

## SAFETY AT SPORTS GROUNDS

<b>Committee name</b>	Corporate Services, Commerce and Communities Policy Overview Committee
<b>Officer reporting</b>	Ross Forsyth, Licensing Service
<b>Papers with report</b>	Appendix A – Standard Procedures Currently in Place Appendix B – Information on Each Sports Ground
<b>Ward</b>	All

### HEADLINES

This report provides the Committee with information on the action taken by officers under the Safety at Sports Ground Act 1975, and the Fire and Safety at Places of Sport Act 1987. Following consideration by the Committee, this report will be sent to the Cabinet Member for Community, Commerce and Regeneration for approval.

### RECOMMENDATIONS:

**That the Corporate Services, Commerce and Communities Policy Overview Committee:**

- 1. Consider and note the report regarding Safety at Sports Grounds;**
- 2. Provide any comments on the report with regard to inspection levels, which will be included in the report which is presented to the Cabinet Member for Community, Commerce and Regeneration; and,**
- 3. Subject to any comments received, recommend to the Cabinet Member for Community, Commerce and Regeneration that the same level of inspection is maintained during 2019/20 and 2020/21 for all sports grounds.**

### SUPPORTING INFORMATION

1. The Council is the enforcing authority under the Safety of Sports Grounds Act 1975 and the Fire and Safety at Places of Sport Act 1987.
2. Whilst Hillingdon does not have any major Sports Stadia within its boundaries, the Borough does have a number of smaller league sports grounds and facilities which are covered by the above legislation. Nationally, Local Authorities are expected to secure the provision of a reasonable standard of safety on a voluntary basis for smaller, non-designated sports grounds.
3. In order to achieve this, the Hillingdon Safety Advisory Group (SAG) has agreed that all sports grounds are inspected once per year and that a written schedule of recommended remedial actions is provided to the management committee of the ground after each inspection.

4. The Hillingdon Safety Advisory Group were consulted on the new stand constructions, and now the Licensing Service currently review the Regulated Stand Safety Certificates on an annual basis in consultation with the SAG. Additional inspections are also carried out during the year.
5. Maintaining the level of inspections at two per year for sports grounds with regulated stands, i.e. Gaelic Athletic Association and Hayes & Yeading FC, would benefit both the club and the Licensing Service.
6. The Clubs would benefit from regular oversight by Officers, particularly as both stadiums in Hillingdon are newly constructed, and responsible persons will have advice and guidance in terms of compliance with regulated stand certificates and best practice for public safety.
7. Regular inspections throughout the year will enable Officers to have regular contact with clubs, thus ensuring a better standard of public safety compliance and sharing of information regarding technical specifications and standards relating to sports grounds.

## **BACKGROUND INFORMATION**

8. Following Lord Justice Taylor's recommendations after the Bradford City fire and the Hillsborough Stadium disaster, local authorities were advised to review their arrangements for discharging their responsibilities under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987. In addition, local authorities were advised to ensure that a structure of accountability was in place, whereby the enforcing department / personnel were regularly and effectively supervised by Senior Officers, who would then report directly to elected Members on the action instigated. The object is to ensure that Senior Officers and elected Members are fully aware of the action being instigated on their behalf in discharging the Authority's duties. This is carried out through the Cabinet and Corporate Services, Commerce and Communities Policy Overview Committee's reporting procedures.
9. The principal framework outlining safety of spectators at sporting events are:
  - Safety of Sports Grounds Act 1975
  - The Fire Safety and Safety of Places of Sport Act 1987
  - The Guide to Safety at Sports Grounds (6<sup>th</sup> edition, Sports Ground Safety Authority)
1. The Fire Safety and Safety of Places of Sport Act 1987 makes provision for the safety of spectator stands at sports grounds. It requires the local authority to issue a 'Safety Certificate' in respect of covered spectator stands which accommodate 500 or more people. There are currently two Spectator Stands which fall into this category within the Borough.
2. The completed new stand at the Gaelic Athletic Association has the capacity to hold 1,892 seated spectators. The safety certificate for this stand was first issued in May 2019 and is currently being reviewed.
3. Hayes & Yeading FC, completed the works at the ground two seasons ago and a safety certificate has been in place since 2017.

