



# Master Agreement

## Scottish Endurance Riding Club

This Master Agreement explains the standard procedure to be followed by all SERC event organisers seeking to obtain permission to hold endurance riding events on FLS land.

Forestry and Land Scotland (FLS) is the government agency responsible for the management of the 665,000 hectares of national forests and woodlands in Scotland in line with standards set out in the UK Forestry Standard.

FLS is in partnership with the [Scottish Endurance Riding Club](#), to coordinate the procedure for holding SERC events on FLS land.

Event Organisers, along with all other forest users, should comply with the Scottish Outdoor Access Code at all times.

### 1. When is permission required?

According to the SNH publication 'Outdoor Events in Scotland: guidance for organisers and land managers', permission is likely to be required for those events where any of the following criteria apply:

1. The event would need new or temporary facilities and services.
2. The event is likely to unreasonably hinder land management operations;
3. The event is likely to unreasonably interfere with the other people's enjoyment;
4. The event is likely to unreasonably affect the environment.

The guidance recommends liaison with the land owner (in this case, Forestry and Land Scotland), even when permission is unlikely to be required.

#### 1.1 Operating under SOAC means 'Leave the land as you find it'. In practice, this also means taking the forest as you find it.

Some people, organising smaller or less formal events and training, aim to operate in accordance with the Scottish Outdoor Access Code, acting responsibly, but without seeking permission from FLS.

This is possible, when the organiser is confident that the above criteria do not apply and when the organiser accepts that there is **no guarantee that the chosen location will be available for use on any chosen day or time**. They will have access to the same information, through the same channels (e.g. web or telephone), as any other visitor to the forest – no more, no less.

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If wishing to use a particular location on a particular date (whether or not your event meets any of the criteria in paragraph 1), or by entering into any discussion or formal agreement with FLS, organisers are no longer operating under SOAC and become part of the permissions process with its associated benefits (e.g. inclusion in the FLS region calendar) and charges.

This guidance, and the support provided by FLS as part of the permissions process, aims to ensure a safe and successful event.

## 2. Disciplines

This Master Agreement covers events run by Scottish Endurance Riding Club and its branches.

## 3. The Application Procedure

The application (Schedule 1) must be completed and submitted to the FLS region (FLS region) where the event is to take place (see Schedule 2 for FLS contact information).

### 3.1 Event types & time limits

If an event organiser hopes to hold an event at a specific location on a specific date, it is sensible to approach FLS as early as possible, to avoid possible clashes with other events or land management activity.

There are certain minimum time-limits which require to be adhered to in the application process, to allow a responsible and effective approach to planning, by both the event organiser and FLS. These time-limits vary depending on the nature and size of the event, as per the following table 1:

Event Type	Definition of Event Type	Minimum time limit for application
International, UK & Scottish National	Events with over 50 participants which are competitions or larger participation events or part of an international, UK and/or Scottish national series, drawing competitors from a wide catchment	20 Weeks prior to proposed event date
Regional Events, Local Competitions	Events with over 50 participants, which are competitions or larger participation events either part of a regional series or drawing competitors from a wide regional catchment	16 Weeks prior to proposed event date
Small events	Events of fewer than 50 participants, where any of the criteria in paragraph 1 apply.	8 weeks prior to proposed event date.
Small events, Social or Training Sessions	Informal club/group outings or smaller competitions with under 50 participants, normally organised by a local group, where the group will exercise responsible access under SOAC (i.e. where none of the criteria in paragraph 1 apply)	As part of taking responsible access, the organiser should check if there are any other events or forestry operations which may conflict with their plans. The organiser does not have to (but may choose

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		to) inform the FLS region of their plans – see para. 1.1.
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FLS will retain a degree of discretion to accept applications outwith these time scales in exceptional circumstances. However, an additional administration charge may be charged to the event organiser in such cases. It is therefore strongly recommended that contact is made with the relevant FLS region to check date and location availability prior to commencing the application process.

### 3.2 Application process timeline

Table 2 below details the typical application and general procedure for a large event (minimum 20 weeks' notice). This should be adapted for smaller events.

