



Policy Document

Managing Safety at Sports Grounds

Reviewed **September 2023**

Introduction

This policy document has been produced by Trafford Council, and is the agreed policy and procedure for managing safety at designated sports grounds within the borough. It identifies the roles and responsibilities of the Council in undertaking its statutory duties

1.0 Policy Aim

1.1 Trafford Council's policy aim, working in conjunction with its partner agencies, is to ensure the reasonable safety of all persons at an event at any designated sports ground or regulated stand.

2.0 The law

2.1 Under the Safety of Sports Grounds Act 1975 (as amended) "the 1975 Act" Trafford Council ("the Council") has a statutory duty:

- To issue a General Safety Certificate for each designated sports ground within the borough, containing such terms and conditions as the local authority consider necessary or expedient to secure reasonable safety.

Designated sports grounds are those that have accommodation for more than 10,000 spectators - 5,000 in the case of Premier League or Football League grounds in England and Wales.

- To serve a prohibition notice in respect of a sports ground if the authority consider that the admission of persons to the sports ground involves or will involve a high risk to them, so serious that until steps have been taken to reduce the risk to a reasonable level, admission of spectators to the ground or that part of the ground ought to be prohibited or restricted.
- To issue a Special Safety Certificate where appropriate (activities not covered by the General Safety Certificate).

2.2 The Fire Safety and Safety at Places of Sport Act 1987, lays a similar responsibility upon the Council 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, as determined by the local authority under Section 26 of the 1987 Act.

3. General Safety Certificate

3.1 The General Safety Certificate for the designated sports ground is to contain those terms and conditions that the Council considers necessary or expedient to secure the reasonable safety of all persons at the sports ground when it is being used for the activities specified in the certificate. When all matters related to safety are in place a safety certificate can be issued and may cover or be limited to one or more specific events.

3.2. The General Safety Certificate will specify the maximum capacity of persons who can be present at the ground during a specified activity. This capacity should be calculated by the certificate holder using methods and guidance as set out in the Green Guide 6th Edition, as written by the Sports Ground Safety Authority "Guide to Safety at Sports Grounds".

3.3 The General Safety Certificate will designate the person responsible for safety.

4. Responsibility for Safety

4.1 The primary responsibility for the safety of all persons at the sports ground rests at all times with the sports ground management.

4.2. Regulatory Services on behalf of the Council, are responsible for monitoring the implementation of the conditions as specified by the General Safety Certificate.

4.3. The statutory duties and powers imposed by the 1975 Act have been delegated to Corporate Director, Place, the Director of Growth and Regulatory Services, and the Head of Regulatory Services. The Corporate Director, Place or the Director of Growth and Regulatory Services, will act as Chair for the Safety Advisory Group. The Head of Regulatory Services will act as Deputy Chair for the Safety Advisory Group. The Chair of the Safety Advisory Group is responsible for ensuring that new or revised legal requirements relating to safety of sports grounds are implemented.

4.4 The Corporate Director, Place, the Director of Growth and Regulatory Services, and the Head of Regulatory Services have the delegated authority of the Council to make all decisions relating to the content, issue, service, review and amendment of the General Safety Certificates and Special Safety Certificates under the provisions of the Safety at Sports Ground Act 1975 (as amended). Trafford's Corporate Director of Place is responsible for signing the Safety Certificates, although the Director of Growth and Regulatory Services, and the Head of Regulatory Services also have authority to sign such Certificates.

4.5 The safety certificate is part of a total, integrated system for managing health and safety at sports grounds. While the local authority is responsible for issuing the safety certificate, safety cannot be achieved by one agency acting in isolation.

The Local Authority has a statutory responsibility to consult with Police, Fire and Ambulance authorities. This duty will be discharged through the Sports Grounds Safety Advisory Group (SAG) which is a multi-agency advisory group consisting of officers of the Local Authority and representatives from Greater Manchester Police, Greater Manchester Fire and Rescue Service, North West Ambulance Service, representatives from the club concerned, including their Safety Officer, together with any other interested parties that the chair of the SAG considers appropriate.