4. The Safety of Sports Grounds Act 1975 makes provision for safety at sports stadia and other sports grounds. It governs the issue of safety certificates in respect of “designated sports grounds”. It is for the Secretary of State to set the criteria for designation and in the case of football grounds the trigger spectator capacity for designation is 5,000. For other sports stadia, it is 10,000. The Act also empowers a local authority to issue a Prohibition Notice in respect of all, or part of, any sports ground, irrespective as to whether or not it is a “designated” ground, where it feels that spectators cannot be accommodated safely. The legislation also requires the local authority to consult with the police and fire authorities in respect of safety at sports grounds within their boundaries. It also places a duty on the Council to conduct periodic inspections of any “designated” sports ground and at any sports ground at which there is a regulated spectator stand which is subject to a Safety Certificate.
14. None of the sports grounds listed in Appendix A are ‘designated’ and are, therefore, not subject to a safety certificate. However, if the Council, or a member of the Safety Advisory Group, were of the opinion that the unrestricted admission of spectators to a ground for a particular game or event could present a significant safety risk, then the Council would have a duty to use its powers under Section 10 of the Safety of Sports Grounds Act 1975 to serve a ‘Prohibition Notice’. The Prohibition Notice would stipulate the number of people that the Council has determined that could be safely accommodated within the sports ground. Non-compliance will be dealt with under the provisions of the Sports Grounds legislation and in accordance with current Council enforcement policies.
15. The Guide to Safety at Sports Grounds advises the managers / owners of sports grounds to consult with the Local Authority, the Fire Brigade, the Ambulance Service and the Metropolitan Police, in regard to safety issues. In order to ensure good liaison between all the responsible authorities, the Council delegates Licensing Services to organise the Safety Advisory Group inspections and to co-ordinate the input, observations and advice from each authority. This advice is then sent to the management committee of the ground in the form of a schedule of recommendations. The Licensing Services Officer appointed for this purpose acts on behalf of the Council as the Chairperson of the Safety Advisory Group.
16. Whenever Licensing Services, or any member of the Safety Advisory Group, becomes aware of a particular game or event that may attract large numbers of spectators, the Licensing Services Manager or appointed officer contacts the club’s officials to request that they submit their risk assessments, emergency contingency plans etc. for consideration and approval prior to the proposed event. The Licensing Services Team will consult with the Safety Advisory Group, to discuss the club’s proposed safety plans/arrangements. The Club’s management team are then advised of any additional safety precautions that they require the club to implement to ensure the safety of the spectators. In addition, the Safety Advisory Group will set a maximum capacity of spectators who may be admitted into the stadium / ground.
17. Should the club not adhere to the requirements and advice set out by the Safety Advisory Group, and there were serious concerns about spectator safety, the Licensing Services Manager, in conjunction with the Head of Service Residents Services, can issue a ‘Prohibition Notice’ on behalf of the Council under delegated powers.
18. The procedures and inspections, detailed in this report as set out in Appendix A, are considered as reasonable and correct in discharging the Council’s responsibilities under the legislation.

19. The Cabinet Member with the Portfolio for Community, Commerce and Regeneration will be recommended to maintain the inspections, in respect of the two sports grounds with regulated stands, and to maintain inspection levels for the remaining grounds for the years 2019/2020 and 2020/2021. Alternatively, the inspection levels can be maintained, increased or decreased.
20. When required (as set out in Appendix A, item 6) the following authorities are consulted:
  - The Metropolitan Police Service
  - The London Fire and Emergency Planning Authority
  - The London Ambulance Service

## **Financial Implications**

The recommendation to maintain the level of inspections of sports grounds at two per year with regulated safety stands, (of which there are two in the Borough), and one inspection for other sports grounds, will incur no additional cost to the Council and can be contained within existing resources.

A fee to recover the full cost of the preparation and issuance of a Regulated Safety Stand Certificate was introduced in April 2019, at a rate of £1,058 per certificate.

## **Legal Implications**

Under Article 6 of the Council's Constitution, Members have delegated decision making power to discharge duties under s.21 Local Government Act 2000. Members are to periodically consider and comment on Officers reports on action taken on inspection levels of safety at sports grounds. The Safety Advisory Group (SAG) is not a legal entity and cannot take any decisions on behalf of the local authority.

The Safety at Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987 compels certain duties on the local authority, for the public benefit.

