

The Mountaineering Council of Scotland

MINUTES of the ANNUAL GENERAL MEETING held at GLENMORE LODGE on SATURDAY, 22 JUNE, 2002.

Present.

Those attending recorded their presence on a list as they entered. Those recorded were:- Gordon Adshead [I.M. & BMC Vice President.], Bob Aitken [I.M. / Hon. Adviser / SCAG.], Laura Alexander [Lost Sheep M.C.], Bill Band [SNH / Guest.], Fred Belcher [Cairngorm Club.], Tony Bishop [Strathspey Munro Club.], Alan Blackshaw [I.M. & Hon Adviser.], Alan Bremner [Guest], Nic Bullivant [Scottish Midweek M.C.], Craig Burness [I.M.], Brian Colquhoun [Grand Central Outdoor Activities Club / Guest.], John Cousins [UKMTB / Guest], Bill Crabb [Grampian Club.], John Donohoe [Glasgow Glenmore M.C.], Marie Donohoe [Glasgow Glenmore M.C.], Ian Evans [I.M.], Paul Evans [I.M.], Ewan Findlay [Lost Sheep M.C.], Bob Grant [Inverness M.C.], Duncan Gray [I.M.], James Gray [I.M.], Brendan Gormley [I.M.], Nick Halls [I.M. & Hon. Secretary.], Pete Hill [I.M.], Kevin Howett [SMC & National Officer.], Alf Ingram [Mountain Rescue Committee of Scotland / Guest], Joy Ingram [Carn Dearg M.C.], Nick Kempe [Red Rope.], Helen Lawless [Mountaineering Council of Ireland / Guest], Beryl Leatherland [Edinburgh JMCS.], Tom Leatherland [Edinburgh JMCS.], John Leftley [I.M.], Liz MacKay [Scottish Midweek M.C.], John Mackenzie [SMC & Vice President.], Brian McDonald [Upperward Mountaineering Club, Lanark], Donald McCalman [SMC.], Jean McCalman [LSCC.], Colin McKenzie [I.M.], Allison McLaren [Glasgow Glenmore M.C.], John Millar [I.M. & Hon. Treasurer.], Keith Miller [I.M.], Mike Newbury [Forth Valley MC & I.M.], Andy Newton [WMLTB / Guest.], Malcolm Noble [Fraserburgh H.W. Club.], Declan O'Keeffe [Mountaineering Council of Ireland / Guest.], John Orr [Paisley Hillwalking Club.], Patrick O'Sullivan [Mountaineering Council of Ireland / Guest], Jane Palmer [Cairngorm Club], Mo Richards [I.M.], Margaret Robertson [Boots Across Scotland], June Ross [LSCC & MC of S Exec.], Kate Ross [LSCC & SMLTB / Guest.], Andy Say [MLTB / Guest.], Colin Simpson [Inverness M.C.], Stephen Strang [Grand Central Outdoor Activity Club / Guest.], Van Der Paelt Mancul [I.M.], Tim Walker [Glenmore Lodge / Guest], Roger Wild [SMC & MSA.], Peter Willimott [KMC.] Blyth Wright [SAIS / Guest].

1. Apologies.

The following apologies were received:- Alan Crichton [Activity Scotland & SMSF.], Iain Davenport [Sport Scotland.], Bryan Fleming [SMT.], Wayn Gladwin [Committee for Wales.], Paul Grant [PSP.], Alan Heath [Northern Constabulary.], Noel Hulmston [I.M.], Doug Jones [MLTB.], Rennie McOwan [I.M.], Fergus Murray [I.M.], Bill Park [I.M.], Ian Robson [Sport Scotland.], Peter Sinclair [Northern Constabulary.], Adam Watson [I.M.] and Scottish Executive Policies Unit.

2. Introduction of Guests.

The President introduced and welcomed the following guests:- Helen Lawless, Declan O'Keeffe & Patrick O'Sullivan from the Mountaineering Council of Ireland; Gordon Adshead from the BMC; Nick Kempe & John Cousins from

the UKMTB; Kate Ross from the SMLTB; Andy Say from the MLTB; Andy Newton from the WMLTB; Bill band from SNH; Tim Walker, Director of Glenmore Lodge; Alf Ingram from the MRC of S; Blyth Wright from the SAIS; Brian Colquhoun & Stephen Strang from the Grand Central Outdoor Activity Club and Alan Bremner.

