



*Motorcycle Action Group*

**Minutes**

**of the**

**Motorcycle Action Group**

**Annual Group Conference**

**April 14, 2012**

Russell Cort, Deputy Rep for Wycombe MAG dealt with housekeeping issues and handed the meeting over to Paul Turner, Chair.

## **MAG (UK) Ltd Annual General Meeting**

### **1. Report by Chairman of the Board: *Paul Turner***

Paul reported that MAG's financial situation is good, that membership is up, and briefly introduced NC to Conference. He also asked Conference to note that Jol Lawson had withdrawn his nomination to the Board of Directors.

### **2. Report by Company Secretary: *Steve Wykes***

Steve confirmed MAG UK is solvent and operating legally. He also stated that a thorough review of procedures would take place following this AGM.

### **3. Finance Director's report: *Patrick Van Aalst* (see also attached)**

Patrick gave a run-down of income (up by £33,000) and expenditure (a reduction on last year, including FEMA subscription). Overheads were up and there was an increase in corporation tax. Overall MAG UK Ltd is doing well.

### **4. Finance questions**

Following questions from the floor, it was confirmed that it is down to the Regional Reps to distribute information to the membership; and that a rent and rates increase of £17,000 was due to MAG Foundation not having a payment recharged to them.

### **5. Appointment of Auditors**

Patrick van Aalst stated that five firms were invited to tender, four of which subsequently tendered. Each firm spent a day at Central Office before submitting a written tender. These were then scored, which eliminated two of the tenders including the existing firm of Stanley Yule. Of the remaining two, it was felt that one had made particular effort to get to know MAG as an organisation. Bishop Simmons were duly appointed Auditors.

It was asked whether or not Bishop Simmons are Chartered accountants and whether the fact that they are accountants would cause a conflict of interest. Patrick confirmed that they are Chartered accountants and that there would be no conflict, as they would not be overseeing MAG's accounts. He also stated following questions that the tender is for £3, 500 plus VAT and that this amount compared favourably with the other tenders but that cost was not the only factor taken into consideration, and that the Board were in full agreement with the appointment.

Conference was asked to show its approval with a vote, which was carried unanimously.

## **6. Resignation and election of Directors**

Paul Turner noted that there had been much discussion regarding this contentious matter in the run-up to AGC, and stated that personal attacks and shouting would be considered unacceptable. Anyone behaving in this manner would be given one warning, with further unacceptable behaviour resulting in an invitation to leave Conference. He then brought Conference up to speed on resignations and elections.

Sheila McFarlane resigned from the Board in December last year. Steve Wykes was co-opted onto the Board and retained his role as Company Secretary, which was agreed by the National Committee and the Board of Directors. Conference was asked to ratify this appointment and a vote was carried unanimously.

A point of order was raised from the floor to suggest that Manifestoes are considered invalid if not published in The Road in accordance with the Constitution, section 5(iii). Neil Liversidge noted that the member was correct; however in the event of accidental failure to give notice section 4(vii) provides for a minimum of seven days notice.

Paul Turner clarified that only Steve Wykes had been co-opted onto the Board of Directors; and that the Manifestoes of Neil Liversidge and Selina Lavender were submitted on time. Russell Cort (Wycombe) noted that MAG is a member-led organisation and the membership should have the right to say who leads and that there should therefore be a vote. Paul Turner clarified that both Neil and Selina would go through onto the Board and that any vote would be an endorsement rather than an election.

Further queries from Russell Cort were satisfactorily answered.

It was noted from the floor that there were five candidates for three positions.

Neil Liversidge noted that Directors are bound by the Constitution and as at the closing date only two candidates had put forward, therefore there was no contest, therefore both candidates were returned. He further noted that no candidate could know whether the Manifesto would be published in The Road and that lawful nominations were submitted.

Linda Farrugia (Hemel Hempstead) stated that she had not known about the vacancies and that both she and others could have applied if they had. Paul Turner noted that the vacancies to the Board were mentioned in The Road. John McCarty (Yorks) said that the National Committee decision should be binding.

Russell Cort stated that if a company advertises a vacancy but only receives one application, it does not subsequently employ the applicant if they are not the right person for the job. Nicki Gage (Yorks Rep) said that she asked her membership in July regarding Neil Liversidge and that he received the members backing and that he is the right person for the job.

It was suggested from the Floor that the members make the decision and should vote. Neil Liversidge pointed out that the National Committee has a responsibility to ensure that there is a full complement of Directors and can co-opt accordingly.

