

# BRITISH MOUNTAINEERING COUNCIL

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## 15<sup>th</sup> National Open Forum Saturday 16<sup>th</sup> April 2011 Plas y Brenin

The following notes summarise the Open Forum which took place immediately before the BMC AGM 2011. The Forum was attended by approximately 45 members.

The panel consisted of Rab Carrington (BMC President), David Lanceley (BMC Honorary Treasurer), Elfyn Jones (BMC Access & Conservation Officer, Wales), Catherine Flitcroft (BMC Access & Conservation Officer) and Dave Turnbull (CEO).

Rab Carrington welcomed everyone to the Forum and asked if anyone had any agenda items they would like to be raised - the following issues were identified:

- The future direction of the BMC
- Membership of the BMC
- BMC ownership of crags
- The legal status of clubs
- The sale of Forestry Commission land and the BMC's position

### 1. Future direction of the BMC

Mark Vallance gave a brief history of the BMC's membership structure and highlighted the fact that only fairly recently have individual members been able to join; as a result, the organisation is more representative of climbers / walkers needs. If the Alpine Club had done the same, it would have more than likely grown faster than the BMC over the past 60 years.

KC Gordon asked whether it was timely for the BMC to have an open discussion on the future of mountaineering and climbing, and to consider the wider role of the BMC. Currently the Alpine Clubs across Europe, with their extensive hut networks, operate in a similar fashion to both the Ramblers and the BMC combined. He asked whether the BMC should have a greater focus on clubs to attract more members.

Nick Kurth (RAFMA) asked what role the BMC had in the future. There are many people who access the outdoors but who know little of the BMC; the BMC should target these people.

Nick Colton said that the BMC's mission statement is that the BMC "protects the freedoms and interests of climbers, walkers and mountaineers" and that is what the BMC is endeavouring to do all of the time. Rab Carrington however, said that there wasn't a clear BMC vision for the coming years and asked the Forum what such a vision should be. Nick Kurth suggested the BMC should have a stronger position statement setting out clearly its role and to perhaps follow the Alpine Club model.

Lynn Robinson briefly told the Forum of the Peak District National Park Asset Review and the sale of the Roaches and the Eastern Moors – she suggested the BMC needed to collectively lobby and have a bigger voice. She pointed out the key messages on the posters displayed behind the panel and suggested the statement "working for you" meant very little. She felt that the BMC needed a clearer vision with better marketing.

Dave Turnbull informed suggested it would be useful for the BMC to develop a clear 'Vision Statement' to back up the Mission Statement and Participation Statement. He also told the Forum that historically membership of the BMC was only advertised through insurance but more recently strap lines like "Walk it, Climb it, Protect it" have been widely adopted.

John Barrett (FRCC) referred to the BMC annual report saying that it was an informative document but asked who it was sent out to. Dave Turnbull informed the Forum that it was put on the BMC website but that it wasn't sent out to individuals or climbing walls. Tom Hutton (BMC Cymru Chair) also pointed out the lack of support from other print media.

BMC Finances – David Lanceley (BMC Treasurer) explained that currently the BMC's finances are relatively stable with over £1 million in the bank. These funds are largely a result of surpluses from travel insurance but with increased premiums over the past 12 months, the BMC a substantial loss is anticipated this year. The BMC receives grant support from Sport England, membership subscriptions and insurance sales (with a 20% reduction expected in the coming year). Dave Turnbull explained that the BMC's Sport England grant is secure until April 2013.

## **2. Membership**

Martin Wass asked how the increase in travel insurance premiums has affected membership. Dave Turnbull replied that it has affected membership numbers as travel insurance is one of the main reasons people join the BMC. Currently the BMC has over 70,000 members but numbers have tailed off since the start of the year.

Rab Carrington explained that the recent BMC members' survey had shown that the reason why people initially join the BMC is as a result of the insurance but that membership is sustained as a result of the various work programmes (access, conservation, safety) the BMC undertakes. The recent Sport England survey also suggests that only 0.26% of England's population take part in walking / climbing activities compared to 5% in Scotland and of these people, the BMC only represent 10%. He asked if the Forum felt that the BMC could function more affectively if it represented more people. The Forum agreed and felt that the BMC would have more weight politically if it had more members.

Barbara James asked if the BMC could learn from the German Alpine Club model (DAV) and the way they have liaised with clubs and the links they have with each area. John Moore supported this idea. Rab explained the situation in the UK was different however, with the majority of huts being privately owned and run, with the BMC having little control over how they are made available.

