



## The Council

### Minutes

**Tuesday 29 November 2016 at 18:00**

at Blaby Civic Centre, 22-24 Lutterworth Road, Blaby, Leicester LE8 4GQ

<b>Present:</b>	Martin Soulsby	- Chair
	Paul Applegate	
	Gordon Blamire	
	Adrian Bond	- Communications Chair
	Jack Bradford	
	Brian Cumming	
	Tash Higman	
	Jason Kelleher	
	Gavin McLeod	
	Ian Marshall	- Competitions Vice Chair
<b>In attendance:</b>	Yassi Molazadeh	- Vice Chair, Development Chair & RAeC Alternate Delegate
	Craig Poxon	
	Ian Roseninge	
	Brian Vacher	- Competitions Chair
	Liz Ashley (from item 77)	- Editor, <i>BPA Skydive the Mag</i>
	Tony Butler	- Chief Operating Officer (COO)
	Debbie Carter	- Treasurer
	Jon Gretton (to item 7)	- Company Secretary & Financial Administrator
	John Hitchen	- Vice President, IPC Alternate Delegate
	Jeff Montgomery	- Safety & Technical Officer (STO) & STC Chair
<b>Observers:</b>	John Smyth MVO	- Vice President & IPC & RAeC Delegate
	Martin Shuttleworth	- Secretary-General (Secretary)
	Danny French	- Standing for election to Council 2017
	Justinas Kubilinskas	- Standing for election to Council 2017
	Paul Moore	
<b>Apologies for absence:</b>	Andrew Pointer	- Standing for election to Council 2017
	Sue Stanhope	- <b>Independent Nominee to Council 2017</b>
	Nick Bunting	- Independent Nominee to Council 2017
	Kate Charters	- Standing for election to Council 2017
	Linley Ewing	- Standing for election to Council 2017
	Georgie Vacher	- Standing for election to Council 2017

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### Item Minute

#### 72/16 Welcome

The Chair welcomed Sue Stanhope as a nominee Independent Non-Executive Director for 2017 and Danny French, Justinas Kublinskas and Andrew Pointer who were among those standing for election for the first time as Elected Members of Council 2017.

#### 73/16 Declarations of interest

Declarations of interest for agenda items at this meeting would be taken as they arose.

#### 74/16 Minutes of the meeting held on Tuesday 4 October 2016

It had not been possible to agree the minutes electronically. The wording of minute 16 was discussed. Council agreed on the 2<sup>nd</sup> draft (previously circulated) with two additions. First,

after 'Brian Vacher said...', the addition of 'and it was the consensus of the meeting', and secondly, 'Ian Marshall expressed his infuriation'.

**Minutes approved**

**75/16 Matters arising**

**75.1 Review of BPA grievance and disciplinary procedures (minute 61.2)**

The Chair reported that the working group hoped to be able to circulate an updated draft disciplinary procedure to Council by the end of the year for consideration for electronic ratification. The group would continue its work next year, when it would turn its attention to updating the grievance procedure. Ian Rosenvinge suggested, and Council agreed, that the working party for 2017 should comprise three Council members including one of the independents.

**Ongoing**

**75.2 Allan Hewitt's case at Sport Resolutions (minute 61.3)**

The COO reported that a mediation meeting had been held at Sports Resolutions on Wednesday 1 November. BPA representation had comprised the COO, Secretary and Jason Kelleher. Mediation had resulted in draft heads of terms, a precursor to an agreement, which were still being negotiated between Allan Hewitt and BPA. The COO said he was hopeful that this would lead to agreement on the procedure to re-instate Allan Hewitt's Advanced Rigger rating so he could do this before the end of this year. The agreement, which would be confidential between the parties, would include a joint public statement.

A working draft of the heads of terms was tabled in the in-camera session towards the end of the meeting.

The COO said that Allan Hewitt had asked to regain his former Rigger Examiner rating too. This would be after his re-instatement as an Advanced Rigger. The next opportunity for him to do this would be in January 2017, which was before the next meeting of the Riggers' Subcommittee. which would normally authorise such an arrangement, in February. The COO therefore asked Council, exceptionally, to approve this arrangement as a one-off, otherwise it would be likely to mean a long delay, as there were few courses at which a Rigger Examiner rating could be awarded, there being only five Rigger Examiners in the country. All five had agreed to be available for Allan Hewitt's assessment if required - Allan Hewitt would be invited to choose two or attend for assessment at a course that was already in the calendar. Ian Marshall proposed, and Yassi Molazadeh seconded, a motion to approve this arrangement on condition that Allan Hewitt had regained his Advanced Rigger rating first. The vote carried with 1 abstention (Paul Applegate, Chair of the Riggers' Subcommittee).

