REVIEW OF ADVENTURE ACTIVITIES LICENSING IN SCOTLAND

Proposal to create a
Scottish Adventure Activities Licensing Authority
and
Scottish Adventure Activities Licensing Scheme

March 2015
CONTENTS

CONTENTS ........................................................................................................................................ 3
FOREWORD ........................................................................................................................................ 5
SAAF SUMMARY ........................................................................................................................... 7
SAAF RECOMMENDATIONS ........................................................................................................ 9
  LICENSED ACTIVITIES ................................................................................................................. 9
  REGISTRATION ............................................................................................................................ 9
  COST AND DURATION OF LICENSE ......................................................................................... 10
  INSPECTION AND BEST PRACTISE ....................................................................................... 10
  OPTING IN ................................................................................................................................ 11
  CROSS BORDER ARRANGEMENTS ......................................................................................... 11
  REVIEW OF LICENSING ........................................................................................................ 12
  CONCLUSION ............................................................................................................................ 12
THE REVIEW PROCESS ............................................................................................................. 13
  INTRODUCTION ....................................................................................................................... 15
  BACKGROUND .......................................................................................................................... 15
THE BEVERIDGE MARSHALL SERVICES LTD PROJECT BRIEF ............................................. 18
METHODOLOGY ........................................................................................................................ 19
THE FINDINGS ............................................................................................................................. 21
  THE CONSULTATION MEETINGS ........................................................................................ 21
  OPTING IN ................................................................................................................................ 22
  LANGUAGE ................................................................................................................................ 22
THE ONLINE SURVEY ................................................................................................................. 23
  SECTION A: ABOUT YOU? .................................................................................................... 23
  SECTION B: ABOUT YOUR INTEREST IN LICENSING? ......................................................... 25
  SECTION C: DEFINITION OF IN-SCOPE ADVENTURE ACTIVITIES .................................... 32
  SECTION D: REVISION OF IN-SCOPE ACTIVITIES ............................................................. 36
  SECTION E: FREQUENCY, DURATION AND COST OF LICENSING ..................................... 38
  SECTION F: INSPECTIONS AND BEST PRACTICE ................................................................ 41
  SECTION G: OTHER MATTERS ............................................................................................. 44
OTHER RELEVANT CORRESPONDENCE .................................................................................. 47
  LETTER FROM THE ADVENTURE ACTIVITIES LICENSING AUTHORITY (HSE), ........ 47
  OTHER CORRESPONDENCE ................................................................................................. 48
GENERAL CONCLUSIONS & OUTSTANDING ISSUES .................................................. 49

DEFINITION OF IN-SCOPE ACTIVITIES .................................................................. 49
REVISION OF IN-SCOPE ACTIVITIES ..................................................................... 49
FREQUENCY, DURATION AND COST OF LICENSING ............................................... 49
INSPECTION AND BEST PRACTICE ....................................................................... 50
OPTING-IN .................................................................................................................. 50
CLARIFICATION OF THE REGULATIONS ................................................................. 50
CROSS-BORDER ARRANGEMENTS .......................................................................... 50
REVIEW OF LICENSING .......................................................................................... 50
LANGUAGE ................................................................................................................. 51

POTENTIAL OPTIONS & RISK ANALYSIS ............................................................... 52

APPENDICES ............................................................................................................. 58
A) BRIEFING DOCUMENT ......................................................................................... 58
B) THE CONSULTATION PPT PRESENTATION ......................................................... 61
C) THE ONLINE SURVEY .......................................................................................... 67
D) ANY CORRESPONDENCE ..................................................................................... 76
E) SCOTTISH ADVENTURE ACTIVITIES WORKING GROUP (SAAWG) ............... 80
F) SCOTTISH ADVENTURE ACTIVITY FORUM (SAAF) ......................................... 81
   Members .................................................................................................................. 81
   Observers ............................................................................................................... 82
   SAAF Licensing Working Group .......................................................................... 82
G) SAAF TERMS OF REFERENCE ......................................................................... 83
H) BEVERIDGE MARSHALL SERVICES LTD ............................................................. 87

GLOSSARY & REFERENCES ....................................................................................... 88

GLOSSARY .................................................................................................................. 88
REFERENCES .............................................................................................................. 88
FOREWORD

My sincere thanks to all those who participated in meetings, surveys and discussions, and gave their thoughts and ideas freely – your views have helped to form the outcomes of this work.

Thanks also to Beveridge Marshall for all their enthusiasm and hard work in pulling this piece of work together in relatively short time. We must also thank sportscotland for their support of SAAF which has allowed us to take on this work.

Finally, and most importantly, thanks to the SAAF working group – Debbie Williams, Mike Masino and Nick Cole for their hard work in getting this project off the ground, for contributing regularly to the management of all of the activities and for all their input to this final document.

Jane Campbell Morrison
Chair
Scottish Adventure Activities Forum – March 2015
SAAF SUMMARY

The Adventure Activities Licensing Authority (AALA) was established by the Activity Centres (Young Persons’ Safety) Act 1995, with the accompanying Adventure Activities Licensing Regulations in 1996. These regulations were last reviewed in 2004.

Lord Young, in his report *Common Sense, Common Safety* published in 2011, recommended that Adventure Activities Licensing in the UK should be abolished and the licensing regime be replaced with a voluntary Code of Practice (COP).

Scottish Government expressed its concerns to the UK Government regarding the abolishment of Licensing without any proper consultation and decided to seek clarity on what was the best option for Scotland by forming its own Scottish Adventure Activities Working Group (SAAWG) which carried out a consultation in 2012.

Whilst the consultation was being prepared Scottish Government established that although the current Activity Centres (Young Persons’ Safety) Act 1995 is UK wide legislation, the subject matter of the 1995 Act involved both devolved and reserved matters.

On the 27th June 2012 Scottish Ministers announced that a statutory licensing scheme for adventure activities would remain in place in Scotland, and become a fully devolved responsibility.

The Scottish Adventure Activities Forum (SAAF) was setup in the 1990s as a voice for the adventure activity industry, and includes representation from activity providers, large and small, commissioning bodies such as Local Authorities and other national organisations such as DoE, Skills Active and the third sector. The Health and Safety Executive and Scottish Government also participate and contribute on a regular basis.

In September 2014 Scottish Government tasked SAAF with taking forward the work of the Scottish Adventure Activities Working Group (SAAWG); to investigate in consultation with Scottish users and providers of Adventure Activities the findings of the SAAWG and provide information which will further inform Scottish Government’s decision-making relating to Adventure Activity Licensing in Scotland. (Pages 15, 16 & 17).

In October 2014 Beveridge Marshall Services Ltd (BMSL) were commissioned by the Scottish Adventure Activities Forum (SAAF) to assist SAAF achieve the aim of providing information to Scottish Government which will help inform its decision regarding the future of Adventure Activities Licensing in Scotland. (Page 18)

In conjunction with SAAF, BMSL:

1. Prepared a Briefing Document which summarized the existing license scheme and set out concisely the aims and objects of the 2014-15 SAAF/Scottish Government Consultation (PS8-60).
2. Created an On-line Survey (Results P23-51 & questions P68-75) which was completed by 235 stakeholders (Q1, P23) plus a written response from Health and Safety Executive (P76).

3. Interviewed a wide range of interested parties at 4 Consultation Events during December 2014 at Glasgow, Edinburgh, Inverness and Dumfries (P21 & 22).

4. Provided briefings for SAPOE, Wild Scotland Conference, Association of Heads of Outdoor Education Centres (AHOEC) and a variety of groups and providers not contacted by Scottish Government.

5. Produced a Draft Report, outlining the key findings of the review, for the SAAF AALA Working Group on the 16th January 2015. The Second Draft was then presented to SAAF on the 23rd January 2015.

This document is the final report produced by BMSL, together with the SAAF Summary and Recommendations. References to the final report are given by page number of the report (example P4-7) and by question number of the survey (example Q1).
SAAF RECOMMENDATIONS

‘THAT YOUNG PEOPLE OF SCOTLAND CAN CONTINUE TO HAVE OPPORTUNITIES TO EXPERIENCE EXCITING AND STIMULATING ACTIVITIES OUTDOORS WHILE NOT BEING EXPOSED TO AVOIDABLE RISKS OF DEATH & DISABLING INJURY’. (AALA L77 2004)

As a result of the consultation and meetings to discuss this consultation, SAAF make the following recommendations to Scottish Government:

Licensed activities

The Licensing description of an in-scope adventurous activity is no longer fit for purpose. (Q16, P32-33)

SAAF proposes a generic definition for an adventurous activity together with a list of adventurous activities that are included by the definition (and a further list of those activities that are not included to avoid capturing unintended activities, which are covered by other regulations). This list (or schedule) should not be in primary legislation but included as guidance or a code and hence can be reviewed on a regular annual basis to ensure future proofing. This licensing definition should apply to those under 18. (P32-35)

Ministers have already determined that the voluntary sector and sports clubs should remain exempt from this legislation.

Registration

The majority view is for a self-assessment return to the Licensing Service, followed by an assessment by the Licensing Authority to target and prioritise inspections. All providers who deliver an adventurous activity on the ‘list’, to persons under the age of 18 and for a fee, will be required to:

i) register with Scottish Government
ii) complete a self-assessment form
iii) pay a small fee
iv) make themselves available for inspection
v) display their certificate or license

The view of SAAF is that this will bring many more providers into the scope of the legislation which will have the following benefits:

i) increase participation of young people of Scotland in adventurous activities;
ii) increasing the number of operators holding a license;
iii) reduce the need for annual inspection
iv) reduce the cost of holding a license, in particular making it proportional to the actual risk and level of activity.

v) act as a spur to improve standards across the whole of the industry, not just that applicable to young people.

vi) assist in wider promotion of Scottish Government policies, particularly those relating to health, education and sport.

Cost and duration of license

SAAF recommends that fees should be significantly lower than at present. We expect that service running costs will be offset by a much greater take up of licences and a more appropriate risk related inspection regime. This is to ensure that providers are not discouraged from providing activities to those under 18 due to any disproportionate costs. (P40 Q26 & P55).

SAAF recommends that the Scottish Government should subsidise the licensing service in recognition of the adventurous activities very great contribution to encouraging activity participation in young people and the contribution to the rural economy of Scotland.

SAAF would suggest that a staged payment scheme be implemented, which could be particularly helpful to smaller providers who experience seasonal cash flow challenges or to local authorities who could budget for a fee for a 3 year license over a 3 year period. The duration of a licence should remain the same.

Inspection and Best Practise

Inspection. The general consensus is that the inspection process works well, especially because the inspectors are respected for their knowledge and experience in the outdoor sector. It is recommended that a self-evaluation style scheme would provide more structure to the process. (P41 Q27-Q29)

Frequency of inspection. SAAF believe that the frequency of inspection should be based on a self-assessment of the management of safety by the licence applicant or holder and agreed with the licensing authority. This should be done by a competent person appointed to carry out inspections. We believe that every new entrant should receive an inspection before being permitted to offer activities as at present. Subsequent inspections should be made at such intervals as the Scottish AALS deems appropriate in relation to the risk entailed in the activities carried out. First applications and renewal applications need to contain sufficient detail to enable appropriate decisions on what to inspect and when to carry out inspections.

Dissemination of best practise. It is noted that the outdoor sector could do more itself through workshops, conferences. In this respect NGB’s and other national bodies have a role to play, while AALA and AALS could be more proactive in flagging up changes, developments and sharing good practice through a range of web and
social media. The licensing scheme is a reflection of best practice which should be disseminated widely across the sector including charities, voluntary organisations and clubs. It is noted that some NGBs already promote ‘continuous improvement and development’. (P42-43 Q30 & Q31)

**Opting in**

A number of organisations currently out of scope have, once again, expressed a desire to opt-in (Q32 & Q33, P44). It should be noted that AALA have stated that there could be possible regulatory and enforcement issues surrounding having them in the same scheme, but a parallel scheme may be a possibility.

It is the view of SAAF that, with a generic definition for an adventurous activity together with a list of activities included in the definition, many more providers would be brought into scope which would reduce the need for ‘opting-in’. Currently small providers are effectively excluded because the relatively small and irregular amount of business from young people often fails to justify the costs of licensing. A parallel scheme, similar to that used for minibuses through sect 19 permits, may be appropriate for out-of-scope providers and voluntary clubs and other similar organisations.

