

BRITISH MOUNTAINEERING COUNCIL

177-179 Burton Road
Manchester M20 2BB
www.thebmc.co.uk

Tel: 0161 445 6111
Fax: 0161 445 4500
e-mail: office@thebmc.co.uk

16th National Open Forum Saturday 28th April 2012 – Malham Tarn

The following notes summarise the 16th National Open Forum meeting, which was held prior to the BMC AGM and took place between 2.35 and 3.55pm. The meeting was attended by approximately 30 members.

Rab Carrington welcomed everyone to the Forum, and explained that the focus would be on access and conservation, but that the meeting was also for discussion of any BMC related questions. He introduced the panel, which consisted of Roger Bennion (Chair, BMC Access, Conservation & Environment Group), Cath Flitcroft (A&C Officer - Policy), Rob Dyer (A&C Officer - English Regions), Elfyn Jones (A&C Officer - Wales), Dave Turnbull (CEO).

Questions were then taken from the floor.

a. Insurance and Crag (Occupiers' Liability)

Dave Musgrove (Club & Individual Member) asked whether the BMC had a policy with regard to taking liability away from landowners in order to facilitate access to crags for climbing. He wanted to know whether BMC insurance could cover the liability of another landowner. Climbing potential in Giggleswick Quarry had been identified, but the issue of liability was proving a hurdle to access.

RC asked Dave Turnbull to reply. He said the BMC currently has c.10 crags on its insurance policy; some of these have been covered for over 20 years whilst others have been added as the BMC has taken on their ownership or management. The crags are insured as part of the civil liability cover to which all BMC members pay a contribution. No claims have been made against the BMC for accidents arising at these sites.

David Fieldhouse (Perkins Slade, BMC insurance brokers) advised that adding more crags to the policy would inevitably increase the risks of a claim, which would cause the underwriters to look more closely at the policy.

DM felt that we needed to have a clearer policy than simply stating that we weren't looking to add any more crags to the policy. DT replied that the BMC would seriously consider the addition of a new site to the policy if there was strong support from the relevant Area Committee.

There was a general discussion about what specific liabilities the BMC would be insuring against at a site not owned or managed by the BMC.

Miles Hillman (Club Member) felt that liability was going to be a big issue in trying to secure access to some quarries in Leicestershire identified as potential future climbing sites, and wondered whether the issue might be solved in other ways.

Martin Wragg (Honorary BMC Legal Advisor) gave his interpretation of the relationship between insurance and liability; the former is secondary and the latter primary. There has to be a relationship between the victim and the person sued, and the law will make a judgement. Insurance underpins the defendant's ability to pay.

Mike Raine (Club & Individual Member) wondered whether the experience of trying to secure access to Dali's Hole in the Dinorwig slate quarries was helpful in establishing a policy. Elfyn Jones said that in the case of Dali's Hole the potential risks were too great for the possible gain.

Roger Bennion noted his background in minerals planning and suggested it might be worthwhile examining the situation at Llanymynech Quarry, which is managed by the Shropshire and Montgomeryshire Wildlife Trusts as a nature reserve. A number of conditions have been agreed between the Trusts and the BMC to enable climbing to take place. He felt that the main concern of quarry owners was to free themselves from liability once quarrying had finished.

EJ felt it was important to distinguish between civil liability and criminal liability; the latter cannot be insured against.

RC asked DF about the possibility of insurance cover for crags separate from the global civil liability insurance policy; DF suggested that this would be likely to increase the costs of cover.

MH asked whether there might be any mileage in persuading county councils to take on ownership; climbers who are BMC members would be covered by the civil liability policy. DF said that a number of councils now self-insure.

DM said that the Yorkshire Dales NPA had taken over the management of Langcliffe Quarry (for archaeological reasons) and were happy to permit climbing there. He was hopeful that they might do the same with Giggleswick Quarry, which also sits within the National Park, but had been advised that the authority has no plans or funds to do so.

RC thanked everyone for their contributions to the discussion of this complex issue, which should be examined further by the BMC. RB advised that the soon to be established Quarries sub-group of the Access, Conservation & Environment Group would be looking at the issue.

b. Promotion of AGM Weekend

Geoff Milburn (Club & Honorary Member) felt that information about the weekend had not been given enough prominence in the Spring issue of Summit. There was a two-page spread in the magazine, but this section did not stand out on the Contents page as much as he would have liked, and he felt the BMC could do more to advertise the weekend.

