, who played Ray Doyle in 1970s' cult show The Professionals, said: "I've used the cafe, and as a vegetarian it was a lifeline for me - please reconsider this decision, which if carried out will deprive so many of us who need and enjoy healthy and ethical food."

Ms McCartney said: "This sounds like a wonderful cafe with a vegetarian theme at its heart which is an extremely important issue for myself for personal and environmental issues. I look forward to going there one day. Please don't let them close this wonderful cafe."

Mr Redman, who lives in a one-bedroom flat above St Ann's Well, was given notice to quit the property by March 31 but has lodged an appeal under the Landlord and Tenant Act 1954, arguing he should be given another five years' tenancy because the Conservators have not come up with a valid reason to kick him out.

He said he has spent pounds 7,000 in legal bills and will be declared bankrupt - and homeless - if fails to win the case.

The Conservators claim Mr Redman has been lax over the maintenance of the toilets and alleges litter has been a problem - two charges he vehemently denies - and it has until Monday to provide Worcester County Court with supporting evidence. Solicitor Stan Ginn, of Malvern-based Paytons, acting for Mr Redman, said the Conservators had already missed one deadline to submit evidence and the case could be struck out if it fails to comply by Monday.

Mr Redman, who is 51, said the business makes a "modest" profit of pounds 15,000 a year, he said, which has to cover his living expenses.

Mr Redman believes the Conservators, who are funded by council taxpayers and outside grants, are plotting to end the cafe's meat-free ethos and he fears the place will shut for at least a year if he loses his fight.

Conservators director Ian Rowat said he was unable to comment in detail because of the legal proceedings and could not talk about the proposals for the site.

[http://www.notjustmetal.com/Docs/Birmingham\\_Post\\_May\\_2010.jpg](http://www.notjustmetal.com/Docs/Birmingham_Post_May_2010.jpg)

### **11-05-10: Well-known poet adds voice to St Ann's Well campaign**

BENJAMIN Zephaniah has added his voice to a campaign calling for the Malvern Hills Conservators to reconsider their plans for St Ann's Well Cafe.

The poet said: "In the book Icons of England I named the Malvern Hills as my favourite place in England. I could have also said that St Anns Well cafe is my favourite place on the hills. It is unique, it is a treasure, it is fully in keeping with the hills, and is a sustainable enterprise. PS I recommend the chocolate cake!" Other celebrities who have signed the petition include Mary McCartney, Martin Shaw and Alex Bourke.

Supporters of St Ann's Well proprietor John Redman were due to ask further questions about Malvern Hills Conservators' plans for St Ann's Well and other aspects of their work at a public meeting last night (Thursday May 13).

For more information and links to the online petition go to [www.savestanns.org.uk](http://www.savestanns.org.uk)

[http://www.malverngazette.co.uk/news/8159280.Well\\_known\\_poet\\_adds\\_voice\\_to\\_St\\_Ann\\_s\\_Well\\_campaign/](http://www.malverngazette.co.uk/news/8159280.Well_known_poet_adds_voice_to_St_Ann_s_Well_campaign/)

### **13-05-10: MHC Board Meeting**

Minutes: <http://www.malvernhills.org.uk/Content/BOARD%20MINUTES%20130510%20FOR%20WEBSITE.pdf>

17-05-10: MHC withdraw their opposition to renew Johns tenancy on ground (c) of Section 30 (i) of the TLA Act 1954.

In other words they have dropped the part of the case which said John had been seriously in breach of the lease.

The Conservators (read: ratepayers) will now be expected to pay John's legal costs associated with this part of the case.

### **20-05-10: St Ann's Well petition handed over**

ST Ann's Well cafe tenant, John Redman, handed in a petition boasting 2,500 names when he attended a board meeting of the Malvern Hills Conservators on Thursday, May 13.

Mr Redman, who has occupied the hillside, vegetarian cafe for 20 years, was informed by the Conservators in October he must vacate the building when his lease was up.

The organisation plans to redevelop the site to include a visitor information centre above the cafe. Supporters of Mr Redman's attempt to remain at the cafe were out in force and the evening was characterised by hostile interruptions, adjournments and a walk-out by a member of the public. Chairman Ray Roberts opened by informing those present that, although he did not personally object to it, the recording or filming of the meeting was prohibited under the Public Bodies (Admission to Meetings) Act 1960.

The meeting was subsequently adjourned twice when a member of the public initially refused to cease recording the proceedings, before finally leaving after loudly and repeatedly enquiring whether there were "any Freemasons in the room".

During public questions, the minutes of the March 11 board meeting were disputed for not including a proposal by board member Brian Pilcher to end the public question segment at the allotted 30-minute point. This proposal had been voted on and failed. The item was added to the minutes of Thursday's meeting.

Speaking after the meeting, Mr Redman said the paper petition was backed-up with an online petition of 2,000 names and a Facebook group with more than 6,500 members.

[http://www.malverngazette.co.uk/news/8173574.St\\_Ann\\_s\\_Well\\_petition\\_handed\\_over/](http://www.malverngazette.co.uk/news/8173574.St_Ann_s_Well_petition_handed_over/)

### **24-05-10: Conservators meeting (Malvern Gazette Letters)**

THE article in last week's Malvern Gazette covering the Malvern Hills Conservators meeting on the future of St Anne's Well cafe can hardly be described as having been unbiased or impartial.

The report referred to 'hostile interruptions' coming from members of the public, as well as to one person walking out after 'loudly and repeatedly asking whether there were any Freemasons in the room.' The whole tone of the article sought to imply that the Conservators were being perfectly reasonable and civilised, and that opponents to their plans for St Anne's Well are troublemakers. It was, and remains, perfectly reasonable for the public to wish to know the extent of Freemason involvement in the St Anne's Well debacle. We are supposed to live in a democracy, but this counts for little if the will of the people and the strength of public feeling can be subverted by the shady machinations of an unaccountable secret society. Restrictions on comments from members of the public at Conservators meetings are a useful gagging method to prevent questions being raised over this matter. However, this cannot silence the burgeoning public suspicion that there is more to this matter than meets the eye on the part of the Conservators.

OWEN MORGAN, Cowleigh Road, North Malvern.

[http://www.malverngazette.co.uk/news/letters/8182397.Conservators\\_meeting/](http://www.malverngazette.co.uk/news/letters/8182397.Conservators_meeting/)

### **27-05-10: Cafe is shortlisted for award**

ST Ann's Well Vegetarian Cafe has been shortlisted for a county-wide tourism award.

The hill-side cafe, which is currently the subject of development plans by the Malvern Hills Conservators, was nominated by members of the public in the food and drink category of the Worcestershire Welcome Awards 2010.

The awards, run by Destination Worcestershire, seek to celebrate the diversity of the county's tourism industry with several categories for local businesses.

John Redman, who runs the vegetarian and vegan cafe, was told by the Conservators he must leave at the end of his lease to make way for development plans which include opening a visitor information centre above the cafe.

Mr Redman, who recently handed the Conservators a 2,500 signature petition supporting his efforts to remain as the tenant, thanked everyone who had voted him and the cafe.

St Ann's Well will be up against the Orchard Cafe, at Worcester Countryside Centre, and the Kings Arms pub, in Ombersley, when the over-all winner is announced at a ceremony on Wednesday, June 30.

[http://www.malverngazette.co.uk/news/8185970.Cafe\\_is\\_shortlisted\\_for\\_award](http://www.malverngazette.co.uk/news/8185970.Cafe_is_shortlisted_for_award)

#### **04-06-10: Following a code** (Malvern Gazette letters)

I REALLY must take issue with Owen Morgan's assertion that the handling of the St Ann's Well issue is some giant Masonic plot. I think he must have read one Dan Brown blockbuster too many. As I am Vice Chairman of the board, and although speaking in a personal capacity I can assure him that nothing could be further from the truth. The fact is that there is a tremendous amount of goodwill towards John Redman.

However the cause is not helped by the behaviour and internet activities of some of John's so called supporters.

If they really want to support him I would strongly urge them to be less strident.

Incidentally for the record I am not a freemason.

CLIVE SMITH, Greenfields Road,  
Malvern Link.

#### **04-06-10 No Freemasonry** (Malvern Gazette letters)

OWEN Morgan (letters May 28), referring to the St Ann's Well saga, wishes to the extent of Freemason involvement in the Malvern Hills Conservators.

I am on the board of Conservators.

I am not a Freemason; I do not know and nor am I interested if other members are Freemason.

His implication is that board members are following some sort of agenda for the sake of personal gain.

I resent this, and I can assure him that people give up their time and join the board because they love the Hills, and their aim is to maintain them for future generations and for the enjoyment of the general public.

This includes improving facilities as necessary.

Perhaps he would like to explain the relevance of the remarks made in his letter.

RICHARD CHAMINGS,  
Castlemorton Common,  
Malvern.



### **07-06-10: SSAW submit questions to the MHC admin and resources committee.**

The answers reveal that:

Despite denying that they had a business plan they do in fact have a plan for St Ann's Well that was produced for the Conservators by Clare Dolan. They admit that this plan does fall short in a number of areas.

Legal costs are £ 9 950 to date with the cost of counsel's opinion not yet presented in the region of £ 4000. In addition the Board agreed at their meeting of 13th May to pay a maximum of £ 8 000 towards mediation.

The Budget for Architect's Fees and Consultants to draw up another business plan is £10 000 for Consultants (Rubus) and £ 4 000 for the Architect.

<http://www.notjustmetal.com/Docs/SSAW-Q&As-Cons-A&R-Meeting06-10.pdf>

### **05-06-10: Cafe dispute is taken to mediation**

THE dispute between Malvern Hills Conservators and St Ann's Well cafe tenant John Redman looks set to go to mediation.

Conservators director Ian Rowat confirmed yesterday (Thursday) that the board had agreed with Mr Redman that the disagreement over the cafe's tenancy should be resolved this way.

The row erupted in October last year, when the Conservators said they proposed to take the Well back under their own management, and told Mr Redman that his lease, which he had held for 20 years, would not be renewed.

However, friends and supporters of Mr Redman rallied to his defence, and within a week of the announcement, a Facebook group called Save St Ann's Well had gained 3,000 members.

Subsequently, celebrities including Mary McCartney and Benjamin Zephaniah, signed up to the campaign.

The Conservators have agreed to bear the costs of the mediation and to enter negotiations to achieve a resolution acceptable to both sides. Their objectives continue to be longer opening hours and to broaden the cafe's appeal.

Mr Rowat said: "Our intention is to reach a fair and workable conclusion and that will be to the benefit of all concerned and further the enjoyment of the hills."

He said the mediation process will start as soon as is practical and emphasised there has never been any intention that the cafe should be closed.

Mr Redman said: "I'm glad that it's going to mediation, even though it will end up costing the ratepayer money. Had it had gone to court, I'm pretty sure we'd have won."

[http://www.malverngazette.co.uk/news/8202427.Cafe\\_dispute\\_is\\_taken\\_to\\_mediation/](http://www.malverngazette.co.uk/news/8202427.Cafe_dispute_is_taken_to_mediation/)

### **10-06-10: Conservators accounts show lower than expected deficit**

MALVERN Hills Conservators' management accounts for the last year show a lower than expected deficit.

Although the organisation had budgeted for a deficit of £17,253 for the year ending March 31, the accounts reveal an actual deficit of £2,598.

Income was £7,090 higher than budget at £592,070 and expenditure was £13,065 lower than budget at £589,668.

Income from parking fees was £7,265 higher than budget and grants came in £2,542 higher than

expected, due to a £1,500 award from AONB and £1,000 from Castlemorton Common Association. Land management expenditure was £7,817 below budget at £59,896 but legal fees were £6,644 over budget at £16,644 - including £9,000 spent on the ongoing tenancy dispute at St Ann's Well cafe. Members of the Conservators' administration and resources committee are due to discuss the full statement of accounts tonight (Thursday).

[http://www.malverngazette.co.uk/news/8211738.Conservators\\_accounts\\_show\\_lower\\_than\\_expected\\_deficit/](http://www.malverngazette.co.uk/news/8211738.Conservators_accounts_show_lower_than_expected_deficit/)

**17-06-10: The Conservators fail to attend a Court hearing and are ordered to pay Johns costs for attending (£411.25)**

**18-06-10: In a twist on cafe** (Malvern Gazette letters)

IT IS with more than a smidge of beguilement that I have been casting my eyes over the ping-pong of letters regarding the 'should we/shouldn't we?' decision on the lease renewal for St Ann's Well. The decision doesn't seem difficult to me. For a moment, let's swipe aside accusations of clandestine handshakes, silky white gloves and long black robes, and focus on what is really important: the future of the cafe. It seems to me that, as usual, the Malvern Hills Conservators have got their knickers on a twist over an issue that is markedly straight-forward. I love the facility at St Ann's Well and all its quirks; it's hard not to and I know that I am not alone in my opinion! I have been rescued on more than one sweltering hot summer's day by the refreshment facilities provided by the unique Mr Redman and his staff – there is nothing like kicking back in the shade after a good old hike, with a glass of ice cold lemonade and a slice of organic walnut cake (obviously having first reinvigorated yourself with a quick slurp from the wonderful water fountain in the entrance). It is pillars of the local community, such as Mr Redman, that Malvern relies upon. I say let's give the man a chance! Let's let him carry on with what he does best and not cave-in to a few fuddy-duddy blinkered perspectives. Perhaps the Conservators should help out – not kick out – Mr Redman; I'm sure the brimming coffers of cash that the authorities have stowed away for the refurbishment of the Well could be put to much better use by Mr Redman et al. At least they'd maintain the quintessentially Malvern feel to the facility; do we really want another grotesquely mundane local authority run establishment?

L WRAY, Malvern Link.

