

Our aim is for visitors to be aware of all the risks they face and to have the chance to decide whether or not to accept them. There should be no nasty surprises.

CHAPTER 2

GUIDING PRINCIPLES

The principles apply to individuals and groups visiting land, water, buildings and other structures. They are relevant to parks, gardens, country parks, historic houses and monuments, canals and rivers in urban and rural areas, as well as open countryside, nature reserves and forests. Visitors include people engaged in informal recreation as well as participants in various sports and activities. The principles are not intended to cover employee safety or the work of contractors. They are grouped under five main headings.

Guiding principles at a glance

1 FUNDAMENTALS

- ▶ Take account of conservation, heritage, recreation, cultural and landscape objectives.
- ▶ Do not take away people's sense of freedom and adventure.
- ▶ Avoid restrictions on access.

2 AWARENESS

- ▶ Ensure that your visitors know the risks they face.
- ▶ Inform and educate your visitors about the nature and extent of hazards, the risk control measures in place, and the precautions that they should take.

3 PARTNERSHIP

- ▶ Recognise that people taking part in similar activities accept different levels of risk.
- ▶ Recognise that risk control measures for one visitor group may create risks to others.
- ▶ Work with visitor groups to promote understanding and resolve conflict.

4 RESPONSIBILITY

- ▶ It is important to strike a balance between visitor self-reliance and management intervention.
- ▶ It is reasonable to expect visitors to exercise responsibility for themselves.
- ▶ It is reasonable to expect visitors not to put others at risk.
- ▶ It is reasonable to expect parents, guardians and leaders to supervise people in their care.

5 RISK CONTROL

- ▶ Assess risks and develop safety plans for individual sites.
- ▶ Risk control measures should be consistent.
- ▶ Risk control measures should take account of wider benefits to society.
- ▶ Monitor the behaviour and experiences of visitors to review visitor safety plans.
- ▶ Make sure that your work activities do not expose visitors to risk.

1 FUNDAMENTALS

TAKE ACCOUNT OF CONSERVATION, HERITAGE, RECREATION, CULTURAL AND LANDSCAPE OBJECTIVES

The use of safety precautions may conflict with conservation, recreation or landscape objectives. For example, it would be possible to reduce risk when walking around the walls of a castle by erecting railings. Handrails and steps could reduce risk on steep mountain descents. Fencing might lessen risk if erected at the edge of cliffs or water. However, the application of such control measures could fundamentally detract from the historical integrity of the structure and inherent attraction of the landscape. A balance must be achieved between risk and the impact of safety measures.

DO NOT TAKE AWAY PEOPLE'S SENSE OF FREEDOM AND ADVENTURE

Do not destroy the appeal of wild and remote places by putting up signs and fences, or making paths to urban standards. People should be free to participate in high risk or adventurous activities as long as they are aware of the risks. Riders of mountain bikes should not be prevented from experiencing the exhilaration of steep descents and challenging drops, if that is their informed choice.

Where activities conflict, you might have to restrict one person's freedom for the benefit of others. However, first look for solutions that could still allow conflicting activities to take place, for example by zoning, or by scheduling them to take place at separate times.

