



**REPORT OF THE CHAIRMAN OF THE COMMUNITY SAFETY COMMITTEE
POLICIES FOR SAFETY AT SPORTS GROUNDS**

Purpose of the Report

1. To seek Policy Committee approval of proposed policy documents for Safety at Sports Grounds in Nottinghamshire.

Information and Advice

Background

2. The safety of spectators attending events at UK sports grounds is regulated by law. In Nottinghamshire, the County Council's emergency planning team is responsible for enforcing this legislation, and works with sports grounds to promote and encourage a proactive safety culture. In accordance with recommendations from Lord Justice Taylor following the Hillsborough disaster, the team chairs regular meetings of Safety Advisory Groups for each relevant sports ground. These bring together the emergency services, local authorities and representatives of the sports club to discuss safety matters.
3. Under the Safety of Sports Grounds Act 1975, a General Safety Certificate is required for each ground with a capacity of 10,000 or more (5,000 if the club is in the football league) and which have been designated by the relevant Secretary of State. Also, under the Fire Safety and Safety of Places of Sport Act, 1987, a General Safety Certificate is required for grounds with covered stands of a capacity of 500 or more according to a specific calculation. These are known as "regulated" stands. Responsibilities under the Regulatory Reform (Fire Safety) Order 2005 require the County Council to monitor and enforce fire safety at sports grounds.
4. A General Safety Certificate includes whatever conditions are deemed necessary to ensure the reasonable safety of spectators. It also includes a capacity for the ground or stand, and a list of activities that the club or ground is permitted to hold. A breach of a Safety Certificate is a criminal offence.
5. The designated grounds in Nottinghamshire are:
 - The City Ground (Nottingham Forest Football Club)

- Trent Bridge Cricket Ground (Nottinghamshire County Cricket Club)
 - The One Call Stadium - formerly known as Field Mill (Mansfield Town Football Club).
6. The regulated stands in the County are:
 - Grandstand and Tatts Stand at Southwell Racecourse
 - The Main Stand at Watnall Road, home of Hucknall Town Football Club.
 - The East and West Stands at Coronation Park, Eastwood, previously the home of Eastwood Town Football Club (not currently in use).
 7. The emergency planning team also has powers to issue a Special Safety Certificate if one of the grounds applies to hold an event not specified in their General Safety Certificate.
 8. The team monitors clubs and grounds regularly to ensure they are adhering to the conditions of their safety certificate. This includes match day or race day inspections.

Safety at Sports Grounds Policies

9. Good practice guidance from the Sports Grounds Safety Authority requires that local authorities record their policies for safety at sports grounds, and that these are agreed by the appropriate committee. Accordingly, this report provides the Policy Committee with two policy documents for consideration. These were endorsed by the Community Safety Committee at a meeting on 29th April 2014:
 - Safety at Sports Grounds Policy (attached as Appendix A)
 - Safety at Sports Grounds Enforcement Policy (Appendix B)
10. The draft Safety at Sports Grounds Policy proposes that the County Council seeks to ensure the reasonable safety of spectators attending sports grounds within the County. The draft Enforcement Policy proposes that the County Council seeks to ensure compliance with all relevant safety at sports grounds legislation, and that any necessary enforcement action is proportionate, open, consistent and clear.
11. If approved, these will be added to the County Council's Policy Library.

Other Options Considered

12. The content of the policies attached to this report describe the processes required to enable the County Council to meet the legal requirements in respect of safety at sports grounds.

Reason/s for Recommendation/s

13. The report provides the Policy Committee with the opportunity to consider in detail the policies required to ensure safety at sports grounds. The recommendation that these are approved by this Committee is made to conform to the good practice guidance of the Sports Grounds Safety Authority.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required:

Crime and Disorder Implications

15. Nottinghamshire Police are represented at Safety Advisory Group meetings and are closely involved in decision-making in respect of any implications a sporting event may have for crime and disorder.

Financial Implications

16. There are no financial implications.

RECOMMENDATION/S

- 1) It is recommended that the Policy Committee approves the proposed policies for Safety at Sports Grounds in Nottinghamshire.

Councillor Glynn Gilfoyle
Chairman, Community Safety Committee

For any enquiries about this report please contact:

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Constitutional Comments

Financial Comments (KAS 20/05/14)

There are no financial implications contained within this report

Background Papers and Published Documents

None, the legislation cited in this report is publically available.