**18-06-10: Survey on Hills** (Malvern Gazette letters)

I WAS inspired by a recent letter the Gazette to carry out a survey of Malvern Hills users on their opinion of the St Ann's Well cafe situation. The survey was carried out over four separate mornings in the last couple of weeks at the Goldmine, Lower Wyche car park and the Tank Quarry car park. One simple question was asked – "Do you approve of the Malvern Hills Conservators taking over the running of the St Ann's Well cafe?" people were then encouraged to say "don't know" to ensure that responses were definite opinions. Also to ensure that responses were not biased in any way I did not enegae in any discussions. 262 walkers, runners and bikers were questioned. Some 71 per cent said "don't know". This is not surprising as folk came from quite considerable distances to walk on the Malvern hills. The remaining responses broke down as 60:40 in favour of the Malvern Hills Conservators running the cafe. This suggests that Mr Redman does not have the massive support from the people who matter – the users of the Hills. People were also keen to comment. These ranged from "he does excellent food" and "John is a local character" to the "cafe is never

open" and "the premises are grimy".

Perhaps a more important question is whether Mr Redman has ever been a champion for the Malvern Hills Conservators?

PETE WATSON, Malvern.  
Conservator – Priory Ward.

### **21-06-10: St Ann's Well survey (Malvern Gazette Letters)**

I WRITE in response to Mr Pete Watson's letter dated June 19 re St Ann's Wells. What a scientific mind this person must have to stand on the Hills and ask passers by a loaded question such as Do you approve of the Malvern Hills Conservators taking over the running of the Malvern Hills Cafe? He admits that 71% hadn't got a clue as they came from miles around and probably do not understand the recent furore surrounding the Conservators ham fisted attempt to evict a man from his home and take away his livelihood, just because he has upset some very important local person. Mr Watson states that of the 29% that voiced an opinion, 17.4% were in favour of the Conservators running the cafe. Again, for those people who are unfamiliar the ongoing witch hunt by certain board members, it is hardly surprising that 17.4% might agree that a well known and usually well respected organisation like the Conservators should take over the running of the cafe. That is because most people would only associate good things with the name - Malvern Hills Conservators. Why on earth would Mr Watson pose his second, more important question, Has Mr Redmond ever been a champion for the Malvern Hills Conservators? Mr Redmond doesn't need to be a champion for the Conservators, the excellent service he provides is already way and above what most board members might offer the general public, and this is clear via the thousands of supporters backing Mr Redmond.

DENNIS JONES, Lower Quest Hills Road, Malvern.

[http://www.malverngazette.co.uk/news/letters/8230339.St\\_Ann\\_s\\_Well\\_survey/](http://www.malverngazette.co.uk/news/letters/8230339.St_Ann_s_Well_survey/)

### **27-06-10: Letter from Pete Watson**

Dear Dr Carbone,

Thank you for your letter. You have made some interesting points. I will reply from my point of view. You have to remember that there are 29 Malvern Hills Conservators, and I am only one opinion amongst them. There are fierce debates at the meetings of the Malvern Hills Conservators, but at the end there is always a democratic vote.

Please remember that the present situation has arisen because the tenancy agreement with Mr Redman had terminated and the Malvern Hills Conservators wanted to use the opportunity to provide extended services for the "enjoyment of the public" (as stated in the Acts). Many people have complained privately that the St Anne's Well cafe is not open frequently enough. As I understand it, the Conservators have in past years frequently requested to Mr Redman to extend his hours, to no avail.

I don't believe that the Malvern Hills Conservators have made any allegations about Mr Redman. If you are referring to my survey and resulting letter printed in the Malvern Gazette, this was carried out entirely by myself as I wished to get a better picture of the opinion of the people who use the Hills. The comments made by the people I questioned were firmly held, some positively for Mr Redman and others of complaints about the service etc. I only reported in my letter to the Malvern Gazette the most common comments. As my survey showed that there was not overwhelmingly

support for Mr Redman, I feel that the Malvern Hills Conservators are pursuing a course that will be acceptable to most users of the Hills.

You may be right - the Acts covering the operation of the Malvern Hills Conservators do not seem to directly say that the Conservators have the power to run a cafe or information centre. Curiously it does allow the Conservators to run a cafe if the St Anne's Well bums down! I suspect that it would be sensible to judge that there is an implied power to run a cafe anyway. I also suspect that there is precedence over the past 125 years that the Conservators have at some time ran the cafe at St Anne's Well. I don't think that "disallowed" is stated in the Acts, there is just an omission of a statement to allow the Conservators to run a cafe. Of course if a court decided that the power is disallowed then obviously a non-existent power cannot be passed on to a tenant. The cafe would have to close permanently.

Please understand that it is Mr Redman who is insisting on going to court, hence using up Malvern Hills Conservators monies. As I understand it, negotiation and mediation have been rejected by Mr Redman. I believe that these legal actions are being funded by monies negotiated in the transfer of lands from the construction of the Malvern Retail Park. They are not coming from the levy that is collected by the Malvern Hills District Council on behalf of the Malvern Hills Conservators.

It would be in all our interests if Mr Redman ceased his legal challenge and met with Malvern Hills Conservators to allow agreements and settlements to be made.

I do feel that if Mr Redman has such a strong support then he could set up a cafe anywhere in Malvern and have a roaring trade; and leave St Anne's Well (a building owned by the Conservators) to be managed by the Malvern Hills Conservators.

[http://www.notjustmetal.com/Docs/Denise\\_Cardones\\_letter\\_from\\_Watson.pdf](http://www.notjustmetal.com/Docs/Denise_Cardones_letter_from_Watson.pdf)

#### **01-07-10: Worcestershire Welcome Awards 2010**

St Ann's Well was highly commended in the 'Eat and Drink Worcestershire' category at the Worcestershire Welcome Awards 2010!

Thank you to everyone who voted for us!

#### **08-07-10: BBC H&W interview with John Redman on the day of the Conservator's AGM**

<http://www.notjustmetal.com/Docs/BBCHWInterview080710.mp3>

#### **08-07-10: SSAW attend MHC Board Meeting**

Minutes: <http://www.malvern hills.org.uk/Content/BOARD%20080710%20FOR%20WEBSITE.pdf>

#### **15-07-10: Conservators outline vision for St Ann's Well**

MALVERN Hills Conservators has outlined its "vision" for the future of St Ann's Well as a dispute over who will run the hill-side cafe goes to mediation.

The organisation has been engaged in a high profile dispute with cafe tenant John Redman after they told him they would be taking over the running of the cafe at the end of his lease.

Mr Redman, who has collected more than 2,500 names on a petition backing his bid to remain as manager, will begin talks with the Conservators on Monday (July 19).

Meanwhile, a report by consultants Rubus has laid out how the Conservators see the future of St Ann's Well.

Board member Brian Wilcock, speaking at a Conservators meeting on Thursday, July 8, said the

Scoping the Vision for St Ann's Well report "summed up" members' views well.

"It cleared our minds about what we had in mind for St Ann's Well. It spelled it out," he added. Among the key outcomes were that the cafe should provide an "open and friendly ambience" and serve "high quality drinks and snacks/light meals daily between, say, 10am and 5.30pm in the summer months".

It was deemed important for staff to "champion the Conservators" and support activity on the hills, such as charity walks. The key developments of the project would be to "upgrade the cafe facilities" and refurbish the Octagon Room for displaying information.

The document states the Conservators will need to consider options for management of the site "with the existing tenant or with a new tenant".

Chairman of the board Ray Roberts said: "Once we have the vision and the vision goes out to the public then the public will know exactly what we have in mind. This is the first absolutely clear document that says what we all agree to."

The Rubus report also recommended that the Conservators did not pursue funding through Natural Assets Grants. It was passed by 16 votes to three with one abstention.

[http://www.malverngazette.co.uk/news/8274846.Conservators\\_outline\\_vision\\_for\\_St\\_Ann\\_s\\_Well/](http://www.malverngazette.co.uk/news/8274846.Conservators_outline_vision_for_St_Ann_s_Well/)

<http://www.notjustmetal.com/Docs/RubusReportJuly2010.pdf>

### **17-07-10: Poet adds words of support to cafe campaign**

ONE of Britain's best-known poets popped into St Ann's Well Cafe on Saturday (July 24) to back a local campaign and enjoy a slice of vegan chocolate cake.

Benjamin Zephaniah had already put his name to an online petition backing cafe tenant John Redman in his fight against eviction by the Malvern Hills Conservators.

The Conservators hope to take over the running of the hillside cafe and develop a visitor information centre in an upstairs room.

The poet enjoyed a pasty, soup and his personal favourite of vegan chocolate cake with Mr Redman and supporters of his attempt to remain at the cafe.

He joined more than 2,500 people who had signed the paper petition and added the comments: "Be here forever".

Mr Redman and the Conservators are hoping to meet for a second round of mediation after initial talks last week.

[http://www.malverngazette.co.uk/news/8294543.Poet\\_adds\\_words\\_of\\_support\\_to\\_cafe\\_campaign/](http://www.malverngazette.co.uk/news/8294543.Poet_adds_words_of_support_to_cafe_campaign/)

### **16-07-10: No mandate for hill centre (Malvern Gazette letters)**

THE Malvern Hills Bill (1992) sought to confer powers on the Conservators to rebuild the cafe and (amongst other things) to provide information centres on the hills.

It was the opinion of the Select Committee that if the Conservators wished to provide information centres, "they should do so in places where people are likely to visit before they set out to walk on the hills" and that they should be "...at the base of the hills and need not be on the hills."

According to Board minutes, the Clerk to the Conservators stated that the Select Committee had

given their opinion on the Bill and explained that “information centres should be sited in any new premises acquired by the Conservators and not on land at present under their jurisdiction.”

As such, it appears that the Conservators do not have the power to provide a visitor centre at St Ann's Well. However, they are permitted to do so at their office at Manor House in Great Malvern.

In 1995 the Conservators acquired Manor House for £138,770 under Section 9 of the Malvern Hills Act 1995 which granted them the power to "provide buildings for use by the Conservators as offices or information centres" and "at such buildings to sell such goods, including books, maps, souvenirs and other goods as may be reasonably ancillary to the use of the Malvern Hills by the public for enjoyment and recreation or education."

Manor House is located in the centre of Great Malvern (opposite Malvern Theatres) and staff are there to answer questions during office hours.

Surely it is the obvious choice of venue for an information centre?

L Sire, Malvern

[http://www.notjustmetal.com/Docs/No\\_Mandate\\_Malvern\\_Gazette\\_170710.jpg](http://www.notjustmetal.com/Docs/No_Mandate_Malvern_Gazette_170710.jpg)

<http://www.notjustmetal.com/Docs/MHCMinutes1993.pdf>

#### **24-07-10: 'Some progress' in well cafe dispute**

TALKS will continue over who will run St Ann's Wells café after “some progress” was achieved during mediation this week.

Malvern Hills Conservators and cafe tenant John Redman are both remaining tight-lipped on the contentious issue after meeting on Monday (July 19).

Mr Redman, who has managed the vegan and vegetarian café for 20-years, was asked to leave when his lease ended in March this year - prompting a furious campaign from supporters including a 2,500-name petition supporting his bid to remain.

The Conservators had planned to refurbish the hillside café to include a visitor information centre.

A statement, released by Harrison Clark solicitors, said: “They are pleased to say that they have made some progress and have agreed to meet again to continue their discussions.”

The firm, acting for the Conservators, said neither party would be making any further comment at this stage.

[http://www.malverngazette.co.uk/news/8289529\\_Some\\_progress\\_in\\_well\\_cafe\\_dispute/](http://www.malverngazette.co.uk/news/8289529_Some_progress_in_well_cafe_dispute/)

#### **28-07-10 Reply to Pete Watson**

Dear Mr Watson

St Ann's Well

Thank you for your letter dated 27 June, 2010. As you have made numerous assertions in your letter I decided to investigate their veracity hence the delay in replying. Unfortunately I have come to the conclusion that there are many untruths and half-truths in your letter and as you are my elected representative I now feel compelled to address them one by one:-

1. You say “...the present situation has arisen because the tenancy agreement with Mr Redman had



terminated and the Malvern Hills Conservators wanted to use the opportunity to provide extended services for the 'enjoyment of the public' ..."

As I'm sure you're aware, Mr Redman's leases have all been protected by the Landlord and Tenant Act, designed to protect tenants' businesses and goodwill. As Mr Redman had paid £35,000 for the business 20 years ago and has invested capital into the business over the years the Act enables him to protect his investment in accordance with the law. Thus the present situation of the Malvern Hills Conservators now wanting to use the opportunity to provide extended services for the 'enjoyment of the public' are not related to Mr Redman's status.

2. You say "the Conservators wanted to provide extended services".

The Conservators have no duty or power to provide services for the "enjoyment of the public", let alone "extended services", whatever that means.

The duty which the Conservators do actually have is to keep the hills open and unenclosed for the recreation and "enjoyment of the public" and similarly may regulate horse riding if required for the use of the hills as an open space for the recreation and "enjoyment of the public".

3. "Many people have complained privately that the St Ann's well cafe is not open frequently enough"

However, you fail to note that thousands of people have publicly expressed their support for the current operation of the cafe. Thus if the current situation is a result of public opinion, whether expressed privately or publicly, than I believe the above speaks for itself.

4. You say "that the Conservators have in past years frequently requested to Mr Redman to extend his hours to no avail".

5. Mr Redman's lease requires about 1000 hours open annually and he actually is open about 1400 hours annually, almost 50% more than is required.

6. You say "I don't believe that the [Conservators] have made any allegations about Mr Redman".

I believe that the Conservators have made plenty of allegations about Mr Redman as there have been unsubstantiated slurs on him and on how he runs the cafe. It is a disgrace that a public charitable body should be perceived to be damaging a local and respected business. His is now the second longest running catering business in Malvern and his survival should be applauded not denigrated.

7. You say "As my survey showed that there was not overwhelming support for Mr Redman, I feel that the Malvern Hills Conservators are pursuing a course that will be acceptable to most users of the Hills"

As a Chartered Clinical Psychologist trained to Doctoral level in statistical analysis I feel compelled to advise you that: your 'survey' is clearly unscientific; thus it does not warrant you to make any conclusion about what may or may not be acceptable to most users of the Hills; and by having this printed in the Malvern Gazette you have misled the public.; thus this represents a further unsubstantiated slur on Mr Redman.

