

Planning Committee - Thursday 07 October 2021

Annual Report - Safety of Sports Grounds April 2020 - March 2021

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 2020 – 31 March 2021
- b. The Planning Committee also notes the progress completed for this financial year to date

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 completed during the last financial year. It describes the County Council's statutory obligations 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 which will ensure that the Council continues to meet its statutory obligations in this area.
- 1.2 In response to the COVID-19 pandemic from 24th March 2020 the Government introduced legislation which required the closure of most leisure venues, with immediate effect and this included all premises regulated under the Safety of Sportsgrounds legislation. Ultimately this resulted in a restriction on spectators attending sporting and similar events. The legislation was amended to allow socially distanced spectators back into sports grounds, and some venues started to operate events with spectators in attendance from the end of May 2021.
- 1.3 On 14th July 2021 Government guidance was provided for people who work in settings related to events and visitor attractions to help inform planning and business operations as part of the Recovery Roadmap.
- 1.4 The Sports Ground Safety Authority (SGSA) stage 5 guidance was published on 22 July 2021 regarding the safe return of spectators. The team continues to work with the sports ground's owners and their safety officers to ensure that all appropriate measures are in place to allow safe attendance at future 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 2020/21 Staffordshire County Council had responsibility for seven “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.
- 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 venue. 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 venue 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 sporting venues 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 2020/2021 financial year, however considering the coronavirus pandemic, the report also reflects activity for 2021/22 to date.

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 venues 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 venue
- 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 venue has been reviewed enabling the highest risk stands to be prioritised. Each venue has been categorised as High or Medium risk.

4. Risk Assessment – Designated Ground:

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

5. Risk Assessment – Regulated Stands

Risk rating	Stand
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

6. Inspections

6.1 Designated ground:

6.1.1. The designated ground at Burton Albion was closed to spectators from 24th March 2020. During 2020/21 Trading Standards worked with the Club and SAG partners to ensure the safety management controls in place at the club were fit for purpose as the pandemic developed.

6.1.2. To ensure COVID controls at the club were robust, a representative from Public Health was invited to attend Safety Advisory Group meetings and participate in the planning process. The SAG supported the club through the transitions controlling the various government restrictions including the transition from:

- non-attendance of spectators at stage 3 – return to domestic competition “behind closed doors”,
- (stage 4 – returning to cross border competition with no spectators – not applicable),
- to stage 5 – return to competition, safe return of spectators.

6.1.3. Changes of personnel within the club, including the departure of Fleur Robinson, Commercial Director, the appointment by the club of a new safety officer and changes to the Safety Management structure within the club has necessitated a high amount of involvement from trading standards officers.

6.1.4. In November 2020 the Club’s new safety certificate was issued following consultation with SAG Partners, the new certificate included the need to ensure compliance with the Covid control measures as well as the wider understanding of safety. This wider understanding includes the need to plan for counter terrorism and is particularly relevant in view of the learning following the 2017 Manchester Arena terror attack.

6.1.5. The planned activity for Burton Albion for the year 2021 / 2022 is:

- Review the club’s compliance with the requirements of the current Safety Certificate, including capacity calculations

- Complete a review of the Club's Operation Manual
- Complete an annual inspection of the ground.
- 2 event day inspections, focussing on high risk games
- Revise and update the Safety Certificate to reflect changes in the SGSA template
- Safety Advisory Group meetings on a quarterly basis
- Continue to work closely with the SGSA Local Authority Inspector (next planned audit - December 2021)

