

# British Parachute Association

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## The Council

Minutes of a meeting of the Council held on  
**Tuesday 3 December 2002 at 1840**  
at the BPA Office, Glen Parva, Leicester

<b>Present:</b>	Chris Allen	- Chairman
	Paul Applegate	
	Kieran Brady	- Communications Chairman
	David Hickling	
	Eddie Jones	
	Ian Marshall	
	Craig Poxon	
<b>In attendance:</b>	John Smyth	- Vice Chairman/ Competitions Chairman
	Jim White	
	Tony Butler	- Technical Officer
	Debbie Carter	- Treasurer
<b>Observers:</b>	Lesley Gale	- Editor, <i>Skydive Magazine</i>
	Martin Shuttleworth	- Secretary-General
	Calvin Blacker	- Council 2003
	Ralph Fielding	- Council 2003
	Natasha Higman	- <i>Brit Chicks</i>
<b>Apologies for absence</b>	Ian Matthews	- Team VNE
	Kev Sargent	- Team VNE
	Andy Scott	- Team VNE
	Billy Gollan	- Council 2003
	John Hitchen	- NCSO / STC Chairman
	Nigel Holland	- Council 2003
	Ian Midgley	- Development Chairman

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## Item Minute

### 66/02 Welcome

The Chairman welcomed Council Members to the last meeting of the year. He also welcomed all others present, including Calvin Blacker and Ralph Fielding, who were members of Council 2003, attending tonight as observers. The other two new members of Council 2003, Billy Gollan and Nigel Holland, had been unable to attend tonight.

### 67/02 Minutes

The minutes of the meeting held on Tuesday 22 October 2002 had previously been circulated and were taken as read. Lesley Gale requested that draft minute 55.1 'Brit Chicks women's FS record attempt' should state that the 40-way formation had itself been a record; and, in

paragraph 2 of the same minute, to delete the rest of the sentence after ‘...other female skydivers.’

Paul Applegate proposed, and Ian Marshall seconded, a motion that the minutes of the meeting of the Council held on Tuesday 22 October 2002, with the two variations set out above, should be accepted as a true record. This carried unanimously.

**Approved**

**68/02 Fliteline**

The Chairman updated the Council on correspondence relating to *Fliteline* subsequent to the last meeting on 22 October 2002 (minute 56). Copies of this correspondence, between (a) the Chairman and David Turner, (b) the Chairman and the proprietor of the failed parachute jump booking company *Fliteline*, referred to in these minutes as PF, and (c) the Chairman and Mr A Kachani of Crawfords Chartered Accountants in Manchester, who was the court-appointed supervisor of PF’s Individual Voluntary Agreement (IVA). As *Fliteline* had been an unlimited company, PF had carried personal liability following the failure of *Fliteline* that had had insufficient assets to cover its liabilities. The IVA agreed with the creditors would bring them an estimated 14p in the £. More than the requisite majority of creditors had voted in favour of the IVA, which was legally binding on all creditors. The alternative to the IVA would have been to force PF into bankruptcy, which would have been likely to result the creditors receiving nothing.

The Chairman had written to PF on 7 November 2002 stating that the Council had (minute 56) invited PF to come to this meeting to explain his actions in connection with the failure of *Fliteline*. Further, PF had been advised of Council’s position that his non-attendance at the meeting may result in the suspension of his BPA Membership until such time that he did attend a Council meeting. The letter had also reported to PF assertions that had been made to the Council at its meeting on 22 October 2002 that he had, through the failure of *Fliteline*, brought the sport into disrepute. This was on the basis not only of owing money owing to Drop Zones, but of owing a larger sum to a major charity which, it had been asserted to Council, had prejudiced Drop Zones’ charity jump market for the future. The Chairman’s letter to PF had further said that, if PF was unable to attend this meeting of Council to explain his actions, he should state ‘in no uncertain terms’ the reason why he could not attend.