3. **Adoption of minutes of 2001 AGM.**

The minutes were adopted as a correct record of the 2001 AGM.

4. **Matters arising.**

No matters from the minute were raised for further consideration.

5. **Annual Report for 2001/2002.**

John Donohoe, the outgoing President, presented the Annual Report reviewing the major issues of the year.

Foot & Mouth outbreak - the closure of land to reduce the threat to the farming community had a major impact on those living in rural areas who are dependent on tourism for their income, which demonstrated the significant contribution made to the rural economy by the mountaineering and hill walking fraternity. This radically changed attitudes to informal recreational land users who have often been taken for granted or presented as a nuisance.

While national organisations such as the NFUS & SLF behaved responsibly, the behaviour of some individual custodians of land demonstrated they could not be trusted if a unilateral right to close access to land is included in the Access Legislation, consequently the Scottish Executive removed the provision from the draft legislation.

Access legislation - the redrafting of the Bill following the process of consultation has greatly improved the legislation from the perspective of the recreational land user. The Minister's statement that the legislation is intended to confirm existing rights rather than replace them, while reassuring, highlights the need for a clarification of existing rights. The President warned of the possibility of custodians of the land going to the the Courts to assert what they consider to be their existing rights. There is a body of legal opinion which continues to hold that a law of trespass does exist, but have so far failed to identify it in the canon of Scottish Law. He warned that traditional access rights may still be challenged.

The MC of S must continue to assert that 'everything is lawful which is not specifically forbidden' rather than the opposite proposition that 'nothing is lawful unless specifically permitted'.

Access Code - He expressed pleasure that many matters which had formerly been incorporated in the Bill are now to be included in the Access Code, and emphasised the importance of the Council being closely involved in the drafting of the code. In the final analysis the drafting of the code could change the traditional culture of access and fundamentally alter what is considered responsible behaviour for hill walkers and mountaineers.

The MC of S should continue to be closely involved in the drafting of the Access Code.

Disturbance of Birds - The President referred to the case of two climbers who were charged with disturbance of a peregrine falcon. The case was dismissed by Sheriff Gow, who in his written judgment said the prosecution had not established that the climbers had an 'intention' to disturb the bird. The President warned that the RSPB are actively lobbying to change the Scottish Wild Life Protection Legislation so that 'reckless' disturbance becomes the crime.

This poses a threat to free access for all countryside users, as a person walking with a dog or pick-nicking could disturb a bird unintentionally and commit a crime. He expressed the opinion that such a change would not deter the deliberate egg thief. He warned of the possibility of Wild Life Protection Legislation being used to constrain the freedom of access,

The MC of S should enter into discussions with the RSPB to establish a satisfactory mutual understanding.

National Parks - He referred to the establishment of the Loch Lomond & Trossachs National Park, the imminent establishment of the Park Authority and the consultation on the boundaries of the Cairngorm National Park. He expressed a belief that the boundaries suggested would simply establish an unviable small northern Cairngorm area park, with the southern half of the Cairngorm massif excluded. He pointed out the absurdity, from a hill walkers perspective, of establishing a boundary for an area managed for recreation which runs along watersheds rather than incorporating the whole massif. Members commented on the possibility of traversing ridges with one foot inside the park and the other outside. He voiced the concern of the hill walking and mountaineering community that the proposed boundaries have been presented for consultation with out any supporting justification. He also expressed his concern that the Cairngorms NP would not be given planning powers.

He advised that it is imperative for everybody who is concerned to respond to the consultation emphasising the absurdity of the proposed boundaries from the perspective of the recreational community.

Nic Bullivant also emphasised the need for people to respond on both the issue of the boundaries and the lack of planning powers. Bob Aitken asked that the Council write to the Loch Lomond & Trossachs National Park Authority requesting that a Recreational Advisory Group be established - as commonly the views of the recreational community are not treated with due regard.

It was agreed that the Access & Conservation Sub Committee would consider this matter with some urgency.

