

## **BMC HUTS GROUP - CURRENT MATTERS – SEPTEMBER 2017**

### **INSURANCE**

Howdens have taken over Perkins-Slade – the BMC and MS's insurance brokers.

**NOTE: The BMC Huts Seminar which was due to take place on 7<sup>th</sup> October at the BMC Office has been postponed due to lack of support until spring 2018.**

**Programme:** BMC Hut Survey: The past, present & future of UK climbing huts; Managing Club Huts: Maintenance, efficiency, repair and refurbishment; Greening the huts; Risk management and insurance for maintenance and refurbishment projects; Hut ownership structures and liability.

Workshop Sessions:

1. Planning, finance and fund raising;
2. Efficiency, sustainability and increasing occupancy;
3. Managing a refurbishment: a case study.

### **PRIVATE WATER SUPPLIES**

Private Water Supplies Regulations 2016 - England.

Private Water Supplies (Wales) (Amendment) Regulations 2010.

These regulations came into effect on 27<sup>th</sup> June 2016.

### **BMC HUT INSURANCE SCHEME**

From 1<sup>st</sup> January 2016 scheme will be administered directly by our Insurance Brokers - Perkins-Slade Ltd. who provide the Combined Liability Insurance Policy for Clubs and Huts.

PS are negotiating a new Huts policy with Hiscox – the same company that provides the Combined Liability Insurance cover. While there is a general requirement that properties be appropriately maintained there is no requirement that fire alarms be tested weekly. However, it is advisable that they be tested regularly and the tests recorded.

Queries – contact Perkins-Slade Ltd – Tel. 0121 698 8000 – Sports section.

### **Employers' Liability Insurance (ELI)**

ELI is included in the Combined Liability Insurance policy (CLI) Clubs with huts employ volunteers to maintain their huts must apply to Perkins-Slade for this cover.

**From 1<sup>st</sup> January 2017 all current 2016 'Hut' ELI beneficiaries will be automatically renewed. It is essential to update correspondent contact details.**

ELI extends the cover afforded by the CLI policy. It only covers light maintenance, e.g. cleaning, painting, gardening and minor repairs.

Examples:

Replacing a cracked window pane would be covered but not replacing a window frame.

Clearing out gutters and replacing a lost roof tile would be covered but not re-roofing either in part or in full would not. Electrical work other than changing bulbs or replacing sockets is not covered.

The terms of the ELI cover are being renegotiated by Perkins-Slade with the insurance company.

**Note: Club volunteers carry out maintenance on huts and this issue has generated a fair amount of correspondence regarding the cover provided by the ELI policy. Cover for only light maintenance is not really sufficient as volunteers carry out many kinds of maintenance not covered by the policy, e.g. roof repairs. See queries below from the London MC and North London MC.**

### **BMC IT BOOKING SCHEME FOR HUT**

The Clubs Committee has considered an on-line booking system for huts. Clubs with huts could avail themselves of such a system if they wished. The three national huts already have on-line booking systems. The system would cater for clubs who have huts which they wish to rent out regularly and consumers, i.e. BMC clubs and individuals wishing to book accommodation.

It seems that this project cannot go ahead because there would not be sufficient IT resources available to do anything about it within the foreseeable future. The BMC's capacity for developing new systems is very limited. There are still issues to be resolved with the new membership data base.

### **BOILING WATER UNITS FOR HUTS**

Boiling water units may be plumbed into a hut's water system to provide a constant supply of boiling water – the water being replenished as water is drawn off.

“Heatstore” boiling water heaters are available from City Electrical Factors which has outlets in many towns. The units vary in capacity from 2.5L to 30L.

See [www.heatstore.co.uk](http://www.heatstore.co.uk) for further information

### **Trustees**

The wording of Combined Liability Insurance policy states that the ‘insured’ includes: ‘trustees, club hut trustees, hut wardens and volunteers’.

The trustees of club huts must be club members.

See Guideline G6 Civil Liability Insurance Protection.

### **KEY SAFES – Fitted Externally to Club Huts**

BMC – the underwriters have confirmed that ‘Key Safes’ are acceptable.

They need to be of quality construction and comply with the manufacturer's installation instructions, i.e. located into brick and/or concrete not plaster.

