



# **Safety at Sports Grounds General Policy**

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## 1.0 Introduction

### 1.1 Scope and Purpose

- 1.1.1 This document has been produced by Leicestershire County Council Health, Safety and Wellbeing Service following consultation with members of the Safety Advisory Groups for sports grounds within the County (see Appendix 1).
- 1.1.2 Leicestershire County Council recognises its statutory duty for the safety certification of sports grounds under the Safety of Sports Grounds Act 1975 (as amended) (hereinafter “1975 Act”) and the Fire Safety and Safety of Places of Sport Act 1987 (hereinafter “1987 Act”), (collectively referred to as “the Acts”) and its responsibilities for the monitoring and enforcement of the Regulatory Reform (Fire Safety) Order 2005<sup>1</sup> in respect of sports grounds.
- 1.1.3 This document sets out Leicestershire County Council’s approach to discharging its powers on responsibilities in respect of the issue and review of Safety Certificates for sports grounds.
- 1.1.4 The sports grounds covered by these arrangements are listed in Appendix 1. The powers of issue and review of the safety certificate are vested solely in Leicestershire County Council’s officers with delegated authority for this activity.

### 1.2 Delegated Powers

- 1.2.1 In accordance with Part 3 section D and Part 9 of its Constitution Leicestershire County Council has delegated its power to issue and amend a safety certificate to the Director of Corporate Resources who has authorised the Manager for the Health, Safety and Wellbeing Service to exercise this function on his behalf.

### 1.3 Definitions

- 1.3.1 In this Policy the following terms shall have the definitions as follows.

Designated Ground	Means any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales’. It is ‘designated’ as such by the Secretary of State.
Regulated Stand	Means any covered stand with accommodation for 500 or more spectators, whether seating or standing’. The ‘determination calculation’ for Regulated Stands is outlined in the Home Office Circular 97/88.
Sports Ground	Means a place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose
A Safety Advisory Group (SAG)	Means a multi-agency advisory group consisting of officers of the County Council, District or Borough Council and representatives from Police, Fire and Rescue Service and

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Ambulance Service. Representatives of the Club (including the safety officer) and supporters club are also invited to attend. The primary function of the SAG is to provide specialist advice to the County Council on how it may effectively discharge its responsibilities under the 1975 and 1987 Acts.

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<sup>1</sup> Per Article 25(d) of the Regulatory Reform (Fire Safety) Order 2005

## 1.4 Legislation and Guidance

1.4.1 This policy and procedures should be read in conjunction with the following legislation that applies to the safety of spectators at sports grounds:

- Safety of Sports Grounds Act 1975
- Fire Safety and Safety of Places of Sport Act 1987
- Safety of Sports Grounds Regulations 1987
- Safety of Places of Sport Regulations 1988

1.4.2 Guidance on the application of the legislation referenced above can be found in the following Home Office Circulars:

1.4.3 **Home Office Circular No 7/1986** – Annex C of which provides guidance on the procedure regarding applications for General Safety Certificates under the provisions of the Safety at Sports Grounds Act 1975.

1.4.4 **Home Office Circular No 96/1988** – Which includes advice on the issue of Safety Certificates for regulated stands.

1.4.5 **Home Office Circular No 97/1988** – Which includes statutory guidance to local authorities under section 26 (8) of the 1987 Act on the methodology that must be applied in determining whether a stand at a sports ground is a "regulated" stand.

1.4.6 Further advice is contained in "Guide to safety certification of sports grounds" published by the Sports Grounds Safety Authority.

1.4.7 Guidance is also issued from time to time by the Home Office and the Health and Safety Executive with regard to non-sporting activities taking place in grounds, i.e. concerts and mass gatherings. Leicestershire County Council will consider, and discuss in SAGs where appropriate, all applicable guidance in the event of proposals being made to hold other types of events at any of the designated or regulated sports grounds within the County of Leicestershire.