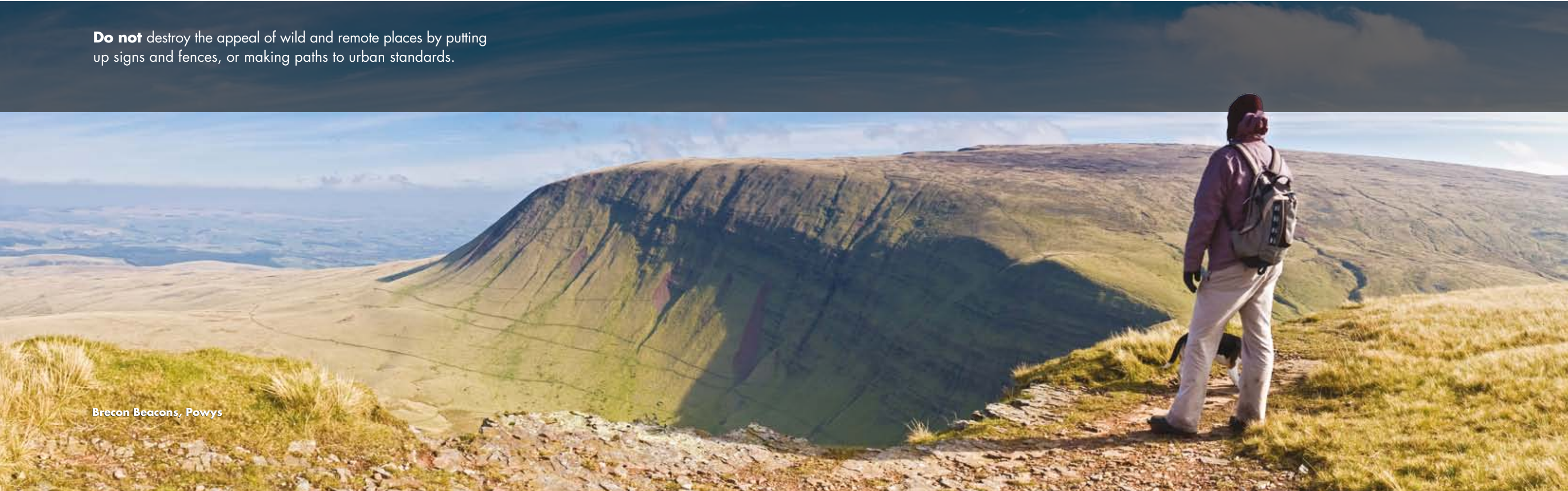
AVOID RESTRICTIONS ON ACCESS

Try to find safety solutions that both allow access and protect the buildings, structures or landscape. Only restrict access as a last resort. You may need to exclude the public due to natural processes or weather, for example when cliff paths have collapsed or heavy flooding has occurred, or to carry out repairs or commercial operations (like timber harvesting). If so, keep restrictions as short as possible, and where possible time them to cause least interference to visitors.

Avoid giving visitors a long list of dos and don'ts, and remember that disclaimers do not provide legal protection.

Do not destroy the appeal of wild and remote places by putting up signs and fences, or making paths to urban standards.

Brecon Beacons, Powys



2 AWARENESS

ENSURE THAT YOUR VISITORS KNOW THE RISKS THEY FACE

Our aim is for visitors to be aware of all the risks they face and to have the chance to decide whether or not to accept them. There should be no nasty surprises. Visitors may arrive with full knowledge of all the risks. Sometimes the risks are apparent on arrival at a site. In other cases, information about risk might be provided on signs at car parks or access points.

It is reasonable to expect visitors to recognise the hazards from natural features in the landscape, such as cliffs. Once the visitor is aware of the nature of the risk, for example an unfenced drop, he or she can then decide whether to accept it and go near the edge. You may, however, need to warn of less obvious hazards. For example the cliff edge and potential drop might be obvious, but the visitor might need to be made aware if the cliff edge was undercut or unstable.

Usually it is reasonable for you to expect people to be aware of the normal risks associated with the sports and activities they are carrying out. You may, however, need to inform users of additional hazards specific to the site. For example, a sub aqua diver should have knowledge of the normal risks of the sport, but should be made aware of less obvious hazards, say from sluices, if diving in a reservoir.

INFORM AND EDUCATE YOUR VISITORS ABOUT THE NATURE AND EXTENT OF HAZARDS, THE RISK CONTROL MEASURES IN PLACE, AND THE PRECAUTIONS THAT THEY SHOULD TAKE

You can often manage and reduce risk through information and education rather than by physical intervention on site. High risk groups can be targeted.

Children might be informed through schools. Participants in sport and recreation may be contacted through event organisers, governing bodies and local user groups, and by information issued with licences, tickets or permits. Stickers or leaflets can be applied to bikes, canoes, boats, fishing tackle, outdoor equipment and the like prior to hire or sale.

Consider providing advice on websites, social networking media and in places like tourist information centres, climbing shops, and holiday accommodation, as well as at the site itself. The Internet, local radio and telephone message lines can be used to give up to date information; for example on weather conditions in mountain and coastal areas. Signs can be erected in car parks, stations and at other main access points.

