

BMChgcmoct2019

BMC HUTS' GROUP

CURRENT MATTERS – OCTOBER 2019

New Legislation

Septic Tank Regulations 2020 – see below

BMC HUTS' GROUP: Huts Survey2019

Questionnaire distributed – responses awaited.

New Issues for Clubs and their members:

- Safeguarding vulnerable adults.
A policy for safeguarding vulnerable adults has been discussed by the BMC's Child Safeguarding Group.
- Charging points for electric cars? This was raised at the meeting of specialist committees last December. Installation of 7kw commercial charger – cost £1,000? Rolec charger plus cabling and earth rod installed by a local electrician cost £350?
- Wifi's installation linked to a telephone system is the best solution but this may well not be possible in isolated locations or only at considerable expense. Cost - connection charge plus monthly charge.

BMC's COMBINED LIABILITY INSURANCE AND HUT INSURANCE POLICIES

These policies are now administered directly by our Insurance Brokers – Howdens who provide them for clubs and members of the BMC.

Combined Liability Insurance policy

Prospective members are covered for three months by the policy. Some clubs may find that this period of cover is not long enough for their membership requirements because prospective members may well not join a club for six months or more.

Trustees

The wording of the 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 6 Civil Liability Insurance Protection.

Position re National Huts – GBMH – Does the policy cover the trustees?

Huts Insurance policy

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 Howdens – 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 1st 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.

Hiscox (the insurers) have agreed to cover all work carried out by volunteers other than:

- Work undertaken at height (anything over three metres)
- Work involving the use of chain saws, and
- Electrical work that requires a Part P certification.

If a club intends to carry out any of these activities, cover can be arranged but Howdens (the brokers) would need to know how the work at height for example was to be carried out safely, what safety equipment was to be used, how trained or experienced the volunteers undertaking the work were. More information is provided on the BMC Insurance website.

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.

See Chester MC below.

Legislation

Small Sewage Treatment Systems operated by Clubs with Mountain Huts in England Septic Tank Regulations 2020

Septic tanks discharging into surface water:

Under the new Environment Agency General Binding Rules any septic tank treatment system that discharges directly to surface water such as a ditch, stream or river must be replaced or upgraded to a full sewage treatment plant for example by installing a package treatment plant by **1st January 2020**.

The EA may allow clubs time to comply this regulation.

Discharges into the ground via a drainage field system (infiltration system) are not affected by the Septic Tank Regulations 2020 provided they do not exceed

2 cubic metres per day and do not contaminate private water supplies, SSSIs or SPZs.

Discharges exceeding 2 cubic metres per day need consents or permits from the Environment Agency in England.

WALES

While septic tanks or package treatment plants do not need to be registered in England they must be registered in Wales with Natural Resources Wales.

New registrations -

Septic tanks discharging directly to surface water are not permissible – they need to be improved by installing a treatment plant or drainage field system.

Discharging sewage directly to groundwater is also not permissible.

Criteria

Septic tanks will not meet the criteria if any of the following apply:

Septic tank soaks through a ground infiltration system and services 13 or more people.

Treatment plant discharges to a water course and services 33 or more people. The sewage system is near an SSSI, SPZ or within 50 metres or less from a borehole or well.

Clubs who currently hold consents to discharge may be required to upgrade their sewage systems by NRW eventually.

See below:

Guideline 16.1 Small Sewage Discharges (E & W)

Private Water Supplies

The Water Supply (Water Quality) (Amendment) Regulations 2018 which came into force on 11th July 2018

The Water Supply (Water Quality) Regulations (Wales) which came into force on 15th June 2018.

The Private Water Supplies (England) (Amendment) Regulations which came into force on 11th July 2018.

The Private water Supplies (Wales) Regulations which came into force 20th November 2017.

See below:

Guideline 10.1 Private Water Supplies (E&W) which has been updated to take account of the changes resulting from these regulations.

Guideline 10.2 Private Drinking Water Supplies (Scot) has also been updated.

Key Safes

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

BMC/MCofS – Guidelines for Hut Manager

Guidelines under revision

G9 Trustees and Charitable Incorporated Organisations

Charitable Incorporated Organisations (CIO’s in England and Wales where they are governed by the Charities Act 2011

Scottish Charitable Incorporated Organisations (SCIO’s where they are governed by the Charities and Trustee Investment (Scotland) Act 2011

These are organisations are similar to companies in that they have a separate legal personality, can enter into contracts in their own name, employ staff, incur debts, sue and be sued. The trustees and members have a high degree of protection. They generally have limited or no liability for the charity’s debt.

Being charities there are tax benefits – gift aid, inheritance tax for example.