While the legislation is intended to ensure safe adventurous activities for young people, the provision of a ‘badge of excellence can assist in promoting many of the wider aspects of the Scottish Government’s health and education policy aims. The revision of the scheme is also an opportunity to ensure we facilitate and extend the curriculum for excellence and contribute to the learning for sustainability agenda ensuring regular, well planned and safe outdoor learning experiences for all our young people. All of which are relevant at all ages not just the under 18s.

**Cross border arrangements**

The majority view is that this is an important issue (P44-45 Q35). HSE has advised that ‘cross border arrangements’ will need discussion with Westminster to get mutual regulation (P76-79).

It is recommended that licence holders from England and Wales will continue to be able to operate in Scotland, in compliance with Scottish rules. Until the new Scottish Licensing regime is formulated it is unclear whether Scottish Providers could operate in other parts of the UK. It is recommended that some form of mutual recognitions scheme is devised.

It should be noted that the recommendations outlined above do not reduce the protection afforded to young people, but relate to a more cost and operationally effective system.
Review of licensing

SAAF recommends that there should be a periodic review of licensing with an annual review of the list (or schedule) of activities. (P39, Q36 P45, P53, P55). SAAF would welcome the opportunity to take on this role using our industry wide expertise and knowledge.

Conclusion

The Scottish Adventure Activities Forum is keen to share its’ enthusiasm for the outdoors and adventurous activities with as many people as possible.

Adventurous activities prepare a wide range of age groups for their own challenges, stimulate a passion for the outdoors and develop a thirst for learning.

Therefore it is important to reflect all of these aspects within any legislation that may be produced to govern adventurous activities in Scotland and at the same time capture the spirit of Scotland’s wild places.
The Review Process and Consultation Report

ADVENTURE ACTIVITIES LICENSING IN SCOTLAND

March 2015
Introduction

The Adventure Activities Licensing Authority (AALA) was established by the Activity Centres (Young Persons’ Safety) Act 1995, the accompanying Adventure Activities Licensing Regulations in 1996.

The Act was passed following the Lyme Bay canoeing tragedy in March 1993, when four young people lost their lives. The aim of the Adventure Activities Licensing Authority is to license providers of adventure activities in the fields of caving, climbing, trekking and water sports and therefore to provide assurance to users that providers of adventurous activities are compliant with relevant health and safety legislation.

The AALA also ensures that providers are following good safety management practice so that young people can experience exciting and stimulating activities outdoors, while not being exposed to the avoidable risk of death or disabling injury.

The current position is; The 1995 Act and the Adventure Activities Licensing Regulations 2004 require providers of adventure activities for young people under the age of 18 to hold a license.

Background

Lord Young, in his report Common Sense, Common Safety published in 2011, recommended that Adventure Activities Licensing in the UK should be abolished and the licensing regime be replaced with a voluntary Code of Practice (COP). The UK Government accepted the recommendations and committed to remove Adventure Activities Licensing and replace it with a Code of Practice that HSE would oversee and monitor.

Lord Young’s recommendations although accepted by the UK Government were not universally accepted by the Adventure Activities Industry and many user groups including local authorities also expressed their concerns. Despite representation to the UK Government that there could be merit in retaining a statutory regime by these respected stakeholders the UK Government continued to implement Lord Young’s recommendations and entered into consultation to consider what shape the proposed voluntary Code of Practice should take.

Meanwhile, Scottish Government expressed its concerns to the UK Government regarding the abolishment of Licensing without any proper consultation and decided to seek clarity on what was the best option for Scotland by forming its own Scottish Adventure Activities Working Group (SAAWG). The group was tasked to investigate the best way forward from the Scottish perspective.

The SAAWG was formed from a group of respected authorities and individuals associated with the delivery and use of Adventure Activities in Scotland. The recommendations of this group led Scottish Government to enter into consultation to determine whether Adventure Activities Licensing should be retained in Scotland. Whilst the consultation was being prepared Scottish Government established that although the current Activity Centres (Young Persons’ Safety) Act 1995 is UK wide legislation, the subject matter of the 1995 Act involved both devolved and reserved matters. Therefore, in order for the Act to
be repealed, Scottish Parliament had to be given the opportunity to provide its consent. The legislative mechanism used to do this is called the Legislative Consent Motion.

Scottish Government therefore concluded that it had the authority to develop its own solution if appropriate.

In 2012 the Scottish Government Consultation on the Future of Adventure Activities Licensing took place and Scottish Ministers took the view that:

“Scottish Ministers appreciate that adventure activities have inherent risks, but clearly these need to be manageable. Therefore the replacement for AALA in Scotland will need to meet the needs of Scottish providers and users whilst being robust but also proportionate. In order to deliver our policy aspirations of increasing physical activity and the number of opportunities for outdoors activities, any replacement must provide confidence to users and the wider public while not creating barriers to participation. It should also enable the sharing of adventure activity good practice throughout Scotland.”

(SG Consultation on developing a Safety System for Adventure Activities in Scotland – January 2012).

The Consultation took place between the 6th January and 31st March 2012 and on the 27th June 2012 Scottish Ministers announced that a statutory licensing scheme for adventure activities would remain in place in Scotland.

“We need a robust and proportionate safety system for adventure activities in Scotland which meets the needs of Scottish providers and users. I welcome the responses we received to the consultation and I have now been able to fully consider the views that have been expressed. It is clear that that there is a strong view, particularly from those in education and local government, of the need for a statutory scheme to provide the reassurance that parents require and more broadly to users, their families and the wider public. However, I have also noted the widely supported view that sports clubs should continue to be exempted from licensing to ensure there is no adverse impact on participation levels. I have now written to the UK Government asking for the statutory framework for AALA to be retained for Scotland.”

(Shona Robison - Scottish Minister for Sport - June 2012).

This announcement was followed by further meetings of the Scottish Adventure Activities Working Group (SAAWG) and recommendations from the group led Scottish Government to take the view that:

A statutory scheme should be in place in Scotland underpinned by an inspection regime.

There should be exemption of the voluntary sector and sports clubs to ensure there is no adverse impact on participation levels.

1. There should be an ‘opt-in’ to the scheme for those organisations currently out of scope of the Adventure Activity Licensing scheme.

2. The scheme should be revised and made more “fit-for-purpose”.
In September 2014 Scottish Government tasked the Scottish Adventure Activities Forum (SAAF) with taking forward the work of the Scottish Adventure Activities Working Group (SAAWG); to investigate in consultation with Scottish users and providers of Adventure Activities the findings of the SAAWG and provide information which will further inform Scottish Governments decision-making relating to Adventure Activity Licensing in Scotland.

A report from SAAF will be made to Scottish Government by 31st March 2015.
THE BEVERIDGE MARSHALL SERVICES LTD PROJECT BRIEF

Beveridge Marshall Services Ltd (BMSL) were commissioned by the Scottish Adventure Activities Forum (SAAF) on the 28th October 2014 to provide the following support services: assist SAAF achieve the aim of providing information to Scottish Government which will help inform its decision making regarding the future of Adventure Activities Licensing in Scotland. The Scottish Adventure Activities Forum was provided with funding from Scottish Government for this work.

These support services include:

1. Support SAAF in facilitating the review of the Adventure Activities Legislation in Scotland.
2. Set up discussion meetings in 4 areas of Scotland to inform the industry and signpost the on-line survey.
3. Correspond and consult with industry professionals, industry bodies, AALA licence holders, employers, client groups and National Governing Body organisations, SportScotland National Centres, AALS and HSE.
4. Provide interim reports and assist in writing the final report.
METHODOLOGY

A timetable was agreed for the completion of the project.

1. A Briefing Document was required which summarized the existing license scheme and set out concisely the aims and objects of the 2014-15 SAAF/Scottish Government Consultation. This document was adapted and used in a variety of contexts including: The SAAF Website, Scottish Governments Notification of the Consultation Events & Online Survey, as part of the information provided at the Consultation Events and as the ‘Introduction’ to the Consultation Events on the PowerPoint Presentation.

2. An On-line Survey was created to consult on the issues outlined in the project brief. That is, the survey was not required to deal with the question surrounding the need to retain licensing but more about what shape it should take so that it would be ‘more fit for purpose’ and has reasonable longevity. The essence of the survey therefore was to look more closely at the Regulations and to test their relevance today. This required a ‘narrative’ response to many of the questions rather than a yes/no answer. This was intentional as BMSL were keen to receive constructive input from the industry and comment from as many arena’s as possible. The Survey also sought responses to certain propositions for example: Cross Border arrangements and Validated Self Evaluation.

3. Materials were prepared for a variety of meetings. Regular video conferences were attended by BMSL and these invariably required some preparation. The formal SAAF Meetings required PowerPoint and hard copy information for the membership. Reports from a variety of meetings were provided to SAAF – Wild Scotland Conference, SAPOE Meeting, meetings with Scottish Government and post Video Conference Notes were provided. PowerPoint presentations were provided for the Consultation Events and an Interim Report was also prepared.

4. BMSL interviewed a wide range of interested parties at the Consultation Events and provided briefings and support at the SAPOE Meeting and at the Wild Scotland Conference. Other groups approached included Association of Heads of Outdoor Education Centres (AHOEC) and a variety of groups and providers not contacted by Scottish Government.

5. Support was provided at all the Consultation Events during the week of 8th December 2014 at Glasgow, Edinburgh, Inverness and Dumfries. This support included: ensuring all was in place for the event, providing support to the Chair and the recording of any relevant information.

6. The aim was to analyse the results of the consultation meetings and interviews ready for inclusion in the Draft Report by the 16th January, 2015.
7. The Draft Report outlining the key findings of the review was produced for the SAAF AALA Working Group on the 16th January 2015. The Second Draft was then presented to SAAF on the 23rd January 2015.

8. The Report provides a proposal based on the findings of the review. The Report also contains a risk analysis based on the implementation of the proposal.

9. BMSL will support SAAF in the delivery of an industry-wide conference as required.

10. The SAAF Working Group monitored and guided the direction of the work done throughout the consultation process.
THE FINDINGS

The Consultation Meetings

One hundred and three people attended the Consultation Meetings in Glasgow, Edinburgh, Dumfries and Inverness over the week of 8th December 2014.

The aim of these Consultation Meetings was to brief interested stakeholders on the Online Survey and to provide the opportunity to discuss and explore potential changes to licensing. In many instances the responses and comments made complimented the questions posed by the Online Survey. (See Appendix C).

Themes emerging from these discussions were as follows:

- A new generic definition for In-Scope Activities is a popular option.
- General Headings for the activities were considered a good idea but the existing headings need to be redefined.
- Too many activities are currently out of scope. Ropes Courses, Climbing Walls and Skiing should be in scope.
- NGB Inspections deserve greater recognition.
- The Inspection regime must be robust but at the same time supportive.
- Spot checks without specific prior notification would be a good idea.
- Peer Inspections i.e. Inspector accompanied by a Provider would help disseminate good practice.
- Validated Self Evaluation was welcomed as a proposition but must be supported by an Inspection at some stage in the process.
- Greater emphasis should be made of inspecting the Governance and Procedural aspects of a Provider in the context of safety.
- There is inconsistency in the thoroughness and approach of the inspections. It would be prudent to rotate inspectors.
- Frequency and cost of Inspections should relate to the size, nature and quality of the operation.
- Should Licensing in Scotland apply to young people under the age of 16?
- Cross border arrangements need to be considered.

Many diverse views were expressed which are worthy of consideration when Licensing and its future are being shaped.
Opting In

‘Badge of Credibility’ — a description used at one meeting to describe Adventure Activities Licensing. This term was used during discussion relating to ‘opting in’. Those currently exempt should be encouraged to opt in was a view which was widely expressed at the meetings.

Another statement was made that:

“All providers of Adventurous Activities should be licensed regardless of their status.”

The point made was that; if it is the intention that Adventure Activities Licensing has to deal with the perception of risk and provide reassurance that Outdoor Adventurous Activities are safe then it is incongruous to make anyone exempt from the process.

