

COUNCIL OF NORTHERN CAVING CLUBS

British Caving Association

Draft Constitution for Committee Review 12th November 2015

The constitution has been updated in draft to include a representative for individual (non-club) cavers on the CNCC Committee as per the accepted proposal at the September 2015 Committee meeting.

An unrelated change has also been suggested in section 3b to formalise the current position of the CNCC with regard to issuing permits to selected groups who do not necessarily fall into the traditional UK club structure (e.g. CHECC and SUI).

*All changes are highlighted in **RED** and comments have been included for clarity.*

If you have any serious concerns with any of these changes or if you wish to discuss them or suggest some alternative wording, please contact me at: secretary@cncc.org.uk

If any minor changes are required, they can be discussed at the 16th January Committee meeting, and a vote can be taken to assess Committee support for these changes and to identify a proposing and seconding club to present these changes to the AGM on 5th March.

*Matt Ewles
Secretary, Council of Northern Caving Clubs*

(1) Definition

1a The organisation shall be called the Council of Northern Caving Clubs. This may be abbreviated as 'the Council' or 'the CNCC'.

1b The Council is a voluntary association of recognised caving clubs.

1c The Council cannot interfere with the individuality of any club.

1d The Council's area of operation is Lancashire, Yorkshire, and all areas north of these in England and Scotland (hereafter called 'the North').

(2) Aims & Objects

2a To ensure, maintain, and where appropriate, enhance, access to caves and potholes by negotiation and/or agreements with farmers, landowners or authorities.

2b To secure and maintain good relations, and act as general co-ordinating body between cavers and farmers, landowners, gamekeepers, local residents and other interested parties.

2c To encourage and educate cavers to respect and conserve caves and the countryside.

2d To represent the general interests of member clubs and northern cavers.

2e To act as general disciplinary body and arbitrator in the event of any act considered detrimental to caving and cavers as a whole.

(3) Membership

3a There are two categories of membership: Full and associate.

3b All paid-up member clubs of the British Caving Association (BCA) and properly constituted cave rescue associations, unless already full members, will become associate members. **BCA constituent bodies or other organisations may be considered associate members subject to approval from the CNCC Committee.**

3c Full membership will be granted only to a properly constituted club which is owned and controlled by its members and is considered by the Council to be a responsible club who have demonstrated and continue to demonstrate a significant input or involvement in caving in the North.

3d Applications for full membership must be made in writing by an officer of the club.

3e Applications may be discussed at a General Meeting only if accompanied by a supporting letter from two full member clubs, one to propose the application and one to second the proposal.

3f Acceptance of applications will be decided by majority vote at a General Meeting. This should be performed as the first agenda item after apologies and establishment of a quorum. If accepted, full membership will take immediate effect (a letter to authorise the club's representative to vote at the meeting will still be required, see section 9g).

Comment [U1]: This is an amendment unrelated to the matter of Individual Caver representation. It is suggested that this line is added to reflect and formalise the agreement we have now established for CHECC and which we have always had for the SUI. It is suggested that this be voted upon as a separate, standalone amendment at the AGM.

(4) Finance

4a Funding will be via budget heads as defined by BCA.

4b The Council shall have the power to raise funds from other sources.

4c Should the Council be dissolved (section 11c), all assets belonging to the Council should be sold, the income from which, together with whatever funds are held in the accounts, should be transferred to organisation(s) of the outgoing committee's choosing where it will be used to benefit cave conservation, access, and/or rescue.

4d The Committee may choose to agree an expenditure amount, below which the Treasurer may authorise, and above which must be authorised by the Committee. Until this is agreed, the default position is that all expenditures exceeding £500 must be authorised by the Committee. Where a need for expenditure arises which exceeds the agreed limit, but which is deemed by the Treasurer to require urgent action (before the next scheduled Committee meeting), the Treasurer may seek majority approval of the Committee by documented communication (e.g. email). Documentation showing all responses must be presented at the next Committee meeting.

(5) The Committee

5a The Committee consists of a maximum of fourteen and a minimum of ten full member clubs each of which has one vote.

5b Each **club** committee member may send one voting representative to committee meetings.

5c The Committee may, only if there is an eligible applicant at the election, also include one additional member whose role it is to represent individual cavers undertaking trips outside of a club structure (known herein as the Individual Caver (IC) representative). The IC representative must be an individual member of the BCA, and has one vote on the Committee.

5d The Committee will work to fulfil the aims and objectives of the Council.

(6) The Officers

6a The Officers are

- (i) Chairman
- (ii) Secretary
- (iii) Treasurer
- (iv) Access Officer
- (v) Conservation Officer
- (vi) Training Officer

6b If at all possible, the Officers should belong to full member clubs.

6c The Officers will manage the day to day running of the CNCC, will work to fulfil the aims and objectives of the Council, and will act upon the instructions of the Committee.

6d The Committee may choose to appoint 'co-opted officers' to perform or assist with other duties. Co-opted officers are not required to be subject to the same application/election procedure as Officers, but should instead be confirmed by the Committee on an annual basis.

6e Officers and co-opted officers do not have a vote associated to their role, and may vote at meetings only under the circumstances of section 6f.