Guidelines - Updated

G1 – Club Organisations and CASC’s

Note: G1 CASC’s has been withdrawn because HMRC’s stricter rules make compliance very difficult for mountaineering clubs – 50 per cent of the membership must be active, attendance records need to be kept etc.

The following Guidelines have been updated.

G10.1 Private Water Supplies (England & Wales)

G10.2 Private Water Supplies (Scotland)

G16.1 Small Sewage Discharges (E & W)

Insurance Protocol - This is very important.

In order to comply with this protocol the BMC/ M. Scot must notify the Howden Group of any incidents concerning allegations of abuse and poor practice involving BMC/M.Scot. members or members of clubs affiliated to the BMC/M.Scot. Allegations of abuse must be reported to the BMC/M.Scot immediately. Therefore, the wording of the following guidelines has been amended to reflect this requirement.

G6 Combined Liability Insurance Policy (Originally Civil Liability)

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

G11.2 Safeguarding Children in Mountain Huts (Scot)

QUERIES FROM CLUBS RECEIVED BETWEEN APRIL AND SEPTEMBER 2019

Bowline MC.

Query regarding child safeguarding.

The club is planning to introduce family membership and amending their bylaws re-membership accordingly. Does the club require grandparents to complete a loco parentis form if they take a grandchild on a club meet?

Club advised that while parents need not complete a loco parentis form, grandparents should complete one for example if they take grandchildren to a club hut.

If the club decides to open the club to family membership with children then they must comply with the BMC's Child Safeguarding Policy and appoint a Youth Officer with responsibility for safeguarding children within the club.

Club referred to Guideline 11.1 Safeguarding Children in Mountain Huts.

Chester MC

Query concerning Employers' Liability Insurance (ELI). Whether it is necessary to apply for the ELI cover when renewing the hut insurance policy.

Response - Once an application has been made for ELI the cover is automatic on renewal the hut insurance policy.

London M.C.

Query re septic tanks which came via the BMC.

Club had noticed an item in the CC's newsletter concerning new regulations for septic tanks – Septic Tank Regulations 2020 England.

***Correction not applicable in Wales)**

Club advised that in future septic tanks or ST systems discharging into surface water must be replaced or upgraded to a full sewage treatment plant for example by installing a package treatment plant by 1st January 2020.

Septic tanks discharging into a drainage field system not a soakaway are not affected by the new regulations provided they do not exceed 2 cubic metres per day and do not contaminate private water supplies, SSSI's or SPZ's.

Septic tanks in Wales must be registered with Natural Resources Wales.

Merseyside MC

Query via the BMC regarding a fire audit

The Club leases a hut and there are three trustees who are all members of the club committee. The committee runs the day to day business of the hut alongside the hut warden and the hut booking secretary. To whom should the fire audit be sent? Who is the official person to whom it should be posted?

Response

To comply with the Fire Regulations it should be posted to the 'responsible person'. So, it depends on how the club manages its hut and whether the club has identified the 'responsible person'. Perhaps the hut warden is the 'responsible person'. If so it should be sent to him/her.

We suggested the fire audit be sent to the club secretary who would normally deal with administration matters with copies to the three trustees

Query concerning the new Drinking Water Regulations

The local authority had carried out a risk assessment of the club's water supply – and raised 12 points that they wanted action on within three months. There was also the matter of the increased costs involved – fee of £405 compared with £149 in the past.

Advice: New more stringent regulations came into force in July 2018. The inspections and more stringent tests are bound to be more expensive.

Referred the club to Guideline 10.1 Private Drinking Water Supplies (E&W).

Yorkshire Ramblers Club (YRC)

Query - Problem non-payment of hut fees.

A member of Leeds University MC booked a hut for a group. Some of the group were members of LUMC. Some were members of the BMC. The amount outstanding is £288. The Huts Secretary phoned and emailed the organiser but to no avail.

Response

We suggested that the BMC should write to the Secretary of LUMC and or to the LU Students Union about this matter. Failure to pay fees to a BMC affiliated club means that clubs with huts will be more likely to refuse university clubs access to their huts. It destroys the trust which should exist between BMC affiliated clubs.

Current Position: The YRC has not recovered the fees due. The Booking Secretary has not managed to contact the LUMC member who made the booking.

The Student Members of the BMC Clubs' Committee have made contact with the LUMC and the Club has agreed to chase the member who made the booking.

The YRC did take a deposit of £100 for the booking.

Result – Debt not recovered – written off.

Probably best to ask for the full amount due one month prior to the commencement of the date of the booked accommodation.

NATIONAL HUTS

Reciprocal arrangements.