Language

There was much discussion regarding the language used in the context of Adventure Activities Licensing. Some of this language is open to interpretation and it needs to be properly defined so that providers and users are clear in their mind about what a term means. A very good example of this was discussed around the following statement which is taken from the: Guidance from the Licensing Authority on the Adventure Activities Licensing Regulations 2004, The Activity Centres (Young Persons’ Safety) Act 1995.

“Young people can experience exciting and stimulating activities outdoors, while not being exposed to the avoidable risk of death or disabling injury.”

A proposal was fielded at more than one venue during the Consultation Meetings that: Being exposed to ‘death or disabling injury’ should be changed to ‘death or permanently disabling injury.’

It is clear from the discussions that surrounded this proposed amendment that there are strong views on how these statements are interpreted. The use of this language is further confused because the only obvious case law relates to an electrocution. It would seem prudent to use language that is consistent within the context of Adventure Activities that everyone understands.

The issue seems to be:

If we can accept that all injuries are disabling to some degree, even a minor cut. Then a minor activity with little significant risk could theoretically fall into the scope of licensing. However the converse of this would be if an activity must have the potential to be ‘permanently disabling’ is this too high a level of injury? In other words the activity would need to have the potential to seriously injure before the activity would be licensable.

What is reasonable in this context?

Are the terms ‘disabling injury’ and ‘permanently disabling’ injury appropriate.
THE ONLINE SURVEY

Produced the following results and comments.

Section A: About You?

The Online Survey returned 235 responses from the following stakeholders:

<table>
<thead>
<tr>
<th>Stakeholder</th>
<th>Number of responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Providers (Licence holders, LA’s, Out of Scope Organisations)</td>
<td>169</td>
</tr>
<tr>
<td>Local Authority</td>
<td>55 from 25 LA’s</td>
</tr>
<tr>
<td>National Organisations (NGB’s, Princes Trust, DofE)</td>
<td>22</td>
</tr>
<tr>
<td>Sports Clubs</td>
<td>14</td>
</tr>
<tr>
<td>Education</td>
<td>9</td>
</tr>
<tr>
<td>Voluntary &amp; Uniformed Organisations</td>
<td>7</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>9</td>
</tr>
<tr>
<td>Incomplete</td>
<td>26</td>
</tr>
</tbody>
</table>

**Q4:** Is your organisation based in Scotland?

**Comment:** 96% of the respondents are based in Scotland.
Q5: Where is it based?

Comment: There were 9 responses from organisations based outside Scotland. 7 additional responses by organisations based in Scotland claimed to be based elsewhere by mistake.

This was a better than expected return on what has been described as a technical survey. The responses from stakeholders are almost entirely from Scottish Stakeholders.

The 235 responses to this survey represent a 25% increase in returns compared to the previous survey about ‘Licensing in Scotland’ in 2012.

The information from the survey with comment is listed in the following pages.
Section B: About your interest in Licensing?

Q6 Where do you work in Scotland

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses %</th>
<th>Actual number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argyll &amp; Arran</td>
<td>29.79</td>
<td>70</td>
</tr>
<tr>
<td>Northern Isles</td>
<td>14.47</td>
<td>34</td>
</tr>
<tr>
<td>Western Isles</td>
<td>22.13</td>
<td>52</td>
</tr>
<tr>
<td>NE Scotland</td>
<td>27.23</td>
<td>64</td>
</tr>
<tr>
<td>Central Belt</td>
<td>52.34</td>
<td>123</td>
</tr>
<tr>
<td>Highlands</td>
<td>50.21</td>
<td>118</td>
</tr>
<tr>
<td>Southern Scotland</td>
<td>42.13</td>
<td>99</td>
</tr>
</tbody>
</table>

TOTAL RESPONSES: 235

Q7: Do you operate exclusively in Scotland?

Comment: 66% of the stakeholders operate solely in Scotland.
### Q8 Are you? (Tick all relevant answers)

![Bar chart showing responses to various categories]

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses %</th>
<th>Actual number</th>
</tr>
</thead>
<tbody>
<tr>
<td>A provider of adventurous activities</td>
<td>74.45</td>
<td>169</td>
</tr>
<tr>
<td>A UK-wide body</td>
<td>5.73</td>
<td>13</td>
</tr>
<tr>
<td>A NGB or national representative organisation</td>
<td>11.45</td>
<td>26</td>
</tr>
<tr>
<td>Represents a local authority leisure trust</td>
<td>3.52</td>
<td>8</td>
</tr>
<tr>
<td>Represents a local authority</td>
<td>24.23</td>
<td>55</td>
</tr>
<tr>
<td>From the education sector</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Represents a sports club</td>
<td></td>
<td></td>
</tr>
<tr>
<td>An interested parent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part of the uniformed youth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Represents a user group for over 18’s</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Represents a user group for under 18’s</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Table continued on next page...*
<table>
<thead>
<tr>
<th>Answer Choices – Continued…</th>
<th>Responses %</th>
<th>Actual number</th>
</tr>
</thead>
<tbody>
<tr>
<td>From the education sector</td>
<td>32.60</td>
<td>74</td>
</tr>
<tr>
<td>Represents a sports club</td>
<td>13.66</td>
<td>31</td>
</tr>
<tr>
<td>An interested parent</td>
<td>7.05</td>
<td>16</td>
</tr>
<tr>
<td>Part of the uniformed youth organisations</td>
<td>5.73</td>
<td>13</td>
</tr>
<tr>
<td>Represent a user group for Over 18’s</td>
<td>14.54</td>
<td>33</td>
</tr>
<tr>
<td>Represent a user group for Under 18’s</td>
<td>21.15</td>
<td>48</td>
</tr>
<tr>
<td><strong>TOTAL RESPONSES: 227</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comment:** The majority of the responses are from Providers (Licence holders, LA’s and Out of Scope Organisations). 16 Respondents classified themselves as others.

**These were:** 5 Youth Organisations, 1 Trade Union, 3 Scouts & Colleges, 2 Adventure Activities Consultants, 3 Charities and 3 Others.
Q9 If you are an adventure activity provider, are you?

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses %</th>
<th>Actual number</th>
</tr>
</thead>
<tbody>
<tr>
<td>From a local authority</td>
<td>33.74</td>
<td>55</td>
</tr>
<tr>
<td>A very large-sized business (more than 20 activity leaders)</td>
<td>11.04</td>
<td>18</td>
</tr>
<tr>
<td>A large-sized business (11 to 20 activity leaders)</td>
<td>6.75</td>
<td>11</td>
</tr>
<tr>
<td>A medium-sized business (6-10 activity leaders)</td>
<td>11.66</td>
<td>19</td>
</tr>
<tr>
<td>A small enterprise (2 to 5 activity leaders)</td>
<td>25.15</td>
<td>41</td>
</tr>
<tr>
<td>A sole trader</td>
<td>19.63</td>
<td>32</td>
</tr>
</tbody>
</table>

TOTAL RESPONSES: 163

Q10: If you are a provider, do you operate in Scotland from elsewhere in the UK?

Comment: 98% of the respondents operate from Scotland (178 from Scotland).

Q11: If no, do you operate?

Comment: From England 4, from Wales 1 and from Norway 1.
Q12 If you are a provider, do you currently hold an AALA license?

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses %</th>
<th>Actual number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>68.33</td>
<td>123</td>
</tr>
<tr>
<td>No</td>
<td>18.33</td>
<td>33</td>
</tr>
<tr>
<td>I am a provider but not currently in-scope</td>
<td>13.33</td>
<td>24</td>
</tr>
</tbody>
</table>

**TOTAL RESPONSES: 180**

**Comment:** From these statistics the majority (68%) of the respondents are licenced providers. The survey attracted responses from 57 stakeholders who are currently outside the scope of licensing.
**Q13 If you are a user, are you?**

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses %</th>
<th>Actual number</th>
</tr>
</thead>
<tbody>
<tr>
<td>A parent</td>
<td>25.49</td>
<td>13</td>
</tr>
<tr>
<td>A volunteer leader</td>
<td>29.41</td>
<td>15</td>
</tr>
<tr>
<td>A leader of a formal group</td>
<td>11.76</td>
<td>6</td>
</tr>
<tr>
<td>A voluntary group manager</td>
<td>13.73</td>
<td>7</td>
</tr>
<tr>
<td>A local authority school Head Teacher (or senior manager)</td>
<td>11.76</td>
<td>6</td>
</tr>
<tr>
<td>A Independent school Head Teacher (or senior manager)</td>
<td>1.96</td>
<td>1</td>
</tr>
<tr>
<td>A local authority service manager</td>
<td>43.14</td>
<td>22</td>
</tr>
</tbody>
</table>

**TOTAL RESPONSES: 51**

**Comments:** Some of the responses were slightly confusing as some stakeholders made multiple returns.
Q14: If you are a user do you come to Scotland from elsewhere?
4 Responses came from England and 1 response came from Wales.

Q15: If you are a Scottish user, do you use providers from other parts of the UK?
23 Responded to this question — 22 use English providers, 6 use Welsh and 6 use NI providers
Section C: Definition of in-scope Adventure Activities

‘Licensing currently describes in-scope Adventure Activities to mean:

**Caving** (underground exploration in natural caves and mines including potholing, cave diving and mine exploration, but not in those principally used as show-places open to the public);

**Climbing** (climbing, traversing, abseiling or scrambling activities except on purpose-designed climbing walls or abseiling towers);

**Treking** (walking, running, pony trekking, mountain biking, off-piste skiing and related activities when done in moor – or mountain – country above 600m and which is remote, i.e. over 30 minutes travelling time from the nearest road or refuge);

**Watersports** (canoeing, rafting, sailing and related activities when done on the sea, tidal waters or larger non-placid inland waters).’

Q16 Is the description given above fit-for-purpose to cover all the activities which should be in-scope, now and in the future? (Blue Yes, Red No)
<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>A provider of adventurous activities</td>
<td>40.94</td>
<td>59.06</td>
</tr>
<tr>
<td>A UK-wide body</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>A NGB or national representative organisation</td>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>Represent a local authority leisure trust</td>
<td>14.29</td>
<td>85.71</td>
</tr>
<tr>
<td>Represents a local authority</td>
<td>31.11</td>
<td>68.89</td>
</tr>
<tr>
<td>From the education sector</td>
<td>35.94</td>
<td>64.06</td>
</tr>
<tr>
<td>Represents a sports club</td>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>An interested parent</td>
<td>16.67</td>
<td>83.33</td>
</tr>
<tr>
<td>Part of the uniformed youth organisations</td>
<td>20</td>
<td>80</td>
</tr>
<tr>
<td>Represent a user group for Over 18’s</td>
<td>35.71</td>
<td>64.29</td>
</tr>
<tr>
<td>Represent a user group for Under 18’s</td>
<td>39.53</td>
<td>60.47</td>
</tr>
<tr>
<td><strong>TOTAL RESPONSES: 190</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comment:** The responses to this question were very interesting.

The current in-scope definition for activities is considered to be appropriate by the Clubs and the majority of the NGB’s. However, the majority view came from the Providers and Users who have said that it is not fit for purpose.
Q17: If no, in what way could additional and/or new activities be included?

- Having a new generic definition for adventure activities
- Adding new categories
- Adding activities to the existing four categories

Comment: The responses to this question indicated that a more generic definition would be better. It should be ‘more generic and flexible, able to adapt to new activities as they start out. It should also be able to cover variants of existing activities that may not be specifically mentioned.’ The idea of using redefined categories was also mentioned and supported in a number of comments.

Q18: A previous working group produced the following generic definition for in-scope activities:

‘Adventurous Activity’ — ‘For the purpose of Licensing, this is an activity done for non-competitive sport, recreation, learning or development, and not for necessity, with participants who are not otherwise able to undertake the activity safely without support or supervision. An adventurous activity may be carried out indoors or outdoors, and may use natural features or man-made structures. It will generally have one or both of the following attributes:

1. It is assessed to have a risk of death or disabling injury to the individuals involved from uneven or difficult terrain; immersion in water; falling; contact with falling or fast-moving rock, debris, or snow; exposure to extreme environmental conditions; or as a consequence of injury sustained during the activity which is exacerbated by remoteness.

2. It involves the use of specialist equipment or requires specialist knowledge or skills to be done safely.’
Q18 In your opinion would this definition be fit for purpose?