Minimum number of weeks before event	Action
20 weeks pre event	Application made by submitting form <u>in Schedule 1</u> to FLS regional office in <u>schedule 2</u> .
19 to 16 weeks pre event	FLS Visitor Services staff consult FLS region diary, other FLS region staff, contractors & interested parties for potential conflicts ( <u>see paragraph 10</u> ). Provided no conflict is discovered (or after potential conflict resolved), provisional date is logged in FLS region diary and organiser informed.
16 weeks pre event (12 weeks medium/small)	Site visit to take place with Event Organiser and FLS. Discussion likely to include: Camping provision Evacuation Procedure; Events village/trade pitches, including licensing and plan; Health & Safety; Insurance Requirements; Intended event area including start and finish points; Marshalling points and communications; Medical provisions; Overall Event Management Plan; Promotions & notifications; Route Branding Sites; Reinstatement Schedule (heavily/less heavily used areas); Section 11 Closure Orders (para. 5.8);

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	<p>Special facilities involving FLS work;</p> <p>Signage, marking, diversions;</p> <p>Spectator Management;</p> <p>Traffic/car parking management;</p> <p>Vehicle access requirements.</p> <p>Waste management, including toilet requirements.</p>
13 weeks pre event <i>(9 weeks medium/small)</i>	<p>Event Organiser submits paperwork for elements discussed and agreed during site visit, plus:</p> <p>Risk assessments</p>
12 weeks pre event	<p>FLS responds with any queries on plans and paperwork</p>
11 weeks pre event	<p>Event organiser responds to FLS queries</p>
10 weeks pre event <i>(6 weeks medium/small)</i>	<p>The Event organiser must provide FLS with a copy of the SERC permit certificate. Granting of the SERC Scotland permit certificate does not automatically mean acceptance of the event by FLS.</p> <p>FLS provides two copies of a permission to the Event Organiser for his/her signature, a minimum of 6 weeks prior to the event, along with an invoice for the permit fee. <b>Once signed, no alterations can be made, unless formally agreed and signed-off by both parties.</b></p> <p>The Event Organiser is required to sign the permission and return one copy along with the permit fee to the FLS. When this is received the event date will be finalised. Cancellation charges of £100 will apply from this point onwards (para 10.4).</p> <p>The Event Organiser and FLS activate any joint marketing/promotion of the event.</p>
0 – 2 weeks pre event	<p>Course marking and event village set-up takes place by Event Organiser and any other additional facilities set up on site, as agreed with FLS region and subject to access availability.</p>
Week of event	<p>Event takes place. Event Organiser reports any <u>serious incidents/accidents</u> to duty FLS region representative immediately. The duty contact number will be given in advance and is also on the <u>FLS region answering machine</u>.</p>
Week 1 post event	<p>Event Organiser dismantles event village and restores all areas to pre-event condition in accordance with timescale agreed at pre-event site visit.</p> <p>Event Organiser to send FLS reports on any event <u>accidents/incidents</u> requiring on – or off-site medical attention</p>

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	Event Organiser to send record of final participant numbers to FLS with 2 working days of event conclusion.
Week 2 post event	Post-event site inspection between Event Organiser and FLS Event Organiser and FLS to set date for event de-brief, if desired
Week 8 post event	Event Organiser settles invoice within 49 days of being invoiced.

### 4 Event Health and Safety

SERC events will be sanctioned and run in accordance with the [Rules of the Scottish Endurance Riding Club](#). Failure to follow these procedures will lead to the cancelling of events and future permissions being refused by FLS.

As detailed above, risk assessments for each event must be carried out and submitted with each application. Event organisers may submit their SERC Risk Assessment to FLS, to avoid duplication of work.

All Event Organisers must also conform to the requirements set out in the Land Reform (Scotland) Act 2003 and the Scottish Outdoor Access Code. See [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com) and [Outdoor Events in Scotland Guidance](#) for further information.

Event Organisers should refer to [the Health & Safety Executive \(HSE\) website](#) which contains specific information and advice, and the [Health & Safety at Work Act](#).

Participants should be made aware of [the risk of tick-borne diseases and how to deal with ticks](#).

#### 4.1 Recording Accidents and Incidents

Event Organisers are required to have in place a formal mechanism for recording event accidents and incidents. If a serious accident/incident takes place during the event the Organiser must immediately notify the FLS region Duty officer (or nominated representative). Contact details for the Duty officer will be provided directly by FLS and are also available on the FLS region answering machine.