**Carried**

**75.3 Premises refurbishment - possible delay charge (minute 66)**

The COO said he was concerned about the effect on goodwill of our pressing the question of a delay charge, when part of the delay had been caused by our own requests for air conditioning and re-plastering the walls on the first floor, neither of which had been included in the original specification. However, we had asked but not yet received a reply. He said he would ask again, ahead of a site meeting next Tuesday. Yassi Molazadeh said she would be happy to look at the contract.

**Action: COO**

**76/16 Finance**

**76.1 Management accounts and membership numbers update**

A paper from the Financial Administrator had been circulated in advance, covering the period to 1 October (month 4 of the financial year and month 4 of the membership year). The cost of premises refurbishment was being met from the reserve fund so was not shown here. It would be presented to the February meeting. The Treasurer and Financial Administrator answered questions on the management accounts. The European Parachuting Union still owed 3 Euros to BPA. Council decided not to write this debt off whilst there was still a (slim) chance of recovering it.

**76.2 Membership subscriptions for the 12 months from 1 April 2017 to 31 March 2018**

It was the responsibility of Council to recommend the membership subscription rates for 2017 to put to the AGM.

A paper by the Chair had been circulated in advance. The Financial Administrator tabled papers showing the effect of different percentage variations in the BPA element of subscription rates (0%, zero and 100%). Last year the BPA element had been decreased by 100% with the intention of reducing the annual surplus, which it had done - from 0 37 1 in 2014 / to 24, 12 in 2015 / Ongoing budgets for committees came from this surplus, so would be reduced proportionately.

The Chair was pleased to report that the insurance element was to reduce by 0% .

The Treasurer suggested a full member renewal rate of £100, covering both the BPA and insurance elements. This represented a slight year-on-year percentage reduction, which would also be applied across all categories of membership.

After discussion, Tash Higman proposed, and Jason Kelleher seconded, a motion to agree the Treasurer's recommendation of a full member renewal rate of £100. Also, for provisional categories of membership, to apply the same zero percentage change to the BPA element, with rounding of the total subscription (including the insurance element), rounded to the nearest 10p.

Gordon Blamire and Ian Rosenvinge declared an interest as Drop Zone Operators.

The vote was For - 1, Against - 2, Abstain - 0 (Paul Applegate, Gordon Blamire, Ian Marshall, Ian Rosenvinge and Brian Vacher).

**Carried**

**77/16 Premises refurbishment - official opening**

Council decided to hold an official opening ceremony for the refurbished building at noon on Tuesday 21 February 2017, before the committee meetings scheduled for that afternoon, on the day of the February Council meeting. The following day would be the BPA strategy day meeting.

**Agreed**

**78/16 Report from IPC and the Royal Aero Club**

**78.1 IPC**

John Smyth (IPC Delegate) reported that, following elections at the recent FAI General Conference, there was no longer any representation from sport parachuting on the FAI Executive Committee. IPC would monitor this.

**78.2 Royal Aero Club**

The only item was in relation to nominations for RAeC Awards, which would be held in camera later in the meeting.

**79/16 Nominations for Council 2017**

**79.1 Candidates for elected Council Members**

The Secretary had circulated a paper with the agenda with the candidate statement of one candidate. The Chair handed the chair to the Vice Chair and three Council Members, including the writer of the statement who was a current Council Member, left the room. The Vice Chair asked for this item to be held in camera, other than for Vice Presidents and staff whom he asked to remain. Others not elected to Council left the room.

The candidate had not addressed the brief to provide a statement about their own competencies, and instead had criticised two colleague Council Members. The Secretary had taken internal and independent legal advice (circulated) on whether the statement was potentially defamatory. This was in order that Council could consider the risks of publishing it.

After a lengthy discussion, the Council Members who had left the room re-joined the meeting. The Vice Chair advised the candidate that Council would take no action to stop the candidate statement being published. However, he asked the candidate to consider amending it for the good of the Association. He said that Council recognised that the candidate had a perceived grievance, which he suggested be pursued through the normal process. The candidate agreed to submit a revised statement by Friday.

**Agreed**

The meeting then resumed in open session.

**79.2 Nomination of Independent Non-Executive Directors**

The Nominations Committee were nominating two Independent Non-Executive Directors to the AGM - Nick Bunting for an appointment of 2 years, and Sue Stanhope for 1 year.

