

## Safety, Health and Environment (SHE)

### GCC Policies and Procedures for Safety of Spectators at Sports Grounds

Purpose - The document states the Council's arrangements for discharging its responsibilities in respect of sports grounds.



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# 1. Policy for the issue and review of Safety Certificates

## 1. Introduction

Gloucestershire County Council (the Council) recognises its statutory duty for the safety certification of sports grounds under Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act), and recognises its responsibilities for spectators' safety at all sports grounds within its boundary. In undertaking this role, the Council will:

- Delegate its power to take and implement decisions on safety certification to a designated council officer.
- Appoint a designated council officer to chair the Safety Advisory Group (SAG) for each sports ground subject to a Safety Certificate.
- Provide for adequate resources and appoint appropriate council officers and/or engage competent specialist agencies/external consultants as necessary, to assist the Council in carrying out its statutory duties relating to the safety of spectators at sports grounds under the 1975 and 1987 Acts.
- Convene regular SAG meetings to assist in its statutory duty to sports grounds, whose membership will include representatives of the police, fire service, ambulance service, building control, the relevant certificate holder and invite the Sports Grounds Safety Authority where applicable.
- Determine if any sports grounds contain regulated stands and will expediently process and issue Safety Certificates in respect of those stands and/or any sports ground designated by the secretary of state under the provisions of the 1975 Act.
- Put in place policies and procedures for monitoring by inspection/audit compliance with the terms and conditions of any Safety Certificate issued and taking appropriate and proportional action in response to any identified defect or incident compromising spectator safety.
- Provide prompt advice on spectator safety on request from sports ground venue operators.
- Keep under review its procedures and arrangements in pursuit of ensuring the reasonable safety of spectators at sports grounds within its responsibility.

## 2. Definitions

The 1975 Act defines a sports ground as a place where sports or other competitive activities take place in the open air, where accommodation has been provided for

spectators, consisting of artificial structures or natural structures artificially modified for the purpose.

Under the provisions of section 1 of the 1975 Act the Secretary of State for Digital, Culture, Media and Sport may designate as requiring a Safety Certificate any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales. These sports grounds are referred to as designated grounds.

A Regulated Stand is defined in the 1987 Act as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.

The Safety Advisory Group (SAG) is a multi-agency advisory group consisting of the appropriate members of local authority staff, representatives of the police, fire service, ambulance service, building control, the relevant certificate holder and other invited representatives as appropriate.

### **3. Legislation and Guidance**

This policy and procedures should be read in conjunction with the following legislation that applies to the safety of spectators at sports grounds:

- Safety of Sports Grounds Act 1975
- Fire Safety and Safety of Places of Sport Act 1987
- Safety of Sports Grounds Regulations 1987
- Safety of Places of Sport Regulations 1988

Guidance on the application of the legislation referenced above can be found in the following Home Office Circulars:

**Home Office Circular No 7/1986** – Annex C of which provides guidance on the procedure regarding applications for General Safety Certificates under the provisions of the Safety at Sports Grounds Act 1975.

**Home Office Circular No 96/1988** – Which includes advice on the issue of Safety Certificates for regulated stands.

**Home Office Circular No 97/1988** – Which includes statutory guidance to local authorities under section 26 (8) of the 1987 Act on the methodology that must be applied in determining whether a stand at a sports ground is a "regulated" stand.

Further advice is contained in "Guide to safety certification of sports grounds" published by the Sports Grounds Safety Authority.

### **4. Purpose**

This document sets out the Council's approach to discharging its powers and responsibilities in respect of the issue and review of Safety Certificates for sports grounds.

## 5. Scope

The sports grounds covered by these arrangements are:

- Cheltenham Racecourse
- Cheltenham Town Football Club
- Forest Green Rovers Football Club
- Gloucester Rugby Club
- Hartpury University RFC

The powers of issue and review of the Safety Certificate are vested solely in the Council officers with delegated authority for this activity.

## 6. Responsibilities and Powers

The GCC Constitution includes provision for the Council to discharge its statutory duties in respect of sports grounds through the Safety & Licensing Committee – see Table 3.07 (of the Constitution) and, under the Scheme of Delegation set out in Section 5 (of the Constitution), the Assistant Director of Asset Management and Property Services.

Powers for the safety certification of sports grounds under the 1975 Act and the 1987 Act is delegated to the authorised officers of the Safety, Health and Environment (SHE) service.

The delegated powers allow for the authorised SHE officers to issue and amend Safety Certificates, to serve prohibition notices and powers of entry and inspection.

## 7. Qualified Person

Upon receipt of an application for a Safety Certificate the Council must determine if the applicant is a "qualified person". This is defined in the 1975 Act as a person who is likely to be in a position to prevent any contravention of the terms and conditions of the Safety Certificate. The certificate holder should be in a position of authority within the management of the sports ground and could include the chairman, chief executive, club secretary, ground manager, safety officer or a director, depending on the sports ground/club. The holder may also be the body corporate of the sports ground management, in which case the Board of Directors, or other similar entity, takes responsibility for compliance with the terms and conditions of the safety certificate.

Under the 1987 Act, the definition of a person qualified to hold the Safety Certificate for a regulated stand is more tightly drawn. In the case of a General

Safety Certificate, it is the person responsible for the management of the sports ground; for a Special Safety Certificate, it is the person responsible for organising the activity being watched by the spectators. This apart, the procedure mirrors that for the issue of the Safety Certificate for a designated sports ground.

If the Council receives an application for the transfer of a safety certificate from the holder to some other person, the Council must determine whether that person is a "qualified person". Such an application may be made either by the holder of a safety certificate or by a person to whom it is proposed that it should be transferred.

If the Council determines the applicant is not a qualified person, it must notify them in writing. The applicant may then appeal against this determination to a magistrate's court within 28 days or 7 days in the case of a Special Safety Certificate.

## **8. Safety Certificate applications and information required**

The format of an application for a Safety Certificate for a designated ground and for a regulated stand are set out in the Safety of Sports Grounds Regulations 1987 and Safety of Places of Sport Regulations 1988 respectively. In accordance with the European Services Directive of December 2006 the Council is required to make provision for online Safety Certificate applications. Application forms for a Safety Certificate under either the 1975 Act or 1987 Act can be found in [Appendix 2](#) for designated grounds and [Appendix 3](#) for regulated stands.

Applications are processed through the Council's SHE service. The Council must supply the chief officer of police, the fire authority and the building authority, with a copy of any application received. It will also formally consult them about the terms and conditions of the certificate. The normal forum for this consultation will be the SAG.

A new application should be accompanied by detailed information as to structure, proposed capacity including P and S factor assessment and safety management systems. The Council may, by writing, require the applicant to submit within a reasonable period such additional information and plans it considers necessary to enable it to determine what terms and conditions to include.

## **9. Timescales**

Applications for a certificate for a new sports ground or regulated stand, or for a special safety certificate, must be made at least 3 months before spectators are admitted to the sports ground for an event or to view specified activities.

Applications for the transfer of a safety certificate must be made as soon as the holder of a certificate, or the person to whom it is proposed that it should be transferred, is aware that such a transfer is required. At least 14 days notice must be given of the transfer.

SHE shall determine within 14 days if the applicant is a “qualified person” i.e. a person in a position to prevent contravention of the terms and conditions specified in the safety certificate.

The safety certificate will be issued not less than 28 days before the proposed event is due to take place. Tacit consent will not apply. The application must be fully processed before the safety certificate can be issued.

## **10. Contents of a Safety Certificate**

In accordance with section 2 of the 1975 Act and section 27 of the 1987 Act the Council is required to include in the Safety Certificate such terms and conditions it considers necessary or expedient to secure the reasonable safety of spectators. Safety Certificates issued by the Council will include the capacity of the designated ground, or regulated stand, as well as capacities for each part thereof. The certificate will also include the terms and conditions with which the holder must comply to maintain that capacity. In determining the contents of a Safety Certificate the Council will take account of the advice of the safety advisory group and the guidance contained in the Guide to Safety at Sports Grounds and that published by the Sports Grounds Safety Authority in its “Guide to the safety certification of sports grounds”.

## **11. Ratification of the Certificate**

In accordance with its constitution and scheme of delegation, the Council has delegated its power to issue and amend a Safety Certificate to Stuart Heggs, SHE Manager.

## **12. Right of Appeal**

The 1975 and 1987 Acts both provide right of appeal to the magistrate's court to:

- any person against a determination by the local authority that he/she is not qualified to hold a Safety Certificate;
- any interested party against the inclusion of anything in or omission of anything from a Safety Certificate or the refusal of the local authority to amend or replace it; or
- any person, upon whom the local authority has served a notice that it, has determined that a particular stand is a designated stand, against that determination.

Appeals must be lodged within 28 days if they relate to a General Safety Certificate.

## **13. Review of Safety Certificate and capacity calculations including P & S factor assessment**

The Council will undertake a review of issued Safety Certificates on an annual basis or in response to physical changes at sports grounds, incidents or 'near misses' brought to their notice, changes in safety management performance or in response to changes to legislation or spectator safety guidance.