For extra security they should be located away from the door and if possible out of sight.

### **BUSINESS RATES 2017/2018**

#### **England**

Small Business Rates relief (SBRR)

Properties with a rateable value of £6,000 or less are eligible for 100% relief

£6,001 to £12,000 tapered relief is applicable.

#### **Scotland**

Small Business Bonus Scheme (SBBS)

Businesses with a combined rateable value (RV) of business property in Scotland - where the RV does not exceed £15,000 – 100% relief.

Tapering relief is available where the rateable value exceeds £15,000.

Eligible businesses must apply for relief and should contact their local council.

## **Wales**

Small Business Rates Relief (SBRR)

Properties with a rateable value of £6,000 or less are eligible for 100% relief.  
£6,001 to £12,000 tapered relief is applicable.

**Note: For business rating purposes huts are treated as businesses.**

## **BMC/MCofS – Guidelines for Hut Managers**

Revised 2015/17

G1 - CASCs

G2 – Health & Safety

G3.1 – Fire safety (E&W)

G3.2 – Fire safety (Scot)

G4 – Disability Discrimination

G5 – Maintenance

G7 – Asbestos

G8 - Sources of Funding

G9 – Trustees

G10.1 Private Water Supplies (E & W) (New Regs. in force wef 27<sup>th</sup> June 2016)

G10.2 – Private Water Supplies (Scot)

G11.1 – Safeguarding Children in Mountain Huts (E&W)

G11.2 – Safeguarding Children in Mountain Huts(Scot.)

G12 – Legionella

G13 – Planning & Managing a Major Building Project.

G14- Energy Saving/Going Green

G15 – Employers' Liability Insurance

G16.1 – Small Sewage Discharges (E&W)

Guidelines under revision

G6 Combined Liability Insurance Protection (Civil Liability)

G11.1 Safeguarding Children in Mountain Huts

G15 Employers' Liability Insurance Policy.

## **QUERIES FROM CLUBS**

### **North London MC**

The club operates two huts in Capel Curig.

These are maintained by members on working meets and by tradesmen.

Problem – the cover provided by BMC Combined Liability policy which includes ELI only covers members undertaking light maintenance work – cleaning painting, gardening etc. The policy does not cover strenuous manual work, roofing, working at heights, electrical wiring, building works and digging drainage ditches. Therefore the cover provided by the policy does not cover the maintenance work the club wishes its volunteers to undertake.

### **Response**

This is a problem for many clubs and we have raised this issue with Perkins-Slade.

Suggestion – use members who are qualified tradesmen to carry out work for which they are qualified on a no fee basis. They would be covered by their own insurance. Ensure work is supervised and carried safely.

### **London Mountaineering Club (LMC)**

Volunteers working on huts

The club is concerned about the cover provided by the BMC's ELI and Combined Liability Protection policies provided by the with Perkins-Slade.

The only work covered is limited to painting, decorating and gardening. For the LMC (and many other clubs) this is an unacceptably restrictive list of activities.

Where a contractor is simply working as a volunteer as part of a working party, this would fall under the club's insurance. Unless the club has formally contracted with the volunteer in their professional capacity, the contractor's professional insurer will not be involved in any claim.

#### Guests on meets

If a club has guests on a meet, the club is covered with regard to its liability for the guests but the guests themselves are not insured. Clubs should bear in mind that if a member causes injury to a guest, that member is insured should the guest sue them and the insurer will pay compensation that is legally liable (subject to the policy terms and conditions). If the guest causes injury to the member, the guest is not so insured and so whilst the injured member may be legally entitled to compensation, they may not receive any as the guest does not have an insurance company behind them to pay the compensation which may be due.

Note: Club raised a whole raft of insurance issues with Perkins-Slade. Andy Goulbourne from Perkins-Slade dealt with all the queries the club raised.

### **North London MC**

#### Business rates

The club had received a request concerning the payment of business rates from the Council. The club had only ever paid fees for the collection of commercial waste before.

#### Response

The club was advised that huts are treated as businesses for tax purposes and so they are liable to pay business rates. These are collected by local councils on behalf of the Government. The club may be entitled to small business rate relief if the properties they own fall within the small business rate relief band. Should be automatic but if not the club should contact the council about this matter.