6.2 Regulated Stands:

- 6.2.1 All regulated stands were closed from 24th March 2020, the formal inspection programme for this year was therefore put on hold, however engagement with venues continued by email, telephone, or virtual Meetings.
- 6.2.2. With the exception of Tamworth FC and Leek Town FC, officers have engaged with all venues to ensure Covid compliance and the safe return of spectators. Tamworth FC were inspected on 13th January 2020; due to previous good compliance and a good safety management record the club was considered a low risk and there has been no proactive engagement with the club. Leek Town FC attracts a low attendance, the club also has previous good compliance and was considered a low risk. There was therefore no proactive engagement with the club in 2020/2021, this will be addressed when the inspection programme commences in 2021/22.
- 6.2.3. During 2021/2022 trading standards will continue working with SAG partners to ensure the return of spectators is done so in a safe and considered manner. For each Regulated Stand, officers will complete a review of club's compliance with the requirements of the current Safety Certificate, including capacity calculations. The Safety Certificate to reflect changes in SGSA template will then be revised and updated.
- 6.2.4. Inspection Plans for 2021/22 have been scheduled and are attached as Appendix 3 to this report.

7. Ironman 70.3 Staffordshire

- 7.1 During 2020/21 the Community Protection Manager was invited to establish and chair a SAG for the Ironman event in June 2020. The Trading Standards Manager established and chaired the SAG and was actively involved with the development of the plans and procedures and practical implementation of safety management systems for the event. Due to COVID-19 the event was rescheduled to 13th June 2021, and subsequently postponed to Sunday 18th July 2021. Following the trading standards restructure the role of SAG chair transitioned to the Trading Standards Technical and Business Manager from April 2021 and the event was successfully held on the rescheduled date.

8. Birmingham Commonwealth Games 2022

8.1 As part of the County Council's preparation for the safe delivery of the Commonwealth Games in 2022, officers have been taking part in the planning and preparation activities for the enforcement, resilience, and Safety Management functions for the games. Officers have been involved with the National / Regional planning as well as on-site inspection and development of the SAG for the event. Officers will be chairing the SAG for the event on Wednesday 3 August 2022 at Cannock Chase, as well as ensuring the effective regulation of the trading controls for the event.

9. Resources

9.1 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.

9.2 The resources for this area are drawn from within Trading Standards, the Safety of Sports Grounds work forms part of the team's overall activity. This enables the resourcing for a specialist area to be managed efficiently. The Trading Standards Manager 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. The lead for the function has recently become the responsibility of the Trading Standards Technical and Business Manager for the Local Authority following the January 2021 trading standards redesign.

9.3 In addition to the Trading Standards Technical and Business Manager, the Trading Standards Manager continues to support the transition arrangements, and a Trading Standards Team Leader has responsibility as the designated officer for conduct of the inspection work for the designated ground. Both provide comprehensive reports to the SAGs and relevant sports grounds following inspection. Additional administrative support has been provided from within the trading standards team to ensure any issues are addressed and prioritised by the risks associated with each stand.

9.4 The resources committed to this activity during 2020/21 equated to approximately 0.5fte. For 2021/22 resources have been increased to ensure resilience and capacity to discharge statutory duties effectively and efficiently. These resources will be drawn from the operational trading standards team.

10 Sports Grounds Safety Authority (SGSA) Audit

10.1 Following the Grenfell fire, Central Government reviewed areas of risk to the public to ensure that all local authorities responsible for licensing designated grounds, such as Burton Albion, received an audit to check that there were consistent and adequate safety criteria in place. The Audit took place in

October 2020, several recommendations were made and have subsequently been completed, these are detailed at appendix 2

- 10.2 During 2020/2021 Trading Standards officers worked closely with the Sports Grounds Safety Authority (SGSA) Local Authority Inspector to update the processes for Safety of Sports grounds controls at Burton Albion.
- 10.3 New Policies and procedures have been introduced and template documents have been updated to reflect the changes required because of national events, particularly COVID-19 and the Manchester Arena terror attack.
- 10.4 The County Council's scheme of delegation has been updated to ensure the new structure for trading standards is reflected. In addition, the change allows officers to issue a prohibition notice under the Fire Safety and Safety of places of Sport Act 1987 when the risk to spectators at a ground is so great that until steps have been taken to reduce it to a reasonable level, the admission of spectators can be restricted or prohibited.
- 10.5 Supported by the SGSA inspector, officers have updated and adapted the Safety Certificate for Burton Albion to ensure it encourages a more robust safety culture at the club, which includes:
 - The 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.
 - To ensure the structure and maintenance of the ground and the safety management at the club is built into the calculation of the safe capacity at the ground.
 - The need to clearly define the physical boundary where the club's responsibility for safety ends
- 10.6 During 2021 / 2022 officers will continue to work with the SGSA inspector to update and enhance the way the Safety Advisory Group operates. Several actions are planned and include
 - A review of the club's Operations Manual
 - Increased "during performance" inspections
 - Increased monitoring of outcomes from inspections and robust follow up with club and SAG members
 - Monitoring the club's programme of testing and exercising contingency plans
 - Improving the SAG meeting processes
 - Testing the trading standards service business continuity plans
 - Introduce a formal annual review of the safety certificate