The President concluded his report by emphasising that there is much work still to be done during the final passage of the Access legislation to ensure the

Act that gets to the statute book is as good as possible. He thanked the other Office Bearers, elected members of the Executive, the numerous volunteers and paid officers for all the assistance they had provided during his term of office.

6. Accounts and appointment of Auditor.

The Hon. Treasurer drew attention to errors in the accounts published in the Issue 12 of The Scottish Mountaineer, which do not appear in the audited accounts presented at the meeting. He apologised for the errors which occurred during printing. He also apologised for describing the £2,000 received from Walking Wild as a Grant, it should be described as sponsorship.

He reported a slight surplus of income over expenditure of £1,591 - but pointed out that this was far less than is necessary to build up a sufficient reserve to allow the Council to accommodate all contingencies. Costs are expected to increase during 2002 - 2003, with additional cost for the production of six issues of the Scottish Mountaineer, further investment in office equipment, and an increase in salary costs.

Bob Aitken expressed concern that the Council is too reliant on grant in aid from government agencies for 30% of its income. The Hon. Secretary pointed out that it will be essential for the Council to reduce this proportion over the coming years by increasing income from membership and trading activities.

June Ross emphasised that this can only be done by increasing the membership, and there are many active hill walkers and mountaineers who are not in membership.

Increasing the membership is essential in the forthcoming year.

Kevin Howett, the National Officer, reported that the delivery of six issues of The Scottish Mountaineer to every member, at an annual cost of £1.00, has made the work of the Council more widely understood and is assisting in the recruitment of new members.

The outgoing President commented that while the Council's financial future is far from secure and over dependency on government grants less than satisfactory, the level of grant aid from Sport Scotland and Scottish Natural Heritage indicates the Scottish Executive recognises the value of the work of the Council. He emphasised that grant in aid is to support work done by the Council above and beyond serving only the membership, this particularly applies to grant in aid relating to access, conservation and educating recreational land users as well as promoting mountain safety initiatives. He emphasised that the level of grant in aid is also indicative of the Scottish Executive's concern that mountaineers and hill walkers are properly represented.

The Hon. Treasurer reported on the Grant in Aid received for the financial Year 2002 - 2003.

Sport Scotland has provided:-

- o £ 8,000 - Core grant
- o £ 2,000 - to support Scottish expeditions
- o £10,000 - [This is the same amount as received in the previous year.]
- o £22,000 - for the promotion of mountain safety initiatives and the operation of the Scottish Mountain Safety Forum.

Scottish Natural Heritage has allocated:-

- o £23,000 - to support an access and conservation work programme.

Scottish Mountaineering Trust has allocated:-

- o £ 5,000 - to support access & conservation work.

The President thanked the grant awarding agencies on behalf of the membership for their continuing support.

Appointment of auditor.

The Hon. Treasurer reported that Alastair Sutherland is willing to continue auditing the MC of S accounts. Beryl Leatherland proposed that Alastair Sutherland be appointed as auditor for the coming year. June Ross seconded the proposal.

Alastair Sutherland was appointed as auditor.

7. **Proposal to increase subscriptions.** The President & Hon. Secretary apologised for a mistake in the proposed subscriptions for 2002 - 2003 notified in the papers for the meeting. It was explained that the Executive proposed the scale of subscriptions notified as estimated at the last AGM.

The subscriptions proposed for 2002 - 2003 and estimated as being necessary in 2003 - 2004 are:-

	2002 - 2003 [proposed]	2003 - 2004 [estimated]
I.M. [Ordinary]	£18.00	£19.50
I.M. [Youth]	£ 8.00	£ 9.00
Concession *	£11.00	£11.00
Joint / Family **	£30.00	£33.00
Club [per head]	£ 6.50	£ 7.25
Associate.	£60.00	£65.00

*UB40, OAP, Student.

** 2 persons at same address [+ 2 children under 18 yrs].

John Millar, Hon. Treasurer, proposed that the membership adopt the scale of subscriptions as recommended by the Executive. Colin Simpson seconded the proposal.

It was agreed that the subscriptions recommended by the Executive be adopted.