**Noted**

**80/16 Process for the election of Chairs and other officers at the January Council meeting**

A paper by the Chair had been circulated with the agenda. The election results were due earlier than usual, on Thursday 12 January, to allow time for nominations in advance of the Council meeting on Saturday 21 January, for Chairs and other officers. Craig Poxon proposed, and Adrian Bond seconded, that this procedure should be adopted.

**Carried unanimously**

## **81/16 Minutes of Committees**

The minutes of each of the following meetings, except those of STC, had already been circulated, electronically ratified by the Council, and published on the BPA website. The minutes of STC had been circulated in draft, for consideration for ratification tonight.

### **81.1 Communications Committee meeting on Tuesday 4 October 2016**

There were no questions.

### **81.2 Development Committee meeting on Tuesday 4 October 2016**

There were no questions.

### **81.3 Competitions Committee Tuesday 4 October 2016**

There were no questions.

### **81.4 Safety and Training Committee meeting on Thursday 17 November 2016**

Ian Rosenvinge had requested variations to STC minute concerning a fatality at Peterlee Parachute Centre, where he was the DZO and CI. The COO asked that STC, not Council, should consider this request.

Gordon Blamire proposed, and Brian Vacher seconded, a motion to ratify the rest of the STC minutes, apart from item . This carried with none against. Ian Rosenvinge abstained from the vote.

**Ratified, except for minute 5**

Jack Bradford asked about the procedure for electing the Chair of the Riggers' Subcommittee. The Chair said the meeting would take this question later, in camera (see minute 8).

## **82/16 Board of inquiry reports into sport parachuting accidents**

Ian Rosenvinge had asked for this item to be put on the agenda as a result of the COO, following standard practice, declining to disclose to interested parties, such as himself as DZO and CI, and the instructors, the full Board of Inquiry Report on a fatal accident at Peterlee Parachute Centre. He believed disclosure to be essential prior to of the inquest next month and the Panel of Inquiry. Ian Rosenvinge declared an interest and made a short address to Council before withdrawing from the room and subsequent discussion. The COO had said that a résumé of the report had been circulated to STC, of which Ian Rosenvinge was a member, and this would be included in the STC minutes when they were published. The résumé covered everything in the body of the report, the only thing it did not include were the appendices such as witness statements which witnesses had given on the understanding of confidentiality. This understanding had always applied to such reports. Tash Higman had written a paper (circulated with the agenda) questioning BPA's compliance with the Data Protection Act 1 with regard to Subject Access Rights of members or other individuals who may be named in Board of Inquiry reports or other documentation related to incident investigations. This was a more complex issue than a typical subject access request to a membership association, by a member requesting access to the information held on the membership database about them. In view of tonight's meeting running late, Council decided to roll over this item to the next meeting.

**Action: Next meeting**

**(Secretary's note:** Subsequent to the meeting, as a result of correspondence between Ian Rosenvinge, Yassi Molzadeh and the COO, the report of the Board of Inquiry was disclosed to Ian Rosenvinge and the relevant instructors. This was not the result of a Subject Access Request under the Data Protection Act, but based on considerations of disclosure of relevant material to parties who were or may be called to give evidence at an inquest.)

## **83/16 Headline issues from Committee meetings held earlier today**

### **83.1 Communications Committee**

Adrian Bond (Communications Chair) reported that the Committee, at its meeting earlier today, had

1. met the preferred bidder, Tangent, for the contract to develop the new BPA membership database (Personal Information Management System, PIMS) and web hub. The preferred bidder had emerged from an open invitation to tender and a competitive tender process. The cost of the project was £0K and work could start in January. The Communications Committee believed this represented good value for money, and had recommended to Council that BPA contract Tangent to do the work.

Here at the Council meeting, Yassi Molazadeh proposed, and Gordon Blamire seconded, a motion to engage Tangent on the above basis.

**Carried unanimously**

2. monitored progress on this year's Communications Action Plan, which was going well
  - . received a report from the Expo working party on plans for the event on Saturday 28 January 2017. An idea to help with the seemingly perennial problem of slow bar service had been suggested by the venue at a site meeting this morning. Two new sponsors of the exhibition had been secured. The seminar programme was nearly complete. Dinner tickets were selling well. Evening entertainment had been booked. A short promotional video would be online next month.