## 2.0 Issue & Review of Safety Certificates

### 2.1 Introduction

2.1.1 This section sets out Leicestershire County Council's approach to discharging its powers and responsibilities in respect of the issue and review of safety certificates for sports grounds.

## 2.2 Qualified Person

- 2.2.1 Upon receipt of an application for a safety certificate, Leicestershire County Council must determine if the applicant is a 'qualified person'. This is defined in the 1975 Act as a person who is likely to be in a position to prevent any contravention of the terms and conditions of the safety certificate. The certificate holder should be in a position of authority within the management of the sports grounds and could include the chairman, chief executive, club secretary, ground manager, safety officer or a director, depending on the sports ground/club.
- 2.2.2 Under the 1987 Act, the definition of a person qualified to hold the safety certificate for a regulated stand is more tightly drawn. In the case of a general safety certificate, it is the person responsible for the management of the sports ground; for a special safety certificate it is the person responsible for organising the activity being watched by the spectators. This apart, the procedure mirrors that for the issue of the safety certificate for a designated sports ground.
- 2.2.3 If Leicestershire County Council determines that the applicant is not a qualified person, it must notify him/her in writing. The applicant may then appeal against this determination to a magistrate's court within 28 days or 7 days in the case of a special safety certificate.

## 2.3 Safety Certificate Applications and Information Required

- 2.3.1 The format of an application for a safety certificate for a designated ground or a regulated stand are set out in the Safety of Sports Grounds Regulations 1987 and Safety of Places of Sport Regulations 1988 respectively. In accordance with the European Services Directive of December 2006 Leicestershire County Council is required to make provision for online safety certificate applications. Application forms for a safety certificate under either the 1975 or 1987 Act are accessible on Leicestershire County Council's website.
- 2.3.2 Applications are processed through Leicestershire County Council Health, Safety and Wellbeing Service. Leicestershire County Council will follow the process set out in Appendix 2 and 3. Leicestershire County Council must supply the chief officer of police, and, where it is not itself that authority, the fire authority or the building authority, with a copy of any application received. It will also formally consult them about the terms and conditions of the certificate. The normal forum for this consultation will be the SAG.
- 2.3.3 The application should be accompanied by detailed information as to structure, capacity, including P and S factor assessment and safety management systems. The Council may, by writing, require the applicant to submit within a reasonable period such additional information and plans as it considers necessary to enable it to determine what terms and conditions to include.

## 2.4 Timetable

- 2.4.1 The County Council encourages any potential applicant to contact Leicestershire County Council's Health, Safety and Wellbeing Service to discuss the application and timeframe at the earliest opportunity.
- 2.4.2 Following receipt of a completed application form, the applicant will receive an acknowledgement by email within 10 working days.
- 2.4.3 Leicestershire County Council's Health, Safety and Wellbeing Service aims to process applications for new General Safety Certificates, where possible, within 4 months of receipt of the application, and Special Safety Certificates within 2 months. However, this is a guide only, and depending on the complexity of the application, it may take longer, particularly in the case of new designated grounds, which will require liaison with the Department for Culture, Media and Sports, and the creation of a Statutory Instrument in Parliament.

## 2.5 Contents of a Safety Certificate

- 2.5.1 In accordance with section 2 of the 1975 Act and section 27 of the 1987 Act. Leicestershire County Council is required to include in the safety certificate such terms and conditions as it considers necessary or expedient to secure the reasonable safety of spectators. Safety certificates issued by Leicestershire County Council will include the capacity of the designated ground, or regulated stand, as well as capacities for each part thereof. The certificate will also include the terms and conditions with which the holder must comply to maintain that capacity. In determining the contents of a safety certificate Leicestershire County Council will take account of the advice of the Safety Advisory Group and the guidance contained in the Guide to Safety at Sports Grounds (the Green Guide) and that published by the Sports Grounds Safety Authority in its 'Guide to the safety certification of sports grounds'.
- 2.5.2 The latter guidance document recommends a new style of safety certificate, with the onus placed upon the ground management to carry out risk assessments and develop an operations manual. Leicestershire County Council has committed to working in partnership with the sports grounds towards this risk based type of certificate, but will implement it only as and when it considers this to be appropriate in all of the circumstances.

