



MOUNTAINEERING HUTS POLICY



HWG

Due to various changes arising from the incorporation of the MCoFS this policy is currently being redrafted as a 'position statement' and will be published on this website. In the meantime, please address any queries to huts@themcofs.org.uk
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1. Introduction

1.1 Mountaineering Huts in Scotland

There are presently over twenty huts throughout Scotland belonging to clubs affiliated to the Mountaineering Council of Scotland (the Council; MCoFS) which are made available on a reciprocal basis to both MCoFS and British Mountaineering Council (BMC)-affiliated clubs. Places in some huts are available to individual members of the Council.

The Council participates in the management of Mill Cottage in Glenfeshie, which is owned by a trust and managed by four trustees, two of whom are *ex-officio* the President and the Hon. Treasurer. In addition, the Council, together with the BMC, has representatives^[1] on the trusts which own and manage two other Scottish huts, the Alex MacIntyre Memorial Hut at Onich and the Glen Brittle Memorial Hut on Skye.

1.2 Access to Huts Furth of Scotland

Members of the Council have access to huts in England and Wales on a reciprocal basis. A list of these huts is available from the BMC.

1.3 The Co-ordinating Role of the Council

Since its formation in 1970 the Council has co-ordinated a reciprocal arrangement between those affiliated clubs which own or manage Scottish mountaineering huts and those who wish to use them. This co-ordination is effected -

a) by the annual publication by the Council of a directory (huts list) of Scottish clubs' huts which is issued to all members of MCoFS and *b)* by the Council acting as arbiter in cases of abuse of hut facilities or non-payment of fees and making all hut committees aware of the outcome, especially where it is necessary to apply sanctions (see 3.). Receipt of the huts directory and also updated information via the MCoFS newsletter and website (www.mountaineering-scotland.org.uk) to clubs and individuals is seen as a major benefit of affiliation to the Council.

1.4 Recognition of Autonomy

The Council acknowledges the complete autonomy of individual clubs to manage their own hut(s) as they see fit. However, the Council encourages hut management committees to adopt the principles and guidelines detailed in this policy.

1.5 The Need for Low Cost Accommodation

The Council recognises the need for low cost basic accommodation in the mountain areas of Scotland. There is a severe shortage of suitable accommodation in some popular areas and there are some areas not covered by the present distribution of club huts.

1.6 The Separate Roles of Independent Hostels and Club Huts

There is a growing network of commercial independent hostels in Scotland covering many of the popular mountain venues. The Council commends such developments since i) they fulfil a need for accommodation and ii) they benefit the local economy in rural areas. However, the Council believes that there is also a need to expand the existing network of club huts available solely to members of MCoFS and to those with reciprocal rights. In most cases club huts do not operate in competition with private hostels and, in fact, the MCoFS huts directory carries advertisements for many of the latter. The Council also maintains contact with co-ordinating bodies such as the Independent Backpackers Hostels Scotland (IBHS) and Highland Hostels Ltd.

1.7 The Mountain Bothies Association

The Council liaises with the Mountain Bothies Association (MBA). Guidelines on the use of mountain bothies are published in the huts directory.

2. The Council's General Policy on Scottish Mountain Huts

2.1 Publication of a Scottish Huts Directory

The Council will obtain and collate information on Scottish mountain huts which will be published approximately annually in the form of a directory (huts list) and distributed to all its members. Copies of the directory will be available to non-members *for information purposes* on payment of an administrative charge.

The information in the directory will include details of all facilities offered at each hut. Where possible information will be provided for disabled people regarding ease of access and any special facilities. During the currency of the directory any amendments to information will be notified to members via the Council's newsletter and website.

As much as possible of the cost of publication of the huts directory will be defrayed by advertising which may include advertisements for independent hostels.

2.2 MCoFS Huts Working Group

The Council will operate a Huts Working Group as part of its Finance and Administration Sub-committee which will -
a) implement this policy (and related policies and guidelines - see Addendum) on behalf of the Council and update it as required and *b)* provide advice to member clubs.