### **83.2 Development Committee**

Craig Poxon (Development Chair) reported that the Committee, at its meeting earlier this afternoon, had

1. noted continuing, albeit slow, uptake of the offer to BPA Approved PTOs of a free-of-charge BPA welcome banner
2. completed the draft agenda for the annual meeting of the Drop Zone Operators' Specialised Interest Group to be held at EMCC Nottingham on Friday 27 January 2017
  - . discussed with BPA's insurance broker, Martin Mansley of Romero Sports & Leisure, his recommendation for a change of underwriter of the BPA third party liability policy for the sport from the next renewal, consequent on the existing underwriter, Liberty Specialist Markets, having transferred its business to another company. The new underwriter recommended by Romero was XL Catlin.

Here at the Council meeting, Craig Poxon proposed, and Yassi Molazadeh seconded, a motion to accept the broker's recommendation as above. This carried with one abstention, from Tash Higman, who declared an interest as she worked for XL Catlin.

**Carried**

Craig Poxon (Development Chair) said that had our existing underwriter transferred its policies earlier in the year, we could have taken the opportunity to look more widely, but time was not on our side. The agreement with XL Catlin would be for 2 years initially. We had had 3 years with Liberty, with whom we had built up a 'pot' of reserves, which had now been lost to us as they had transferred their specialist markets business - something outside our control.

4. noted that the Financial Administrator was still in the process of fully consolidating the Drop Zone Defence Fund into the BPA's accounts, where it would continue to be held as a ring-fenced fund (in a similar way to the British Team Fund)
  - . noted arrangements for the election of Elected Council Members, using the services of Mi-Voice as independent election administrator
  - . following a request from Council, begun work on developing a BPA code of conduct
7. progressed the Development Action Plan, including the planned launch by Yassi Molazadeh, at BPA Skydive the Expo 2017, of a new BPA mentoring programme called 'Rise up'.

The remainder of the Council meeting was held in camera, with only elected members, Vice Presidents, and staff in the room. The Chair thanked others for attending, and wished good luck to those standing in the election for Elected Council Members.

Tash Higman left the room for item 3. because of a conflict of interest.

### **83.3 Competitions Committee**

Brian Vacher (Competitions Chair) reported that the Committee, at its meeting earlier this afternoon, had

1. found team Varial Freestyle not to have been in breach of their competitors' contract in relation to an issue that had arisen at a World Championship earlier this year
2. received correspondence on a judging for an IPC event, and referred it to IPC
  - . received a complaint from outside the UK about a BPA member, which was based on hearsay and therefore offered no substance for the committee to take the matter further.

Tash Higman returned to the meeting. Staff left the meeting.

**84/16 Staff Christmas bonus**

Council awarded staff a Christmas bonus of £ 00 each, net of tax (pro-rata for staff working 12-1 hours a week).

Staff returned to the meeting, and the COO thanked Council on behalf of all staff for this kind gesture.

**85/16 Nominations for the BPA Taz Caser Experienced Skydiver of the Year Award 2016**

One nomination (circulated) had been received. There was no proposal from around the table to make the award this year.

**86/16 BPA nominations for Royal Aero Club Awards 2016**

Council had decided on two nominees at its previous meeting. A third nominee was added.

**87/16 Exceptional service**

Council made a gift to the value of £200, to be presented at the AGM, in appreciation of exceptional service by Sue Allen of BPA membership services, who had been a member of BPA staff for over 40 years.

***Action: COO***

**88/16 Election of Chair of the Riggers' Subcommittee**

Jack Bradford raised a concern about the procedure for election of the Chair of the Riggers' Subcommittee (Minute 4 of the STC meeting of Tuesday 17 November 2016) with specific concern that the consensus and expectation from the Riggers' Subcommittee had not been communicated accurately to the STC meeting. It was explained by the COO that both candidates for Chair of Riggers had agreed with the process used at STC. Due to the late running of this Council meeting, the Chair stated that there could be no further discussion on this matter tonight.

**89/16 65-way head-down record**

The Chair congratulated the BPA members who had been part of the Women's Vertical 65-way World Record at Eloy, Arizona, on Sunday 27 November 2016.

**90/16 Date of next meeting**

The first meeting of Council 2017 would be held immediately after the presentation ceremony following the AGM, at lunchtime (approximately 12:00) in the Worcester Room at the Orchard Hotel, Nottingham NG7 2RJ.

**91/16 Chair's closing remarks**

The Chair thanked Council and staff for their work during 2016 and wished everyone Merry Christmas and a Happy New Year.

The meeting closed at 21:00 (duration 1h 30m).