Electoral Division(s) and Member(s) Affected

The content of this report will be of interest to all Members as their constituents may attend sporting events as spectators. It will be of particular interest to Members who have relevant sports ground in their areas. These relate to the following Electoral Divisions:

West Bridgford Central & South - Nottingham Forest and Trent Bridge

South Mansfield - Mansfield Town Football Club

Eastwood – Coronation Park, Eastwood

Hucknall - Hucknall Town Football Club

Southwell and Caunton - Southwell Racecourse



(Draft) Safety at Sports Grounds Policy

Policy

It is the policy of Nottinghamshire County Council to seek to ensure the reasonable safety of spectators attending sports grounds within the County. In undertaking this duty the Council works in partnership with sports clubs and grounds, the emergency services, other local authorities and the Sports Grounds Safety Authority to promote a culture of safety at sports grounds.

Context

Nottinghamshire County Council recognises its statutory duty for the safety certification of sports grounds under the Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act), (hereafter referred to as 'the Acts') and its responsibilities for the monitoring and enforcement of the Regulatory Reform (Fire Safety) Order 2005 in respect of sports grounds. The Council also recognises its responsibilities for the safety of spectators at all sports grounds in the County.

Scope of this policy

Nottinghamshire County Council has the statutory duty under the Safety of Sports Grounds Act 1975 (as amended):

- To issue a General Safety Certificate for each designated sports ground within the County, containing "such terms and conditions as the local authority consider necessary or expedient to secure reasonable safety at the sports ground"
- To serve a prohibition notice in respect of a sports ground if the Authority considers that "the admission of spectators to a sports ground involves or will involve a risk to them so serious that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the ground or that part of the ground ought to be prohibited or restricted". It is important to note that this duty applies to any sports ground, not just those which are designated or have a regulated stand.
- To issue a Special Safety Certificate where required.

Fire Safety and Safety at Places of Sports Act 1987:

- To issue a General Safety Certificate for each regulated stand within the County, containing “such terms and conditions as the local authority consider necessary or expedient to secure the reasonable safety in the Stand when it is in use for viewing the specified activity or activities at the Ground”.

Regulatory Reform (Fire Safety) Order 2005

- To enforce the order and regulations made under it, in relation to designated sports grounds and regulated stands.
- Under the Licensing Act 2003, where applications for, or variations to, premises licences are made by a designated sports ground or one with a regulated stand, Nottinghamshire County Council will be consulted as the responsible authority for fire safety.

The sports grounds covered by this policy are:

- Designated grounds for Nottingham Forest Football Club (the City Ground), Mansfield Town Football Club (One Call Stadium) and Nottinghamshire County Cricket Club (Trent Bridge);
- Regulated stands at Coronation Park (Eastwood), Watnall Road (Hucknall) and Southwell Racecourse;
- Any sports grounds in the County of Nottinghamshire which gives rise to serious concerns about spectator safety.

Principles and Commitments

Nottinghamshire County Council, working in conjunction with partner agencies, endeavours to ensure the reasonable safety of spectators attending any sports ground determined by the Acts in Nottinghamshire.

In undertaking its role in respect of safety at sports grounds, the Council will:

- Seek to ensure that a reasonable standard of spectator safety is maintained at all sports grounds but particularly those, which are designated or have regulated stands within the County of Nottinghamshire
- Encourage and promote a safety culture within sports grounds in the County of Nottinghamshire
- Delegate its power to take and implement decisions on safety certification to a designated council officer
- Appoint a lead council officer to chair the Safety Advisory Group (SAG) for each sports ground subject to a safety certificate

- Provide for adequate resources and appoint appropriate council officers as necessary to assist the council in carrying out its statutory duties relating to the safety of spectators at sports grounds under the 1975 and 1987 Acts, and the 2005 Order
- Convene regular SAG meetings to assist in its statutory duty to sports grounds, whose membership will include representatives of the police, fire service, ambulance service, building control, relevant certificate holder and invite the Sports Grounds Safety Authority where applicable
- Determine if any sports grounds contain regulated stands and expediently process and issue safety certificates in respect of those stands and any sports grounds designated by the secretary of state under the provisions of the 1975 Act
- Put in place policies and procedures for monitoring, by inspection and audit, compliance with the terms and conditions of any safety certificate issued and taking appropriate and proportional action in response to any identified defect or incident compromising spectator safety
- Provide prompt advice on spectator safety on request from sports ground venue operators, and
- Keep under review its procedures and arrangements in pursuit of ensuring the reasonable safety of spectators at sports grounds within its responsibility.

Key actions to meet the commitments set out in the policy

Delegated powers

The Council has delegated its powers for the safety certification of sports grounds and the appointment of inspectors under the 1975 Act and 1987 Act and the Regulatory Reform (Fire Safety) Order 2005 to the:

Service Director for Access and Public Protection

The Service Director has delegated day to day responsibility to the Group Manager for Emergency Planning and Registration, who is nominated as the designated officer for safety at sports grounds.