PF had initially passed the Chairman’s letter to Mr Kachani, his IVA Supervisor, who had first telephoned and then written to the Chairman. Mr Kachani had emphasised that an IVA was a private, legally binding contract between an individual and his creditors. The Chairman had sought from Mr Kachani further clarification of the extent to which the BPA might legitimately become involved in considering the failure of *Fliteline*. The Chairman had pointed out that the BPA was not itself a creditor to *Fliteline*, although several BPA Affiliated Drop Zones (including one co-owned by David Turner, who had originally called the failure of *Fliteline* to the attention of the Council) were creditors. Mr Kachani had stated in his reply to the Chairman dated 27 November “... it is up to your Association to decide whether its member has infringed any of the rules of the Association.

PF had then replied personally to the Chairman in a letter dated 25 November 2002. In this, he had stated his case and said that “from the beginning of the year I was totally convinced that the [charity] scheme would be going ahead as planned. ... My solicitors were in negotiations with the charity for at least three months before the charity decided not to continue with the project.” PF’s letter went on to express his regret for what had happened and to point out that, were it not for the IVA, his creditors would have got nothing.

PF’s letter then asked the Council three questions about the assertion that had been made to the last Council meeting, namely that PF had brought the sport into disrepute. PF asked: “(i) How many individuals had contacted the BPA to complain that they had been let down as a result of the failure? (ii) Does Council feel that it is right to intervene in the agreement made with creditors given that all parties were notified and [had] the opportunity to express their views at the appropriate time? and (iii) How will preventing me from jumping and training students, as I have done for no fee for a number of years, make the situation more equitable?”

David Hickling considered it quite inappropriate that PF had not given a reason for his non-attendance at this Council meeting, when the Chairman had specifically asked that if he could not come, he should say why. David Hickling stated that it was not the modest amount PF owed Langar, but the question of how PF had come to accrue a “massive” debt to the charity, that he wanted PF to come to explain. In the absence, to date, of any reasonable explanation, David Hickling asked the Council whether PF was the sort of individual it really wanted in membership of the Association.

John Smyth said that the Council’s response now should be proportionate and reasonable. The Chairman said there seemed little benefit to be gained from engaging in further correspondence. He therefore suggested that the Council had two options: either (i) to suspend PF’s membership until such time that he came forward to the Council to explain his actions in connection with the failure of *Fliteline*; or (ii) formally to invoke BPA Article 13, which gave the Council the power formally to require a Member to attend to give the Council explanations in regard to any act alleged to have been done or omitted in a breach of a Member’s obligations.

David Hickling then proposed, and Ian Marshall seconded, a motion that PF’s membership should be suspended until such time as PF attended a Council meeting to explain his actions in connection with the failure of his company *Fliteline*.

The vote was: For - 7 (including David Hickling); Against - 0; Abstentions - 1 (Kieran Brady)

**Carried**

The Chairman noted that David Hickling had voted in favour of the motion, and suggested that, because David Hickling was co-owner of BPS Langar, a creditor to *Fliteline*, David Hickling should consider whether he might have, or be perceived to have, a conflict of interest. The Chairman suggested that, should David Hickling come to such a conclusion, the Chairman wished to give him the opportunity to change his vote in favour to an abstention. David Hickling replied that he did not wish to change his vote, as he was content to vote in favour of this motion for which he had proposed.

The Chairman would write to PF to convey the Council’s decision.

**Action: Chairman**

## **69/02 Ratification of minutes of Subcommittees**

The minutes of each of the following meetings had been circulated in advance.

### **69.1 Communications Committee meeting on 22 October 2002**

Kieran Brady proposed, and Eddie Jones seconded, a motion that the minutes of the Development Committee meeting held on 22 October 2002 be ratified. This carried unanimously.

**Ratified**

### **69.2 Development Committee meeting on 22 October 2002**

Eddie Jones proposed, and David Hickling seconded, a motion that the minutes of the Competitions Committee meeting held on 22 October 2002 should be ratified. This carried unanimously.

**Ratified**

The Chairman asked Craig Poxon, who would be standing down from Council and the Development Committee at the AGM, kindly to pass on his files relating to work in progress to his successor/s on the Committee, or to the staff for them to pass on.