The review will consider the terms and conditions of Safety Certificates to validate they remain relevant for providing the reasonable safety of spectators at the designated sports ground or regulated stand. The review will also ensure the ground management have reviewed the capacity calculations including the P and S factor and that these are agreed by the local authority. The review will be undertaken by SHE team who shall consult with the SAG.

#### **14. Public Access**

A Safety Certificate is a public document, to which any person who is either responsible for applying it or likely to be affected by it should have access. The Safety at Sports Grounds Regulations 1987 and 1988 require the Council to notify every interested party, as defined by the Regulations as:

- the holder of a Safety Certificate;
- any other person who is or may be concerned in ensuring compliance with the terms and conditions of a Safety Certificate;
- the chief officer of police; and
- the building authority.

This notice must specify that a copy of the Safety Certificate and any application is available for inspection at a specified time and place. The Council will also publish a similar notice in a local newspaper.

#### **15. Suitably trained and competent staff**

Individual officers who are responsible for the issue and review of Safety Certificates under the 1975 and 1987 Acts will be suitably trained and qualified to ensure their competency.

The Council will ensure that:

- Duties are specified in job descriptions and experience is built-up over time with provision made in individual appraisal for monitoring progress.
- All advisers have professional qualifications, experience in other sectors and are on CPD cycles as well a regular participation in sports grounds work and SAGs.
- Appropriate succession planning is in place to ensure that staff have the necessary training and experience to undertake the roles they may be expected to undertake.

## **16. Fees**

The 1987 and 1988 Regulations empower the Council to determine the fee to be paid in respect of an application for the issue, amendment, replacement or transfer of a Safety Certificate, or the cancellation of a certificate for a regulated stand. This fee will be for reasonable costs incurred in respect of the application and will be based upon the current day rate for chargeable ad hoc work.

It will be for the Council to determine whether and if so, how much of the work that it undertakes is chargeable.

The Council will only charge for amending the Safety Certificate in response to an application from the proposed or existing certificate holder.

## **17. Offences**

The following are offences under the Acts in respect of safety certificates:

- Contravening any term or condition of a certificate (otherwise than in pursuance of a prohibition notice).
- Admitting people to the sports ground at a time when no application for a safety certificate has been made or where a safety certificate does not relate to the current sports ground or certificate holder or the certificate has been withdrawn, surrendered or cancelled.

The penalty is, on summary conviction, a fine not exceeding the statutory maximum or, on conviction on indictment, imprisonment for not more than two years or a fine or both.

## **18. Revisions to this document and review**

This policy and procedures will be reviewed at intervals not exceeding 24 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.

Date of issue: 1 September 2023

Date of last review: August 2021

Reviewed by: Stuart Heggs – SHE Manager

## 2. Monitoring and Inspection Policy

### 1. Introduction

Gloucestershire County Council (the Council) recognises its statutory duty for the safety certification of sports grounds under Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act), and also recognises its responsibilities for spectators safety at all sports grounds within its boundary, and in furtherance of meeting its role will implement the following procedures and arrangements in respect of monitoring and inspection of sports grounds.

This document should be read in conjunction with the following policies:

- Policy for the Issue and Review of General Safety Certificates
- Enforcement Policy

In discharging its monitoring and inspection responsibilities the Council will:

- Delegate its power to take and implement decisions on safety certification to a designated council officer.
- Appoint a designated council officer to chair the Safety Advisory Group (SAG) for each sports ground subject to a Safety Certificate.
- Provide for adequate resources and appoint appropriate council officers and/or engage competent specialist agencies/external consultants as necessary, to assist the Council in carrying out its statutory duties relating to the safety of spectators at sports grounds under the 1975 and 1987 Acts.
- Convene regular SAG meetings to assist in its statutory duty to sports grounds.
- Regularly monitor by inspection/audit compliance with the terms and conditions of any Safety Certificate issued.
- Keep under review its procedures and arrangements in pursuit of ensuring the reasonable safety of spectators at sports grounds within its responsibility.

### 2. Definitions

The 1975 Act defines a sports ground as a place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose.

Under the provisions of section 1 of the 1975 Act the Secretary of State for Digital, Culture, Media and Sport may designate as requiring a Safety Certificate any

sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales. These sports grounds are referred to as designated grounds.

A Regulated Stand is defined in the 1987 Act as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.

The Safety Advisory Group (SAG) is a multi-agency advisory group consisting of the appropriate members of local authority staff, representatives of the police, fire service, ambulance service, building control, the relevant certificate holder and other invited representatives as appropriate.

### **3. Legislation and Guidance**

The legislation that applies to the monitoring of the safety of spectators at sports grounds should be read in conjunction with this policy and procedures. The relevant legislation is as follows:

**Safety of Sports Grounds Act 1975** – Section 10B of which provides that it shall be the duty of every local authority to enforce within their area the Act and regulations made under it and for that purpose to arrange for the periodical inspection of designated sports grounds. “Periodical” is defined in that section as meaning at least once in every 12 months.

**Fire Safety and Safety of Places of Sport Act 1997** – Section 34 of which provides that it shall be the duty of every local authority to enforce within their area the provisions of Part III of the Act and for that purpose to arrange for the periodical inspection of sports grounds at which there are regulated stands.

Both Acts give authorised officers the power to enter and inspect any sports ground and to make any inquiries as are considered necessary for the purposes of the Act. Authorised officers also have power to examine records of attendance at the ground and records relating to the maintenance of safety at the ground.

Both Acts also require local authorities to act in accordance with such guidance as the Secretary of State may give them. Such guidance has been given in the following Home Office Circulars.

**Home Office Circular No 72/1987** – This circular sets out the Statutory Guidance given by the Secretary of State on the scope of inspections of designated sports grounds.

**Home Office Circular No 97/1988** – This circular sets out the Statutory Guidance given by the Secretary of State on the frequency and scope of the inspections of the regulated stands. It also reminds local authorities that section 34 of the Act applies to the whole of a sports ground which contains a regulated stand but that

the extent of the inspection of any un-certificated parts of the ground should be determined by the local authority.

In addition the 'Guide to Safety Certification of Sports Grounds' published by the Sports Grounds Safety Authority provides further guidance on monitoring by local authorities.

**Regulatory Reform (Fire Safety) Order 2005** – Under the provisions of the Regulatory Reform (Fire Safety) Order 2005 the Council is the enforcing authority for that legislation at designated sports grounds and regulated stands. The Council has an agreement in place between SHE and Gloucestershire Fire & Rescue Service how enforcement of the RRO 2005 will be carried out (see [Appendix 1](#)).

#### **4. Purpose of monitoring and inspection**

The monitoring and inspection regime 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.

The regime will include:

- annual inspections; and
- during performance inspections.

#### **5. Scope**

The monitoring and inspection procedures set out in this document will apply primarily to the following sports grounds:

- Cheltenham Racecourse
- Cheltenham Town Football Club
- Forest Green Rovers Football Club
- Gloucester Rugby Club
- Hartpury University RFC

The Council will maintain a register of other sports grounds in Gloucestershire for information and monitoring purposes. This will include:

- Football clubs in level 10 or above in the English football league system;
- Rugby clubs in level 8 or above in the English rugby union system;
- venues where other sports or 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.

## **6. Delegated powers**

The Council has delegated its powers for the monitoring and inspection of sports grounds under the 1975 Act and the 1987 Act to the authorised officers of the Safety, Health and Environment (SHE) service.

## **7. Annual Inspection**

An inspection will be undertaken of each designated ground at least once every 12 months.

The inspection schedule of grounds with regulated stands will depend on the size of the largest regulated stand.

Where a ground contains a regulated stand that has accommodation for more than 2000 spectators an inspection of that stand, plus any other regulated stands and such un-certificated parts of the ground as the Council considers necessary, will be undertaken at least once every calendar year following the date of the last inspection.

At all other grounds with regulated stands an inspection of the regulated stands and such un-certificated parts of the ground as the Council considers necessary will be carried out at least once every alternate calendar year following the date of the last inspection.

The inspection will wherever possible will be arranged to coincide with the SAG meeting to allow the police, fire, ambulance and building authority to take part in the inspection.

In addition to the officer with delegated authority for undertaking the inspections and SAG members, a Council surveyor and engineer may also be invited to be part of the inspection team.

The inspection of designated sports grounds will include all items detailed in the Secretary of State's statutory guidance as set out in Home Office Circular 72/1987. For regulated stands the inspection will cover the items in the statutory guidance set out in Home Office Circular 97/1988. The inspections will encompass:

- the certificates covering structural, dynamic performance and electrical tests;
- the records maintained by the management of the sports ground, in particular of attendances, accidents, maintenance, equipment tests, steward training and contingency plans;
- the condition of the sports ground and its fixtures and fittings; and
- the lighting, public address, fire warning and entry control equipment.

The template for the inspection of records of testing, servicing and maintenance inspections is in [Appendix 6](#).

## 8. During Performance Inspection

During Performance Inspections will be made at least annually, on event days, to ensure that the terms and conditions in the Safety Certificate are suitable and appropriate for the use taking place and to monitor the ground management's compliance with the terms and conditions of the Safety Certificate.

