



President Michael Coles

**Minutes of the Swim England South West Region Annual Council Meeting held via Zoom on 6<sup>th</sup> September 2020**

**Present:**

Swim England South West Board Members and Officers: Chrissie Robinson Chairman, Gerry Griffin Finance Officer, Roger Downing Vice Chair & President Elect, Chris Elliott Cornwall, Colin Trudgeon Devon, A Smart Dorset, G Cockill Somerset, Paul Robbins Wiltshire, Mike Coles President.

Standing Committee Secretaries: M Hooper Artistic Swimming, M Coles Water Polo, Brian Armstrong Open Water

Past and Life Presidents: D Toogood, Bob Holman, Sue Dors. David Flack

Cornwall County Delegates (2)

Devon: County Delegates (1) Crediton (2), Dawlish (1), Exeter City (1), Newton Abbot(1), Tavistock (2)

Dorset: County Delegates (3)

Gloucester: County Delegates (0), Bristol North (1), Bristol Penguins (1), Cheltenham Phoenix Aquatics (2), Cheltenham Swimming & Water Polo (2), Team Bath AS (1), Tewkesbury (1).

Somerset: County Delegates (3), Bridgwater (1), Street & District (2),

Wiltshire: County Delegates (2), Devizes (1), Highworth Phoenix Diving (1), Swindon ASC (1), West Wilts Force Five (1)

Staff (non-voting) Mrs Jackie Hilleard, and Mrs Chris Vickery Regional Administrator.

**1. Apologies**

The following apologies were received: Chris Tremellen, Mr Rob Margetts, Mrs Marion Britton, Mr James Baker Exeter WP, Mr Paul Matthews St Ives, Diane Lee SX3, Keith Smith (RBM), Ann Reynolds (PP), Ben Batley (PP), John Bird (PP), Catherine Watkinson (Wilts).

**2. Welcome to the ACM by the Regional Chairman – Mrs Chrissie Robinson**

The Chairman welcomed everyone to the meeting.

**3. Obituaries**

The Chairman asked delegates to remain in silence for:  
Doctor Phil Penny and Mr Ian Stuart.

Also to be remembered – A Burt, W Hooper and associate T Watch

- 4. To receive the Minutes of the ACM 08.09.2019 and record as an accurate record**  
Matters arising – none. Agreed as a true record.  
Minutes were adopted.

- 5. To receive the 2019 Annual Report as a pdf file on the Regional Website (swimwest.org.uk)**

The Chairman informed those present the Annual Report could be viewed on the regional website.

The Chairman moved to adopt the annual report via a show of hands via zoom and this was agreed.

- 6. To receive the Finance Officers Report and Balance Sheet**

The Chair presented the annual financial reports and invited comments page by page.

Any questions – Sue Dors made an enquiry regarding the £40k loan to Swim England which was loaned last June (2019). To date we have received £1k back and if we needed the total amount back we can obtain this.

Darren Hunter Clarke asked for an explanation regarding this loan which the Chair explained. It was also noted the interest rate we are receiving on this loan is a better rate than if left in a bank to earn interest.

Ben Mullen asked if the healthy balance held is likely to remain and the Chair responded.

The Chairman moved to adopt the financial accounts – Proposed by D Toogood , seconded G Griffin & Paul Robbins -vote was unanimous in acceptance.

- 7. To receive the Chairman's Report**

The Chair gave her report for the past year and expressed her thanks for all the hard work the President, volunteers and regional staff have done for the region.

The Chair explained that the last five months have been a learning curve for all. Swim England have had a reorganisation of staff and roles and changes are still continuing within Swim England.

- 8. Appointment of Tellers – Brian Steer and Peter Brewer**

- 9. To confirm Affiliation Fees 2020**

Clubs and Associations £85.00 Membership fee, 50% reduction on affiliation or re-affiliation for Swim Mark clubs:

ASA Cat 1 - £3.00; ASA Cat 2 - £3.75; ASA Cat 3 - £2.00

Ben Mullen asked for an explanation regarding the fees and how it worked.

Confirmed and agreed by unanimous vote.

