

**HERTFORDSHIRE COUNTY COUNCIL**

**COMMUNITY SAFETY & WASTE MANAGEMENT PANEL**

**SAFETY AT SPORTS GROUNDS: HCC'S ROLES AND RESPONSIBILITIES**

**WEDNESDAY 29 JUNE 2016 AT 10.00 AM**

*Report of the Director of Community Protection (Chief Fire Officer)*

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Executive Member: - Richard Thake, Community Safety & Waste  
Management Portfolio

**1. Purpose of report**

- 1.1 To inform the Cabinet Panel of recent correspondence from the Sports Ground Safety Authority and remind the Cabinet Panel of the Authority's responsibilities under Safety at Sports Grounds Legislation. The report also describes how officers in the Community Protection Directorate are helping to ensure these important responsibilities are being delivered to a high standard.

**2. Summary**

- 2.1 The Sports Grounds Safety Authority (SGSA) is the UK Government's expert body on safety at sports grounds. It carries out a range of statutory functions in relation to football in England and Wales and advisory functions in relation to other sports both within the UK and internationally. It is also this body which provides assurance that local authorities are properly carrying out their responsibilities as set out in the 1975 Safety at Sports Grounds Act (SSGA).
- 2.2 In early May this year, the Sports Ground Safety Authority wrote to local authority chief executives, following the conclusion of the Hillsborough Inquests. The letter (Appendix 1) reported that the Jury had found that there were errors and omissions by the police but also determined that there were features of the design and construction of the stadium that contributed to the disaster. Furthermore, they found errors and omissions in the safety certification and oversight by the local authority, and a lack of pre-match and contingency planning.
- 2.3 In her letter to this Authority, the Chief Executive of the SGSA was keen to highlight: "The Inquests are a reminder that we must never be complacent about spectator safety. Effective oversight by your local authority, in line with your responsibilities under the 1975 Act, is an essential part of keeping spectators safe."

- 2.4 In this Authority, it is staff from the Community Protection directorate, more specifically officers from both Trading Standards and Fire Protection working together in Joint Protective Services who carry out these functions. These officers, with the relevant training and experience, together with police, fire and ambulance officers, will advise the venue management on how to discharge its responsibility, and, in certain circumstances, may require measures to be taken in order to achieve reasonable safety standards.
- 2.5 Under the Safety at Sports Grounds Act 1975 (The 1975 Act), the local authority is responsible for issuing and enforcing a safety certificate in respect of 'designated' sports grounds. The primary purpose of a safety certificate is to set the safe capacity of a designated ground or of a regulated stand at a non-designated ground. In addition to setting the safe capacity the safety certificate will set out the detailed terms and conditions with which the certificate holder must comply if that capacity is to be maintained.
- 2.6 The County Council also takes a leading role in the provision of assurance of spectator safety at other sports grounds falling outside of the two definitions above. A list of Designated Sports Grounds, Regulated Stands and other 'non designated / regulated' grounds within Hertfordshire can be found at Appendix 2. These are often smaller or temporary venues (i.e. The Lee Valley White Water Centre Olympic Venue in 2012 or this October's British Masters golf tournament, to be hosted at the Grove Hotel, Watford). In this case whilst no formal safety certificate is required, the local authority still has the ability to inspect and issue a prohibition notice to the operator where there are serious safety concerns.
- 2.7 The directorate has a strong track record in evidencing a very high level of professionalism and competency in discharging its responsibilities in this area. As part of its role to monitor local authorities, the SGSA operates a rolling process of audits and self-assessments to measure performance. In the last self-assessment, conducted in 2012 validated by the SSGA, HCC scored 48 out of a possible total of 50 marks. The 2012 self-assessment is attached in Appendix 3. The average score across all local authorities for 2012 was 38.
- 2.8 It is expected that a similar process of monitoring and evaluation will be conducted by the SGSA later this year with a focus on the format and content of Safety Certificates issued by local authorities. As part of this review, local authorities will be encouraged to move to more risk-based safety certification, which places the responsibility for determining how to provide for spectator safety with ground management rather than being prescribed by local authorities.

### **3. Recommendation**

3.1 The Community Safety and Waste management Panel is invited to:

- a) Note the County Council's responsibilities under the Safety of Sports Grounds Act.
- b) Note the arrangements currently in place to ensure that these responsibilities are properly fulfilled.