Given the above what is deserving of at least equal weight in concluding what course of action will be acceptable to most users of the Hills is the public opinion gathered petitions. They show a powerful, many-layered support for Mr Redman and his cafe. If you and your fellows had read the comments in the petitions you would have learnt about the high esteem that Mr Redman is held in.

The petitions show that, contrary to what you assert, the Conservators are pursuing a course that is widely perceived to be bullying and arrogant. Words such as “disgrace” and “outrage” crop up again and again from members of the public. I have obtained some extracts from the comments on one of the petitions which I attach at the end of this letter. There are thousands of similar comments. There have been a further 700 signatures added (every one of which has been signed at the cafe) even since 13 May when it was handed in.

8. You say “You may be right – the Acts covering the operation of the [Conservators] do not seem to directly say that the Conservators have the power to run a cafe or information centre. Curiously it does allow the Conservators to run a cafe if the St Ann’s Well cafe burns down! I suspect that it would be sensible to judge that there is an implied power to run a cafe anyway. I also suspect that there is a precedence (sic) over the past 125 years that the Conservators have at some time ran (sic) the cafe at St Ann’s Well. I don’t think that “disallowed” is stated in the Acts, there is just an omission of a statement to allow the Conservators to run a cafe. Of course if a court decided that the power is disallowed then obviously a non-existent power cannot be passed on to a tenant. The cafe would have to close permanently.”

I have enquired about the legal position and although, like you, I am not a lawyer, the situation seems to be as follows:

8.1 As I understand it there is NO power under the Acts for the Conservators to have an information centre except on land “off the hills” under section 9 of the 1995 Act – that applies only to land acquired after 1995 - read carefully your own website commentary on the 1995 Act or ask Mr Hall-Jones who was chairman at the time. See also the letter from L Sire in the Malvern Gazette on 16 July.

8.2 Similarly there is NO express or implied power for them to run a cafe.

The Conservators are a statutory body and so their powers must be either express or derived by reasonable implication from their statutes. Their express objects are to preserve the natural aspect (s21 of the 1924 Act) and to keep the hills open and unenclosed (s3 of the 1930 Act ).

7.3 Where it has been intended that they have powers which go beyond these objects, specific powers have had to be expressly given (eg the powers to provide seats, toilets, etc). If those had been reasonable implications they would not have needed to be express powers.

In particular they needed to be given an express power (s.4g of the 1930 Act) to licence ice-cream vans operated by other people. If they needed that as an express power, how much more would they have needed an express power to run a whole cafe themselves!

In contrast the Acts contain an express power to lease St Ann’s Well thereby showing that the expectation was that they would lease it to third parties to run as a cafe. That is of course what has happened over the last 80 years or so.

7.4 It seems that you are now trying to spend huge amounts of public money to interpret the Acts in a way that they have never been interpreted before simply to evict one person against whom there seems to be almost a personal vendetta.

7.5 The supposed “precedent” from the 1960’s does not help either. I understand that that arrangement was a lease dressed up to look like something else (a management agreement) so as to get round the Landlord and Tenant Act. The Conservators did not take the commercial risk as the supposed managers kept their profits and bore the losses so the Conservators were in exactly the position of a landlord.

7.6 You suggest that if the Conservators lack the power to run the cafe, then their tenant cannot run it either. This is simply wrong. As an example, think of a council-owned shop. The council is not allowed to engage in trading activity but it may grant leases of the shop. It therefore grants a lease to Marks and Spencers who proceed to sell clothes from the shop. Their right to sell clothes does not depend on the council landlord but on their own powers. In relation to St Ann's Well, the Conservators have a power to lease it under s8 of the 1930 Act and Mr Redman is perfectly entitled to run a cafe business.

7.7 Your peculiar approach to the statutes has, perhaps not surprisingly, led you to an absurd conclusion. Ending up with an absurd conclusion is often an indication that the logic leading to it is flawed, as yours is here. I suggest you re-appraise this and inform your colleagues too.

8. You say "Please understand that it is Mr Redman who is insisting on going to court".

I do not believe this is accurate and that it was not Mr Redman who "insisted" on going to court but it was the Conservators who initiated the process without even having the courtesy to discuss matters with him first.

9. You say "negotiation and mediation have been rejected by Mr Redman".

I do not believe that Mr Redman has rejected negotiation and mediation. I believe he made efforts to contact Mr Rowat to discuss matters but Mr Rowat has refused to talk to him about anything relating to the case. Further I believe that Mr Redman attended a mediation session this week (although he is unable to say what was discussed) but this has been deferred because the Conservators failed to disclose documents to him in time.

10. You say "these legal actions are being funded by monies negotiated in the transfer of lands from the construction of the Malvern Retail Park. They are not coming from the levy that is collected by MHDC on behalf of the Conservators".

According to the management accounts approved by the A&R committee on which you sit, the legal actions taken by the Conservators are in fact being funded from the levy. I have been informed that the money can be traced to the levy ie the general funds, as set out in Annex 2 at the end of this letter. Even if the money were not coming from the levy fund, it is still all public money held on trust and so should be spent prudently and on proper purposes.

11. You say "I do feel that if Mr Redman has such a strong support then he could set up a cafe anywhere in Malvern and have a roaring trade; and leave St Ann's Well (a building owned by the Conservators) to be managed by the Conservators."

I find this comment offensive and unprofessional. This comment is unworthy of a person in public life. Further it ignores the fact that it is unlawful for the Conservators to run the cafe themselves. I hope that you and your fellow Conservators will consider the effect your decisions have had not only for Mr Redman but also for your own reputation.

I hope that you will consider and clarify the above points and I will look forward to hearing from you.

Yours sincerely

Dr Denise Cardone

[http://www.notjustmetal.com/Docs/Denise\\_Cardones\\_reply\\_to\\_Pete\\_Watson2.pdf](http://www.notjustmetal.com/Docs/Denise_Cardones_reply_to_Pete_Watson2.pdf)

### **6-08-10: St Ann's Well is Zephaniah's Hot Ticket!**

On Friday 6th August, St Ann's Well Vegetarian Cafe on the Malvern Hills was listed as one of Benjamin Zephaniah's cultural tips for the week ahead in the Times:

Benjamin Zephaniah wrote:

'This vegetarian and vegan café is in a beautiful spot in the Malvern hills, near where I live. I chanced upon it when I was out jogging, and couldn't believe the menu. They make a legendary vegan chocolate cake and host poetry evenings and plays, too.'

Link: <http://tinyurl.com/2b9npzz>

### **13-08-10: No plan powers (Malvern Gazette letters)**

Mr R F Hall-Jones, Mrs S Thetford and Mr B Wilcock are currently members of the board of Malvern Hills Conservators.

Mr R F Hall-Jones and Mrs S Thetford were present at the committee of chairmen meeting of August 25th 1993 where the Clerk to the Conservators reported that the Select Committee of the House of Lords had denied the Conservators the power to provide information centres on land already under their jurisdiction (see 'No Mandate for Hill Centre', Malvern Gazette July 16th).

Mr B Wilcock, attended the board meeting of September 9th 1993 when Mr Hall-Jones presented the report of August 25th 1993 and moved it's adoption.

I fail to understand how the Conservators could embark on a costly legal dispute and high profile campaign to provide a visitor centre at St Ann's Well when several prominent board members were aware that they did not have the power to implement their plans.

Similarly, the Malvern Civic Society publicly congratulated Malvern Hills Conservators on their plans to revive St Ann's Well and provide a visitor centre there.

As Mr D Brook (a trustee of the Malvern Civic Society) was also in attendance at the Conservators committee of chairmen meeting of August 25th 1993, the Civic Society should have been aware that the Conservators do not have the powers necessary to implement their plans.

Will Malvern Civic Society now, just as publicly, withdraw its congratulations?

L Sire, Malvern

### **19-08-10: SSAW attend MHC A&R Committee meeting.**

Following the board meeting in May a consultant experienced in matters of local government was appointed to investigate issues raised by the Save St Ann's Well campaign.

The A&R committee discussed the consultants report on their code of conduct, standing orders, confidentiality and governance of meetings.

Review of Codes of Conduct Report 19th August 2010:

[http://www.notjustmetal.com/Docs/A&R\\_Committee\\_Report\\_19-08-2010.pdf](http://www.notjustmetal.com/Docs/A&R_Committee_Report_19-08-2010.pdf)

Original response to questions raised by SSAW at the board meeting in May:

<http://tinyurl.com/35n34c8>

**20-08-19: Conservators' conduct code under review:**

<http://tinyurl.com/29vltwa>

Curiously the article states that the consultant was bought in as part of a regular review. This is extremely misleading as the review was conducted in response to issues raised by SSAW (see above).

**20-08-10: No new building** (Malvern Gazette letters)

THE letter from L Sire in last week's Gazette is extremely misleading. Like several others who have written in recent weeks they have missed the point that what the House of Lords were denying the Conservators was the option of building any new structures on their land not what could be done in existing buildings. I know because I was also present when the board meetings referred to took place. It strikes me that L Sire and others of his ilk seem to think that if a myth is peddled with sufficient frequency it somehow becomes fact. This is not the case. CLIVE SMITH, Greenfields Road, Malvern Link.

NB. L Sire quoted the Clerk to the Conservators 1993 report and the Select Committee report, so is far from misleading:

[http://www.notjustmetal.com/Docs/No\\_Mandate\\_Malvern\\_Gazette\\_170710.jpg](http://www.notjustmetal.com/Docs/No_Mandate_Malvern_Gazette_170710.jpg)

<http://www.notjustmetal.com/Docs/MHCMinutes1993.pdf>

<http://www.notjustmetal.com/Docs/MHC-Lords-Select-Committee-Report.doc>

Clive Smith is not listed as being present at either meeting (he was elected in Nov 1993).

No members of the public are listed as being in attendance at either the board meeting or committee of chairmen meeting.

**27-08-10: Let's see advice** (Malvern Gazette letters)

Mr Clive Smith has been misinformed as to the interpretation of the Malvern Hills Act. The Opinion of the House of Lords' Select Committee leaves no room for doubt. The Conservators may not "establish" an information centre on the Hills and that is confirmed even by the Conservators' own website summary of the 1995 Act.

I do not know what Mr Smith's motives are for writing as he did and I like to think he has simply been wrongly advised. Presumably Messrs Hall-Jones, Thetford, Willcock and Brook all know that L Sire is correct and so have refrained from even trying to defend their actions.

I would like to challenge Mr Smith and the other Conservators to publicise their legal advice on the whole issue of whether they have the power to have an information centre and run a cafe. The public have been obliged to pay for that advice after all so it is only fair that we should see it and be

able to draw our own conclusions. It is known that they had to "shop around" for more than one barrister's opinion presumably because they did not like the first one and I think that the public has a democratic right to see both opinions.

Bernie Jones, Malvern.

### **08-09-10: Martin Shaw and Jenny Seagroave visit St Ann's Well and sign petition.**

Members of the supporting cast of The Country Girl including The Bill actor Mark Letheren, Peter Harding and Luke Shaw (Martin's son) also enjoyed visiting the cafe.

### **09-09-10: SSAW attend MHC Board Meeting.**

The Conservators reveal that they have spent £37,689.50 on the St Ann's Well litigation including all legal fees (and those which have accrued even if not yet billed) together with fees for Dolan, Rubus, the student architect, barristers, Glazzards, PR consultants, any other consultants, costs of the mediation.

Clive Smith apologises for his misleading letter to the Gazette (see below). The review of the governance procedure is carried and Clive Smith welcomed the introduction of a Register of Members' Interests:

<http://www.malvernhills.org.uk/Content/BOARD%20090910.pdf>

### **11-09-10: Virginia McKenna (Born Free Foundation) signed our petition**

Virginia McKenna (Born Free Foundation) signed our petition at a private viewing of Gary Hodges' art exhibition at the Nature in Art gallery. Virginia McKenna commented that 'of course it should stay - many more people are vegetarians now'.

Gary Hodges, BBC wildlife presenter Nigel Marvin and Rula Lenska also signed the petition.

### **12-09-10: St Ann's Well is featured on the BBC One Politics Show West Midlands:**

<http://www.youtube.com/watch?v=89-uPeWARnA>

### **16-09-10: Theatre stars add signatures to cafe petition**

THEATRE stars Martin Shaw and Jenny Seagroave took a trip up to St Ann's Well cafe to sign a petition backing the current tenant's campaign to remain.

The pair, who were appearing in the Country Girl at Malvern Theatres but are also known for their roles in BBC One drama Judge John Deed, joined more than 2,500 people who put their names to the campaign.

The Malvern Hills Conservators, which owns the hill-side cafe, had sought to end tenant John Redman's lease in order to refurbish the building, including installing an information centre for the benefit of hill walkers.

The second round of mediation talks between Mr Redman and the Conservators will take place on Thursday, October 14.

[http://www.malverngazette.co.uk/news/8394646.Theatre\\_stars\\_add\\_signatures\\_to\\_cafe\\_petition/](http://www.malverngazette.co.uk/news/8394646.Theatre_stars_add_signatures_to_cafe_petition/)



**25-09-10: It has been one year since the Conservators informed John that they opposed the grounds of a new tenancy.**

The grounds of opposition were:

1. That on termination of the current tenancy they intended to occupy the premises and run the cafe and a visitor centre there themselves

This part of their case is now in severe doubt due to their apparent lack of any statutory power to run a cafe or to have a visitor centre in this location.

2. He would not be granted a new tenancy in view of substantial breaches of his obligations under the current tenancy.

They withdrew this part of the case in May.

John would like to thank everyone for their support over the last 12 months.

**07-10-10: Clive Smith, the Conservator's chairman elect, called an Emergency General Meeting**

Clive Smith, the Conservator's chairman elect, called an Emergency General Meeting to discuss St Ann's Well and whether to continue with the proceedings to evict John.

