

EXECUTIVE REPORT

Report Title: Safety at Sports Grounds : Policies relating to Certification, Monitoring and inspection and Enforcement

Executive Member for Regeneration: Councillor Charles Rooney

Executive Director of Economic Development & Communities: Kevin Parkes

Date: 10 December 2014

PURPOSE OF THE REPORT

1. The purpose of this report is to set out the Council’s policies in discharging its responsibilities as laid down by the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987.

SUMMARY OF RECOMMENDATIONS

2. The Executive Member is recommended to approve the policies in relation to Safety at Sports Grounds, as outlined in the report.

IF THIS IS A KEY DECISION WHICH KEY DECISION TEST APPLIES?

3. It is over the financial threshold (£150,000)
It has a significant impact on 2 or more wards
Non Key

DECISION IMPLEMENTATION DEADLINE

4. For the purposes of the scrutiny call in procedure this report is

Non-urgent
Urgent report

If urgent please give full reasons

BACKGROUND AND EXTERNAL CONSULTATION

5. Under the Safety of Sports Grounds Act 1975 (1975 Act), the local authority is responsible for issuing a safety certificate in respect of sports grounds designated by the Secretary of State. The Council has been undertaking this duty for a number of years. However a recent national audit highlighted that the Council did not have formally adopted policies in place in respect of these duties. Thus using templates provided by the national auditing body, three policies have been produced to ensure compliance with the Authorities responsibilities under this Act. Sports grounds covered by the Act are those which have accommodation for more than 10,000 spectators, or 5,000 in the case of Premiership or Football League grounds in England and Wales. These sports grounds are referred to as designated grounds. There is only one such stadium in the Council's area 'The Riverside Stadium' home of Middlesbrough Football club
6. The Fire Safety and Safety of Places of Sport Act 1987 (1987 Act) lays a similar responsibility upon the local authority in relation to regulated stands at non-designated sports grounds. Regulated stands are stands that provide covered accommodation for 500 or more standing or seated spectators.
7. There are currently no regulated stands in the Council's area however the new stand currently under construction at the Middlesbrough Sports Village will fall under this Act.
8. Consultation and advice during the preparation of this report has been sought from the Sports Ground Safety Authority (SGSA). The SGSA are a government body which carries out a range of statutory functions in relation to football in England including regulating the issue and monitoring of Safety Certificates by local authorities.

IMPACT ASSESSMENT (IA)

9. An Impact Assessment is not required as the report is covering existing legislation.

OPTION APPRAISAL/RISK ASSESSMENT

10. Under the provisions of the 1975 Act local authorities are required to issue a safety certificate to any sports ground designated by the Secretary of State for Culture, Media and Sport. Similarly under the 1987 Act they are required to issue a safety certificate in respect of any regulated stand that is any covered stand which has accommodation for 500 or more spectators.
11. Whilst the Council has been carrying out these duties there have been no adopted policies or procedures covering the processes. Upon the recommendation of the SGSA policies and procedures have been drafted and presented within this report for ratification by the Executive Member. Three policies are recommended and have been drafted using guidance produced by the SGSA. The detailed policies have been produced as stand alone documents and are included as appendices to this report.
12. General Safety Certification (appendix 1)
This policy sets out the Council's procedures in relation to discharging its powers and responsibilities in respect of the issue and review of safety certificates for sports grounds and regulated stands;

13. Monitoring and inspection (appendix 2)

This policy sets out the monitoring and inspection regime which is intended to provide reassurance to the 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.

14. Enforcement (appendix 3)

This policy sets out the arrangements that the Council has put in place for ensuring compliance with the relevant safety at sports grounds legislation. It explains the Council's powers and approach to enforcement activity, how the Council deals with and the approach to be taken when infringements of the law are established. In applying this policy the Council's aim is to ensure that any enforcement action taken is proportionate, open, consistent and clear.

15. Setting out the policies and procedures a local authority will follow in discharging its responsibilities under the 1975 and 1987 Acts not only demonstrates that the authority owns and understands the key issues involved, but also provides the authority with the opportunity to set out its objectives and the roles of individual staff in delivering those objectives. It provides for greater consistency and efficiency when staff or organisational changes result in responsibility for sports grounds safety being taken on by new staff, as well as ensuring that those delivering the service are aware of the performance standards.

16. By not developing these policies this could lead to the Council not being able to discharge its responsibilities in an efficient and effective way.

FINANCIAL, LEGAL AND WARD IMPLICATIONS

17. **Financial** – This report has no financial implications to the Council

18. **Ward Implications** – This report has no ward implications.

19. **Legal Implications** – The Council has responsibilities under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987

RECOMMENDATIONS

20. It is recommended that the Executive Member approves the policies for discharging the Council's responsibilities in regards to Safety at Sports Ground adopts them on behalf of the Council.

REASONS

21. The recommendations in this report reflect the most appropriate way to move forward.

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:

Safety Certification – Guidance on Developing Policies and Procedures

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