



**Minutes of BCA Council Meeting held on Saturday, 09 April 2016
at The Red Lion Inn, Alvechurch.**

Present:

Andy Eavis (AE)*	BCA Chairman
Damian Weare (DW)*	BCA Secretary
Andrew Hinde (AH)*	BCA Conservation & Access Officer
Les Williams (LW)*	BCA Publications & Information Officer
Tim Allen (TA) *	BCA CRoW Liaison, CNCC Rep.
Bob Mehew (BM)	BCA Rope-Testing
Robin Weare (RW)	BCA Assistant Treasurer / Newsletter Editor
David Cooke (DC)*	Club Rep, BCA Webmaster / BCA Web Services / IT Working Party / Registry
Dave Tyson (DT)*	CCC Rep.
Jenny Potts (JP)*	DCA Rep.
James Begley (JB)*	CSCC Rep.
David Jean (DJe)*	DCUC Rep.
Idris Williams (IW)*	ASCT Rep.
John Hine (JH)*	NAMHO Rep.
Bernie Woodley (BW) *	Individual Member Rep. 1
Faye Litherland (FL) *	Club Rep.
Boyd Potts (BP) *	Club Rep.
<i>Graham Mollard (GM)</i>	<i>observer, NCP Chair</i>
<i>Ian Adams (IA)</i>	<i>observer, Cambrian CC Treasurer</i>
<i>Tony Radmall (TR)</i>	<i>observer, ASCT Rep. elect</i>

(* voting members)

The meeting commenced at 10:37am.

1. Chairman's Welcome

AE welcomed everyone to the meeting.

2. Apologies for Absence

Apologies were received from: Nigel Ball, Martell Baines, Ged Campion, Paul Ibberson, Matt Wire, Steve Holding, Stephan Natynczuk, Nick Williams, Alan Finch, John Gunn and Hellie Adams.

3. Applications for Club Membership

Cardiff Hill Divers and Devon and Cornwall Mine Explorers Group have provided the correct paperwork and payment to become BCA Member Clubs.

Proposal: *to accept Cardiff Hill Divers and Devon and Cornwall Mine Explorers Group as BCA Member Clubs.*

Prop: DW, Sec: JB *agreed unanimously.*

4. Minutes of the last Council Meeting on 09 January 2016 (previously circulated)

DT: In Item 5 on page 2 it says "Martin Laverty may have dug there on occasions" but DT actually said that he did not know whether Martin Laverty had dug there.

AE: On page 11 DJ should be DJe.

Proposal: *to accept the amended Minutes from 09 January 2016 as a true record*

Prop: JP, Sec: IW *agreed unanimously*

5. Matters Arising from the Minutes of the last Council Meeting

DT: An update on item 5 on page 2 – Stuart France was involved once in radiolocating in Ogof Draenen, but not in Drws Cefn.

Review of Action Log

Action 36 (Manual of Operations): Ongoing

Action 83 (Produce Asset Register): Ongoing - nearly complete.

Action 116 (Weil's Disease Publication Update): A written report was submitted by BM:

*"I made enquiries with Glenn Jones and Nick Williams. BCA has an old card printer and cards cost just under 10p each. I am prepared to offer to print them as black text on white card (cheapest) over some period of time. But a basic question for Council to decide – does it agree to spend some £600 (plus a bit for sundries like printer ribbons) issuing a card to every member at the end of the year along with membership cards (I assume postage cost will not go up) or does it want them free issue at events such as EuroSpeleo 2016 / AGM meetings and so on or does it want to charge for them? (I am not prepared to get involved in selling them.) If the latter two, how much can be spent? They come in packs of 500 (also 100 but around 12p a card)." **Bob Mehew***

LW: We should spend the money and give out the cards as a membership benefit.

DW: Alternatively we could print a number to distribute ourselves, including to farmers, and put a web link on existing membership cards to inform our members.

BM: The real purpose was that the card could be given to a GP if someone felt they might have been exposed to Weil's Disease. That cannot be done with a weblink on a membership card.

DC: Have we investigated printing them as business cards? This would be much cheaper.

LW: We will be able to give out lots at EuroSpeleo.

FL: Likes the idea of a plastic card. We could give out plastic cards to members and also have a large stock of business cards printed to distribute at EuroSpeleo.

DC: Business Cards are 10,000 double-sided full colour for £120.

GM: Training Committee use professionally-produced laminated business cards which end up at about 3p.

[It was agreed for BM to go ahead and print 1,000 business cards for distribution as soon as possible, plus plastic cards for each member to be distributed at membership renewal next year.]

Action 150 (Liaise with Joel Corrigan): No progress – ongoing.

Action 151 (Investigate social media): HB and DW have agreed a protocol, but discussion is still needed with DC.

Action 155 (Update Account Signatories): Ongoing

Action 157 (Set up Auto-Enrolment Pension): Ongoing

Action 158 (Liaise with HA and LW over C&A publications): see C&A report.

Action 160 (Advice to ACBs on CRoW): see CRoW report.

Action 163 (Liaise with UKCaving Owners): see Secretary's report.

Action 166 (Administrative Assistant to Exec. Advert): ongoing.

Action 167 (TC to produce section for Handbooks on the Media): ongoing

Action 168 (Liaise over printing of conservation Handouts for EuroSpeleo): ongoing

Action 169 (Proposal for CRoW spending): complete

Action 170 (Document outlining the way forward for TC): see Training report.

Action 171 (Speak to Descent): see P&I report

Action 172 (Text to express the benefits of caving for Government Bodies): see CRoW report.

Officers' Reports

6. Chairman (written report circulated)

Sincere apologies for missing the last two council meetings, you will be pleased to know I had a wonderful time in Mulu and then on my extended cruise. I am however pleased to be back and will try very hard to miss very few council meetings in the future.

Since I arrived home quite recently I have been trying to catch up with the BCA situation and have met a number of the council members. I have also read a lot of minutes of meetings and so on and am now reasonably up to date with things. There are clearly a lot of interesting things going on in BCA at present. There are a number of people doing a lot of work. Most items will come up separately within the reports to the council meeting, but there are a couple of things that I think I should mention, specifically in my report.

The first to mention is the situation with regards to whether CRoW applies to caving or not. We should all remember that we have had a ballot which asked our membership "Should BCA, on your behalf, campaign for CRoW to apply to going underground?" This was passed with a reasonable majority and that is what our CRoW Access Officer has been doing for the last couple of years. In addition, it should be remembered that DEFRA's existing interpretation of the legislation allows us to go to the cave entrance and indeed venture into the cave until it gets dark. It does not allow us to dig in the cave or on the surface and if CRoW is seen to apply to caves, we will still not be allowed to dig or disturb the caves in any way, in the same way you cannot disturb footpaths, gates, walls etc. We must remember the law of the land takes precedent over any constitution. Many of the land owners who have been approached are comfortable with the proposed clarification and indeed like the idea of reduced liability. There are a number of things we must do however, including considerably improving our

ideas on cave conservation, both within and outside access areas. We also need something like an informal voluntary email-based registration system which for certain busy caves could help overcrowding etc. We need to continue to develop our relationships with all land owners, whether of CRoW land or not and also improve our general approach to cave conservation. Look at section 26 of the CRoW Act and see how it applies to caves. I believe with the personnel we have in the BCA at present this can be achieved.

Another important point I feel I should mention is the situation regards training. The new proposals put forward by our training committee seem to me to have a great deal of merit, but need work doing on the detail. This will of course come up under Nigel Ball's report.

Euro Speleo is progressing with over 900 registrations and the organising committee has a meeting tomorrow.

The latest newsletter is good thanks to Robin Weare.

Other than that, I thank everyone for their efforts and look forward to the party weekend in Mendips in conjunction with Digfest from Friday 3rd- Sunday 5th June 2016.

Andy Eavis

It was agreed to defer approval of the various aspects covered in the Chairman's report until the relevant items are discussed under the appropriate headings later.

7. Secretary (written report previously circulated)

Party Weekend: This will be on Mendip in conjunction with DigFest ... I suggest we all get ourselves some accommodation booked soon!

AGM: This year the following positions are up for election: Secretary, C&A Officer, L&I Officer, 2 Clubs Reps and 2 Individual Reps. Nominations are due to me by Saturday 9 April.

Today we must appoint a Chair and a Recorder for the AGM. I suggest Andy Eavis and myself.

I will need full reports from post holders in good time – this will be 21 May – and I hope to avoid having to chase people!

Replacement Secretary: For the avoidance of any doubt, I will be stepping down at the AGM, whether there is a replacement Secretary or not. I desperately hope this will not leave BCA without a Secretary, but to date I have received no nominations.

Community Amateur Sports Club (CASC) Changes: I am aware of 5 CASC clubs who have written to HMRC to request deregistration.

Support for BMC: It has been suggested that we might contribute to a BMC crowdfunding project known as "Mend our Mountains". In a nutshell BMC is hoping to raise up to £100k for path repair work in 8 of our National Parks, as follows:

Peak District	Stanage – (Cowperstones & Hooks Carr) as well as Ringing Roger on Kinder
Yorkshire Dales	Swine Tail, Ingleborough
Snowdonia	Top of the Watkin Path, Yr Wyddfa
Brecon Beacon	Waun Rydd Path in the Central Beacons
Dartmoor	High Moor on Dartmoor between Nuns Cross and Eylesbarrow
North York Moors	Lyke Wake Walk over Fylingdales Moor south of Whitby
Lake District	Scafell Pike – Brown Tongue Route (part of the Three Peaks route) & Hollowstones
Exmoor	Long Chains Combe, Exmoor Forest

The BMC has already committed £1k to each of the projects before going live with the public campaign. Apart from the fact that cavers are outdoor people foremost and use our worn out footpaths, a reasonable donation would also be a gesture of goodwill which would help build a better relationship between our associations.

We are certainly developing closer links and BMC are well placed to help us in a number of areas.

This has been circulated prior to the meeting, thanks to Tim Allen. He suggests a sum of £400 would be appropriate.

Sport & Recreational Alliance Non-Exec. Director Election: We are members of the SRA and have a vote in the current election for a vacancy as a Non-Executive Director on their Board. There are two applicants who have met the SRA's job description. Their election statements can be read at: <http://www.sportandrecreation.org.uk/board-election-2016>. Personally I would favour Lyn West as her background as Chair of British Orienteering is more relevant to us. How would Council like me to vote on our behalf?

UKCaving Advertising: I have had no response to several attempts to advertise on UKCaving. I assume the owners are no longer interested in our support. Interestingly I have received an email from a fairly new site (www.darknessbelow.co.uk) offering us publicity for anything we are doing.

BCA & Procedures relating to CRoW: I have had three separate, but related, sets of correspondence fundamentally relating to the way BCA is handling the "CRoW issue". I am aware that Council members may feel they have discussed this at length previously, but suggest we owe it to our members to properly consider the issues raised at today's meeting.

1) CSCC's Secretary, Frank Tulley, has contacted me with the following:

As a result of published material, both in the media and on the internet, the CSCC believes that Tim Allen is campaigning to promote the view that CRoW act should apply to caving.

This action would be against the motion which the BCA agreed at the last AGM, this states 'This meeting confirms that the BCA constitution allows the seeking of clarification from DEFRA and Natural England on their existing guidance on CRoW act and

its application to caving.'