When undertaking during performance inspections the Council's inspecting officers will:

- Make their presence known to the duty safety officer and others in the control room.
- Tour all accessible parts of the sports ground and 'walk the ground', that is to say, not stay in one particular area of the sports ground for any length of time.
- Observe the safety management arrangements and crowd, recording any problems and noting the time of the incident etc.
- Record items examined on an inspection check sheet a copy of which will be annexed to the officer's report of the inspection.
- After the event produce detailed reports of the management of the activity and submitted at any debriefing meeting or sent to the club requesting action and/or explanations, to enable consideration to be given to further control and/or enforcement action.

Where breaches in the terms and conditions of Safety Certificates are noted, these will be brought to the attention to the holder and duty safety officer immediately. A standard notification of non-compliance form will be used to notify the holder at the venue of any non-compliance. These will be followed up by formal letters of confirmation.

The responsibility for the safety of spectators lies at all times with the holder of the General Safety Certificate. Therefore, when the inspecting officer is at the ground,

he should not try to enforce the terms and conditions of the Safety Certificate on the spectators, but should refer breaches and concerns immediately to the club's duty safety officer.

The frequency of during performance inspections will be determined by risk assessment which will take account of the safety management culture at the ground and ground management's compliance with the Safety Certificate. At least one during performance inspection will take place every year.

Templates for during performance inspections can be found in [Appendix 5](#).

## **9. Monitoring of Other Sports Grounds**

The Council will from time to time review the register of sports grounds in order to monitor grounds without a General Safety Certificate and determine whether any ground is required to apply for a Certificate.

Officers will use powers of entry and any other reasonable means to identify sports grounds, assess the capacity of the ground or stand and the risks from the admission of spectators to that ground or any part of it.

## **10. Notice of Inspections**

Authorised officers of the Council may, on production if so required of authority, enter a sports ground at any reasonable time to carry out an inspection. When inspecting the sports ground during an event, the local authority should be sensitive to the operational responsibilities of its management and security.

With this in mind, unless there are exceptional circumstances, inspections will not normally be unannounced. Officers will follow the standard procedures for each sports ground for requesting access, including where necessary obtaining accreditation and obtaining necessary passes.

Any requests for access, in particular to the sports ground control room or other high security areas, must be reasonable and should not distract safety personnel from the performance of their duties or pose security risk.

## **11. Revisions to this document and review**

This policy and procedures will be reviewed at intervals not exceeding 24 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.

Date of issue: 1 September 2023

Date of last review: August 2021

Reviewed by: Stuart Heggs – SHE Manager

### 3. Enforcement Policy

#### 1. Introduction

This enforcement policy sets out the arrangements that Gloucestershire County 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 businesses 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.

This document should be read in conjunction with the following policies:

- Policy for the Issue and Review of Safety Certificates
- Monitoring and Inspection Policy

#### 2. Definitions

The 1975 Act defines a sports ground as a place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose.

Under the 1975 Act the Secretary of State for Digital, Culture, Media and Sport may designate as requiring a Safety Certificate any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales. These sports grounds are referred to as designated grounds.

A Regulated Stand is defined in the 1987 Act as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.

#### 3. Legislation and Guidance

The relevant legislation that applies to sports grounds safety enforcement and which should be read in conjunction with this policy are as follows:

**Safety of Sports Grounds Act 1975 - 10B Enforcement** - The duty of every local authority to enforce within their area the Act and regulations made under it and to arrange periodical inspection of designated sports grounds.

**Fire Safety and Safety of Places of Sport Act 1997 - 25 Enforcement** - It shall be the duty of every local authority to enforce within their area the provisions of this Act and of regulations made under it for designated grounds.

Detailed guidance on prohibition notices is contained in the **DCMS Circular of 16 November 1995**.

It is an offence for any responsible person, not merely the certificate holder, to contravene the terms and conditions of a Safety Certificate or a prohibition notice. The penalties for contraventions of the Safety Certificate are listed in section 12 of the 1975 Act and section 36 of the 1987 Act.

Further advice is contained in **Guide to Safety Certification of Sports Grounds** published by the Sports Grounds Safety Authority.

#### **4. Purpose**

The Council seeks to ensure that in enforcement and regulation, the interests of the public are protected.

The purpose of this policy is to ensure that the law is applied in a fair, equitable and consistent manner and to guide officers into taking the appropriate action.

In general and where appropriate, consideration will be given to alternatives to prosecution, for example giving advice and assistance, or obtaining assurances about future conduct.

Before formal action is taken, officers will normally provide an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference, unless immediate action is required (for example, in the interests of spectator safety, health and safety or to prevent evidence being destroyed.)

All decisions will be impartial and will not be influenced by race, politics, gender, sexual orientation, religious beliefs or any other belief or status of the alleged offender.

Officers will have due regard to the principles contained within the Enforcement Concordat, and any other published and relevant guidance.

The Council will take into account the comments of any victim, injured party or other relevant person to establish:

- his or her views about the circumstances in which enforcement action is deemed appropriate; and
- the nature and extent of any harm or loss, and its significance relative to the individual circumstances.

Gloucestershire County Council is a public authority for the purposes of the Human Rights Act 1998. Officers will therefore apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

## 5. Scope

The sports grounds primarily covered by these arrangements are:

- Cheltenham Racecourse
- Cheltenham Town Football Club
- Forest Green Rovers Football Club
- Gloucester Rugby Club
- Hartpury University RFC

Under the provisions of section 10 of the Safety of Sports Grounds Act 1975 the Council has the power to issue a prohibition notice to limit the capacity, or totally prohibit the admittance of spectators to any sports ground within Gloucestershire.

## 6. Delegated Powers

The Council has delegated its powers for the enforcement of the Safety of Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987 to the authorised officers of the Safety, Health and Environment service.

## 7. Enforcement Principles

The Council will seek to ensure that enforcement is fairly applied by committing to the following principles of fairness:

**Proportionate** – Any action taken by the Council, to achieve compliance or to bring regulated entities to account for non-compliance, will be proportionate to the risk to public safety, or to the severity of non-compliance, which includes any actual or potential harm arising from the failure under the law. We will seek to minimise the costs of compliance by ensuring that any action we require is in proportion to the risk.

**Consistency** – There will be a consistent approach from the Council in relation to any advice given, enforcement action, prosecutions and in response to incidents and complaints. The Council will discuss and compare enforcement decisions and policies amongst our own officers and, where appropriate, with other authorities and enforcement bodies.

**Targeted** – By adopting a risk-based system for prioritising regulatory action the Council aims to make sure, through targeting, that the direction of regulatory effort takes into account the level of risk and ensure action will be targeted at those situations that give rise to the more serious risks or the least well controlled risks.

**Transparent** – The Council will be open about how we set about our work and will provide information and advice in plain language. We will ensure we help those we

regulate to understand the standards expected from them and the standards that they should expect from the local authority.

**Accountable** – The Council will be able to justify all enforcement decisions and be accountable for the efficiency, effectiveness and cost. Consultation and feedback opportunities are given to stakeholders. The local authority will publish an annual report which will detail performance for the previous year.

## **8. Risk Assessed Approach to Enforcement**

In deciding on how they will approach enforcement, the Council's authorised SHE officers will consider the combined effect of:

- the potential impact of non-compliance on regulatory outcomes;
- the likelihood of non-compliance.

## **9. Enforcement Considerations**

The Council's authorised officers will consider a number of factors and questions before deciding when to act, these questions will include:

- The seriousness of compliance failure i.e. could the offence lead to a serious risk of injury or has serious injury or death already occurred, if the problem is not rectified will it lead to a significant risk?
- The degree of wilfulness involved i.e. does the individual or organisation concerned appear to be willing to carry out the necessary action immediately or in a specified time frame or has the problem resulted from a deliberately ignoring conditions or the law?
- The ground managements past performance and its current practice i.e. has the recommendations, is this a recurring problem, has the business had a previous high standard of practice?
- The risks being controlled and there consequence – what type of risks are involved and will they have serious consequences that could affect the public?
- Legal, official or professional guidance – Has all legislation and guidance been taken into consideration when taking a decision? Has the issue been referred to the local authority legal

## **10. Choices of enforcement action**

There are several courses of action open to the Council's enforcement officers depending on the different circumstances that may be encountered or apply to the situation. The choices of enforcement action are:

- Informal warning
- Reduction in capacity
- Prohibition notice
- Simple caution
- Prosecution

The following gives a more detailed explanation of each of the enforcement options:

### **Informal warning**

Informal action includes offering advice, verbal warnings and requests for action, the use of letters/informal notices and reports.

Informal action is appropriate where:

- the act or omission is not serious;
- it can reasonably be expected that informal action will achieve compliance;
- confidence in the business management is reasonably high; and
- the consequences of non-compliance will not pose a significant risk to health, safety or the public.