6f When an Officer or co-opted officer is also the representative for a voting club, or they are the IC representative, they are still entitled to present their vote at meetings.

Comment [U2]: Throughout the document, the word 'club' has been added in several places to help us to distinguish between Committee members who are clubs and the Committee member which is the Individual Caver Representative.

Comment [U3]: This is the key change to the constitution.

The new representative (called the Individual Caver representative, rather than the DIM representative as has been previously discussed) will be entitled to a vote on the Committee, but not at General Meetings. This is consistent with the proposal which was accepted at the September Committee meeting.

Voting at General Meetings will remain limited to full member clubs, with the exception of the election of the IC representative.

We have clearly defined here that, regardless of the title of the position, the role of the individual caver representative is mainly to represent those caving outside of a club structure, thus ensuring there is no expectation from predominantly club cavers to be represented just because they are a DIM (there are many clubs whose members are all DIMS despite the fact that they cave almost always within a club structure).

This wording technically allows any CIM or DIM to stand for the role. The team felt that there was no need to limit who could stand for the role, but just to instead limit who could vote for it. There may be many CIMs who also cave independently a lot and who would make excellent representatives for individual cavers.

Comment [U4]: This point has been amended slightly to include mention of the IC representative too.

(7) Election of Officers and Committee

7a Officer and Committee terms of office:

- (i) Committee and Officers shall be elected every year at a General Meeting.
- (ii) The outgoing Committee will stand down at the start of the meeting.
- (iii) Outgoing Officers will stand down at the end of the meeting.
- (iv) Co-opted officers may continue in their role after the meeting, pending an annual review of their position by the new Committee.

7b Application procedure

- (i) Written applications for Officer and Committee positions must be submitted a minimum of eight weeks before the General Meeting.
- (ii) Applications for Officer posts **and for the IC representative** must be signed by the applicant.
- (iii) Applications for **club** Committee positions must be signed by an officer of the applicant club.
- (iv) Applications do not need to be proposed and seconded prior to voting.
- (v) The list of applicants and any supporting statements they provide must be included in the draft agenda for the General Meeting.
- (vi) Only if there are insufficient applications received conforming to the above criteria, or if none of these applicants prove to be eligible upon voting, may applications for vacant posts be accepted which are made on the day from those present and eligible at the meeting.

Comment [U5]: Added

7c Election procedure

- (i) For Officer positions, each club may vote by selecting one applicant per position.
- (ii) For Committee positions, each club may vote by selecting a maximum of fourteen applicants.
- (iii) Only Direct Individual Members of the British Caving Association who are present at the meeting may vote for the IC representative, and should do so by each selecting one applicant.**
- (iv) An applicant must receive a minimum of three selections to be considered eligible.
- (v) Eligible applicants with the most selections will be elected: One applicant per Officer position, **one applicant as the IC representative**, and fourteen **club** applicants to the Committee.
- (vi) If there are between ten and thirteen eligible **club** applicants after voting, a Committee with this number **of clubs** will be formed. If there are fewer than ten eligible **club** applicants, those applicants which are eligible will be elected and voting will be repeated with the remaining applicants.
- (vii) If there is no eligible applicant for the position of IC representative, this position will remain vacant for the following term of office.**
- (viii) In the event of a tie, a further vote will be held between the tied applicants.

Comment [U6]: Voting for the IC representative will be limited to DIMs. Ideally we would like to limit it to just those who caved frequently outside of clubs, but there is no way to police this. This is something that may need to change anyway if the BCA abolish CIMs/DIMs in the coming years.

Comment [U7]: Added

Comment [U8]: Included just in case nobody actually stands!

(8) Committee meetings

8a The Committee and Officers shall meet at least three times per year as convened by the Secretary.

8b The Secretary shall call a Committee meeting if requested in writing by three or more members of the Committee.

8c A draft agenda for Committee meetings should be made available at least six weeks ahead of each meeting. This should provide a summary of the anticipated topics. Additional topics may be added to the agenda (and notification given) or discussed under 'Any Other Business'.

8d Any Committee member may propose a motion. The motion may only proceed to a vote if seconded by another Committee member.

8e **Club** Committee votes may only be delivered by the representatives present at the meeting. Each representative should have the club's authority to vote according to what they believe their club's wishes would be, to enable them to be responsive to any proposed motions or any discussions not outlined on the meeting agenda. Representatives may be required by the Chairman or Secretary to provide proof that they are the selected representative for their club.

8f The IC representative should ideally deliver their vote personally and should represent the interests of those caving independently outside of a club structure. The IC representative may nominate a substitute in the event they cannot attend a meeting.

8g Outcomes will be decided by majority of all **votes.**

8h For a meeting to be quorate, at least six Committee members must be represented and at least one Officer must be present (the Officer may also be a Committee member representative, thus giving an absolute minimum of six persons required for the meeting to be quorate).