The BCA AGM did not agree that Tim Allen could actively campaign to promote the view that CRoW act should apply to caving when acting as CRoW liaison officer.

The CSCC wish to formally raise a complaint regarding this issue with BCA Council.

2) David Cooke has tabled the following:

This item is NOT about CRoW. It is about good governance and due process.

The Constitution says "4.6. That the owners and tenants of property containing caves have the right to grant or withhold access." A majority of members have voted in favour of a campaign to remove the landowner rights in certain cases. Such a campaign is clearly at odds with the Constitution.

Furthermore, as per section 13.1 of the Constitution the 2015 AGM interpreted the Constitution to allow clarification from DEFRA and NE but not to conduct a campaign. ***

*With the publication of the Guardian article*** "Cavers fight to take the right to roam to new depths" and articles published in other papers, the BCA is now engaged in a fully public and national campaign. This is against the Constitution and the 2015 AGM resolution.*

Above all an organisation must follow its own rules and regulation otherwise it will lose all credibility with its members and external organisations. It will do lasting damage to the BCA. How can BCA be trusted?

** 13.1 A General Meeting of the Association shall be the final interpreter of this constitution.*

*** Resolve that "This meeting confirms that the Constitution allows BCA to seek clarification from DEFRA and Natural England on their existing guidance on The CRoW Act and its application to caving."*

**** <http://www.theguardian.com/uk-news/2016/mar/28/cavers-fight-to-take-the-right-to-roam-to-new-lows>*

It is proposed that:

This meeting of the BCA National Council acknowledges that, in an organisation representing some 6000 members, the guiding principles of that organisation represent the expressed views of those members and that the BCA National Council confirm they accept and will abide by the guiding principles detailed in sections 4.2 to 4.8 of the BCA constitution.

Proposed F Litherland

3) Tony Brocklebank and Linda Wilson have also written to ask Council the following:

Can the National Council please clarify what level of damage to landowner/caver relationships that have been carefully nurtured over decades they deem acceptable in the pursuit of the BCA CRoW campaign?

Damian Weare

AGM

DW: To date DW has received a proposal relating to proxy voting, and a nomination for one Individual Member Rep. The deadline is this evening and there may be additional material waiting at home as DW has been away this week. [Post-Meeting note: by the deadline nominations had been received for C&A Officer, L&I Officer and one Individual Member Rep. These are, therefore, elected unopposed. There is also a proposal relating to an amendment to section 4.6 of the Constitution. Nominations for the remaining posts are to be taken at the AGM itself.]

DC: It would make sense if the dates of reporting were to be set as the preceding calendar year for the numeric reports such as the Membership Administrator's reports and for AGM to AGM for the other reports.

DW: This is at odds with what we have agreed previously in the Manual of Operations. It was felt that all reports should cover the previous calendar year with additional reference to the first half of the current year and possible future plans, if felt appropriate.

BM: It is important that the expenditure on reported items matches that shown in the accounts.

Support for BMC

DJe: The High Moor part goes right past Eylesbarrow, a mine in Devon.

AH: Swine Tail is on the area of Ingleborough above the Gaping Gill area.

DC: We are certainly a like-minded organisation, but must remember there are lots of good causes around and we cannot contribute to all of them. Promoting it to our members is easy and is likely to raise more money than BCA is in a position to contribute. There are sometimes corporate contribution sections for appeals, but this is not the case here.

LW: If things were the other way around, we would be really pleased to have the financial support of BMC.

[It was agreed that we should make a £400 contribution to the fund.]

SRA Election

TA: Met Lyn West at the SRA and she seems very pleasant. Her organisation, British Orienteering, also put its name to BCA's recent letter to DEFRA.

[It was agreed to vote for Lyn West.] Post-Meeting Note: vote posted on 17 April 2016

UKCaving Advertising

TA: UKCaving would like BCA to advertise and will liaise with DW.

DC The price seems to be more than the £360 agreed by Council.

TA Yes. The cost is £360 per year plus £3.60 per change of advert.

CRoW

TA: Would like to emphasise that TA has responded to recent media-interest enquiries rather than proactively generated them. This included the *Yorkshire Post* and the *Guardian*. In fact TA has had to turn down quite a lot of requests for media appearances recently. During recent appearances TA has taken every opportunity to promote caving in a good light. There is, of course, no way to control the final slant taken by the editors with some of what is recorded inevitably being cut. Everything that has been done has been done on behalf of Council.

DW: Is confident that everything TA has been doing has been perfectly fitted Council's remit. Does not believe that recent criticism is aimed at TA directly, but rather at Council.

DC: Agrees that TA has been completely up front in his actions and Council has approved everything that has been done.

CSCC's Complaint

DW: Council must surely agree with everything in paragraph 1 provided the words "should apply" are changed to "do apply". As far as the remainder of the complaint is concerned, DW would agree IF the AGM motion had been intended as a limiting motion, meaning that it limited BCA only to the action that was approved. However this was definitely not the intention when it was proposed, and furthermore DW is confident it does not read that way either. Council's role is to interpret the Constitution between AGMs, which is what it did prior to the 2015 AGM. As per the Constitution, which makes the AGM is the final arbiter, this approach was put to the AGM. Since the AGM the situation with DEFRA has become clearer and we have altered our approach.

FL: Is not personally against CRoW. However, there were actions accompanying the poll question which said what we would do in the event of a "yes" and a "no" vote. Of these, we have done number 1. Does not know if we have done number 2, but the evidence from ABIS is that it has not been done as well as it could have been. Does not know whether we have done number 3. We have done number 4. The key promise, though, was number 6, where to promised to seek to change our Constitution. This made clear that prior to the poll we understood there would be a constitutional conflict; we seem to have subsequently chosen to ignore that. We now need to change our Constitution.

AE: Number 6 is the only one of the actions listed we haven't followed.

DW: This is all very important, but is not directly relevant to the CSCC complaint, and we are probably be better discussing under FL's proposal, where this is directly relevant.

FL: There was huge debate at Council in the past and we agreed it was alright to seek clarification but not to campaign.

AE: Our membership could say that there was a ballot and we now need to go ahead on the basis of this.

BP: Let's be clear that number 6 is the only one we haven't done.

BM: The key point is that if CRoW does apply to caving, then we already have the legal right to go caving and we do not need to change our Constitution.

DC: Decisions on the Constitution have to be made based on the law of the land at the moment. Those most qualified to decide have determined that currently CRoW does not apply to caves.

TA: What was the intention when the points were drafted? Also the Constitution says BCA will "support Members of the Association in obtaining, ensuring, maintaining and encouraging the development of access arrangements [...]". Some, therefore, make the counter argument that BCA would be in breach of its Constitution if it doesn't push for DEFRA to accept that CRoW applies to caving.

FL: Is not saying this to stop us campaigning, but because we should be doing it properly and not ignoring our Constitution.

JB: *Read a prepared statement, as follows:* "The CSCC has grave doubts that a change to the CRoW Act to include caving will be of advantage to cavers in their region where access arrangements have been carefully negotiated and maintained for many years. It seems to the CSCC that this change may well have unintended consequences for our access arrangements and access to caves will be lost rather than secured.

"It is with this background that the CSCC comes to this meeting to make a complaint about the way that the Constitution is being interpreted in the apparent headlong rush to promote a change in the law. It seems to the CSCC that a blind eye is being turned to the very loose interpretation of the Constitution being applied by the CRoW Liaison Officer in respect of the motion passed at the most recent BCA AGM.

"The CSCC is therefore making a complaint about the failure of the BCA to properly operate its Constitution in respect of discussions about the CRoW Act, especially given there are a large minority of BCA members who voted against the current action who are being ignored."

- AE: There is no campaign to change the law, but rather to have it correctly interpreted.
- BM: We are only about changing the interpretation of the law. There is a very fine line between the two, but it is clear.
- AE: Whether we like it or not, we need to accept that The CRoW Act is going to be seen to apply to caving in the long run. What we need to do now is focus on a damage-limitation strategy for when it does and this means developing our approach to cave conservation.
- AH: Surely CSCC has completely misunderstood and Council has nothing to apologise for.
- JB: CSCC is not unhappy with TA. CSCC is, however, seeking to formally complain and would like acknowledgement of this.

The following response was then agreed:

Council acknowledges the complaint from CSSC but in Council's view the motion agreed at the 2015 AGM was not a limiting motion and Council and its Officers have, therefore, acted properly.

Proposed: JP, Seconded: DT *agreed with 8 votes in favour, 3 against and 3 abstentions*

Faye Litherland's Proposal

- TA: The quote shown is FL's foreword is not the full quote. It should say: "4.6. That the owners and tenants of property containing caves have the right to grant or withhold access. Where caving bodies have control of access delegated to them by the owners, such access should be obtained and granted as freely as possible for all responsible cavers, within the terms of those agreements. When obliged to make new agreements, the appropriate body should endeavour to ensure that this freedom is maintained or improved."
- JP: It is not a question of whether this organisation has voted to remove landowners' rights, but rather whether landowners' rights have already been removed by law.
- DC: We now know that DEFRA's view is that the CRoW Act does not apply to caving.
- BM: We have an alternative view of greater legal standing, but the final decision can only be tested in court.
- DC: Until that point we need to assume that DEFRA is right.
- BM: The highest authority is a court, the second is the MPs who made the original law and the third is people who interpret it i.e. DEFRA and QCs.
- FL: So we have two groups of equal standing – a QC says it applies, DEFRA say it doesn't. At the moment there is no clarity.
- DC: DEFRA has its own QCs who have looked at this and come to an alternative view.
- AE: When AE met with DEFRA, it was made clear DEFRA was not willing to use them.
- DC: The recent written response to the House of Commons stated that DEFRA had looked at it again and wasn't changing its view.
- TA: Actually, in response to a recent Parliamentary question Rory Stewart stated that "DEFRA has made no assessment of the legal provision relating to rights to grant or withhold access to caves." This means they have not involved their QCs. The response goes on to say that their view cannot be considered definitive.
- FL: We promised to change the Constitution, so it seemed clear that a change was considered necessary. This was supported by DW's report from the January 2015 meeting which suggested Constitutional change was required to progress poll item 6 - lobby MPs and other persons of influence to push for CRoW to apply to going underground. We now have an opportunity to rectify this by proposing to amend the Constitution. That would bring us back into compliance and also with members' thinking
- AE: Is there a need for haste? We offered to "seek" to change.
- DW: Is confident that "seek" meant to try to change it, rather than to look at whether or not we should.
- AE: If there were a test case, we potentially wouldn't need to change the Constitution.
- AH: Will the CSCC members vote for an AGM proposal to change the Constitution?
- FL: Cannot say.
- BP: The proposal depends fundamentally on the interpretation of the Guiding Principles.
- JP: The Constitution says that Council is able to interpret the Constitution but the final arbiter is the AGM.
- TA: The CNCC would support Council's position. FL's proposal starts by saying it has nothing to do with CRoW, but then continues to talk about CRoW.
- FL: The newspaper headline "Cavers fight to take the right to roam to new depths" gives the impression that the Guiding Principles are not being adhered to.
- TA: There is the alternative view that Section 3.1 means we would be in breach of our Constitution if we were not campaigning for improved access under CRoW. It depends on how we are interpreting the Guiding Principles.
- BM: The poll asked "Should BCA, on your behalf, campaign for The Countryside and Rights of Way Act to apply to going underground?" That surely gives us the right to try to change DEFRA's opinion.