### **Rugby MC – Cwm Eigiau Cottage**

#### Rent negotiations

The property is leased from the Conway estate. RMC offered £750 pa – when the estate was asking for £1,350 pa. Rent agreed at £900 pa. The club is responsible for maintaining the property. Recently they replaced the roof at their expense.

The Club constructed the hut from a ruin so security of tenure is very important. It seems the lease is up for renewal in a few years' time.

Hut fees pppn: Members £5, BMC members £7.50, Others £9.

The hut can accommodate 8/10 people.

#### Response

The rent is quite reasonable – less than £20 per week. On the basis of a 25% occupancy rate a charge of £5pppn would produce £4,500 pa; a £10 charge would produce £9,000 pa. The fee income would cover the rental by a fair margin.

Suggested that instead of writing letters to the Estate Manager about the lease it would be better to meet with him/her to discuss the lease and its terms.

### **Solihull MC**

The club which has a hut based in Dinas Mawdday have under the terms of their insurance policy to check their premises weekly. The insurance is provided by Axixa.

The club asked for advice about the BMC Hut insurance policy.

Advised the club that the policy provides buildings cover of £150,000 but the cover may be increased by paying an extra premium. The policy does not require a club to check their premises weekly but the club would need to test the fire alarm system once a week.

This issue has been raised with Perkins-Slade because it is far too onerous for many clubs and it is not a legal requirement just a British Standards recommendation.

The club was also advised about the BMC's Combined Liability insurance policy which includes Employers' Liability Insurance (ELI) provided the club has applied for this cover. ELI only covers "light maintenance" work carried out by members/volunteers.

**Note: Testing of fire alarms – Perkins-Slade is switching clubs to a different insurer as and when their hut insurance policies come up for renewal. The new policy does not require clubs to test their fire alarms weekly.**

### **Children in Mountain Huts**

Ref. to G11.1 Safeguarding Children in Mountain Huts

See AMMH Hut below – MANCOM's Policy regarding access for children when wardens are in residence.

Mercian MC raised the following query via KMC Booking Secretary:

Does your club allow children from other clubs to stay in your hut in a separate family room or dormitory.

Response

The KMC does allow children from other clubs to stay in Ty Powdwr – the club's hut in Snowdonia. The hut has four dormitories of which one is reserved for members. There is no family room or dormitory. Parents are responsible for their children. They need to be satisfied with the accommodation arrangements in the hut. See G11.1

A number of clubs with huts in were copied into the emails concerning children staying in huts. Given the fact that the Mercian MC seemed to be unaware of G11.1 they were also advised that the BMC has produced a number of guidelines to assist hut managers/wardens.

### **Dogs in Mountain Huts**

Many clubs ban dogs from their huts. Should a club allow a member's son who suffers from profound deafness who has an assistance dog to access its hut with his dog where some members have an allergy to dogs?

Disability discrimination – Disability and Equality Act 2010

Service providers including clubs where their membership exceeds 25 people must make reasonable adjustments to facilitate access for members with disabilities.

See Guideline G4 Disability Discrimination.

Response

The club could refuse access for the dog because the member's son is not a member of the club. The club should explain the reason for the refusal and consider whether a compromise might be agreed. Perhaps the dog could be kept outside the hut in a car or portable kennel.

Note: Equality Act 2010 – Part 12 refers to assistance dogs and their right of access to taxis and private hire vehicles.

Articles on the internet treat guide dogs and assistance dogs in the same way – meaning that where they are accompanied by their owners they and their owners have a right to access services.

### **K Fellfarers – Insurance – Trustees**

#### **Hut leased from the National Trust.**

The Renewal of the club's lease for High House from the National Trust (NT).

Under the terms of the proposed lease the NT will be responsible for insuring the building.

The Club is responsible for insuring the contents which they do through a local agent.

The club's current and proposed leases are "Full Repairing and Insuring Business Leases (Put & Keep) so the club is responsible for all costs.

Current position:

Negotiations for a new lease started in 2014. They are still ongoing.

Issues:

Liability – NT has agreed to reinstate the old clause which only held the trustees liable up to the assets of the club.