## 2.6 Rights of Appeal

- 2.6.1 The 1975 and 1987 Acts both provide right of appeal to the Magistrate's court to:
- Any person against a determination by the local authority that he/she is not qualified to hold a safety certificate
  - Any interested party against the inclusion of anything in, or omission of anything from a safety certificate or the refusal of the local authority to amend or replace it, or

- Any person, upon whom the local authority has served a notice that it, has determined that a particular stand is a regulated stand, against that determination.

2.6.2 Appeals must be lodged within 28 days if they relate to a general safety certificate.

## **2.7 Review of Safety Certificate and Capacity Calculations including P&S factor assessment**

2.7.1 Leicestershire County Council will undertake a review of issued safety certificates on an annual basis, or at more frequent intervals in response to physical changes at sports grounds, incidents or 'near misses' brought to its notice, changes in safety management performance or in response to changes to legislation or spectator safety guidance.

2.7.2 The review will consider the terms and conditions of safety certificates to validate that they remain relevant for providing for the reasonable safety of spectators at the designated sports ground or regulated stand. The review will also ensure the ground management have reviewed the capacity calculations including the P and S factor and that these are agreed by the local authority. The review will be undertaken by the Manager for the Health, Safety and Wellbeing Service, who shall consult with the SAG and any other relevant parties at an annual audit meeting of the SAG. The outcome of the review shall be recorded and reported to Leicestershire County Council's Corporate Resources DMT.

## **2.8 Public Access**

2.8.1 The safety certificate is a public document, to which any person who is either responsible for applying it or likely to be affected by it should have access. The Safety at Sports Grounds Regulations 1987 and 1988 require Leicestershire County Council to notify every interested party, as defined by the regulations as:

- The holder of a safety certificate
- Any other person who is or may be concerned in ensuring compliance with the terms and conditions of a safety certificate
- The chief officer of police, and
- The building authority (Leicestershire Building Control Partnership, North West Leicestershire and Charnwood Building Control) .

2.8.2 This notice must specify that a copy of the safety certificate and any application is available for inspection at a specified time and place. Leicestershire County Council must also publish a similar notice in a local press.

## **2.9 Suitably Trained and Competent Staff**

2.9.1 Individual officers who are responsible for the issue and review of Safety Certificates under the 1975 and 1987 Acts will be suitably trained and qualified to ensure their competency.

2.9.2 The Council will ensure that:

- duties are specified in job descriptions and experience is built-up over time with provision made in individual appraisal for monitoring progress;
- all advisers have professional qualifications, experience in other sectors and are on CPD cycles as well a 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 undertake the roles they may be expected to undertake.

## **3.0 Inspection & Monitoring**

### **3.1 Purpose of Monitoring and Inspection**

3.1.1 The monitoring and inspection regime is intended to provide reassurance to Leicestershire County Council that the terms and conditions of safety certificates issued under the provisions of the 1975 and 1987 Acts are being complied with and that ground management are maintaining the sports ground and its safety management regime at a level which provides for the reasonable safety of spectators.

3.1.2 The regime will include:

- Annual inspections; and
- During performance inspections (also known as match/race day inspections)

### **3.2 Annual Inspection**

3.2.1 An annual inspection of the ground will be undertaken at each designated ground at least once every 12 months.

3.2.2 The inspection of grounds with regulated stands will depend on the size of the largest regulated stand.

3.2.3 Where a ground contains a regulated stand that has accommodation for more than 2,000 spectators an annual inspection of that stand, plus any other regulated stands and such un-certificated parts of the ground as Leicestershire County Council considers necessary, will be undertaken at least once every calendar year following the date of the last inspection.