3 PARTNERSHIP

RECOGNISE THAT PEOPLE TAKING PART IN SIMILAR ACTIVITIES ACCEPT DIFFERENT LEVELS OF RISK

You need to understand differences in how people view and accept risk. Contrast the expectations of a family out for a gentle cycle ride with those of competitive mountain bikers. Many activities share this contrast between 'extreme' adherents and more gentle recreation participants. Codes of practice issued by governing bodies of sport can help your understanding.

RECOGNISE THAT RISK CONTROL MEASURES FOR ONE VISITOR GROUP MAY CREATE RISKS TO OTHERS

For example, a fence erected at a lock side to prevent a walker drowning might create a crush hazard to a boater, whilst the raised stone grips that help prevent a boater slipping when pushing lock gates could create a trip hazard to passers by. Speed humps designed to slow cars can be a hazard to cyclists.

WORK WITH VISITOR GROUPS TO PROMOTE UNDERSTANDING AND RESOLVE CONFLICT

For example, encourage cyclists to slow down or dismount on narrow paths used by walkers. Consider promoting physical segregation of different uses. Promote awareness of the needs of other users.

4 RESPONSIBILITY

IT IS IMPORTANT TO STRIKE A BALANCE BETWEEN VISITOR SELF-RELIANCE AND MANAGEMENT INTERVENTION.

This principle is illustrated in the risk control matrix on page 24–25.

Using the matrix

The example demonstrates the complex relationships between two key guiding principles and the location or terrain of the site or property. It shows a balanced approach to management effort on sites varying from heavily developed to undeveloped.

The general premise is that as the environment becomes less developed the visitors' self reliance, knowledge and understanding of the surroundings should increase, and with it their personal responsibility. At the same time less management action is required and/or fewer physical safety measures are needed.

It is reasonable to expect higher levels of user self-reliance on land where no recreational facilities have been specifically provided but public access is allowed. For example, paths created by informal use in such areas will not be to the standard that visitors might reasonably expect to be maintained on a formal recreation site.

It is important to note that the diagram is only intended to illustrate the broad principles. It provides a framework within which to consider the detailed characteristics of your own site and judge the level of management intervention that is appropriate. This might vary within the site. There may be a gradual transition in the intensity and type of hazard management. Larger sites are often zoned, which can help to prioritise the focus of management effort.

The matrix is a simplification and does not cover all eventualities. For example, adverse weather conditions can make activities in easy terrain more hazardous.

The nature of management intervention will be influenced by the particular characteristics of your site - for example, in its historic, landscape or conservation value.