FLS is able to accept [Scottish Endurance Riding Club's accident, near miss and incident report form](#), to avoid duplication of paperwork. All incidents should be reported to the FLS region within 7 days of the end of any event.

#### 4.2 Insurance Requirements

Effective management and organisation should be carried out with the aim that each event is safe and successful.

However, the Permit Holder will also maintain an insurance policy for the pre and post event set up and take down activity as well as the actual event itself, with a reputable insurance company, to an amount of

not less than £5 million in respect of any one claim. The amount of such insurance shall not limit the liability of the Permit Holder to FLS.

By providing FLS with a copy of the Scottish Endurance Riding Club public liability insurance, the Permit Holder is proving insurance cover of £5 million. While FLS requires proof of this insurance, we remind clubs and organisers that insurance cannot replace a sensible and responsible approach to event management.

### 5. Event Management

The event should run in accordance with the process provided for in table 2 above (subject to the timescale modifications for each type of event). This section outlines further conditions which may/may not apply to SERC events.

#### 5.1 Promotion

The Event Organiser will recognise FLS' role in hosting the event in any promotional material, websites and news releases e.g. display of FLS banners/flags on the event course, FLS logo in event promotional material. Similarly, FLS will also endeavour to promote the Event through any FLS promotional material and press if desired by the Event Organiser. This joint promotion should be agreed and managed between the Event Organiser and the FLS region liaison officer.

#### 5.2 Waste and Minimising Damage

For environmental and site sustainability purposes, event organisers are required to and will be responsible for managing all aspects of waste (water, litter, human, animal etc) in relation to events which they hold. Further information and guidance on this aspect is detailed in the Forestry Commission Operational Guidance Booklets (OGB) 35, copies of which are available from FLS region offices. Further, if it is intended to fix notices or markers to trees on no account shall nails, staples, wire or anything liable to damage trees be used. The recommended method is to tie with string (not nylon or similar fibre) in such a way that tree damage is avoided.

Participants must be encouraged to ensure their shoes (plus paws and tyres) are clean, to help protect our forests from tree pests and diseases. Keep It Clean.

##### 5.2.1 Toilet provision

In discussion with the FLS region, the organising club will assess the requirement for temporary toilet provision. This may apply even where there are existing FLS toilet facilities, if the event's use of these facilities would cause disruption to other visitors to the forest.

Where the event organiser wishes to use existing toilet facilities run by a private tenant business (e.g. at an FLS visitor centre), they must negotiate use of these facilities with the business in advance. The FLS region will provide contact details for the business, when required.

At sites where there are no toilet facilities nearby, FLS' experience has shown a requirement for portable toilets on site for events with over 75 participants or lasting more than 3 hours.

### 5.3 Marshalling

Organisers must ensure that events have adequate marshalling cover and this should be notified to the FLS region in advance, showing mapped marshal locations and how marshals will communicate with base and other marshals. The number of event marshals required will vary depending on the type of event, length and layout of the course and should be agreed between the event organiser and the FLS region at the pre-event inspection, in accordance with the rules of Scottish Endurance Riding Club.

### 5.4 Vehicle access

If motorised vehicles are required pre, post or during the event (e.g. for planner, controller, organiser, first aid), a vehicle access permit must be obtained from the FLS region. Under this Master Agreement, one vehicle access permit will cover up to 5 identified vehicles.

A sample vehicle access permit, including terms and conditions (e.g. provision and return of gate key/s), is available from the FLS region.

Emergency vehicles requiring access during an event do not require a permit.

#### 5.4.1 Use of quad bikes

If the event organiser wishes to use quadbikes/ATVs, where no other vehicle is appropriate, the FLS region has specific requirements for permitting their safe use. FLS also recognises the [Forest Industry Safety Accord guide](#) as a minimum standard for work on the national forest estate.

### 5.5 Other Land users

If FLS' tenants, or any other persons having an interest in the land chosen for the event, are likely to be affected by an event or their permission/notification is required, then arrangements to notify these persons or obtain their permission shall be made between the Organiser and FLS. FLS shall give the Organiser the names and addresses of those persons likely to be affected, where possible.