The Conservators voted in favour of directly negotiating the terms of a new lease with John.

The cost of mediation to date is £6,500.00.

**15-10-10: Cafe Meeting** (Malvern Gazette)

MEMBERS of Malvern Hills Conservators will be meeting on Monday to try to reach a resolution in the conflict with cafe owner John Redman.

The dispute began in September last year when the board served notice that they would terminate Mr Redman's lease on St Ann's Well.

A mediation session took place between the parties earlier this year and another was due to take place this week.

But Conservators director Ian Rowat said that this had been abandoned in favour of re-opening direct negotiations. He said: "Members did not want to go

Mr Redman said he was cautiously optimistic.

**18-10-10: First meeting of St Ann's Well working party**

**22-10-10: Conservators' costs**

I WOULD be pleased, if through your column, you could ask the Trustees of the Malvern Hills Conservators how much expense so far, they have run up in legal fees in their effort to unfairly oust the sitting tenant at St Anne's Well. I have no doubt that as this matter has dragged on for many months now, the solicitors' fees will be mounting to many, many thousands of pounds.

Could you also ask the Trustees if they will be paying for the costs of this witch hunt out of their own personal pockets, or will they be expecting the good residents of Malvern to pick up this rather costly tab via their Council Tax bills.

MR M H COLLINS, Fruitlands Estate, Malvern.

[http://www.malverngazette.co.uk/news/letters/8458836.Conservators\\_\\_costs/](http://www.malverngazette.co.uk/news/letters/8458836.Conservators__costs/)

### **22-10-10: Is end in sight for cafe dispute?**

AN end to the high profile dispute over the future of St Ann's Well cafe appears to be in sight.

Malvern Hills Conservators, which owns the building, is ready to offer tenant John Redman a new lease allowing him to stay at the cafe, which he has run for 20 years.

The row began just over a year ago, when the Conservators told Mr Redman that his lease would not be renewed.

They unveiled plans to renovate the cafe and open an information centre in the Octagon Room in the building's upper floor.

But supporters rallied around Mr Redman created a Facebook group called Save St Ann's Well, which gained 3,000 members within a week.

Mr Redman voiced his determination to fight for his livelihood and his home, and his supporters embarked on a close scrutiny of the Conservators' actions.

A mediation session was held in the summer, and another one was due this month. But this was abandoned when the Conservators decided to re-open direct negotiations with Mr Redman.

New chairman, Clive Smith, and vice-chairman, Peter Watts, will meet Mr Redman in the next few days and offer him a revised lease they believe he will accept.

"We think this lease contains no dealbreakers, and that we can resolve this, so that peace can finally break out between ourselves and Mr Redman," said Mr Smith yesterday (Thursday).

And Mr Redman said: "I think things are definitely looking up now that Clive Smith is in charge. It's been a long struggle that has cost me a lot of money, and I want to thank everyone who has voiced their support, and especially Martin Taylor for organising it. Nearly 7,000 people signed up on Facebook and 6,500 on the paper petition. It's really great to know that you're appreciated."

Mr Redman's celebrity supporters include poet Benjamin Zephaniah, actor Martin Shaw and photographer Mary McCartney, daughter of Sir Paul McCartney.

[http://www.malverngazette.co.uk/news/local/8469428.Is\\_end\\_in\\_sight\\_for\\_cafe\\_dispute/](http://www.malverngazette.co.uk/news/local/8469428.Is_end_in_sight_for_cafe_dispute/)

### **23-10-10: BBC H&W interview with John Redman:**

"I would like to see how it is that Malvern Hills Conservators came to embark on this action in the first place, why it was they felt the need to remove me and basically how they ended up getting to this point given that we know they had legal advice along the way..."

### **24-10-10: A petition has been launched calling for a full open and independent inquiry**

A petition has been launched calling for a full open and independent inquiry into how Malvern Hills

Conservators came to spend tens of thousands of pounds on trying to remove the current tenant at St Anns Well Café when they had no legal grounds to do so:

<http://tiny.cc/SAWPublicEnquiry>

### **29-10-10: A Public Inquiry (Malvern Gazette Letters)**

I AM mightily pleased for St Ann's Well proprietor John Redman, his staff, and all those who campaigned for his right to remain.

But it is clear that the understanding reached now could have been reached a year ago, and saved many people a lot of agony, uncertainty, time, expense and hard work.

There must now be a public enquiry into how and why this appalling situation occurred in the first place.

The Conservators' constitution must be scrutinised and if necessary the Malvern Hills Act rewritten to ensure that the work of managing the hills is in the future open, transparent, fair and responsive at all times, and not subject to the whims of committee members and their personal agendas.

JACKIE CAREY

<http://tinyurl.com/2554kv2>

### **11-11-10: Conservators Annual Meeting**

#### 8. Chairman's Announcements:

"Mr Smith hoped that the issue of St Ann's Well Café that has preoccupied both the Board and the public over the last twelve months would soon be resolved. It had to be conceded that the Board should never have got into such an intransigent and confrontational situation and it was incumbent upon all parties concerned to take part in a procedure to ascertain how the situation arose. He therefore gave his assurance that with colleagues he would conduct an inquiry that would be as open as it was transparent to ensure that such a situation would never be repeated."

9. PUBLIC QUESTIONS. Mr Hall-Jones stated that bearing in mind that the questions and answers, as on previous occasions, were all written down and would not only be circulated but would be an appendix to the Minutes he moved that no discussion took place on the questions and that under Standing Order 8.8 the Board proceeded to next business. This was seconded by Dr Smith but on being put to the vote the motion was lost by 4 votes to 18.

Mr M Taylor on behalf of the Save St Ann's Well Facebook Group asked 26 questions . The questions and the Chairman's response are published in Appendix A.

Arising.

13.2.1 6. Review of Governance Procedure. The Chairman stated that in his view the period of chairmanship for the Board and committees should be the same. He therefore moved an amendment to the report that the Chairman of the Board and committees should hold the post for not more than three consecutive years. This was seconded by Mr Chamings and on being put to the vote was CARRIED by 15 votes to 6 against with 2 abstentions. It was FURTHER AGREED on a vote of 15 for, 3 against and 4 abstentions, that this Standing Order would take effect from the 1 November 2011.

<http://www.malvernhills.org.uk/Content/ANNUAL%20MTG%20111110%20FOR%20WEB%20SITE.pdf>

## **12-11-10: Inquiry will be open and transparent, says Conservators' chairman**

THE new chairman of Malvern Hills Conservators is promising an "open and transparent" inquiry into the dispute over St Ann's Well.

Clive Smith says that the Conservators should not have got into "such an intransigent and confrontational situation" with regard to John Redman, the tenant of the well, who was told last year that his lease would not be renewed.

Mr Smith, who officially took the chair of the board last week, was due to make the announcement at a meeting of the Conservators held last night (Thursday, November 11).

In a speech due to be delivered at the meeting, Mr Smith says: "It has to be conceded that we should never have got into such an intransigent and confrontational situation. It is incumbent upon all parties concerned to take part in a procedure to ascertain how we got to where we are now.

"I give everybody present here tonight and the wider public in the area that I will with colleagues conduct an inquiry that will be as open as it will be transparent to insure that such a situation will never be repeated.

"I have a record in public service that goes back over thirty years. It's a track record of getting things done with many positive outcomes. You have my word that this will be the case as far as this sorry saga is concerned."

Mr Smith and new vice-chairman Peter Watts have already started work to end the dispute.

This week Mr Smith said: "We've already had an initial meeting with Mr Redman, and we'll be meeting again next week. Negotiations are ongoing."

Mr Redman said: "I'm delighted that this inquiry will be held, and we're looking forward to what it will reveal."

[http://www.malverngazette.co.uk/news/local/8632546.Inquiry\\_will\\_be\\_open\\_and\\_transparent\\_\\_say\\_s\\_Conservators\\_\\_chairman/](http://www.malverngazette.co.uk/news/local/8632546.Inquiry_will_be_open_and_transparent__say_s_Conservators__chairman/)

## **15-11-10: Comment from retired Conservator (Malvern Gazette letters)**

AS a retired Conservator with 19 years service, I would like to correct an impression give in the article on page 21 of last week's Malvern Gazette, that a change of chairman can change the Board's policy.

The policy towards the management of St Ann's Well is the decision of the whole board and a change of chairman should make no difference. Neither the chairman nor the director should have any influence on any decision of the board. Their responsibility is solely to carry out the decisions of the board arrived at and voted for by the committees and ratified by the whole board.

DUDLEY BROOK, Abbey Road, Malvern.

[http://www.malverngazette.co.uk/news/letters/8623618.Comment\\_from\\_retired\\_Conservator/](http://www.malverngazette.co.uk/news/letters/8623618.Comment_from_retired_Conservator/)

NB: Mr Brook was in attendance at the Conservators committee of chairmen meeting of August

25th 1993 where the Clerk to the Conservators reported that the Select Committee of the House of Lords had denied the Conservators the power to provide information centres on land already under their jurisdiction (see 'No Mandate for Hill Centre', Malvern Gazette July 16th).

#### **19-11-10: Duties were plain** (Malvern Gazette letters)

It is interesting that D Brook now feels it his duty remind the chairman and the director of M H Conservators of their responsibilities. It seems a pity that he did not feel that he should have reminded them back at the beginning of this sorry episode that they were forbidden from having a visitors centre at St Ann's and that their duties regarding the site end with the maintenance of the building. These facts were made perfectly clear to him along with B Wilcox and other members still on the board back in 1993 and again in 1995 by the boards then chairman R H Jones and clerk D Judge. Had he done so he could have saved tens of thousands of pounds of council tax payer's money.

S Jackson, Malvern

#### **19-11-10: Change in a leaders style** (Malvern Gazette letters)

Congratulations to Mr Clive Smith, the new chairman of the board of Malvern Hills Conservators, for his strong and progressive leadership on taking the reins as chair at the board meeting on Thursday 11th November. Putting to use the public address system and having the board members names on display in front of them immediately signaled his commitment to openness and transparency, later outlined in his speech. His welcoming approach towards members of the public at the meeting and to hearing public questions created a notably different atmosphere, in spite of ongoing hostility towards the public from certain members of the board. Mr Smith endorsed his commitment to openness further by recommending the board vote against Mr Hall Jones' proposal to stop public questions. The four who voted against his recommendation apparently forgetting they are there to serve the public, and are accountable to them.

A welcome change to last November's board meeting, when my letter to the board raising serious concerns about the Conservators' plans for St Ann's Well was treated with contempt and derision by Mr Smith's predecessor in the chair. This sorry incident can be viewed on YouTube and, sadly, was typical of what the public might previously have expected if they dared to question the actions of the board.

Mr Smith's commitment to not only resolve the St Ann's Well dispute, but to launch an inquiry into how the Malvern Hills Conservators came to pursue this ill-advised and costly course of action, was the most welcome change of all. In doing so, he proved that, contrary to Mr Dudley Brook's declaration in his letter in last week's Gazette, a change of chairman has indeed meant a change of policy for the Conservators in relation to St Ann's Well. About time too!

I would like to thank Clive Smith and wish him well in his endeavours to improve the way the Malvern Hills Conservators is run, its relationship with the public, and most of all to resolve the St Ann's Well dispute and form a positive ongoing working relationship with the tenant John Redman.

Lenni Sykes

#### **09-12-10: MHC Admin & Resources Committee Meeting**

9. MANAGEMENT ACCOUNTS FOR THE 6 MONTHS ENDED 30 SEPTEMBER 2010.

"In view of the likely deficit at the end of the financial year due to the shortfall in car park takings

and the higher than budgeted legal fees in respect of St Ann's Well, the Financial Consultant was asked to investigate opportunities for the use of other funds to finance the deficit."

<http://www.malvern hills.org.uk/Content/MTG%2091210.pdf>

### **10-12-10: New lease of life for well**

ST Anne's Well Cafe tenant John Redman has been offered a new lease on the building by its owners, Malvern Hills Conservators.

The offer marks the end of a dispute between the Conservators and Mr Redman which has been going on for some 14 months.

Mr Redman said this week that he is still in negotiation with the Conservators, but, all being well, he hopes the lease will be signed within the next few days.

"We're dotting the i's and crossing the t's," he said. "The lease they are offering is initially for five years, but I'm hoping that can be extended."

The row erupted in October 2009, when the Conservators told Mr Redman that his lease on the landmark cafe, which he has run for 21 years, would not be renewed.

The Conservators unveiled their own plans to renovate the cafe and open the Octagon Room upstairs as an information centre.

But Mr Redman's friends and regular customers immediately launched a vigorous campaign aimed at changing the Conservators' minds.

The turning point came in October this year, when Clive Smith, who had just been elected as the board's new chairman, reopened direct negotiations with Mr Redman.

As a result, the board has now resolved not to oppose Mr Redman's application for a new lease.

Mr Smith said: "This was a situation I felt had been going on far too long, and it was time to resolve it."

Mr Redman said he was delighted with the move. "It's been causing me a lot of stress, so this is great news. I want to say thank you to all my supporters for what they've done.

"Now we will be open on Christmas Day and Boxing Day as we've always done."

[http://www.malverngazette.co.uk/news/local/8731162.New\\_lease\\_of\\_life\\_for\\_well/](http://www.malverngazette.co.uk/news/local/8731162.New_lease_of_life_for_well/)

### **12-01-11: SSAW attend MHC Board Meeting**

Public Questions and Answers: [http://tiny.cc/ConsQA\\_13-01-12](http://tiny.cc/ConsQA_13-01-12)

Note the questions were not read out at the meeting.

3. PUBLIC QUESTIONS. The Chairman advised that he did not intend to give a verbal answer to the 24 questions submitted on behalf of the St Ann's Well Facebook Group. Full written answers would be posted to whoever submitted them and if there were any follow up queries they would be



taken up.

