

Conservation and Access Officer Report to BCA AGM 2018.

October Council Meeting report.

Two major consultations have been engaged by regional caving councils in recent months.

Firstly, CCC have asked all cavers and caving institutions to consider supporting their report to the Welsh Government Consultation Document WG31811. This is an opportunity for cavers to have a say in the future of access for Outdoor Recreation in Wales.

Secondly, CNCC have orchestrated a coherent response to the YDNP Management Plan Consultation. This has elevated caving to one of the top 5 interests for visitors and residents within the National Park.

Last month I had the opportunity to take the owner of Fairy Holes Cave (Weardale) for his first underground experience in his own cave. This visit was at his request. He was genuinely astonished and thrilled at the extent and scale of the cave. He also owns the grouse moor surrounding the quarry site and clearly works and socialises with most of the major grouse moor owners throughout the country. It is absolutely invaluable to have a landowner who understands caves and caving as a rational activity and is capable of passing on this enthusiasm to his peers.

I would strongly encourage all regions to offer this sort of experience to their major Landowners/Manager. Very few would accept such an invitation, but those that do can be very influential (provided you do not make their first experience too character building)

I would like to ask Council to approve the allocation of £100 to cover my symposium fees for a cave conservation seminar in the Ardeche – March 2018

Title - **To know and share caves and karsts - Understanding, conservation and geotourism**

<https://dhuguet.wixsite.com/cavesymposium2018/>

I have asked Natural England to co fund by contributing to my travel expenses. I think it is important for the UK experience to be represented at European level.

The next project for the C&A committee is to develop new content for the C&A pages of the BCA website. Club websites have not improved their provision of conservation content in the last year -so I would like to be able to offer a link to useful content on the BCA site.

Andrew Hinde
C&A Convenor

January Council Meeting Report

Work on a first draft of a BCA policy statement on CRoW and Caving is underway.

I have booked onto the UNESCO Cave and Karst Conference in the Ardeche,(6th/9th March 18) where I hope to present a short lecture on UK cave conservation projects.

Nothing further to report.

Andrew Hinde
Conservation & Access Convenor.
Dec 2017

April Council Meeting Report

BCA CRoW Policy Statement.

The following text was drafted and approved by the BCA Conservation and Access Committee via a Webex meeting on 6th February 2018.

Begins

BCA policy statement on the Countryside and Rights of Way Act 2000 (CRoW)

1. The British Caving Association holds the opinion that the CRoW Act already permits access for recreational caving. (Note: this view has been verified by the legal opinion of Dinah Rose QC and supported by many external organisations and individuals as well as its own members).
2. The access principles of the CRoW Act are in accord with BCA's own principles of improving access to caves. The BCA encourages caving bodies who have control of access to caves on 'access land' to renegotiate access agreements to reflect the rights provided by the CRoW Act.
3. The conservation of caves is important. The BCA Conservation Code applies to all caves regardless of the land designation. The BCA agrees with the CRoW guiding principle of the least restrictive option to meet the conservation or safety need.
4. The BCA believe that any particular conservation concerns on CRoW 'access land' can be adequately dealt with by those means already set out in the legislation. The BCA recognise that many of the concerns raised prior to the introduction of the Act never materialised and access to caves should be no different.
5. The BCA will support cavers in their work to develop access to caves on CRoW access land.

Reference documents;

1. Dinah Rose opinion

2. Conservation Code and Guidelines
3. Educational strategy for conservation
4. Section 26 advice to ACBs. Ends.

The background to this Policy Statement is summarised below.

BCA council has asked C&A to come up with a short policy statement on CRoW.

Councils motion states,

“C&A committee to prepare a draft policy statement, kept as brief and meaningful as possible, that BCA believes with good reason that the CRoW Act, as-is, applies to caving.”

It is worth noting that the membership poll in 2014 gave the association a mandate to run the campaign and the membership ballot of 2017 removed parts of the constitution which had been held up as an impediment to that campaign. BCA consider that the membership has made itself clear on this matter. Furthermore BCA cannot run a campaign which argues that the CRoW Act already permits caving if it is not prepared to make that clear in a policy statement.

It is important to note that the BCA campaign is not seeking to change the law at this stage. BCA argues that the law as it stands already permits recreational caving. BCA have sought clarification on this matter. Defra/NE have presented a view that the Act does not apply to caving. They do concede that the Act allows access to the entrance of caves and to an undetermined point underground such as the limit of daylight. They have been clear that their view is not definitive and that in the end only a court can decide. BCA argue the Act does permit caving in line with the legal opinion of the barrister Dinah Rose QC. This view is supported by a number of outdoor organisations such as the BMC, S&RA, BC, etc. Both sides have put their views forward robustly on this matter and one must consider that the Act may already apply to caving just as equally as it may not. Therefore any issue of trespass is very difficult to establish until this is fully settled.

In the meantime BCA does offer advice, codes, strategy and guidelines in relation to conservation. Also of course, BCA are unable to tell regional councils what to do so ultimately it is up to them how much notice they take of any BCA statement.

UNESCO Caves meeting in Ardeche.

I had intended to go to this conference. Unfortunately it has been cancelled.

Conservation and Access Officer Post.

It is my intention to retire from this post in 12 months time. I will then have completed 2 full terms as a BCA Officer. I would encourage anyone interested in considering putting themselves forward for this post to contact me. They will receive practical advice and encouragement.

Andrew Hinde
April 2018