Geoff Milburn asked if anyone could admit to being a proud member of the BMC and felt that the BMC in recent years had shied away from controversial issues and played safe.

## **3. BMC ownership of crags**

Martin Wass and Lynn Robinson asked if it was the BMC's role to own crags and if the BMC should be looking to buy more crags / quarries and advertising this more clearly to members. Elfyn Jones explained why the BMC is not pro-active in buying crags; financing the purchase of a crag is only one issue, liability, ongoing management, maintenance costs, risk assessments and so on are all part of the responsibilities that come along with purchasing land. The BMC owns or manages 12 sites and each one is already demanding of officer and volunteer time. He also explained that the BMC buys crags as a last resort and decisions are made in an ad hoc manner; currently there is a draft policy on BMC acquisition with the Land Management Group who oversee the management / running of the BMC owned and managed sites. Lynn Robinson added that the BMC Peak Area have been asked recently to put together a crag management plan for the National Trust and the RSPB as part of the Eastern Moors Partnership Group.

Elfyn explained that the BMC works closely with other organisations (like the National Trust and the RSPB) that are supportive of access and climbing and who are better placed to manage larger crags. Nick Kurth supported this view stating that it is demanding running the sites we already own / manage and this isn't one of the main roles of the BMC.

Dave Turnbull said ultimately the BMC exists look after members interest and that further acquisitions would be likely in the future.

Trevor Smith asked if the BMC were purchasing crags to protect access or to ease concerns over liability. Elfyn explained that each acquisition is different whether it be to remove the threat of development and protect access or to remove fears of liability. Dave Turnbull went on to explain that we recently held an informative seminar on quarries and legislation in Leicester with some key landowners / quarry companies and that this was very well received. The BMC is also seeking changes to planning policy and legislation which will ease landowner concerns over liability and are leading by example in our own managed and owned crags. Elfyn also suggested that we sort the myths about liability out first before the BMC continue to purchase crags.

Sam Mayfield asked if quarry companies might start charging for access. Elfyn explained that this was unlikely as this might increase their duty of care. Landowners such as the National Trust are also unlikely

to charge for access as this forms an important part of their organisational policy; car parking and other charges may however be adopted as NT properties look to develop their income streams.

Marin Wragg (Hon. Legal Advisor) explained it is a common misconception that the risk of litigation is increasing. As a landowner you can never rule this out but there are very few cases when it actually happens. It is often seen as the fault of the individual and it is more difficult to establish the fault of the landowner.

Richard Doubleday (Perkins Slade) explained how the BMC insurance scheme works. The BMC is one of many organisations who are part of a larger insurance scheme and their first principle is that the contribution of many covers the misfortunes of a few. He explained that the schemes have had a few challenges in the past few years as premiums have risen. The main factors that have affected premiums recently are natural disasters (e.g. volcanic ash) and fewer investment opportunities (this is a cyclical process and we are currently on a downward spiral), and an increase in damages awarded in the civil courts, with the number of claims rising in recent years. He noted that the best place to buy insurance is through organisations like the BMC who are part of a larger collective. He also encouraged people to practice our sport safely and to reduce the need for claims.

#### **4. Legal status of clubs**

David Unwin (Bowline CC) asked whether or not clubs should seek to be 'incorporated' (a corporation being a legal entity that is effectively recognised as a person under the law. One of the legal benefits of this is the safeguarding of personal assets against the claims of creditors and lawsuits).

David Fieldhouse (Perkins Slade) noted that even if a club is incorporated, the lead post holder of the club could still be held liable. Similarly, Marin Wragg expressed his concern and said that he didn't think incorporation was a solution. Clubs could take out a policy to cover group activities and risk but if a judgement was made that negligence was at play then no insurance policy would help. His advice was to be sensible and to focus on managing risk to preventing accidents in the first place.

Dave Turnbull told the Forum that the BMC Civil Liability Insurance covers members undertaking hill walking, climbing and mountaineering activities. For example this would cover a club member walking in the Lakes. The cover does not however, extend to situations where payment is received, as that would be viewed as acting professionally.

Deirdre Collier asked that if a club was to carry out a risk assessment first, would this remove their liability. Richard Doubleday responded by saying that the club would still be liable but it would show that they were trying to do the right thing which would help their defence in a case of law.

#### **5. Forestry Commission Estate**

Cath Flitcroft explained that the BMC had been in contact with the new independent panel that are looking at the future of the FC Estate and has highlighted the importance of the Estate not only for walking but for other recreational activities including climbing. The BMC has put together a list of all the crags on FC land and this has been widely distributed to the panel and many MPs.