Mr Pilcher stated that whilst accepting the right of the public to ask questions, he expressed concern at the number of questions submitted over recent months and the officer time taken in answering them which to date was approximately £3,000.00 and queried the motivation of the questioners.

Arising.

8.2.10 General Fund Budgets and setting the Levy for the year ended 31 March 2012.

Mr Tuthill stated that he had voted against the budget as he was concerned that it did not include likely costs of the St Ann's Well matter. The Financial Consultant advised that as the total costs were still not clear the view was taken to make no provision in the 2011/12 budget as it was hoped the matter would be settled before the 2010/11 Annual Accounts were signed off in July 2011, in which case any additional costs would be included in this year's accounts. However should this not be the case the costs would be discussed with the Chairman of the Committee at the monthly accounts meetings and its likely impact on the 2011/12 budget assessed. This was NOTED.

<http://www.malvern hills.org.uk/Content/BOARD%20130111%20FOR%20WEBSITE.pdf>

### **17-01-11: Well supporters angry over questions to Conservators**

SUPPORTERS of St Ann's Well tenant John Redman are angry that Malvern Hills Conservators refused to answer their questions at the board's meeting last Thursday (January 13).

The Save St Ann's Well Facebook Group submitted 26 questions to the board, but at the meeting, coun Clive Smith said that written answers would be sent to the questioners, instead of having the questions and answers read out at the meeting.

\*For the full story, see the Malvern Gazette on Friday.

[http://www.malverngazette.co.uk/news/8794899.Well\\_supporters\\_angry\\_over\\_questions\\_to\\_Conservators](http://www.malverngazette.co.uk/news/8794899.Well_supporters_angry_over_questions_to_Conservators)

### **21-01-11: To modernise (Malvern Gazette Letters)**

Malvern Hills Conservators continue to treat the public – who fund them - with the utmost disdain. They did not even have the courtesy to tell members of the public who went to their Board meeting on a wet dark night last week that they would not answer the public questions and so there was actually no point in members of the public turning up.

They have since provided the most cursory and evasive replies to the questions and clearly still hope that they can brush under the carpet all the difficult issues they must face over their conduct of the St Ann's Well litigation.

Their case was doomed to fail from the start since they could not prove breaches of the lease nor had they the statutory power to take over the cafe. This was pointed out to them most clearly in the questions at the board meeting in November 2009 (yes, more than a year ago!) Instead of considering the very valid and correct points made in those questions the Conservators incomprehensibly ploughed on with the litigation for more than another year; it will in the end cost the ratepayers the best part of £100,000 as they must pay the tenants' costs as well as their own.

If they had heeded the public questions they would have reconsidered their position, realised their

case was hopeless and negotiated a settlement a year ago. Instead of that, Brian Pilcher launched a bizarre outburst against the public, saying that he “bitterly resented the orchestrated onslaught” of the public questions and tried to stop them.

Clearly the Conservators are struggling to come to terms with modern concepts of openness and accountability for democratic public bodies. If the present members of the Board are unable to address these issues properly then they should resign and make way for new members who can.

Mr Harrison Boyle, Malvern

#### **04-02-11: Dispute over Hills cafe continues**

THE long-running dispute over St Ann’s Well cafe continues, with tenant John Redman and owners Malvern Hills Conservators unable to agree terms on a new lease.

The row first erupted in October 2009, when Mr Redman was told that his lease on the cafe, which he has run for 21 years, would not be renewed.

But 12 months later, and after mediation failed to produce an agreement, the Conservators agreed to offer Mr Redman a new lease.

In December Mr Redman told the Gazette it was a case of “dotting the i’s and crossing the t’s” and that he expected to sign the agreement within a few days.

However more than six weeks later this has still not happened.

\*For the full story, see this week's Malvern Gazette.

#### **Statement from John Redman:**

Mr Watts is correct when he says that there have been some hours of talks regarding a new lease. A lot of those hours were taken up having to explain the workings of the Landlord and Tenant Act to Mr Watts as he seemed unable or unwilling to accept that the conservators had lost their case in objecting to renewal because they neither had the right to run a café or visitors centre on the hill nor did they have any evidence to substantiate their claims that there had been any breaches of the terms of the lease.

They were also unclear on how the Landlord and Tenant Act provides for the terms of the new lease to be settled and seemed to be under the impression that so long as a broadly “similar” lease was proffered, that would do. In fact the Act goes much further than that and requires the person seeking any change to the old lease to justify it. This they were wholly unable to do in relation to the changes they proposed.

When we finally got to talk about the new lease things appeared to go well with the Chairman and his vice chair agreeing basic terms. We parted company with a handshake and the promise of a draft lease to follow so that we could dot the I’s etc. Unfortunately the lease that arrived was almost entirely different from the one we had discussed. The new lease proposal included increases in the rent in the order of 30% (without the corresponding contribution to the costs of supplying the toilets which is what we had agreed) and a number of onerous conditions as well as omissions.

Having contacted the chairman I was assured that these were due to an administrative oversight and that a new draft with the relevant changes would be forthcoming. Two further drafts were sent; both

without the agreed changes and therefore clearly unacceptable. A proposal based on the discussions held with Mr Smith and Mr Watts was sent to them on the 7th December and we are still waiting for their reply.

**Comment from Clive Smith** (Sunday 6th February)

I really must respond to John Redman's comments. The draft leases that he was offered were a fair reflection of our discussions. It should also be in the public domain that he refused a valuer permission to inspect the cafe in order to sort out what the rent should be. After consultations it was agreed that a valuer agreeable to both parties could be appointed. I contacted John on the 20th January by text I am still awaiting a reply. To conclude I hope to post the final draft lease on our website in order that the residents of the district can take a view on whether we are being unreasonable or not. However I fear that on the grounds of confidentiality I fear we will not be able to do so.

Clive Smith Chairman MHC

**Clarification from John Redman** (Sunday 6th February)

I am slightly surprised that you wish to air this in public but if you wish to do so I have no objection.

I suggest you check your email of 24 November 2010 when you confirmed that the draft lease did not reflect the terms discussed when we met and you said that you would instruct your solicitor to work on a new draft.

The valuer (who you told me was valuing for insurance purposes only) was in fact invited in and to look around when he called on 12 January. I spoke to you and you told me to tell him to leave as you were under the impression he was valuing for insurance and you agreed that we should do a joint valuation. The valuer himself said there was no point in proceeding because he could not value the rent until the lease terms had been agreed.

I have no record of any text message from you on 20 January. If you are really still awaiting a reply from me why did you not follow it up? You know I have always welcomed an opportunity to speak to you. I did have an email on 18 January when you said you were busy but would try to meet and that it was sensible to have a mutually agreed valuer.

I am sorry to have to contradict you in such a public forum but you have left me with no choice as your version of events is incorrect. With your permission, I am willing to add a direct quote from your email of 24th November on this forum to resolve this point.

J Redman

[http://www.malverngazette.co.uk/news/local/8832370.Dispute\\_over\\_Hills\\_cafe\\_continues/](http://www.malverngazette.co.uk/news/local/8832370.Dispute_over_Hills_cafe_continues/)

**17-02-11: MHC Admin & Resources Meeting**

Despite promises that an inquiry would be 'open and transparent' Brian Wilcock (Chairman of the A&R Committee) proposes that the committee recommend to the board a private scrutiny panel which would work in private (without a representative from the SSAW Facebook Group) then present it's report to the public – This was seconded by Brian Smith.

Clive Smith said that he "would have to abstain or vote against Brian Wilcock's proposal. There had been a lot of turbulence and angst and having a member of the Facebook Group would address that."

All voted in favour other than Clive Smith and Peter Watson who abstained (and Chris Rouse did

not vote as he is not on that committee).

### **Unofficial transcript of the Conservators A&R meeting:**

Discussion of Agenda Item 7 – Inquiry:

<http://tinyurl.com/Minutes-AR-17-02-11>

### **Malvern Hills Conservators Inquiry 'options report':**

Circulated at last night's A&R committee meeting:

<http://tinyurl.com/Report-AR-17-02-11>

Official minutes: <http://www.malvernhills.org.uk/Content/ADMINRES170211.pdf>

### **25-02-11: Anger over decision to hold well inquiry in private**

SUPPORTERS of St Ann's Well tenant John Redman are disappointed that an investigation into his long-running dispute with Malvern Hills Conservators is set to be held in private.

Despite chairman Clive Smith calling for an "open and transparent" public inquiry, members of the Conservators' administration and resources committee voted in support of examining the matter behind closed doors.

However the Save St Ann's Well Facebook Group issued a statement saying: "We have many reservations about the integrity of a private internal inquiry and do not believe that such an inquiry will effectively scrutinise the many outstanding issues.

"Questions need to be asked to ensure that this never happens again and that the Malvern Hills Conservators, as a publicly funded body, are properly held to account in a public forum."

\*Read the full story in this week's Malvern Gazette

Full story <http://tinyurl.com/4jzmv23>

[http://www.malverngazette.co.uk/news/8876085.Anger\\_over\\_decision\\_to\\_hold\\_well\\_inquiry\\_in\\_private/](http://www.malverngazette.co.uk/news/8876085.Anger_over_decision_to_hold_well_inquiry_in_private/)

### **02-03-11: Well supporters launch petition**

MEMBERS of the Save St Ann's Well Facebook group have launched a petition calling for a public inquiry into the dispute between tenant John Redman and Malvern Hills Conservators.

Although Conservators chairman Clive Smith is in favour of the inquiry, members of its administration and resources committee are recommending that the investigation be held in private.

A final decision will be made by the Conservators' board.

A spokesman for the Facebook group said: "We hope members of the board will consider the positive impact that an open and transparent inquiry would have on the Conservators reputation and vote against the A&R committee's proposal for a private internal inquiry."

The petition can be signed at St Ann's Well Cafe, Greenlink Organic Foods or online at <http://tiny.cc/SAWPublicEnquiry>.

[http://www.malverngazette.co.uk/news/local/8883762.Well\\_supporters\\_launch\\_petition/](http://www.malverngazette.co.uk/news/local/8883762.Well_supporters_launch_petition/)

#### **04-03-11: A Public Matter (Malvern Gazette Letters)**

The verbatim minutes of the recent Conservators' A&R committee meeting (available via a link on your website) make interesting reading for anyone who has been following this saga. Clive Smith's view on the public nature of any inquiry into the St Ann's Well litigation must clearly prevail. Brian Smith and Brian Wilcock are quite incorrect to think that the Inquiry is needed simply to find out what went wrong ie why they did not succeed in their attempt to gain control of the Cafe. This is not a private matter to be cursorily reviewed and swept quickly under the carpet with a whitewashing report for public consumption.

An Inquiry involving the public (not necessarily a formal "Public Inquiry") is needed as a matter of public accountability so that the public are informed about how and why the Conservators managed to waste £100,000 of public money on unnecessary and, apparently unwinnable, litigation.

It will no doubt be an uncomfortable process for the Conservators as they are not in the habit of explaining themselves to anyone; however, this time the sums involved are so huge (more than a quarter of all the money paid by local people in a year!) that they cannot evade it. If they are not prepared to be publicly accountable for public money then they should resign from public office.

Yours sincerely,

Lesley Staunton, Colwall

#### **04-03-11: Benjamin Zephaniah, Martin Shaw and Jenny Seagrove sign the petition for a public inquiry.**

Benjamin Zephaniah, who has previously stated that the cafe is his favourite place on the Hills, signed the on-line petition for a public inquiry and added the following comment:

"We the users of Malvern Hills and St Anns Well Cafe were promised an open and transparent inquiry, we're not asking for much. Just that. One has to ask, what have they got to hide? We have nothing to hide. We have a strong sense of place, and a strong sense of justice. Let it be seen to be done."

Martin Shaw, the star of Judge John Deed and Inspector George Gently, visited the cafe last year to show his support for Mr Redman. He said:

"It's absurd that things have got this far, and gives rise to a strong suspicion that mendacious motives are working against the wishes of the majority. I've visited several times, and always there are people there expressing pleasure and surprise at its existence. It enhances the unique, quaint, and joyous atmosphere of Malvern and the Hills, and must not be sacrificed to narrow, greedy business interests. If there's nothing to hide, let there be an inquiry and an end to this nonsense."

Jenny Seagrove, co-star in BBC's Judge John Deed added her support to the petition too and was pleased to hear that 'finally some common sense is prevailing' as John is to get his lease renewed.

#### **07-03-11: Celebrity backing for St Ann's Well**

CELEBRITIES have backed a petition calling for a public inquiry into the dispute between St Ann's Well cafe tenant John Redman and Malvern Hills Conservators.

Poet Benjamin Zephaniah and actor Martin Shaw have added their names to a petition online.

Members of the Conservators' admin and resources committee recently voted in favour of a private internal inquiry, despite chairman Clive Smith's preference for a public investigation.

Mr Zephaniah commented: "We, the users of Malvern Hills and St Anns Well Cafe were promised an open and transparent inquiry, we're not asking for much. Just that."

And Mr Shaw, who visited the cafe last year, said it was "absurd that things have got this far".

"I've visited several times, and always there are people there expressing pleasure and surprise at its existence. It enhances the unique, quaint, and joyous atmosphere of Malvern and the Hills," he added. "If there's nothing to hide, let there be an inquiry and an end to this nonsense."

The recommendation from the admin and resources committee was set to be put to the Conservators' board for ratification when they met yesterday evening (Thursday).

The petition can be signed at St Ann's Well Cafe, Greenlink Organic Foods and online at: <http://tiny.cc/SAWPublicEnquiry>.

[http://www.malverngazette.co.uk/news/8893228.Celebrity\\_backing\\_for\\_St\\_Ann\\_s\\_Well/](http://www.malverngazette.co.uk/news/8893228.Celebrity_backing_for_St_Ann_s_Well/)

### **10-03-11: MHC Board Meeting**

Arising:

8.2.2 8. Inquiry. The Chairman reminded members that on taking the chair he had stated publicly that there would be an inquiry into how the matter of the lease of St Ann's Well had been dealt with that would be open and transparent. He could see no reason why it could not be held in public and therefore moved an amendment to the report that the inquiry took place with members of the public being able to be present.