3.2.4 At all other grounds with regulated stands, an inspection of the regulated stands and such un-certificated parts of the ground as Leicestershire County Council considers necessary will be carried out at least once every alternate calendar year following the date of the last inspection.

3.2.5 In addition to the officer with delegated authority for undertaking the inspections, the council's structural engineer and council's electrical engineer will be part of the inspection team. The police, fire authority and ambulance authority will also be invited to take part in the inspection.



3.2.6 The inspection of designated sports grounds will include all items detailed in the Secretary of State's statutory guidance as set out in Home Office Circular 72/1987. For regulated stands the inspection will cover the items in the statutory guidance set out in Home Office Circular 97/1988.

3.2.7 The inspections will encompass:

- The certificates covering structural, dynamic performance and electrical tests;
- The records maintained by the management of the sports ground, in particular of attendances, accidents, maintenance, equipment tests, steward training and contingency plans;
- The condition of the sports ground and its fixtures and fittings; and
- The lighting, public address, fire warning and entry control equipment

### **3.3 During Performance Inspections**

3.3.1 During performance inspections (also known as match/race day inspections) will be made from time to time, on event days, to ensure that the terms and conditions in the safety certificate are suitable and appropriate for the use taking place and to monitor the ground management's compliance with the terms and conditions of the safety certificate.

3.3.2 When undertaking during performance inspections Leicestershire County Council's inspecting officer will work to a Standing Operational Procedure for during performance inspections, and will:

- Make their presence known to the duty safety officer and others in the control room
- Tour all accessible parts of the sports ground and 'walk the ground', that it to say, not stay in one particular area of the sports ground for a large part of the time
- Observe the safety management arrangements and crowd, recording any problems and noting the time of the incident etc.
- Record items examined in a log book or check sheet
- After the event produce detailed reports of the management of the activity which shall be copied to the Council's lead and designated officers for safety at sports grounds, and sent to the club/ground, where appropriate with request for action or explanations to enable consideration to be given to further control and/or enforcement action

3.3.3 During performance inspection reports will be shared with the relevant Safety Advisory Group for discussion at meetings, and where appropriate, with the Sports Grounds Safety Authority.

3.3.4 Where breaches in the terms and conditions of Safety Certificates are noted, these will be brought to the attention to the holder and duty safety officer immediately. A

