

Minutes of the 17<sup>th</sup> Meeting of the  
Adventure Activities Licensing Authority  
Management Board  
Held on 3 March 2015 11.00am  
at HSE Offices 9 Quinton Business Park  
Birmingham

**Those Present:**

Alistair McNab HSE – Chair  
Rob Vondy – HSE  
Gavin Howat – HSE  
Kerry Darke – Welsh Government  
Sir Brooke Boothby – TQS  
John Walsh Heron – TQS  
Marcus Bailie –TQS  
Brian Chapman – Independent Member  
Ian McMorrin - Independent Member  
Jill Worrall - HSE

**Apologies:**

David Snowball – HSE  
Steve Bateman – DfE  
Anna Bliss – DWP  
[Post meeting note – apologies from John Paul Lawrence](#)

**1 Introduction**

The Chair welcomed everybody to the meeting and apologies were noted.

**2 Minutes & Actions from the Previous Meeting**

The minutes from the 16<sup>th</sup> meeting were accepted as a true record. All actions were discharged with the exception of Gavin Howat investigating whether overseas hits on the site can be separated from UK hits. Having made the relevant enquiries, this is impossible to do.

**3 Progress report on the Cabinet Office review of AALA and the Scottish Government request for the transfer of powers.**

The Cabinet Office (CO) are still considering future sponsorship of AALA. However, it is unlikely that anything will change until after the General Election.

The current contract with TQS is due to expire in September 2015. HSE have received in house clearance to extend it until September 2016 but are awaiting Ministerial approval. As soon as a decision is received TQS will be informed immediately. This will allow a period of stability in the service whilst HSE carries out an exercise to consider the scope and fee structure of future arrangements.

DWP have begun work with the Scottish Government and Scottish Office to transfer responsibility for AALA to Scottish Ministers. However, there will not be time for the necessary legislation in this Parliament, so it will happen after the UK Government election.

The Welsh Office are keeping a watching brief on developments. They are currently considering options for ministers to consider.

#### **4 AALS / Royal Yachting Association (RYA) Joint Inspections.**

Approval was sought from the AALA Management Board to go ahead with the RYA pilot scheme.

RYA inspectors will only inspect RYA "On Board" providers offering exclusively RYA activities. The training and induction of RYA inspectors is due to be complete by September/ October 2015. However, some RYA inspectors will be ready to inspect independently in around three to four months.

RYA inspectors have been accompanying AALS inspectors on visits. This has been done with the consent of licence applicants / holders. Therefore, at this stage the RYA inspectors do not have any legal responsibilities. If they eventually work alone they will be managed by an AALS senior inspector who will take responsibility for the quality of their reports and ensure that they are legally robust. These reports will then be further checked by Marcus Baillie the AALS chief inspector. All reports for On Board providers are routinely copied to Gavin Howat. The RYA inspectors would be paid their expenses and a fee for the production of the report. This is likely to be £75.

#### **Action TQS:**

A memorandum of understanding will be agreed between AALS and the RYA for the duration of the pilot process.

#### **Action TQS:**

A process for spot checks by a senior AALS inspector, of RYA sites which are inspected exclusively by an RYA inspector, will be formalised.

**Action TQS:**

Marcus Bailie to prepare a paper outlining the details of the pilot scheme and send to Rob Vondy for the purpose of securing legal advice on the same.

**Action HSE:**

On receipt of the above paper from TQS a paper will be presented to HSE Senior Management Team and HSE legal advisors for consideration and approval.

**Action TQS:**

Providing this pilot exercise goes ahead, AALS will present an evaluation report of this scheme at the October 2016 meeting.

## 5 HSE Report

- Gavin Howat's report was circulated in advance of the meeting.
- Marcus Bailie and his colleagues were thanked for promoting the AALA Community website.
- The HSE web team have removed some more material from the main AALA site and relocated it on to the community site. This will make it easier and swifter to update.
- The Scottish Adventure Activities Forum (SAAF) survey is now complete. The results will be discussed at the next SAAF meeting and a report will be prepared for Scottish Ministers.

**Action Gavin Howat:**

When the above report is cleared Gavin will circulate to AALA Management Board Members.

- The Adventure Activities Industry Advisory Committee (AAIAC) met in January and accepted a new constitution. A new committee will be formed shortly.
- The HSE publication L77 "Guidance from the Licensing Authority on the Adventure Activities Licensing Regulations 2004" is undergoing a limited review. The most significant feature being that the tables of qualifications will be removed from the hard copy and will appear on line. This will allow for easy updating. Gavin sent a proposed form of words to TQS last week.

**Action All:**

Members were asked to send any comments on the HSE paper "Scope of AALA Scheme to Permit Issue of a Licence" to Gavin Howat by the end of June 2015.

## **6 TQS Reports:**

### **Annual Report**

The chair requested that the TQS Annual Report be ready for the HSE Board in September.

### **Finance & Staffing**

Hard copies of the report were distributed to members and electronic copies were sent yesterday. Costs were steady. Overheads were down as various items such as property rates are paid in March as savings can be made by paying such bills in advance. There has not been any capital expenditure this year.

In April there are likely to be 1255 licences in existence – this is an all time high.

### **Head of Inspection Report**

The Head of Inspection Report was circulated to members in advance of the meeting. It contained details of accidents and incidents which are relevant to the board.

AALS are keeping a keen eye on trends such as a cluster of accidents involving high ropes courses in the US.

## **7 Reports From:**

DWP - Please see item 3 above

DfE - No change in position

Local Authorities - apologies from representative but no report

Devolved Administrations - please see item 3 above.

## **8 Membership of the AALA Management Board.**

Going forward consideration needs to be given to membership of the Management Board. As there are so many uncertainties at the moment eg General Election, transfer of powers to devolved administrations etc the status quo will be maintained but this item should be included on the agenda in future.

### **Action HSE:**

Retain this item on agenda

**9 Any Other Business.**

Brian Chapman asked if independent members could be given the opportunity to accompany inspectors on visits to providers. Brian will contact Marcus Bailie outside this meeting to make arrangements.

**10 Date & time of the next meeting:**

Post meeting note – the next meeting is scheduled for

11am on 1 October 2015 at Redgrave Court in Bootle Liverpool.