DC: But we would be taking away a landowner's right to decide who should be on their land.
AH: Council believes it is acting within the Constitution and we are presumably happy with FL's proposal.
AE: Have we received a definitive answer from DEFRA?
TA: No. They say that only a court can give one.
DC: The Darkness Below website reports that Rory Stewart, MP, Parliamentary Under Secretary for State for Environment, Food and Rural Affairs, has responded in writing, as Minister responsible for this policy area, restating the position that the Department's view is that open access rights under CroW do not "*include any rights to use cave systems beneath or within the mapped land.*" He goes on to say that whilst the Department is aware of the opinion of Dinah Rose, QC, they are also aware of other opinions which reach very different conclusions. Mr Stewart makes the further point that this issue has not been tested in court and until then, all opinions remain just that.

[FL's proposal was then considered and agreed as follows:]

Proposal: ***This meeting of the BCA National Council acknowledges that, in an organisation representing some 6000 members, the guiding principles of that organisation represent the expressed views of those members and that the BCA National Council confirm they accept and will abide by the guiding principles detailed in sections 4.2 to 4.8 of the BCA constitution.***

Prop: FL, Sec: DW *agreed as follows – 9 votes for, 1 vote against with 4 abstentions*

[A further proposal was also then agreed to explain Council's position as follows:]

Proposal: ***BCA Council is fully aware of the Guiding Principles as outlined in sections 4.2 to 4.8 of the Constitution and always seeks to act in line with these. However the law of the land takes precedent over a Constitution. Therefore Council is happy that sections 4.2 to 4.8 are no impediment to BCA campaigning to change DEFRA's current interpretation of the law, which by their own admission is not definitive.***

Prop: DW Sec: BP *agreed as follows – 10 votes for, 2 votes against with 2 abstentions*

Question from Tony Brocklebank & Linda Wilson

AH: This is not a particularly helpful question given its rhetorical nature.
FL: Understands the question arises from the feelings expressed in the Association of British & Irish Showcaves (ABIS) letter.
JP: Spoke at length to the person who sent the ABIS letter to *Descent*, and listened to all his concerns. By the end of the conversation he was happy. However a little while later this letter appears raising very similar points.
DW: Suggests the following response ...
BCA Council has the utmost respect for landowners and recognises their right to decide how their land is used within the constraints of the law.
It is now more than 15 years since the CRoW Act was introduced. At the time all sorts of potential concerns were raised by opponents of the legislation, but Council believes these have largely failed to materialise. Indeed in general landowners now seem content with the legislation and Council does not see this changing if caving is shown to also be included as a permitted activity.
Furthermore CRoW legislation reduces landowners' potential liability to the lowest level possible in law and, as such, Council believes the majority of landowners will benefit if the CRoW Act is understood to apply to caves.
[This was agreed].
FL: There are clearly a number of potential benefits for landowners from CRoW. Would it be worth as a 'hearts and minds' initiative writing to landowners and letting them know BCA's thinking?
BM: One of the difficulties in our work on CRoW is that we cannot get involved in Regional Councils' affairs. This is seen as preventing us making direct contact with specific landowners. Given this, BM wonders if it would be worth asking RCCs for permission to write to them? Could Regional reps come back with the answer and supply the addresses?
DC: It would be easier for BCA to provide the paperwork and for Regions to distribute it themselves.
BM: Is conscious that we have not been able to make real progress with landowners because of this impediment.
AH: The C&A Committee has developed several papers simultaneously for distribution to landowners. They will all have to be issued to RCCs and then sent on.
DT: Are we just going to send it to landowners with Access Land, or to all landowners?
AH: The C&A Committee has been preparing material on CRoW and Section 26 for just this purpose.
BM: Feels there are two different documents being discussed here. The one for landowners would need more detail on certain aspects than the parts prepared for cavers.

BM: Would it be possible to include Linda Wilson and Tony Brocklebank in the discussions at C&A? Their input would be very helpful.

FL: Definitely - one of the best ways to bring people on board is to involve them.

AE: In a recent meeting with Linda Wilson and others, it was clear that their overriding motive is protecting our caves.

AH: Would like Council to understand that AH is obliged through his work for *Natural England* to abstain on all votes relating to CRoW.

The remainder of the Secretary's Report was accepted without discussion.

8. Treasurer (written report previously circulated)

At the time of writing, it seems unlikely that I will be able to attend the meeting. Hence I pass on my apologies if that does in fact turn out to be the case.

Since the January meeting, the most pressing financial item has been the preparation of the 2015 Accounts. Whilst I have not been able to make much progress in this respect, I am extremely pleased to report that our Assistant Treasurer has done an superb job of picking up the baton. As I write, a first draft is more or less done and this will be reviewed over the coming weeks. I do not propose yet to go into detail, but it is fair to say the picture is broadly in line with the prior year and there is nothing with which we are concerned. A detailed report will be prepared for the AGM and until then I do not think it necessary to go into specifics. However, I would like to formally record my thanks to Robin for his critical contribution.

As usual, I would ask all Council members to advise us of any items relating to 2015 which have not yet been dealt with, in order that these can be incorporated in the final position for the year. I would mention that information from the regional councils has been speedily provided and thus has been accrued into the final draft. A formal sign off and reimbursement of regional funding will be arranged as soon as possible.

Day-to-day items have been dealt with during the last couple of months and as I prepare to depart on expedition I am not aware of any pressing loose ends. Should any members of Council have any outstanding issues I will aim to expedite these swiftly on my return.

One item which was on the action list from January was to agree a budget for the CRoW Liaison Officer to work to. I can report that following discussions with Tim and Andrew, a few prior expenses (around £300 of travel and costs relating to the Gaping Gill event) have been reimbursed. Further to that, an estimate of approximately £1500-2000 has been made for costs that may be reasonably foreseen over the remainder of the year. I propose that a budget sum of £2000 is allocated to the ongoing expenses relating to CRoW and that expenditure up to that limit appropriately incurred and authorised be reimbursed as required. I have no doubt that this sum can be accommodated within the current income and expenditure position.

I have no other items to report at this stage other than the above and will deal with any matters arising between now and the meeting once I am back in April.

Paul Ibberson

RW: Final drafts of the Accounts are now with the scrutineer and most of her minor queries have been dealt with. There are a few extra creditors to be added before final completion, but is confident the accounts will be ready in good time for the AGM. RW would like to thank DC for the BCA accounting system, which consists of an amazing integrated spreadsheet set up a long while ago - it is extremely effective.

The Treasurer's Report was accepted without discussion.

9. Conservation & Access (written report previously circulated)

Meeting of the C&A Committee: *A meeting of the C&A Committee was held via Webex on Friday evening 19th February. A total of 11 members took part (including 6 from the constituent bodies).*

The meeting was very successful despite technical problems caused by a power cut at one of the "hub" venues 10 minutes into the proceedings. The constraints of Webex actually make for a very disciplined meeting.

The main topics discussed were:

- *Bats and the perceived conflict with cavers;*
- *Statements to ACB's and Landowners from BCA on Section 26 Directions and other CRoW matters;*
- *Appropriate use of conservation signage in and around caves;*
- *Funding cave conservation projects;*
- *Regional round up – including "difficult case" reviews.*

The draft minutes can be found on the BCA website.

Eurospeleo 2016: *The European Cave Protection Symposium will be held during the 2016 event. This symposium will be looking at Cave Conservation under EU Law. Several headline speakers have come forward to present papers at this international event. These include 2 Principal Specialists from Natural England. They have obviously heard about the*

“Hidden Earth” type of hospitality available.

Conservation Codes: *I hope to have a sample of the proposed printed versions to show this meeting.*

Andrew Hinde

AH: It is clear that producing documents out of a Committee is very slow with multiple re-writes. Indeed little of the originally-proposed wording now exists. It is very pleasing to note that the C&A Committee is really starting to find its feet with lots of good communication and work outside meetings. The Minimal Impact Caving Guidelines are now finalised and a local print company has produced a draft document. The likely cost of printing the 5-fold double-sided document is £140 for 1,000 or £180 for 2,000.

DW: Is it likely to be out of date in the foreseeable future?

GM: TC has not yet seen the finished version of the document. In Training it will almost certainly be distributed to all who register, so 2,000 would probably be sensible.

AH: It will also be available electronically.

GM: It could be added to the CD of documents we send out.

IW: *Natural England* (NE) has seen the text and agreed to have their logo on it. Suggest we let NE have their style and logo and ask if they are willing to pay for it.

BM: While the idea of NE paying for it is very nice, it would be even nicer if we could have NRW and SNH’s logo on it as well.

DT: NRW is very slow.

JP: There is precedent here with a similar document in the Peak District that was paid for by NE.

DW: Would we still retain copyright for the document?

AH: Yes.

Action 173: AH to ask NE about helping finance the proposed Conservation documentation.

Caving Code

AH: The text is now available and it can be released publicly whenever we decide to. It is small and compact and could be printed on something different, like for example a beer mat ... a plastic one with 2 colours would be about 13p.

FL: Could it be used on glasses for EuroSpeleo?

Proposal: ***that up to £1000 be allocated to promoting the new Caving Codes and Minimal Impact Caving Codes.***

Prop: DW Sec: BM *agreed unanimously*

LW: It is very nice taking part in a WebEx meeting because participants have to be incredibly disciplined.

GM: How much do we know about the new National Trust licensing system? It seems that they want to charge professional cavers and in the longer term recreational cavers too.

AH: Nothing, but will investigate.

9a. CRoW Working Party *(written report previously circulated)*

Since the last council meeting I have been able to spend time on the BCA campaign. Most of this has been spent following up on work already reported to council. Again I have tried very hard to conduct myself within acceptable parameters and I hope this report meets with Council approval.

1. National LAF Conferences: *The Local Access Forums are the statutory consulting body set up under the CRoW Act and comprise an equal mix of landowners, business interests and outdoor groups. Their principal role is to advise decision-making authorities about improvements to public access for outdoor recreation. As mentioned in my previous reports I have attended a number of LAF meetings to promote caving and improved access. Cllr Richard Toon is the chair of the Lancashire LAF and chair of the North West group of chairs and he participated in the ‘VIP’ caving trip at Christmas. As an occasional caver Richard supports the BCA campaign and recommended that I attend the two National LAF conferences with him and take the opportunity to inform LAF members of the BCA campaign. In the event I was unable to attend as a non-LAF member but Richard offered to promote the issue on our behalf if I could supply him with some material. Consequently I designed a roller banner and printed a brief for him to give out. Richard attended both conferences and I met with him after for a debrief. He reported that everyone he spoke to was sympathetic and supportive of the BCA campaign. No-one seemed to understand the illogical position taken by Defra over how the Act applies to caving. Richard also wrote a supportive piece for the conference newsletter. This was a good opportunity to get the message out to a Body very much at the heart of CRoW, yet representative of all interests **including landowners**. As an information exercise this was very successful and I hope it will pay dividends in the future.*

2. Sport & Recreation Alliance: *Following preliminary contacts with such organisations as the British Mountaineering Council and Outdoor Industries Association I was invited to attend a meeting of the Access Working Group hosted at the Sports & Recreation Alliance in Central London. The group meet regularly and are made up of representatives from a*

wide range of outdoor organisations. In advance of the meeting I sent out a briefing note which set out the basics of our case and made clear that we were not seeking to change or amend the law but considered that the existing law already covered caving. The meeting was chaired by S&RA senior policy advisor, James Allen (no relation), S&RA staff and representatives from activities including climbing, fishing, horse riding, walking and orienteering. I was given about half an hour of the meetings time which thanks to the pre meeting briefing was taken up with further questions and answers and informative suggestions of how to go about changing Defra's mind. These included focusing on the messages given out in the Strategy for Sport, cross departmental interests, Defra's 25 year plan on getting people into contact with nature, agreements in principal with other organisations, cutting red tape, economic value and links to education. The main action to come from the meeting was to write a concise briefing which other members could be asked to support. I am grateful to Hannah Dobbin of the S&RA for assistance with the format of this brief which was duly prepared and supported by the S&RA, OIA, BMC, British Canoeing, British Orienteering and the Land Access and Recreation Association, together with three regional caving councils/associations. This letter was recently sent out to Defra, so far without reply. It is unlikely to change Defra's position but it does demonstrate that we have wider support. Once we have a reply the S&RA have offered to continue to advise and assist us with our campaign.