Water supply – NT carries out work on neighbouring farm's water supply and this affects the huts supply – so the club wants protection against interference with the supply to the hut.

Building alterations – The proposed lease stops the club from making any building alterations. The club wishes to amend this term to read "without the NT's permission" which is what would happen anyway.

Meetings with the NT – There have been long gaps between meetings because the NT has not been available.

Current position: The terms of the lease have not yet been agreed – There are still some issues to be agreed.

### **Lancashire Caving and Climbing Club – Tranearth Hut**

Queries re: Private water supplies; Fire protection – test fire alarms.

These issues were raised when the hut was inspected by the local authority – SDLC.

Private water supplies in England are now governed by Private Water Supplies Regulations 2016. These are more stringent than the previous regulations they came into effect on 27<sup>th</sup>

June 2016. The Club's water supply drawn from the beck has metal contamination and is at risk from livestock. The water supply needs to be checked for dead sheep.

Problem solved by fitting more filters

Fire alarm

Fire officer advised the club that it must be tested weekly! Insurance policy also requires it to be tested weekly. This posed problems for the club. They decided to pay a local farmer to test the fire alarm system every week.

Legislation does not say how often alarms need to be tested. BS 5839-1:2013 recommends weekly testing by the user. It is not a legal requirement.

The BMC's hut insurance is provided by Perkins-Slade and they are now using a new insurance company which does not require clubs to test their alarms every week. Clubs will be changed over to the new policy when their policies come up for renewal

The Club was advised accordingly.

### **Lancashire Mountaineering Club Hut leased from the National Trust.**

Lease renewal for its hut, the Loft, at Blea Tarn with NT.

The lease expired in 2009. The club has not yet managed to agree terms for the renewal of the lease with the NT. The renewal has involved five different personnel at the NT. The club has managed to keep the rental uplift manageable but the NT has expanded their repairing liabilities to include services and utilities which were previously shared.

The NT has not allowed the club to use the former communal generator.

The Club wants to carry out improvements to the property but it cannot do so until the terms of a new lease have been agreed.

'All in all we are two minds whether to renew or not. Particularly given the reduced usage!'

Response

The BMC has raised this matter with the National Trust in the Lakes.

Current position?

Note: LMC has constructed and opened a new hut, Cae Ysgubor, at Beddgelert in Snowdonia.

### **Wolverhampton MC**

Query regarding the duties and responsibilities of trustees.

Advised that trustees have a duty to protect the title to the property and to carry out any other duties the club tasks them with. These tasks must be clear.

Trustees should ensure that the property is adequately insured – for its full reinstatement.

Referred the Club to BMC Guideline 9.1 Trustees.

### **DWMH (Insurance)**

The BMC leases the DWMH hut from the Staffordshire Wildlife Trust (It used to be leased from the Peak District National Park Authority) and they insure the hut to which the BMC makes a contribution of around £250 per year.

### **Yorkshire Ramblers (Insurance)**

Hut leased from the National Trust

The club leases its Low Garth hut in Little Langdale from the NT. While the hut is insured by the NT the club also insures the hut via the BMC's hut insurance policy.

## **FRCC - General issues**

Hut key systems

Hut booking systems

Heating systems and their economic control

Increasing hut usage

Wifi systems – introduction and usage in huts.

Optimising dormitory space.

Response – Club provided with advice about these issues but not about Wifi systems.

**Note: Some queries from clubs have been dealt with by referring the club to the relevant guideline.**

## **NATIONAL HUTS**

### **Alex MacIntyre Memorial Hut (Convenor – Iain McCallum)**

#### **Feasibility Study**

To date improvements have been carried as and when funds become available. The building is over 100 years old and it is showing its age. A feasibility study would identify the work which needs to be done to put the building into a good state of repair and in particular to make it watertight. The study would provide indicative costs for the various elements involved in the refurbishment of the building. The cost of the study would be about £10,000.

The BMC and MCoF S have each agreed to contribute up to one third of the cost of the study.

Current position - Ongoing

#### **Recent Improvements**

The small bedroom has been refurbished at a cost £7,500.

Over the last five years the Committee has spent £47,000 on improvements to the property.

