

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date of Decision:</b>	8 January 2014
<b>Decision Title:</b>	Enforcement Policy for Safety at Sports Grounds
<b>Decision Reference:</b>	
<b>Report From:</b>	Corporate Services - Director of Policy and Governance

**Contact name:** Ian Houlton, Head of Emergency Planning and Business Continuity

**Tel:** 01962-846846

**Email:** [ian.houlton@hants.gov.uk](mailto:ian.houlton@hants.gov.uk)

#### 1.0 EXECUTIVE SUMMARY

The purpose of this paper is to:

- Further to the report brought to the Regulatory Committee in June 2013, where the Policy and Strategy Documents were approved, this report brings for the approval of the Committee the supporting Enforcement Policy.
- The Report also seeks approval from the Committee that, following the Corporate Services Review and the creation of the Policy and Governance Directorate, delegated responsibility in respect of the exercise of the County Council's functions, powers and responsibilities relating to the safety of sports grounds to be delegated to the Director of Policy and Governance.

#### 2.0 CONTEXTUAL INFORMATION

- HCC is responsible for issuing and enforcing a safety certificate at sports grounds designated by the Secretary of State. There are two designated sports grounds in Hampshire.
- This responsibility also applies to the safety certification of Regulated Stands in Hampshire under the Fire Safety and Safety at Places of Sport Act 1987. This legislation applies currently to five grounds in Hampshire.
- The County Council will charge, on a cost recovery basis, the operators of sports grounds for the issuing of a safety certificate
- Responsibility for the safety of spectators lies at all times with the ground management
- Effective enforcement by the County Council of safety requirements at sports grounds in Hampshire supports the County Council's overriding Corporate Objective of 'Hampshire safer and more secure for all' by contributing towards the enjoyment by Hampshire residents of sporting events in a safe environment. Safe enjoyment of sporting events by Hampshire residents also contributes towards the two supporting objectives of 'maximising wellbeing' and 'enhancing our quality of place'.

### **3.0 SUMMARY OF PROGRESS**

The Emergency Planning Unit ('EPU') assumed responsibility for Sports Ground Safety in 2009 from the Legal team. EPU have:

- Provided appropriate officer training
- Established Safety Advisory Groups across all the grounds
- Issued Safety Certificates where appropriate
- Worked with clubs and partners to monitor and review certificates issued
- Undertaken regular ground and match day inspections
- Implemented Special certification arrangements for non specified events

### **4.0 LEGISLATIVE BACKGROUND**

The statutory duties of Hampshire County Council under the following legislation are:

#### **4.1 Safety of Sports Ground Act 1975**

- to issue a General Safety Certificate for each designated sports ground within the county, containing such terms and conditions as Hampshire County Council consider necessary or expedient to secure reasonable safety at sports grounds. The safety certificate will set out the maximum number of spectators that may be accommodated.
- to monitor and enforce the certificate holders compliance with the terms and conditions of the safety certificate
- to arrange for periodic ground and event inspections of the designated sports ground
- to serve a prohibition notice in respect of a sports ground if the authority consider that the admission of spectators to the sports ground involves or will involve a high risk to them
- to issue a special safety certificate as required

#### **4.2 Fire Safety and Safety at Places of Sport Act 1987**

- to issue a Safety Certificate for each regulated stand within the county containing such terms and conditions as Hampshire County Council consider necessary or expedient to secure the reasonable safety in the stand when it is in use. The safety certificate will set out the maximum number of spectators that may be accommodated.
- to monitor and enforce the certificate holders compliance with the terms and conditions of the safety certificate
- to arrange for periodic ground and event inspections with respect to the regulated stand
- to serve a prohibition notice in respect of a regulated stand if the authority consider that the admission of spectators the stand involves or will involve a high risk to them
- to issue a special safety certificate as required

## **5.0 SPORTS GROUNDS TO WHICH THE LEGISLATION APPLIES**

### **5.1 Designated Sports grounds in Hampshire requiring a General Safety Certificate**

- Aldershot Town Football Club
- The Ageas Bowl (Hampshire Cricket)

### **5.2 Sports Grounds in Hampshire with one or more regulated stands requiring safety certificates**

- Basingstoke Town Football Club (having one stand)
- Eastleigh Football Club (having one stand)
- Farnborough Football Club (having three stands)
- Havant and Waterlooville Football Club (having four stands)
- Thruxton Circuit (having two stands)

### **5.3 Any other sports ground other than as detailed at 5.1 and 5.2 above, within the meaning of the Safety of Sports Ground Act 1975**

## **6.0 HCC ACCOUNTABILITIES**

### **6.1 Designated Officer (Director of Policy and Governance, formerly the Chief Executive)**

- The Chief Executive is currently the accountable designated officer for this function. However the Chief Executive has authorised the Head of Emergency Planning and Business Continuity to act on his behalf as lead officer, to ensure that the requirements of the Safety at Sports Ground Act 1975 are met. A similar authorisation will be made by the Director of Policy and Governance following the transfer of delegated authority referred to at Paragraph 1 of this report

### **6.2 Lead Officer (Head of Emergency Planning and Business Continuity)**

- The Head of Emergency Planning and Business Continuity will chair all the Safety Advisory Groups on behalf of the Designated Officer both at designated grounds and those having regulated stands.
- The Head of Emergency Planning and Business Continuity is authorised to devolve his authority as appropriate to officers both employed by HCC and SAG to carry out the functions set out in the policy

## **7.0 RECOMMENDATIONS**

The Regulatory Committee is asked to:

- Approve the Enforcement Policy
- Approve the transfer of delegated responsibility in respect of the County Council's functions, powers and responsibilities relating to the safety of sports grounds from the Chief Executive to the Director of Policy and Governance, and that the Implementation of Sports Ground Safety Legislation – Policy document be also amended accordingly

---

<sup>1</sup> Safety Advisory Groups (SAG) are in place at each ground and meet regularly to provide specialist advice to HCC in respect of safety at sports grounds. These are multi agency groups, chaired by the councils lead officer.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	Yes
Corporate Business plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Business plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Business plan link number (if appropriate):	
<b>OR</b>	
<b>This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:</b>	
<i>NB: Only complete this section if you have not completed any of the Corporate Strategy tick boxes above. If it is not applicable, please delete.</i>	

*NB: If the 'Other significant links' section below is not applicable, please delete it.*

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u> <a href="#">091007-reguct-R1001095600</a> Safety at Sports Grounds	<u>Reference</u> 978 4952	<u>Date</u> 2009 6 June 2013
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u> <a href="#">Safety at Sports Ground Act</a> <a href="#">Fire Safety and Safety of Places of Sport Act</a> Safety of Places of Sport Regulations		<u>Date</u> 1975 1987 1988

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

1.1. No impact

### **2. Impact on Crime and Disorder:**

2.1. No impact

### **3. Climate Change:**

a) How does what is being proposed impact on our carbon footprint / energy consumption? N/A

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? N/A