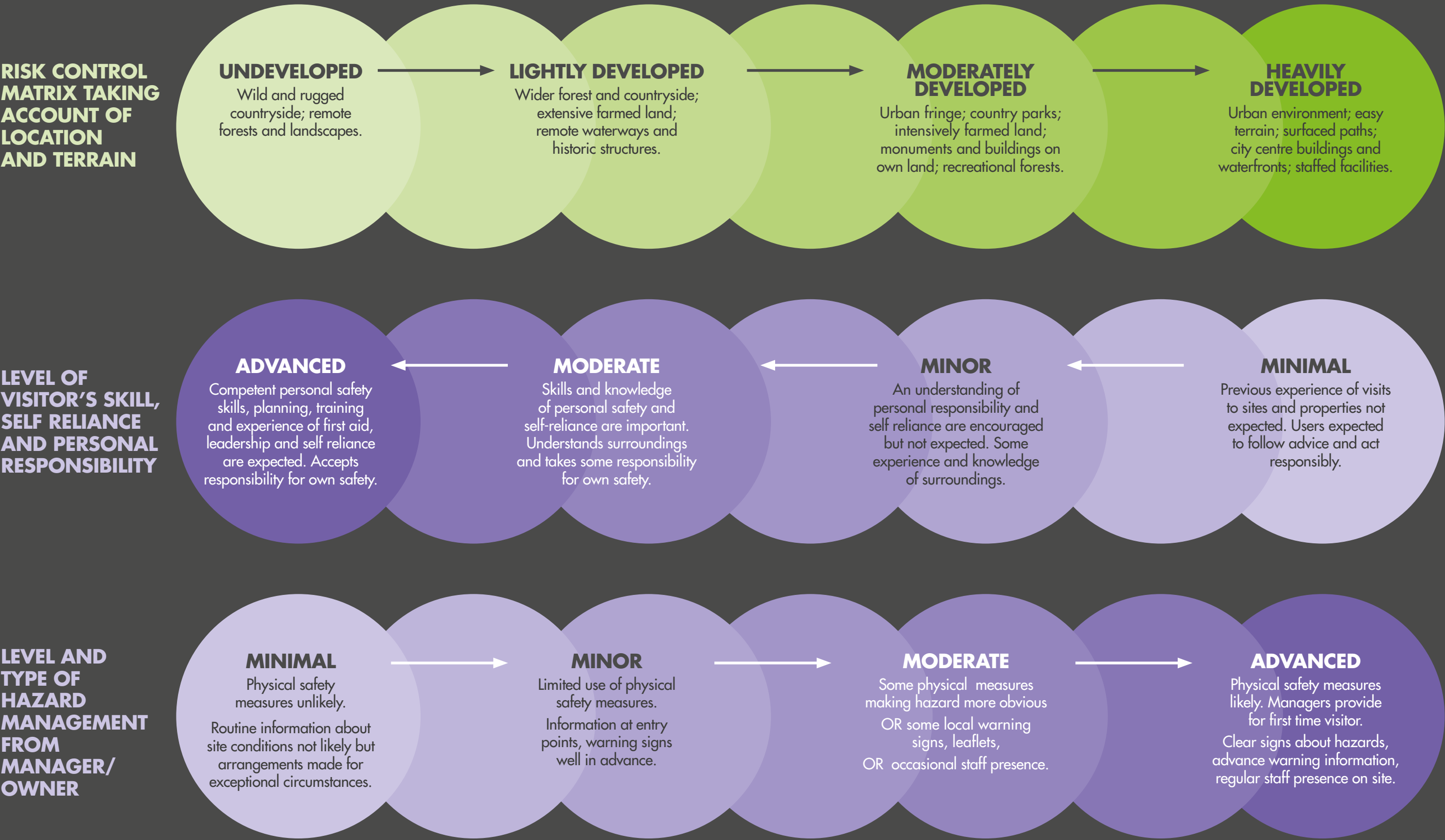
The risk control matrix is only a framework to guide analysis, and the final balance struck will also be influenced by other guiding principles. In the examples shown, the primary focus is on how the location and terrain of the site or property influences management activity. But it can easily be adapted to take account of other important aspects of the site or property such as landscape, conservation or historical interest.

As far as possible avoid using risk control measures that spoil people's experience. A balance must be achieved between risk and the impact of safety measures.

This simple handrail has been in place for many years and is considered necessary because of the uneven surface. It fits with the landscape much better than modern safety fencing.

Slater Bridge, Little Langdale, Cumbria

RISK CONTROL MATRIX



CASE STUDY

Holyrood Park

This 260 hectare (650 acre) Royal Park, owned by Scottish Ministers and managed by Historic Scotland, is a unique green oasis in the heart of the City of Edinburgh.

Part of the remnants of an ancient volcano complex, Holyrood boasts spectacular craggy scenery which forms a distinctive landmark for miles around. The Park is designated as a Site of Special Scientific Interest for its important flora, fauna and geology, and as a Scheduled Ancient Monument for its wealth of archaeological and historical heritage.

The Park is well used, by local people and tourists alike, for many different recreational pursuits; whether idly sunbathing on the lower grassy slopes or energetically hiking up to the 251m (823ft) summit of Arthur's Seat.

Public access is encouraged and promoted with vehicle access permitted at five main gates and via numerous pedestrian entry points around the perimeter wall. A visitor safety management plan was developed to collate and formalise current management practices, controls, policies and procedures for managing visitor safety within the Park. The framework, descriptions and definitions used in the plan create the context for making judgements about what might constitute acceptable and unacceptable levels of risk in specific areas of the Park.

The Park management team have 'zoned' the area into three categories - Urban, Rural and Rugged - as illustrated in the map. Although these zones appear as hard boundaries on the map, in reality the borders can be more blurred.