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses %</th>
<th>Actual number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly agree</td>
<td>10.10</td>
<td>20</td>
</tr>
<tr>
<td>Agree</td>
<td>56.57</td>
<td>112</td>
</tr>
<tr>
<td>Neither agree or disagree</td>
<td>10.10</td>
<td>20</td>
</tr>
<tr>
<td>Disagree</td>
<td>17.17</td>
<td>34</td>
</tr>
<tr>
<td>Strongly disagree</td>
<td>6.06</td>
<td>12</td>
</tr>
</tbody>
</table>

**TOTAL RESPONSES: 198**

**Comment:** It is clear that the majority of respondents thought this definition is fit for purpose.

**Q19:** What aspects, if any, would need amended?

**Comment:** It is important to recognise the relevance of the previous comments made on this subject.

From the responses and feedback the evidence is strongly in favour of a new Generic Definition supported by a number of redefined categories, which are more appropriate and inclusive, would be the preferred option.

One clear message from 20% of the respondents to this question is that ‘competitive sport’ should be licensable.
Section D: Revision of in-scope activities

Q20: Are there any activities which ‘...could result in death or disabling injury’ that should be included in a revised scheme?

Comment: 171 responded to this question.

Q21: If yes, which activities should be considered for inclusion?

Comments: 108 responded to this question. This question produced 34 new activities which respondents would like to see included in the new licensing arrangements.

The most commonly suggested of the new activities to be included are: ropes courses, climbing towers, structures involving ropes, coasteering, canyoning, indoor climbing, mountain biking (trails), snowsports, kite-based sports, aerial runways & zip lines, gorge walking, archery, motorized sports, surfing, combined rock & water activities, quad bikes, airborne activities, equestrian activities and paragliding. Various others were also mentioned.
Q22: Could these be incorporated within the four categories already listed in Licensing?

**Comments:** Please note 112 answered this question and 123 skipped this question.

Q23: If no, can you suggest a new category or new categories?

**Comments:** Please note the number of respondents who skipped (184) this question. This is justified because they have almost certainly supported some form of new Generic Definition. 20% of respondents to this question said that a new category would be irrelevant if a new Generic Definition was adopted.

Respondents proposed 17 new categories. Examples are: Wheel-based activities, aerial activities, combined rock & water activities, wind sports, motor sports, snow sports and ropes courses etc.
Section E: Frequency, duration and cost of licensing

Q24 In the current Licensing regime, an inspection occurs before each renewal. Should this:

- Use a comprehensive self-evaluation tool, which providers return to the Licensing Service. This would then influence the frequency and need for inspections. (30.11%, 53 responses)
- AALS decide (28.41%, 50 responses)
- Remain the same (41.48%, 73 responses)

**TOTAL RESPONSES: 176**

**Comments:** The majority view is that the current regime is good. However, it is interesting to note that both the other options gained considerable support. This was not reflected properly in the survey because it was not possible to make multiple entries when replying to this question. It is evident that the statistics and comments really support a combination of approaches that would include:

‘Allowing the Licensing Service to prioritise inspections based on their assessment of risk, the use of a comprehensive self-evaluation tool supported by an inspection.’
**Q25:** At present the duration of the licence is one, two or three years, depending upon criteria such as size of operation, number of permanent/temporary leaders, etc. Should the duration:

![Bar chart showing the distribution of responses for Q25]

**Comments:** 112 (67%) of 168 responses were in favour of retaining the current duration of a licence.

Other stakeholders suggested that:

- The frequency of inspections should be determined by a) a self evaluation exercise and b) the level of risk associated with the delivery of service.
Q26: At present the cost of the licence is set by Ministers, is charged at each renewal, and is the same for all providers. The Scottish Government has stated that there will still be a fee set by them. If the duration is changed should:

**Q26 Cost of Licensing**

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses %</th>
<th>Actual number</th>
</tr>
</thead>
<tbody>
<tr>
<td>There should be an annual flat fee</td>
<td>12.99</td>
<td>23</td>
</tr>
<tr>
<td>The fee should be relevant to the size of the operation</td>
<td>87.01</td>
<td>154</td>
</tr>
</tbody>
</table>

**TOTAL RESPONSES: 177**

Comments: 87% of the returns supported the idea that the fee should be related to the size of the operation.

Other proposals suggested:

1. There should be an annual registration fee and inspection fee proportionate to the size and complexity of the operation.
2. Voluntary and charitable organisations should pay a lower fee.
Section F: Inspections and best practice

Q27: What aspects of the current inspection process work well?

Comment: 122 stakeholders responded to this question.
46 said that the current Inspection Team is supportive; give good feedback and share best practice within the industry.
37 said that the quality of the Inspectors is important. They are experienced, are required to know the industry and need to be fair.
12 supported the idea that the inspection service should inspect all aspects of the service provision.

Q28: What aspects of the current inspection do not work well?

Comment: 94 stakeholders responded to this question.
Links to other schemes could be better/ remove duplication.
Costs too high for small providers and is poor value.
The inspection is only a snapshot.

Q29: What changes would you suggest that could improve the current inspection regime?

Comment: 84 stakeholders responded to this question.
76 of the replies came from providers.
There is a clear message from these responses that there is a lack of consistency in how the inspections are carried out. The nature and content of the inspection seems to vary from one inspection to another. It is not exactly clear what criteria are being used and there appears to be a lack of structure.
The feedback however relating to the Inspection Service is overwhelming positive but there is a question whether the Inspection process represent good value for all providers.
Comments made, support the view that there needs to be greater collaboration between the Licensing Service and NGB’s. The suggestion is that the inspections would be more meaningful and would remove the opportunity for duplication.
Governance and Procedures are not given enough scrutiny.
Q30: At present the dissemination of best practice from the Licensing Service takes place during inspections, through postings on their own website, through media reports, and through the AALS Info Log hosted on the Institute of Outdoor Learning (IOL) website. Evaluate the following statements.

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly disagree</th>
<th>Disagree</th>
<th>Neither agree or disagree</th>
<th>Agree</th>
<th>Strongly agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>The standards are already adequate</td>
<td>2.52</td>
<td>12.58</td>
<td>35.22</td>
<td>42.14</td>
<td>7.55</td>
</tr>
<tr>
<td>These information channels are sufficient to raise standards further</td>
<td>3.75</td>
<td>30.00</td>
<td>26.88</td>
<td>34.38</td>
<td>5.00</td>
</tr>
<tr>
<td>Enough feedback is already available through a range of sources</td>
<td>2.50</td>
<td>21.25</td>
<td>37.50</td>
<td>33.75</td>
<td>5.00</td>
</tr>
<tr>
<td>The industry could do more to raise standards itself</td>
<td>0.63</td>
<td>9.43</td>
<td>30.82</td>
<td>51.57</td>
<td>7.55</td>
</tr>
<tr>
<td>The Licensing Service should be required to contribute to this aspect</td>
<td>1.27</td>
<td>8.23</td>
<td>33.54</td>
<td>46.20</td>
<td>10.76</td>
</tr>
</tbody>
</table>

Comments: The statistics produced by this question are very interesting and demonstrate some clear actions for both the Industry and the Licensing Service but there are also some contradictions. Out of 160 responses the following are of interest.

These standards are already adequate 15% disagree 50% agree
These information channels are adequate 34% disagree 39% agree
There is enough feedback already... 24% disagree 38% agree
The Industry could do more to raise... 10% disagree 60% agree
The Licensing Service should be re... 10% disagree 57% agree

These statistics would appear to support the view that the standard of advice given is adequate from the Licensing Service. The ‘information channels’ question is inconclusive as is the feedback question but there is a view that the industry could do more to raise its
own standards in the fourth question. The response to the last question would suggest that the Licensing Service should do more in this area.

Q31: What other ways do you think best practice could be disseminated more effectively?

Comment: There were 92 responses to this question.

Two main routes were identified which could improve the dissemination of best practice. These were:

1. Providers and other interested parties could be better informed through the use of an AALA/AALS Newsletters, other organisations newsletters, emails and social media.
2. Through Workshops and Conferences.

Also mentioned were:

a. A peer review system where a provider would shadow an inspector during an inspection.

b. A better web and social media presence than the current AALA/AALS website.
Section G: Other matters

Q32: At a previous consultation on Licensing a number of organisations, ‘out of scope’, expressed a wish to opt-in to a reviewed Scottish Licensing scheme. Are you one of these organisations?

Comment: 15 responded yes out of 173 responses.

Q33: If yes are you still interested in this option?

Comment: 39 responded to this question. 14 responded yes while 25 responded no.

Q34: Are there any other parts of the 2004 Regulations, which require simplification, clarification, or amendment.

Comment: 34 responded to this question while 201 skipped it.

There seems to be some confusion surrounding who actually needs a licence.

What age is applicable in Scotland 16 or 18 years old?

Would Opt-in providers operate under the same regulations and pay the same charges?

Should adults be included?

---

Q35 How important is it for you, that there are cross-border arrangements in place?

<table>
<thead>
<tr>
<th>Importance</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very important</td>
<td></td>
</tr>
<tr>
<td>Important</td>
<td></td>
</tr>
<tr>
<td>No opinion</td>
<td></td>
</tr>
<tr>
<td>Unimportant</td>
<td></td>
</tr>
<tr>
<td>Very Unimportant</td>
<td></td>
</tr>
</tbody>
</table>

---

Very important: 20
Important: 25
No opinion: 10
Unimportant: 5
Very Unimportant: 0
**Comment:** 176 responses were made regarding this question and over 50% of those returned are of the opinion that cross border arrangements are important/very important.

![Bar chart showing responses to Q36](chart_image)

160 responses of which 98 (61.25%) voted 1

**Comments:** From the responses it is clear that the majority of the stakeholders believe that there should be a review of the Licensing Regulations every 5 years.

**Q37:** Are there any other comments?

**Comment:** 69 stakeholders responded to this question while 166 skipped it. It is worthy of note that after completing a survey with a significant number of questions requiring a written response that 69 stakeholders gave more written evidence in the last question. This reflects the commitment and passion the people have for their industry.

The following are the most important points made in response to this question:

- The new scheme will need to be properly promoted.
- Widening the scope must happen.
- Please do not include adults.
- A wider scheme could result in more barriers to participation.
- Concern expressed regarding cross-border arrangements.
- It could become the benchmark for all users/visitors in Scotland.
• Cost benefit analysis should be done before including more activities and providers.
• Is the voice of those currently out of scope being heard?
• Make it for everyone.
• The survey will require a justifiable weighting of responses.
• Concern over voluntary groups being forced to join Licensing.
• Why is Scotland pursuing a change when England and Wales are not?
• Consultation period too short for large organisations.
• Retain the external inspection regime.
• Make the financial burden for small providers low.
• The credibility of the Inspection Service comes from the calibre and professionalism of the inspection staff.
• Ideally this would form part of a UK wide agreement.
• Keep the bureaucracy low.
• Must be affordable.
OTHER RELEVANT CORRESPONDENCE

Letter from the Adventure Activities Licensing Authority (HSE),
[See Appendix D]

BMSL are grateful to HSE for providing this letter as it helps clarify the HSE position on some contentious issues.

The salient points in the letter are contained in the following extracts:

1. **AALA Interest in Licensing** — Although it is intended to transfer powers relating to adventure activity licensing to Scottish Ministers, the present licensing regime will remain in place in England and Wales and holders of these licences may operate in Scotland and eventually, it is expected that holders of Scottish licences may operate in England or Wales.

2. **Definition of in-scope Adventure Activities** — However, we acknowledge that developments in the adventure activity sector now mean that there are some newer activities that Scottish Ministers may wish to bring in scope of licensing, such as; ropes courses, zip wires and combined water rock activities (e.g. gorge jumping). Scottish Ministers may also choose to bring established activities such as surfing in scope of their regime.

We believe that with appropriate drafting of the definitions, they can be capable of including new activities as has been the case with stand-up paddle boarding. Scottish Ministers may wish to include activities and facilities currently specifically excluded such as climbing walls or the instruction of snow sports on piste. This is a matter for Scottish Ministers, and AALA has no view on this other than to note that this sort of provision is carried out in a managed environment whereas licensing at present generally applies to unmanaged environments (there are some exceptions such as artificial white water courses). We understand that Scottish Ministers may wish to include much more specificity in what activities are included by way of a list or schedule in regulation. AALA’s experience is that this may require frequent updating and it may be that the present approach of broad definitions is better.