An informal warning will be in the form of a written letter or report that clearly and in plain language will:

- contain all information necessary to ensure that the club/organisation knows what is required and why it is necessary;
- indicate the regulations contravened and the measures that will achieve compliance with the legal requirements and that other means of compliance may be chosen;
- where recommendations of good practice are included make it clear that they are not legal requirements; and
- set out the timescales for compliance.

### **Reduction in Capacity**

Reducing the capacity of all, or part of, a sports ground is a formal action which would be appropriate in the following situations:

- if an incident suggests that the management of a sports ground is performing poorly; or
- if the Council's inspecting personnel identify any deficiencies in the fabric, equipment, records or management systems, which the authority has not already taken into account when accepting or calculating the permitted capacity.

Any new capacity should be properly calculated having regard to the change in circumstances and the procedures to be followed will be the same as during the routine annual review of the Safety Certificate. Ground management should be invited to submit its proposed revised (P) or (S) factor, but the Council reserve the right to overrule this if appropriate.

When reducing a capacity it is important that:

- officers act reasonably and in accordance with due process, not least because the certificate holder has a right of appeal against any reduction in capacity; and
- a formal amendment to the Safety Certificate is issued.

Once the remedial measures or improvements have been implemented consideration will be given to restoring the original capacity.

### **Prohibition Notice**

Unlike the other provisions of the 1975 and 1987 Acts, the power to issue a prohibition notice applies to all sports grounds, as defined in section 17 of the 1975 Act, including those that are neither designated nor contain a regulated stand.

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 "the admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious, that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the sports ground or that part of the sports ground ought to be prohibited or restricted". A prohibition notice is therefore a measure of last resort and should only be used where an amendment of the Safety Certificate (where issued) is not considered an effective way of dealing with the risk(s).

When issuing a prohibition notice consideration will be given as to whether the risk to spectators is or may be imminent and if so the notice will take effect as soon as it is served. In all other cases it will come into force at the end of the period specified in the notice.

A prohibition notice will specify:

- the nature of the risk to spectators; and
- the number of spectators that may be admitted to the sports ground, or any part of the sports ground, until appropriate steps have been taken to address those risks.

The notice may also include directions as to the steps which will have to be taken to reduce the risk to a reasonable level.

Under the Environment and Safety Information Act 1988 the local authority is required to keep a register of any prohibition notices that it has issued.

[Appendix 4](#) is the template Prohibition Notice.

### **Simple Cautions** (formerly known as formal cautions)

A simple caution will only be issued for offences where there is no imminent risk or where the offence is readily admitted and immediate action has removed the imminent risk. A caution can be used to:

- deal quickly and simply with less serious offenders
- to divert them from unnecessary appearance in the criminal courts and
- to reduce the chances of their re-offending

A record of the caution is required to be kept on the Council's computer system.

If the offender commits a further offence, the caution may influence our decision to take a prosecution.

Simple cautions will not be used as an alternative to prosecutions where insufficient evidence is available. Officers should be prepared to prosecute where an individual or business refuses to accept a simple caution

More information can be found in Home Office Circular 016/2008 – “Simple Cautioning Adult Offenders”

### **Prosecution**

The decision to prosecute is very significant and must be related to risk. In general, it will be reserved for those who

- blatantly disregard the law;
- refuse to implement basic legal requirements and who put the public at risk.

Factors to consider are:

- The seriousness of the offence, including the seriousness of the result of the offence.
- The previous history of the defendant/organisation.
- Availability, co-operation and reliability of witnesses.
- The willingness of persons involved to put matters right.
- The probable public benefit and importance of the case.
- Whether other action e.g. prohibition notices would be more effective (It may be appropriate in some circumstances to serve a prohibition notice as well as to prosecute if the risk to employees or the public remains high).
- Any explanation offered by the defendant/organisation.

Before deciding to proceed with a prosecution officers must be satisfied that there is relevant, admissible, substantial and reliable evidence that the offence has been committed by the defendant and that there is a realistic prospect of conviction. Any prosecutions should be brought without delay.

SHE Officers will consult with Legal Services for the services of a competent legal representative with specialist knowledge of enforcement practice and where possible sports grounds.

## **11. Appeals**

Appeals against a reduction in capacity imposed by way of an amendment to a Safety Certificate or against a prohibition notice are to a Magistrates Court. Where an appeal is made against an amendment to a Safety Certificate the amendment cannot take effect until the appeal is heard. However, in the case of an appeal against a prohibition notice any reduction in capacity remains in place until the appeal is heard.

## **12. Penalties**

It is an offence for any responsible person, not merely the certificate holder, to contravene the terms and conditions of a Safety Certificate or a prohibition notice. These offences and associated penalties, along with the defences of absence of consent and due diligence, are listed in section 12 of the Safety of Sports Grounds Act 1975 and section 36 of the Fire Safety and Safety of Places of Sport Act 1987.

## **13. Suitably trained and competent staff**

Individual officers who undertake enforcement duties under the 1975 and 1987 Acts will be suitably trained and qualified to ensure their competency.

The Council will ensure that:

- duties are specified in job descriptions and experience is built-up over time with provision made in individual appraisal for monitoring progress;
- all officers have professional qualifications, experience in other sectors and are on CPD cycles as well a regular participation in sports grounds work and SAGs; and
- appropriate succession planning is in place to ensure that staff have the necessary training and experience to undertake the roles they may be expected to undertake.

#### **14. Revisions to this document and review**

This policy and procedures will be reviewed at intervals not exceeding 24 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.

Date of issue: 1 September 2023

Date of last review: August 2021

Reviewed by: Stuart Heggs – SHE Manager

## 4. Safety Advisory Group Constitution

### 1. Introduction

It is the policy of Gloucestershire County Council (the Council) to uphold reasonable standards of public safety at sports grounds and to encourage the wellbeing of the public at those sports grounds. To aid this, the Council maintains a Safety Advisory Group (SAG) for each sports ground with a safety certificate in its area, and partnerships with selected agencies to offer specialist advice to the Council.

### 2. Definitions

The 1975 Act defines a sports ground as a place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose.

Under the provisions of section 1 of the 1975 Act the Secretary of State for Digital, Culture, Media and Sport may designate as requiring a Safety Certificate any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales. These sports grounds are referred to as designated grounds.

A Regulated Stand is defined in the 1987 Act as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.

The Safety Advisory Group (SAG) is a multi-agency advisory group consisting of the appropriate members of local authority staff, representatives of the police, fire service, ambulance service, building control, the relevant certificate holder and other invited representatives as appropriate.

### 3. Legislation and Guidance

The formation and retention of a SAG is not a legal requirement. However, Lord Taylor's Final Report of the Inquiry into the Hillsborough Stadium Disaster recommended that each local authority set up an advisory group to assist them in exercising their functions under the Safety of Sports Grounds legislation.

This policy and procedures should be read in conjunction with the following legislation that applies to regulation and the safety of spectators at sports grounds:

- Safety of Sports Grounds Act 1975
- Fire Safety and Safety of Places of Sport Act 1987

- Safety of Sports Grounds Regulations 1987
- Safety of Places of Sport Regulations 1988
- The Regulatory Reform (Fire Safety) Order 2005

Under the 1975 and 1987 Acts the Council must supply the chief officer of police, the fire authority and the building authority, with a copy of any application received, and formally consult them about the terms and conditions of the certificate. The normal forum for this consultation will be the SAG.

Guidance on Safety Advisory Groups can be found in the following:

- Guide to Safety Certification issued by the Sports Ground Safety Authority.
- The UK Good Practice Guide to Working in Safety Advisory Groups published by the Emergency Planning College.

#### **4. Purpose**

The Safety Advisory Group exists primarily to provide specialist advice to the Council so that it may effectively discharge its functions under the Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act).

In practice, it also provides the vital forum within which the local authority and other agencies may develop a coordinated approach to safety at the sports grounds concerned, while each exercising its own responsibilities, and provides a quality assurance process for the safety related aspects for sports grounds and any event(s) falling within its scope.

The SAG will not replace or duplicate other strategic, tactical or operational meetings held between sports ground management and other agencies in respect of planning events. Where such meetings do take place, the SAG provides the forum for those agencies to report back and provide assurance that event safety plans and emergency plans meet appropriate standards to comply with the terms and conditions within the safety certificate.

Although the SAG is not constituted to advise the ground management on sports ground safety, the management may nevertheless frequently benefit from the expertise within the SAG.

#### **5. Scope**

This Policy will only apply to SAG's in place for sports grounds with a safety certificate. These arrangements will not apply to advisory groups for other types of activities that fall outside the legal framework for certificated sports grounds, for which the Council has no regulatory duty.

A SAG is in place for the following sports ground with a safety certificate:

- Cheltenham Racecourse
- Cheltenham Town Football Club
- Forest Green Rovers Football Club
- Gloucester Rugby Club

Additional SAGs may be convened as required to receive and discuss all proposals for new sports grounds, alterations to existing designated sports grounds/regulated stands and where it is intended to hold an event at the sports ground of a type not specified in the general safety certificate, such as concerts.

Where it applies, the position and integration of regulated stands within the operation of the sports ground is such that it is necessary for the Safety Advisory Group to consider the ground as a whole, rather than only the regulated stands.