This was seconded by Mrs Nielsen but not put to the vote.

A full discussion took place during which it was pointed out that as the matter had still not been finally resolved it was premature and members should not be looking into holding an inquiry until all issues had been completely finished. When it was finished it was suggested that a committee of the Board was formed which would meet in public unless it decided that there were matters to be discussed that were exempt items.

This was noted and Mr Morgan then moved an amendment to the report which was seconded by Mr Hall-Jones and CARRIED by 12 votes to 3, with one abstention, that once the whole matter of the St Ann's Well lease had been completed a committee of the Board should be formed to enquire into how this had been handled.

The report as amended was CARRIED.

NB There was a discussion about delaying the inquiry until after the local elections in May. This has been omitted from the minutes.

<http://www.malvernhills.org.uk/Content/BOARD%20100311.pdf>

### **11-03-11: St Ann's Well inquiry will be open to public**



MALVERN Hills Conservators last night reached an agreement that means members of the public will be able to listen in on an inquiry into the handling of the St Ann's Well affair.

Once the long-running dispute over between the Conservators and cafe tenant John Redman over a new lease has been settled, the matter will be examined by a committee of the Conservators' board.

These committees are open to the public.

This option was agreed, after much debate, as an amendment to a recommendation from the Conservators' admin and resources committee, which had suggested an internal scrutiny panel conduct the investigation in private.

Board members voted in favour of the amendment by 12 votes to three, with one abstention when they met yesterday evening (Thursday).

[http://www.malverngazette.co.uk/news/8904398.St\\_Ann\\_s\\_Well\\_inquiry\\_will\\_be\\_open\\_to\\_public/](http://www.malverngazette.co.uk/news/8904398.St_Ann_s_Well_inquiry_will_be_open_to_public/)

### **18-03-11 Not far enough** (Malvern Gazette Letters)

I am happy that the Board of Conservators have voted against a private internal inquiry into the St Ann's Well dispute.

However, I feel that the decision to allow members of the public to 'listen in on' oral evidence given by the Conservators Inquiry Committee does not go far enough.

Evidence must be made publicly available by the Conservators (including minutes and legal advice) and interested members of the public and groups such as the 'Save St Ann's Well' Facebook group should be permitted to make evidential submissions (as is the case with most inquiries). They should also be allowed to submit questions to the inquiry committee.

Lesley Staunton, Colwall

### **29-03-11: Cafe dispute continues**

HOPES for a settlement to the long-running dispute over a new lease for St Ann's Well Cafe tenant John Redman appear to have been dashed.

Mr Redman believed he had reached a mutually acceptable agreement with Malvern Hills Conservators chairman Clive Smith. However he says he has now been informed this is not the case, and that further litigation is likely to take place to determine the value of the lease.

Mr Redman has been locked in negotiations with the Conservators over a new agreement for several months.

He says that he and Mr Smith agreed to a lease of £5,000 - £500 more than he paid under his previous arrangement.

"But I have now been told that this deal has not been agreed, and so the Conservators wish to proceed with the litigation over the rental level - requiring a new valuer at joint cost of both parties," he said.

Mr Redman believes that a re-valuation could well lead to a figure of less than £5,000 being reached. Were this the case, he said the Conservators also run the risk of having to pay the legal

costs for both parties.

He has written to Conservators members this week urging them to look again at the agreement and "consider whether it might not be in the best interests of the board to bring this saga to a conclusion".

Mr Smith said the matter would be decided by a meeting of the St Ann's Well working party, and subsequently the main board.

"They have to decide whether or not it is worthwhile haggling over the rental and spending a day in court," he said.

[http://www.malverngazette.co.uk/news/8938677.Cafe\\_dispute\\_continues/](http://www.malverngazette.co.uk/news/8938677.Cafe_dispute_continues/)

### **29-04-11: No agreement (Malvern Gazette)**

MALVERN Hills Conservators and St Ann's Well tenant John Redman are still to reach an agreement on a new lease.

They are now waiting on an independent valuation of the premises.

### **20-05-11: Well deal moves closer**

ST Ann's Well tenant John Redman and Malvern Hills Conservators are on the verge of signing a new lease for the cafe.

Mr Redman, who has been fighting since autumn 2009 to remain in residence at the beauty spot, said this week he is "quietly confident" that a lease will be signed in the next few days.

Conservators vice-chairman Peter Watts said: "We're at a crucial stage, and we expect Mr Redman to sign the lease any day now, and we will countersign it."

[http://www.malverngazette.co.uk/news/local/9040239.Well\\_deal\\_moves\\_closer/](http://www.malverngazette.co.uk/news/local/9040239.Well_deal_moves_closer/)

### **31-05-11: New lease for St Ann's Well cafe:**

A LONG-running row between Malvern Hills Conservators and the tenant of St Ann's Well now seems to be over, with the signing of a new lease for the hillside cafe this week.

Tenant John Redman has been fighting for the last 18 months to stay at the cafe, which he has run for the best part of 20 years. In September 2009, he was told that his lease would not be renewed after it ran out in March 2010.

Protests, petitions, mediation sessions and negotiations followed, and a loyal band of Mr Redman's supporters started closely scrutinising the Conservators' actions.

A Facebook group set up in his defence gathered 7,000 members, 3,000 in the weeks after it was launched. Celebrities including poet Benjamin Zephaniah and actor Martin Shaw also rallied to Mr Redman's cause.

But on Wednesday, the Conservators announced that a new lease had been agreed, granting Mr Redman a further five-year term at the cafe.

Board chairman Clive Smith said "After protracted lengthy negotiations I am pleased to announce that a new lease has now been signed. I trust that both parties can now move on."

Mr Redman said: "I'm very happy that things seem to be moving on. It's been hanging over me for so long, because being forced out of here would mean losing my livelihood and my home as well.

"But we still need a proper inquiry in public into the whole affair. One carried out behind closed doors won't satisfy people."

He said he was deeply grateful to all those who supported him during the last 18 months. " It's been tough and there were times when I was very depressed, but knowing that so many people were behind me helped me get through."

Martin Taylor, who set up the Facebook group, said: "This is excellent news. John has fought the good fight."

[http://www.malverngazette.co.uk/news/local/9056458.New\\_lease\\_for\\_St\\_Ann\\_s\\_Well\\_cafe/](http://www.malverngazette.co.uk/news/local/9056458.New_lease_for_St_Ann_s_Well_cafe/)

### **07-06-11: Conservators accounts**

MALVERN Hills Conservators' latest year-end general fund management accounts are satisfactory, says the body's financial consultant.

In a report to the Conservators' administration and resources committee, Cheryl Gentry states that the accounts for year ended March 31 show a surplus of £17,604 against a budget of £16,729.

"In a difficult year, when car park takings have been hit by bad weather and significant legal costs have been incurred, this is a satisfactory year-end position," she says.

Income for the year was £616,331, which was £25,049 below budget, largely due to a shortfall of almost £35,000 in expected car park revenue. This is attributed to a wet summer and a severely cold winter.

Expenditure, however, was almost £26,000 below budget, with savings in land management and salary costs.

Administration costs were about £14,000 higher than planned, with "unbudgeted" legal and professional costs connected to the St Ann's Well dispute totalling £30,353.

[http://www.malverngazette.co.uk/news/9069410.Conservators\\_\\_accounts\\_are\\_satisfactory/](http://www.malverngazette.co.uk/news/9069410.Conservators__accounts_are_satisfactory/)

### **10-06-11: Well dispute investigation moves a step nearer**

MALVERN Hills Conservators are to set up a committee to investigate the St Ann's Well dispute.

At last night's (Thursday's) meeting of the board's administration and finance committee, members voted overwhelmingly in favour of the move.

Board chairman Clive Smith said: "Members will recall when I first became chairman, I said that we should have this inquiry and that I was equally resolved that it should be open and transparent.

"It should be in public and it should also be carried out during the lifetime of the current board, that

is by October 2011."

Mr Smith said he thought it would be inappropriate for himself, the previous chairman or the current vice-chairman to sit on the committee.

Members raised questions about the board's terms of reference and whether it can hear evidence about legal advice which was originally given in confidence.

The committee agreed to recommend to the board that the new committee is set up and empowered to carry out its investigation.

[http://www.malverngazette.co.uk/news/9077756.Well\\_dispute\\_investigation\\_moves\\_a\\_step\\_nearer/](http://www.malverngazette.co.uk/news/9077756.Well_dispute_investigation_moves_a_step_nearer/)

### **17-06-11: Hiding from our scrutiny (Malvern Gazette Letters)**

<http://tinyurl.com/69yedxu>

### **08-07-11: Conservators threatened with court over well case costs**

ST Ann's Well cafe owner John Redman of the St Ann's Well cafe says that he will be taking Malvern Hills Conservators to court over unpaid costs relating to the bitter dispute between them. Earlier this year, a court ruled that the Conservators must pay Mr Redman a sum in the region of £26,000, to cover the costs he spent during the row.

Mr Redman said: "My solicitor has provided a detailed breakdown of my costs but the Conservators have refused to accept them, challenging nearly every item listed. Last week I contacted board members to warn them that unless costs were settled we would be going to court.

"We haven't heard anything, so I've had no choice but to instruct my solicitor to proceed."

However Conservators chairman Clive Smith says the payment is due to be approved at a meeting next Thursday, July 14.

"It's being recommended for approval at the board meeting on Thursday. I don't know why Mr Redman is doing this because unless he gets a court date between now and then, it won't matter," he said.

The dispute between the two parties began in September 2009 when Mr Redman was told his lease on the cafe, his home and business for nearly 20 years, would not be renewed.

They finally agreed a new five-year lease for the building in May. At the same time, Mr Redman's solicitor put in the bill of costs.

[http://www.malverngazette.co.uk/news/local/9129079.Conservators\\_threatened\\_with\\_court\\_over\\_well\\_case\\_costs/](http://www.malverngazette.co.uk/news/local/9129079.Conservators_threatened_with_court_over_well_case_costs/)

### **15-07-11: St Ann's Well Cafe enquiry (Malvern Gazette Letters)**

MAY I applaud and commend Malvern Hills Conservators Chairman Clive Smith for his bold and very sensible decision to hold a Public Enquiry into the dispute over the St Ann's Well Cafe lease.

Due to the alleged cost of £100,000 plus of public money, would Clive Smith be even bolder and recommend that the committee/working party is totally independent of the Malvern Hills Conservators board, and insist that a senior officer of the Charity Commission be in attendance throughout the enquiry and finally, on completion, a full report be published for all to see.

D A MASTERS, Hall Green Close, Malvern.

[http://www.malverngazette.co.uk/news/letters/9134516.St\\_Ann\\_s\\_Well\\_Cafe\\_enquiry/](http://www.malverngazette.co.uk/news/letters/9134516.St_Ann_s_Well_Cafe_enquiry/)

### **15-07-11: Conservators delay approval of accounts after questions from public**

THE Malvern Hills Conservators deferred their annual general meeting last night after members of the public queried their year-end accounts.

Two members of the public, one introducing himself as a qualified chartered accountant and auditor, questioned why court costs to St Ann's Well cafe tenant John Redman had not been factored into the statement when they were "reasonably estimable".

They were told that the statement of accounts had to be published 14 days before the meeting and that, while an agreement to pay Mr Redman was in place, the exact amount was open to negotiation and would be decided later in the evening.

After a suggestion from Conservators member Paul Tuthill, chairman Clive Smith then moved that the annual general meeting be deferred until the board next met in September.

But as members prepared to vote they were reminded that they had already voted on and approved the year-end accounts.

Mr Smith then moved that previous vote be rescinded, with members voting nine in favour and four against, with three abstentions.

With this passed the vote on deferring the agm took place and was carried by 11 votes to one, with six members abstaining.

[http://www.malverngazette.co.uk/news/local/9141858.Conservators\\_delay\\_approval\\_of\\_accounts\\_after\\_questions\\_from\\_public/](http://www.malverngazette.co.uk/news/local/9141858.Conservators_delay_approval_of_accounts_after_questions_from_public/)

### **22-08-11: A detailed analysis of the dispute was produced by SSAW and circulated to members of the inquiry committee to consider before the inquiry and will be published online shortly.**

### **02-09-11: Popular Malvern Hills cafe owner wins legal battle to stay**

It was the day the vegetarians bit back – and now they are demanding their pound of flesh.

A failed attempt to oust cafe owner John Redmond from his meat-free spot on the Malvern Hills is set to leave a trust part-funded by taxpayers with a bill for £120,000.

Now there are calls for an independent inquiry from Mr Redmond's celebrity supporters, who include actors Martin Shaw and Sir Ian McKellen and photographer Mary McCartney, daughter of ex-Beatle Sir Paul.

Protesters want to know why the Malvern Hill Conservators, who manage the 3,000 acres of rolling hills, waged a lengthy battle to close tenant Mr Redmond's St Ann's Well Cafe, a move which would have killed off a dining service renowned for its vegan fruit cake and dandelion coffee.

The Conservators pressed on with moves to boot out Mr Redmond in the face of a global Facebook campaign to save the cafe and an online petition signed by almost 2,000 supporters.

The organisation's board also went against the advice of its own lawyers who argued there were sound reasons why attempts to terminate Mr Redmond's tenancy on the grounds of unsubstantiated contract breaches were doomed to failure.

