

## **Planning Committee - Thursday 01 October 2020**

### **Annual Report - Safety of Sports Grounds April 2019 - March 2020**

#### **Recommendation(s)**

I recommend that:

- a. the Planning Committee notes the activity completed in respect of Safety of Sports Grounds for the period 1 April 19 – 31 March 2020

#### **Report of the Deputy Chief Executive and Director for Families and Communities**

##### **1. Summary**

**1.1** This report informs the Committee of the Safety of Sports Grounds work carried out during the last financial year. It explains the County Council's statutory obligations under the relevant legislation and outlines the activity to ensure that these duties have been met. The Report details the performance and highlights how this work influences the Council's priority outcomes. Finally, it advises the Committee of the future workload planning for to ensure that the Council continue to meet its statutory obligations in this area.

**1.2** From 24th March 2020 the Government put legislation in place to require the closure of most leisure venues, nearly all businesses and premises where people gather closed with immediate effect and this included all premises regulated under the Safety of Sportsgrounds legislation. As the legislation is amended to allow socially distanced spectators back into sports grounds, the team will continue to work with the sports grounds owners and their safety officers to ensure that all appropriate measures are in place to allow safe attendance at events.

##### **2. Background**

**2.1** Staffordshire County Council is responsible for administering the Safety of Sports Grounds Act 1975, and the Fire Safety and Safety at Sports Grounds Act 1987, in respect of sports grounds in Staffordshire.

**2.2** This duty relates to "designated grounds" - which are sports grounds with a capacity of over 10,000 (5,000 for football). "Designated Grounds" require a safety certificate granted by the local authority. Within the County of Staffordshire Burton Albion Football Club is the only club that is recognised a "designated ground".

**2.3** Sports stadiums with a covered stand of a capacity of over 500 standing or seated spectators (a regulated stand) require a “safety certificate” under the Act, granted by the local authority.

**2.4** During 2019/20 Staffordshire County Council had responsibility for eight “regulated stands”:

- Staffordshire County Showground – displays / exhibitions.
- Hednesford Hills Raceway – stock car racing.
- Hednesford Town Football Club – football.
- Leek Town Football Club – football.
- Stafford Rangers Football Club – football.
- Tamworth Football Club – football.
- Uttoxeter Racecourse – horse racing.
- Newcastle Stadium – speedway. \*\*

(\*\* In September 2019 it was announced that the Speedway at Newcastle would close due to planned development of the site for industrial units, as such Staffordshire County Council no longer has any Safety of Sports Grounds responsibility for the site.)

**2.5** The Act places a statutory duty on the Local Authority and the Emergency Services to provide advice and guidance to managers of sports grounds on their responsibility under the Act, and how best to discharge their responsibility.

**2.6** It is the responsibility of the County Council to form and administer a Safety Advisory Group (SAG) for each stadium. The SAG brings key partners (emergency services, emergency planning and other key local authority officers) together to plan and prepare for spectator safety. Each SAG is chaired by an officer of the County Council and has representatives from the sports club and other partners.

**2.7** The involvement of the SAG does not absolve the ground management of the responsibility for spectator safety. When applying the guidance and recommendations, the principal objective is “to secure reasonable safety at the sports ground when it is in use for the specified activity” (section 2(1) of the Safety of Sports Ground Act 1975).

**2.8** The Safety of Sports Grounds team, along with key SAG partners, provide support and guidance to the management of the sports grounds to facilitate on-going crowd safety whilst ensuring that regulation is not over burdensome or restrictive on the growth of the venue. This support and guidance enable the business to progress, develop and on occasion diversify from the intended use of the venue

**2.9** During May 2011, following a full review of the Safety of Sports Grounds function, Staffordshire County Council’s Audit Committee abolished the Safety of Sports Grounds Panel. It was agreed that the Planning Committee

should receive an annual report on the work of the Spectator Safety Officer team. This report covers the period for the 2019/2020 financial year.