There is a legal requirement under the following acts:

### Section 10B Safety of Sports Grounds Act 1975

- (1) *It shall be the duty of every local authority to enforce within their area the provisions of this Act and of regulations made under it and for that purpose to arrange for the periodical inspection of designated sports grounds ...;*
- (2) *In performing the duty imposed by subsection (1) above so far as it requires designated sports grounds in their areas to be inspected, local authorities shall act in accordance with such guidance as the Secretary of State may give them.*
- (3) *For the purposes of subsection (1) above, "periodical" means at least once in every twelve months.*

## Section 34 Fire Safety and Safety of Places of Sport Act 1987:

- (1) *It shall be the duty of every local authority to enforce within their area the provisions of this Part and for that purpose to arrange for the periodical inspection of sports grounds at which there are regulated stands, but nothing in this subsection shall be taken to authorise a local authority in Scotland to institute proceedings for an offence;*
- (2) *In performing the duty imposed by subsection (1) above so far as it requires sports grounds in their areas to be inspected, local authorities shall act in accordance with such guidance as the Secretary of State may give them.*

The above legislation is the statutory responsibility on Local Authorities for enforcement, being this Council, to make arrangements for the periodical inspection sports grounds.

When considering proposals placed before Members, it is important that they are fully aware of and have themselves rigorously considered the Equality implications under Equality Act 2010, of the decision that they are making.

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.

### **BACKGROUND PAPERS**

Safety of Sports Grounds Act 1975  
Interim Report on Hillsborough Stadium Disaster  
Final Report on Hillsborough Stadium Disaster  
The Fire Safety and Safety of Places of Sport Act 1987  
The Safety of Places of Sport Regulations 1988 (SI 1988/1807)  
Home Office Circular 11/1990  
The Guide to Safety at Sports Grounds (6<sup>th</sup>Sports Ground Safety Authority)

# APPENDIX A

## STANDARD PROCEDURES CURRENTLY IN PLACE

1. The Safety of Sports Grounds Act 1975 defines Sports Grounds as: *'A place where sports or other competitive activities take place in the open air and where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose'*.
2. The following enclosed sports grounds meet the above definition, and are currently inspected once a year with recommendations made to the management of each club on measures that they should implement to improve safety. Additional inspections may be carried out where large events are planned at a ground. Brief details of each club are set out in Appendix B:
  - AFC Hayes Football Club
  - Harefield Football Club
  - Hillingdon Athletics Stadium
  - Hillingdon Borough Football Club
  - Northwood Football Club
  - Uxbridge Football Club
  - Wealdstone Football Club
3. The Hayes & Yeading United FC site at Beaconsfield Road, Hayes, completed the development in 2017, and was issued a safety certificate that year. Officers are currently in the process of the annual review of this safety certificate.
4. The development at the Gaelic Athletic Association ground, which includes the erection of a stand for approx 1,900 spectators, has been completed. The Licensing Services Department issued the first Safety Certificate for the regulated stand in May this year.
5. As both of these stands provide accommodation for more than 500 spectators and are covered, they are subject to the legal certification procedure under The Fire and Safety at Places of Sport Act 1987.
6. If a larger than average number of spectators is likely to be attracted to a special game / event, the Licensing Services Team will contact the Safety Advisory Group to seek their views and requirements. These requirements are then issued to the club management committee. If necessary, enforcement action can be instigated to ensure the safety of any spectators who may be attracted to that particular game/event.
7. When deemed necessary, an officer from Licensing Services may attend the special game / event to ensure that the Safety Advisory Group's requirements / recommendations are being implemented.

8. Inspections are carried out in accordance with the 'Guide to Safety at Sports Grounds' and the assessments made include the following areas:
- Terracing & Seating stands
  - Pitch perimeter fencing/barriers
  - Emergency procedures
  - Stewarding arrangements
  - Means of escape

### **Reporting Procedures**

9. The Council's Licensing Service Manager is responsible for ensuring the matters detailed above are implemented, and reports to the Head of Service Residents Services.
10. The report is submitted to the Corporate Services, Commerce and Communities Policy Overview Committee for consideration and approval.
11. Following scrutiny by the Corporate Services, Commerce and Communities Policy Overview Committee, the report is passed to the Cabinet Member for Community, Commerce and Regeneration for formal approval.

# APPENDIX B

## INFORMATION ON EACH SPORTS GROUND

Guidance with regard to the safety of spectators at sports grounds is detailed in the publication **Guide to Safety at Sports Grounds**. This publication contains very detailed specific safety requirements. The following is a brief description of each ground. If required, full detailed information on each ground can be obtained from Licensing Services.

### **AFC Hayes Football Club, Kingshill Avenue, Hayes**

This ground is not suitable for large numbers of spectators as it does not have:

- A public address system with a secondary source of power;
- A suitable alternative means of escape route; or,
- Crush barriers.