8. Elections to the Executive.

The Executive Committee is composed of:-

Five Office Bearers [President, two Vice Presidents, Hon. Secretary and Hon. Treasurer] and 9 Ordinary Members [of whom at least 7 must represent clubs and at least 1 represent individual members].

President and Vice Presidents.

The National Officer reported that the President, John Donohoe, has come to the end of his second term of office and is ineligible for election to any further office and that Bob Sharp has indicated he must resign from the office of Vice President due to pressure of other work and voluntary commitments. John MacKenzie is willing to continue to serve as Vice President.

Pete Hill was nominated for the position of President by Jan Wilmington. The nomination was seconded by John Donohoe.

Pete Hill was elected to the office of President unopposed.

Fred Belcher was nominated for the position of Vice President by Bill Crabb. The nomination was seconded by Nick Halls.

Fred Belcher was elected to the office of Vice President unopposed.

Honorary Secretary.

The holder of the office of Honorary Secretary has to be reelected annually. Nick Halls [I.M.], the current holder of the office, indicated that he wishes to vacate the office but is prepared to serve for a further year. He also gave notice that he would not stand for the office at the next AGM. No other nominations for the post were received.

Nick Halls was nominated for the position by Alf Ingram. The nomination was seconded by John MacKenzie.

Nick Halls was elected to the office of Honorary Secretary unopposed.

Honorary Treasurer.

The holder of the office of Honorary Treasurer has to be elected annually.

John Millar the current holder of the office indicated that he wished to step down, and is unwilling to continue to serve.

No nominations were put forward for the office.

The outgoing President, John Donohoe, proposed that one of the first duties of the new Executive Committee must be to co-opt a Treasurer. The AGM endorsed this proposal.

It was agreed that the new Executive Committee must co-opt a Treasurer at the earliest opportunity.

John Donohoe asked all members to approach people who they thought competent to fill the office of Honorary Treasurer and ask them to serve. John Millar agreed with extreme reluctance to continue to undertake the role of treasurer and to help a new treasurer to find their feet in the office.

John Millar was thanked for his work and his commitment to the best interests of the Council.

Ordinary members of the Executive

Ordinary members continuing to serve.

Laura Alexander [Lost Sheep M.C.], Bill Crabb [Grampian Club.], Colin Simpson [Inverness M.C.], Allison Maclaren [Glasgow Glenmore Club.] and Joy Ingram [Carn Dearg M.C.].

Ordinary members wishing to stand down.

June Ross [L.S.C.C.] and Lezlye Gordon [I.M.]

Ordinary members ineligible for reelection.

Scott Muir [I.M.].

4 vacant positions on the Executive were identified subsequent to the election of Fred Belcher to the Office of Vice President.

Five nominations were received.

Beryl Leatherland [Edinburgh JMCS]. Proposed by Charles Stupart. Seconded by Brian Finlayson.

Mary Webster [LSCC]. Proposed by Alison Higham. Seconded by Kate Ross. John T. Orr [Paisley Hill Walking Club.] Proposed by Ian Weitch. Seconded by Jim Beaton.

Peter Willimot [Kirkintilloch M.C.] Proposed by John Donohoe. Seconded by Bob Aitken.

Keith Miller [I.M.] Proposed by John Mackenzie. Seconded by Mike Newbury.

As 5 nominations were made for 4 positions Peter Willimot agreed to be coopted to the Executive Committee, and withdrew his nomination.

Beryl Leatherland, Mary Webster, John Orr and Keith Miller were elected to the Executive Committee for a first term. It was agreed that the Executive Committee should co-opt Peter Willimot to the Executive.

9. Proposed changes to the constitution.

Para 6. Office Bearers.

It was explained that this amendment is necessary to prevent holders of the offices of Hon. Treasurer and Hon. Secretary being locked into the office for perpetuity. The following amendment was agreed.

c) The Honorary Secretary and Honorary Treasurer shall be elected for a period of one year and shall be eligible for reelection each year for a maximum of five consecutive years.

Para 14. Conduct of General Meetings.