Day to day operational management of the process is devolved by the Group Manager to the Team Manager, Emergency Planning, who is nominated as the lead officer and chairs the Safety Advisory Groups.

Consultation

In imposing terms and conditions for spectator safety (such as when issuing or amending General or Special Safety Certificates), Nottinghamshire County Council is legally required to consult with Nottinghamshire Police, Nottinghamshire Fire and Rescue Service and the relevant building authority (district or borough council).

East Midlands Ambulance Service, although not a statutory consultee, is in practice also consulted.

Suitably trained and competent staff

Individual officers who are responsible for the issue and review of safety certificates and the undertaking of inspection and enforcement duties under the 1975 and 1987 Acts will be suitably trained and qualified to ensure their competency.

The Council will ensure that:

Duties are specified in job descriptions and experience is built up over time with provision made in individual appraisals for monitoring progress.

All officers undertaking the above duties have professional qualifications, experience in other sectors and are on CPD cycles as well as regular participation in sports grounds work and SAGs, and appropriate succession planning is in place to ensure that staff have the necessary training and experience to carry out the roles they may be expected to undertake.

Officers involved in safety at sports grounds will be given the opportunity to share information with, and learn from, others through participation in the East Midlands Chairs of SAGs Group, the Test Cricket Grounds Chairs of SAGs Group and the Core Cities Sports Grounds and Public Events Safety Group.

Related documents

- Safety at Sports Grounds Enforcement Policy
- Safety at Sports Grounds Framework
- Safety at Sports Grounds Financial Framework



(Draft) Safety at Sports Grounds Enforcement Policy

Policy

It is the policy of Nottinghamshire County Council to ensure compliance with all relevant safety at sports grounds legislation. In undertaking this duty it is the Council's aim to ensure that any enforcement action taken is proportionate, open, consistent and clear.

Context

Nottinghamshire County Council has a statutory duty for the safety certification of sports grounds under the Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act), (hereafter referred to as 'the Acts') and its responsibilities for the monitoring and enforcement of the Regulatory Reform (Fire Safety) Order 2005 in respect of sports grounds. The Council also recognises its responsibilities for the safety of spectators at all sports grounds in the County.

Scope of this policy

The Council seeks to ensure that in enforcement and regulation the interests of the public are protected.

The purpose of this policy is to ensure that the law is applied in a fair, equitable and consistent manner and to guide officers into taking the appropriate action.

In general and where appropriate, consideration will be given to alternatives to prosecution, for example giving advice and assistance, or obtaining assurances about future conduct.

Before formal action is taken, officers will normally provide an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference, unless immediate action is required (for example, in the interests of spectator safety, health and safety or to prevent evidence being destroyed).

All decisions will be impartial and will not be influenced by race, politics, gender, disability, age, sexual orientation, religious beliefs or any other belief or status of the alleged offender.

Officers will have due regard to the principles contained within the Enforcement Concordat, and any other published and relevant guidance and legislation including compliance with the Council's public sector equality duty.

The Council will take into account the comments of any victim, injured party or other relevant person to establish:

- His or her views about the circumstances in which enforcement action is deemed appropriate; and
- The nature and extent of any harm or loss, and its significance relative to the individual circumstances.

Principles and Commitments

The Council will seek to ensure that enforcement is fairly applied by committing to the following principles of fairness:

Proportionate – Any action taken by the Council, to achieve compliance or to bring regulated entities to account for non-compliance, will be proportionate to the risk to public safety, or to the severity of non-compliance, which includes any actual or potential harm arising from the failure under the law. We will seek to minimise the costs of compliance by ensuring that any action we require is in proportion to the risk.

Consistency – There will be a consistent approach from the Council in relation to any advice given, enforcement action, prosecutions and in response to incidents and complaints. The Council will discuss and compare enforcement decisions and policies amongst our own officers, and where appropriate, with other authorities and enforcement bodies.

Targeted – By adopting a risk based system for prioritising regulatory action the Council aims to make sure, through targeting, that the direction of regulatory effort takes account the level of risk and ensures action will be targeted at those situations that give rise to the more serious risks or the least well controlled risks.

Transparent – The Council will be open about how we set about our work and will provide information and advice in plain language. We will ensure we help those we regulate to understand the standards expected from them and the standards that they should expect from the local authority.

Accountable – The Council will be able to justify all enforcement decisions and be accountable for the efficiency, effectiveness and cost. Consultation and feedback opportunities are given to stakeholders. The emergency planning team reports regularly to the Community Safety Committee, including any pertinent developments and the outcomes of annual audits.

Key actions to meet the commitments set out in the policy are set out in the Safety at Sports Grounds Framework.

For further information on Nottinghamshire County Council's Safety at Sports Grounds work, please see www.nottinghamshire.gov.uk