URBAN

The areas around the main vehicle and pedestrian access points, car parks, road way, Education Centre and Lodges are treated as Urban. Staff from Historic Scotland (HS) patrol these areas regularly.

It is assumed that visitors are not countryside aware and that paths, seats, drop curbs, steps, grassland, trees and park furniture are maintained to the highest standard.

Paths are surfaced, level and even. There are no steep drops or deep water. The weather is typical for central Scotland, is rarely extreme and the safety of shelter is within reasonable distance.

RURAL

These areas are predominantly inside the boundary of the road, but cannot be accessed by public vehicles. They are less developed than the areas surrounding the main entrances and so have been defined as Rural.

The path surface varies from man made to natural, but is predominantly even. There are a number of steep climbs and some stone pitched steps. Numerous 'informal' grass and rock paths criss-cross these areas.

There are no hidden drops, although there are a number of cross drainage channels and ditches.

There are no fences or lighting, limited furniture and warning signs in keeping with the natural nature of the Park.

Although HS staff are not in continuous attendance, these areas are patrolled on a regular basis. Help could be summoned quickly by staff or visitors.

RUGGED

These areas are not accessible by road or paved paths. It is expected that visitors entering these areas, where it is possible to do so, will be prepared for outdoor conditions, with reasonable levels of fitness and self reliance. With the increase in height the weather conditions can be unpredictable.

The paths and tracks are uneven, of loose construction and can be slippery. The rock on the summit of Arthur's seat is highly polished and can be slippery even when dry. Numerous 'informal' grass and rock paths criss-cross these areas.

The pedestrian routes are not maintained above the standard needed to allow access, there is limited information signage, and only some rugged areas are patrolled by staff.

There are a number of steep climbs and hidden sheer drops. There are a handful of physical safety measures in place, e.g. some rock fall warning signage, chain fence on path to summit and a rock face management plan.



CASE STUDY

RSPB Abernethy

This 14,000 hectare site lies in the hills about 12 miles east of Aviemore and includes the Loch Garten Osprey Centre. The attraction of seeing ospreys close up brings visitors who are sometimes unprepared for the extremes of weather that can be experienced in this part of Scotland.

The terrain of the site ranges from woodland trails at only 200m above sea level, to the wild and rugged summit of Ben MacDui, which at 1309m is the second highest mountain in the United Kingdom.

The main car park and visitor centre is treated as heavily developed in character. Most visitors arrive by car and there is an easy walk to the visitor centre, which is staffed. Management intervention is high, with little expectation of visitors having the competence needed for wilder surroundings.

Satellite car parks are smaller and less frequently maintained. Trails further afield are viewed as moderately developed in character, with easy terrain, although the surfaces, slopes and stiles make the paths unsuitable for some less able visitors. Staff monitor these sites, but less frequently than at the main centre.

The wider forest and moorland edge is classed as lightly developed in character. It is more exposed, with few signs and visitors are generally on unsurfaced paths further from roads and shelter. Staff will respond to reports of problems, and monitor when working in the area. In the wider forest and

hills, visitors are expected to be far more self-reliant; trails are not marked, and good map-reading and navigation skills are essential.

Finally, the mountain tops and wider moorland are classed as undeveloped, wild and rugged in character, very exposed with few paths and a considerable distance from roads and services. Staff are only occasionally in the area, usually in response to an issue.

Such zoning provides a guide to risk management and the need for intervention. It should be regularly reviewed and the impact of prevailing weather conditions needs to be considered.

In 2011 the site manager noted that “the high tops and forest areas are both remote and challenging in navigational terms, and the only safety or risk distinction I would make is that the mountain area has more significant severe weather risks. That said we can, for example, have very deep snow in the forest, and it’s easy to get lost there. I’d be inclined to combine the current lightly and undeveloped areas and view them all as wild.”

IT IS REASONABLE TO EXPECT PARENTS, GUARDIANS AND LEADERS TO SUPERVISE PEOPLE IN THEIR CARE

For example, stopping children rolling stones over cliff drops or supervising children near water. The result is that there may be no need to erect signs forbidding the rolling of stones, or fences to prevent access to water. Note that the parent, guardian or leader may need to be informed of unexpected or hidden risks.