I also had a short meeting with the S&RA media person who offered BCA advice and media facilities in London if required. My whole experience of the S&RA has been a positive one and I would urge Council to consider them if advice is required for other issues. I made some good contacts with other outdoor organisations which I expect will be valuable in the future. The S&RA send Damian, as secretary, regular information and updates, in addition they have now included me on their access consultation network.

3. DEFRA: I have a number of overlapping correspondences going on with DEFRA (and NE). Some have been direct to Rory Stewart (Parliamentary Under-Secretary), others to the department address and some via email with Richard Hepburn (who our chairman met with in 2014). It is worth recording that DEFRA "fully recognises that there are many benefits to those who participate in caving and from the benefits that may occur from those activities to the local economy".

DEFRA have been willing to discuss some detail but it is clear from all this correspondence that they are broadly sticking to their original view. That view is repeated in a recent letter:

Although the Department does not agree that section 2(1) of the Countryside and Rights of Way Act 2000 should be interpreted as providing a right of access to caves, this view cannot be considered definitive and only the courts can provide a definitive interpretation of legislation.

Of course, Natural England and Defra have already stated that the CRoW Act applies to open caves and potholes: "a cave on a hill that faces out into the open air" is covered by CRoW but, "the question in each case would then be how far inside a cave of this type, if it were deep, a member of the public would have to go before the rights ceased to apply because use no longer amounted to open-air recreation."

A BCA motion asked to seek clarification from DEFRA and NE on access under CRoW. I fear that the answer is that there is no clarification. DEFRA agree that their view is not definitive and therefore one can conclude that the CRoW Act may already apply to caving or it may not. With the majority of members supporting the BCA on CRoW, but with a vocal minority opposed, I look forward to Council instructing me how I may take this clarification further. I would offer to seek advice and report back to Council.

4. Parliamentary Questions: In the course of my efforts on behalf of BCA, it has become clear that there is a faction actively campaigning against the majority view. I have seen a number of individuals and groups referred in correspondence who place a different view to various authorities. This is not for me to comment on but I would like to draw Council's attention to two parliamentary questions which have been asked recently.

From Charlotte Leslie MP (Bristol North West)
Department for Environment, Food and Rural Affairs
Caves: Access
21470

To ask the Secretary of State for Environment, Food and Rural Affairs, what assessment her Department has made of the effectiveness of legal provision relating to rights to grant or withhold access to caves.

Answered by: Rory Stewart

Answered on: 12 January 2016

Defra has made no assessment of the effectiveness of legal provision relating to rights to grant or withhold access to caves. Cavers may use particular cave systems, where use has been traditional, or where the landowner allows or has given specific permission for cavers to do so.

Caves: Written question - 31768

Asked by James Heappey (Wells)

Asked on: 18 March 2016

Department for Environment, Food and Rural Affairs

Caves

Commons

31768

To ask the Secretary of State for Environment, Food and Rural Affairs, with reference to the Countryside and Rights of Way Act 2000, what her policy is on the extension of the definition of mapped open countryside to caves.

Answered by: George Eustice

Answered on: 29 March 2016

Section 2(1) of the Countryside and Rights of Way Act 2000 provides for a right of access on foot for the purposes of open-air recreation to land which has been mapped as open country (mountain, moor, heath and down) and registered common land.

The Government has no plans to extend the definition of mapped land under that Act to apply to caves.

5. Landowners: *Until now it has been difficult to formally gather individual landowners' views on CRoW and caver access. As an Officer of the National Body it may have been construed as interfering with local affairs. In previous reports to C&A I understand that CNCC, DCA and CCC have all suggested some support or general ambivalence from landowners in their regions. Recently I have been co-opted as an access representative of the Council of Northern Caving Clubs and this has at least made things easier in my own area.*

I have already reported on the LAFs, both by personal visit, and through third-party approaches as described. It is a statutory requirement that LAF membership consists of one-third landowners. The local LAFs that I have personally visited have offered support for the CRoW caving position. Third parties have echoed similar sentiments from further afield.

This week I spoke with a senior officer at the Yorkshire Dales National Park. I asked directly if the caving campaign on CRoW would cause any detrimental landowner reaction, now or in the future. He convinced me that it would not, and certainly not as a landowner themselves. If any problems or real concerns did appear he felt that they had the proven statutory controls to mitigate them. (refer to ABIS below)

I have had had some preliminary meetings with a number of major Dales' landowners ahead of further meetings next month. The aim is to discover any concerns that they may have and see what can be done to allay those fears. It is hoped that this may lead to an improvement in cave access in the short term. Naturally I have no intention of treating landowners with anything other than respect and courtesy. I shall report the outcome at a future council meeting.

There is a landowner survey conducted by the YD National Park on 'attitudes to public access'. 150 landowners are surveyed who hold a broad spread of different sized landholdings. The conclusions show that landowners are generally happy with increasing the ease of public access and upgrading or creating new rights of way. The four largest concerns that arise due to public access are; gates left open, straying from paths, climbing over walls and dogs worrying stock. There are no reported concerns over caving in any of the surveys.

I have spoken with groups and individuals representing a wide spectrum of the outdoors. My impression is that after ten years, the CRoW Act is well accepted by the majority of landowners. If it is confirmed as applying to caving, this will have little effect on caver-landowner relations. We should remember that caver-landowner relations are not perfect now, nor have been in the past and there will no doubt be some difficulties in the future, CRoW, or no CRoW.

6. Association of British and Irish Show Caves (ABIS): *Council may be aware that a letter was published in Descent magazine from the ABIS. This letter or variations of it have been sent to DEFRA, Natural England, National Park Authorities and BCA. The letter makes clear that the ABIS strongly disapprove of the BCA campaign for CRoW to apply to caving.*

I was approached in January by a member of the ABIS asking me if I could supply some information on how CRoW might apply to show caves ahead of their meeting to be held in February. They had concerns that if CRoW applied to caving it may affect their commercial businesses. Bob Mehew drafted a technical analysis which demonstrated very clearly that the CRoW Act would not permit any form of access to show caves. I sent this to them in good time with a supporting letter summarising the facts and suggested that improvements in access were rooted in a desire to promote caving and participation, and that a greater interest in caves could only benefit those who operate commercial cave-related businesses.

Regardless they sent out their letter before any further correspondence. It would appear that those in charge at Dan Yr Ogof and Ingleborough Caves hold the most concerns. Both have recently complained about digging (one formally to the NP which could have resulted in legal actions) and there have been historical problems reported in both areas with cavers. Other concerns seem to be based on caving outside of a club structure, criminal activity, safety to the public and conservation. I would record several points:

- CRoW only applies to recreational caving. Digging is not permitted. Permission for digs will still require landowner/SSSI consent regardless of the CRoW Act;
- The CRoW Act only applies to England and Wales. A third of the ABIS membership is based in Ireland;
- The ABIS offer no supporting evidence to suggest that their commercial cave attraction businesses will be affected;
- It is up to the BCA to determine access policy for recreational caving;
- Show cave attractions have well documented conservation issues that are best dealt with by their owners. The BCA, through its membership, are in the best position to advise, monitor and educate on conservation matters arising from recreational caving.
- The ABIS and BCA should foster good relationships for mutual benefit.

Ashford Price has suggested a meeting to discuss the issue and the BCA Chairman has agreed to attend. It is obvious that there are other frustrations behind this letter and it is a great shame that he did not call this meeting prior to sending out the ABIS letter.

7. Ogof Draenen/Drws Cefn and Judicial Review: As mentioned in my last report Judicial Review (JR) is the civil right of any individual or NGO in this country. It challenges whether the correct procedures have been followed when an authority makes a decision. It does not necessarily decide whether that decision was correct or not. It is of interest to BCA because any JR concerning cave entrances and CRoW land may indicate whether the CRoW Act does apply to caving or not.

Individual cavers have now sent a Pre-Action Protocol letter to Natural Resources Wales over attempts to stop up the Drws Cefn entrance. This is effectively a letter before action and has been made public. I will continue to monitor the situation but, as I stated in my last report, I am not sure that a decision has yet been taken which can be challenged by Judicial Review.

BCA needs to be aware that with the present uncertainty over the application of CRoW to caving, this process could be used elsewhere in the country should access disputes get out of hand. It is unlikely that a Judicial Review on its own will settle the matter. For the matter to be settled, as Defra have suggested, it may have to be that a court will need to make a declaration on the correct interpretation of the law. Whether this should be led by individual cavers or the association is a topic for debate.

8. Advice to Access Controlling Bodies (ACB) on CRoW and related aspects:

This refers to action 160. I have made several drafts of this advice and it has been presented to the C&A committee for comment. It includes advice on Section 26 restriction drafted by Bob Mehew. I believe the advice is ready to go. The advice did claim a supplementary note on the BCA PLI for landowners. It was felt that this should be clarified and agreed with the insurers, Perkins Slade. Therefore, last week, a WebEx meeting was held between Nick Williams, Perkins Slade and myself. Following the discussion it was agreed that Nick would draft the advice, have it agreed and we would include it with the other advice.

As I understood the discussion there were two points of interest. There appeared to be no reason to restrict access from an insurance point of view alone, and ACBs may need to do more work to fulfil insurance requirements in the future. No doubt there is more to discuss here once the advice is made clear.

9. Publicity and the Media: As mentioned at the last meeting I was approached by the Yorkshire Post magazine to do a feature article. Rather than focussing on access issues, I took the editor around the Dales to various local businesses to demonstrate the value of caving to the rural community. This worked well and they put a great cave photograph on the front page.

At Easter I was contacted by a reporter from the Guardian Newspaper. It was obvious that she had already spoken to cavers but wanted the BCA perspective. I answered the questions and followed that up by sending in a briefing on the BCA position which had been seen by several council members.

The Guardian article caused other media interest, most of which I couldn't do. I gave an interview to Sam Walker on Radio 5 Live where I also tried to get over the attraction of caving. I have also done a studio piece on BBC Look North where the presenter, Harry Grayson, gave me a tough grilling from the landowner perspective which was a good opportunity to show our respect and demonstrate the benefits to landowners.

All the media interest has come to me either from the BCA web site address or via the media liaison.

10. Related Government Interest in the Outdoors: I reported before briefly on the Government's Strategy for Sport which had a new focus on outdoor recreation. Recently DEFRA has announced an 8 point plan for National Parks. One

of these is to realise the immense potential for outdoor recreation. One could consider that the BCA campaign would tick all these boxes.