### **69.3 Minutes of the STC meeting on Thursday 28 November 2002**

Tony Butler called attention to page 4, item 7 ‘Permissions’, of the minutes of the STC meeting held on 28 November 2002. The vote had been recorded as 7/4/1 but this had been a typographical error as the vote had been carried unanimously.

With this correction, David Hickling proposed, and Paul Applegate seconded, a motion that the minutes of the STC meeting held on 28 November 2002 be ratified. This carried unanimously.

**Ratified**

## **69.4 Minutes of the Competitions Committee meeting held on 27 November 2002**

### **69.4.1 General**

John Smyth highlighted key points from the minutes of the meeting of the Competitions Committee held on 27 November. Frank Mallabone had now been appointed as the BPA's video camera equipment co-ordinator and was also looking after the BPA's competition equipment for Classics. A new style of judges' logbook, in a loose-leaf format, was being prepared for 2003, and it was planned to issue them to judges at the AGM.

Team *Quiksilva* had registered for, but had been unable to attend, the World Cup 2002. 50% of their entry fees had been refunded by the organisers under the standard terms of cancellation, and John Smyth reported that the Army Parachute Association had agreed to cover the other 50%, which had been paid in advance by the BPA.

An invitation had been received for the UK to become part of the Bendelux skydiving league in 2003. This had been circulated to the full Council and would be considered by the Competitions Committee at its first full meeting in the new year.

### **69.4.2 Request for funding by team VNE**

A request from FS 8-way team *VNE*, which carried a recommendation in support from the Competitions Committee, had been circulated. Three members of *VNE* were present tonight, and John Smyth invited Ian Matthews of the team to speak to their paper. Ian Matthews made the case, which the team had originally raised in July, for a review of the performance criteria for funding by the BPA Council. This was on the basis that IPC had slowed down the competition with the 8-way dive pool for 2002 compared with the 2001 dive pool on which the benchmark average scores had been set. Scores from the World Cup 2002 now provided empirical evidence, which *VNE* had set out in its paper, of the slowing down of the dive pool. This meant that the goalposts had been moved. *VNE* therefore believed that, if slowing of the dive pool was factored into the team's score at WC2002, the team had met the criteria for funding of a score equivalent to fourth place or better at the last world meet, WAG 2001. The Competitions Committee had unanimously supported *VNE*'s case.

John Smyth said that £65K had been budgeted on the Competitions Action Plan matrix to fund top teams to win medals at world meets. £30K each had been allocated to *XL* and *VMax*, leaving only £5K remaining. The training plans of these funded teams had already been approved and John Smyth said that it would be wholly inappropriate to interfere the funding of these teams, and *VNE* itself had no wish that the BPA should do so.

*VNE* had a total training budget of £107,652, for which they were seeking a contribution of £30K from the BPA, for funding to be on a par with the other funded teams. John Smyth believed that the £5K remaining in the budget for team funding was *VNE*'s as of right. In addition, there had been an underspend of approximately £2 to £3K on skills coaching roadshows, for which *VNE* had provided many of the coaches at no cost to the BPA and sometimes without even claiming their out-of-pocket expenses. These Roadshows had benefited competitors, potential competitors and host Clubs and Centres alike, and had been a fantastic success for the sport as evidenced by the growth in the number of competitors in both National and Regional FS competitions this year. Ian Marshall said he supported *VNE*'s request and saw it as paying for the success that had been achieved, and building on it. John Smyth said that both nationally and internationally, *VNE* had demonstrated commitment over a sustained period and had been excellent ambassadors for the sport.

John Smyth said that, taking into account the £5K remaining in the budget to fund teams, together with the estimated £3K underspend on the coaching roadshows budget, this left a shortfall of £22K which he was proposing that the Council should make up from the BPA's reserves.

