



Adventure Activity Licensing

Employers, Heads/Managers, EVCs and Leaders should have a basic understanding of where and when the provision of adventurous activities is legally regulated.

See also document 4.4g "Selecting External Providers and Facilities".

The Adventure Activities Licensing Authority (AALA) came into existence in April 1996, as a result of the Activity Centres (Young Persons' Safety) Act 1995. It is currently sponsored by the Department for Work and Pensions. The Health and Safety Executive is currently designated as the AALA.

The Adventure Activity Licensing Regulations 2004 set out the details of which providers are required to hold an AALA licence. Unless specifically exempted, anyone who provides facilities for 'in scope' adventure activities to young people under the age of 18 in return for payment must have a licence and abide by its conditions.

The AALA licence is an assurance of safety. It does not accredit educational or activity quality.

Only the providers and the activities specified by the Regulations are affected by the scheme.

"In scope" activities are:

- Caving** Underground exploration in natural caves and mines including potholing, cave diving and mine exploration.
- Climbing** Climbing, traversing, abseiling and scrambling activities except on purpose-designed climbing walls or abseiling towers.
- Trekking** Walking, pony trekking, mountain biking, off-piste skiing, or similar, in remote open country. Travelling in any place which is *moorland* (open uncultivated land at any height above sea level) or on a mountain above 600m and from which it would take more than 30 minutes *travelling time*, using the standard Naismith's Rule, to walk back to an *accessible road* or *refuge*.
- Watersports** Canoeing, rafting, sailing and related activities when done on the sea, tidal waters, any body of inland water in which it is possible to be more than 50 m from the nearest perimeter bank, and any inland waters where the surface is turbulent because of weirs, rapids, waterfalls or fast-flowing currents (white water). Licensing does not cover rowing activities, surfing, powered craft, towed inflatable craft or large sailing vessels.

The following are specifically exempt from the need to hold a licence:

- Educational establishments providing activities for their own pupils/students (but not if they provide for pupils/students on another establishment's roll). This exemption does NOT include outdoor education centres, field study centres or other provision run by Local Authorities (for example the Duke of Edinburgh Award scheme), which, therefore, do need a licence if they provide in-scope activities.
- Voluntary associations providing activities for their own members, or for members of another voluntary association pursuant to an agreement between them. Voluntary associations can also hold open days for non-members without holding a licence, provided no individual non-member participates for more than 3 days.
- Crown servants (e.g. Ministry of Defence employees) providing facilities for adventure activities in the course of their duties.
- Provision to under-18s who are accompanied by their parents or legally appointed guardians.

Other Schemes

There are some high profile outdoor and adventurous activities that do not fall within the remit of AALA licensing; e.g. rock climbing on purpose made climbing walls, surfing, high poles and ropes courses.

Providers of these activities may have obtained other forms of non-statutory accreditation such as the Learning Outside the Classroom Quality Badge or Adventuremark, but this is not a legal requirement.

Further information

The definitive source of advice on the Licensing Regulations is to be found in the Health and Safety Executive publication L77: "Guidance from the Licensing Authority on Adventure Activity Licensing Regulations 2004". This, along with further information and a list of licence holders can be obtained from www.hse.gov.uk/aala.

Where establishments require further guidance on licensing, they should seek advice from their employer's Outdoor Education Adviser.