Read More: <http://www.birminghampost.net/news/2011/09/02/popular-malvern-hills-cafe-owner-wins-legal-battle-to-stay-65233-29346113/>

**05-09-11: BBC Hereford and Worcester interviews Martin Shaw:**

'Very Happy to hear that St Ann's Well has been saved...it was outrageous what was being done'  
(01:55:01):

[http://www.bbc.co.uk/iplayer/episode/p00jvytb/Andrew\\_Easton\\_Martin\\_Shaw\\_and\\_Kenny\\_Thomas/](http://www.bbc.co.uk/iplayer/episode/p00jvytb/Andrew_Easton_Martin_Shaw_and_Kenny_Thomas/)

**06-09-11: BBC Hereford and Worcester interviews John Redman & Cllr Clive Smith about the St Ann's Well dispute and waste of taxpayers money (1:33:40):**

<http://www.bbc.co.uk/iplayer/console/p00jvz2p>

<http://www.notjustmetal.com/docs/JR-BBC-H&W-060911.mp3>

<http://www.notjustmetal.com/docs/Clive-Smith-BBC-HW-Sept-2011.mp3>

**08-09-11: Malvern Hills Conservators' AGM of council taxpayers and board meeting (details soon)**

Minutes: <http://www.malvernhills.org.uk/Content/BOARD%20080911.pdf>

NB SSAW disputes the accuracy of these minutes

**16-09-11: Charity Commission 'must head' cafe inquiry – Committee concerned about conflict of interest (Malvern Gazette):** <http://tinyurl.com/64g6c5a>

**21-09-11: Conservators inquiry committee to meet**

MEMBERS of the Malvern Hills Conservators inquiry committee set up to investigate the dispute with St Ann's Well Cafe tenant John Redman will meet next week to discuss how the matter should proceed.

The five-man committee voiced concerns at the organisation's most recent board meeting over their ability to conduct the open and transparent inquiry that Conservators' chairman Clive Smith has publicly called for.

Members Jennie Kelly, Mike Morgan, Beverley Nielsen, Gwyneth Rees and David Watkins will meet in the Conservators offices at Manor House, Grange Road, at 6.30pm on Monday (September 26).

They will look to agree recommendations to the board on what professional advice they require to conduct the inquiry, and how the inquiry committee should be composed.

Mr Morgan said: "The board are asking the five of us to come up with an open and fair review of what took place and to see if there are any lessons to be learned from that. Essentially we are almost being asked to conduct it as a public inquiry, and as none of us has ever run something like that before we want advice on how to run one."

He continued: "We also need to ask, if it is going to be really open, if there are going to be any conflicts of interest, with four of the five of us having been on the board when the decisions were being made. We want advice on that front as well. " Mr Smith, who is hoping to attend the meeting, said: "The inquiry members have to decide which way they want to handle it. They have to come up with something to recommend to the board. As long as it is open and transparent, and everyone can see what went on by the end of it, then I will be happy with that."

The committee meeting is open to the public.

[http://www.malverngazette.co.uk/news/local/9262394.Conservators\\_inquiry\\_committee\\_to\\_meet/](http://www.malverngazette.co.uk/news/local/9262394.Conservators_inquiry_committee_to_meet/)



### **27-09-11: Cafe enquiry should have independent chairman**

THE board of Malvern Hills Conservators is to be recommended to appoint an external, independent chairman to conduct the inquiry into the St Ann's Well cafe affair.

The recommendation comes from the inquiry committee set up by the Conservators earlier this year to examine the matter.

Mike Morgan, Beverley Nielsen, Gwyneth Rees, Jennie Kelly and David Watkins met yesterday evening (Monday, September 26) and agreed it would be difficult for a committee comprised of board members to conduct the "open and transparent" inquiry that Conservators chairman Clive Smith has called for.

Mrs Nielsen said: "Any gathering of members of this board is going to be, to some degree, compromised and conflicted. My concern is that internal inquiries are by their very nature compromised."

The committee agreed unanimously to return to the board with a recommendation that an external chairman be appointed to organise and run the inquiry.

It will put forward the suggestion that any member of the Worcestershire County Council standards board over the last 10 years would be considered a suitable candidate for the position. The committee's preference would be for the inquiry to include representation from the Charities Commission.

Mike Morgan, who was elected as chairman of the committee at the start of the meeting, said that there was likely to be a cost implication whoever the board chose to appoint.

The next meeting of the Conservators board will be in November, after the organisation's elections on Thursday, October 27.

St Ann's Well cafe tenant John Redman said he was "equal parts pleased and disappointed" with the outcome.

"The committee clearly recognised that no-one from the board should be involved with the investigation, and that is a big step forward," he said.

He added that he was disappointed the matter would not be resolved before the forthcoming elections.

[http://www.malverngazette.co.uk/news/9273494.Cafe\\_enquiry\\_should\\_have\\_independent\\_chairman/](http://www.malverngazette.co.uk/news/9273494.Cafe_enquiry_should_have_independent_chairman/)

### **30-09-11: Cafe tenant to stand in Conservators' election**

THE tenant of St Ann's Well cafe has announced he will stand for election to the board of Malvern Hills Conservators next month.

John Redman is standing in the Priory ward and all other nominees vying for the 11 seats will be announced today (Friday, September 30) after the noon deadline, with election day to follow on Thursday, October 27.

If elected, Mr Redman would not be able to discuss St Ann's Well but says his reason for wanting to join is to help the board change the way it works by sharing his knowledge of the hills, tourism and the Malvern Hills Act.

He said: "I have lived here for 21 years and I see tourists every day and I know all the workers on the hills, I am a perfect interface for them. What they are asking for is an employee here and in a roundabout way I am giving them that."

\* See today's paper for the full story

[http://www.malverngazette.co.uk/news/9281497.Cafe\\_tenant\\_to\\_stand\\_in\\_Conservators\\_election/](http://www.malverngazette.co.uk/news/9281497.Cafe_tenant_to_stand_in_Conservators_election/)

St Ann's Well cafe tenant and his solicitor in the dispute to stand in Conservators' election (Full Story): <http://tinyurl.com/6hpth9w>

### **01-11-11: Change to board (Malvern Gazette letters)**

"Lets hope the elections bring a real change of people and attitude"

<http://tinyurl.com/changetoboard>

### **18-10-11: Minutes of A&R committee meeting:**

4. Matters arising from the meeting held on the 25 August 2011

4.1 4.1 Inquiry into St Ann's Well Matter. Mr B Wilcock stated that the current Board would be unable to deal with this issue and that it is an issue for the new Board.

The Director stated that a letter had been sent to Mr M Morgan suggesting that as Chair of the Inquiry Committee he present a paper to the first meeting of the new Board on the 10 November.

9. Charity Commission review Project

The Administrative Officer stated that the Conservators had received a correspondence suggesting that the Board become involved in the Charity Commission's Charity Review Project.

The Director stated that this matter will need investigating and it was AGREED to defer this item until the next Committee Meeting on 1st December, however in the interim the details will be circulated to Members for their perusal.

<http://www.malvern hills.org.uk/Content/Admin%20and%20Resources%20Committee%20Meeting%20Minutes%2020111013.pdf>

28-10-11: The results of the election held on the 27th October for Guarlford Ward and Priory Ward are as follows:

Guarlford Ward

Mr R Chamings was duly elected by 46 votes to Mr D Street's 23 votes.

Turnout for Guarlford Ward was 25%

Priory Ward

Mr P Watson was duly elected by 309 votes to Mr J Redman's 253 votes.

Turnout for Priory Ward was 17%

### **10-11-11: MHC Board Meeting**

Inquiry Committee. The Chairman called on Mr M Morgan, former Chairman of the Inquiry Committee, to present the report as per item 16.3 on the Agenda.

Mr M Morgan presented the minutes of the Inquiry Committee meeting held on 26th September 2011 at 6.30. On the proposal of Mrs G Rees, seconded by Mr C Rouse, the minutes were ADOPTED as a true record with the addition of Mr P Watson's name to those in attendance.

INQUIRY COMMITTEE

Manor House, Malvern

Thursday 26 September 2011 6.30pm

Present: Mrs J Kelly, Mr M Morgan, Mrs B Nielsen, Mrs G Rees, Mr D Watkins.

In Attendance: Administrative Officers (x2), Mr T Musgrove, Mr R Roberts, Mr C Rouse, Mr C Smith (ex officio), and 5 members of the public.

#### 1. ELECTION OF CHAIRMAN

It was proposed by Mrs J Kelly seconded by Mr D Watkins that Mr M Morgan be Chairman. This was CARRIED with 1 abstention.

Chairman agreed with Mr C Smith who quoted the 1972 Local Government Act stating the public are free to take notes but not electronically record proceedings at that meeting.

#### 2. APOLOGIES FOR ABSENCE

No apologies.

#### 3. DECLARATIONS OF INTEREST

None.

#### 4. RECOMMENDATIONS TO THE BOARD REGARDING PROFESSIONAL ADVICE and 5. PRESENTATION TO THE BOARD ABOUT THE COMPOSITION OF THE COMMITTEE

It was felt that existing or newly appointed board members would be compromised and ideally would wish to see a representative from the Charity Commission involved. Therefore the view of the Committee to be truly independent it had to include external representations, preferably with a member from the Charity Commission.

Discussion took place regarding a suitably knowledgeable person to chair the committee and appoint other members.

The committee considered the statement previously circulated at the September Board Meeting (copy attached). It was agreed that the wording of the Statement from Members elected to the Malvern Hills Conservators Sub-Committee of Inquiry into St Ann's Well should be amended to read as follows:

- i. This should be removed from the Statement as by the time of the next meeting the new board will be in place.
- ii. It was agreed that the desired level of independence for any Inquiry can only be achieved by appointing independent individuals to the inquiry preferably including a representative of the Charity Commission.

With regard to the composition of the Inquiry Committee it was AGREED to recommend to the Board that any member who had served on the Standards Board of the Worcestershire County Council over the past 10 years be considered as a suitable chairman. Once appointed the chairman would decide on the appointment of other members of the committee.

It was further AGREED that the current Chairman of this committee make this

presentation to the Board.

The meeting closed at 7.26 pm.

Arising

Mr M Morgan urged the Board to follow the recommendation to elect a chairman for the new Inquiry Committee from the Standards Board of Worcestershire County Council. The Director stated that if this recommendation is agreed, that an appropriate person from the County Council will be approached.

A discussion ensued.

Board members wanted a quick resolution to this issue with a focus on learning from events.

The Board will examine how it works as a body corporate and will review standing orders, governance and procedures for decision making.

Mr P Watson proposed that the Board has powers under Standing Orders to abandon the Inquiry on the grounds that there is limited public interest as demonstrated by the low turnout of voters in the wards of Guarlford (75% did not vote) and Priory (83% did not vote).

Mrs H Stace seconded the proposal.

Mr C Smith stated that the previous Chairman had promised an open and transparent inquiry therefore the Board should continue to conduct a full inquiry.

Mr P Tuthill proposed an Amendment to the above that as the new Chairman of the Board was not involved in the St Ann's Well litigation, that the Chair would be ideally placed to chair the Inquiry Committee and implement changes. Mr C Smith seconded the proposal.

The Amendment was CARRIED by 12 votes to 3 against, with 5 abstentions.

<http://www.malvern hills.org.uk/Content/Board%20Meeting%2020111110.pdf>

### **11-11-11: Conservators' director to retire**

IAN Rowat, the director of Malvern Hills Conservators, is retiring.

Mr Rowat announced his resignation at the end of a lively meeting of the Conservators' board last night (Thursday, November 10).

He will leave the post, which he has occupied for 13 years, at the end of March next year.

At the meeting, Brian Pilcher was elected chairman of the board. Tim Musgrave was elected vice-chairman.

\*For the full story, see next week's Malvern Gazette.

[http://www.malverngazette.co.uk/news/9358521.Conservators\\_\\_director\\_to\\_retire/](http://www.malverngazette.co.uk/news/9358521.Conservators__director_to_retire/)

## **02-12-11: Inquiry set to begin**

THE long-awaited inquiry into the dispute between St Ann's Well cafe tenant John Redman and Malvern Hills Conservators is set to begin this morning.

The special inquiry committee set up to investigate the matter will be meeting at the Conservators' offices in Manor House, Grange Road, at 10am.

The dispute began in September 2009 when Mr Redman was informed that his lease on the cafe would not be renewed when it expired in March 2010.

Protests, petitions, mediation sessions and negotiations followed and it was not until May this year that a new lease was finally agreed between the two parties.

When the Conservators' new board held their first meeting earlier this month, it was decided that chairman Brian Pilcher should be responsible for organising and chairing the inquiry committee.

Mr Pilcher said he had taken note of previous chairman Clive Smith's desire for the inquiry to be "open and transparent", and so has appointed committee members who were not involved when the original decision not to renew Mr Redman's lease was taken.

They are Carl Attwood, Luna Deller and Jill Campbell, with Mr Attwood being charged with authoring the committee's report.

The inquiry committee is set to agree its terms of reference and timetable at this morning's meeting.

A special meeting of the Conservators board was held yesterday evening (Thursday) to allow Mr Pilcher to brief members on the inquiry process.

[http://www.malverngazette.co.uk/news/9397209.Inquiry\\_set\\_to\\_begin/](http://www.malverngazette.co.uk/news/9397209.Inquiry_set_to_begin/)

## **02-12-11: Minutes of Inquiry Committee meeting:**

<http://www.malvernhills.org.uk/Content/20111202%20Inquiry%20Committee%20Minutes.pdf>

## **06-12-11: Inquiry into cafe dispute sees change of chairman (Worcester News)**

<http://tinyurl.com/d2pexbf>

## **09-01-12: Cafe inquiry to continue this week**

THE inquiry into the dispute between St Ann's Well cafe tenant John Redman and the Malvern Hills Conservators will continue this week.

The special committee will meet in the Elgar Room at the Council House, in Avenue Road, at 6pm on Thursday (January 12).

The dispute began in September 2009 when Mr Redman was informed that his lease on the cafe would not be renewed when it expired in March 2010.

A new lease was finally agreed between the two parties in May 2011 following a series of protests, petitions, mediation sessions and negotiations.

At its first meeting on Friday, December 2 Brian Pilcher stepped down as chairman of the

committee and Carl Attwood was appointed unanimously.

The other members are Luna Deller and Jill Campbell, with Tim Musgrove and Mr Pilcher taking ex-officio roles and Kevin Douglas acting as an independent advisor.

The committee is due to look at legal advice, the budget, the shape of the process and the next steps to take in that process.