## **6. Responsibilities and Powers**

The SAG does not make any decisions on behalf of the Council or other agencies as its role is advisory and as such it has no authority to either approve or ban events.

Where agencies exercise their own statutory decision-making authority, this is the determination of that authority and not of the SAG.

The Council has delegated the discharge of its statutory duties in respect of sports grounds to the Assistant Director of Asset Management and Property Services. Decision-making authority for the safety certification of sports grounds under the 1975 Act and the 1987 Act is delegated to officers of the Safety, Health and Environment (SHE) service. The delegated powers allow for the authorised SHE officers to issue and amend Safety Certificates, to serve prohibition notices and powers of entry and inspection.

The overall responsibility for the safety of persons at sports grounds will lie with the ground operator or event organiser, and management teams.

## **7. Terms of Reference for the Safety Advisory Group**

[Appendix 7](#) contains a template Terms of Reference. SAG Terms of Reference shall be set out to achieve the following objectives:

- To advise the Council in the exercise of its powers under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987 in respect of the safety certification.

- To provide a forum within which the Council and other agencies may develop a coordinated approach to safety of those present at events.
- To advise the District Councils as the enforcing authority as defined in the Health and Safety (Enforcing Authority) Regulations 1998 for enforcement of the relevant statutory provisions.
- To advise the Licensing Authority in the exercise of its powers under The Licensing Act 2003
- To provide advice and assistance to sports grounds certificate holders on public safety related issues.
- To advise the Council in relation to its duty regarding sports grounds not requiring to be certificated/ licensed.
- To consider the operations of the sports grounds on event days and during events requiring a special safety certificate.
- To have regard for external impacts of sports grounds operations (such as traffic and public disorder) and provide a forum for co-ordinated management of Zone Ex.
- To consider aspects of and possible changes to the terms and conditions in the General/Special Safety Certificate.
- To receive and discuss all proposals for alterations to existing designated sports grounds/regulated stands.
- To receive any relevant reports in relation to matters found during inspections by SAG members.
- Monitor that any matters raised by the SAG have been reported to the Council, other relevant authority and certificate holders, and that these matters are reported back to the Safety Advisory Group.
- To discuss any significant incident with potential safety implications at the sports ground and any significant incidents of note at other grounds where there may be common points of learning.
- To receive notification of the issue of any Prohibition Notice and any prosecutions under sports grounds legislation.
- To consider the advice published in all available guidance documents.

## 8. Administration of the Safety Advisory Groups

The Council will nominate an appropriate officer as the SAG Chair. Normally this will be the SHE Manager but there may be occasions when another representative

is appointed by the Council. When performing the Chair function, the Council officer will not have any other duties in respect of the SAG.

The Council's lead service, SHE, will provide administrative support to the SAG. This will include arranging meetings, circulating an agenda, relevant papers and minutes of the previous meeting sufficiently in advance, recording the minutes and circulating to all members of the SAG.

Typically, the agenda will include:

- the minutes of the previous meeting for accuracy and matters arising;
- reports from SAG members;
- report from the sports ground management on behalf of the certificate holder;
- updates on SGSA matters;
- any review of S and P Factors;
- any review of the General Safety Certificate.

The Council will consult all core members of the Group, invited representation, other council services and national bodies as considered appropriate. Unless there are very good reasons for not doing so, it is a responsibility of SAG members to have prepared for the meeting in advance, e.g. having read documentation sent to them.

## **9. Core Membership of the Safety Advisory Groups**

The Safety Advisory Group consists of 'core members' and 'invited representation'.

The core members are those authorities/agencies whom the Council is required to consult under sports ground legislation and as recommended in the Paragraph 31 of the *Final Report into the Hillsborough Stadium Disaster*:

- Gloucestershire County Council (SHE)
- District Council Building Control
- Gloucestershire Fire & Rescue Service
- Gloucestershire Police Constabulary
- South Western Ambulance Service NHS Foundation Trust

The core SAG members should be competent in their own agency roles as well as understanding their role on a SAG. Members must have the appropriate skills,

experience, and position in their organisation to be credible and competent members of the group.

Members of the SAG are responsible for ensuring that other departments or members of their own agency are aware and conversant of the SAG, its constitution and roles and responsibilities.

## **10. Invited Representatives to the Safety Advisory Groups**

The following are considered key members that are invited to all SAG meetings:

- Representatives of sports grounds, such as the Certificate Holder, Operations and Safety personnel etc.
- In the case of a Special Safety Certificate, the person responsible for organising the event.

The following may be invited either to all SAG meetings, or to a particular meeting as appropriate, either by the Chair, member or the sports ground management.

- District Council representative(s) (e.g. Licensing, Environmental Health, Health and Safety, etc.)
- First aid service representation
- Traffic (GCC)
- Primary Care Trust
- Local Authority Civil Protection Team (GCC)
- Legal service representation (GCC)
- Elected Members of the Council (GCC)
- Sports Ground Safety Authority
- Local Supporters Associations/Groups and Members representation

The above list is not exhaustive. The Chair may invite such other specialist as appropriate to assist the SAG fully consider any issue.

Inspectors from the SGSA can attend meetings of the SAG in respect of football grounds which fall within its regulatory oversight. The Inspectors are not members of the SAG. They are independent advisers who are present at the invitation of the Council.

## **11. Confidentiality**

Where confidential matters are to be discussed, particularly in relation to counter terrorism activities, arrangements should be made for the issues to be discussed in

a separate meeting outside of the general SAG as part of the operational planning for events. However, where confidential matters are raised and discussed during the SAG, only the following people/representatives shall be present for those discussions:

- Chair
- Gloucestershire Constabulary
- Gloucestershire Fire & Rescue Service
- South Western Ambulance Service
- The appropriate representative of the sports ground management.

Any written papers relating to confidential counter terrorism information and/or intelligence shall be marked according to the Government Security Classification Policy (GSCP).

## **12. Conflicts of Interest**

Members of the SAG must declare any material conflict of interest in relation to any item put before the Group, prior to any discussion on that matter. If the interest could be considered prejudicial, then that person should consider if they should withdraw and be replaced by an appropriate party agreed with the Safety Advisory Group.

## **12. Frequency of Meetings**

The number of SAG meetings in any year will largely depend upon the particular circumstances of the sports ground concerned. The Council has set a minimum of two meetings per year as required for the SAG to perform effectively. Meetings will be scheduled well in advance, at the start of the season or calendar year.

Any core member can request an additional special SAG meeting or series of meetings.

During the planning and building stages of a major sports ground redevelopment, the SAG will meet much more frequently, to deal with the many issues raised by the contractors, architects and certificate holder.

## **13. SAG Inspection of Sports Grounds**

The Council's Monitoring and Inspection Policy outlines procedures and arrangements in respect of monitoring and inspection of sports grounds. An annual inspection of each sports ground will, wherever possible, be arranged to coincide with the SAG meeting to allow members to participate in the inspection.

The Safety Advisory Group may request an inspection(s) of the sports ground at any time for a sporting event or special event in consultation with the sports ground

management. Such members as the Safety Advisory Group considers appropriate can attend the inspection.

#### **14. Revisions to this document and review**

This policy and procedures will be reviewed at intervals not exceeding 24 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.

Date of issue: 1 September 2023

Date of last review: August 2021

Reviewed by: Stuart Heggs – SHE Manager

[Appendix 1]

## Safety at Sports Grounds

### Agreement between Safety, Health and Environment and Gloucestershire Fire & Rescue Service

1. Gloucestershire County Council is the enforcing authority under the Safety of Sports Grounds Act and Part III of the Fire Safety and Safety of Places of Sport Act 1987.
2. Under the provisions of the Regulatory Reform (Fire Safety) Order 2005 the Council is also the enforcing authority for that legislation at designated sports grounds and grounds with regulated stands.
3. Functions relating to safety of sports grounds is delegated by the Council to Safety, Health & Environment (SHE), including the power to issue, amend or replace safety certificates (whether general or special), to serve prohibition notices and powers of entry and inspection. SHE are responsible for discharging these duties at the following sports grounds and associated monitoring:
  - Cheltenham Racecourse
  - Cheltenham Town Football Club
  - Forest Green Rovers Football Club
  - Gloucester Rugby
  - Hartpury University RFC
4. SHE will notify Gloucestershire Fire & Rescue Service (GFRS) of changes to the list of premises for which they are the enforcing authority under the Regulatory Reform (Fire Safety) Order 2005 (RR(FS)O 2005).
5. Under the terms of this agreement GFRS will (if appropriate) undertake the role of enforcing authority and inspect/audit in line with their existing inspection programme. The only areas that GFRS will not undertake the role of enforcing authority are:
  - a. At any of the grounds on this list on days that a sporting event is taking place and the stands are being used (or leading up to these events).
  - b. Occasions where holders of certificates apply for 'special' certificates, e.g. holding a concert and using the regulated stands as a viewing area. GFRS will only enter into consultation if approached to do so.
6. On occasions when SHE is the enforcing authority in relation to the RR(FS)O 2005, enforcement activity will be, where possible, via an officer of GFRS. All notices/letters for these premises will be created, sent and followed up by GFRS. The only intervention SHE will use, is their prohibition notice and this will only be used where the dangers are so serious that immediate prohibition is the only option. Any correspondence that GFRS enter into with these premises will be copied to SHE for information.
7. Through participation as a core Safety Advisory Group member, GFRS and SHE will provide updates on the current position with regard to official notices or alterations to the premises. These meetings will also identify forthcoming events

to ensure both parties have a common understanding of the combined goals required for this venue. GFRS will be invited to make joint inspections of these sports grounds with SHE officers.