3. **With reference to the previous working group definition of in-scope activities** — AALA would comment as follows. The possible definition would seek to confine licensing to what the informed person would understand to be an adventurous activity, however it may not be obvious to the lay person such as a parent. Scottish Ministers may wish to consider the addition of ‘permanently’ before disabling. The concept of ‘permanently disabling’ is already recognised in relation to play activities, including adventure play and has proven a useful benchmark when assessing the risks to users or participants. It is also a useful test for enforcement officers when considering what is appropriate action following an accident or incident. AALA consider that by listing the factors that may cause the injury, the definition may be unintentionally constrained. For example, as presently drafted, contact with a structure would not be something to consider. We are aware of serious incidents where an individual has struck part of a
structure. Terms such as remoteness are subjective and remoteness may not be a relevant factor in many cases.

4. **Revision of in-scope activities** — We believe that those activities currently in scope of licensing should remain in scope of any new regime in Scotland.

5. **Frequency, duration, and cost of Licensing** — AALA believe that the frequency of inspection should be based on an assessment of the management of safety by the licence applicant or holder. This should be done by a competent person appointed to carry out inspections. We believe that every new entrant should receive an inspection before being permitted to offer activities as at present. Subsequent inspections should be made at such intervals as the Scottish AALA deems appropriate. First applications and renewal applications need to contain sufficient detail to enable appropriate decisions on what to inspect and when to carry out inspections.

Alternatively, there may be opportunities available through a co-operative inspection service operated in partnership between the present AALA and Scottish Ministers. Without more information on the shape and scope of any proposed regime it is difficult to provide an informed view on a fees regime. We would suggest that Scottish Ministers consider offering providers an option to make any payments in stages, as this could be particularly helpful to smaller providers who experience seasonal cash flow challenges.

6. **Inspections and best practice** — A Scottish regime might include more spot check or unannounced inspections than at present though there are significant logistical challenges with this approach, particularly in remote areas.

7. **Other matters** — AALA understands that there has been a view expressed that out of scope providers may wish to opt in to the proposed Scottish statutory regime. We are not sure how this would work in practice as it may raise significant issues in the event of an accident or incident that may fall within the ambit of the enforcing authorities. Offering a parallel accreditation scheme, operated by the Scottish AALA, may provide an option for further consideration.

---

**Other correspondence**

There was one written ‘late return’ which was accepted as evidence. This return echoed many of the other responses presented by stakeholders in the survey. The comments were noted.
GENERAL CONCLUSIONS & OUTSTANDING ISSUES

The diversity of both the attendees at the Consultation Meetings and the respondents to the Online Survey demonstrate that the 2014/15 review of Licensing is of interest to both the provider and the user. It is notable that views were expressed from a significant number of providers not currently in-scope. Overall the questions asked combined with valuable comment elicited a sufficient response for BMSL to be satisfied that the range of views probably is statistically representative of the industry in Scotland at this time. There was a strong response from users most notably the local authorities and youth organisations such as the Princes Trust, Duke of Edinburgh’s Award and the Scouts.

Definition of In-Scope Activities

There is an overwhelming view from both providers and users that the Licensing description of an in-scope adventurous activity is no longer fit for purpose. There are a considerable number of activities that should be covered within the scheme that were either omitted in 1995, or have developed since then. The majority of responses indicated that the current few categories are no longer satisfactory. Whilst, the majority thought that a generic definition for all in-scope activities would be the preferred option, there was also support for adding activities to the existing categories, or having additional categories.

The example generic definition developed by a previous working group elicited a useful range of comments. These have informed the view that there needs to be more work done if this solution is to be used. AALA highlighted the danger of capturing unintended activities.

One possible solution would be to develop a combined approach with a simplified generic definition and categories. This would give specificity to the activities included as well as providing future proofing. The categories suggested would be the current four, plus wheel-based activity, aerial activity, combined rock & water activities, snowsports and ropes courses and any others that fit within the agreed criteria.

Revision of in-scope activities

The inclusion of a wide range of activities has been suggested (See Q21). A number of these could be included in the current categories, whilst the remaining would need new categories. A decision will need to be made as to whether motorized activities, and possibly some other activities should be included in licensing, or if they are covered by other regulations.

Frequency, duration and cost of licensing

Although there were more responses to retain an inspection prior to each licence renewal, when further explored it is evident that had it been an option, the majority view would have been for a self-evaluation return to the Licensing Service, followed by an assessment by inspectors to target and prioritise inspections.

It is generally agreed that the duration of a licence should remain the same. There were a significant number of responses that indicated that the licence fee should be related to the size and nature of the operation. There are
concerns about the costs to the voluntary and charitable sectors if the scheme is open to them.

A range of options were suggested including; registration through an annual fee which would be returned with a self-evaluation. Inspections would then be prioritised accordingly.

**Inspection and best practice**

The general consensus is that the inspection process works well, especially because the inspectors are respected for their knowledge and experience in the industry. There were a considerable number of comments, which stated that there was duplication with other inspection schemes, and that the drawback with the current regime is that the inspection visit becomes a pre-arranged snapshot of a providers operation. Unannounced spot checks would be a useful addition.

An improvement would also be a more structured inspection that would make the process more consistent and transparent. It is suggested that a self-evaluation style scheme would provide this structure to the process.

The two main themes emerging from the questions relating to the dissemination of best practice are:

a. The industry could do more itself through workshops, conferences, NGB’s and other national bodies having a role to play, and

b. AALA and AALS could be more proactive in flagging up changes, developments and sharing good practice through a range of web and social media.

**Opting-in**

A number of organisations currently out of scope have, once again, expressed a desire to opt-in. It should be noted that AALA have stated that there could be possible regulatory and enforcement issues surrounding having them in the same scheme, but a parallel scheme may be a possibility.

**Clarification of the Regulations**

There were relatively few comments relating to this question (34). However the most important point raised through the survey and at the consultation meetings related to the age of adulthood in Scotland. Should licensing now only apply to those under the age of 16? Conversely, some people intimated that it was their view that licensing should apply to all ages including adults.

**Cross-border arrangements**

The majority view is that this is an important issue. It is also now clear from the AALA that licence holders from England and Wales will continue to be able to operate in Scotland. Until the new Scottish Licensing regime is formulated it is unclear whether Scottish Providers could operate in other parts of the UK.

**Review of licensing**

There should be a cyclical review of licensing every 5 years.
Language

There is a question about how language is used relating to safety in the context of the delivery of Adventurous Activities. To date there is thankfully not a great deal of case law but if new terms are introduced or refinements made to existing terminology then it is important that stakeholders have a clear understanding of what these mean to them and their clients. There is confusion surrounding the proposal to use the term ‘permanently disabling injury’ instead of ‘disabling injury.’ Clarification should be sought from HSE and legal counsel.
### 1. LICENSING ACTIVITIES & CATEGORIES

<table>
<thead>
<tr>
<th>Option/Model</th>
<th>Consequences</th>
<th>Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retain the status quo</td>
<td>- Does not deal with current issues</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>- Does not future proof the scheme</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Will be the same as England and Wales</td>
<td></td>
</tr>
<tr>
<td>Use generic definition</td>
<td>- Allows inclusion of extra activities</td>
<td>Med</td>
</tr>
<tr>
<td></td>
<td>- Future proofs the scheme</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Could unintentionally capture activities out with the ‘spirit’ of Licensing</td>
<td></td>
</tr>
<tr>
<td>Re-define existing categories</td>
<td>- Allows inclusion of extra activities</td>
<td>Med</td>
</tr>
<tr>
<td></td>
<td>- May not be able to include all required activities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Only partially future proofs the scheme</td>
<td></td>
</tr>
<tr>
<td>Combination of generic &amp; Re-defined categories &amp; additional categories as required</td>
<td>- Allows inclusion of extra activities</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>- Future proofs the scheme</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Maintains the ‘spirit’ of Licensing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Will bring more providers within scope</td>
<td></td>
</tr>
</tbody>
</table>
## 2. FREQUENCY OF INSPECTIONS

<table>
<thead>
<tr>
<th>Option</th>
<th>Consequences</th>
<th>Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retain the status quo</td>
<td>• Discriminates against small and ‘stable’ providers</td>
<td>Medium</td>
</tr>
<tr>
<td></td>
<td>• Lacks flexibility for the inspection process</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Retains the UK-wide arrangements</td>
<td></td>
</tr>
<tr>
<td>Make the inspection process more flexible by allowing the Licensing</td>
<td>• Inspections can take place at any time</td>
<td>Medium</td>
</tr>
<tr>
<td>Service (LS) to make risk-based inspections</td>
<td>• Allows spot checks</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• May be cost implications for the LS and the providers</td>
<td></td>
</tr>
</tbody>
</table>
### 3. DURATION OF A LICENCE

<table>
<thead>
<tr>
<th>Option</th>
<th>Consequences</th>
<th>Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retain the status quo</td>
<td>• Lacks flexibility</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>• Predictable for providers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Predictable income for LS</td>
<td></td>
</tr>
<tr>
<td>Same duration for all with inspection prior to renewal</td>
<td>• Allows regular checking of all providers</td>
<td>Medium</td>
</tr>
<tr>
<td></td>
<td>• Cost of running the scheme will probably escalate</td>
<td></td>
</tr>
<tr>
<td>Same duration for all providers combined with self-evaluation form submission</td>
<td>• Would require a change in the fee structure</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>• Not linked to inspections</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• There may be savings for the LS and the provider</td>
<td></td>
</tr>
</tbody>
</table>
## 4. COSTS OF THE LICENCE

<table>
<thead>
<tr>
<th>Option</th>
<th>Consequences</th>
<th>Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retain the status quo</td>
<td>• Costly for small providers&lt;br&gt;• May discourage new providers</td>
<td>Medium</td>
</tr>
<tr>
<td>Have an annual flat fee based on the size of the provider’s operation</td>
<td>• Allows providers to budget in an annual cycle&lt;br&gt;• Until the number of providers requiring a licence is known it will be difficult to calculate the financial implications to the LS</td>
<td>Low</td>
</tr>
<tr>
<td>Have an annual registration fee and an additional fee for Inspections.</td>
<td>• Self Evaluation will determine the frequency with this model. In theory low risk operations would not need so many inspections- a cheaper option</td>
<td>Low/Medium</td>
</tr>
</tbody>
</table>
### 5. INSPECTIONS

<table>
<thead>
<tr>
<th>Option</th>
<th>Consequences</th>
<th>Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retain the status quo</td>
<td>• Tried &amp; tested</td>
<td>Low/Medium</td>
</tr>
<tr>
<td></td>
<td>• Not best use of resources</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• No targeting based on risk</td>
<td></td>
</tr>
<tr>
<td>Integrate with other NGB inspection schemes</td>
<td>• Avoids duplication</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>• Increases the value of NGB schemes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Could result in loss of income to LS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• AALA would have to be assured that each NGB scheme is robust and effective</td>
<td></td>
</tr>
<tr>
<td>Inspections more structured using a standard model e.g. a self-evaluation form</td>
<td>• Allows consistency and transparency to the process</td>
<td>Low/Medium</td>
</tr>
<tr>
<td></td>
<td>• Allows LS to make an assessment for prioritising inspections</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• LS will not visit some providers as often which will result in less dissemination of good practice direct to providers</td>
<td></td>
</tr>
</tbody>
</table>
6. OPT-IN ARRANGEMENTS

<table>
<thead>
<tr>
<th>Option</th>
<th>Consequences</th>
<th>Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opt-in to the existing scheme</td>
<td>• AALA have stated that this may present issues for AALA/AALS relating to enforcement etc.</td>
<td>High</td>
</tr>
<tr>
<td>Opt-in to a two tiered system</td>
<td>• Confirmed as a possibility by the AALA</td>
<td>Medium/Low</td>
</tr>
<tr>
<td>An ‘all inclusive’ system as suggested by some stakeholders</td>
<td>• Every provider operating with adults will need a licence</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>• Inclusive, potentially very unpopular and not currently within the remit of SAAF</td>
<td></td>
</tr>
</tbody>
</table>
APPENDICES

A) Briefing Document

ADVENTURE ACTIVITIES LICENSING IN SCOTLAND
Scottish Adventure Activities Forum (SAAF) consultation briefing paper

November 2014

The Scottish Government has tasked the Scottish Adventure Activities Forum to undertake a review to further inform their decision-making relating to Adventure Activity Licensing in Scotland.