The Chairman expressed caution that a request for team funding of £22K from BPA reserves was in breach of the Action Plan budget. If granted, it might leave the BPA with an overall loss at the end of the financial year, in which event he would find such a position difficult to defend to the membership as a whole. The Chairman said his comments should in no way be seen as



#### **69.4.3 Selection for WPC 2004**

John Smyth reported that it had come to his attention at the World Cup 2002 that there was to be a World Parachuting Championship in 2004. He understood the rationale for this to be to bring the international skydiving calendar into line with the Olympic calendar. WPC 2004 had apparently been listed in the FAI Sporting Code for some time but had received little publicity, possibly because he understood that no bids to host it had yet been received by IPC. But that did not alter the fact that other nations had been preparing for it for one and a half years, which left us on the back foot. A WPC in 2004 meant that the 2003 Nationals might have to be selection nationals - this would be discussed with competitors at the Competitions Open Forum on AGM Day. It also caused a problem with the Action Plan budget as this would have to be considered very carefully to see whether or not there could be any funding for a UK delegation to WPC 2004. The Competitions Committee had briefed John Hitchen (UK Delegate to IPC) to make strong representations to IPC against holding WPC's in successive years rather than in the established biennial cycle.

#### **69.4.4 UK representation at the IPC meeting - Brazil, 1-4 February 2003**

John Smyth reported that the next annual IPC meeting would be held in Brazil from 1-4 February 2003. As usual, John Hitchen (UK Delegate) and Bob Card (UK Alternate Delegate) were planning to attend. If, however, the costs were over budget because of the location, he believed that Council should consider sponsoring only one delegate. Ian Marshall said that a trigger figure for consideration by the Council (by correspondence as there was not another ordinary Council meeting before the IPC meeting) if estimated total costs were £5K or over. Tony Butler pointed out that UK Sport provided grant-aid to cover a significant proportion of the costs of the named post-holders in attending this meeting. The grant had already been paid to the BPA. It was non-transferable and, if the named post-holders did not attend, had to be returned to UK Sport in full.

*Note: Subsequent to the meeting, the cost of attendance was estimated to be approximately £1K per representative, total £2K, of which approximately £1.2K is covered by UK Sport international representatives' grant-aid. Therefore, the cost of both delegates attending is well within the normal budget.*

#### **69.4.5 Ratification of minutes**

Two typographical corrections were made to the minutes of the meeting of the Competitions Committee held on 27 November 2002. These were: page 5, minute 81.2 'Regionals / Grand Prix 2003', FS 8-way - Jim White had not abstained from the vote, as stated in error, but had voted in favour of Strathallan's bid; and page 8, minute 86 'Coaching Roadshows for women skydivers' in line 2, where *Brit Chicks 2000* should have read *Brit Chicks 2002*.

With the above corrections, John Smyth proposed, and Ian Marshall seconded, a motion that the minutes of the meeting of the Competitions Committee held on 27 November 2002 be approved as a correct record. This carried unanimously.

**Ratified**

### **70/02 Reports on meetings held earlier today**

#### **70.1 Communications Committee**

Kieran Brady reported that the Communications Committee had decided on a new template by which to set out the Magazine budget so that it was easier for non-financial people to understand. Revised formats for the Affiliated Clubs & Centres and Associated Organisations pages in the Magazine had been discussed. Issues raised at the previous meeting about the format of the *Club News* section of the Magazine had been resolved to the satisfaction of all parties. The Committee had agreed an increase to the Editorial contract fee. The Committee had agreed with Lesley Gale that the Magazine had now reached a steady state as it was the right size, with no plans to increase, or decrease, the number of pages per issue. The Committee had also received a report on website development. Finally, a suggestion had been made that next year, the Council might wish to consider re-combining the Communications and Development Committees.

## **70.2 Development Committee**

In the absence of Ian Midgley, Kieran Brady had chaired this afternoon's meeting of the Development Committee. The meeting had considered the position on various categories of insurance. First, increases of about 25% had been expected on BPA third party public liability insurance premiums because of the claims history. Secondly, there had been discussion about other insurance that was appropriate for Clubs & Centres, and the Committee had agreed to send a letter to Drop Zone Operators about this. The Committee had also heard progress reports on the following development projects: freefly manual and freefly coaching qualification, canopy flying qualification; RAPS safety and equipment (in association with STC); and putting forward the case for skydiving to become a Paralympic sport, which John Hitchen had been asked to take soundings at the IPC meeting in February 2003. Finally, the Committee had received a report on banner advertising on the website, in particular on how information was presented to potential advertisers to inform them of the BPA's policies at the beginning, thereby to avoid disappointing some potential advertisers by introducing the policy conditions at a later stage.