IT IS REASONABLE TO EXPECT VISITORS TO EXERCISE RESPONSIBILITY FOR THEMSELVES

For example, it is reasonable to expect walkers in mountains to be equipped with suitable footwear and waterproofs. It is reasonable to expect mountain bikers to wear proper safety helmets.

IT IS REASONABLE TO EXPECT VISITORS NOT TO PUT OTHERS AT RISK

For example, mountain bikers should slow down when approaching walkers. Horse riders should not gallop past people with toddlers and pushchairs.

CASE LAW

Cwm Clydach judgement

The validity of the risk control matrix has been accepted in a court judgement dismissing a claim against the Royal society for Protection of Birds (RSPB). The claimant had fallen over in a remote section of the Cwm Clydach reserve, in a little visited valley outside Swansea. In his judgement rejecting the claim, the Judge noted:

“RSPB set out what it “aims to achieve in terms of visitors on Reserves”.... these Objectives included management of Reserves for the direct conservation of species and habitats; safeguarding the conservation value of the Reserve; and managing the visitor experience with the aim of promoting an understanding of conservation and enjoyment of birds and the naturalness of the countryside. RSPB’s interpretation of naturalness is that “habitat management is in sympathy with the highest conservation values of the land; and the management of the Reserve is in sympathy with its location and landscape”.

These objectives appear to me to be appropriate and reasonable. I accept that the trails in the upper part of the Reserve are properly regarded by RSPB as being part of ‘rugged’ terrain where visitors are required to have a reasonable level of fitness and where skills and knowledge of basic personal safety and self reliance on their part are important. (RSPB Risk Control Matrix.) Visitor numbers to the upper part of the reserve are very low, on average one or two people a week. There have been no other accidents reported to, or within the knowledge of, RSPB. Nor have there been any complaints about the condition of the trails or, indeed, otherwise.”

Mills-Davies v. RSPB 2004. More details of the case are given on page 78



5 RISK CONTROL

ASSESS RISKS AND DEVELOP SAFETY PLANS FOR INDIVIDUAL SITES

Every organisation or individual property owner should set out their approach to visitor safety. This should include an overall management framework and procedures for carrying out individual site assessments. It should contain an overview of accident data and consider what levels of risk are acceptable. What constitutes a 'site' will vary between organisations, and there will often be a hierarchy of safety plans. A canal, a country park, or a forest could each have its own safety plan. Within them, an individual lock, a car park, or a picnic area could need a specific risk assessment and a safety plan. Risk assessment in practice is covered in detail in Chapter 4.

RISK CONTROL MEASURES SHOULD BE CONSISTENT

Consistency is important within a particular location; from site to site within a regional or national organisation; and between different organisations. Ideally, the visitor should know what to expect at any location. Inconsistencies in the application of risk controls (for example the absence or presence of fencing at similar cliff edges and watersides) make it very difficult for visitors to make informed judgements about accepting risk. Note that consistency is not the same as uniformity. Design solutions should be allowed to reflect the individual character of each site.



RISK CONTROL MEASURES SHOULD TAKE ACCOUNT OF WIDER BENEFITS TO SOCIETY

Benefits, such as those arising from participation in educational, leisure and recreation activities, conservation of habitats, species, landscape and heritage, should be considered as part of the decision making process. You must take all reasonable steps to ensure the safety of visitors. When you have done this there may well come a point where the cost and consequences of introducing further control measures would be grossly disproportionate to the likely safety gains. As far as possible avoid using risk control measures that spoil people's experience.

MONITOR THE BEHAVIOUR AND EXPERIENCES OF VISITORS TO REVIEW VISITOR SAFETY PLANS

Learn from experience of incidents and near misses. Add questions about accidents to visitor surveys. Have systems in place for accident reporting and investigation, and for letting others know what lessons you have learned. Monitor changes in the number and type of visitor to ensure risk controls remain valid.

MAKE SURE THAT YOUR WORK ACTIVITIES DO NOT EXPOSE VISITORS TO RISK

On occasion, this may require access to be diverted or denied, for example, when repairing erosion of upland paths, repairing a structure on a historic site, or during commercial harvesting of timber.



You can often manage and reduce risk through information and education rather than by physical intervention on site.

Cairngorms National Park, Scotland