This club typically attracts crowds of 20-40 spectators.

### **Harefield United Football Club, Breakspear Road, Harefield**

This ground could accommodate approximately 1,000 spectators. However, additional safety measures should be implemented in the event of a game that would attract that number of people.

- The installed emergency lighting system is limited and does not cover all the public areas;
- A public address system with a secondary source of power;
- Crush barriers have not been installed.

The average number of spectators for a home game does not currently exceed 100.

### **Hillingdon Athletics Stadium, Gattling Way, Uxbridge**

This ground has spectator seating in the main stand for approx 250. Spectators may also stand on the grass areas around the perimeter of the running track.

The stadium has the benefit of a designated alternative means of escape route, for spectators and participants, should the main / exit route not be available (e.g. an incident taking place immediately in front of the main entrance to the stadium).

Discussions are ongoing with the Sport & Leisure Team and the stadium management company, Fusion Lifestyle, with regard to the suggested alterations and improvements which should be made to the premises. A number of improvements have been made over the last two years, including record keeping, daily safety routine, the installation of two evacuation sledges and improvements to the booking system in order to obtain detailed event information from the clients.

### **Hillingdon Borough Football Club**

Although the ground is still in some disrepair pending further investment, the club have started to make some improvements. Currently, the ground is unsuitable for large numbers of spectators

and parts of the ground are unusable for spectators. These unsuitable areas have been 'barriered' off. The club have produced risk assessments and operations manual.

Exit A and Exit B are located immediately adjacent to the main social club-house building meaning that any incident located in the club house, would render these exits unusable.

Exit C is remote from the social club-house, however, the alternative means of escape pathway is routed up to, and adjacent to, the club-house.

Additionally, the ground does not have:

- A secondary source of power for the installed public address system; or,
- Crush barriers.

The spectator capacity is still restricted to 100 due to the state of the ground.

The average number of spectators for a home game does not exceed 50.

The Councils Food Health & Safety team previously visited this ground due to concerns around health and safety, under the Health & Safety at Work 1974.

### **Northwood Football Club**

This ground is not suitable for large numbers of spectators, in that it does not have:

- An emergency lighting system;
- A public address system with a secondary source of power;
- The main entrance/exit to the ground and the alternative means of escape from the grounds are not clearly identified; or,
- Crush barriers.

The average number of spectators for a home game does not exceed 100.

The Councils Food Health & Safety Team have previously visited this ground due to concerns in relation to health and safety, under the Health & Safety at Work 1974.

Previous inspections have highlighted that the ground suffers quite badly from vandalism. The club have since improved the hard-standing area in one section of the ground, although the rest of the ground is in a poor state of repair.

The club had previously never entered into a lease agreement with the London Borough of Hillingdon. This is currently being reviewed by our Estates and Tenancy department and also the Green Spaces Team.

### **Wealdstone Football Club**

Generally, this ground is in good order and the emergency and match day procedures implemented by the club are good.

Overall, this ground could not permanently accommodate large numbers of spectators as it does

not have crush barriers.

A number of large games are played at this ground each year. When this occurs, and in accordance with the agreed procedure between the club and Licensing Services, the Licensing Service Manager is notified and (if time permits) a meeting of the SAG will be convened to obtain their requirements/recommendations. At this meeting, a spectator capacity is set, usually around 2,500.

For normal league games, attendance is usually between 300-700 spectators.

The club have constructed a new all-seated stand which can accommodate approximately 350 spectators. This will not qualify for a 'Regulated Stand Certificate' due to being less than 500. The stand is constructed to a high standard as are the improved emergency evacuation routes around the stand.

### **Uxbridge Football Club**

This ground is not suitable for large numbers of spectators as it does not have:

- A comprehensive emergency lighting system;
- The public address system does not have a secondary source of supply; or,
- Crush barriers.

The average number of spectators for a home game does not currently exceed 50.

### **Notes**

The safe accommodation of spectators depends on all the factors set out in the **Guide to Safety at Sports Grounds** document. Particular consideration must be given to each individual ground's infrastructure, such as the pitch perimeter fence, the structural stability of walls and fences, the position and size of exits, and the experience, competency and training of the management team and stewards.

All the above clubs are advised to consult with the Licensing Service Manager / Safety Advisory Group before they stage any match that will attract more than the normal match day numbers. Fixtures are regularly monitored by Officers.

A copy of the Guide to Safety at Sports Grounds is available from the Sports Ground Safety Authority.