8i Minutes of Committee meetings shall be taken. A draft should be reviewed by the Secretary and anyone he/she deems necessary to help ensure their accuracy, clarity, brevity and completeness. The final draft minutes should be made available to all full member clubs **and the IC representative** as soon as possible, and these should be confirmed at the next Committee meeting. Minutes should include as a minimum:

- (i) The names of all individuals present. All voting representatives (and the club which they are representing) must be indicated.
- (ii) The date, time and place of the meeting.
- (iii) Any proposals put to the meeting, including the identity of the proposer and seconder.
- (iv) The number of votes for, against and abstentions for each proposal.

8j Figures for the attendance of Committee members (number of meetings attended over the last year) should be included in the supporting papers for each AGM.

Comment [U9]: Some debate was had amongst the constitution team whether the IC representative, as they are an individual and not a club, should be able to nominate a substitute to vote in their absence. The decision was to allow this to help ensure that individual cavers still can always be represented, but to state that the preference is for the elected IC representative to deliver the vote wherever possible.

Comment [U10]: This used to say 'voting representatives' however, it is arguable whether this terminology is relevant to the IC representative, who is an individual person, and not a representative of any formal club/organisation.

Comment [U11]: Added

(9) General Meetings

9a A General Meeting is a meeting at which all full members have a vote. Other relevant individuals (including any Officers/representatives currently in post) are encouraged to attend.

Comment [U12]: This has been slightly modified to emphasise that others (who are not full members) are welcome at General Meetings, in particular the IC representative.

9b There shall be an Annual General Meeting (AGM), held in February or March every year.

9c A Special General Meeting (SGM) may be held at any time of the year. This must be requested in writing to the Secretary, with details of any proposed motion(s), by an officer from each of at least ten full member clubs. The meeting must be held not later than the 10th weekend following the date of receipt of the final request.

9d The Constitution may be amended only at a General Meeting. Notification of any motion affecting the Constitution must be received by the Secretary eight weeks before the meeting and the proposed wording must be included in the draft agenda.

9e All full member clubs **and the IC representative** must be notified of a General Meeting, and a draft agenda and supporting papers made available at least six weeks in advance of the meeting.

Comment [U13]: Added

9f Additional items (excluding Officer/Committee applicants and matters affecting the Constitution) may be later added to the draft agenda (with notice of this given to all full members), or raised on the day under 'Any Other Business'. Full member club representatives should have authority to vote according to what they believe their club's wishes would be, to enable them to be responsive to any proposed motions or any discussions not outlined on the agenda.

9g Full member club representatives at General Meetings must produce a letter, signed by an officer of their club, to confirm they have authority to deliver a vote for that club. It is an expectation that this letter has been approved by the club's committee.

9h Each full member club shall have one vote which must be delivered by their representative present at the meeting.

9i Outcomes will be decided by majority vote of all voting representatives present.

9j The only exception is voting for the election of the IC representative, for which only attending Direct Individual Members of the British Caving Association may vote. BCA membership card to prove DIM status must be brought to the meeting to enable a vote.

Comment [U14]: As mentioned earlier, this works for now but may need to be revisited if BCA changes abolish the terminology of CIM/DIM.

9k Ten full member clubs shall constitute a quorum at General Meetings.

9l Minutes of General Meetings shall be taken, and should include as a minimum the items presented in 8h. A draft should be reviewed by the (incoming) Secretary and anyone he/she deems necessary to help ensure their accuracy, clarity, brevity and completeness. The final draft minutes should be made available to all full member clubs **and the IC representative** as soon as possible, and these should be confirmed at the next General Meeting.

Comment [U15]: Added

9m Under certain circumstances an Emergency General Meeting (EGM) may be called. This may be achieved at the request of two thirds of the total Committee (rounded down). This request may be made either at a Committee meeting or by other recorded means, with an agreed agenda. An EGM may only be called if there is firm evidence that it would be detrimental to the CNCC or northern caving to leave the intended agenda item(s) until the next planned General Meeting, or until a SGM

can be called. Once called, an EGM must be held within three weekends, and an agenda must be made available ten days ahead of the meeting. The constitution may not be amended at an EGM.

(10) Access procedure

10a Where special access arrangements have been drawn up between landowners and the Council, the following procedure will apply.

10b All rules and conditions must be adhered to as laid down in the respective agreements.

10c Full details of access agreements when completed or revised shall be made available to all full member clubs **and the IC representative.**

Comment [U16]: Added

10d The Committee shall appoint Meets Secretaries as necessary to issue permits to visit caves and potholes covered by the agreements, in accordance with the stipulated conditions and in accordance with the Committee's instruction.

10e Meets Secretaries shall be considered as co-opted officers.

10f Applications for permits will be accepted only from CNCC member clubs except when specified otherwise by the access agreement.

10g All member clubs accept responsibility for the activities and behaviour of their individual members and guests in the areas subject to the agreements.

(11) General

11a The Council cannot accept liability of costs for any damage, fire, theft, legal fees, injury etc.

11b In the event of a serious breach of the Constitution by a member club, a Special General Meeting may be called to consider whether disciplinary action should be taken. Any disciplinary action must be proposed and approved only at a General Meeting, and may include recommendation of expulsion from the BCA.

11c The Council may only be dissolved by a two-thirds majority vote of all full members at a General Meeting (rounded up to the nearest whole number of voting full members).