8. Any days that a sporting event is not taking place and the stands are not being put to designated use, GFRS accept responsibility for them as the enforcing authority.
9. GFRS will react to any significant non-compliance issue with regard to the RR(FS)O 2005 that is identified by SHE inspecting officers about the premises as a clear indication of a management failure and will instigate a visit by a fire safety inspecting officer within 5 working days and take the appropriate action. A copy of the audit will be forwarded to SHE.
10. Following a fire at any premises covered by this agreement an audit will be carried out within 5 working days and a copy of the audit will be forwarded to SHE.
11. GFRS will continue to consult with the local authority building control concerning alterations to existing premises and/or new proposals, where SHE is the enforcing authority under the RR(FS)O 2005.
12. GFRS will continue to provide advice to SHE concerning fire safety aspects of licensing sports grounds at Safety Advisory Groups and informally.



Signed: \_\_\_\_\_

Stuart Heggs, SHE Manager  
GCC

Date: 22/08/2023



Signed: \_\_\_\_\_

Nathaniel Hooton, Deputy Chief Fire Officer  
GFRS

Date: 25/08/2023

[Appendix 2]

## SAFETY OF SPORTS GROUNDS ACT 1975 APPLICATION FOR A SAFETY CERTIFICATE FOR A DESIGNATED GROUND

*When completed, this form should be sent to Safety, Health and Environment, Gloucestershire County Council, Shire Hall, Westgate Street, Gloucester, GL1 2TG or [she@gloucestershire.gov.uk](mailto:she@gloucestershire.gov.uk).*

*Part 1 and Part 2 to be completed in all cases.*

### PART 1:

I hereby apply for a \*[general] [special] safety certificate in respect of the sports ground described below to be issued to \_\_\_\_\_  
(Name of proposed Certificate Holder)

I make the application \*[on behalf of] [as] \_\_\_\_\_  
of † \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_

Address \_\_\_\_\_

Telephone No \_\_\_\_\_

Email address \_\_\_\_\_

\* Delete as appropriate

† If applying on behalf of a sports club, company or some other person, insert status [e.g. Secretary].

Under the provisions of Section 3 (1) of the *Safety of Sports Grounds Act 1975*, a local authority receiving an application for a safety certificate have to determine whether the person to whom the certificate may be issued is likely to be in a position to prevent contravention of the terms and conditions of the certificate. The applicant should therefore furnish below the information required so as to enable the local authority to make such a determination. Under Section 3 (4) of the Act the local authority may also require the applicant to submit plans and further information.

## PART 2:

1. (a) Name and address of sports ground

(b) Name of the occupier

(c) Name and address of the owner

(d) Names and addresses of any persons other than the proposed holder of the certificate who to his/her knowledge will or may be concerned with ensuring compliance with the terms and conditions of the safety certificate for which this application is being made.

*Complete Part 3 only for an application for a new General Safety Certificate (to cover activities held over an indefinite period).*

*Complete Part 4 only for an application for a Special Safety Certificate (to cover one occasion or a series of occasions).*

*If the above sports ground has a General Safety Certificate and you are only applying to transfer the General Safety Certificate to another holder, there is no need to complete Part 3 or Part 4.*

## PART 3: GENERAL SAFETY CERTIFICATES

2. List activities to be covered by general safety certificate.

3. Give the approximate date of the construction of the spectator accommodation on the sports ground and details of any subsequent extension, major alteration or re-construction of the spectator accommodation on the sports ground, together with relevant dates.

4. Give particulars of any current statutory licences granted in respect of the sports ground or part of it:

Name of issuing licensing

(a) authority \_\_\_\_\_

(b) Name of licensee \_\_\_\_\_

Type of licence [liquor, gaming

(c) etc] \_\_\_\_\_

(d) Date of expiry \_\_\_\_\_

Description of the part or parts of the sports ground covered by the

(e) licence \_\_\_\_\_

\_\_\_\_\_

5. State maximum capacity for which spectator accommodation at the sports ground is intended:

(a) seated spectators \_\_\_\_\_

(b) standing spectators \_\_\_\_\_

State any restrictions on that capacity:

(a) seated spectators \_\_\_\_\_

(b) standing spectators \_\_\_\_\_

6. Give the total number of seated spectators and the total number of standing spectators for each activity other than reserve team matches, practice sessions or community use, held at the sports ground for each of the last

three years. Each activity [other than those excluded] should be named, together with the number of occasions on which each activity took place during each of those years.

7. Give the total number of seated spectators and the total number of standing spectators attending at the occasion during the last three years when that activity took place which attracted the highest number of spectators. Give the date of that event and the name of the activity taking place.

## PART 4: SPECIAL SAFETY CERTIFICATES

8. Name event for which special safety certificate is required

9. Give date(s) and times of event

10. Give the number of occasions on which this special event has taken place at the sports ground during the last three years

11. Give the total number of seated spectators and the total number of standing spectators at any similar event held within the last three years at the sports ground, giving the name of the event and the date on which it was held.

[Appendix 3]

**PART III OF FIRE SAFETY AND SAFETY OF PLACES OF SPORT ACT 1987**  
**APPLICATION FOR A SAFETY CERTIFICATE**  
**FOR A REGULATED STAND(S)**

*When completed, this form should be sent to Safety, Health and Environment, Gloucestershire County Council, Shire Hall, Westgate Street, Gloucester, GL1 2TG or [she@gloucestershire.gov.uk](mailto:she@gloucestershire.gov.uk).*

*Part 1 and Part 2 to be completed in all cases.*

**PART 1:**

I hereby apply for a \*[general] [special] safety certificate in respect of the stand(s) described below to be issued to \_\_\_\_\_  
(Name of proposed Certificate Holder)

I make the application \*[on behalf of] \_\_\_\_\_  
as † \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Telephone No \_\_\_\_\_

\* Delete as appropriate

† If applying on behalf of a sports club, company or some other person, insert status [e.g. Secretary].

Under the provisions of section 27(7) of the Fire Safety and Safety of Places of Sport Act 1987 in the case of a General Safety Certificate or section 28(8) of the 1987 Act in the case of a Special Safety Certificate, a local authority receiving an application for a safety certificate have to determine whether the person(s) to whom the certificate may be issued is likely to be in a position to prevent contravention of the terms and conditions of the certificate. The applicant should therefore furnish below the information required so as to enable the local authority to make such a determination. Under section 28(11) of the 1987 Act the local authority may also require the applicant to submit plans and further information.

## PART 2:

1. (a) Name and address of sports ground

(b) Name of the occupier

(c) Name and address of the owner

(d) Location and name (if any) of the stand(s) for which application is being made

(e) Names and addresses of any persons other than the proposed holder of the certificate who to his/her knowledge will or may be concerned with ensuring compliance with the terms and conditions of the safety certificate for which this application is being made.

*Complete Part 3 only for an application for a new General Safety Certificate (to cover activities held over an indefinite period).*

*Complete Part 4 only for an application for a Special Safety Certificate (to cover one occasion or a series of occasions).*

## PART 3: GENERAL SAFETY CERTIFICATES

2. List activities which the stand(s) provides viewing accommodation and which are to be covered by the General Safety Certificate.

3. Give the approximate date of the construction of the stand(s) and details of any subsequent extension, major alteration or re-construction of the spectator accommodation on the sports ground, together with relevant dates.

4. Give particulars of any current statutory licences granted in respect of the sports ground or part of it:

(a) name of issuing licensing authority \_\_\_\_\_

(b) name of licensee \_\_\_\_\_  
type of licence [liquor, gaming etc] \_\_\_\_\_

(c) date of expiry \_\_\_\_\_

(e) description of the part or parts of the sports ground covered by the licence \_\_\_\_\_

5. State maximum capacity for which spectator accommodation in the stand(s) is intended:

(a) Name of stand \_\_\_\_\_

(b) seated spectators \_\_\_\_\_

(c) standing spectators \_\_\_\_\_

(a) Name of stand \_\_\_\_\_

(b) seated spectators \_\_\_\_\_

(c) standing spectators \_\_\_\_\_

\* Add required information for additional stands either by adding rows or attach details

State any restrictions on said capacities:

(a) seated spectators \_\_\_\_\_  
(b) standing spectators \_\_\_\_\_

6. Is the number of spectators admitted to the stand(s) controlled on entry to that stand?  Yes/No

7. If the answer to question 6 is "Yes", set out below for each of the last three years (that is, ending on 31st December) and for each of the activities listed in answer to question 2 above (setting out the year and activity in question), the following information:

(a) the highest number of spectators admitted to the stand on any one occasion during each of the last three years, showing separately the number of seated and standing spectators if these figures are known;

(b) the average number of spectators admitted to the stand for the activities during each of the last three years, showing separately the number of seated and standing spectators if these figures are known;

Year	
Activity	
Total attendance	
Number of occasions	
Highest attendance	
a. seated	
b. standing	

8. If the answer to question 6 is "No", set out below for each of the last three years (that is, ending on 31st December) and for each of the activities listed in answer to question 2 above (setting out the year and activity in question), the following information:

(a) the highest number of spectators who had access to the stand on any one occasion during each of the last three years; and

(b) the total number of spectators who had access to the stand during each of the last three years and the number of occasions when they had access but excluding:

i) any occasion when no charge was made for, or in respect of,

admission to the sports ground so as to have access to the stand; and

- ii) any occasion when the number of spectators so admitted was less than 100.