This follows the consultation exercise in 2012 when Scottish Ministers concluded that:

1. A statutory scheme should be in place in Scotland underpinned by an inspection regime.
2. There should be exemption of the voluntary sector and sports clubs to ensure there is no adverse impact on participation levels.
3. There should be an ‘opt in’ for organisations who wish to be part of a Scottish Adventure Activity Licensing scheme but would otherwise be out of scope.
4. The scheme should be revised and made more ‘fit-for-purpose’.

Background

The Adventure Activities Licensing Authority (AALA) was established by the Activity Centres (Young Persons’ Safety) Act 1995, and accompanying Adventure Activities Licensing Regulations 1996. The Act was passed following the Lyme Bay canoeing tragedy in March 1993, in which four young people lost their lives. The aim of AALA was to licence providers of adventure activities in the fields of caving, climbing, trekking and water sports, to provide assurance to users that providers are compliant with relevant health and safety legislation. AALA also ensured providers were following good safety management practices so that young people could experience exciting and stimulating activities outdoors, while not being exposed to the avoidable risk of death or disabling injury.

The 1995 Act and the Adventure Activities Licensing Regulations 2004, require providers of adventure activities for young people under the age of 18 to hold a licence.

Some important exemptions & inclusions

Schools & Colleges — A licence is not required by schools or colleges if they only provide to their own pupils or students. However a licence is required by a school or college if it provides activities to pupils or students of another educational establishment or to other members of the public, in return for payment.

Activity Centres, Field Study Centres etc. — These Centres if operated by education authorities or departments are also required to hold a licence.
Voluntary Associations that provide activities only for their members or to members of other voluntary associations do not require a licence.

Where activities are provided to young people while they are being accompanied by a parent or legally appointed guardian they are out of the scope of licensing.

Licensing requirements generally only apply to those organisations that provide activities in return for payment.

The position since 2011

Lord Young, in his report Common Sense, Common Safety published in 2011, recommended that AALA be abolished and the licensing regime be replaced with a voluntary Code of Practice (COP). The UK Government accepted the recommendations and committed to remove AALA and replace it with a Code of Practice that HSE would oversee and monitor. A consultation led by HSE was undertaken to ascertain how best to deliver the COP.

Following this announcement the Scottish Government responded in two ways:

1. It reached the conclusion that adventure activities licensing was a devolved matter, and following discussions with UK Ministers it was agreed that the Activity Centres (Young Persons’ Safety) Act 1995 was devolved. However the transfer of these powers to the Scottish Government has not yet taken place.

2. Scottish Ministers were of the view that Scottish stakeholders should guide them. A full consultation exercise was undertaken in 2012. The conclusions are listed at the start of this paper. The primary aim of the consultation was to identify the most suitable approach for Scotland.

The 2014 consultation

This will invite all stakeholders operating in Scotland to give their views about a range of matters, including:

1. Reviewing the definition of adventure activities.
2. Identifying any activities which should also be included in the regulations.
3. What could be added to or taken out of the 2004 Regulations.
4. Identifying any textual or factual changes required to simplify or clarify the wording of the current Regulations.
5. How can the scheme be ‘future-proofed’ as the adventure activity sector evolves.
6. How can those who want to ‘opt in’ be accommodated.
7. How ‘cross-border’ arrangements can work effectively across the UK.

There are some matters not within scope of this review:

1. Persons who are required to hold a licence.
2. Payment of a fee.
3. The offences and sanctions for breaching the 1995 Act.
The consultation exercise

There will be four regional consultation meetings in November 2014, followed by an online survey from the 24th November finishing on 10th December 2014 and finally a conference will be arranged early in 2015.

Results, conclusions and next steps

The responses will be analysed. A report on the findings will be submitted by SAAF to the Scottish Government by the end of March 2015 to help inform their decision making.

SAAF would encourage all stakeholders to make their views known during the consultation process as these views will ultimately shape the outcome of licensing in Scotland.

Jane Campbell Morrison
Chair SAAF
Lord Young, in his report *Common Sense, Common Safety* published in 2011, recommended that AALA be abolished and the licensing regime be replaced with a voluntary Code of Practice (COP). The UK Government accepted the recommendations and committed to remove AALA and replace it with a code of Practice that HSE would oversee and monitor. A consultation led by HSE was undertaken to ascertain how best to deliver the COP.
Following this announcement Scottish Government responded in two ways:

- It reached the conclusion that Adventure Activities Licensing should be a devolved matter, and following discussions with UK Ministers this was agreed. (However, transfer of the powers to Scotland has not yet taken place).

- Scottish Ministers were of the view that Scottish stakeholders should guide them and a full consultation exercise was undertaken in 2012. The primary aim of this consultation was to identify the most suitable approach for Scotland.

2014 Consultation

SAAF would like to invite stakeholders to give their views on a range of issues relating to licensing including:

- Reviewing the definition of adventure activities
- What could be added to or taken out of the 2004 Regulations (Including Activities)
- Identifying any textual or factual changes required to simplify or clarify the wording of the current Regulations
- How the scheme can be “future-proofed” as the adventure activity sector evolves
- How can those who want to “opt in” be accommodated
- How could “cross-border” arrangements work effectively across the UK
2014 Consultation (Cont’d)

There are some matters not within scope of this review:

- Persons who are required to hold a license
- Payment of a fee
- The offences and sanctions for breaching the 1995 Act

Suggested themes to discuss

1) Licensing currently describes in scope Adventure Activities to mean:

- Caving (underground exploration in natural caves and mines including potholing, cave diving and mine exploration, but not in those principally used as showplaces open to the public);
- Climbing (climbing, traversing, abseiling or scrambling activities except on purpose designed climbing walls or abseiling towers);
- Trekking (walking, running, pony trekking, mountain biking, off-piste skiing and related activities when done in moor or mountain country above 600 metres and which is remote, i.e. over 30 minutes travelling time from the nearest road or refuge);
- Watersports (canoeing, rafting, sailing and related activities when done on the sea, tidal waters or larger non-placid inland waters).

Is the description given above fit for purpose to cover all activities which should be in scope, now and in the future?
2) A previous working group produced the following generic definition for in scope Adventurous Activity.

For the purposes of Licensing, this is an activity done for non-competitive sport, recreation, learning or development, and not for necessity, with participants who are not otherwise able to undertake the activity safely without support or supervision. An adventurous activity may be carried out indoors or outdoors, and may use natural features or manmade structures. It will generally have one or both of the following attributes:

1. It is assessed to have a risk of death or disabling injury to the individuals participating from uneven or difficult terrain; immersion in water; falling; contact with falling or fast moving rock, debris, or snow; exposure to extreme environmental conditions; or as a consequence of injury sustained during the activity which is exacerbated by remoteness.

2. It involves the use of specialist equipment or requires specialist knowledge or skills to be done safely.

In your opinion would this definition be fit for purpose, if yes please explain why if no, please say why.

3) The Current Licensing Arrangements:

In the current Licensing regime, an inspection occurs before each renewal. The duration of the licence is one, two, or three years, depending upon criteria such as size of operation, number of permanent/temporary staff, etc.

The cost of the licence is set by Ministers, is charged at each renewal, and is the same for all providers. The Scottish Government have stated that there will still be a fee set by them.

Discuss how the Licensing Service could prioritise inspections based on their assessment of significant risk and/or use a comprehensive Self Evaluation tool.
Please feel free to create your own discussion theme but please ensure that it is relevant to the current consultation.

The responses will be analysed and a report on the findings will be submitted by SAAF to the Scottish Government by the end of March 2015 to help inform their decision making.

SAAF would encourage all stakeholders to make their views known during the consultation process as these views will ultimately shape the outcome of licensing in Scotland.
The Scottish Adventure Activities Forum would like to thank you for your contribution to this Consultation.
C) The Online Survey

### SAAF Scottish Adventure Activities Licensing Survey

#### Welcome to our survey

The Scottish Government has decided to retain Adventure Activity Licensing in Scotland. In order to develop the best scheme for users and providers, The Scottish Adventure Activities Forum (SAAF) has been tasked by the Scottish Government to consult with all stakeholders and other interested parties to help establish the scope of the scheme, and the operational and administrative principles required to make it work effectively and efficiently.

The survey should take approximately 20 minutes to complete.

The survey requires you to enter your contact details so that, if necessary, further clarification of your answers can be obtained.

If you have any enquiries about the survey please contact SAAF on 0131 625 4410

General enquiries about SAAF should be addressed to saaf@glenmorelodge.org.uk

A small number of questions require an answer to enable us to look for differences and commonalities across different groups of respondents. These questions are marked "

All responses should be submitted no later than Friday 9 January 2015.

Thank you for participating in our survey. Your feedback and views are important.

#### Section A - About you?

1. Your name

2. Your email address

3. The organisation, if any, you represent

4. Is your organisation based in Scotland?
   - Yes
   - No

5. If no, where is it based?
**SAAF Scottish Adventure Activities Licensing Survey**

*6. Where do you operate in Scotland. Tick all relevant options*

- [ ] Southern Scotland
- [ ] Highlands
- [ ] Central Belt
- [ ] North East Scotland
- [ ] Western Isles
- [ ] Northern Isles
- [ ] Argyll and Arran

*7. Do you operate exclusively in Scotland?*

- [ ] Yes
- [ ] No

**Section B - About your interest in Licensing?**

A ‘provider’ is an individual or organisation that offers adventurous activities to clients or client’s groups. Those who use these services are referred to as ‘users’. Some respondents may be both providers and users.

*1. Are you? (Tick all relevant answers)*

- [ ] A provider of adventurous activities
- [ ] Represent a user group for under 16s
- [ ] Represent a user group for over 16s
- [ ] Part of the uniformed youth organisations
- [ ] An interested parent
- [ ] Represent a sports club
- [ ] From the education sector
- [ ] Represent a local authority
- [ ] Represent a local authority leisure trust
- [ ] An NGB or national representative organisation
- [ ] A UK-wide body

Other (please specify):
2. If you are an adventure activity provider, are you? (Tick all relevant answers)

☐ A sole trader
☐ A small enterprise (2 to 5 activity leaders)
☐ A medium-sized business (6 to 10 activity leaders)
☐ A large-sized business (11 to 20 activity leaders)
☐ A very large-sized business (more than 20 activity leaders)
☐ From a local authority
☐ Other (please specify)

3. If you are a provider, do you operate from Scotland?

☐ Yes
☐ No

4. If no, do you operate:

☐ From England
☐ From NI
☐ From Wales
☐ From outside UK

5. If you are a provider, do you currently hold an AALA licence?

☐ Yes
☐ No
☐ I am a provider but not currently in-scope

6. If you are a user, are you? (Tick all relevant answers)

☐ A parent
☐ A volunteer leader
☐ A leader of a formal group
☐ A voluntary group manager
☐ A local authority school Head Teacher (or senior manager)
☐ An independent school Head Teacher (or senior manager)
☐ A local authority service manager
☐ Other (please specify)
SAAF Scottish Adventure Activities Licensing Survey

7. If you are a user, do you come to Scotland from elsewhere? Tick all relevant options.
   - [ ] From England
   - [ ] From NI
   - [ ] From Wales
   - [ ] From outside the UK

8. If you are a Scottish user, do you use providers from other parts of the UK? Tick all relevant options.
   - [ ] England
   - [ ] NI
   - [ ] Wales

Section C - Definition of in-scope Adventure Activities

Licensing currently describes in-scope Adventure Activities to mean:

- Caving (underground exploration in natural caves and mines including potholing, cave diving and mine exploration, but not in those principally used as show-places open to the public);

- Climbing (climbing, traversing, abseiling or scrambling activities except on purpose-designed climbing walls or abseiling towers);

- Trekking (walking, running, pony trekking, mountain biking, off-piste skiing and related activities when done in moor- or mountain-country above 600 metres and which is remote, i.e. over 30 minutes travelling time from the nearest road or refuge);

- Watersports (canoeing, rafting, sailing and related activities when done on the sea, tidal waters or larger non-placid inland waters).