These include the refurbishment of the toilet block, an upgrade of the electrical and fire alarm systems, installation of a new heating system, replacement of fascias, soffits, down spouts, gutters, a new front door and two new WCs. These improvements were funded in part from our own resources and by loans and grants from the BMC, MCoF S and SMT.

Further improvements include re-slating the toilet block roof, refurbishing the kitchen and drying room and in the longer term refurbishing the lounge/dining room.

Current position – re-slating the toilet block roof – the contractor is due to start work on this job in the next week or so.

#### **Current Financial position 2017 - 8 Months.**

Income £14,576, Expenditure £6,152, Surplus £8,424. Cash £47,380.

Advance bookings for 2018 - £1,596.

#### **Bookings**

The Easy Booking System continues to be popular with hut users.

Occupancy rate for 2016 – available 5,840 occupied 1,951 (33%) down from 2,116 (36%) in 2015.

The hut can accommodate 16 people. The hut fee is £12 pppn. During the period from January to May wardens are in residence. While wardens are in residence children are denied access to the hut.



### **Don Whillans Memorial Hut (Warden – Mike Battye)**

Rock Hall Cottage is leased from the Staffordshire Wild Life Trust (SWT) which now manages the Roaches Estate. The current lease runs until 2045. The Cottage is a Grade 2 listed building.

#### **Improvements**

In 2015 almost £20,000 was spent on improvements. The washroom was refurbished at cost of £15,000. A loan from the BMC repayable over 5 years funded the improvements. In memory of Craig Harwood the patio in front of the hut has been extended to create a level area for tables and chairs. The path fronting the cottage has also been widened.

#### **Further work**

The flat roof between the main building and the kitchen located under two huge boulders is leaking and needs to be repaired. The repairs may cost £2,000. Under the terms of the lease the SWT are responsible for the external fabric of the building.

#### **Security**

The hut is secured by a KABA 7100 Series locking mechanism.

#### **Finance**

In 2016 the fee income was £12,225 compared with £13,519 in 2015  
Expenditure in 2016 was £4 803 compared with £24,591 in 2015. Surplus £7,423 in 2016 compared with a deficit of £11,432 in 2015 when almost £20,000 was spent on improvements. Energy costs have been reduced by some margin: 2013 - £2,335; 2014 – £1,305; 2015 - £1,888; 2016 - £1,482. This has been achieved by matching the demand for heat to demand when it is really needed.

#### **Bookings**

Bookings have fluctuated between 1,446 (33%) bed nights in 2014 and 1,622 (33%) in 2016.. The hut can accommodate 12 people. Hut fees are £10pppn but members must book the whole hut at weekends (Friday and Saturday nights) due to the very high demand at a cost of £240. Bookings may be made online.

### **Glen BrittleWar Memorial Hut (Chair – John Irving)**

The hut has been refurbishment at a cost of £205,000. The hut can accommodate 18/20 people. Hut fees are £15 pppn from 1<sup>st</sup> October 2015. Full bookings: 18 places £216; 20 places £240. Bookings may be made online.

#### **Current Financial position 2017– 8 Months**

Income £22,423; Expenditure £14,690 includes repairs £1,400 and legal fees £5,700. The latter will be met by the BMC and MS in due course.

Estimated income for 2017 £24,000; running costs estimated £4,500.

Occupancy rate 47 per cent – few bookings in January, February and March. Advance bookings for 2018 - £10,000.

Loans repaid £19,000. Loans outstanding £57,000 (BMC £40,000, SMT £12,000, MS £5,000)

#### **Further improvements**

Minor work

These are mainly cosmetic – painting and decorating, new seating, new door handles etc.

Major work

Phase 3 – Involves dry lining the upper floor and improving the floor.

Phase 4 – Improving the car park arrangements.

**Insurance**

The Committee has decided to insure the hut with the NFU rather than with the BMC/MS hut insurance policy because it is less restrictive and £300 cheaper.

**GBMH Hut****Trust Deed.**

The trust deed is out of date so MANCOM has taken legal advice and as a result it has decided to apply for charitable status (SCIO) via OSCR.

Iain McCallum  
Chair of the BMC Huts Group  
September 2017