11. Impact of Coronavirus Controls

- 11.1 The Report at 1.2 – 1.4 has highlighted that COVID related legislation has impacted on Sportsgrounds and their operation. The impact of this on the Inspection programme is detailed in Section 6 of this Report.

- 11.2 The English Football League season started 12/09/2020 and remained without spectators for the entirety of the season. The 2021/22 English Football League season started on 07/08/2021, and spectators being able to attend. With the possible future implementation of local control provisions, the safety management team at the ground will need have the flexibility to manage and implement change quickly.
- 11.3 Bringing people back into grounds has brought new challenges. Sports Grounds have had to adapt to reduce the spread of the virus, and the new controls have helped to equip them with the knowledge and guidance required to manage the return of fans safely.
- 11.4 These changes continue to require inspection and additional support work for the designated ground and the regulated stands to ensure all the appropriate controls are in place. The changes have required development of a new format for safety certificates templates with the inclusion of conditions around coronavirus controls and the associated risk assessments and processes. The re-certification process is being 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 coronavirus controls.
- 11.5 During 2021/22 The Trading Standards Technical and Business Manager and nominated colleagues will continue to 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.
- 11.6 The additional workload will be prioritised and implemented in a short timescale, and resource will focus on this area as venues adapt to the new controls.

12. Conclusion

- 12.1 2020/2021 has been a challenging year for the team, particularly the changes in safety management brought about because of the coronavirus pandemic. The restructure of the trading standards service has required additional training and development for the officers in their new roles. Existing qualified officers have (and will continue to) provided support for new officers to ensure a smooth transition of roles and responsibilities to the new structure.
- 12.2 Whilst the anticipated formal inspection process has not been completed this year due to COVID-19 controls, the team has engaged with venues' Safety Management Teams and Partners to ensure that all events that have gone ahead, have done so safely. This has been achieved by means of virtual Safety Advisory Groups as well as providing individual advice and support in a particularly fluid and challenging environment.

12.3. During 2021/2022 significant focus will be required by the team to ensure the return of spectators is done so in a safe and considered manner

13. Link to Strategic Plan

13.1 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."

14. Link to Other Overview and Scrutiny Activity

N/A

15. Community Impact

15.1 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 2020/21

Appendix 2 - SGSA Audit - Action Plan

Appendix 3 – details of planned inspections to be carried out during 2021/22

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Appendix 1 - details of inspections programme 2020/21

Risk rating	Stand	Last Inspection Date	Comments
High	Staffordshire County Showground	17/02/2020	The regulated stand has not been in use during 2020 / 2021, The team are currently working with SAG partners and County Showground Safety Management Team on safety measures for the 2021 County Show
	Uttoxeter Racecourse	05/04/2019	Virtual SAG completed 30/06/2020 prior to the racecourse opening for “behind doors racing” May 2021- review of Covid controls and Covid 19 Large Events Risk Assessment completed Virtual SAG held 30/05/2021 prior to the return of spectators
Medium	Stafford Rangers Football Club	03/07/2019	Consultation with Public Health and Covid 19 Large Events Risk Assessment carried out on 25/06/21 prior to the return of spectators, provided instruction to the club on the necessary controls required to be in place.
	Leek Town Football Club	21/03/2018	SAG scheduled for March 2020 was cancelled due to closure under coronavirus controls – No Further Action
	Hednesford Town Football Club	12/03/2020	October / December 2020 provided advice and guidance in relation to re structure of safety management at the club. June 2020 provided advice and guidance to Cannock Chase District Council re Covid 19 controls and alcohol licensing provisions at the venue.
	Hednesford Hills Raceway	25/08/2016	September 2020 – provided advice and guidance to Racecourse Safety Management Team regarding the re-