1. Is the description given above fit-for-purpose to cover all activities which should be in-scope, now and in the future?
   - [ ] Yes
   - [ ] No
SAAF Scottish Adventure Activities Licensing Survey

2. If no, in what way could additional and/or new activities be included?

- Adding activities to the existing four categories
- Adding new categories e.g. wheel-based activities
- Having a new generic definition for Adventure Activities

Other (please specify):

3. A previous working group produced the following generic definition for in-scope activities

Adventurous Activity - For the purposes of Licensing, this is an activity done for non-competitive sport, recreation, learning or development, and not for necessity, with participants who are not otherwise able to undertake the activity safely without support or supervision. An adventurous activity may be carried out indoors or outdoors, and may use natural features or man-made structures. It will generally have one or both of the following attributes:

a) It is assessed to have a risk of death or disabling injury to the individuals involved from uneven or difficult terrain; immersion in water; falling; contact with falling or fast-moving rock, debris, or snow; exposure to extreme environmental conditions; or as a consequence of injury sustained during the activity which is exacerbated by remoteness.

b) It involves the use of specialist equipment or requires specialist knowledge or skills to be done safely.

In your opinion would this definition be fit-for-purpose?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

4. What aspects, if any, would need to be amended?
Section D - Revision of in-scope activities

1. Are there any adventure activities which "... could result in death or disabling injury" that should be included in a revised scheme?
   - Yes
   - No

2. If yes, which activities should be considered for inclusion?

3. Could these be incorporated within the four categories already listed in Licensing?
   - Yes
   - No

4. If no, can you suggest a new category or new categories?

Section E - Frequency, duration, and cost of Licensing

1. In the current Licensing regime, an inspection occurs before each renewal. Should this:
   - Remain the same
   - Allow the Licensing Service to prioritise inspections based on their assessment of significant risk
   - Use a comprehensive self-evaluation tool, with which providers return to the Licensing Service. This would then influence the frequency and need for inspections.
   - Other (please specify)
2. At present the duration of the licence is one, two, or three years, depending upon criteria such as size of operation, number of permanent/temporary leaders, etc. Should the duration:

- Remain the same as present
- Use the same criteria but increase the duration
- Increase the duration but make it equal for all providers
- Decrease the duration but make it equal for all providers

Other (please specify)

3. At present the cost of the licence is set by Ministers, is charged at each renewal, and is the same for all providers. The Scottish Government have stated that there will still be a fee set by them. If the duration is changed should:

- There be an annual flat fee
- The fee should be relevant to the size of the operation

Other (please specify)

Section F - Inspections and best practice

1. What aspects of the current inspection process work well?

2. What aspects of the current inspection process do not work well?

3. What changes would you suggest to improve the current inspection regime?
**SAAF Scottish Adventure Activities Licensing Survey**

4. At present the dissemination of best practice from the Licensing Service takes place during inspections, through postings on their own website, through media reports, and through the AALS Info Log hosted on the Institute of Outdoor Learning (IOL) website. Evaluate the following statements.

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neither agree or disagree</th>
<th>Agree</th>
<th>Strongly agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>These standards are already adequate</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
</tr>
<tr>
<td>These information channels are sufficient to raise standards further</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
</tr>
<tr>
<td>Enough feedback is already available through a range of sources</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
</tr>
<tr>
<td>The industry could do more to raise standards itself</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
</tr>
<tr>
<td>The Licensing Service should be required to contribute more to this aspect</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
<td>○</td>
</tr>
</tbody>
</table>

5. What other ways do you think best practice can be disseminated more effectively?

![Text Box]

**Section G - Other matters**

This page allows you to comment about any issues which have not been raised elsewhere.

1. At a previous consultation on Licensing a number of organisations, 'out of scope', expressed a wish to opt-in to a reviewed statutory Scottish Licensing scheme. Are you one of these organisations?

   ○ Yes
   ○ No

2. If yes, are you still interested in this option?

   ○ Yes
   ○ No

3. Are there any other parts of the 2004 Regulations which require simplification, clarification, or amendment?

![Text Box]
### SAAF Scottish Adventure Activities Licensing Survey

#### 4. How important is it for you, that there are cross-border arrangements in place?
- [ ] Very unimportant
- [ ] Unimportant
- [ ] No opinion
- [ ] Important
- [ ] Very important

#### 5. Should there be a review of the Regulations?
- [ ] On an Ad hoc basis
- [ ] Every five years
- [ ] Every ten years
- [ ] Other (please specify):
  - [ ]

#### 6. Do you have any other comments about the review of Licensing in Scotland?
- [ ]

---

Thank you for taking part in this survey
D) Any Correspondence

Letter from Gavin Howat - HM Inspector of Health & Safety on behalf of the Adventure Activities Licensing Authority.

7 Jan 2015

Dear Sirs

SCOTTISH ADVENTURE ACTIVITIES FORUM CONSULTATION

Adventure Activities Licensing Authority (AALA)

The Health and Safety Executive (HSE) is designated by the secretary of State as the AALA for Great Britain. The AALA is charged with implementing the requirements on adventure activity providers under the Activity Centres (Young Persons Safety) Act 1995 and the Adventure Activities Licensing Regulations 2004 (AALAR). AALA receives applications for licences, reports on inspections of applicants and, where the report is satisfactory, issues a licence which may last up to three years. AALA also publishes guidance on activities licensing. The day to day delivery of inspections etc. is undertaken by a contractor to AALA operating as the Adventure Activities Licensing Service (AALS). This response is from the AALA and presents the views of AALA and where appropriate HSE.

AALA Interest in Licensing

AALA does not provide any activities and its interest in this consultation is related to the statutory licensing regime and the interfaces with the Health and Safety at Work etc. Act 1974 (HSW) and relevant statutory provisions. Although it is intended to transfer powers relating to adventure activity licensing to Scottish Ministers, the present licensing regime will remain in place in England and Wales and holders of these licences may operate in Scotland and eventually, it is expected that holders of Scottish licences may operate in England or Wales. Irrespective of differences in activity licensing, HSW remains a reserved matter and it is important that any changes in Scotland do not cut across or undermine the duties imposed on activity providers by HSW. HSE and Local Authorities will remain the enforcing authorities for health and safety legislation.

Definition of in-scope Adventure Activities

AALA consider that the current definitions have much to commend them and that they have largely stood the test of time since they were first published in 1995. However, we acknowledge that developments in the adventure activity sector now mean that there are some newer activities that Scottish Ministers may wish to bring in scope of licensing, such as; ropes courses, zip wires and combined water rock activities (e.g. gorge jumping). Scottish Ministers may also choose to bring established activities such as surfing in scope of their regime. We would advise that any broader definition is drafted so as to avoid encompassing any activities for which there is an existing regulatory framework e.g. parachuting or activities involving large powered craft that are subject to Merchant Shipping legislation. Care should also be
taken to avoid inadvertent inclusion of purely leisure facilities such as fairgrounds or similar activities.

We believe that with appropriate drafting of the definitions, they can be capable of including new activities as has been the case with stand-up paddle boarding.

Scottish Ministers may wish to include activities and facilities currently specifically excluded such as climbing walls or the instruction of snow sports on piste. This is a matter for Scottish Ministers and AALA has no view on this other than to note that this sort of provision is carried out in a managed environment whereas licensing at present generally applies to unmanaged environments (there are some exceptions such as artificial white water courses).

We understand that Scottish Ministers may wish to include much more specificity in what activities are included by way of a list or schedule in regulation. AALA’s experience is that this may require frequent updating and it may be that the present approach of broad definitions is better. As is presently the case, the broad definitions can be given more detail in guidance.

SAAF have specifically asked for views on a possible generic definition of activities to be in scope of the regime in Scotland.

Adventurous Activity - For the purposes of Licensing, this is an activity done for non-competitive sport, recreation, learning or development, and not for necessity, with participants who are not otherwise able to undertake the activity safely without support or supervision. An adventurous activity may be carried out indoors or outdoors, and may use natural features or man-made structures. It will generally have one or both of the following attributes:

a) It is assessed to have a risk of death or disabling injury to the individuals involved from uneven or difficult terrain; immersion in water; falling; contact with falling or fast-moving rock, debris, or snow; exposure to extreme environmental conditions; or as a consequence of injury sustained during the activity which is exacerbated by remoteness.

b) It involves the use of specialist equipment or requires specialist knowledge or skills to be done safely.

AALA would comment as follows. The possible definition would seek to confine licensing to what the informed person would understand to be an adventurous activity, however it may not be obvious to the lay person such as a parent. Scottish Ministers may wish to consider the addition of “permanently” before disabling. The concept of “permanently disabling” is already recognised in relation to play activities, including adventure play and has proven a useful benchmark when assessing the risks to users or participants. It is also a useful test for enforcement officers when considering what is appropriate action following an accident or incident. AALA consider that by listing the factors that may cause the injury, the definition may be unintentionally constrained. For example, as presently drafted, contact with a structure would not be something to consider. We are aware of serious incidents where an individual has struck part of a structure. Terms such as remoteness are subjective and remoteness may not be a relevant factor in many cases.
Revision of in-scope activities

We believe that those activities currently in scope of licensing should remain in scope of any new regime in Scotland.

Frequency, duration, and cost of Licensing

AALA believe that the frequency of inspection should be based on an assessment of the management of safety by the licence applicant or holder. This should be done by a competent person appointed to carry out inspections. We believe that every new entrant should receive an inspection before being permitted to offer activities as at present. Subsequent inspections should be made at such intervals as the Scottish AALA deems appropriate. First applications and renewal applications need to contain sufficient detail to enable appropriate decisions on what to inspect and when to carry out inspections.

It is for Scottish Ministers to determine what they consider the most appropriate duration of a licence. This may be of 1 year duration, multi years or continuous. All options have pros and cons and our experience is that one year licences do have a role, particularly with new activity providers who may have little experience, or those who do not have stable management or use relatively inexperienced or purely in-house trained staff.

Presently the fee charged by AALA only covers approximately 50% of the costs of running the current GB regime. There are approximately 180 providers in Scotland that are subject to licensing and 1240 across GB. The current overall numbers of providers being inspected offers some benefits of scale that may not be available with a smaller number of providers in a Scotland only inspection regime. There may be opportunities to use a different model to that currently used by AALS which could afford savings. Alternatively, there may be opportunities available through a cooperative inspection service operated in partnership between the present AALA and Scottish Ministers. Without more information on the shape and scope of any proposed regime it is difficult to provide an informed view on a fees regime.

We would suggest that Scottish Ministers consider offering providers an option to make any payments in stages, as this could be particularly helpful to smaller providers who experience seasonal cash flow challenges.

Inspections and best practice

The current model of inspections being carried out by highly qualified and experienced outdoor professionals supported by the general health and safety expertise available in AALA works well and is known to be appreciated by providers. We commend this approach. A Scottish regime might include more spot check or unannounced inspections than at present though there are significant logistical challenges with this approach, particularly in remote areas.

AALA engagement, communication and consultation with the activity sector stakeholder groups via various means, including web based interaction, is well received. Indeed, the web is a key tool by which the sector can be influenced and guided when new general good practices emerge or when consulting on proposed changes. HSE would welcome the opportunity to continue to engage with the sector in Scotland for this reason. The inspectors also contribute significantly to this communication and influencing agenda by their one to one interactions with providers at inspections.
Other matters

AALA understands that there has been a view expressed that out of scope providers may wish to opt in to the proposed Scottish statutory regime. We are not sure how this would work in practice as it may raise significant issues in the event of an accident or incident that may fall within the ambit of the enforcing authorities. Offering a parallel accreditation scheme, operated by the Scottish AALA, may provide an option for further consideration.

As this sector will remain subject to HSW, HSE would wish there to be formal arrangements put in place between HSE and Scottish Ministers to ensure that the interests of both parties are safeguarded and that there is effective co-operation where required. This is particularly the case where any accident or incident happens and HSW duties are engaged. There may also need to be liaison with the Police Service and COPFS in such cases. HSE would also seek to agree with Scottish Ministers that the Scottish AALA will make specialist support available to the enforcing authorities for investigation, and where appropriate, prosecutions, as is currently the case.

The AALA Board has considered this response. AALA will be pleased to provide any further information you require.