**10. To appoint Officers and other Officials:**

- .1 Finance Officer: Mr Gerry Griffin
- .2 Administration Officer: Vacant and no longer relevant
- .3 Health & Safety Officer: Vacant
- .4 Medical Advisor: Vacant
- .5 Trophy Co-ordinator: S Dors
- .6 Welfare Officer: Mrs M Britton
- .7 Secretary Diving: Vacant
- .8 Secretary Open Water Committee: Ms Justine Lawrence
- .9 Secretary Swimming Committee: Mrs C Tremellen
- .10 Secretary Artistic Swimming Committee: Mrs M Hooper
- .11 Secretary Water Polo Committee: Mr M Coles
- .12 Secretary SE South West Region School of Swimming Development:  
Mr N Harper
- .13 Emergency Committee (3): Mr P Jones, Mr John Bird.  
Nomination after closing date Dennis Toogood
- .14 Currently Regional Representatives to SE Members Forum (10) Mr Roger Downing, Mrs C Robinson, Mr Paul Robbins, Mr Andrew Smart, Mr Chris Elliott, Mr Keith Smith, Mr Graham Cockill, Mr Colin Trudgeon, Mr Rob Margetts, Mr Gerry Griffin.  
This could change before next May when there is the Swim England ACM.

All nominations unanimous confirmed

**11. Confirmation of County Appointments to Regional Committees & Sub Committees Appendix One**

One omission was K Willcox on the Para committee for Somerset  
This will be amended as more Counties have their AGMs

**12. Rule Changes as per Appendix Three and Four**

a) Roger Downing advised the council regarding the rule changes and amendments to the Handbook.

Vote to accept all amendments was unanimous.

b) Incorporation Resolution Appendix Five – Incorporation document was presented and voted on. This was accepted by a majority with 3 abstentions.

Questions raised – Sue Dors re the time frame for this to happen. Solicitors need to check the documents first and then a Special General Meeting to be held. Hopefully all will be ready to commence 01.01.2021. Maximum projected cost £8K

**13. Installation of 2020/2022 President – Mr Roger Downing**

The Chairman invited Mike Coles to say a few words following his year as President. Mike gave a review of his past year and thanked everyone for their support and help.

The Chairman then invited Roger Bossom on behalf of Devon to propose the 2020/2022 President Mr Roger Downing.

County endorsements received from Cornwall, Dorset, Gloucester, Somerset, Wilts.

Presentation of all silverware to be arranged at a later date due to Covid 19

**14. Presentation of Past Presidents' medallion to the retiring President Mr Mike Coles**

Presentation to be arranged at a later date.

**15. To confirm 2022/23 President- Elect from Cornwall**

Belinda Caslake gave a citation from Cornwall regarding Mr Chris Elliott.

**16. To consider the Swim England Annual Report and alterations to Swim England Law**

Annual Report is now online and there are no alterations to Swim England Law as no ACM has been held in 2020

End of formal business at 15.18

Les Jessop informed the council Wendy Hooper, Alan Burt officials in Dorset have passed away.

Bob Holman informed the council Tom Watch has also passed away.

Sue Dors asked where on the Swim England website their annual accounts were – The Chair responded that she would endeavour to find out and ask for a copy of the accounts from the Swim England Finance Director, Brian Havill.