Year	
Activity	
Total attendance	
Number of occasions	
Highest attendance	
a. seated	
b. standing	

## PART 4: SPECIAL SAFETY CERTIFICATES

9. Name activity (or activities) for which the stand provides viewing accommodation and which are to be covered by the Special Safety Certificate.

10. Give date(s) and times of event(s) when it is proposed that the stand(s) will be used for the activities listed in 9 above.

11. Give the number of occasions on which this special event has taken place at the sports ground during the last three years

12. Give the total number of seated spectators and the total number of standing spectators at any similar event held within the last three years when spectators were admitted, or had access to, the stand(s) to view activities which are the same as, or similar to, those listed in answer to question 9 above, giving the name of the event and the date on which it was held.

**Gloucestershire County Council**

**Safety of Sports Grounds Act 1975**

**PROHIBITION NOTICE**

Name *[insert name of person on whom notice is being served]*

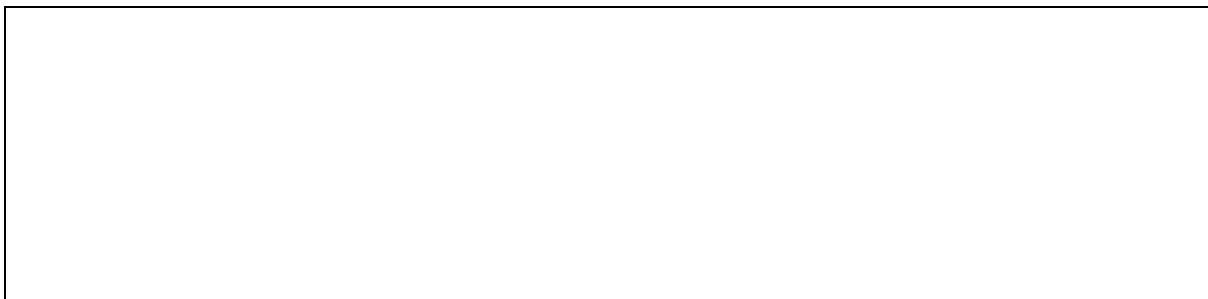
Address *[insert address at which it is intended to serve the notice]*

being:

- \* the holder of a General Safety Certificate for *[insert the name of sports ground]*
- \* the holder of a Special Safety Certificate for *[insert the name of sports ground]*
- \* the person who appears to Gloucestershire County Council to be responsible for the management of *[insert the name of sports ground]*
- \* a person who appears to Gloucestershire County Council to be responsible for organising an activity at *[insert the name of sports ground]* on *[insert date of event covered by a Special Safety Certificate to which the notice applies]*

Notice is hereby given that Gloucestershire County Council are of the opinion that the admission of spectators to \**[the (insert name of sports ground) sports ground]* \**[parts of the (insert name of sports ground) sports ground which are]* specified in the Schedule to this notice \**[involves]* \**[will involve]* a risk to them so serious that until steps have been taken to reduce it to a reasonable level the admission of spectators to \**[the ground]* \**[that part of the ground]* ought to be \**[prohibited]* \**[restricted]*.

The matters which in the Council's opinion \**[give]* \**[will give]* rise to that risk are as follows



Gloucestershire County Council hereby direct that \**[no spectators]* \**[no more than the number of spectators specified in the schedule which forms part of this notice]* shall be admitted to \**[that sports ground]* \**[the parts of that sports ground specified in the schedule]* until those matters detailed above have been remedied.

\* Gloucestershire County Council is of the opinion that the risk to spectators \*[is] \*[will be] imminent, and the \*[prohibition] \*[restriction] is to take effect immediately.

The \*[prohibition] \*[restriction] is to take effect after \*[insert date], and relates to the admission of spectators \*[generally] \*[on the occasion(s) specified in the schedule].

\*The *[insert local authority name]* Council further direct that the steps specified in the schedule which forms part of this notice will have to be taken to reduce the risk to a reasonable level.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Position held in council: \_\_\_\_\_

[Being a person authorised by *(insert local authority name)* Council under section 101 of the Local Government Act 1972 to issue such a notice.]

*\*delete as appropriate*

---

#### **SCHEDULE:**

1.\* No more than the following numbers of spectators may be admitted to the ground/the parts of the ground specified below\*:

2.\* The following steps must be taken to reduce the risk to spectators to a reasonable level:

3.\* The prohibition/restriction\* applies to the admission of spectators on the following occasions:

*\*delete as appropriate*

## NOTES

### Offences

Contravention of any prohibition notice or restriction imposed by a prohibition notice is an offence provided by section 12 (1) (e) of the Safety of Sports Grounds Act 1975 (the 1975 Act) as amended by the Fire Safety and Safety of Places of Sport Act 1987 (the 1987 Act) and renders the offender liable, on summary conviction, to a fine not exceeding the statutory maximum (currently £2,000) or, on conviction on indictment, to an unlimited fine, or imprisonment for not more than two years, or both.

Where any person is charged with an offence under section 12 (1) (e) of the 1975 Act it shall be a defence to prove:

- a) that the admission of spectators in contravention of the notice was without his consent; and
- b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or any other person under his control.

Section 12(7) of the 1975 Act provides that where an offence under that Act which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.

Where the affairs of a body corporate are managed by its members, section 12(7) of the 1975 Act shall apply in relation to the Acts, and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

The validity of a prohibition notice served on any person shall not be affected by a failure to serve another person required to be served with such a notice.

### Appeals

Your attention is drawn to the provision for appeal to a magistrates' court against this notice in section 10A of the 1975 Act as inserted by the 1987 Act.

Regulations made under section 10A(1) of the 1975 Act stipulate that a person on whom a prohibition notice is served may appeal to the court within 21 days after the day on which the notice is served on him.

Where an appeal is brought under this section against a prohibition notice or an amendment of it, the bringing of the appeal does not have the effect of suspending the operation of the notice.

[Appendix 5]

**[Name of Club]**  
**[Name of Sports Ground/Stadium]**  
**DURING MATCH INSPECTION RECORD**

Inspecting Officer(s)	<hr/>		
Fixture	<hr/>		
Date	Kick off time <hr/>		
Time inspection commenced	Time inspection completed <hr/>		
Final score	<hr/>		
Weather conditions	<hr/>		
Permitted capacity	Attendance	Away spectators	<hr/>

**Club Personnel**

Qualified Person	<hr/>	Present	<hr/>
Safety Officer	<hr/>	<hr/>	<hr/>
Deputy Safety Officer	<hr/>	<hr/>	<hr/>
Radio/CCTV Operator/Log keeper	<hr/>	<hr/>	<hr/>

**Stand Stewards Managers in position**

North Stand/ Blue/	<hr/>
East Stand/ Yellow/	<hr/>
South Stand/ Red/	<hr/>
West Stand/ Green/	<hr/>

**Others present:**

Police	<hr/>
Crowd Doctor/ Event Practitioner	<hr/>
SWAS Officer	<hr/>
Medical Officer	<hr/>
GFRS	<hr/>
Building Control	<hr/>
EHO/Licensing	<hr/>
Other	<hr/>

**Please ✓ relevant boxes to show which areas have been inspected. Any areas where problems are observed or breaches of the safety certificate should be noted and relevant details included in the comment section.**

<b>1. <u>Pre-match inspection</u></b>		
	✓/X	<b>Comments</b>
Car park		
External circulation areas		
Emergency vehicle access		
Stadium Boundaries		
Entrances (entry rates/queues)		
Turnstiles		
Turnstile monitoring equipment		
Control room		
PA System		
CCTV system		
Radios		
TV and camera equipment		
SO Pre-match inspection		
Segregation arrangements		

<b>2. <u>During Match Inspection</u></b>			
	1 <sup>st</sup> Half	2 <sup>nd</sup> Half	<b>Comments</b>
<b>North Stand</b>			
Seating / Gangways / Exits			
Standing /Gangways/ Exits			
Hospitality areas			
Escape routes/ fire doors			
Concourse			
<b>South Stand/</b>			
Seating / Gangways / Exits			
Standing /Gangways/ Exits			
Hospitality areas			

