

Adventure Activities Licensing Authority Board Meeting
26th March 2013

Adventure Activities Licensing Service Operations Report
September 2012 – February 2013

1. Number of Licence Holders

This stands at 1218 as at 28th February 2013.

Previous figures: 31st January 2013 - 1215, 31st December 2012 - 1212, 30th November 2012 - 1214, 31st October 2012 – 1212.

2. Relevant Action

During the reporting period, one provider was issued with a notice that we were considering revoking their licence. The provider subsequently satisfied us that our concerns had been addressed and the notice was rescinded.

The previous Operations Report noted that one case where a provider had been issued with a notice that we were considering refusing their licence renewal application was still in progress. The provider subsequently provided evidence that they had addressed our concerns and their licence was renewed.

See Appendix 1 for more detail.

3. Recorded Accidents and Incidents

3.1 Summary.

During the reporting period 14 accidents/incidents were entered on the Licensing Service's database. 5 of these occurred during the reporting period and 9 were entered retrospectively as information was received.

Of the 5 cases which occurred during the reporting period, 3 involved fatalities – a Mountain Guide who was the co-owner of an unlicensed provision died in a fall whilst leading a client and an 18 year old student died in an avalanche whilst on a course at a licensed centre. Recent reports have been received of the death of a 13 year old girl during a school ski trip to the Italian Alps.

Of the 9 cases which occurred prior to the reporting period and entered onto the database retrospectively, 2 involved fatalities – an adult and 3 young children died in a canoeing accident in August

2012 and an adult and his 13 year old daughter died in March 2005 after being thrown from their rigid inflatable boat.

Of the 4 young people who died in incidents which occurred prior to the reporting period, 3 (2 aged 5 years and 1 aged 2 years) died, together with an adult male, when the canoe they were in with another adult male and an 8 year old female capsized in Gair Loch in the North West Highlands area of Scotland in August 2012. The adult's body has not yet been found.

The second incident involving the death of a young person occurred in March 2005 when a 13 year old female and her 45 year old father died after being thrown from their rigid inflatable boat on Loch Lomond. Neither body was found until human remains found in November 2012 were identified as that of the 13 year old.

A further 11 accidents/incidents which have been reported previously were updated as more information became known. In 10 cases the update related to inquest verdicts or legal action. 1 update related to ongoing investigation.

3.2 Significant amongst these are the following (the numbers refer to the incidents which are detailed in Appendix 2):

2) February 2013 - An 18 year old student on a winter skills course at a licensed centre died after being caught in an avalanche in the Chalamain Gap area in the Highlands. 2 x RAF personnel (both members of a separate group) also died in the avalanche. Nine other people who were in the area at the time were unhurt.

4) November 2012 - A child who was lead climbing on a wall within a school fell and injured his ankle. The child was being instructed by a member of PE staff and belayed by a fellow pupil. The incident is under investigation by HSE and assistance has been sought from AALS.

5) October 2012 - A group of 6 children aged 13-15 years and a teacher had to be rescued from Central Trinity Gully on Snowdon after getting lost. Volunteers from Llanberis Mountain Rescue located the group in poor visibility and had to individually rope each pupil and their teacher down before leading them off the mountain. We believe the police arrested the leader on a lack of duty of care basis. Potentially an extremely serious incident.

19) Banana Boat fatality – September 2010

An 11 year old girl died from severe leg injuries sustained after

she fell off an inflatable banana boat ride whilst it was making a tight 360 degree turn. She was hit by the boat as it re-crossed the same piece of water.

The subsequent MAIB report was highly critical of the centre's health and safety consultants. It also recommended that the National Water Safety Forum (NWSF) should draw together good practice guidance for towed inflatables.

In February 2013 the CPS and the local authority took the decision to charge the commercial provider with corporate manslaughter and an offence under Section 3 of the Health and Safety at Work Act 1974. Additionally a director is to be charged under Section 37 of the Health and Safety at Work Act.

Marcus Bailie
Head of Inspection
12.03.13

Appendix 1

Action Taken: Minded to Revoke licence; Rescinded

At an inspection on 27th July 2012, carried out in advance of the provider applying for a renewal of their licence, the inspector identified failures in the following areas:

- Failure to ensure that the staff competency file is up to date. This was a required action from the report of 19th August 2010, but had still not been addressed.
- Failure to satisfy the inspector that the safety boat was safe.

As a result a Notice that we were considering revoking their current licence was sent to the provider on 23rd August 2012. The provider provided the required information and also submitted a renewal application. Once the inspector had reviewed the information provided and spoken the provider, he was satisfied that our concerns had been addressed satisfactorily. The Notice was rescinded and their licence renewed.

Action Taken: Minded to Refuse licence; Rescinded

(This case was still in progress as at the date of the last Operations Report.)

Following receipt of a renewal application, an inspection was carried out on 4th July 2012. The inspector identified failures in the following areas:

- Failure to provide evidence that 2 members of staff hold a current first aid qualification.
- Failure to obtain and hold “statements of competence” for all those staff deployed to lead gorge scrambling activities.
- Failure to implement periodic systematic checks on critical safety equipment and to record the outcomes of these.

As a result a Notice that we were considering refusing their renewal application was sent to the provider on 23rd July 2012.

The provider subsequently provided information that satisfied our concerns and their licence was renewed.