Paul Watts (Weston-super-Mare) felt that Conference should accept the decision but that the Constitution could be amended in future to prevent this situation arising again. A member from Studley MAG asked who had written the Constitution and Neil Liversidge replied "The Constitution was written by you".

Further comments and observations ensued from various delegates.

Rick Hulse stated that it is not the responsibility of the Candidates to ensure that their Manifestoes are published and observed that when the existing Board of Directors are consulting Neil Liversidge regarding interpretation of the Constitution it suggests that he is needed!

Ian Cook (E.Yorks) observed that MAG is two legal entities, registered with Companies House and that the rules of Memoranda & Articles have to be followed.

Paul Turner said that a procedural motion would be required to go to an individual endorsement of each candidate. Any candidate not endorsed at AGC still has a legal right to the position and that both Neil and Selina go through.

Jono Broad proposed, and Sharon Mitchell (Devon) seconded the motion that the candidates should be individually endorsed. **The vote was 183 for the motion, 49 against.**

John Thompson (Wycombe) sought clarification regarding the length of tenure, and Paul Turner confirmed that the term of office is four years, and following a further question from Christine Gregory confirmed that their positions are for the full four years as they are not replacements.

Justine Travis (Wakefield) stated that she had been in the post of Director for six years and clarified that the Directors deal with the Company and that their role is to ensure that MAG gets “biggest bang for its buck”.

Sean Harris (Reading) said that he had not seen the Manifestoes and could the candidates address Conference. Paul Turner noted that copies of the Manifestoes were available.

*(Conference pauses to applaud the eventual arrival of Ian Mutch, whose navigation skills are legendary (or something very similar!))*

It was decided that the candidates should be allotted three minutes each to speak on about their Manifesto.

Selina Lavender read out her manifesto.

Neil Liversidge said that a certain skills set is required for the role and that he felt that, through his marketing, financial control and staff management roles he had this. He likened the starting of a business to “rolling a boulder uphill”; that you can’t stop; and that being Chair of MAG is the same. In closing his remarks he stated that when you are involved with an organisation like this one “the choice is to be effective or be popular – I choose to be effective”.

Vote regarding Selina Lavender’s appointment to the Board of Directors:

**For: 239; Against: 0. Carried unanimously.**

Vote regarding Neil Liversidge’s appointment to the Board of Directors:

**For: 158; Against: 84. Carried.**

Greg Philipson stated that he thought the vote took place when the National Committee made the decision; Paul Turner noted again that this is an endorsement. He also thanked Conference for its conduct throughout this contentious matter.

It was asked why Max Philips was not given the opportunity to speak and it was clarified that he had previously withdrawn his application in writing.

Jenny Cook (NC) spoke on behalf of Jono Broad’s application to the Board, stating that he has experience in organisations similar to MAG and that he has the skills set required to take MAG forward.

Eddie Lowe spoke on behalf of Pete Walker’s application to the Board, stating that he has known Pete since the 1980’s and heard him speak at many AGCs. He noted that Pete has, for years, raised money for MAG and that he can do the same for MAG UK

Russell Cort asked if Pete Walker is a Director of MAP and Paul Turner said no.

Neil Stephenson asked whether Pete should be allowed to speak as a late candidate and it was decided that both candidates should speak.

Pete Walker then read out his Manifesto.

Jono Broad stated that he has been involved with MAG for less time but that he felt this brought a fresh look at the organisation. He said that he has been involved with setting up Salvation Army groups and drug and alcohol support provision. He stated that he felt that MAG has reached a crossroads and has an opportunity to exceed its expectations. Closing, he remarked that MAG will be better off “if we can move forward together”.

David (Warwickshire MAG Member) asked what activities Pete Walker is currently involved in for MAG and he replied that he organises various fund-raising rallies through Magic Action Promotions. David then asked whether this would constitute a conflict of interest in light of MAG having been “held to ransom” regarding the potential withholding of funds. Pete asked David to clarify what he meant by “held to ransom”. Bev Court (Wycombe MAG) said that an email had been sent by Nicki Gage (Yorkshire Regional Rep) stating that monies could be withheld from MAG. Nicki then stated that she had said that she would go back to her members to ask for direction on what to do with the funds.

Paul Turner pointed out that Pete Walker does not hold a Directorship in MAP and that the point was irrelevant. He then called the meeting to order following shouted comments from the Floor.