2.3 A Strategy for Hut Development

The Council will identify gaps in the provision of huts within Scotland based on a survey of both present and evolving needs. This survey will form the basis of the Council's strategy for obtaining and developing mountaineering huts. The Council will maintain and update its strategy, particularly as regards securing new huts in identified areas and will also endeavour to ensure that any such new development conforms to current Council policy.

^[1] Three MCoFS office-bearers are *ex-officio* trustees of the Alex MacIntyre Memorial Hut and one office-bearer is a trustee of the Glen Brittle Memorial Hut.

2.4 Assistance for Clubs Planning to Develop a New Hut

The Council is aware that many of its clubs that presently do not own or manage huts have a desire to do so.

The Council, through its Huts Working Group, will give guidance and assistance to member clubs that are planning to establish a new hut, including provision of information on possible sources of grants and written support of applications to funding bodies, provided that such plans are in accord with the Council's current strategy and policy.

2.5 Conversion or New Build ?

The Council considers that new huts may be provided either by

- a) conversion of existing property where this does not conflict with the interests of the local community or,
- b) new build. In either case due consideration shall be given to the potential economic impact on any established independent hostel(s) in the area.

2.6 Appropriate Locations for Development

The Council considers it inappropriate to develop mountain huts in remote or wild land areas, or at altitude, unless use can be made of existing property (possibly in a derelict or ruinous state) and where use in this way would enhance that property. As a general rule, it is considered that new huts should be based near existing habitation and that they should be easily accessed by public transport or by car.

2.7 Standards and Guidelines for Design, Building and Accommodation

It is the policy of the Council that huts it manages, or jointly manages, should offer the basic but high quality facilities that are expected nowadays by mountaineers. Its huts shall comply fully with the appropriate planning and building regulations, health and safety regulations and, where practicable, comply with the requirements of the Disability Discrimination Act (2005) and the guidelines provided by the Disability Rights Commission.

The design of any future huts shall be visually attractive and in keeping with the vernacular architecture in the area; due consideration shall be given to the landscape and to environmental impact, particularly in the siting of new build huts, and to related issues such as car parking, sewage treatment and rubbish disposal.

Guidelines covering the planning of huts, environmental impact assessment, best principles of design, construction, maintenance and security will be published in a separate Council paper which will be circulated to all clubs and will be regularly updated to take into account current design and building practices and also the Council's criteria for provision of facilities. The Council will encourage affiliated clubs to follow its Guidelines.

3. Policy on the Misuse of Huts

Unfortunately there are occasionally cases where there is misuse of huts, such as physical damage to the fabric, fixtures and fittings, deliberately exceeding the maximum capacity, unacceptable behaviour or non-payment of fees.

This is normally a matter for hut custodians to deal with. However, in cases where reparation for such misuse cannot be agreed between the culprits and the relevant hut management committee the Council may act as arbiter, if requested to do so. If it proves impossible to achieve a satisfactory settlement then the Council, if so requested, shall consider at Executive level the imposition of sanctions against offenders whether clubs or individuals. Such sanctions may include -

- a) suspension of clubs or individuals from membership of the Council for an indefinite period and therefore loss of all associated privileges, including those offered by the BMC,
- b) notification of the decision of the Council to i) the custodians of all Scottish Huts ii) bodies representing independent hostels (see sect 1.6) and iii) the BMC, with a recommendation that the offending party(ies) should be barred until further notice and,
- c) the publication of full details of each case in the Council's newsletter and on its website.

This policy on the misuse of huts shall also be published in the Council's huts directory and on its website. A note on the legal liabilities of occupiers of mountain huts is available from the Council [see Addendum].

4. Policy on Reciprocal Rights Abroad

The Council will negotiate reciprocal rights agreements for individuals with the European mountaineering federations as regards the huts it owns or manages and will promote this benefit both at home and abroad. Club hut management committees will be encouraged to participate in such agreements.

5. Policy on the Management of Huts Presently Operated by MCofS

5.1 A Pricing Policy for Huts Controlled by MCofS

It is the policy of the Council as regards huts that it controls and operates that they should offer value-for-money low cost accommodation, but the Council believes it justifiable to make a surplus if that money is put back into furthering the agreed aims of the Council in supporting mountaineering.