11. Proposal on spending: This refers to action 169. I have incurred some expenses, mostly travel, but also the LAF banner. I refer Council to the Treasurer's report to decide on a further budget.

12. Other: This refers to action 172. I would prefer not to follow this up at the moment.

I apologise for the length of this report but much has happened since the last meeting. In the name of transparency I think it is important for council and the membership to know what has been going on in their name.

Tim Allen

SRA

TA: Has an informal meeting in about a week's time with the BCU who are seeking to discuss our approaches and whether there is anything they can learn. There is a clear difference here because, with the possible exception of grouse shooting, caving does not really come into conflict with any other outdoor users. Traditionally BCA has probably been quite inward looking and we should probably engage more with similar sports in the future. The SRA is organising a parliamentary sports day. The date has not yet been firmed up, but BMC is taking its climbing wall and water-based activities will be holding events on the Thames. David Rutley MP suggested that we might be able to put on something of interest.

LW: If we do take the cave there, we will need to spend some money on the associated banners.

DEFRA

TA: Asked DEFRA whether it was a mistake to omit caving and potholing from the list of restricted activities? They responded that it was not a mistake, as caving was clearly not covered by the legislation. This seems strange since the Act specifically excludes off-roading, which is obviously not open-air and requires a motor vehicle.

AE: The implication at the meeting AE had with DEFRA was that they would have included it, but were concerned by some vocal opponents and chose to neither include, nor exclude it.

AH: There is a danger that this might be precisely how we are perceived at the moment.

TA: It is clear that there is a counter campaign and many of the people TA is speaking to have been approached by them. For example TA was contacted yesterday by BBC Radio Somerset who wanted our input because they had been led to believe that it was only a small minority of cavers from BCA who were trying to impose their view on the Mendips.

TA: What does Council want TA to do about clarification?

AE: Would quite like to go together to DEFRA and talk about conservation.

BM: Would prefer to concentrate our resources on landowners and documentation and believes we should focus on regaining their trust and goodwill. We need to decide what we as an Organisation feel should be the threshold for gating caves. DEFRA does not appear to be willing to change its mind.

BM: Should BCA write a letter to all MPs explaining the benefits?

FL: Is in agreement with BM that we should slow down for the time being and concentrate on paperwork and landowners.

BP: It is still worth continuing to drip-feed information out.

FL: Is not suggesting ignoring enquiries put to us, but rather slowing down our pro-active pushing.

JB: The two major concerns for a number of BCA members are conservation and landowner relations. Should we be sharing our progress on these with members too?

BM: This does exist but is buried in C&A minutes. It might be worth extracting these and publishing them separately.

TA: There have always been difficulties with a small number of landowners. In recent conversations with landowners, TA has generally received positive responses. When speaking recently to one large landowner, their response to the concerns raised in the ABIS letter was that there are plans in place to deal with them. TA has had some preliminary meetings on a one-to-one basis with some major Dales' landowners and they have agreed to a joint meeting over concerns with caver access in the Dales. Between them these landowners probably have over 800 caves on their land and we are hoping to allay any fears they have. In initial talks with them individually, the concerns raised are with professional caving and with surface digging, either leaving the surface in a mess or without permission.

FL: The concerns down South are based on events in the '80s when there was a failure to communicate completely with landowners which resulted in many caves being closed, a few of which never re-opened. They were told the benefits of scheduling the caves as SSSIs but did not fully understand the restrictions that would be placed on them as a result.

TA: This also happened in other areas.

(DJe left the meeting at this point)

FL: The effect was far greater on Mendip. This is why we think it is important to share the information with landowners.

It will take time to protect a cave dug open on CRoW land.

BM: A landowner can generally propose their own restrictions for 28 days. A body such as NE or NRW can then impose their own restrictions for up to 6 months.

[Post Meeting Note by BM on Applying for a Sec 26 Direction.

In the event of a decision that CRoW does apply to caving, then the key process, if needed, is to submit an application for a long-term Direction under Sec 26 for the specific cave. For English caves I believe http://webarchive.nationalarchives.gov.uk/20140304112715/http://www.naturalengland.org.uk/Images/RAG%20V4%20for%20website_tcm6-12375.pdf remains the current Natural England (NE) advice on the process for those charged with issuing a Direction (NE and National Park Authorities). In particular, whilst the consultation process proceeds, NE should take note of para K.2.9, page 194 which states:

"The urgency of the circumstances giving rise to the proposal should not be a factor in deciding the time allowed for consultation. Where a relevant authority believes a restriction is needed urgently, it may give a direction restricting access for less than six months, while separately consulting on a related long-term restriction proposal."

Natural Resources Wales advice is the same though there are other detailed differences.

For new discoveries which it is felt should turn the cave from 'ungated' to 'gated' (perhaps poorly worded but I hope people understand my intent), then there is also the land owner's right to use his/her Sec 22 Discretionary restriction which can cover up to 28 days, subject to an up-to-5-day period for NE to process it before the Discretionary restriction starts. Alternatively a Section 26 application can be made by any person, so the process could be initiated very quickly by a prepared region. So it comes down to the discoverers keeping quiet for 5-and-a-bit days and the Regions having decent relationships with local NE staff to help quickly deal with the process.

Afterword

It has been pointed out to me that keeping discoveries quiet for even 5 days might be a challenge. There is one example where the discovery was realised by others within a few days. In addition, the sensitivity of the site may well demand much more rapid action. Previous discoveries have led to access conditions including significant taping, a change or removal of outer wear, the introduction of limit on party size and even a leadership system. Clearly a discovery which is so significant as to meet the criteria of changing the access from ungated to gated status will include significant parts, some of which may require special conservation needs such as changing outer wear or perhaps more.

It therefore seems that there will be occasional cases where gating the cave within 5 days might be desirable. Placing a notice at the start of the discovery saying words to the effect of 'do not pass' is likely to be a criminal offence under CRoW Section 14 which states "...a notice containing any false or misleading information likely to deter the public from exercising the right conferred by section 2(1)...". But a notice saying words to the effect of 'please change your clothes before proceeding' seems unlikely to be construed as such. There is also a direct analogy to a taped path - is the tape the equivalent of a 'do not pass' notice or just a request? If so, do we trust other cavers to follow such requests or not?

I should also point out that obstructing access is not a criminal offence under CRoW. Since it is only a civil matter, hopefully a judge might accept a mitigating plea that the damages were trivial if some person (and I hope not a caver) wanted to push their rights to such an extreme.

It has been put to me that those charged with issuing a Direction may not be able to react on such short time scales. The application should be made to NE's Open Access Contact Centre who it appears are used to dealing with urgent applications (as for bans for fire prevention).

I also must add that this information is provided free gratis and without warranty. No liability will be accepted for anything what so ever arising out of the use of this information. If you wish to secure accurate and reliable information then consult a solicitor. Bob Mehew]

DC: This is going to take some time to get some paperwork in place.

JP: There are 8 caves on Mendip that are affected and there is a lot of fuss because of these.

TA: The C&A committee can deal with advising landowners.

GM: Training Committee does not look after professional cavers, but instead specifically the training and assessment of Award Holders. One of the big problems is the military.

BM: We should remember that any published document will be much better appreciated by landowners if there is not a second contradictory one produced by cavers on the other side of the CRoW debate.

ABIS

JP: One of the Show Cave owners has been saying the same things for a long time and does not seem to want to let it go away.

BM: The answer to whether Access Land could apply to a Show Cave is Quarry Wood at the end of the Ingleton Waterfalls Walk track. They have charged for access along the track for a long time and requested an exemption for Quarry Wood being classified as Access Land. It was granted.

TA: The Show Caves expressed their concerns several months ago and were sent clear evidence that their caves are unaffected by Access Land. Peak Cavern has two entrances up on the hill, but you cannot exit via the Show Cave without the approval of one of the keyholders. This is evidence that other entrances opening into a Show Cave can be made to work.

FL: What would be the situation if somebody had an illegal dig on someone's land that broke through into a show cave?

BM: If it's a SSSI they would be digging illegally. The landowner would have full legal right to sue them for the criminal damage and, so long as there were no bats, then almost certainly the right to fill it back in.

TA: In the recent case the dig was with landowner permission but without SSSI permission.

Drws Cefn

TA: Even if this does go to court, a judicial review will not necessarily decide the matter once and for all. NRW would have to demonstrate that they followed the correct procedures in coming to their decision. Now they are forewarned, NRW will probably be trying to make sure there isn't any way that a judicial review could take place.

BM: We should be very cautious about offering opinions on possible outcomes.

Media

TA: Would like to emphasise that all the media coverage has come from media contacting us, rather than vice-versa.

Spending

RW: The budget presented by TA was agreed. Some of the previous expenditure has been refunded but PI would like Council approval for some aspects.

Proposal: *that TA be reimbursed for the costs associated with his banner.*

Prop: FL Sec: JB *agreed*

The remainder of the Conservation & Access Reports was accepted without discussion.

10. Equipment & Techniques (written report previously circulated)

A brief meeting was held by two participants using WebEx last month. There is little activity to report though some discussion has been held over possible claims for expenditure on anchors, rope and testing equipment with the Treasurer. Discussion on screw in anchors has started but to date experience indicates many sources are not reliable.

Nick Williams

10a. Rope Testing (written report previously circulated)

The BCA rig is being modified to improve its towing capability. A few samples have been received and tested. The Bradford rig is now operational and the first piece of research work is underway (measuring the energy required to dynamically break different diameter and types of rope). The Static test rig is being modified to extend its length to take rope samples, fit a powered hydraulic pump system and safety screens. A spend of under £600 is likely to arise roughly in line with an agreed budget some while ago.

Bob Mehew

The Equipment & Techniques reports were accepted without discussion.

11. Training (written report previously circulated)

I must first give my apologies to Council as I cannot attend the meeting due to caving in Northern Spain at this time. The QMC Chairperson will represent me at this meeting.

The following data regarding the BCA leadership and instructing awards is valid from the November 2015 to February 2016.

	<i>Registrations</i>	<i>Assessments</i>	<i>Revalidations</i>
<i>LCMLA Level 1</i>	42	7	8
<i>LCMLA Level 2</i>		4	2
<i>CIC</i>	4	1	0

Current BCA award holders

Local Cave and Mine Leaders: Level 1 - 476, Level 2 - 263

Cave Instructor Certificate: 83

Financial situations with the schemes

Local Cave and Mine Award: -£226.91

Cave Instructor Certificate: -£50

I was instructed by Training Committee to explain at the next Council meeting, about how they wanted things to improve in the future. Members of BCA Council were somewhat unclear about the process so I was told that there should be a meeting held between myself, QMC Chair, BCA Secretary and a Council member. This was done and a more in-depth document (Appendix 2) is now available for Council members to read.

All points mentioned, including the structure of the organisation, have been discussed fully and agreed with by Qualifications Management Committee and the Training Committee.

Proposed changes to the organisation and administration of the BCA Award Schemes.

Context

Council discussed the proposals for the re-organisation of the Association's training schemes at its meeting in January where significant concern was expressed about the proposals, and in particular about the lack of notice for what were seen to be fairly significant changes. This paper is intended to explain the proposals in greater depth and has been developed with the assistance of Nick Williams and Damian Weare who met with Nigel Ball and Graham Mollard in February to discuss the proposals.