### **71/02 Reports from Club Representatives**

Craig Poxon reported that he had visited Headcorn over a stormy weekend. There had been few jumpers there, and no issues had been raised.

### **72/02 Report on Royal Aero Club Activities**

John Smyth (BPA Delegate to RAeC) reported that RAeC was continuing to co-ordinate a concerted response on behalf of all UK airports to proposed harmonisation of European regulation on airports. This detailed work was progressing well, and he thanked Tony Butler and Tony Knight for their hard work in supplying highly technical input on behalf of the BPA.

John Smyth reported that, on behalf of the Council, he had nominated two BPA members whose names had been suggested to him as worthy of an RAeC award. The RAeC Awards Committee was due to meet ahead of the BPA AGM next month, and he hoped that, if the nominations were successful, the awards could be announced at the AGM.

### **73/02 Application for Association**

In the absence of any questions, or comments from the BPA technical staff, David Hickling proposed, and Jim White seconded, a motion that the Council should approve an application for Association received from the Royal Navy and Royal Marines Sport Parachute Association.

**Carried unanimously**

### **74/02 Staff matter**

Members of staff left the meeting for this item to be held *in camera*.

The Chairman reported on a proposal by proxy from Ian Midgley (Staff Liaison Officer) that a Christmas bonus, similar in amount to that paid last year, should be paid to BPA staff in recognition of the work for the Association during the year. Ian Marshall seconded the motion.

**Carried unanimously**

The staff then returned to the meeting.

### **75/02 Proposal from *Brit Chicks* for a skydivers' benevolent fund**

The Chairman introduced Natasha Higman of *Brit Chicks 2002*, who was in attendance to speak to a letter that she had sent to Council Members by e-mail, a hard copy of which had been circulated just prior to the meeting. The Chairman reminded Council members that the Council had discussed the possibility of establishing a benevolent fund for BPA Members earlier in the year (minute 44 of the meeting on 20 August 2002 refers). The Council had, at that time, referred the item to the Development Committee for consideration for the next Development Action Plan. The Chairman said that, as consideration of next year's Development Action Plan had yet to take place, he did not propose that the Council should take a decision tonight on the letter from Lisa James and Natasha Higman. They had stated in their letter that they were pursuing the idea of a skydivers' benevolent fund that had been suggested at the *Brit Chicks 2002* event in September. The Chairman suggested that such a detailed

matter should be included as an agenda item for the first full meeting of Council 2003 to be held on a date to be arranged in February 2003.

Natasha Higman spoke to her letter. Kieran Brady said he had spent some time researching the general area of benevolent funds in preparation to make an informed contribution to the Development Committee's discussions early next year. His consultation with a legal professional had revealed that drawing up the necessary trust deed to establish such a fund would be likely to incur legal fees in excess of £5K. He said the area was a legal minefield and offered to meet Lisa James, Natasha Higman and others from *Brit Chicks* at the AGM to share with them what he had found out about benevolent funds. Jim White said it was important to clarify the legal framework before any decisions about possible involvement by the BPA were taken.

**Action: Add to the agenda for the February 2003 meeting**

**76/02 Close of meeting and arrangements for the inaugural Council meeting for 2003**

As this was the last meeting of the Council in 2002, the Chairman thanked Members of Council for their hard work on behalf of the Association during another busy year. He also thanked the many others in the membership and the staff who had all contributed to the Association. There had been 13 nominations for 15 seats on the Council in 2003, so that there had been no need to hold an election and Members of the Council 2003 would take their seats at the inaugural Council meeting on the day of the AGM, Saturday 18 January 2003, at the Hanover International Hotel, Hinckley, Leicestershire. The inaugural Council meeting would be held just before lunch in Room 18 on the Ground Floor, immediately after the presentation ceremony that followed the AGM. The Chairman said he looked forward to seeing Council Members again at that time; and gave special thanks to Craig Poxon for all his work during the year, because he had decided to stand down from the Council at the AGM.

The meeting closed at 2020.