### **4. Background**

- 4.1 The Safety of Sports Grounds Act 1975 defines a sports ground 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.' The 'Green Guide', applies to the safety of spectators at all sports grounds which meet the above definition, whether or not a safety certificate is in force. The management of these grounds has a primary responsibility for the safety of spectators, and would be expected to apply the recommendations in the Guide in order to achieve safe conditions.
- 4.2 Under the Safety at Sports Grounds Act 1975 (The 1975 Act), the local authority is responsible for issuing and enforcing a safety certificate in respect of 'designated' sports grounds. These are sports grounds that have accommodation for more than 10,000 spectators or 5,000 in the case of football grounds. The local authority also has responsibilities under the Fire Safety and Safety of Places of Sport Act 1987 (The 1987 Act) which applies in relation to 'regulated stands'. This Act defines these as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.
- 4.3 In areas of two tier local government, it is the upper tier authority which is charged with the responsibility of issuing safety certificates under both Acts. In this Authority, it is staff from the Community Protection directorate, more specifically officers from both Trading Standards and Fire Protection working together in Joint Protective Services who carry out these functions. It is they who chair the Safety Advisory Groups (SAGs). SAGs provide a forum for discussing and advising on public safety at a sports ground or events. They aim to help organisers with the planning, and management of an event and to encourage cooperation and coordination between all relevant agencies. In certain circumstances, SAGs may require measures to be taken in order to achieve reasonable safety standards.

- 4.4 Requirements in relation to sports grounds are far reaching and will include but will not be restricted to the following:
- Structural integrity of the stand/stadia
  - Proposed alterations to the sports ground / regulated stand
  - Provisions for means of escape
  - First aid and medical provision
  - Fire precautions
  - Testing and inspection arrangements
  - Safety management practices (i.e. stewarding, crowd control, match day safety arrangements, training, evacuation procedures, contingency plans, etc.)
  - Other systems such as CCTV, PA systems, communications, back-up power supplies etc.
- 4.5 Sports grounds requiring a safety certificate are subject to periodic inspections throughout the year, most often on match days, as well as a formal annual inspection, conducted by the Chair of the Safety Advisory Group. Safety certificates are reviewed annually and can be amended at any time during the year, should circumstances change. For example, reducing the number of spectators permitted in a particular stand or area of the ground where there might be different management arrangements introduced or physical changes to the venue itself (i.e. refurbishment work).
- 4.6 In accordance with its standing orders, Hertfordshire County Council has delegated its power to issue, amend and withdraw a safety certificate to two individuals in Joint Protective Services (JPS): a Community Safety Manager (Andrew Butler) and the Head of Protection, Business (John Boulter). In addition, a further two members of staff within JPS carry out inspections and chair SAG meetings. These officers have attended suitable professional training at the Emergency Planning College and are subject to ongoing competency requirements.
- 4.7 The SGSA carries out its statutory review function by a combination of: meetings with the certifying authority and other appropriate parties; attendance at meetings of the Safety Advisory Group; monitoring of the safety certificate and records required to be kept under the terms and conditions of the safety certificate; and sample checks and observations at the sports grounds concerned on match and non match days. Self assessments are also an important tool used to evaluate performance.
- 4.8 The previous self-assessment covered 10 areas of the local authority's performance, the results of which will inform the SGSA's involvement with the local authority and sports grounds in Hertfordshire. The 10 areas are;

- Calculation of capacities
- Performance of the Safety Advisory Group
- Issue and review of Safety Certificates
- Monitoring compliance with the Safety Certificate
- Written procedures
- Policies
- Governance of the Safety Advisory Group
- Competency of staff
- Enforcement
- Business continuity and resilience planning

4.9 It is anticipated that the SSGA will be formally reviewing this Authority's performance in discharging its responsibilities assigned to it under the 1975 Act, within the next six months. The outcome of that review will be shared with members of the Community Safety and Waste Management Cabinet Panel.

## **5. Financial Implications**

5.1 There are no financial implications arising from this report. .

## **6. Equalities**

6.1 There are no equalities issues arising from this work.

## Appendix 1



5 May 2016

Dear Chief Executive,

The Hillsborough Inquests were opened in 2014 following publication of an Independent Panel report which provided evidence about the events leading up to, and the disaster at Hillsborough in 1989.

