

# CONSTITUTION OF THE PWLL DU CAVE MANAGEMENT GROUP

## 1 NAME

1.1 The name of the committee shall be the Pwll Du Cave Management Group, hereinafter referred to as The Group.

## 2 DEFINITION OF THE AREA

2.1 The area involved relates to Ogof Draenen. This includes Pwll Du, Gilwem Hill and the Blorenge, together with land overlying the cave and including associated sites and its catchment area, collectively hereinafter referred to as The Area.

## 3 AIMS AND OBJECTIVES

3.1 To advise and promote the conservation, management, scientific study and exploration of the caves of the area and access to them.

3.2 Conservation is a primary objective.

3.3 To advise cavers in the responsible use of and access to the area.

3.4 To encourage a free exchange of information between interested parties.

3.5 To control access to Ogof Draenen.

## 4 DUTIES

The Group shall:

4.1 Invite a suitable independent chairman. To encourage continuity and stability the chairman's position should be retained until the chairman resigns or there is some other compelling reason for a successor to be appointed.

4.2 Maintain access to the caves of the area, and in so doing will afford full consideration to the conservation and protection of their scientific and other features.

4.3 When required or requested, advise the landowner(s) on all matters relating to the speleology of the area, the management of those interests and on related matters which may at any time be referred to it by the landowner(s), with reference to their responsibilities under The Wildlife and Countryside Act of 1981 and the Environmental Protection Act 1990, part vii.

4.4 Appoint an Hon. Secretary, Treasurer, Permit Secretary, ~~Conservation Officer, Biological Recorder and Geological Recorder.~~

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4.5 Consider suggested work which may have an impact on the caves and their environment, having particular regard for conservation requirements. If any major work is undertaken the Group will monitor this for its duration and any ensuing effects.

4.6 Consider reports from the officers and the members of the Group and make any recommendations thereon.

4.7 Fill occasional vacancies among the Officers from club representatives from the Group, or if not available, from outside.

4.8 Deal with any matters not provided for in the constitution, so long as they are consistent with the objectives.

4.9 Render a written report of the business undertaken during its two years in office to the Biennial General Meeting.

4.10 The wishes of the following bodies which exist in the area shall be acknowledged, respected and appreciated:

Commoners Associations, Welsh Water, Local Residents, the British Caving Association, BCRA, Cambrian Caving Council, the Brecon Beacons National Park, ~~Natural Resources Wales and other statutory bodies.~~

Deleted: Countryside Council for Wales

~~NRW is responsible for the issue of licences to carry out activities affecting some species (e.g. bats) given special protection under the Wildlife and Countryside Act.~~

Deleted: The CCW

4.11 Consider and carry out means of raising funds to cover conservation materials and other financial matters related to the caves of the area.

## 5 MEMBERSHIP

5.1 Membership of the Group is open to any club that is active and has an interest in the area and which is prepared to actively participate and adopt a specific role or general responsibility for its caves and their conservation. An officer of the Cambrian Caving Council and representative of ~~Natural Resources Wales~~, shall also be non-voting members of the Group.

Deleted: the Countryside Council for Wales

5.2 Clubs wishing to join the existing Group shall make written application to a general meeting. Clubs will be required to submit their application to the Hon. Secretary two weeks before the meeting and expand and elaborate upon their application at the meeting if requested to do so.

- 5.3 A club representative may also be an officer, with the exception of the chairman.
- 5.4 On resignation, demise or persistent absenteeism of a club representative, the club shall appoint a replacement as required.
- 5.5 The Group may co-opt persons with specialist experience or knowledge, as considered appropriate, to advise the Group. Such appointments shall carry no voting rights.
- 5.6 Officers shall be elected by the Group at the Biennial General Meeting and shall be eligible to vote at Group and general meetings. No person shall have more than one vote. The officers shall serve for two years and shall be eligible to apply for re-election.
- 5.7 All outgoing Officers shall stand down prior to the election of the Officers at the Biennial General Meetings. Voting during elections of the Officers shall only be carried out by the Club Representatives.
- 5.8 The Group shall have the right to expel or suspend any club representative or officer whose actions are contrary to the terms of the constitution, or who is persistently absent from meetings without due cause or reason. The individual shall be notified and an appeal against the decision can be made at the next open meeting.