Background

BCA runs two award schemes, Local Cave and Mine Leader or Cave Instructor Awards. The schemes are widely seen as being for 'professional cavers' but in fact there are many award scheme holders (particularly LCML) who operate on a volunteer basis and hold awards as a means of gaining external recognition of their leadership skills. Furthermore, most award scheme holders who do use the awards commercially (both CIC and LCML) are multidisciplinary instructors for whom caving forms only a small part of their fee earning work.

Taking the above into consideration, it is essential that the schemes are seen to be good value for money, responsive to the needs of the awards holders, central to the aims and values of BCA and up-to-date in their recognition of current caving and educational thinking. If these values are not achieved, pressure will build for alternative schemes which are up to date and responsive to the needs of their award holders but outside the BCA structure.

Members of the National Co-ordinating Panel (NCP) which oversees the content and structure of the BCA's award schemes have for some time been concerned about a lack of transparency in the operation of the schemes, and a lack of direction from, and communication with, BCA Council. These matters have been topics of discussion within the Training Committee for some time and the 'surprise' expressed by Council is itself symptomatic of the poor communications.

Issues

NCP has identified two key areas of concern which need to be addressed.

- Firstly, although the Regional Council involvement in the Training Committee (TC) should result in a strong input from the club sector, in practice all Regional Councils (with the notable exception of CSCC) have historically appointed award scheme holders (usually CIC's) as their representatives to the TC. Inevitably, this has resulted in the TC becoming a talking shop for professionals rather than a body which can truly represent the wider interests of BCA's membership.*
- Secondly, it has become clear that significant, positive changes to the syllabus and organisation of the schemes have been regularly blocked because of the commercial interests of the TC members.*

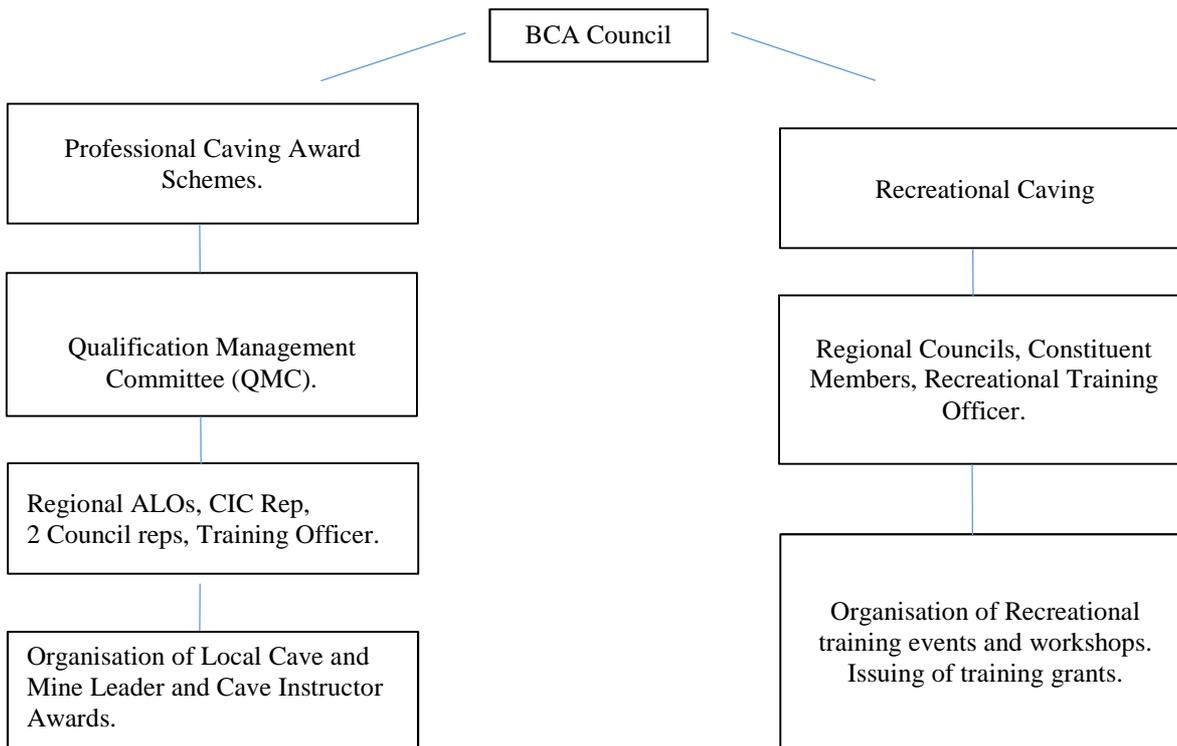
Proposals

Much conversation and debate has taken place in TC and the NCP and at long last decisions have been made. These proposals were voted upon by the NCP and were passed unanimously. From there they were passed on to the TC where they were also voted on and passed with only one representative voting against. This decision process reflects the bottom-up structure of BCA.

The proposals are as follows:

- The name of NCP should change to the British Caving Association Qualifications Management Committee (BCA-QMC).
- This newly titled organisation will be self governing within the BCA and it will have its own code of conduct and disciplinary process for award holders.
- There will be no direct Regional Council representation on the QMC. Instead, recreational caver input will be strengthened by the appointment of specific representatives by Council and the Regional Council control will be exercised via Council and the AGM if necessary.
- The role of the Training Committee should change so that it can concentrate on the organisation and support of recreational training with an additional Training Officer to deliver that. This person's role will include the allocation of training grants that are applied for by BCA clubs.

The revised structure is shown in the following graphic:



Critical to the success of this proposal is the make up the BCA-QMC. It is proposed that this will be as follows:

- Two named representatives from BCA Council – they are to be recreational cavers who do not hold BCA awards
 - One named rep from Council should have involvement with equipment and techniques so that they can make direct input to QMC from their field of knowledge.
 - One named rep from Council should have involvement with access and conservation to help any conflict between recreational and professional use of cave system.
- One Area Liaison Officer from each of the LCML regions. That is Northern, Derbyshire, North Wales, South Wales, Southern and Military Panel (6 in total).
- One representative from the CIC Panel
- The Professional Training Officer (a new Council post)
- Additional people to be invited for a fixed term if specific expertise is required.

Commentary

It is important to realise that the two recreational cavers appointed by Council will have a specific remit which they will be expected to fulfil. This is why they have been identified as coming from the E+T and C&A committees. Their broader responsibility will be to represent the interests of Council and also ensure continuity between Council and QMC. These two people, along with the Professional Training Officer, will report back to BCA Exec and Council.

The chair of QMC should be voted in by all QMC vote holders

All of the above will not change the influence of Council as its two representatives will always be in direct contact with

Council, Executive or both.

Training will still be available to recreational cavers if they so desire it but on a less formal basis than the qualification route.

QMC will run its own code of conduct and disciplinary process to ensure that the BCA schemes have credibility and are not undermined in any way. The above would be relevant to anyone holding a BCA qualification.

The QMC has no agenda to try and impose, in any way, a code of conduct or disciplinary processes on recreational cavers as this is the responsibility of Regional Councils/Clubs. The QMC just wishes to ensure the BCA schemes of LCML and CIC move forward with the times and have an established level of parity across the UK with panel's idiosyncrasies acknowledged and accepted within the schemes.

We acknowledge that implementing these proposals may take some time but we need a commitment to the change, at least in principle.

Nigel Ball

Graham Mollard

March 2016

Nigel Ball

Proposed BCAQMC

RW: At a basic level, why?

GM: Because the current system isn't working and hasn't been for ages.

RW: Is the problem on the professional or the recreational side?

GM: Both. We are not willing to waste our time drafting things only to find them rejected and, therefore, want to know now if this is going to be acceptable. We could leave BCA, but do not want to and believe that by bringing in two Council members, we will strengthen the link between recreational and professional caving.

IW: How would that improve the link?

GM: There are a lot of people around this table who do not understand how training works. This would bring two council members onto TC.

AE: GM wants to streamline TC by splitting it into two sections to improve the way it works for the long term. We need to work on the detail, but if GM would like a broad-brush approval that seems fine.

GM: What NB and GM don't want to do is to spend time on this. We need more than broad approval.

BM: As we speak, the awards issued are BCA's awards. The proposal is that everything is run independently but is still in our name. In accepting this Council would be accepting the right to give up control of the Awards.

FL: Would this new group still be completely answerable to Council? If somebody went through the Disciplinary Process with QMC would they have the right to come to Council?

GM: There would be a legal process. Whoever is the Chair would be involved in decision-making process.

IW: Where does the voluntary sector fit in?

GM: There is a place in QMC for Scouting.

IW: There are other organisations too, such as the Girl Guides, and more thought should be given to the voluntary sector in general.

GM: If you get to a point where a Committee is too big, it is unmanageable. There is a place for those who have been there already, such as Heads of Centres and Scouting.

BM: What you are saying is that the document should include Voluntary Reps?

RW: Has always understood that ACI are the professional association of CIC holders. You give the impression you are not interested in their views. They are a Constituent Body of BCA and it seems a bit odd for them to be frozen out.

BM: It is not that they are frozen out but they are not terribly active.

RW: Maybe they should be involved in the process over the next 12 months.

DW: Has received comments from the ACI Rep relating to different aspects of the report. The section relating to the proposed QMC is:

"The division of Training Committee needs very careful consideration and scrutiny. It appears to be a done deal with the new committee being allowed to decide who has a seat. It may sound coarse, but it strikes us as a Gentlemen's Club. There is already division between recreational and professional cavers and we wouldn't want this to be the thin end of the wedge and driving the two further apart."

GM: AALS recently put forward a Zero Cave qualification with no vertical sections, no flooding and no collapse potential. This was put together by Marcus Bailie with the help of John Cliffe who was a T/A but has just resigned. There was no communication between GM and AALS prior to this going out. GM has subsequently spoken to Marcus Baillie at AALS to ask why BCA was not consulted. They apologised profusely and GM was offered a letter

of apology. We have a zero cave/mine proposition on the table at the moment and this is still being discussed.

DW: ACI has also sent the following: *“The ACI are seriously concerned at what seems to be meddling with, and muddling of the Award Scheme. We note dilution of the CIC scheme and recognition of the CIC as the award for training and advising on matters of underground exploration, for example the appearance of the Level 0 Award with no ratification by BCA and simultaneously, increasing demand for site specific assessments as employers' needs from the award scheme are not being met. Major stake holders in underground training and qualifications market are being ignored and are making their own pragmatic arrangements. There is an obvious risk to the robustness and relevance of the BCA's award scheme which Council should address with some urgency.”*

GM: Agrees in part. We are now in touch with Marcus Bailie and have explained we are already considering such a qualification.

RW: We need to understand that there has been getting on for a net £20k loss in professional training over the period of BCA.

RW: What is needed is a Working Party comprising key members of Executive to help drive this forward and iron out the glitches.

IW: There would be no more recreational training with this new proposal.

DW: To be honest, beyond the Recreational Training Grants, there is very little now under BCA's auspices.

RW: Is the Disciplinary Process going to be different from the existing one?

GM: It would be a full disciplinary process, which has been looked at by a number of solicitors.

RW: Why will you have a different one?

GM: Because we do not feel the existing one is fit for purpose.

AE: Very few people have seen it to date.

BP: What is the timescale on this?

GM: The process to QMC will involve a full re-write of the Schemes and will take at least 12 months. If there is not some positive feedback today, GM will walk away.