On 26 April 2016, the Jury reached their decision on the 14 questions set out by the Coroner, and have concluded that the 96 people who died were unlawfully killed. They have found that there were errors and omissions by the police and determined that there were features of the design and construction of the stadium that contributed to the disaster. They also found errors and omissions in the safety certification and oversight, and a lack of pre-match and contingency planning. The Jury found that there was no behaviour by supporters that contributed to the disaster.

As the Government's expert body on spectator safety, we are reviewing all findings from the Inquests in relation to spectator safety.

Sports grounds have been transformed since the tragic events at Hillsborough and local authorities, working together with clubs, police, fire and ambulance services, the football authorities and the SGSA, have played a significant part in making the UK one of the safest places in the world to watch live sport. However, the Inquests are a reminder that we must never be complacent about spectator safety.

Through our work across the country we know that local authorities take their responsibilities under the Safety at Sports Grounds Act 1975 seriously. The Act places a responsibility on all local authorities to issue a safety certificate to designated sports grounds and enforce its conditions to ensure the reasonable safety of spectators. Under the Football Spectators Act 1989 the SGSA keeps under review the discharge of these functions by local authorities. The SGSA works in partnership to educate and influence and deliver our purpose to ensure that all spectators can enjoy watching sport in safety. As we have set out in our five year strategy, we do this in line with our values of excellence, independence, integrity and partnership working.

The Inquests are a reminder that we must never be complacent about spectator safety. Effective oversight by your local authority, in line with

your responsibilities under the 1975 Act, is an essential part of keeping spectator safe. We recognise this is a difficult time for local authorities given the pressure on public finances, and I encourage you to ensure this area of your work continues to be given the priority it needs.

I am also writing to the Chief Executives of all Football League and Premier League clubs, the Football Authorities and the Football Safety Officers Association. We all have a part to play to avoid complacency and we encourage all parties to continue to work together to help ensure the safety of spectators at sports grounds.

Please do not hesitate to get in contact if there is anything you would like to discuss.

Yours sincerely,

**Karen Eyre-White**

Chief Executive, Sports Grounds Safety Authority

## Appendix 2

### DESIGNATED GROUNDS AND REGULATED STANDS

Designated Sports grounds in Hertfordshire requiring a General Safety Certificate

- Watford Football Club
- Stevenage Football Club

Regulated Stands in Hertfordshire requiring a Safety Certificate

- Borehamwood Football Club
- St Albans City Football Club
- Woodside Athletics Stadium

Other sports grounds which do not currently require a Safety Certificate (but still subject to inspection and Safety Advisory Groups where required)

- Baldock Football Club
- Bishops Stortford Football Club
- Cheshunt Football Club
- Gosling Stadium
- Hemel Stags Rugby Club
- Hemel Hempstead Town Football Club
- Hertford Town Football Club
- Hitchin Town Football Club
- Lea Valley White Water Centre
- Letchworth Football Club
- Royston Town Football Club
- Rye House Park Stadium
- Ware Football Club



## Toolbox 1 Capacity

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	There is no evidence or knowledge as to how the current capacity was calculated. Staff not conversant with how to calculate capacities or the use of P and S factors.	
2	Some knowledge of how to calculate capacities using the entry, holding and exit figures. No recognition of the relevance of P and S factors or reduction of capacity applied even though defects have been identified.	
3	Good understanding of the relevant parts of the capacity calculations. Evidence that the relevant indicative questions (See SGSA Safety Management Guide) have been used in identifying the P and S factors, but there is no record of the way in which the factors have been applied.	
4	Clear evidence and experience of calculating capacities. Clear evidence that the P and S factors have been used in calculating the capacity and the Green Guide methodology has been recorded.	
5	Clear and concise capacity calculations have been recorded and are regularly reviewed by experienced staff. A clear audit trail for the whole process.	For both Watford and Stevenage football clubs capacity calculations have been recently reviewed. P&S factors agreed by SAG (minuted). Contraventions minuted / included in match day reports. Policy in place to deal with contraventions.

