

**REVIEW OF SAFETY OF SPORTS GROUNDS POLICY AND ACTIVITY  
REPORT**

*To:* **Highways and Community Infrastructure Committee**

*Meeting Date:* **17 March 2015**

*From:* **Executive Director: Economy, Transport &  
Environment**

*Electoral  
division(s):* **All**

*Forward Plan ref:* **N/A** *Key decision:* **No**

*Purpose:* **To consider the proposed amendments to the Safety  
of Sports Grounds Policy, incorporating Safety  
Advisory Group Terms of Reference and reporting  
mechanism.**

*Recommendation:* **The Committee is asked to approve the amendments  
to the Safety of Sports Grounds Policy, incorporating  
Safety Advisory Group Terms of Reference and to  
take note of the proposal to introduce an annual  
reporting format.**

<b><i>Officer contact:</i></b>
Name: Malcolm Taylor
Post: Sports Grounds Safety Specialist
Email: <a href="mailto:malcolm.taylor@cambridgeshire.gov.uk">malcolm.taylor@cambridgeshire.gov.uk</a>
Tel: 01954 284632

## **1. INTRODUCTION**

- 1.1 This report introduces the revised County Council policy for the safety of sports grounds function. It also outlines the responsibilities the County Council has under the Safety of Sports Grounds Act 1975 (the 1975 Act) and the Fire Safety and Safety at Places of Sport Act 1987 (the 1987 Act) along with a review of activities regarding the discharge of its functions under this legislation. These are duties placed on the County Council by law.
- 1.2 When the Policy was first agreed by the County Council, approval was given to delegate the power to approve amendments of the existing policy to the Cabinet Member for Economy, Environment and Climate Change in consultation with the Deputy Chief Executive of Environment and Community Services, no amendments have, however, subsequently been made, other than to reflect changes in the structure of the Council.

## **2. BACKGROUND**

- 2.1 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, seated or standing.
- 2.2 It is essential for Cambridgeshire County Council to have written policies and procedures in place which clearly set out how it will consider an application for and issue a safety certificate and special safety certificate. Details about how it will monitor if the terms and conditions of the safety certificate are being adhered to and what action it will take if they are not also needs to be clear. The safety of sports grounds policy provides the framework through which this function is administered.
- 2.3 A safety certificate sets out the terms by which a sports ground operator may admit spectators and may contain any terms and conditions the authority considers appropriate or necessary.
- 2.4 Since Cambridge United FC have re-entered the football league, it has become clear that a number of changes have occurred with regard to the oversight that the Sports Grounds Safety Authority (SGSA) has over local authorities certifying designated sports grounds. For example, the SGSA has published guidance on safety certification which provides a single source of reference to local authorities on the principles and procedures governing the safety certification of sports grounds.
- 2.5 The SGSA uses this guidance as a measure for reviewing local authorities which come within its regulatory oversight. This has resulted in the need to update our policies, processes and procedures

to enable us to demonstrate the previous high level of compliance with our statutory duties as when Cambridge United were formerly playing in the Football League.

- 2.6 The key points that the SGSA looks at include policies and procedures for the issue, monitoring and enforcement of safety certificates together with the proper function of safety advisory groups (SAGs) and what appropriate resilience for the delivery of the safety certification responsibilities may be in place through the provision of sufficient and competent staff.
- 2.7 One significant development is that local authorities are now required to undertake and submit to the SGSA a self-assessment covering a number of key areas of activity. Although this authority has not been subject to scrutiny from the SGSA for 9 years, the self-assessment completed earlier in the year illustrates that although there are areas for improvement, basic provision and good practice is still in place. A copy of the self-assessment is to be found in Appendix 1.