A query arose as to whether there were any reciprocal arrangements with the Austrian Alpine Club (AAC) or any other 'foreign' club in relation to the National huts.

Response: There are no reciprocal arrangements with the AAC or any other 'foreign' club. The GBMH may accept bookings from foreign clubs but not from the members of the AAC as they may join the BMC or M. Scot.

There are three national huts in Scotland. The AMMH is held in trust by the BMC and M.Scot, and Mill Cottage, is a private trust but has M.Scot members among its trustees. The Mill Cottage trust is registered as a Scottish Charitable Incorporated Organisation (SCIO).

The Glen Brittle Memorial Hut is also now registered an SCIO.

A SCIO has its own legal personality so it can carry out transactions in its own name and hold title to land. In most cases the trustees enjoy limited liability. There are also tax benefits.

Huts registered as SCIOs have to be run for charitable purposes, e.g. provision of recreational facilities, for the advancement of public participation in sport. Becoming an

SCIO involves registering with the Office of the Scottish Charity Regulator (OSCR). Annual reports and accounts have to be filed with the OSCR.

Note – England: Charitable Incorporated Organisation (CIO)

Marketing the National Huts

The BMC Handbook now has details and photos of the national huts, and an explanation as to how they can be booked.

Alex MacIntyre Memorial Hut (Convenor – John Leftley)

Recent Improvements

Over the last five years the Committee has spent £60,000 on improvements to the property.

These include re-roofing the toilet block, refurbishment of the small bedroom and 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, MCoFS and SMT.

No major building work was carried out during 2018 but energy efficiency was improved by the installation of more LED lighting. Repairs were also carried out to the driveway.

A feasibility study has been prepared and it will be implemented in 2019. Its objective is to provide a basic design template and provisional costings that can be used when applying for grants and for detailed planning. The estimated cost of the Study is £8,000. The BMC and the MS have contributed £3,300 and £2,500 respectively to the cost of the Study.

Further improvements include refurbishing the kitchen and drying room, the lounge/dining room.

Current Financial position January to August 2019

Income £13,837 Expenditure £7,95 Surplus £9,266 Cash £52,502 this includes £3,300 from the BMC and £2,500 from M. Scot towards the feasibility study.

There are sufficient resources to commit up to around £40,000+ on improvements and maintenance with £11,000 in reserve.

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

Occupancy rate for 2018 – 30 % up from 25% in 2017.

January to September 2019 – occupancy rate 26%

The hut can accommodate 16 people. The hut fee is £13 pppn from 1st Jan. 2019. 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 – Pete Brigwood

Rock Hall Cottage was leased for 51 years from the Peak District National Park Authority in 1992. The lease expires in 2043. The Cottage is a Grade 2 listed building. The Roaches Estate is now managed by the Staffordshire Wild Life Trust who has leased the estate for 125 years from the PDNPA.

Improvements - In 2015 almost £20,000 was spent on improvements. The washroom was refurbished at cost of £15,000. The BMC covered the costs of the work involved. These were recouped from hut fee surpluses in the following years.

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: Review the heating system and the layout of the lounge seating to provide more comfort.

Security - the hut is secured by Gianni GK 300 Series locking mechanism.

Finance - Another successful year produced an operating surplus of £6,337. (Income £12,025 less Expenditure £5,688). The surplus will be shared between the BMC and the SWT 50:50.

The SWT will use its share to fund Roaches projects.

Energy costs have been reduced by some margin over the years. This has been achieved by matching the demand for heat to demand when it is really needed.

Bookings – Occupancy rate in 2018 was 30 percent which was slightly down on that for 2017 35 percent. The hut can accommodate 12 people. Hut fees are £11 pppn 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.

Maintenance – BMC has entered into a contract with a self-employed contractor for the upkeep and maintenance of the building.

Insurance - The Staffordshire Wildlife Trust insures the hut to which the BMC contributes around £250 per year.

Glen Brittle War Memorial Hut (Chair – Charles Harris)

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

Current Financial position year to 31st December 2018

Fee Income £30,683. Donations £6,648, Expenditure £16,671 includes purchase of equipment £1,566, repairs and maintenance ££3,133.

Loans repaid during the year £19,000

Cash available £20,323

September 2019 – Outstanding loans BMC - £20,000, SMT £4,000

Occupancy rate 42 % ranging from 16% for October/November/December to 70% in May/June.

New financial arrangements are to be made to deal with the problems of banking with TSB. In future the Huts accounts will be managed at MS's Office in Perth. The Finance officer there will look after the Huts accounts.

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.

Wardens - The hut will be supervised by wardens during July and August 2018.

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.

Cost £846.

Iain McCallum – BMC HUTS GROUP

September 2019