### **3. Risk Management**

**3.1** The Safety of Sports Grounds Act 1975 places a statutory duty on the local authority to arrange a periodical inspection of designated sports grounds. The Act stipulates that “periodical” means at least once in every twelve months; within Staffordshire this applies to Burton Albion Football Club only.

**3.2** Home Office guidance, which relates to stands with a capacity of less than 2000, recommends inspection once every alternate calendar year. This requirement only relates only to the “regulated stands” listed above at 2.4.).

**3.3** The inspections carried out during the year inform the planning of inspections for the following year. All premises are risk assessed to assess the efficacy of the safety of spectator controls.

**3.4** The criteria listed below formed the basis of the assessment for each site:

- Construction and maintenance of the premise
- Operation and management
- Training and development of safety staff
- Fire safety
- Provision of adequate medical facilities
- Appropriate contingency plans are in place and tested

**3.5** To ensure there is an appropriate use of resource, the risk for each premise has been reviewed enabling the highest risk stands to be prioritised. Each premise was categorised as High or Medium risk.

### **4. Risk Assessment – Designated Ground:**

**4.1** Burton Albion Football Club was assessed as the highest risk due its size. Inspection on both non-event and event days was therefore treated as priority. The “designated ground” at Burton Albion has been allocated at least one inspection per 12-month period.

### **5. Risk Assessment – Regulated Stands**

<b>Risk rating</b>	<b>Stand</b>
High	Staffordshire County Showground
	Uttoxeter Racecourse
Medium	Stafford Rangers Football Club
	Leek Town Football Club
	Hednesford Town Football Club
	Hednesford Hills Raceway

	Tamworth Football Club
	Newcastle Stadium - Speedway

## **6. Inspections**

### **6.1 Designated ground:**

The designated ground at Burton Albion closed from 24th March 2020 due to the coronavirus controls.

In 2019/20, the designated ground at Burton Albion received a number of interventions:

- one Safety Advisory Group Meeting
- one during event inspection from SGSA
- one during event Safety Advisory Group inspection.

### **6.2 Regulated Stands:**

From 24<sup>th</sup> March 2020 due to the coronavirus controls all regulated stands were closed. In respect of the regulated stands the details of inspections are as detailed in Appendix 1. The inspections have been in line with Home Office guidance for frequency except for Leek Town FC and Hednesford Hills Raceway, both inspections were delayed to Covid restrictions. In the case of Leek Town FC, the inspection was due 21<sup>st</sup> March 2020, the previous inspection showed no concerns. In the case of Hednesford Hills Raceway there have been several interventions since the last full SAG on 25/08/2016, changes in personnel have resulted us postponing a full SAG meeting until 26/03/2020, which was subsequently postponed due to Covid 19. Hednesford Hills Raceway will be given high priority for 2020 /21.

All issues identified as a result of the interventions at each of the premises have been addressed, to ensure the safety of all spectators, including those with disabilities, the elderly, families and children.

## **7. Ironman**

**7.1** During 2019/20 the Community Protection Manager was invited to establish and chair a SAG for the Ironman event being run in June 2020. The Community Protection Manager established and chaired a SAG for the event and was actively involved with the development of the plans and procedures and practical implementation of safety management systems for the event. Due to the Coronavirus restrictions the event has been rescheduled to 13<sup>th</sup> June 2021.

## **8. Resources**

- 8.1** Following the outcome from the Hillsborough Inquests (where the jury found errors and omissions in the safety certification and oversight, and that a lack of pre-match and contingency planning contributed to the deaths), it is important that an appropriate level of resource for this area of work is maintained.
- 8.2** The resources for this area were drawn from within Trading Standards; the Safety of Sports Grounds work forms part of their overall activity. This enables the resourcing for a specialist area to be managed efficiently. The Community Protection Manager who holds the FSOA (Football Safety Officers Association) Certificate in Event and Match Day Safety Management and a Diploma in Spectator Safety Management Level 4 NVQ provides the lead for the function for the Local Authority.
- 8.3** In addition to the Community Protection Manager, a designated officer carries out the inspection work for the designated ground and both provide comprehensive reports to the Safety Advisory Groups and relevant sports grounds following inspection. Additional administrative support has been provided to both officers from within the trading standards team to ensure any issues are addressed prioritised by the risks associated with each stand.
- 8.4** The resources committed to this activity during 2019/20 equated to approximately 0.5fte.