## Toolbox 2 SAG Performance

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	SAG meetings are not held or are very infrequent appropriate to the risks. Lack of interest in process.	
2	Meetings are held but many core members of the group are not regular attendees or send deputies who are not empowered to make decisions on their behalf. Low levels of interest.	
3	Although meetings are held, with regular attendees, the ability of the group to influence the performance of the club is diminished by not identifying actions that need to be taken. Effective leadership of the group by the Chair.	
4	SAG meetings are regularly held appropriate to the risks. The certifying authority identifies actions that need to be taken, records the findings but does not ensure that actions are followed through to completion. Effective leadership by the Chair and effective participation from members of the group.	
5	Regular meetings with all groups represented, where actions are identified, recorded and acted upon, with good audit trails. Effective leadership from the Chair and keen interest from the group.	SAG meetings for both Stevenage and Watford held at least quarterly (more frequent meetings where required e.g. to discuss alterations to ground). Generally good attendance from all core members. Agendas / minutes circulated well in advance of meetings, recording actions / discussions. Regular liaison with members in between SAG members. Policy in place detailing SAG procedures.

## Toolbox 3 Safety Certification

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	Although a safety certificate is in force the conditions, or the procedures in any operations manual required under the safety certificate, are out of date in respect with current circumstances.	
2	The certificate, and operations manual where one is required under the safety certificate, has/have been reviewed on an ad hoc basis, but no amendments have been issued where changes have been identified.	
3	The certificate, and operations manual where one is required under the safety certificate, is the subject of an annual review but any amendments are not immediately made or changes recorded.	
4	Annual review of certificate, and operations manual where one is required under the safety certificate, with amendments issued immediately to ensure that the certificate is up to date.	Certificates reviewed at least once per year by LA / SAG members. Changes recorded in SAG minutes. Contraventions recorded in match day reports / SAG minutes. Policy in place detailing the issue / amendment of certificates.
5	A dynamic review of the certificate and operations manual where one is required under the safety certificate, is undertaken,-The club fully aware of the conditions that apply to it and where an operations manual is in place the local authority is kept aware of any proposed changes. Amendments issued immediately after changes and public notices issued to advise of the amendment to the safety certificate.	

## Toolbox 4 Monitoring

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	Local authority does not undertake any form of monitoring of compliance with the safety certificate.	
2	No risk assessments undertaken to inform frequency of inspections. Inspections limited to single statutory visit. No prescribed forms for inspections and no record of results conveyed back to the club or retained on file.	
3	Risk assessed match DPI's are undertaken but no planned annual inspection, covering all aspects of the spectator safety is made. Forms are used to record results.	
4	A programme of risk assessed DPI's planned and annual inspection undertaken, with issues being identified but not followed up to completion.	
5	Programme of risk assessed DPI's and inspections using comprehensive report forms. All issues identified, communicated to the club and followed through to completion. Comprehensive audit trails.	Annual multi agency ground inspections carried out. Policy in place for inspections which requires minimum of 2 match day inspections per year. Comprehensive reports submitted to club / SGSA. Use SGSA template for recording inspections. 4 Officers have delegated powers to issue prohibition notices. Enforcement policy in place.

## Toolbox 5 Procedures

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	No written procedures in place for overseeing the certification process.	
2	Unwritten set of procedures is in place for overseeing the certification process. Staff actions do not always follow the procedures.	
3	Written procedures are produced and communicated to all staff.	
4	Comprehensive procedures are issued to all staff. They are reviewed at least annually and updated as necessary. All staff receive training and all actions are documented.	
5	There is a process for the annual review of procedures, with senior staff overseeing the process, monitoring actions and clear audit trails are produced.	Comprehensive policy endorsed by Senior Managers detailing procedures in place. Policy produced in consultation with core SAG members / ground management. Policy reviewed every 12 months (last review was November 2013). Policy communicated to staff who receive regular training. Policy maps processes / roles of staff and senior management.

## Toolbox 6 SAG Governance

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	A SAG has not been formally established.	
2	The group has been formed. No terms of reference have been produced. Lack of audit trails.	
3	Terms of reference established. Agendas for meetings. No real compliance with the identified roles and responsibilities. Lack of clarity in identifying issues in minutes or on action notes. Audit trails exist.	
4	Request agenda items (approx two weeks) before meetings. Timely (approx two weeks) minutes reflect the identification of required actions; these are followed through to completion.	
5	Strong leadership which regularly reviews the performance of the group against the terms of reference. Annual review of terms of reference. Effective administration of the group. Strong support from the group.	ToR in place for both SAGs (reviewed November 2013). Agendas / Minutes produced in timely manner. Actions recorded / followed up. Contraventions recorded / discussed at SAG, actions minuted. Additional administrative support now in place (following recommendation from last self assessment process). Minutes record inspections, review of certificate and P&S factors, along with incidents and injuries and requests for amendments to safety certification.

