

## **Does the result of the Scottish Independence Referendum offer a chance to resurrect the AAAoEngland?**

**Background.** There are many positive points arising from the hotly contested 18<sup>th</sup> Sept 2014 Scottish Independence Referendum.

Firstly the biggest plus has been the huge 84.6% turnout of voters. The whole Scottish population, and in particular the younger voters, has found a new and deep rooted awareness of the importance of politics in all walks of life. If this is followed by an upsurge in interest in all things political across the UK then that will be a major force for good.

Secondly there is now a commitment by political parties to look again at the rules allowing home countries with independent powers to vote on matters relating to other countries' operations. The so called West Lothian question has rankled with many for years. The fact that Scottish politicians have been able to vote in the Westminster Parliament on solely English matters has long been a controversial issue.

The West Lothian question has already determined the fate of athletics in England. The now infamous so called "Independent Poll of clubs" on the future of athletics in England which was held in October 2005 was heavily affected by the votes of Scottish clubs who were promised a handsome payout if the UKA backed changes took place. So they voted and helped to destroy the oldest Athletic Association in the world with its long and honourable history in favour of a new body – England Athletics.

ABAC fought long and hard to keep the AAAoE despite the actions of its Board who seemed hell bent on pressing the self destruct button. By a narrow margin and unarguably with the support of Scottish clubs the AAAoE lost its governing role.

Here is an extract from an article published by ABAC on the 26<sup>th</sup> January 2006.

### **ABAC 2006 article.**

***"England governance – the audit trail. The Articles of Association of AAAoE state that one of its objectives is to govern athletics in England. An EGM of AAAoE held on 10<sup>th</sup> December 2005 declined to pass governance to the newly formed England Athletics. The member clubs thus demonstrated to UKA Ltd that their plans for change were opposed.***

***UKA have claimed that an Independent Poll on the future of athletics in England which was conducted in October 2005 gave backing for plans to set up and pass governance to England Athletics Ltd.. However all the Celtic clubs were invited to participate and their votes were included in the poll count. ABAC has information that the Celtic clubs votes skewed the results and that if the Poll had been restricted to English clubs the proposed changes would have been rejected. Requests for a re-count excluding Celtic clubs have been ignored by UKA (The Foster Project Board).***

*Part of the plans for change include proposals to remove the right of clubs to affiliate to the existing three Territories from 1<sup>st</sup> April 2006. (Ref ABAC article dated 17<sup>th</sup> Jan 2006) As a consequence after April 1<sup>st</sup> 2006 clubs will not be automatically affiliated to AAAoE. As the IAAF takes into account where the loyalties of athletes and clubs lie future affiliation whether to UKA, AAAoE or England Athletics will be a major factor in determining who can claim to govern athletics in England.”*

*The question remains as to whether or not UKA can remove governance of athletics in England from the AAAoE.? UKA claims this right was inherited from the previous governing body The British Athletics Federation. (BAF). However individuals involved in the original setting up of BAF claim that AAAoE never handed over governance **in perpetuity** and that UKA Ltd has no such power.*

*In addition specialists in Company law claim that England Athletics Ltd should not have been incorporated because its Articles of Association conflict with and replicate those of AAAoE.*

***And finally many clubs in England claim that they should benefit from the same independence from UKA as do the clubs of the Celtic Nations.***

*Clearly all these claims should be checked before proposed changes are implemented. In the meantime clubs will need to decide on who they affiliate to after 1<sup>st</sup> April 2006.*

***What's in a name? A problem for England Athletics Ltd*** *In their rush to establish England Athletics Ltd UKA failed to consider the ownership rights of this title. It may be that they became side tracked early in 2005 when the plan was to close down AAAoE . Whatever the reason the title is in fact owned by AAAoE. The “England Athletics” title has been used by AAAoE since 1999 during which year it also invested substantial funds in producing a heraldic shield/logo. This intellectual property has proved particularly popular with English Teams and events and for promotional literature.*

*At an EGM of the AAAoE held on October 29<sup>th</sup> 2005 English clubs overwhelmingly voted for AAAoE to retain and maximise its assets and commercial property rights. The Directors and General and Management committees of AAAoE were charged with implementing this policy including retaining control of the “England Athletics” brand name. **This is important because clubs expect England Athletics to fail and that AAAoE will be needed to pick up the pieces.***

*The new England Athletics structure involves setting up 9 new regions which will add to costs and bureaucracy. In the short term this is of little concern to UKA as c£20million of legacy monies have been pledged by Tessa Jowell for the “modernisation” of athletics in the UK. However there is a problem with the proposed new structure which clubs pointed out immediately after the Foster modernisation report was published in May 2005. It will be costly to run and unsustainable after legacy funding runs out. The clubs’ position has been that they could only support a light touch management structure which would be sustainable without government funding. Clubs wanted less money spent on management and more on grass roots development.*

***The ABAC view.*** *The complex management structure which is being imposed as result of the Foster Report is in complete contrast to the small governing bodies in more successful athletic countries such as France, Sweden and the USA.*

1. *The amount of funding reaching grass roots has been abysmally small since UKA took over governance of athletics in the UK in 1997. This is in complete contrast to the situation in France, Sweden and the USA.*
2. *The performances of UK athletes and UK teams have declined rapidly since 1997.*
3. *The proposed re-organisation of athletics in England does not have the support of the majority of English athletic clubs.*
4. *The new structure for England puts clubs at a disadvantage to those of the Celtic Nations who receive grant aid direct from their individual sports councils.*
5. ***The AAAoE must be retained but re-organised so that it can continue to function until such time as the Athletics England structure ceases to be viable at which point it will be in a position to provide effective governance in England.***
6. *Clubs will need to affiliate to AAAoE after April 1<sup>st</sup> 2006 at which time the existing 3 affiliating Territories will have all their powers removed by UKA.*
7. *The AAAoE will need to address means of securing future funding for its own road, cross country and track and field championships - the rights to which it has retained following the initiative of English clubs at recent EGM's"*

*ABAC. Jan 26<sup>th</sup> 2006*

**ABAC comment 2014.** Eight years after the publication of this article by ABAC we can see that many of the predictions have proved correct. The shutting down of the 3 Territorial Associations proved a disaster and they have been resurrected albeit with their powers to raise funds from the unattached runner levy removed forever. Equally the 9 new regions set up by UKA to be governing bodies proved costly and were quietly scrapped in 2008. They remain as ineffective talking shops but to all intent and purpose have little effect.

What goes around comes around. Is it impossible to think that the Independent Poll of 2005 can be re-visited and on this occasion open to only English Clubs? Not too much to ask in this new age of enlightenment.

ABAC 21<sup>st</sup> Sept 2014

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**Footnote.** The release by Tessa Jowell of Legacy money in 2006 depended on athletics supporting the 2005 UK Sport "One stop plan" which required clubs to be disenfranchised and the AAAoE shut down. Although ABAC clubs called an EGM at

the end of 2005, which resulted in the AAAoE agreeing to carry on, changes were imposed on clubs and England Athletics was established. Clubs have no voting rights with regard to England Athletics operations.

In September 2005 the CEO of Scottish athletics wrote to all Scottish clubs recommending they vote for the abolition of AAAoE and the adoption of the “One stop” legacy plan. The legacy grants which rewarded them in the Financial years following the poll were:-

2007 - £126,713,      2008 - £278,744,      2009 - £176,962,

Therefore Scottish clubs voting on an English matter were rewarded with **£582,419**