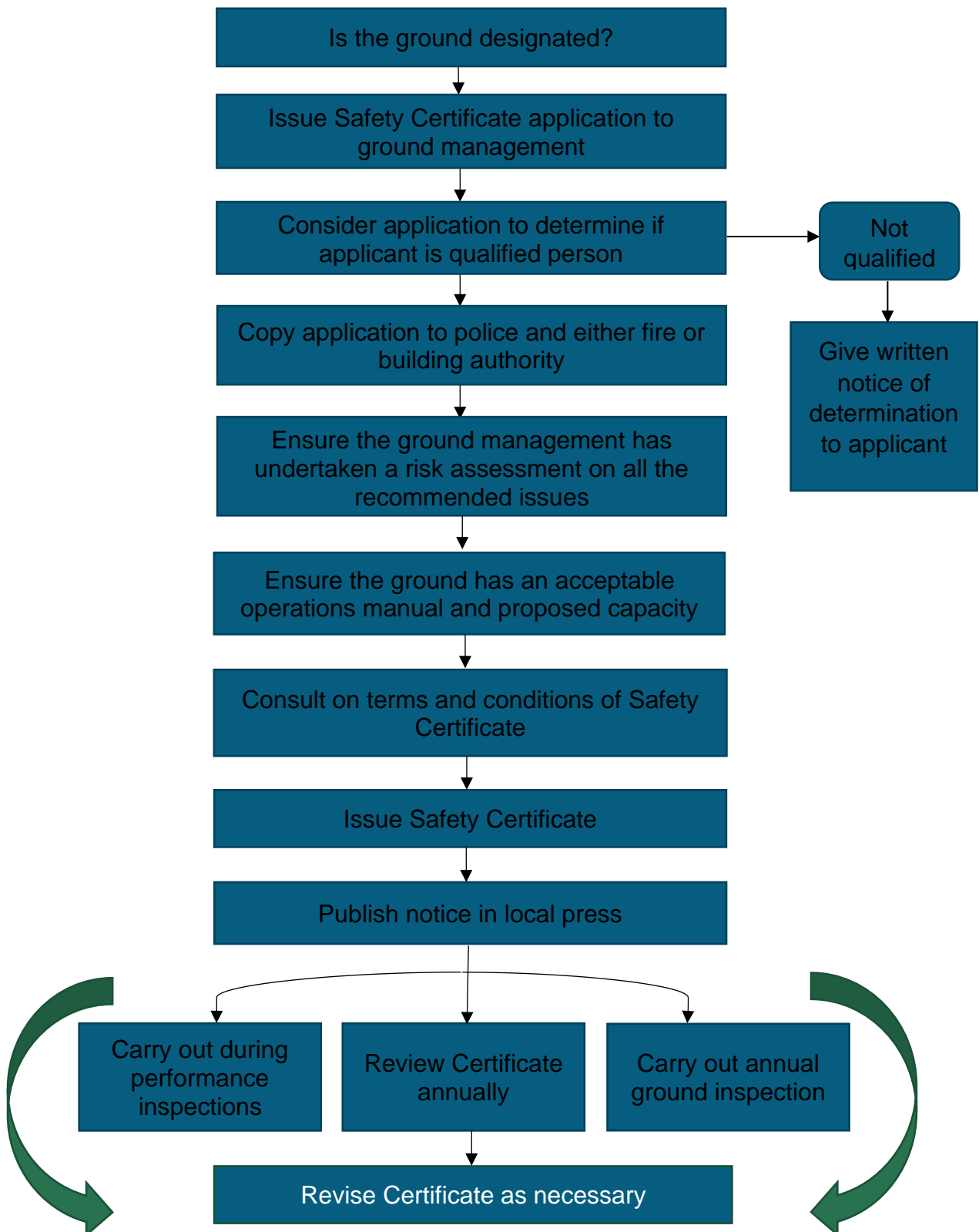
standard notification of non-compliance form will be used to notify the holder at the venue of any non-compliance. These will be followed up by formal letters of confirmation.

- 3.3.5 The responsibility for the safety of spectators lies at all times with the holder of the general safety certificate. Therefore, when the inspecting officer is at the ground, he/she should not try to enforce the terms and conditions of the safety certificate on the spectators, but should refer breaches and concerns immediately to the club's duty safety officer
- 3.3.6 The frequency of during performance inspections will be determined by risk assessment which will take account of the safety management culture at the ground and ground management's compliance with the safety certificate.
- 3.3.7 At either a designated ground, or regulated stand, inspections may be carried out more frequently if there are concerns about any aspect of safety management at the ground, or if there are significant changes to the ground, its management, or the type of events being held there.