It was explained that this amendment is necessary to enable all formally submitted motions to be incorporated into the Agenda published in the issue of the Scottish Mountaineer in which notice of the AGM is distributed to the membership. The following amendment was agreed.

b) Any member wishing any business or motions to be included on the Agenda for any years Annual General Meeting may require its inclusion

by giving written notice of such to the Honorary Secretary no later than 31 March in that year.

Para 15. Subscriptions.

It was explained that this paragraph is now redundant as a pro rata system of payment for club members was introduced in 1999, and is working well and equitably. The paragraph is no longer necessary.

It was agreed to delete Para 15. clause c) from the constitution.

Para 17. Financial Statement.

It was explained that it is not possible to have the accounts audited in time for them to be included in the papers for the AGM circulated to the membership in the Scottish Mountaineer. It was agreed to delete the word audited from the standing clause but add "Audited Accounts will be available seven days prior to the AGM."

The following amendment was agreed.

The financial year of the Council shall begin on the 01 April each year. A statement of the accounts of the Council up to and including 31 March shall be circulated to members with the notice of the Annual General Meeting. An audited statement of accounts will be available seven days prior to the Annual General Meeting.

10. Proposed revised Climbing Walls Policy.

Kevin Howett, the N.O., explained the changes in the updated Climbing Walls Policy, which have become necessary as climbing walls have become well established facilities, with better defined purposes conforming to well understood quality standards. As these developments have taken place it has become necessary to refine criteria for the classification of walls, and the recognition of them by the MC of S as either Local, Regional or National facilities.

The revised Climbing Walls Policy was endorsed and adopted.

11. Adoption of the M.C.of S. Winter Climbing Code.

John MacKenzie, Vice President and Chair of the Access & Conservation Sub Committee, explained the purpose and thinking behind the Code. He emphasised damage to vegetation, rare or otherwise, is an ethical matter and relates to responsible access. He reiterated the conventional wisdom that vegetation is less likely to be damaged or displaced if it is well frozen and covered in snow, and that damage is self evident in circumstances when winter climbing equipment is used to ascend exposed rock and vegetation in thaw conditions.

John W. Leftley, a botanist, expressed reservations about the ideology that plants are less likely to be damaged when they are frozen, while conceding that it may be less obvious that damage is occurring. He also felt that there is a need to consult with SNH who know where endangered plants are located. John MacKenzie agreed that it might be advantageous for the MC of S to be better informed of the location of rare plants.

It was suggested the Code should be passed to the SNH for their comment prior to it being adopted.

It was agreed that the Code reflects current mountaineering practice and commonly adopted ethical standards. Comment was made that these ethical standards are not as evident as they should be in easily accessible, heavily used, climbing areas, and for this reason the publication of such a code by the MC of S is essential.

It was agreed to adopt the code as MC of S policy, as it encapsulates what is currently believed to be good practice, with the proviso that it should be sent to SNH & the NTS for their information and comment.

The MC of S Winter Climbing Code was adopted.

12. Mountain Article Competition 2002 Winners.

Kevin Howett, the N.O., explained that this has been a long standing agenda item at AGM's, but its inclusion is no longer as necessary as formerly as the Scottish Mountaineer and the web site now make it possible for the result of the competition and the publication of the articles to be done in a more accessible fashion. He proposed that the results of the competition be notified in the Scottish Mountaineer.

It was agreed that the winners of the Mountain Article Competition be notified in the Scottish Mountaineer.

13. Any Other Competent Business.

John Mackenzie proposed a vote of thanks for the outgoing President, John Donohoe, who he felt has represented the MC of S very well throughout his term of office, and considerably enhanced its reputation and standing.

John Donohoe was thanked for all his work and presented with bottles of rare whisky.

14. Date and place of 2003 AGM.

It was agreed that the 2003 AGM should take place at an equivalent time of year, thereby allowing the notification and papers to be distributed with the Scottish Mountaineer.

Nic Bullivant requested that it should not be arranged to coincide with midsummers day, as on this day many members would have activities already scheduled. This comment was noted, but later dates would place the AGM very close to the start of many members date of departure for their foreign climbing season.

It was agreed that Glenmore Lodge is a very acceptable venue, but that the programme should be reviewed and refreshed.

The date and place of the 2003 AGM will be determined by the Executive after taking into consideration the comments made.