## Toolbox 7 Policy

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	Although policy on safety certification may have been determined, it has not been promulgated. Staff lacks guidance.	
2	Policy document is in place but staff have not been fully briefed or trained in their respective roles.	
3	Policy clearly documented and communicated to all staff. Monitoring of performance against policy not regularly undertaken.	
4	Regular review of policy and performance undertaken by senior staff. Policies amended where considered necessary. Changes to policy immediately communicated to all staff.	
5	Senior staff regularly review all the policies and adapt in a dynamic way. Policies are communicated to all staff.	Comprehensive policy produced March 2012, reviewed / approved by Directorate board (last review in November 2013). Sets out procedures, objectives and roles of all staff as well as applicable legislation / guidance documents. Officers involved in this work meet quarterly to review progress.

## Toolbox 8 Training and Expertise

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	Staff lack experience or formal training. Little support.	
2	Staff have received training but lack of relevant experience does not give them confidence to act with authority. Therefore they are unable to make effective judgements.	
3	Identified that staff are inexperienced with only limited training. Resources are allocated, including time, to ensure that more guidance and support given to staff	
4	Experienced staff who have received appropriate training. They receive a good deal of support to undertake roles. Regularly monitored by way of performance and quality of reports.	
5	Confidence in the ability of the staff. They are well trained, experienced and are clearly capable of dealing with all issues within their delegated authority. A commitment from LA to support staff in carrying out the role	3 Officers involved in this work (with oversight by Senior Manager). One relatively new to role, but has gained experience over the last 2 years with a view to taking on chair of Stevenage SAG later this year. Staff have appropriate knowledge around legislation, risk assessments and receive relevant training. Roles / delegated powers clearly defined in policy.



## Toolbox 9 Enforcement

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	No enforcement policy and enforcement processes developed. No staff guidance issued or training given. No willingness to enforce relevant sports ground safety standards.	
2	Staff lack experience in their role. Unsure of policies to follow through poor communication. Poor documentation. Lack of process to issue prohibitions.	
3	Policy and process on enforcement is promulgated. Staff not fully trained or supported in their roles. Documentation is not in accordance with regulators code.	
4	Safety at Sports Grounds policy and process, communicated to staff. Staff are experienced and confident to carry out enforcement. Documentation, including audit trails, has scope for improvement.	
5	A defined policy is implemented and applied by experienced staff. Regular monitoring of performance against agreed criteria. Clear audit trails. A process has been established to enable enforcement action to be taken when appropriate.	Enforcement policies in place. Sufficient number of staff with delegated powers to issue prohibition notices (4 officers). Clear audit trails where enforcement action is being considered. Experienced enforcement staff with significant experience of taking formal action where breaches are identified. Contraventions / follow up actions recorded. Have experience of issuing prohibition notice (at non designated ground). Evidence of contraventions is maintained along with details of the action taken

## Toolbox 10 Business Continuity and Resilience Planning

Please tick box which best describes current position	Description of performance	Comment ( <i>Please include comment to validate your assessment</i> )
1	No business continuity or resilience planning in place for safety certification process.	
2	No formal planning in place although staff have experience which will enable them to 'plug the gaps'.	
3	A plan is in place but it has never been tested. Staff not given the opportunity to act at a higher level to test the resilience of the system or their own abilities. There is no process for learning lessons from any incidents and developing contingency plans.	
4	Plans are in place but have not been tested. Staff are trained and experienced to ensure service delivery continues but formal processes are not in place. Staff flexibility leads to a higher degree of resilience.	
5	Staff trained and experienced in all of the roles that they could be expected to perform. Plans are regularly reviewed and tested to ensure resilience. Staff are confident in their abilities to ensure continuity. Plans and processes comply with recognised standards.	Site, departmental and organisation Business Continuity plans in place which are regularly tested. Have sufficient staff in place to deal with long term absences (4 officers), with sufficient knowledge to cover each other e.g. chair SAGs / carry out inspections. Staff aware of roles they may be expected to perform.