As regards club huts, the Council recognises that pricing policy is the prerogative of individual hut management committees but encourages them to follow the Council's lead in providing financial support for activities which will benefit the mountaineering community.

5.2 The Use of MCofS Huts by Individual Members

It is the policy of the Council that places in all its huts should be freely available to its individual members. Individual members may presently book places at Mill Cottage, the MacIntyre and Glen Brittle huts and at a number of club huts; these are listed in the huts directory. The Council intends to seek provision for access by its individual members to the huts of *all* affiliated clubs.

5.3 The Commercial Use of MCofS Huts

The Council may condone the *limited* use of its huts by organisations or individuals operating commercially. Any commercial use will attract a surcharge at a level set by each hut management committee unless the commercial organiser can demonstrate that clients are members of the MCofS or the BMC; block bookings of an entire hut will not be allowed. Priority in MCofS huts will *always* be given to recreational mountaineers. As regards other Scottish huts, the Council encourages custodians to adopt the same policy.

6. Policy on Development and Management of New MCofS Huts

The Council will consider the acquisition and development of its own huts. Such huts will be owned and managed by a trust (see note ^[2]). The majority of the trustees shall be drawn from the *ex-officio* members of the Council Executive Committee and there shall be at least one other independent trustee who will be a person with knowledge and experience of the use and management of mountaineering huts. Annual statements of the financial position of such trusts will be made available to the Council and published in its Annual Report. The constitution of the trusts will require the investment of money to cover maintenance costs and future major refurbishment or extension of the building or infrastructure.

6.1 Leasing

If suitable property becomes available for long term lease in a mountain area, for example NTS property, then the Council shall consider leasing if this is either -

a) the most economic option or b) the only way of securing suitable property in the area.

6.2 Joint Developments

The Council will give consideration to joint developments or leasing of property in collaboration with other bodies and clubs provided that this is agreed by the Executive as the best option for securing provision of accommodation for a particular area.

^[2] A Note on Ownership Title and on Trust Status

The simplest form of ownership for a hut is for the title to be in the name of the association, club or organisation as represented by and administered by "a, b, c and d" as the elected officials of the organisation and their successors in office. The same would apply to the lease of a property. The net income arising from the operation of a hut under this arrangement is liable for payment of Corporation Tax and that income is treated as being that of the owning body concerned, in this case the Council, and not that of its representatives.

A charitable trust can be established as a vehicle for ownership, so avoiding tax liability. This requires the agreement of the Inland Revenue whose strict criteria must be satisfied regarding the wording of the trust deed and the stated charitable purposes of the trust and its administration. A trust which meets these criteria will be granted tax-exempt status and a Scottish Charity registration number.

Trusts which enjoy tax-exempt status must conform strictly to their remit and cannot disburse any surplus monies except to fulfil their stated objectives. They *cannot*, for example, gift monies simply as general assistance to a body which does not have tax-exempt status. In order, therefore, for the Council to benefit from any hut trusts it may establish, those trusts need to be constituted with specific aims, e.g. mountain safety and training, which match the aims and objectives of the Council as stated in its constitution; those trusts can then assist the work of the Council.

Addendum

The following relevant publications are available from MCofS:

1. MCofS *Directory of Scottish Huts* – ‘the huts list’ downloadable in .pdf from the MCofS website (charge to non-members for hard copy.).
2. MCofS Policy on ‘Development in Mountain Areas’.
3. Information on where to seek grants towards building and renovating mountain huts.
4. *Occupiers’ Liability and Mountain Huts* (Appendix 1 to this policy), downloadable in .pdf from the website.
5. Current BMC/MCofS *Hut Guidelines* – a series of guidance notes on various aspects of hut management. These can be downloaded in .pdf from the respective websites. These include papers on health & safety and fire safety.

Notes on amendments: The original version of this policy was presented and agreed at the 1999 AGM. It is a working document presented at each huts seminar for consideration of amendments to take into account current legislation and changes regarding MCofS administrative practices.

The wording of para. 1 of sect. 2.7 was agreed at the Fourth MCofS Huts seminar held November 2005.

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