On behalf of the Adventure Activities Licensing Authority

Yours faithfully

Gavin A Howat
HM Inspector of Health and Safety
E) Scottish Adventure Activities Working Group (SAAWG)

- Chair - SG Sport and Physical Activity Team
- Scottish Advisory Panel for Outdoor Education
- Association of Heads of Outdoor Education Centres
- Youth Link Scotland
- Health and Safety Executive
- Scottish Adventure Activities Forum
- Sports Scotland
- SG Tourism
- SG Legal
- SG Health & Well Being
- COSLA
- Scottish Mountain Safety Forum
- Scottish Sports Association
Scottish Adventure Activities Forum (SAAF)

SAAF, which is supported by sportscotland, is representative of a wide range of stakeholders from the Scottish adventure activities sector. It works with the industry to identify, develop and disseminate good practice, and to advise Government and agencies accordingly.

The Forum consists of individuals with expertise, knowledge and experience of the adventure activities sector. SAAF members are also understood as coming from broadly defined ‘constituencies’ with which they are expected to keep in touch, and of whose concerns and interests they are expected to be aware.

Members

- **Jane Campbell Morrison** — *(Chair)* CEO Snowsport Scotland and Scottish Sports Association representative
- **Barry Edmonson** — Abernethy Trust & Chair of AAIAC
- **Colin Matheson** — Scottish Orienteering Association
- **Dave Horrocks** — Adventure activities consultant
- **Debbie Williams** — Director, Glencoe Outdoor Centre
- **Dougie Shannon** — *(Vice Chair)* City of Glasgow Outdoor Education Service
- **Iain Peter** — Director of Adventure Activity Associates
- **Ian Ross** — Lagganlia Centre for Outdoor Education
- **John Hamilton** — Outdoor Education Advisor for West Dunbartonshire Council
- **Mike Masino** — Scouts Scotland, The Lochgoilhead National Activity Centre
- **Nick Cole** — Independent activity provider
- **Tina Cuthbertson** — Snowgoose Mountain Centre
- **Tony Shepherd** — *(Vice Chair)* Principal Loch Eil Outward Bound
Observers

- Scottish Advisory Panel for Outdoor Education
- Adventure Activity Licensing Service
- Scottish Sports Association
- Health & Safety Executive
- Scottish Government
- Sportscotland
- Institute of Outdoor Learning
- Duke of Edinburgh’s Award.

SAAF Licensing Working Group

- Jane Campbell Morrison
- Mike Masino
- Debbie Williams
- Nick Cole
G) SAAF Terms of Reference

Agreed by SAAF on the 10th Sept 2010

Terms of Reference of the Scottish Adventure Activities Forum

1. Primary Role:

   i. To act as a forum in Scotland for the exchange of views and experience for all of the stakeholders (including official and local authority, companies, charities and other training bodies, staff, National Governing Bodies (NGBs) and voluntary bodies) in the outdoor sector.

   ii. To provide advice to the Scottish Government, the Health and Safety Executive (HSE), and other official bodies, on issues in the adventure activities field as appropriate.

   iii. To consider the implications of legislation as it affects the sector or particular activities and act as a forum for consultation on draft legislation from both the UK and the EU. This extends to the Licensing Regulations on which the Forum provides an opportunity for consultation with the Licensing Authority.

   iv. To liaise with and provide Scottish representation on the UK Adventure Activities Industry Advisory Committee (AAIAC), and assist in the implementation of any AAIAC conclusions in Scotland as relevant.

2. Campaigning: SAAF is not a campaigning organisation, but will normally respond to relevant consultation material, and may publicise its advice and its responses.

3. The Membership of SAAF

   Members: SAAF consists of not more than 16 Members appointed individually by the Appointments Committee, save that SAAF itself may co-opt a person to fill a casual vacancy for the remainder of the original Member’s term. Membership is on a voluntary basis and no fees or expenses are payable. Notwithstanding their role(s) in any other organisation(s), Members are appointed in a personal capacity, on the basis of nominations made in accordance with clause 20 and having regard to the criteria set out in clauses 8 and 21. Members may not be represented at meetings by alternates.

4. Members are expected to bring to bear on the work of SAAF their own experience, knowledge, and judgement, but at the same time they are understood as coming from broadly defined “constituencies” with which they are expected to keep in touch, and of whose concerns and interests they are expected to be aware.

5. Save in the case of a casual vacancy, Members are normally appointed for a fixed period of three years. No Member may serve as such for more than six years without a break in membership. At its first meeting, the Appointments Committee shall draw lots to determine whether individuals appointed shall serve for 1, 2 or 3 years thereby avoiding a full change around of members every 3 years.
7. A Member who is absent from three consecutive meetings of SAAF shall be deemed to have resigned.

8. Criteria for Membership: Members shall be appointed having regard to the following criteria: [see also clause 21]
   - personal adventure activity experience, expertise and currency;
   - adventure activity provider type and expertise (e.g. commercial centres, sole providers, local authorities, schools, youth organisations, voluntary organisations and charities and clubs);
   - adventure activity user & consumer type and experience (e.g. local authorities as users, schools as users, teachers, voluntary & youth organisations, charities and leaders; Church organisations, parents groups etc.);
   - relevant ‘sport governing body’ (or NGB) expertise and experience (e.g. of NGB qualifications and applicability);
   - managerial and staff knowledge, experience and competence (e.g. in the direct provision of adventure activities, in childcare, in leadership, in staff welfare/health & safety, in training);
   - relevant tourism industry expertise and experience (e.g. Tourist Boards and cognate organisations).

9. Chair & Vice-Chair: The Chair of SAAF shall be elected or re-elected (for a maximum period of 3 years) on an annual basis by and from the Members. SAAF may choose to elect a Vice-Chair on the same basis. There is no automatic expectation that the Vice-Chair should succeed the Chair although this may be the case.

10. Observers: Each of the following shall be entitled to appoint an Observer to SAAF: the Scottish Sports Association; Adventure Activity Industry Advisory Committee, SkillsActive; the Health and Safety Executive; the Adventure Activity Licensing Service; Scottish Government and Sportscotland, SAPOE, IOL, AHOEC.

11. Observers shall be entitled to attend and to speak at meetings of SAAF. Observers may be represented at meetings by alternates.

12. Invited Persons: SAAF may invite such persons as it thinks appropriate to attend the whole or part of one or more of its meetings to speak on specified matters.

13. SAAF may co-opt such persons as it thinks fit primarily to work on specific topics, committees or sub-groups in order to progress its work. Such persons shall be eligible to speak to and vote on SAAF’s agenda items at full meetings. A co-option shall last for no longer than one year or the duration of the specific purpose/task/work to which that co-option relates.

14. The SAAF Appointments Committee
   The Appointments Committee: There shall exist a SAAF Appointments Committee [the Appointments Committee]. It is not a committee or a sub-committee of the SAAF. Its purpose is to appoint, and to oversee the process of the appointment of, the Members of the SAAF.
15. The Appointments Committee shall be chaired by the Observer appointed by sportscotland.

16. The Scottish Sports Association’s will nominate a representative (normally the senior employee) and the Chair of SAAF will complete the appointments committee. When considering any possible changes to the membership, it shall consult within the industry.

17. All full appointments to the membership of the SAAF shall be made by the Appointments Committee in accordance with this constitution after public advertisement of the vacancy or vacancies. The industry’s own publications and collective bodies shall also be used to seek nominations for membership.

18. Any members of the Appointments Committee who have been nominated for membership of SAAF shall be excluded from all discussions relating to their own or each other’s appointment, re-appointment, or otherwise, to SAAF.

19. The Appointments Committee shall meet each year before the end of the calendar year in order that members may then take up their appointments from the beginning of the following year.

20. Criteria: In addition to having regard to the criteria set out in clause 8, the Appointments Committee shall take fully into account:
   - the need for a proper balance in the membership of SAAF;
   - the need for the widest possible coverage within the membership of SAAF of all sectors of the industry;
   - the need for the educational, commercial, recreational and training purposes of adventure activities to be appropriately represented within the membership of SAAF;
   - the relevance to the membership and the work of SAAF of equality issues.

21. Nominations: Any person, body or organisation nominating a person or persons for membership of SAAF shall do so in a format to be prescribed by the Appointments Committee, which shall provide:
   - for the nominee’s qualifications for membership, in terms of the criteria set out in this constitution, to be clearly identified;
   - for the nominee’s membership of relevant bodies and organisations to be listed;
   - for a list of any other persons, bodies or organisations sponsoring the nomination to be provided.

22. Nominations shall be sought in the last three months of each calendar year with a closing date of the 1st December in order that the Appointments Committee can make appointments in time for the New Year.

23. Notice of Appointment: When appointing Members to SAAF, the Appointments Committee shall specify the duration of their appointments as Members, list the persons, bodies or organisations sponsoring their nominations of the Member,
and state from which broad industry “constituency” it considers the Members to have come.

24. Working Arrangements

25. SAAF Year: The operating year of the SAAF shall coincide with the normal calendar year.

26. Meetings: SAAF shall meet not less than three times a year.

27. Working Groups: SAAF may establish such working groups with such terms of reference as it deems appropriate. The chair of all working groups shall be appointed by and from SAAF, but the membership of working groups is not otherwise limited by this constitution.

28. All working groups shall be required to submit a report on work in progress [which may be a ‘nil’ report] to every meeting of the SAAF.

Other Matters

a) Quorum: The quorum at meetings of SAAF [without which decisions may not be taken] shall be a number not less than one half of the total number of currently serving Members, including co-opted members.

b) The Terms of Reference: The adoption and modification of this terms of reference shall be by an affirmative vote of not less than three quarters of the total number of currently serving Members, including co-opted members.
H) Beveridge Marshall Services Ltd

BMSL provides independent advice and consultancy services for the adventurous activity sector. The two Directors, Andy Beveridge and Nigel Marshall, each have over 35 years experience in outdoor education, and both managed large year-round residential facilities for local authorities in Scotland. They also filled the roles of technical advisers and staff trainer/educators for their respective employers. Nigel was a recent Chair of the Scottish Advisory Panel for Outdoor Education. Andy was Chair of the Association of Heads of Outdoor Education Centres in Scotland.

Through a long-standing interest in safety in the outdoors, they have both been closely involved with various government committees set up to look at the future of Licensing in Scotland. They came to this particular task with an understanding of the issues and the range of stakeholders to be consulted.
GLOSSARY & REFERENCES

Glossary

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AALA</td>
<td>Adventure Activities Licensing Authority</td>
</tr>
<tr>
<td>AALS</td>
<td>Adventure Activities Licensing Service</td>
</tr>
<tr>
<td>AHOEC</td>
<td>Association of Heads of Outdoor Education Centres</td>
</tr>
<tr>
<td>AAIAC</td>
<td>Adventures Activities Industry Advisory Committee</td>
</tr>
<tr>
<td>BMSL</td>
<td>Beveridge Marshall Services Limited</td>
</tr>
<tr>
<td>HSE</td>
<td>Health and Safety Executive</td>
</tr>
<tr>
<td>LA</td>
<td>Local Authority</td>
</tr>
<tr>
<td>LS</td>
<td>Licensing Service (AALS)</td>
</tr>
<tr>
<td>NGB</td>
<td>National Governing Body</td>
</tr>
<tr>
<td>NI</td>
<td>Northern Ireland</td>
</tr>
<tr>
<td>SAAF</td>
<td>Scottish Adventure Activities Forum</td>
</tr>
<tr>
<td>SAAWG</td>
<td>Scottish Adventure Activities Working Group</td>
</tr>
<tr>
<td>SAPOE</td>
<td>Scottish Advisory Panel for Outdoor Education</td>
</tr>
<tr>
<td>SG</td>
<td>Scottish Government</td>
</tr>
<tr>
<td>SGB</td>
<td>Scottish Governing Body (of sport)</td>
</tr>
<tr>
<td>SSA</td>
<td>Scottish Sports Association</td>
</tr>
</tbody>
</table>

References

- Activity Centres (Young Persons' Safety) Act 1995
- The Adventure Activities Licensing Regulations 2004
- L77 Guidance from the Licensing Authority on the Adventure Activities Licensing Regulations 2004
- Scottish Adventure Activities Working Group — Discussion Paper AA (13)04