DW: Would you be content with a note in the Minutes that the meeting was generally supportive, but more work is needed on the detail?

GM: There needs to be more than this.

AE: Can we have a proposal accepting the broad principles but asking for more work on the detail?

GM: This is what we would like.

DW: Would find this difficult to vote on, because it is not clear what we mean by the “broad principles”.

GM: Would like to push for the proposal.

DW: In which case, both personally and as Secretary, DW has some serious concerns about a number of aspects of the tabled document, some of which might well be considered to the basic principles. Given this DW will not be able to vote for such a motion.

FL: How is the proposed QMC answerable to BCA?

GM: It will have two Council Members and they will have to make sure it is fit for purpose. If Council doesn't like something, it can pick up on it. There is a Code of Conduct currently for anyone who holds an Award. That already exists and is applied currently by TC. Were someone's Award being revoked, it would require the input of the Chair or Council.

FL: What are DW's concerns?

DW: Accepts the split between the recreational and professional sides of training, but is concerned about the sustainability of the proposed QMC into the future beyond the current likely personnel. Whatever is done it must be sustainable. Is also very concerned about the way the QMC Chair is appointed. This is basically an appointment by a small number of fellow professionals on the Committee, and there is real potential for an appointment that is not in BCA's best interests. Finally the proposed BCA representation is too prescriptive and not in BCA's best interests either.

GM: Is happy for the QMC Chair to be appointed by Council.

Proposal: ***Council accepts the principle of a structure that splits the existing Training Committee into two separate parts, recreational and professional, but would like more work on the detail.***

Prop: DW Sec: FL for: 12 against: 0 abstention: 1

TA: Has abstained on CNCC's behalf because he does not know how CNCC would like him to vote.

GM: AALS has asked GM to be the representative link between BCA and AALS. Is Council happy with this?

DW: This would normally be something for Training Committee to approve. Council would not seek to know better than TC the issues involved and who can best represent it. If agreement is needed in the short term before ratification by

TC, then this would be fine.

[The meeting agreed that GM should represent BCA at AALS in the short term pending approval by TC.]

GM: Has also been approached by Association of Canyoning Guides who are looking for a link between our Schemes and theirs. They would like GM to sit on their Governing Body. Are we happy with this?

DW: This should also be referred to TC.

DC: At what level do they want representation? Just training or is it “canyoning” in general?

GM: They are looking for parity in the schemes. They are also suggesting sharing our insurance scheme.

GM: Can we use the name QMC from now on to refer to the former NCP? Training Committee has approved this name change.

DW: If it has been approved by TC, yes, but it seems very confusing to refer to the existing Committee by the name of the proposed new one, which will have a very different structure.

The remainder of the Training Report was accepted without discussion.

12. Publications & Information *(written report previously circulated)*

Unfortunately I was unable to attend the last Council meeting, however although I presented 4 possible options (as I saw them) on our future publications policy, it appears from the minutes that no decision was made on what Council wanted to do, apart from a proposal that we (BCA) weren't opposed to spending money on advertising if we had firm plans.

I agree that this is a possible way forward, and I don't disagree with that, in fact it isn't dissimilar to my preferred proposal (option 2).

However I am not prepared to move too far down this route (or any route to be fair) without an agreement that this is the direction that we wish to go.

Our publications policy is important and we need to be clear where we wish BCA to go with this.

Are we an online organisation? Or do we wish to have a paper presence as well?

I personally believe we should be both, however we cannot buy advertising space without at least some idea of what we would want to advertise.

We also could (and should) be providing news content to the caving press, although we (BCA) don't seem to be very proactive on this.

We could plan a series of informative adverts on subjects such as:

What does BCA offer to members?

- *Gaining insurance cover*
- *Promoting members' interests (BCRA has a new book, Pengelly a field meeting, CDG a training camp, BCRA a science meeting and so on)*
- *Rope Testing*
- *Anchors*
- *Training*
- *Web services for clubs and others*
- *How to use the library services and archives*
- *Come to the BCA Party (and AGM)*

However, we need to be clear on how this content is prepared and who is going to supply it.

This is a key issue as there is a dearth of volunteers.

I fundamentally believe that BCA must provide tangible benefits for its members (which in reality we actually do), but we don't promote BCA outside of the website, and we don't really do much there either.

We need to reach our members with news of how we are supporting them and also promoting ourselves to the wider caving community in a positive way so that non-members can see the benefits of membership.

This needs to be discussed by Council and a way forward agreed.

Les Williams

(IW left the meeting at this point)

FL: In talking about tangible benefits, do people want paper in their hands or group discounts at outdoor shops?

DC: The only real difference between a DIM and a CIM is the publications they receive. We actually do lots for our CIM members without them necessarily realising it.

DW: We have reduced the DIM fee accordingly.

LW: We are really bad at communicating with our members. We all know that clubs are quite variable in how they pass on information to members. For many our only reason to exist is that we provide them with insurance. Part of our benefit should be in reaching out to our members. *Descent* is the only paper-based caving publication apart from BCRA's

science publication. There is no way BCA would ever have editorial control over pages of *Descent*, but effectively we could buy advertising space and present different aspects of BCA's works to our members and the wider caving community in whatever way we choose. At the last meeting LW's report asked Council to decide if it wants to be a web-only organisation, or also include paper-based publications. This does not appear to have been addressed.

DC: We need to work on the content first as this applies to both online and paper publications. If there is no content, then it is irrelevant whether we will publish it on the internet or on paper. Having the content is the key.

TA: We should be promoting BCA to potential new members? We don't have a list anywhere of the key benefits of joining BCA. We should find someone to handle BCA's advertising.

LW: We have quietly ended our publications, generally due to a lack of will from volunteers.

DC: There was even an attempt at employing people to do it, but even then we couldn't keep anywhere near our proposed schedule.

FL: In terms of concrete benefits to members, discounts from gear suppliers would be appreciated.

TR: What is *Descent*'s circulation? We are talking about spending £5k. What would we get for this?

DW: Circulation is commercial information and unknown. Logically we would be getting a better deal for regular, bulk advertising than smaller or one-off deals. This would either lead to more content for the same money or additional non-content benefits to members.

BM: *Descent* gives us a link to a proportion of our membership who are not reached by email and the internet.

TA: If you could get someone who understands marketing, like Jane Allen, to promote BCA to its members, then it would work wonders. However Jane will need paying.

DC: If we are entering into a marketing campaign, we need to know what our key outcomes would be.

TA: We need to future proof the organisation. If we could not get insurance at some point, how many of our existing members would be willing to pay for what we are still providing?

[GM left the meeting at this point]

DC: We will always want a printed version of electronic publications.

LW: Put forward four proposals at the last meeting. Option 1 was to produce a new magazine in *Speleology*'s place. Option 2 would be to buy space in an existing magazine. Option 3 was to provide more content for the web and employ a copy editor. Option 4 is to do nothing more than we do now.

TA: The existing newsletter content is fine - it just needs smartening up.

FL: Could we agree to LW's second proposal?

LW: Make no mistake, LW is not willing to provide the content, so in voting for this, we are accepting we will need someone to produce it.

TA: Would we be planning on providing content for *Descent* to include, or allowing them to amend it?

BM: The editor does an excellent job in improving the quality of supplied content.

TA: A sentence was recently amended, changing the meaning completely as a result, leading to an clarification in the next issue.

AH: People do not wait for a quarterly handout for news. Instead they go to Facebook and other social media. We are in a digital age.

Action 174: LW and AE to liaise with *Descent* about BCA providing "infomercial" content.

[DT and IA left the meeting at this point]

a. Webmaster *(written report previously circulated)*

With respect to BCA Online, of the 6,919 member records (includes yet to renew), 4675 have email addresses (68% up from 63% Oct 2015), 562 have opted in for the Newsletter (8% static), 248 have registered on-line (4% up from 2%). These figures need to be improved. Maybe it is time for a competition part of which would be a requirement to register.

BCA Online is being continually improved with particular effort being spent on tidying up the records and spotting inconsistencies in the submissions from the clubs. I must thank Glenn Jones and David Gibson for their help and patience.

David Cooke

b. Web Services *(written report previously circulated)*

In the last quarter there was one outage of two hours caused by malfunction power component in the data centre giving an approximate up-time of 99.91%. Otherwise everything continues as normal, carrying out the routine tasks with the odd support question to resolve.

From the 1st March Nominet, the official registry of UK domain names, hiked its wholesale prices by 50%. I've adjusted the Web Services' charges accordingly. A two year .uk domain will go from £8 to £12. The .com type domain price will also increase. A one year .com will go from £12 to £13.

David Cooke

c. Newsletter *(written report previously circulated)*

The January newsletter went out on time and, as well as appearing on the website, was distributed as an e-mail attachment to

those who have agreed to receive it.

I'm hoping to finalise the next newsletter during the last week of April and would ask for contributions to reach me by Sunday 24th.

Robin Weare

The remainder of the Publications & Information Reports were accepted without discussion.

13. Legal & Insurance

a. Insurance Manager (written report previously circulated)

We have started an exercise to record all of the land ownership and leases of all BCA members (RCC's ACBs and clubs) with a view to being able to provide the insurer with a comprehensive overview. I have also been asked by Tim Allen to assist with a statement to clubs and ACBs about the extent of the landowner cover under the policy. This is in hand.

Nick Williams

TA: Had a meeting with Perkins Slade concerning landowner liability and how it was applied. They made it clear that there is no reason for insurance aspects alone to restrict access to caves.

The remainder of the Legal & Insurance Reports were accepted without discussion.

Other Reports

14. Youth & Development

No report

15. Membership Administrator (written report previously circulated)

BCA Membership to 1st April 2016: DIMs 450, CIMs 4863, Clubs: 161, Associates: 2, Access Bodies: 8

New Clubs: The following clubs have supplied the correct paperwork and payment in order to become BCA member clubs: Cardiff Hill Divers and Devon & Cornwall Mine Explorers Group.

CIM Plus: I'm not sure where "we" are with our drive to simplify the membership structure but a "quick win" would be to stop offering CIM+.

It is not a genuine class of membership but a marketing exercise that has failed to capture the imagination of the clubs or prospective members. At the moment there are only 5 CIM+ members, 3 of whom haven't renewed yet. I would request that this meeting agree to cancel this membership option with immediate effect.

Glenn Jones

[After a short discussion it was agreed to scrap CIM+]

The Membership Administrator's Report was accepted.

16. 2016 (written report previously circulated)

Work is progressing well with lots going on behind the scenes.

The last discount deadline resulted in the numbers booked approaching 900 so it looks like we are in with a good chance of reaching our target of 1000 delegates

We are working with the FSE to promote the event throughout Europe and we are also hosting various FSE events during the week.

Les Williams

The 2016 Report was accepted without discussion.

17. Cave Registry (written report previously circulated)

The Cave Registry Data Archive is the place to keep your survey data safe. Not only is the data kept secure and safe but the archive provides tools to help manage and coordinate the larger projects. The Archive will accept data from UK cavers for any project, large or small, either here or overseas, where there is a significant UK caver involvement.

The Archive has continued to grow and is now a substantial 20GB in size. Some of the many hosted projects and data sets include the Cheddar Catchment, Matienzo, the DYO Catchment, Leck Fell and the Three Counties, County Clare, Lathkill, Mynydd Llangatwg, Sarawak, Wookey Catchment and Thailand. If you have survey data that needs a home, go to the cave-registry.org.uk website for further details.