The primary function of the SAG is to provide specialist advice to the Local Authority.

4.6 The schedule of Safety Advisory Group meetings will be produced annually.

5. Review of the General Safety Certificate

5.1 The Council should formally review the general safety certificate on an annual basis and following any incident in which the safety of the public may have been put at risk or where doubts have been cast on the condition or management of the sports ground. A "near miss" should be always be treated as an incident for these purposes.

5.2 The Council may also need to amend the safety certificate to reflect changes at the sports ground. Planned changes may include improvements or alterations to the physical structure, safety management improvements or changes in the personnel identified in the safety certificate.

6. Monitoring by the Council

6.1 The Council must monitor the certificate holder's compliance with the terms and conditions and under the 1975 Act. It has a duty to enforce the provisions of the Act and to arrange for the periodical inspection of the designated sports ground.

6.2 The physical inspection of the sports ground by the Council in compliance with the Home Office Circulars is not to duplicate work that should be undertaken on behalf of the certificate holder. Instead it is for checking that the sports ground and its fittings have been properly maintained and, ideally, for noting and agreeing remedial action on problems already identified by the certificate holder.

6.3. The Council will use the expertise of the members of the Safety Advisory Group to assist in the monitoring of safety.

6.4 The council will attend at matches at sports grounds with the intent of carrying out in performance inspections and feedback findings to the Safety Advisory Group. The number of these inspections will be dependent on;

- Time of fixture in the season, e.g. beginning of a season
- Envisaged attendance of the ground, i.e. full/part
- High/low profile fixture
- Policing levels, e.g. a police free fixture
- Daytime/Evening fixture
- Televised fixture
- Following specific concerns in respect of observance with the safety certificate.
- Following improvements or alterations as previously described

6.5 The Council remains free to carry out sample testing if it considers this to be necessary.

6.6 Any complaints or identified issues, relating to safety are to be immediately investigated by the Council, with a view to ensuring appropriate action is taken to secure the continuing safety of persons attending the sports ground.

6.7 The Council will request any information/documentation which are relevant to any investigation which affects safety.

7.0 Competency of Officers

Inspecting officers are required to be competent for the intended purpose. Training records of the relevant officers will be kept up to date.

8. Enforcement

8.1 The Council has a range of options to deal with incidents which put the public at risk, safety weaknesses and breaches of safety certificate terms and conditions. Any action by a local authority should be proportionate and in line with Council's Enforcement Policy.

8.2 The available enforcement options are;

- Reducing the permitted capacity of all or part of the sports ground – this is done by the application of reduction factors on capacity relating to the physical condition (the P Factor) and the quality of the safety management (the S Factor) of the sports ground
- Section 10 of the 1975 Act empowers the Council to issue a prohibition notice in respect of all or part of any sports ground if it considers that spectators cannot be accommodated in reasonable safety. The prohibition may be general or may apply to a particular event.

The Council needs to ensure that it can if necessary, issue a prohibition notice at very short notice and without reference to senior officers or to members.

The Corporate Director, Place, the Director of Growth and Regulatory Services, and the Head of Regulatory Services have the delegated authority to serve prohibition notices under Section 10 of the Safety at Sports Grounds Act 1975 (as amended) by the Fire Safety and Safety at Places of Sports Act 1987. This is in respect of sports grounds within the Borough where it is considered that the safety of persons attending the event is seriously at risk, on the understanding that any such notice would be served only after full consultation with the Police Sports Grounds Event Commander and other emergency services as appropriate. The Corporate Director, Place has further delegated this authority to the Regulatory Services Manager (Environmental Health), the Team Leader (Environmental Health and Safety at Sports Grounds) and Environmental Health Officers in the Environmental Health team.