### **3. AMENDMENTS TO POLICY**

- 3.1 The safety of sports grounds policy has been in place virtually unchanged for seven years. Whilst some of the proposed amendments of the policy are merely to provide greater clarity to some sections, others are as a direct result of the additional requirements placed on local authorities by the SGSA as part of its statutory role in monitoring them. One such requirement is to have sufficient trained and competent staff to carry out all duties associated with the function.
- 3.2 Other changes are to reflect the current financial situation by introducing the payment of fees to the County Council for the issue of or amendments to safety certificates. Although it has been legal to levy fees since the inception of the legislation, to date they have not been charged in order to support the small businesses that local sports grounds usually are.
- 3.3 Other small drafting changes have been made to facilitate the Designated Officer and the Coordinating Officer being the same person. Again, as a result of the financial situation, it has become necessary to consider the amalgamation of these roles. A copy of the revised policy is to be found as Appendix 2.

### **4. REVIEW OF ACTIVITIES 2014/2015**

- 4.1 Previously, Members have been updated through verbal informal briefings. As a result of changes to the Council's constitution, it is felt that Members should receive updates on a more formal basis annually to enable consideration of an area of operations that if not done properly could present significant risks to the authority, Members and officers alike.

- 4.2 These main risks to the County Council are those associated with any structural or safety management system failures that should have been addressed, resulting in the injury or death of spectators. In the first instance, liability for such things properly remains with the management of a sports ground.
- 4.3 Should there, however, be any failure of duty through negligence, defective decision making or similar by the local authority, the authority may become equally liable along with individual Members and/or Officers. The continuing inquests and investigations into the Hillsborough disaster are an illustration of the reputational damage alone that could beset a local authority.
- 4.4 To demonstrate that the authority is undertaking its monitoring role effectively, a schedule of inspections for the year has been compiled. These comprise of annual inspections and match day inspections, commonly called 'During Performance Inspections' (DPIs) which are scheduled in a way to reflect the size, nature and risks presented by the activities taking place. The current DPI schedule is attached as Appendix 3. All scheduled DPIs were completed for the year 2013/14.

## **5. FUTURE ANNUAL REPORTING FORMAT**

- 5.1 To standardise the method through which Members are updated about activities under the legislation, it is proposed to introduce a format that should help introduce annual reviews of the safety of sports grounds policy and activities be carried out. The proposal is as follows: -

Introduction  
Review of policy document  
Summary of activities for financial year  
Developments/Incidents of note  
Risks  
Conclusions and Recommendations

## **6. ALIGNMENT WITH CORPORATE PRIORITIES**

Officers believe the approach outlined in the policy is supportive of the objectives outlined in the Business Plan and Corporate Priorities.

- 6.1 Developing the local economy for the benefit of all.**  
Ensuring the relative safety of spectators attending sports grounds protects small businesses operating sports grounds as well as the local authority from the potentially unlimited costs associated with claims arising from death or injury.
- 6.2 Helping people live health and independent lives**  
There are no significant implications for this priority
- 6.3 Supporting and protecting vulnerable people**  
There are no significant implications for this priority

## **7. SIGNIFICANT IMPLICATIONS**

### **7.1 Resource Implications**

The proposed amendments to the policy provide in a small way for the mitigation of the effects of fiscal pressures that could have an adverse impact on the provision of resources required for this function.

### **7.2 Statutory, Risk and Legal Implication**

Safety of Sports Grounds is an area of work that presents a significant risk to the Authority, Members and Officers if this function is not exercised effectively. The main risk to the County Council is where any structural or safety management system failures that should have been addressed, result in the injury or death of spectators.

The Council can help to mitigate this risk by ensuring that there are sufficient numbers of trained and competent staff to carry out this function. The Supporting Businesses and Communities Service monitors staffing levels of appropriately trained staff in this area via its Business Continuity plan.

### **7.3 Equality and Diversity Implications**

There are no significant implications for this priority

### **7.4 Engagement and Consultation Implications**

In accordance with the existing policy, all relevant parties were consulted in October 2014 with regard to the amendments, eliciting four responses, resulting in few minor amendments that have been incorporated in the text.

There were no negative comments submitted regarding the proposed changes.

### **7.5 Localism and Local Member Involvement**

There are no significant implications for this priority

### **7.6 Public Health Implications**

There are no significant implications for this priority

<b>Source Documents</b>	<b>Location</b>
Existing Safety of Sports Grounds Policy	Room 320 Shire Hall Castle Hill Cambridge CB3 0AP