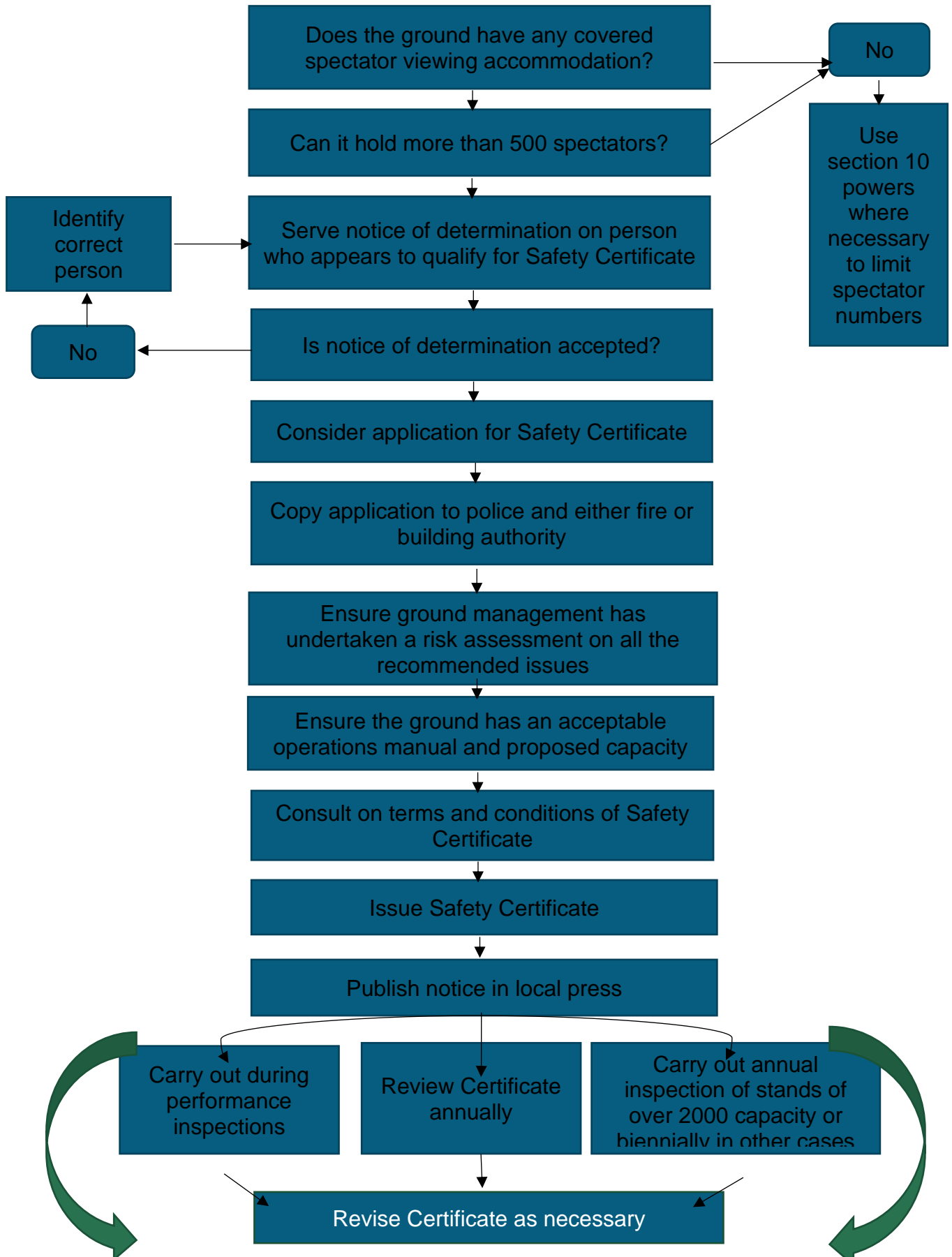
## Appendix 1 : Sports Grounds within Scope

Designated Grounds:	None
Regulated Stands:	Leicester Racecourse Hinckley, Leicester Road Football Club Coalville Town Football Club
Non-Certified Grounds	Donnington Park Circuit Mallory Park Racing Circuit

## Appendix 2 : Process for the Issue of a Designated Ground General Safety Certificate



### Appendix 3 : Process for the Issue of a Regulated Stand General Safety Certificate



## Appendix 4 : References

The following publications have been referred to on the production of this policy:

- Safety of Sports grounds Act 1975 (As amended)
- Safety of Places of Sport Act 1987
- Guide to Safety of Sports Grounds Fifth Edition
- Regulatory Reform (Fire Safety) Order 2005: Guidance Note No.1: Enforcement
- Final Report of Lord Justice Taylor into the Hillsborough Disaster
- Guide to the Safety Certification of Sports Grounds (Sports Grounds Safety Authority)