

## **Planning Committee**

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### **Annual Report - Safety of Sports Grounds April 2018 - March 2019**

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

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

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 carried out 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.

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

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.

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".

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.

During 2018/19 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.)**

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.

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.

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).

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

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

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 2018/2019 financial year.

### **3. Risk Management**

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.

Home Office guidance, which relates to stands with a capacity of less than 2000, recommends inspection once every alternate calendar year. The eight

regulated stands highlighted above at 2 in the Report are covered by this guidance.

The inspection programme during 2017/18 informed the planning of inspections for the year commencing April 2018 and future years. All premises were risk assessed to assess the efficacy of the safety of spectator controls.

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

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, Medium or Low risk.

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.

### **Risk Assessment – Regulated Stands**

<b>Risk rating</b>	<b>Stand</b>	<b>Last Inspection Date</b>	<b>Next Inspection due</b>
High	Staffordshire County Showground	22/02/2019	2019/20
	Uttoxeter Racecourse	14/05/2019	2019/20
Medium	Stafford Rangers Football Club	08/02/2019	2020/21
	Leek Town Football Club	21/03/2018	2019/20
	Hednesford Town Football Club	09/11/2017	2019/20
	Hednesford Hills Raceway	19/10/2017	2019/20
	Tamworth Football Club	12/09/2017	2019/20
	Newcastle Stadium - Speedway	CLOSED	N/A

#### **4. Resources**

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.

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.

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.

The resources committed to this activity during 2018/19 equated to approximately 0.5fte.

#### **5. Performance**

In 2018/19, the designated ground at Burton Albion received a number of interventions as follows

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

During 2018 / 19, both of the high risk regulated stands at Staffordshire County Showground and Uttoxeter Racecourse were inspected. The inspection at Uttoxeter Racecourse followed a fire in the course restaurant. During the SAG process a full review of the racecourse's contingency plans for fire were reviewed alongside the emergency services. The SAG ensured the lessons learnt from the emergency were incorporated in the future contingency planning for the racecourse

In line with the Risk Assessment, two of the medium risk stands were subject to intervention. Stafford Rangers received a SAG and additional non-event inspections, as a result of concern raised by SAG members over the management of safety at the club. Advice and guidance were provided to the club by a specialist officer of the fire and rescue service and the Community Protection Manager. Alterations to the fabric of the club, (for example one of the stands has been rebuilt and significant changes made to the turnstile

entrances) have been overseen by the SAG as well as a revision of the safety management processes within the club. The SAG is still actively engaged with the safety management team at the club and continues to provide support on an ongoing basis.

During 2018/19 several events held at Newcastle Speedway were subject to interest by the Safety Advisory Group for the ground. The speedway has seen dramatic reductions in spectator attendance, and a consequential reduction in income. The operator was reluctant to engage with the service; however, discussions did take place with both the operator and certificate holder to ensure a satisfactory level of spectator safety was maintained. In October 2018 the Community Protection Manager received an application to use the stand for the holding of a Stunt Show and Fireworks on 27th October 2018. The show posed a particular high risk for those attending the event and the SAG provided strong leadership to the organisers of the event to ensure the necessary precautions were in place to minimise the risk to people attending the event. The event took place as planned with no safety incidents occurring. The premises subsequently closed in September 2019 and as referred to earlier, the land is now planned for development of industrial units.

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.

During 2018/19 the Community Protection Manager was invited to establish and chair a SAG for the Ironman event being run in June 2019. Emergency Services wished to ensure that safety management was at an appropriate level for such a high-profile event. 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. The event went ahead successfully and there were no significant safety incidents. Subsequently following approval by SLT and Informal Cabinet to a 2-year commitment to Ironman, the Community Protection Manager has been invited to establish and chair the SAG for the event for the next two years.

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. The Sports Grounds Safety Authority (SGSA) have established an audit programme to visit all local authorities who have designated grounds. In September 2018 Staffordshire County Council received their first audit which was carried out by the SGSA.

The inspection reviewed the performance of the authority in the implementation of the requirements for the “designated ground” and identified some minor recommendations for improvement. A number of these recommendations have already been completed and the remainder are in draft ready for implementation. The action plan is attached as Appendix 1 to this report for information.

## **6. Plans for current year and subsequent years**

There have been significant changes made recently to the Safety Certificate template produced by the Sports Grounds Safety Authority (SGSA). As part of these changes there is a “wider definition of Safety” and this includes amendments to ensure counter terrorism, anti-social behaviour and safety of all personnel in the ground including the Club’s employees are addressed. As highlighted in the Sports Grounds Safety Authority audit the authority should ensure this is addressed in plans procedures and in a new revision of the safety certification process. The Community Protection Manager will be liaising with safety management teams with designated and regulated stands to ensure compliance with the new definition.

## **7. Conclusion**

The Safety of Sports Ground team carried out inspections at the designated ground and 2 regulated medium risk stands in line with the risk assessment programme, the team gave remedial advice where necessary and ensured that Staffordshire County Council met its statutory obligations during 2018/19 in respect of the Safety of Sports Grounds Act 1975, and the Fire Safety and Safety at Sports Grounds Act 1987.

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## Appendix 1

### Audit carried out by SGSA - Action Plan 2018/19

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
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 safety.	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 2019 /20.
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 to be circulated for comment with a view to concluding 2019 /20.
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 – outstanding, 2019 /20.

## **Appendix 2**

### **Equalities implications:**

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.

### **Legal implications:**

The Team fulfil responsibilities the County Council has under 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.

### **Resource and Value for money implications:**

The team have initiated and implemented a risk-based approach to inspection which will consider "earned recognition" for those grounds who are reaching the appropriate standards of spectator safety. This will ensure the limited resources available to the team are focussed where they are most needed. Whilst providing support and guidance to the relevant sports clubs, the team are clear that the ultimate responsibility for spectator safety lies with the club. The Team will review the risk assessment for premises with a view to assessing whether the level of prioritisation is appropriate.

### **Risk implications:**

Risk to spectators and others attending venues is a primary consideration during inspections. Responsibility for the spectator's safety always lies with the certificate holder and ground management. The holder and ground management must produce a written statement of safety policy, operations manual and risk assessments (including fire and medical) for spectator safety. These documents must take into consideration the safety of all spectators, including those with disabilities, the elderly, families and children.

### **Climate Change implications:**

The newly implemented risk-based approach to inspections will ensure that only those stadia that require a visit will be visited. This will reduce mileage travelled by staff and improve the carbon foot print of the team, thereby reducing any impact on climate change.

### **Health Impact Assessment screening:**

By improving spectator safety at regulated and designated stadia the health and wellbeing of all spectators, including those with disabilities, the elderly, families and children will be enhanced. The Environmental conditions experienced by spectators at sporting events will be improved