FLS will endeavour to arrange for temporary cessation of planned operations by contract holders (and any subcontractors) on FLS land affected by an event for the duration of the Event. If agreement cannot be reached with a contractor within a suitable timescale (discussed with organiser in the planning process), FLS may require the event to be re-routed or cancelled. FLS shall not restrict normal public access over areas where an event has been agreed.

Other forest users' access to event areas must be managed as agreed in advance with FLS.

### 5.6 Car parking

At locations where car parking charges are in operation, these apply as usual, for event organisers, participants and spectators. The event organiser is expected to encourage payment at any onsite meters.

If an Event Organiser wants/requires the exclusive use of a car parking facility where charges are usually levied, this will be agreed in advance and calculated on the basis that the car park was operating at full capacity.

Where a SOAC club event involves the temporary placing of a gazebo/similar in the car park, the appropriate car parking fee for the space/s used by the gazebo must be paid.

Reasonable charges may be levied for parking within the forest outwith usual car parking facilities e.g. forest roads.

### 5.7 Sales Points

Sales outlets selling, for example, confectionery, drinks or snacks will be allowed at events, subject to agreement between the Organiser and FLS as to the number and siting of outlets. FLS retains a discretion to make reasonable charges for facilitating sales outlets, if any existing tenant business is not the chosen provider; the sum due (if any) will be a matter that will be negotiated between the Event Organiser and the FLS Regional Visitor Services Manager (RVSM), when a refreshment/other sales concession permission is issued.

Any national sales concession agreement published by FLS will be shared with SERC as soon as possible.

### 5.8 Closure Orders

Event organisers may need to seek a closure order from a Local Authority for an event on the grounds of public safety or charging for entry in order to temporarily exempt a specific area from access rights. Section 11 of the Land Reform (Scotland) Act 2003 (Power to exempt particular land from access rights), provides a mechanism for local authorities, whether on application from third parties or at their own initiative, to exempt a particular area of land from access rights for a particular purpose.

The requirements for an event to need a 'Section 11' will be discussed at the pre-event site visit. Organisers should make this assessment in discussion with FLS.

It may be appropriate for FLS to formally request that organisers apply for a Section 11 order. If this is the case, reasons will be given in writing by FLS within 2 weeks of the site visit, to explain why the existing event management plan cannot be covered by the Land Reform Act and good practice detailed in SNH's [Outdoor events in Scotland: guidance for organisers and land managers](#). This should be sent to the event organiser, FLS [Visitor Partnerships Manager](#) and SERC.

If it is agreed that a closure order is required, the event organiser should contact the Local Authority access officer in the first instance. Contact details for Local Authority and National Park access officers can be found [here](#).



Further information on Section 11 orders is available on the [Scottish Government website](#).

### 6. Post Event Requirements

The Organiser shall be responsible and liable for ensuring that all areas used for the event, including trails, car parking areas, toilets, areas of the forest used for trade stands, camping, catering, competitor changing and additional toilet facilities are left in the same condition as at the pre-event site inspection. If such areas are not left in the same condition within a timescale agreed with the FLS region, FLS reserves the right to undertake reasonably required reinstatement or repair work and charge any incurred costs to the Organiser.

### 7. Area Restrictions

It may be necessary to apply reasonable restrictions to events in forests or over parts of forests at certain times in order to protect forest operations or environmental interests. FLS shall use its best endeavours to notify the Organiser of any restrictions at the time of application for permission for an event.

### 8. Refusing/Revoking Applications

FLS retains the option to refuse an application/approach for an event if it is deemed inappropriate or presents an unacceptable business risk involving financial and reputational liabilities which cannot be accommodated. Some examples include: clashes with other events, unavoidable forest operations, environmental conflicts e.g. using an area identified as a capercaillie breeding site, or events which undermine FLS' brand values and identity etc. FLS reserves the right to revoke permission for an event at any time by notice given to the Organiser of the event in writing. This right will only be used exceptionally and, where possible, a suitable alternative area will be provided.

In such circumstances the FLS region will issue an evidence-based report giving clear and reasonable reasons why the event will not go ahead, sending it to SERC, the event organiser and FLS Visitor Partnerships Manager.

### 9. Arbitration

In the event that agreement cannot be reached between FLS and an Organiser over any matter relating to this Agreement, an Event Organiser, SERC or FLS may request that the National Representatives meet with all parties to consider the matter.