			<p>opening of the racecourse, revised capacity, and spectator attendance Virtual SAG completed 29/09/2020 prior to the racecourse opening. May 2021 – review of Covid controls and Covid 19 Large Events Risk Assessment completed Virtual SAG held 30/05/2021 prior to the return of spectators</p>
	Tamworth Football Club	13/01/2020	No Further Action

Appendix 2

SGSA Audit October 2020 - 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	Complete – new safety certificate template completed
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.	Complete - New Terms of Reference developed and adopted by SAG
	Develop and document process to manage	Complete - document process to manage dispute resolution process for disagreements on police attendance in place.

Resolution process for disagreements on police attendance	dispute resolution process for disagreements on police attendance.	
Safety Certification - Capacity Calculation	Request full capacity calculation in accordance with Green Guide methodology including P & S factor	Complete - capacity calculation in accordance with Green Guide methodology

Appendix 3 - Planned inspections and related activities 2021/22

Risk rating	Stand	
High	Staffordshire County Showground	<p>July / August 2021 - Hold a full SAG (10th August 2021) in relation to the County Show 2021 (25th – 26th August 2021), ensure all safety management controls are in place, particularly focussing on latest Covid 19 guidance.</p> <p>Complete full inspection prior to the County Show 2021 taking place. (17th August 2021)</p> <p>Review compliance with the requirements of the current Safety Certificate, including capacity calculations. Revise and update the Safety Certificate to reflect changes in SGSA template - February 2022</p>
	Uttoxeter Racecourse	<p>May 2021- review of Covid controls and Covid 19 Large Events Risk Assessment completed</p> <p>30/05/2021 - Virtual SAG held prior to the return of spectators.</p> <p>Hold a full SAG – November 2021</p> <p>Complete full inspection. – December 2021</p> <p>Review compliance with the requirements of the current Safety Certificate, including capacity calculations. Revise and update the Safety Certificate to reflect changes in SGSA template - October 2021</p>
Medium	Stafford Rangers Football Club	<p>Complete full inspection - February 2022</p> <p>Hold a full SAG - February 2022</p>

		<p>Review compliance with the requirements of the current Safety Certificate, including capacity calculations. Revise and update the Safety Certificate to reflect changes in SGSA template - January 2022</p>
	<p>Leek Town Football Club</p>	<p>Complete full inspection - February 2022</p> <p>Hold a full SAG - February 2022</p> <p>Review compliance with the requirements of the current Safety Certificate, including capacity calculations. Revise and update the Safety Certificate to reflect changes in SGSA template - January 2022</p>
	<p>Hednesford Town Football Club</p>	<p>Complete full inspection - February 2022</p> <p>Hold a full SAG - February 2022</p> <p>Review compliance with the requirements of the current Safety Certificate, including capacity calculations. Revise and update the Safety Certificate to reflect changes in SGSA template. - January 2022</p>
	<p>Hednesford Hills Raceway</p>	<p>May 2021 – review of Covid controls and Covid 19 Large Events Risk Assessment completed</p> <p>Virtual SAG held 30/05/2021 prior to the return of spectators</p> <p>Complete full inspection – December 2021</p> <p>Hold a full SAG – November 2021</p>

		<p>Review compliance with the requirements of the current Safety Certificate, including capacity calculations. Revise and update the Safety Certificate to reflect changes in SGSA template. – October 2021</p>
	<p>Tamworth Football Club</p>	<p>Complete full inspection - February 2022</p> <p>Hold a full SAG - February 2022</p> <p>Review compliance with the requirements of the current Safety Certificate, including capacity calculations. Revise and update the Safety Certificate to reflect changes in SGSA template - January 2022</p>