Rick Hulse then asked Jono Broad if he was prepared for all the flack he would get in taking up the position. Jono replied that he felt that the current structure of a Board of Directors and National Committee is not the best and that he would like to work to change this with a view to improvement to the structure.

Ian Cook voiced concerns as to whether Jono was clear regarding the differences between MAG UK Ltd, run by Memoranda & Articles of Association, and MAG the political body.

Jono responded that he was clear on this, but that he felt for best results it would be better to be run a single entity, also noting that everything is driven by the membership and such things cannot be changed arbitrarily.

Neil Liversidge asked about Jono’s business building experience. Jono responded that he had set up hospital radio. He also stated that, as a sufferer of Cystic Fibrosis, he does not work in an employed role, allowing him to be a full-time volunteer.

Ian Mutch asked to what extent he realised why the Board of Directors is split from the National Committee and used the analogy that NC is the “parliament” of MAG. Jono responded that he had not been aware of this, but that he is here for the future of MAG rather than its history. Ian then pointed out that reaching a crossroads does not necessarily have to involve change and Jono rejoined that change is usually needed but not for its own sake.

Neil Stevenson then asked what Pete Walker saw as the way forward for MAG. Pete stated that he felt the various parts of MAG are too intermingled and that although the Board needs to be strong, it should take direction from the National Committee and that retaining the separation and distinction is important.

Conference then voted.

**Votes for Pete Walker: 115; votes for Jono Broad: 122; Jono Broad duly returned as Director.**

Paul Turner noted a call for a recount but Pete Walker indicated that this was unnecessary. A Taunton member recorded his thanks for the work done for MAG by Pete Walker.

A Sheffield member said they understood there to be two seats vacant but Paul Turner clarified that there was only one.

Neil Liversidge raised a point of order, noting that historically a recount took place if the margin was less than 10%, and that a paper recount was called for.

Paul Turner noted that some delegates were already leaving the Floor pending the lunchtime adjournment and that a decision would be reached after this break.

*Break for lunch*

## **7. Summing up: Paul Turner**

Paul noted that a number of delegates had now left the Conference; also that as well as standing down as Chair, he would stand down as a Board member leaving the way forward for both Jono and Pete to be returned. Pete Walker said he would wish for a show of hands to ratify this. **An informal vote ratified both candidates.**

Pete Walker said that MAG needed to be “put back together after taking it apart this morning!” and further invited members of the NC to attend The Farnyard Party as a “sales team” in an attempt to increase conversions to membership from the 6000 attendees who are not MAG members.

## **MAG Annual Group Conference**

### **1. Handover of Conference chair to National Vice-Chair**

MAG UK AGM was duly closed and AGC opened, Conference chair being handed over to Jol Lawson.

### **2. Review of 2010/11 campaign activity: Paddy Tyson**

Paddy opened his remarks by noting that probably everyone had been busy on 25<sup>th</sup> September and then gave an overview of progress on current matters:

MEP's are starting to wake up regarding the forthcoming EU voting and Jon Strong's case has been upheld by the EU Ombudsman (a team from the British government is looking into this matter and it may yet be that they take EU to court). The Department for Transport has accepted our objections to the legislation.

Sunday 24<sup>th</sup> June would see another day of direct action, with 12 start points (one in each MEP constituency); MAG is talking to French, German, Dutch, Finnish and Irish rider's rights group regarding an attempt to coordinate action across the EU; a number of mainstream motorcycle magazines will be running articles. An informal show of hands indicated strong support for this event.

Neil Liversidge asked what the situation is currently regarding Sweden and Gerard Livett (currently General Secretary of FEMA) noted that they do not feel the need to demonstrate.

Jon Strong's case is still open, with the Ombudsman considering the case to be valid.

The hi-viz issue is not yet clarified as there is confusion regarding dayglo (daytime) and reflective (night time) materials.

Jon Strong's objection regarding the Super-MOT has held up its progression, but nothing is ever officially withdrawn, so it may be back on the table in June.

The DSA was described as “incompetent”; they have not provided any guidance to training schools regarding changes to the test, appropriate bikes for taking the test, etc. They have also trialled things that didn't need trialling so there was no funding for the second stage of trials. Minister Mike Penning subsequently provided more funding.

The reward scheme for information regarding motorcycle theft is being relaunched. It was noted

that people are being lost to motorcycling because of theft and that Thatcham have stated that it is easier to steal some vehicles with on-board diagnostics.