Meeting finished at 15.30

## Appendix Two

### County Representatives to Regional Committees – updated Aug 2020

Committee	Cornwall	Devon	Dorset	Gloucester	Somerset	Wiltshire
Regional ACM	Chris Elliott	David Avery	Gerry Griffin	Brian Guy	Kelly Podbury	Michele Greenan
Regional ACM	Daniel Corbett	Karen Adams	Ray Honeybun		Fiona Bowen	Geoff Pearce
Regional ACM County President	Belinda Caslake	Roger Bossom	Les Jessop	Brian Armstrong	Ray Warren	Andrew Ryczanowski
Management Board	Dan Corbett	Colin Trudgeon	Andy Smart	Keith Smith	Graham Cockill	Paul Robbins
Diving	Club representatives					
Open Water	Jason Quiterio	Alison Browning	Gerry Griffin	Brian Armstrong	Nicky Taylor	TBA
Swimming	Chris Elliott	David Avery	Andrew Smart	Andy Osborne	Kelly Podbury	Sandra Yeoman
Masters	Cathy Ralph	Sue Haigh	Karen Yendole	Brian Armstrong	Philippa O'Grady	Andy Harris
County Technical Officials T&D Coordinator	Nick Jenkin	M Jeynes	Jill Beard	Neil Harper	Chris Metcalfe	Paul Robbins
Artistic Swimming	Christine Merrifield		Chris Seall		Mrs Alyson Bashford	Jean Pitfield
Water Polo	Anthony Stevenson	Brian Steer	Chris Pryke	John Spicer	Mike Coles	TBA
Para/ Disabilities	Chris Elliott	Maria Baker	Steve Johns	Kerry O'Reilly		Richard Smith

Appendix 3 Reference	New page 2020 21	Reason for change	New wording
Section 2 3 and 6		General improvements  to be removed from general rules etc	<ol style="list-style-type: none"> <li>1. Add <b>para-swimming</b> where missing</li> <li>2. Change <b>synchro</b> to <b>artistic</b></li> <li>3. Change regional <b>chair</b> to regional <b>office</b></li> <li>4. Historical Data; Key Volunteers and Regional Standing Committees to be moved to <b>Part 2 Sections 4-6 Swim England SW Region Yearbook</b></li> </ol>
			<b>SECTION 1 RULES</b>
1.1.3	7	<b>ADD</b> as this is missing at present	The status of the Region is an unincorporated association, operating as a voluntary body, to achieve the aims, as laid out in this constitution, on behalf of its members.
2.2	8	Up to date template 2018 wording	The region will obey and enforce the Articles, Regulations and Technical Rules of Swim England (“Swim England Regulations”)
3.1	8	Up to date template 2018 wording	The region is committed to treating everyone equally within the context of its activity and with due respect to the differences of individuals. It shall not apply nor endorse unlawful or unjustified discrimination and shall act in compliance with the protections afforded by the Equality Act 2010. The region shall implement the Swim England Equality Policy (as may be amended from time to time).
3.2	8	Up to date template 2018 wording	the region shall in accordance with Swim England Regulations adopt and comply with Swim England’s Child Safeguarding Policy and Procedures (“Wavepower”); and shall recognise that the welfare of children is everyone’s responsibility and that all children and young people have a right to have fun, be safe and be protected from harm.
5.1	9	Changes to strengthen Stronger Affiliation procedures	Any club applying to the Region for affiliation must submit its application to the county first. The county will check the new constitution and obtain from the club the various documents shown in the region’s procedures. This evidence plus confirmation of acceptance by the county Management, application form and any other evidence, when agreed, should be forwarded to the Regional Office. The Region must consider the application against the national criteria approved by the Swim England Board.

6.4	10	<b>ADD</b> as this is missing at present	<b>ADD ; - until such time as those liabilities are discharged</b>
7.3.1;2 & 3	11	change	<b>present and entitled to vote</b> <del>voting</del>
8.11	12	Change as at the present time we have no idea who our custodians are	<ul style="list-style-type: none"> <li>Any property of the Region, other than cash at the bank, must be vested in not more than four Custodians. They must deal with the property as directed by resolution of the Management Board, and an entry in the minutes shall be conclusive evidence of such a resolution.</li> <li>The Custodians shall be the Officers of the Region whose responsibilities as Custodians shall cease when they leave these posts.</li> <li>The names of the Custodians will be reported annually to Council.</li> <li>The Custodian(s) shall be entitled to an indemnity out of the property of the Region for all expenses and other liabilities properly incurred by them in the discharge of their duties.</li> </ul>
9.1.3	12	<b>ADD</b>	<p><b>Meeting attendance</b> All meetings may take place on a virtual basis with attendance at such meeting being by such electrical means as each committee may determine. The type and/or address of the meeting will be advertised when the agenda is sent to members Every Voting Member who is present shall have one vote.</p>
			<b>SECTION 2 MANAGEMENT BOARD</b>
RMB 1.1.10  1.1.11  1.1.12	17	<b>Add</b> to show up to date practices and improve clarity and governance	<p>The Chairman shall be the liaison officer between the Board and the regional staff for those areas of their performance in support of the Region's activities.</p> <p>Any Elected Board Member who is absent from three consecutive Management Board meetings between consecutive Annual Council Meetings, without having received leave of absence or giving any explanation accepted as valid by the Management Board, shall thereby vacate their seat on the Board.</p> <p>Board meetings shall be held at least quarterly (save where the Committee itself shall by a simple majority resolve not to meet), and the quorum of that meeting (including those attending electronically where this is permitted) shall be such number as shall represent not less than a</p>