### 10. Charging

Reasonable charges will be made by FLS for partial cost recovery of the administration, time and services provided by FLS before, during and after all non-SOAC events, as part of FLS' aim to ensure events go as safely and smoothly as possible. These cover services such as internal and external consultations to identify and minimise any potential areas of conflict, time and support from one or more designated FLS region staff, including attendance at site inspections before and/or during and/or after the event.

Scottish Endurance Riding Club	2018	2019	2020	2021	2022
Per SERC branch, annual charge for up to 5 events	£200.00	£215.00	£230.00	£245.00	£260.00
Per event (or from 6th event per SERC branch which has paid an annual charge)	£70.00	£75.00	£80.00	£85.00	£90.00

#### 10.1 Discounts

Where only part of an event footprint is on FLS land, a pro-rata reduction of the scheduled charges will be made. For example if 80% of the entire event is on FLS land, then the organiser will be charged 80% of the fee. The FLS region representative should be supplied with course/route maps when applying for event permission in order to agree the correct proportion.

#### 10.2 Fees for additional services

Reasonable charges will be made by FLS for the granting of any special facilities that involve FLS in extra expense. These charges will be discussed at the pre-event site visit and agreed in advance between the Event Organiser and the local FLS RVSM. Examples may include extra facilities such as marshalling for cars attending the event, siting of toilet/catering facilities (paragraph 5.2 and 5.2.1), temporary trail construction for an event, the provision of camping facilities, in-forest parking or the use of forest buildings for changing or other purposes.

#### 10.4 Cancellation Charges

Cancellation by the Organiser: FLS may charge a £100 fee if less than 6 weeks' notice (major/large events), 4 weeks' notice (medium events) and 2 weeks' notice (small non-SOAC) is given and an alternative date is not agreed.

Cancellation by FLS: no permissions charge shall be paid by the Organiser unless cancellation has been due to failure by the Organiser to meet documentation submission timelines, resulting in FLS potentially missing event revenue from another booking.

### 10.5 Validity & VAT

The above charges are valid to end December 2022. Charges are reviewed every three years (or at any time with two months' notice by either FLS or SERC).

All FLS charges will be subject to VAT at the percentage rate valid when event permission is agreed. As at November 2017, events such as these are exempt from VAT.

### 11. Invoice Settlement

Invoices should be settled within 49 days (7 weeks) of the date of issue.

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### Schedule 1: APPLICATION TO HOLD A SERC EVENT

Name of applicant: (Mr/Mrs/Ms/Dr/Other)
Name of Club or Event Organiser:
SERC reference/branch:
Address of applicant: (Please include postcode) Telephone: Email: Website:
Date(s) of Event:
Title of Event:
Event Category (see para 3.1.):
Vehicle access required (separate permit applies): Yes/No
Estimated participant numbers (Senior/Junior):
Actual participant numbers (supplied post event):
Proposed entrance fee:
Location of Event: (Please attach OS map (1:25000))
Time of Event:

I apply for permission to organise the above event, and confirm that I have read and understood the notes below. I agree to be bound by the conditions set out in this Master Agreement between Forestry and Land Scotland and SERC, which apply from 1 January 2018 to 31 December 2022.

Signed:	On behalf of (Name):
Date:	Address:

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### Schedule 2: Forestry and Land Scotland contacts

Region	Contact details	Regional Visitor Services Manager
East	<a href="mailto:enquiries.east@forestryandland.gov.scot">enquiries.east@forestryandland.gov.scot</a> Tel: 0300 067 6200	Justin Livesey
North	<a href="mailto:enquiries.north@forestryandland.gov.scot">enquiries.north@forestryandland.gov.scot</a> Tel: 0300 067 6100	Paul Hibberd
Central	<a href="mailto:enquiries.central@forestryandland.gov.scot">enquiries.central@forestryandland.gov.scot</a> Tel: 0300 067 6600	Stuart Chalmers
West	<a href="mailto:enquiries.west@forestryandland.gov.scot">enquiries.west@forestryandland.gov.scot</a> Tel: 0300 067 6650	Robbie Layden
South	<a href="mailto:enquiries.south@forestryandland.gov.scot">enquiries.south@forestryandland.gov.scot</a> Tel: 0300 067 6900	Tim Oliver

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