The Get a Grip! Campaign continues to open doors enabling an increase in getting motorcycling issues being examined locally.

Gary, (Sheffield MAG Member) asked if anything is being done regarding the M6 toll and Paddy confirmed that a campaign is underway led by Rocky and his team.

Gary Hiscocks suggested a similar campaign to those used for toll bridges but Rocky said that they had already spoken to the operators who have indicated that they are not bothered if action is taken and that to stand any chance of success it would have to be repeated regularly.

Derby members suggested talking to local councils to request improved signage for alternative routes to those with tolls.

Paddy then introduced Dr Leon Mannings who spoke about the bus lane schemes in respect to Westminster and Transport for London, and described a trial that took place to enable a shift in the argument to environmental benefits. The tests were carried out with both bikes and cars, which strengthened the argument. In response to a question from the Floor, Leon stated that this research "should" have an impact on road tax.

Paddy then closed his report by noting that there are now 73 functioning MAG branches throughout the UK, 40 of them having been set up in the last two years.

### **3. National Officers Reports**

*National Chairman: Paul Turner*

Paul opened his remarks by mentioning the September 25<sup>th</sup> Demo Day, noting the positive impact of the new Central offices; that MAG has more money in the bank; that membership is increasing. He further noted that we have a great passion for what we do and that this generates much debate.

He then said that he had thoroughly enjoyed his time as Chair of MAG but that he could not have done it without the team he had around him. He made particular mention of Jol Lawson, Vice-Chair, and the National Committee as a whole.

He closed by reminding Conference that each year a vote is taken regarding the free affiliation for NABD and National Youthbike and requested a show of hands. The vote was carried.

*General Secretary: Nich Brown*

Nich opened his remarks by clarifying the situation regarding hi-viz in France (a decree has been passed but it does not come into force immediately). He stated that membership for MAG is about to pass the 10, 500 mark; and made clear the difference between "Central" (the National Committee, etc) and "Central Office", which is a building with five employees, all of whom understand that without membership and fundraising, it would not exist.

He then mentioned that it had been a difficult year staffwise, with three members of staff suffering major injury or illness, effectively a loss of one employee over six months. He made special mention of Louisa, whose dedication to her role during difficult treatment has been outstanding, and said that the new membership administrator was looking promising.

Progress is being made regarding a new database, where we are at user acceptance stage where it is run in conjunction with the existing system initially). Ultimately this should mean that whoever answers an enquiry should know who they are talking to and what about.

Steve Peake asked whether the Direct Debit issue has been resolved yet and Patrick van Aalst stated

that everything is now set up with the bank and is ready for a live test.

A member from Reading asked whether the new database would have access to old Minutes, etc and Nich said that these would be available on the website.

*The Road: Ian Mutch*

Ian stated that he would incorporate this section into his President's Address.

#### **4. Election of National Officers** (Manifestos attached)

*National Chairman: Den Powell*

Proposed: Paul Turner, Seconded: Patrick Van Aalst.

*National Finance Officer: Patrick Van Aalst*

Proposed: Patrick Van Aalst, Seconded: Paul Turner.

**Both positions stood uncontested and votes of ratification were carried for both candidates.**

There were no nominees for National Clubs Officer.

#### **5. MAG Foundation report**

*General Secretary: Nich Brown*

Nich opened his remarks by explaining the role of MAG Foundation, which is charitable public interest work in relation to road safety and theft. There are no new projects currently and this is unlikely to change unless there are the people available to progress them.

An eye is being kept on the status of "charity" as against a "not-for-profit" organisation, which MAG is.

Neil Liversidge asked whether it might be better to wind up the Foundation and concentrate on political issues and that perhaps it has outlived its usefulness. Nich responded by explaining that it is not a straightforward process but that the Board of Directors and Trustees would discuss the matter.

Rick Hulse wondered if the perception is that the charity has been a "flag of convenience" regarding tax and if it is time for change.

Nich said that MAG UK does not benefit from the status of the Foundation and that it is time to look at the full range of things that we do.

#### **6. Report by FEMA President: Gerard Livett**

Gerard started by saying that membership of FEMA is going down, with Austrian and Portuguese rider's rights organisations unable to pay their membership fee.

FEMA continues to work in the area of research, with €690,000 funding from the EU.

The anti-tampering issue has receded; the argument being that it is not needed because a problem does not exist, and where it has been applied (i.e. mopeds) is has not worked. Gerard said that if the issue could be described as having been put on the back-burner, it had now "slipped behind the cooker"!