David Cooke

18. IT Working Party (written report previously circulated)

There have been further three WebEx video conference meetings since my last report (E&T, Training and C&A). We now have quite a few officers who are familiar with the system. So far there has only been one officer where the technology got the better of them. Actually the technology is the easy bit; the hard work is coordinating the participants, which is akin to herding cats. A new webcam/microphone set has been purchased for £236 and will live in the North. Thank you to Bob Mehew for his feedback and learning points. I will make this generally available. The maximum number of participants has been increased from 8 to 25. The cost is £30/month although that would go down to £24/month if purchased annually..

David Cooke

DW: Matt Wire has asked “*I have recommended Google Hangouts on a number of occasions. Has this been evaluated and, if so, what are the reasons against using it?*”

DC: Test runs were done on a number of platforms. WebEx is not the cheapest, but the free ones keep changing which makes it difficult for irregular users, like many of our Officers. WebEx is also tailored to professional usage. Google Hangouts has a maximum usage of 10 people and beyond that it costs too much.

The remainder of the IT Report was accepted without further discussion.

19. International Representative *(written report previously circulated)*

Within the International Union of Speleology, the major progress is towards the International Congress in Sydney in July 2017. There is a lot going on within Australia to facilitate this event.

The annual council meeting of the UIS will be held at Dalesbridge in conjunction with the Eurospeleo event. That will be the last UIS council meeting before the international congress, so it is clearly of great importance and British cavers will have an opportunity to input into that meeting by way of talking to a number of council members who will be at Dalesbridge.

Other than that there are a number of international events going on around the world which can be picked up from the International Union of Speleology website.

Andy Eavis

a. FSE *(written report previously circulated)*

Since the last council meeting there has been no FSE Bureau and General Assembly Meetings. The last Bureau meeting and GAM took place on Saturday 30th May 2015 in Pertosa – Auletta in Italy at the Eurospeleo Forum hosted by the 22nd National Italian Congress. The next GAM will take place on Monday 15th August at the Eurospeleo Congress in the Yorkshire Dales. The FSE will be publishing a newsletter at the end of this month and from then twice each year.

The FSE is working actively with the organisers of Eurospeleo 2016 to make this a resounding success. Henk Goutier vice delegate from the Netherlands will assist Ged Campion in the foreign-liaison matters.

Timetable of Eurospeleo events over next 3 years that involve the FSE.

European Congress 2016 will be in the Yorkshire Dales, UK (hosting the ES Forum).

ES Forum 2017 Dryanovo, Central North Bulgaria, northern slopes of the Balkan Mountain

(The next UIS Congress will be in Sydney in 2017)

ES Forum 2018 will be in Sazkamergut, Upper-Austria.

Ged Campion

The International Reports were accepted without discussion.

20. Media-Liaison

DW: HA is unable to attend at short notice and sends her apologies. She reports that the *Guardian* article generated some media interest, which was passed to Tim Allen. Other than that things have been fairly quiet.

21. British Caving Library Report *(written report previously circulated)*

1. The John Beck Legacy & Reorganisation continues apace

The major reorganisation of the space and shelving at BCL continues to enable us to house the John Beck / Doug Nash Legacy. Some sets of bound journals, a number of unpublished theses, some surveys, aerial photos and an indexed set of BSA Derbyshire Records have already been moved to the BCL site at Glutton Bridge and the rest of the journals will follow shortly. Books, the rest of the surveys and John Beck’s caving notebooks have yet to be transferred. A number of items duplicate what is already at BCL and some of these have already being passed on to other caving libraries to complete their collections - we hope eventually to publicise a list of items which we would like to pass on.

The mining-related items from Doug Nash’s legacy have already been transferred to Peak District Mines Historical Society. They, in turn, have passed on all original documents and the Nellie Kirkham legacy items to the Derbyshire Records Office, where they will always be available for cavers and mining historians to consult. Journals and other publications will remain in the PDMHS Library.

2. Enquiries & Visits and the Online Catalogue

In 2015 we achieved the highest number of visits and enquiries for BCL so far, over 150 during the year. 64% of the enquiries

were simple requests for a copy, usually a scan, of a known item; 36% involved the Librarian, Mary Wilde, in research in order to answer a query or find a reference. Some 20% of our enquiries now come from abroad as our reputation spreads. It is noticeable that many enquirers now check our online catalogue, maintained by Martin Laverty, in advance of asking for a copy so they know whether we have the item at BCL and, even if we don't, we may be able to suggest a source for it.

We provide meeting space regularly for BCRA Council and the BCA Training Committee and could provide meeting space for other groups if required. We are also investigating the possibility of becoming a WebEx hub for meetings, dependent on planned improvements in the local broadband service.

3. BCL's own Archive material and the Registry of Collections

BCL continues to be offered collections of archive material: documents, diaries, photos, etc. These are being catalogued and, as far as possible, digitized and placed on the Library's own website by John Gardner (who is also responsible for the very popular Audio Archive on the website).

John is working on a Registry of Caving Collections, also now available on the library website. This is intended to be a list of known collections of caving archive material stored by clubs, libraries, archives, and museums, and is primarily for the benefit of researchers. A link to the organisation concerned is provided, and in the case of online archives, a link to the material itself. There is also a link to further information about a collection, when available.

Jenny Potts

The Library Report was accepted without discussion.

22. Date, Time & Place of next meeting

The next Council Meeting will take place on Sunday 05 June 2016 at The Hunters Lodge, Priddy. It will follow on from the AGM which itself is due to start at 10:30am.

23. Any Other Business

a) ICC Representation:

Bob Mehew submitted the following written request in advance of the meeting:

Representation of potential users of Search and Rescue within providers and government

The UK Search and Rescue teams have a system for interacting with government via a committee known as the UK SAR Operators Group. This group has an Inland Consultative Committee (ICC) on which a representative from BCA sits.

The ICC has a set of Terms of Reference given to it as follows:

- 1) To consider any matters referred to it by the UK SAR Operators Group.
- 2) To report on any relevant matters arising from the UK SAR Operators Group.
- 3) To obtain the views and opinions of users of Inland SAR services.
- 4) To ensure that the views and opinions of users of Inland SAR services are made known to the UK SAR Operators Group.
- 5) To make recommendations to the UK SAR Operators Group.
- 6) To keep users informed of significant developments in the provision of Inland SAR services.

The new Chair of ICC has asked potential user groups, including BCA for their views as to whether the terms are sufficient.

As the representative for BCA on this committee, I have the following observations:

- a) Few items of value has been referred to this committee (Personal Locator Beacons and the recent change to SAR helicopter provision being of note in the past 15 years I have sat on the committee).
- b) When a concern was raised (demand by the Ambulance service for post code details when located in the countryside) it was eventually realised that with 13 Ambulance Trusts, 45 Police Forces and 53 Fire and Rescue Services, all independent of each other, little could be done centrally to ensure common methods of operation.
- c) Within the caving world there is a reasonable connection between cavers and cave rescuers; this is not so for many other small scale activities such as hang gliding or walking.
- d) There is a small but growing effort to provide information so that potential users of SAR can learn from the errors and accidents of others.
- e) With substantial changes to government funding taking place and potential changes to police, fire and rescue services coming over the horizon, the structure is one possible route for influencing government decision making processes in these areas.
- f) Attempts to enlarge the membership of some 20 bodies have not been overly successful to date.
- g) I have remained an attendee since the committee usually meets within easy travelling distance of my home but would not recommend BCA send someone a distance to attend a meeting. (I should add that I am now Secretary for the Committee, a role I took up in order to resolve some outstanding business.)

Given recent developments on learning from errors and accidents of others, BCA may wish to consider starting some work on this topic. (Some elements already exist such as Equipment and Techniques and Training Committees' occasional pronouncements and CDG's Incident reporting.)

I seek Council's view on the terms. My recommendation is that BCA respond stating that it sees small value of the committee but it appreciates that other bodies may see more value and that it sees no need for changes to the terms of reference.

Bill Whitehouse, writing on behalf of BCRC has responded as follows:

Caving and cave rescue is very much a minority and specialist interest and one easily overlooked and not considered by government and other big players when they are making decisions that might affect us. Consequently we need to make ourselves visible to make it difficult to overlook us.

Attending UKSAR meetings and participating in the work of the various UKSAR committees and working groups has ensured that cave rescue and with it caving has a voice where it really matters. Directly or indirectly due to involvement at UKSAR the cave rescue service has gained a great deal in terms of financial and practical support, legislative change (e.g. the right to claim back VAT) and a greater understanding at government and among the other emergency services of what we do, how we work and what we need. BCA's active involvement with the ICC has helped with this and also no doubt helped the image of caving generally as well.

I understand your frustrations with the workings of the ICC (and UKSAR) but if, as seems likely, the ICC continues, then I would urge the BCA to stay an active member for all the reasons stated above. Thankfully UKSAR will cover travel costs.

If the ICC is discontinued caving will have lost a say in SAR matters generally but balancing that we are fortunate within our own area of interest that there exists a close relationship and understanding between cavers and cave rescuers who are, after all, one and the same.

BM: Is happy to suggest that Council takes BCRC's advice.

b) Constitutional Amendment

FL: Could Council consider proposing the following constitutional amendments at the AGM:

In section 4.6 – add “where access is not granted by right by other legal means” and under Section 3, add a new aim as 3.1 “To actively campaign for an increase in access for all cavers.”

DW: Council cannot propose anything at the AGM. It needs to be individuals. Does not see that much would be gained by the wording proposed for 4.6, as we would still be arguing about whether we have that right under the existing law.

[Post-Meeting Note: FL submitted a proposal, seconded by DC, after the meeting, which is now included in the AGM Agenda.]

The meeting closed at 5.20pm.

Action Log (as at April 2016)

No. Action by ... Details of Action

36 **DW** Put together a Manual of Operations

October 2011

83 **PI** Produce an Asset Register and liaise with NW/EP over the total replacement value of our insured equipment.

June 2014

116 **HB** HB to liaise with interested parties and Executive and arrange for a new Weil's disease card to be produced, as well as advertise it via social media. BM to review the existing website documentation and decide if it needs updating. **Updated Mar 15:** HB to investigate card printing and distribution.

March 2015

150 **HB, NB** To liaise with Joel Corrigan to find a way to support future events financially.

151 **HB, DW, DC** To investigate using social media more effectively. **Update Jan. '16:** HB and DW have liaised and produced a protocol. This now needs firming up and discussing with DC.

June 2015

155 **PI** To amend signatories on BCA's accounts.

October 2015

157 **PI, NW,
RW** To set up new auto-enrolment pension fund for BCA's employees. **Update Jan '16:** Not required until 2017. Will be actioned in mid-2016.

163 **DW** To liaise with UKCaving owners regarding their offer of advertising.

166 **AE, PI, DW
& NW** To advertise the paid post of Administrative Assistant to Executive.

January 2016

167 **NB** Training Committee to produce a section for the LCMLA and CIC Handbooks on how to deal with the media.

172 **TA** to produce a draft form of words to express the benefits of caving in terms that will appeal to Government Bodies.

April 2016

173 **AH** to ask Natural England about helping finance the proposed conservation documentation.

174 **LW and AE** to liaise with *Descent* about BCA providing "infomercial" content.