## **9. Sports Grounds Safety Authority (SGSA) Audit**

- 9.1** Following the Grenfell fire, Central Government reviewed areas of risk to the public to ensure that all local authorities responsible for licensing designated grounds received an audit to check that there were consistent and adequate safety criteria in place.
- 9.2** The inspection that took place relating to Burton Albion reviewed the performance of the authority in the implementation of the requirements for the “designated ground” and identified some recommendations for improvement. The majority of these recommendations have been completed and the remainder are ready for implementation following consultation with the SGSA Inspector. The action plan is attached as Appendix 2 to this report for information.
- 9.3** Trading Standards had a number of discussions with Burton Albion and the SGSA about some of the outstanding requirements which required the club’s involvement and commitment for implementation, these have now been resolved.
- 9.4** The Sports Grounds Safety Authority highlighted the need to include a “wider definition of Safety” within the Safety Certificate to ensure counter terrorism, anti-social behaviour and safety of all personnel in the ground

including the Club's employees are addressed. These changes have been made in the current 2020/21 season and Burton Albion have the new style Safety Certificate issued to them.

## **10. Impact of Coronavirus Controls**

- 10.1** From 24th March 2020 the Government put legislation in place to require the closure of most leisure venues, including all premises regulated under the Safety of Sportsgrounds legislation.
- 10.2** As part of the Government's Coronavirus emergency control measures, in addition to the changes required for the certificate for the "wider definition of Safety", as part of the procedures for the phased return of live sport, supplementary draft Guidance: Planning for social distancing at sports grounds was published by SGSA on 17th July 2020. The document aims to assist the management of sports grounds which are considering or planning for the re-introduction of spectators to their ground under social distancing.
- 10.3** The new League 1 season starts 12/09/2020 and will be without spectators, however, as the situation develops it's anticipated that government will allow spectators to attend. With the implementation of local control provisions, the controls for the ground will need to be fluid and subject to change a very short notice.
- 10.4** Bringing people back into grounds while maintaining social distancing will bring new challenges. Sports Grounds will need to adapt to reduce the spread of the virus, the new controls will help to equip them with the knowledge and guidance they need to plan for the return of fans with confidence. Importantly it will help venues determine a new safe capacity.
- 10.5** These changes will also require additional inspection and support work for the designated ground and the regulated stands to ensure all the appropriate controls are in place. The changes will require further development of a new format for safety certificates templates with the inclusion of conditions around coronavirus controls and the associated risk assessments and processes. This work will be prioritised using existing Trading Standards resource, Public Health support has also been secured for expertise on Public Health / Epidemiology to further advise the SAG on development of the coronavirus controls.
- 10.6** During 2020/21 The Community Protection Manager will liaise with safety management teams with designated grounds and regulated stands to ensure compliance with the "wider definition of Safety" and the additional coronavirus controls as premises re open. Liaison with the Director of Public Health will continue where appropriate throughout, to ensure public health provisions are adhered to.

**10.7** The additional workload will need to be prioritised and implemented in a short timescale, so resource will need to focus on this area as premises start to adapt to the new controls and re open for business.

## **11. Conclusion**

**11.1** The Safety of Sports Ground team carried out inspections at the designated ground and all regulated stands in line with the risk assessment programme, with the exception of Leek Town FC and Hednesford Hills cc as detailed above, the team gave remedial advice where necessary and ensured that Staffordshire County Council met its statutory obligations during 2019/20 in respect of the Safety of Sports Grounds Act 1975, and the Fire Safety and Safety at Sports Grounds Act 1987

## **12. Link to Strategic Plan**

**12.1** The attendance of people at these stadia using local businesses and services influences the Council's priority outcome "Feel safer, happier and more supported in and by their community."