- In the event of a breach of safety certificate conditions, a warning, formal caution or prosecution may be issued.

8.3 In extreme cases, where none of the above would sufficiently control an expected safety hazard, the Council also has the option of seeking an injunction.

8.4 Rights of appeal exist in respect of prohibition notices and any reduction in capacity.

8.5. The Council will may also use its enforcement powers under the Health & Safety at Work etc. Act 1974, to ensure compliance with the law in matters which may affect safety, taking into account the 'wider definition of safety'.

9. Reporting of performance

9.1. Trafford Councils performance in administering and enforcing safety of sports grounds legislation is to be reported to the Corporate Director, Place, the Executive Member for Housing and Neighbourhoods, and members of the Safety at Sports Ground Sub Committee.

9.2 Adoption of the Sports Ground Safety Authority's new risk-based approach to monitoring local authorities enables the service to score performance and identify key action areas thereby contributing to the culture of continuous improvement within the service.

10. Safety Advisory Group

10.1. The role of the Sports Grounds Safety Advisory Group (SAG) is to develop as a body of expertise and to provide a forum within which the local authority can maintain a consistent approach to safety.

10.2. With the delegated powers and authority to act quickly and appropriately to protect public safety and prevent dangerous situations arising, the Chair of the SAG is to be The Corporate Director, Place or the Director of Growth and Regulatory Services. The Head of Regulatory Services will act as Deputy Chair for the SAG.

10.3 The SAG fulfils an important safety role. This could well come under scrutiny in the event of a serious safety failure at a sports ground. Accordingly the SAG should be properly constituted, have written terms of reference and effective procedures. These terms of reference should encompass all matters falling within the purview of the local authority on spectator safety. The terms of reference should identify the roles and responsibilities of the SAG and its members and thereby its potential liability.

10.4. The composition of the SAG includes core members and invited representatives.

10.5 Minutes of each meeting should be recorded, kept and distributed amongst members.

10.6 There is an option for a 'part b' meeting which is confidential and with limited minutes.

11. Review of (P) and (S) Factors

11.1. (P) and (S) factors used in determining the safe capacity of a sports ground are to be subject to on-going review by the Council. The calculation and methodology in determining these factors is to be formally reviewed by the SAG on an annual basis or after major safety failure.

11.2 (P) and (S) factors will be reviewed annually prior to any renewal of the General Safety Certificate.

11.1 Core Members of the SAG have a responsibility to review their area of expertise and report back to the Chair of the Safety Advisory Group with any issues.

12. Role of the Sports Ground Safety Authority

12.1. The Sports Ground Safety Authority (SGSA) has the task of keeping under review the discharge by the Council of its safety certification functions under the 1975 Act. It may require the Council to include in any safety certificate such terms and conditions as it may specify.

12.2. The SGSA promotes the adoption and maintenance of a safety culture and is a source of advice and good practice. The SAG meeting is often the forum in which the SGSA can best engage with and assist the Council in a proactive and constructive manner.

12.3. The SGSA undertakes audits of the Council's safety certification procedures.

13. Role of the Emergency Services – Police, Fire and Ambulance

13.1. Each of the emergency services has its own policy guidance on how it undertakes its duties and responsibilities. Each service is to be represented by an appropriate person or persons on the SAG, who will assist the local authority in exercising its functions, thereby serving to ensure a coordinated approach to spectator safety. The SAG Terms of Reference Document identifies the role of the emergency services within the group to achieve these purposes.

14. Cost Recovery

14.1. The Council may charge an applicant the cost of work reasonably and actually involved in the processing of an application for the issue, amendment, replacement, transfer or cancellation of a certificate.

15. Revisions to this Document and Review

15.1 This policy and relevant procedures will be reviewed at intervals not exceeding 12 months and amended at any stage to reflect any changes that may occur in operation procedure or to current legislation. Following any amendment a complete replacement will be distributed.

Signed

Richard Roe, Corporate Director Place

Date