			<p>simple majority of the Board members to include at least one Executive Officer.  Board meetings may take place on a virtual basis with attendance at such meeting being by such electrical means as the board may determine. The type and/or address of the meeting will be advertised when the agenda is sent to members  Every Voting Member who is present shall have one vote.</p>
RMB 2.1.18.	18	<b>ADD</b>	<p>Members of the Swim England Members' Forum will be appointed annually from the members of the new Regional Management Board. They will include the officers and county elected board members where numbers permit. Additional places will be appointed by the Board. Where Members are unable to attend the Swim England Annual General Meeting, the Board will arrange a replacement or proxy vote.</p>
2.2.2.1 & 3.4		change	<p><b>Simple majority 50%</b> of those <del>entitled to attend present and entitled to vote</del> shall form a quorum at the meeting. <del>voting</del></p>
			<b>SECTION 3 COUNCIL</b>
2.1 &			<p>The Annual Council Meeting shall be held in the months of March or April and may take place on a virtual basis with attendance at such meeting being by such electrical means as the board may determine. The type and/or address of the meeting will be advertised when the agenda is sent to members  Every Voting Member who is present shall have one vote.</p>
2.5		<b>ADD</b>	<b>present and entitled to attend and vote.</b>
3.1.5 4.8 5.1		<b>ADD</b>	<b>present and entitled to vote</b> <del>voting</del>

**Appendix 5**  
**AMATEUR SWIMMING ASSOCIATION SOUTH WEST REGION**  
**(Swim England South West)**

Resolutions to incorporate Amateur Swimming Association South West Region, which will involve transferring the Region's assets and activities to a new not-for-profit limited company called "Swim England South West Limited".

**RESOLUTION (1)**

The members of AMATEUR SWIMMING ASSOCIATION SOUTH WEST REGION authorise the Region's Management Board ("the Board") to take all necessary steps to incorporate the Region as a company limited by guarantee, and to arrange for new banking accounts in the new company, provided all the following conditions are met.

**The final decision to incorporate to be made at a Special General Meeting called to discuss the incorporation of the region**

Note: 'The Region' refers to the existing unincorporated organisation called Amateur Swimming Association South West Region, trading as Swim England South West, and 'the company' refers to the new company limited by guarantee.

The conditions are:

- a) that the company is registered at Companies House with Articles of Association that have been approved by the Region's membership
- b) that the Region will transfer its activities to the company and the company will continue these activities
- c) that no price will be payable to the Region by the company for the transferred property
- d) that the company has agreed to accept the property of the Region on the terms stated
- e) that all necessary consents have been acquired from third parties (if any)
- f) that on the Transfer Date (a date to be established by the Board following the company's registration) the Region shall deliver to the company all its cash and assets and shall assign all contracts and debts to the company
- g) that from the Transfer Date the company shall undertake and perform all contractual obligations of the Region
- h) that from the Transfer Date the Region appoints the company as its agent to collect in outstanding debts and discharge outstanding obligations
- i) that the company shall indemnify the Board of the Region against any liabilities which may arise from actions taken prior to incorporation, except for any which may arise because of fraud or gross negligence on any individual's part.

**RESOLUTION (2)**

- a. Once the transfer of assets and activities has been completed, the Board is authorised to close the Region's bank accounts, transfer all sums to the new company's bank accounts and the unincorporated association Amateur Swimming Association South West Region shall cease to exist. Consequential changes are made to the existing constitution.