## **13. Link to Other Overview and Scrutiny Activity**

N/A

## **14. Community Impact**

**14.1** There are no specific equalities implications raised by this report. Safe access and movement within venues, particularly in the event of an emergency for all users is considered as part of the safety team's inspections. The Safety of Spectator inspections take into consideration the safety of all spectators, particularly those with disabilities, the elderly, families and children.

## **List of Background Documents/Appendices:**

Appendix 1 - details of inspections carried out during 2019/20

Appendix 2 - SGSA Audit - Action Plan

## Contact Details

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Appendix 1 - details of inspections carried out 2019/20

Risk rating	Stand	Last Inspection Date	Comments
High	Staffordshire County Showground	17/02/2020	No significant issues
	Uttoxeter Racecourse	05/04/2019	SAG cancelled due to closure under coronavirus controls – subsequent virtual SAG completed 30/06/2020 prior to the racecourse opening for “behind doors racing”
Medium	Stafford Rangers Football Club	03/07/2019	Number of significant issues identified; matters resolved following further advice and additional SAG held on 03/07/2019. The SAG is still actively engaged with the safety management team at the club and continues to provide support on an ongoing basis.
	Leek Town Football Club	21/03/2018	SAG scheduled for March 2020 was cancelled due to closure under coronavirus controls
	Hednesford Town Football Club	12/03/2020	No significant issues
	Hednesford Hills Raceway	*25/08/2016*	SAG scheduled for 26/03/2020 was cancelled due to closure under coronavirus controls. Due to several personnel changes at the Raceway and the last inspection date of 25/08/2016 this venue will be given high priority for 2020 /21.
	Tamworth Football Club	13/01/2020	No significant issues

	<b>Newcastle Stadium - Speedway</b>	<b>N/A</b>	<b>In June – August 2019 the SAG chair received an application for a Family Festival to be held at Newcastle Stadium. Despite providing advice and support to the applicants they were unable to provide the necessary reassurance to the County Council and the District Council licensing team and the event organisers cancelled the event at the last minute. The premises subsequently closed in September 2019; the land is now planned for development of industrial units.</b>
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## Appendix 2

### SGSA Audit - Action Plan

Action Point		Progress
Review authorisation level/delegation to serve a prohibition notice	Revise County Councils Scheme of delegation / Operational Scheme of Sub-Delegation - Families & Communities	Complete - revised schemes of delegation -adopted by the County Council
Enforcement	develop template for prohibition notice.	Complete, template developed and incorporated in policy / procedures
Training	review training for staff who manage Sports Ground Safety	Complete - Incorporated in MPC process / Professional CPD
Safety Certification	ensure the wider factors are incorporated in the certification process	Circulated guidance to ensure all clubs are aware of the wider definition, need to ensure this is incorporated in clubs' plans, policies and procedures during following financial year. Further development of new template safety certificate to ensure coronavirus controls are implemented prior to re-opening.
Constitution for the Formation, Operation and Administration of Safety Advisory Groups	Constitution needs to be reviewed and updated to take account the wider understanding of	Full review and update of the constitution to include the wider understanding of safety, draft to be circulated for comment with a view to concluding early 2020 /21.

	safety.	
Resolution process for disagreements on police attendance	Develop and document process to manage dispute resolution process for disagreements on police attendance.	Following discussion with the club - Introduced for discussion at Safety Advisory Group. Draft circulated with a view to concluding 2020 /21.
Safety Certification - Capacity Calculation	Request full capacity calculation in accordance with Green Guide methodology including P & S factor	Requested full capacity calculation from the club following discussion with the club – the new coronavirus controls will impact on capacity, new capacity calculations required for early 2020 / 2021.