## **6 PROCEDURE FOR MEETINGS**

- 6.1 The constitutional period shall be two years from June of alternate years.
- 6.2 General Group meetings shall normally be held on an annual basis, usually in June. Biennial General meetings shall be held every two years in accordance with the constitutional period.
- 6.3 The meetings shall be convened by the Chairman and/or the Hon. Secretary giving one month's notice.
- 6.4 Additional meetings may be convened if business warrants them.
- 6.5 An Extraordinary General Meeting may be called to discuss specific issues of importance to the Group. Extraordinary Meetings shall be exempt from Clause [insert number]. An Extraordinary General Meeting shall be called if:
- requested by the Group Executive (Chairman, Hon Secretary and Treasurer), or
  - requested by at least six Members of the Group in writing, or
  - agreed by the Group at a previous meeting
- 6.6 The Chairman and the Hon. Secretary may also contact club representatives to obtain a consensus of opinion on matters which require attention between meetings for which there may be no need to convene a meeting.
- 6.7 The quorum for a meeting shall be at least six club representatives (including at least two officers) plus the independent chairman.
- 6.8 The Hon. Secretary shall issue an agenda to officers and club representatives one month prior to a meeting.
- 6.9 The order of business at Group General and Biennial meetings shall be:
1. Apologies
  2. Minutes of previous meeting and any matters arising from them
  3. Officers Reports
  4. Election of Officers (every other year)
  5. Other Group Business
  6. New Member Clubs (as required)
  7. New keyholders (as required)
- 6.10 The minutes shall be available to anyone on request to the Hon. Secretary.
- 6.11 Items for inclusion on the agenda shall be submitted to the Secretary at least two weeks prior to the meeting.
- 6.12 Applications for work to be undertaken which materially affects the known caves (other than digging for the purpose of exploration) shall be made to the Hon. Secretary for inclusion on the agenda.
- 6.13 Officers of the Group shall render reports to each meeting.
- 6.14 Each club representative and officer shall be entitled to one vote. Individual club representatives may be substituted by their club in order to ensure attendance, however proxy voting for absent officers or absent clubs is not permitted. Decisions shall be made on a majority vote. In the event of a tie the Chairman shall vote in favour of the status quo. Co-opted persons shall not be entitled to vote.
- 6.15 Bona fide interested observers will be welcome to attend meetings, at the discretion of the Group, but may not speak unless invited to do so.
- 6.16 The landowner(s) or his representative will be given the opportunity to attend meetings in an ex-officio capacity at the discretion of the group. A request for attendance by the landowner(s) will be honoured.

## **7 FINANCE**

- 7.1 There shall be no annual subscription.
- 7.2 Funding for conservation materials and other matters related to the caves of the area is under the control of the officers.
- 7.3 The Group shall advise on the use of these funds and be responsible for raising further funds to carry forward the aims of the Group.
- 7.4 The Hon. Treasurer shall be responsible for opening and maintaining an account in the Group's name and for keeping financial records and rendering an annual financial statement each April to be presented at the June meeting.

## **8 RESEARCH AND SURVEY**

- 8.1 The Group shall encourage and consider requests for research projects. Permission will normally be granted, but the Group has the right to intervene where any activities prove damaging to conservation of the cave.
- 8.2 Copies of the synopsis of the intended project, progress reports and final report shall be submitted to the Group. Such information is confidential until published unless otherwise authorised.
- 8.3 Copies of all scientific records relating to the area shall be kept by the Group.
- 8.4 Any statement, article or publication by a member of the Group which may appear to represent the policy of the Group shall be forwarded to the Hon. Secretary for scrutiny and clearance by the Group.
- 8.5 Research projects on the surface may be carried out only at the discretion of the landowner(s).

## **9 LIMITATIONS AND LIABILITIES**

- 9.1 Neither the Group (comprising its officers, club representatives, their clubs and any ex-officio members) nor landowner(s) nor lessee(s) shall be held responsible for the personal safety of visitors to the caves and the area.
- 9.2 Nor shall the Group, nor landowner(s) nor lessee(s) be liable for any damage or accident sustained by visitors resulting from the use of physical aids installed in the caves, with or without permission.
- 9.3 The Group shall take out a suitable third party insurance cover to indemnify all members of the Group, including its co-opted agents.

## **10 AMENDMENTS TO THE CONSTITUTION**

- 10.1 Proposals for amendments to the constitution shall be made in writing to the Hon. Secretary at least two weeks prior to the Biennial General Meeting for inclusion on the agenda and consideration thereof.
- 10.2 Such amendments shall be approved on a minimum 75 per cent majority decision of those present and voting.
- 10.3 Such amendments, if passed, shall become operable with effect from the end of the day of that meeting.

## **11 DISSOLUTION**

- 11.1 The Group may be dissolved by the unanimous decision of those present and voting at a special meeting convened for that purpose only.
- 11.2 The Trustees shall dispose of the assets, records, etc. of the Group to a suitable body with similar aims and objectives.

## **12 TRUSTEES**

- 12.1 There shall be three trustees of the Group.
- 12.2 The first trustees shall be appointed by the Biennial General Meeting of the Group and the freehold, share and other property of the Group (other than the cash which shall be under the control of the Treasurer) shall be vested in them to be dealt with as the General Meeting shall from time to time direct by resolution (of which an entry in the Minute book shall be conclusive evidence).
- 12.3 The trustees shall be indemnified against risk and expense out of Group property.
- 12.4 The trustees shall hold office until death or resignation, or until removed from office by a resolution of a General Meeting which may for any reason which may seem sufficient to a two-thirds majority of those present and eligible to vote and voting at a General Meeting, remove any trustee or trustees from the office of trustee.
- 12.5 Where by reason of any such death, resignation or removal it shall appear necessary to the Group that a new trustee or trustees shall be appointed or if the Group shall deem it expedient to appoint an additional trustee or trustees, the General Meeting shall by resolution nominate the person or persons to be appointed the new trustee or trustees.
- 12.6 All trustees shall receive due notice of all Meetings of the Group.

## **13 INTERPRETATION**

- 13.1 The Group shall be responsible for the interpretation of the terms of the constitution.
- 13.2 The Group shall be responsible for dealing with matters which are not provided for in the constitution but which are likely to affect the caves in the area

(Originally adopted 13 October 1996. Amendments incorporated subsequently on 16 June 1997, 4 July 2009, 18 June 2011 & 23 November 2013.)