It was agreed that the location of the AGM pages within the Spring 2013 issue of Summit would be more prominently displayed on the Contents page of the magazine.

GM asked whether it was possible to suggest some discussion topics for the National Open Forum in advance of the meeting. It was felt by a number of people at the meeting that it was better to keep the open nature of the forum.

c. Distribution of Annual Report

John Moore (Club Member) asked why the BMC Annual Report did not form part of the Spring issue of Summit. DT explained that a decision had been taken in 2003 not to post hard copies to all members (due to the cost), and that since then a small print run has been distributed (to club secretaries, amongst others) and that the Report is now published online. Paul Exley (Club Member) pointed out that it was possible to request a paper copy from the BMC office.

John Moore then suggested that the Annual Report could replace some other content in the Spring issue of Summit. John Mason (Individual Member) suggested that an executive summary of the report could be inserted in Summit; the full report might detract from the entertainment value of the magazine. There was a general feeling at the meeting in favour of this suggestion.

RC agreed that we should examine a range of methods for increasing the distribution of some form of the 2013 Annual Report, and that the Executive Committee should decide on a preferred option. DT agreed to put this to the next Exec meeting.

d. BMC Membership Growth

Henry Folkard (Honorary Member) asked what the BMC was doing to maintain or grow its membership in response to the downturn in travel insurance sales and participation targets set by Sport England.

RC replied that it was very difficult to obtain accurate participation statistics and that figures from a number of sources differed significantly. He felt there were opportunities for increasing membership, including supporting clubs in their recruitment of members and introducing an attractive membership pricing structure for young people.

Bernard Newman (Club Member) asked what proportion of members join the BMC primarily to support the organisation as opposed to joining to access a particular service or benefit.

DT replied that we know that two of the main drivers for joining are travel insurance and mountain leader award registration. Feedback from the 2010 Membership Survey indicated that members choose to join to access a service or benefit, but that the main driver for renewing their membership is to support the BMC's overall work for mountaineers.

Derek Walker (Club Member, former BMC General Secretary) said that Summit magazine had contributed to the increase in BMC membership since its introduction in 1996.

e. Communicating the BMC's work

RC asked freelance journalist Ed Douglas to comment on the BMC's ability to effectively communicate its key messages and successes. ED said that the BMC does lots of great work, but that it isn't always successful at communicating just how much it does. Some issues need addressing, such as the reliance on officers to publicise their work when they might have more pressing priorities.

Mark Vallance (Club Member) said that he was pleased to see the level of BMC involvement in discussions about the management of the Peak District National Park and its asset review. He felt that the Authority should not be selling its assets, and pointed out that the 13 national parks in England and Wales, which make up 10% of the land mass, receive less government funding than Royal Opera House in Covent Garden.

ED said that he was amazed at the care taken by BMC volunteers in their involvement in the Peak Park. The BMC is not a confrontational campaigning organisation, in the way the Ramblers can be, but we are doing all we can locally and within government to make our views heard and influence decisions.

Cath Flitcroft explained our relations with government departments and statutory bodies, and how the BMC worked with other organisations and groups to influence policy. RC commented that our position in political circles has never been higher, but our ambitions must be tempered by economic realities. He applauded all volunteers and staff involved in the BMC's access and conservation work.

Paul Exley asked what was the BMC's view on charging for public access to Open Access Land, and referred to a planning application by the Honister Slate Mine in the Lake District for a new via ferrata which would be sited on Open Access Land. Rob Dyer replied that we had written to National Park Authority to express our concerns about the development. Cath Flitcroft added that this was the first time an application of this kind had been made, and so it could be a test case.

f. Search and Rescue Dogs on Grouse Moors

Sharron Lea (Individual Member) asked whether the BMC had a view on allowing air-scenting search and rescue dogs on grouse moors.

EJ replied that certain restrictions apply to dogs on Open Access land, and he was not aware of any special dispensations. Individual landowners can also apply restrictions.

Helen Lawless (Mountaineering Ireland) wondered whether search and rescue dogs might be classified as working dogs.

g. Encouraging Young People

Tom Parkin (Individual Member) asked what the BMC was doing to help young climbers make the move from indoor walls to climbing outside, particularly with regard to insurance and instruction. DF replied that with respect to insurance Perkins Slade took advice from the BMC. There were two issues – safety and child protection. Nick Colton briefly explained the BMC Child Protection Policy.

The meeting concluded at 15.55.

Rab Carrington felt the meeting had been very fruitful and thanked everyone for attending.

Tony Ryan
2 May 2012