

**ADVENTURE ACTIVITIES LICENSING AUTHORITY  
MANAGEMENT BOARD**

**TWELFTH MEETING 27 September 2012**

**9 Quinton Business Park, BIRMINGHAM**

**11.00 – 14.00**

In attendance: David Ashton – HSE (Chair AALA MB)  
Alistair McNab – HSE (Vice Chair AALA MB)  
Clare McNicholas – HSE Policy  
Gavin Howat – HSE Field Operations  
Brian Chapman – Independent member AALA MB  
Ian McMorrin – Independent member AALA MB  
John-Paul Lawrence – Local Authorities  
Anthony Jordan – Welsh Government  
Jonathan Holvey – DWP – by telephone  
Sir Brooke Boothby – Chair TQS/AALS  
John Walsh-Heron – Chief Executive TQS/AALS  
Marcus Bailie – Head of Inspection TQS/AALS  
Dawn Hepworth – HSE Policy

Apologies: Anne-Marie Edwardes - DFE

**Welcome and Introductions**

1. David Ashton welcomed all those attending. Apologies were noted.

**Minutes and actions from the previous meeting**

2. The minutes and actions of the meeting 27 March 2012 were cleared.

**Progress Report**

3. The Board was given an update on developments that had occurred over the summer. Like the Welsh Government, the Scottish Government had decided to retain the Adventure Activities Licensing Authority.
4. The Board noted that, following concerns which had been raised regarding the reassurance that providers have appropriate safety management systems and the inconsistencies in the scope of the activities covered by the licensing regime, the (then) Minister for Employment had asked HSE to consult on either revoking the regime or extending its scope. For the sake of continuity, TQS Ltd have agreed to continue to deliver the licensing service pending the outcome of the consultation. HSE would review this once the future of licensing is clearer.
5. The Board discussed issues around widening of the scope of the regime. It concluded that the definition of “adventure activities” for the purposes of the regime, will need to be robust and usable and crafted in a way that does not capture activities unintentionally. Future-proofing the definition will be essential.

6. The Board also discussed the feasibility of extending the maximum licence term to five years with a built-in system for interim checks and notification of key changes (such as senior instructors, extent of activity provision). It was noted that the draft impact assessment had identified the potential for small financial savings to some providers if the maximum licence duration was extended to five years.
7. The Board noted that HSE is in the process of preparing a submission for the new Minister, Mark Hoban in anticipation of the consultation.

### **Developments in HSE**

8. The Board noted that HSE's fee for intervention cost recovery scheme (FFI) was to be introduced on 1 October 2012 and that guidance on FFI had been published on the HSE Website. FFI will only apply to those providers that are enforced by HSE.
9. The Board also noted the changes to RIDDOR that were introduced on 6 April 2012. The trigger-point for reporting has increased from over-three-days' to over-seven-days' incapacity and the deadline for reporting over-seven-day injuries has increased to fifteen days from the day of the accident.

### **AALA Annual Report 2010 – 2011**

10. The Board noted that the AALA Annual Report will be considered by the HSE Board at its meeting on 31 October 2012. Once cleared it will be published on the HSE website.

### **Action – Richard Broughton HSE**

### **TQS Reports**

#### Finance

11. The Board noted that the uncertainty over the future of licensing has raised some issues around capital expenditure which TQS Ltd is currently working around to provide temporary (low-cost) fixes.
12. A drop in licence renewals has led to a shortfall of around £3k on fee income meaning that the budget forecast is unlikely to be met.
13. The Board asked TQS Ltd to undertake some basic research to establish the reasons for non-renewals. This would be very useful evidence for the consultation and post-consultation consideration.

### **Action – TQS Ltd to undertake some basic research on reasons for non-renewal.**

#### Head of Operations report

14. The Board noted the contents of the report, in particular the fluctuation in the numbers of licence-holders over the last two years.

### **Issues for Wales**

15. The Board was informed that Anthony Jordan would be moving on to a new role at the Welsh Government and that his successor had not yet been appointed. Anthony would ensure that HSE would be informed of his successor as soon as possible. The Chair of the Management Board expressed his thanks for Anthony's contribution to the AALA's proceedings and wished him well in his new role.

### **Issues for DWP**

16. The Board noted that both the Minister for Employment and the Secretary of State for Education are keen to increase children's participation in activities and will work together to deliver this.
17. The Board also noted the Professor Löfstedt will be undertaking a further review, due to commence in November, the scope of which was currently under development.

### **Any other business**

18. The Board was informed that the Scottish Canoe Association is working with Scottish Canals to improve standards amongst canoe hire companies to ensure that some elements of training are given to customers hiring canoes.
19. It was suggested that HSE consider promulgating the principles of the Glasbury Protocol for River Craft Hire Companies across Great Britain.

### **Action – Gavin Howat**

20. The Board noted that HSE and TQS Ltd may well be called to participate in a Fatal Accident Inquiry into the recent canoe accident at Loch Gairloch.

### **Date and venue of next meeting**

10.30 am Tuesday 26 March 2013 – HSE, 9 Quinton Business Park, Birmingham