It will be followed by a meeting of the board at 7pm, where a director's successor working party will be formed with Ian Rowat stepping down from the role in April.

Among other business the board will move to appoint a representative on the Malvern Hills Area Of Outstanding Natural Beauty Joint Advisory Committee and a report from the [Malvern Spa](#) Association will be heard.

Members of the public are allowed to attend both meetings.

[http://www.malverngazette.co.uk/news/malvern/9460300.Cafe\\_inquiry\\_to\\_continue\\_this\\_week/](http://www.malverngazette.co.uk/news/malvern/9460300.Cafe_inquiry_to_continue_this_week/)

### **13-01-12: Café inquiry committee could need at least £5,000**

THE inquiry into the dispute between St Ann's Well café tenant John Redman and the Malvern Hills Conservators may require a budget of at least £5,000.

The inquiry committee will request the conservators' board grant the initial amount to cover the next stage of proceedings.

It will help to pay for secretarial work to catalogue all the documentation involved in the case, as well as any legal advice required from London law firm Kingsley Napley.

The next moves in the inquiry will also include writing to former and current members of the board, Mr Redman and other interested parties inviting them to submit written evidence for consideration. Oral submissions may then be sought if necessary.

Plans were also made for a section of the conservators' website to be dedicated to the inquiry so members of the public will have easy access to all of the information.

[http://www.malverngazette.co.uk/news/malvern/9470537.Caf\\_inquiry\\_committee\\_could\\_need\\_at\\_least\\_5\\_000/](http://www.malverngazette.co.uk/news/malvern/9470537.Caf_inquiry_committee_could_need_at_least_5_000/)

### **19-01-12: St Ann's Well inquiry is in session once again**

THE inquiry into the dispute between St Ann's Well café tenant John Redman and the Malvern Hills Conservators was set to be discussed last night.

The special committee was due to meet in the Elgar Room at the Council House in Avenue Road at 6pm.

The dispute began in September 2009 when Mr Redman was informed that his lease on the café would not be renewed by the conservators when it expired in March 2010.

A new lease was finally agreed between the two parties in May 2011 following a series of protests, petitions, mediation sessions and negotiations.

At its first meeting on Friday, December 2, Brian Pilcher stepped down as chairman of the committee and Carl Attwood was appointed unanimously.

The other members are Luna Deller and Jill Campbell, with Tim Musgrove and Mr Pilcher taking ex-officio roles and Kevin Douglas acting as an independent adviser.

The committee was due to look at legal advice, the budget, the shape of the process and the next steps to take in that process.



It was set to be followed by a meeting of the board at 7pm, where a director's successor working party will be formed with Ian Rowat stepping down from the role in April.

Among other business, the board was set to move to appoint a representative on the Malvern Hills Area Of Outstanding Natural Beauty Joint Advisory Committee, and hear a report from the [Malvern Spa](#) Association.

For a report on last night's meeting, see [malverngazette.co.uk](http://www.malverngazette.co.uk).

[http://www.malverngazette.co.uk/archive/2012/01/19/001\\_news\\_latest\\_malvern/9470895.St\\_Ann\\_s\\_Well\\_inquiry\\_is\\_in\\_session\\_once\\_again/](http://www.malverngazette.co.uk/archive/2012/01/19/001_news_latest_malvern/9470895.St_Ann_s_Well_inquiry_is_in_session_once_again/)

### **30-01-12: Thousands more to be spent on cafe inquiry**

AT least another £5,000 will be needed to settle the dispute between St Ann's Well café tenant John Redman and the Malvern Hills Conservators.

The conservators' inquiry committee will request the full board grant the initial amount to cover the next stage of proceedings.

To date the dispute has racked up a legal bill of £120,000, covering the costs of both Mr Redman and the conservators.

The latest budget will help to pay for secretarial work to catalogue all the documentation involved in the case, as well as any legal advice required from London law firm Kingsley Napley.

The next moves will also include writing to former and current members of the board, Mr Redman, and other interested parties inviting them to submit all their written evidence for consideration. Oral submissions may then be sought if necessary.

Chairman Carl Attwood, who is joined in the committee by Luna Deller and Jill Campbell, said: "It is in our own interest to be prudent and sensible. We need to do everything to keep our costs to a minimum.

"Given the money that has been spent on getting this inquiry committee to where it is, it's not unreasonable a small amount more should be spent. If this is going to be taken seriously we need to pay the proper costs that will be accrued."

Plans were also made for a section of the conservators' website to be dedicated to the inquiry so members of the public will have easy access to all of the information.

The dispute dates back to September 2009 when Mr Redman was informed his lease on the café would not be renewed by the conservators when it expired in March 2010.

A new lease was finally agreed between the two parties in May 2011 following a series of protests, petitions, mediation sessions and negotiations.

However both Mr Redman and the then Conservators chairman Clive Smith agreed that there should be a thorough investigation to establish the truth of what exactly took place during the costly affair.

Mr Smith said the inquiry should be "open and transparent to ensure that such a situation will never be repeated".

No date was set for the committee's next meeting.

[http://www.malverngazette.co.uk/news/9500331.Thousands\\_more\\_to\\_be\\_spent\\_on\\_cafe\\_inquiry/](http://www.malverngazette.co.uk/news/9500331.Thousands_more_to_be_spent_on_cafe_inquiry/)

### **03-02-12: Budget set for inquiry**

THE inquiry committee looking into the dispute between St Ann's Well café tenant John Redman

and the Malvern Hills Conservators has been granted an initial budget of £5,000.

The decision was approved at the special meeting of the Conservators' board on Thursday, January 26.

Rev Carl Atwood, chairman of the committee, said: "They quite properly wanted it done through a board meeting.

"I'm very pleased they have agreed to do it."

The dispute dates back to 2009 when Mr Redman was informed his lease on the premises would not be renewed by the Conservators when it expired in March 2010.

A new lease was finally agreed in May 2011 but both Mr Redman and the then Conservators chairman Clive Smith agreed there should be a thorough investigation to establish the truth of what exactly took place during the affair, which has racked up a legal bill of £120,000.

The inquiry committee is inviting members of the public to submit written evidence to be considered as part of its work.

Inquiries for the formal letter of invitation for submissions should be made to: The Inquiry Committee Chairman, Submission Invitation Request, Malvern Hills Conservators, Manor House, Grange Road, Malvern, WR14 3EY.

[http://www.malverngazette.co.uk/news/malvern/9511586.Budget\\_set\\_for\\_inquiry/](http://www.malverngazette.co.uk/news/malvern/9511586.Budget_set_for_inquiry/)

#### **14-02-12: What a cheek**

WHAT a cheek! Malvern Hill Conservators are demanding more money – when it is down to them that they need to build up their reserves due to the amount of money they have wasted, not least caused by their inept handling of the dispute about the Hills' café.

Why should local people pay to build up their reserves due to their bad management? It should be the council telling the Conservators what they wish to pay, not the other way round.

I note the Conservators have advertised for a new director, saying that applicants must have 10 years' land management experience.

Can I suggest they should instead be looking for a director with management and experience in running a business and who is able to help the board of trustees to bring this organisation into the 21st century.

It is time this organisation got real.

I only wish I could demand from the council what I expect them to pay for my services rather than the other way around.

Put the work required on the hills out to tender and let us all have good value for money.

ANTHONY MORRIS

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[http://www.malverngazette.co.uk/news/letters/9524810.What\\_a\\_cheek/](http://www.malverngazette.co.uk/news/letters/9524810.What_a_cheek/)

#### **14-02-12: Beggars belief**

I READ with grave concerns as to the £120,000 the Malvern Hills Conservators have spent on the St Anne's Well tenancy saga, and now as reported in the Malvern Gazette, January 27, at least a further £5,000 to fund the inquiry expenses.

This ongoing expenditure beggars belief.

One must ask, what has been achieved by this exorbitant expenditure of local MHC precept payers' money?

Perhaps board members would explain why this non-costeffective, limitless expenditure was ever approved.

A further blow to us local Malvern Hills Conservators precept payers was to read that this year the precept is to be increased by 5.4 per cent due to having to build up their reserves to six months' expenditure.

Why has such a shortfall occurred?

The Malvern Hills Conservators have not had a very favourable track record.

Back in March 2000, there was an in-depth inquiry into their management, carried out by the Charity Commission, which concluded the management had to be monitored for five years. Due to the recent events is it not time that the Charity Commission carried out another inquiry, not only into the management, but more importantly, into the St Anne's Well Café saga?

D A MASTERS  
Malvern

[http://www.malverngazette.co.uk/news/letters/9524800.Beggars\\_belief/](http://www.malverngazette.co.uk/news/letters/9524800.Beggars_belief/)

#### **20-03-12: Minutes of Inquiry Committee:**

<http://www.malvernhills.org.uk/Content/20120320%20Inquiry%20Committee%20Minutes.pdf>

#### **13-04-12: Inquiry Committee Questions:**

<http://www.malvernhills.org.uk/Content/Inquiry%20Committee%20Questions.pdf>

#### **27-04-12: New twist in hills café row**

THE Charity Commission is examining the conduct of Malvern Hills Conservators in its controversial dispute with the tenant of St Ann's Well.

The long-running saga started in 2009 when John Redman was told he must leave the hillside café he had occupied since 1991.

After protests and petitions from Mr Redman's supporters, and lengthy negotiations and mediation, a new lease was finally agreed in May 2011, but not before tens of thousands of pounds had been spent on professional advice and litigation.

Although the Conservators have set up their own inquiry, chairman Brian Pilcher has now written to the Charity Commission because of his concerns over the spending, which includes £47,000 on advisers, in-house costs of about £43,000 and £28,500 to cover Mr Redman's costs.

He told the Gazette yesterday: "It was my statutory duty to inform the Charity Commission of my concerns, and they asked us for further information."

A subsequent e-mail from Bethan Wilkins-Jones of the Commission to the Conservators read: "It is clear the Commission has a potential regulatory concern here. This is because £118,500 of charity money has been spent on litigation that was ultimately unsuccessful."

The commission has since been sent documents about the affair.

Its involvement opens up the possibility that individuals who were Conservators board members, and therefore charity trustees, when key decisions were made might find themselves personally liable for the spending.

Mr Redman said he welcomed the commission's involvement: "I think they will be asking some crucial questions about what advice was given, how decisions were made and who was responsible."

The Conservators' own inquiry committee has compiled a list of more than 50 questions it feels need answering.

The list can be seen at <http://www.malvern hills.org.uk/Content/Inquiry%20Committee%20Questions.pdf>, or viewed at the office in Grange Road. Members of the public are being invited to comment before Monday, May 14.

The new director of Malvern Hills Conservators, whose name was announced at last month's board meeting, has withdrawn from the post. Christopher Tomlin has since turned it down because of personal reasons. The post now goes to Steven Bounds, who is due to start at the end of June.

[http://www.malverngazette.co.uk/news/9674634.New\\_twist\\_in\\_hills\\_caf\\_row/](http://www.malverngazette.co.uk/news/9674634.New_twist_in_hills_caf_row/)

### **09-05-12: Malvern Hills Conservators Inquiry Committee publish 19 submissions that they have received for consideration:**

<http://www.malvern hills.org.uk/conservators/inquiry-committee.aspx>

### **21-05 -12: Anger over new café call**

THE chairman of Malvern Hills Conservators has come under fire for calling on the Charity Commission to get involved in the dispute with the tenant of St Ann's Well.

In a statement to the board on Thursday, May 10, Brian Pilcher said he raised his concerns over the spending on the issue with the Commission and it was the third attempt to engage with them.

He felt the two previous attempts were not vigorous enough and it was a statutory duty of the organisation to inform the Commission of its £75,000-plus expenditure on the issue. The saga dates back to 2009 when tenant John Redman was told he must leave the hillside café

A new lease was finally agreed in May 2011, but the matter has racked up legal and professional costs totalling £75,365 Mr Pilcher said both he and vice chairman Tym Musgrove felt correspondence to the Commission should be more "robust".

"I did not really pick up on the fact that it stepped over the line where it should have been brought to the board," he said. "Both Tym and I feel it could have been a better-handled situation.

"I am not comfortable with what happened. Let's put it behind us and say it isn't going to happen again."

But Mr Pilcher's predecessor Clive Smith said: "Why, as previous chairman, was I not asked how much vigour we pursued it? I was not asked what went on.

"I was not thinking of having internal inquiry until the whole thing was sorted. Despite my best efforts to make them respond, they did not want to pursue it."

He also said it was "most unfortunate" that the matter had appeared in the press before coming to the board.

However Carl Attwood, who is the chairman of the Conservator's independent inquiry committee into the matter, said the information was in the public domain as a copy of the board's papers had been requested.

"There's nothing in our standing orders that this correspondence was anything other than public," he added.

Meanwhile the deadline for members of the public to submit comments to the inquiry committee has been extended to Monday.

[http://www.malverngazette.co.uk/news/9714753.Anger\\_over\\_new\\_caf\\_call/](http://www.malverngazette.co.uk/news/9714753.Anger_over_new_caf_call/)

**31-05-12: Minutes of Inquiry Committee:**

<http://www.malvern hills.org.uk/Content/20120531%20Inquiry%20Committee%20Minutes.pdf>

**19-06-12: Minutes of Inquiry Committee:**

<http://www.malvern hills.org.uk/Content/20120619%20Inquiry%20Committee%20Minutes.pdf>

**19-06-12: Transcript of Inquiry Committee:**

<http://tinyurl.com/mhc inquiry committee june 2012>

**12-07-12: Minutes of Malvern Hills Conservators Board meeting including update on the St Ann's Well Inquiry & Charity Commission (July 2012):**

<http://www.malvern hills.org.uk/Content/20120712%20Board%20Meeting%20Minutes.pdf>

**03-08-12: Malvern Hills Conservators have published 19 responses received by the Inquiry Committee (incl. background docs):**

<http://www.malvern hills.org.uk/conservators/inquiry-committee.aspx>