## **7. Motion to Conference** (see attached)

Proxy voting (Proposed: Russell Cort, Seconded: Bill Bird)

Russell Cort spoke in favour of the motion. He explained that postal voting had previously been rejected as members would be unable to hear arguments for and against a motion before voting. He stated that today's motion would mean that a member unable to attend AGC would "give" their vote to a proxy voter on the understanding that the proxy voter would decide how to vote on the day. He then outlined how this would work, as per the motion, stressing that members would approach their Regional Representative, who must be happy that the member understands how the vote works, that the process must be validated prior to AGC taking place and there would be a mechanism for discrepancies to be investigated.

Ian Mutch spoke against the motion, saying that although he appreciated the principal behind it, it was a potentially dangerous move. He said that members can become anxious or suspicious and that delegates may feel disenfranchised. He further stated that face-to-face debate brings with it "an intimacy and trust" and that MAG could be making a rod for its own back.

Steve Peake commented that he liked the sentiment behind the motion but that it would only serve to increase an already heavy workload.

Neil Liversidge observed that whilst he could "see the theoretical merit in it" for members unable to attend AGC, a previous scheme to car pool didn't work either. He then noted that elected officers of MAG attend around 30-40 occasions per year and that, with this in mind, it is not unreasonable to ask a member to turn up once.

Neil said that when electoral reform took place, resulting in postal voting, we ended up with a slew of electoral fraud investigations.

He closed his remarks by observing that today had been "a healing process" for MAG and that it would be dispiriting for members making the effort to attend AGC if a small number of people could then use a bloc vote.

Paul Watts (Weston-super-Mare) felt that such a system would create complacency among members.

Gareth (Cardiff MAG member) said that "if you are passionate enough about something, you have to be there".

Jono Broad said that MAG could look into the technology of electronic voting with a "one member, one vote" system.

Tony Nightingale (Mid Lincs) remarked on the comments regarding lack of information and said that information is readily available through The Road, Network, etc. He then said that he joined MAG because of its strapline "Let the rider decide" – not let the bloc vote decide!!

A further comment from the Floor suggested that where there is lack of understanding, there should be an improvement in top-down communication.

Conference then voted on the motion.

A few votes were in favour of the motion, but it fell with the vast majority of Conference voting against it.

## **8. Presidents Address: *Ian Mutch***

Ian opened by informing Conference that his bike has been left in Spain and that he arrived late after getting lost in Reading, with visions of AGC resembling a wedding with a confetti of torn-up

membership cards! He then noted that having avoided a “dreadful tailspin”, political action is a great thing that can be likened to a cash machine – if you press the right buttons you get what you want.

He noted that there has, in recent times, been a “terrific breakthrough” with the mainstream motorcycle media, with the Editor of MCN, and staff on Bike and Ride magazines now all members.

In summing up, he stated that MAG has “thrown a spanner in the works”, thus proving that the Brussels steamroller can be stopped.

*Items 9 and 10 switched*

## **10. Presentation of Donations**

Cheques were presented as follows:

by Vanessa Faetz on behalf of Yorkshire, including MAP: £100,000;

by Greg Philipson, on behalf of Stormin’ the Castle: £50,000;

by Blackpool MAG: £2,000.

## **9. Awards**

*The Freedom Award:*

Awarded to Anne Gale.

*The Steve Tannock Award:*

Awarded to East Yorkshire MAG.

*Richard Tegg Award:*

Awarded to Paul Mellor in respect to work resulting in getting the toll removed from the Tyne Tunnel (accepted on his behalf by Philly).

*The Media Award:*

Awarded to Streetfighter magazine.

*The Simon Millward Award:*

Awarded to Nick Sanders.

*The Chairman's Award:*

Awarded to Vanessa Faetz from Yorkshire.

*Certificates of Merit:*

Awarded to Jenny Cook, Mike Mallen, Phil Lum, Simon Frampton, Sean & Bear of PADMAG, Alan Langmaid, Jon Strong, John Groves, Gary Lloyd-Coxhead.

## **11. National Chairman's closing address**

Paul gave “huge thanks” to the organisers of this year’s AGC; to the Board of Directors; and to the delegates attending. He further wished all a safe trip home.

## **12. AGC 2013**

Jol Lawson announced that proposals for AGC 2013 should be submitted to NC as soon as possible.

*Conference closes.*

Minutes taken by Jane Carrott, 72474, Secretary Mid Lincs Branch.