Escape routes/ fire doors			
Concourse			
<b>East Stand/</b>			
Seating / Gangways / Exits			
Standing /Gangways/ Exits			
Hospitality areas			
Escape routes/ fire doors			
Concourse			
<b>West Stand/</b>			
Seating / Gangways / Exits			
Standing /Gangways/ Exits			
Hospitality areas			
Escape routes/ fire doors			
Concourse			

### **3. Post Match Inspection**

		<b>Comments</b>
Control Room		
Exits from viewing areas		
Exits from stadium		
Car park		

### **4. General Areas of Inspection**

	✓	<b>Comments</b>
Records / Match log		
Stewards' numbers and deployment		
Stewards' performance		
Any persistent standing observed in seating areas		
Fabric and structural elements of the stadium		
Lighting		
Fire detection system		
Fire fighting equipment		

Signage		
Storage areas		
Control of combustible waste		
First aid post and equipment		
First aid personnel		
Accident/injury records		
Ambulance provision		
Concessionaire facilities		
Disabled accommodation		

**5. Summary/Actions:**

[Inspecting Officer]  
 Safety, Health & Environment Advisor  
 GCC  
 [Date]

CHELTENHAM RACECOURSE  
 DURING EVENT INSPECTION RECORD

Inspecting Officer(s) \_\_\_\_\_

Fixture \_\_\_\_\_

Date \_\_\_\_\_ Capacity \_\_\_\_\_

Time inspection commenced \_\_\_\_\_ Time inspection completed \_\_\_\_\_

Weather conditions \_\_\_\_\_

**6. General Areas of Inspection**

	✓	Comments
Car parks		
Vehicle access		
External circulation areas/ Zone Ex		
Emergency vehicle access		
Racecourse Boundaries		
Turnstiles		
Turnstile monitoring equipment		
Exit routes		
Exit gates		
Control room		
PA System		
CCTV system		
Emergency telephones and radios		
Medical post and equipment		
Medical personnel		

Ambulance provision		
Segregation arrangements		
Concessionaire facilities		
Stewards' numbers and deployment		
Stewards' performance		
Disabled accommodation		
TV and camera equipment		

## 7. Best Made Enclosure

	✓	
Terrace / Gangways / Exits		
Level standing area/ Lawn		
Best Mate bars		
Escape routes/ fire doors		
Concourse and circulation routes		
Best Mate Grandstand		

## 8. Tattersalls and Club Enclosure

Main Grandstand	
Terrace / Gangways / Exits	
Seating / Gangway / Exits	
Internal hospitality areas	
Escape routes/ fire doors	
Level standing areas/ Lawn	
Concourse and circulation routes	
Terrace / Gangways / Exits	
Internal hospitality areas/ bars	

Escape routes/ fire doors		
Level standing areas/ Lawn		
Concourse and circulation routes		

## 9. Temporary Demountable Structures

<b>Guinness Village</b>		
Terrace / Gangways / Exits		
Seating / Gangway / Exits		
Internal hospitality areas		
Escape routes/ fire doors		
Level standing areas/ Lawn		
Concourse and circulation routes		
<b>Triple Deck and Long Run Boxes</b>		
<b>Shopping Village</b>		

## 10. Other areas

The Centaur and Hall of Fame.		
Operation Bunter		

## 11. Comments/Actions:

[Inspecting Officer]  
 Safety, Health & Environment Advisor  
 GCC  
 [Date]

[Appendix 6]

[Name of Club]

[Name of Sports Ground/Stadium]

**INSPECTION OF RECORDS of TESTING, SERVICING AND MAINTENANCE**  
**INSPECTIONS**

Requirement	Frequency <i>(examples provided but this is for ground management to schedule to ensure compliance)</i>	Comments/ Actions:
<b>Fire Alarms:</b>	Club: weekly Contractor: 6 months	
<b>Emergency Lights Test:</b>	Club: monthly Contractor: annual	
<b>Emergency Escape Route Inspections:</b>	Club: weekly/pre-match	
<b>Fire Doors Inspections:</b>	Club: Contractor:	
<b>Fire Safety Inspections</b>	Club: Contractor:	
<b>Fire Risk Assessment</b>	Contractor: 3 years	
<b>Fire Extinguishers/Fire Blankets:</b>	By club: Contractor: annual	
<b>Evac chairs</b>	By club: Contractor:	
<b>Portable Appliance Testing:</b>	By club: Contractor:	
<b>Fixed Wire testing:</b>	Contractor: 5 years	
<b>Back-up power</b>	Contractor:	
<b>C.C.T.V:</b>	Contractor:	
<b>PA System:</b>	Club: Contractor:	
<b>Structural Survey</b>	Contractor:	
<b>Barrier testing</b>	Contractor:	
<b>Turnstile monitoring equipment</b>	Contractor:	

<b>Water Hygiene Risk Assessment and routine monitoring</b>	Club: Contractor:	
<b>Lifts - Thorough examination and Servicing</b>	Contractor: 6 months	
<b>Lightning protection</b>	Contractor: annual	
<b>Security and Access Control</b>	Contractor:	
<b>Gas Installation Safety inspection</b>	Contractor: annual	
<b>Boilers and heating devices</b>	Contractor:	
<b>Oil storage and supply</b>	Contractor:	
<b>Air Con</b>	Contractor:	
<b>Kitchen Appliances</b>	Contractor:	
<b>Extract System</b>	Contractor:	
<b>Asbestos</b>	Club: Contractor:	
<b>Review of P &amp;S Factors using the indicative questions annexed to the Green Guide?</b>	Club: annual Contractor:	

[Inspecting Officer]  
 Safety, Health & Environment Advisor  
 GCC  
 [Date]

# **SPORTS GROUNDS SAFETY ADVISORY GROUP**

**[Name of Club]**

**[Name of Sports Ground/Stadium]**

**TERMS OF REFERENCE**

**[Date of TOR]**

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## **Issue and Review**

This document has been issued by the Chair of the Safety Advisory Group, following consultation with core members.

It will be reviewed at intervals not less than every two years.

[Name], Chair Safety Advisory Group  
 [Date of issue]

## Glossary *[Amend as necessary]*

Term	Meaning
<i>CBC</i>	<i>Cheltenham Borough Council</i>
<i>Cheltenham &amp; Tewkesbury Building Control</i>	<i>The combined building control function for Cheltenham Borough Council and Tewkesbury District Councils.</i>
CDM Regulations	Construction Design and Management Regulations 2015
Certifying authority	The Local Authority issuing the safety certificate, Gloucestershire County Council.
Core members	The key members of the SAG who are permanent members of the group.
Designated sports ground	A sports ground designated by the Secretary of State as requiring a safety certificate.
GCC	Gloucestershire County Council.
GFRS	Gloucestershire Fire & Rescue Service.
Guide to Safety at Sports Grounds	Guidance on managing risks at sports grounds, published by the DCMS.
Prohibition Notice	A formal notice issued by an enforcing body to suspend or prohibit some activity where the risk of it continuing is deemed to be unacceptable.
<i>The Racecourse</i>	<i>This will refer to The Jockey Club/ Cheltenham Racecourse as the organisation responsible for managing the sports ground.</i>
<i>RCA</i>	<i>The Racecourse Association Limited - The trade organisation representing the fifty-nine racecourses in Britain.</i>
Regulated stand	A stand with capacity of 500 or more (seating or standing) with a roof. A safety certificate is required for this/each stand provided that the ground is not a designated ground.
The Certificate	The General Safety Certificate is a formal document issued by the Certifying Authority containing conditions to be met by the ground operator to ensure the safety of spectators.
SGSA	Sports Grounds Safety Authority - the UK Government's expert body on safety at sports grounds
SHE	Safety, Health and Environment team.
SWAST	South Western Ambulance Service NHS Foundation Trust

Temporary Demountable Structures (TDS)	Temporary or semi-permanent structures that are erected for events such as grandstands, marquees, stage structures and barriers.
Those present during an event	This comes from SGSA guidance on the wider understanding of safety at sports grounds and includes spectators and groups such as ground employees, stewards, agency staff, medical staff, participants, officials and visitors during an event.
Zone Ex	Defined in the Green Guide as the external zone, which lies immediately beyond the outer perimeter of the sports grounds, consisting of a network of routes or areas, often leading to transport hubs and whose management is considered key to the safe and secure arrival and departure of spectators.

## **1. Local Authority policy for the Safety Advisory Group**

It is the policy of Gloucestershire County Council (GCC) to uphold reasonable standards of public safety at all sports grounds in Gloucestershire and to encourage the wellbeing of the public at those sports grounds. To aid this the Local Authority maintains a SAG for sports grounds, and partnerships with selected agencies to offer specialist advice to the Local Authority.

Due to the differing nature of sports grounds within Gloucestershire, and the differing representation from the 'core members' due to positioning within respective boundaries, a separate Safety Advisory Group is maintained for each sports ground.

This 'Terms of Reference' document applies to the Safety Advisory Group for [\[Name of sports ground\]](#).

## **2. Applicable Legislation**

The SAG has no regulatory powers but exists primarily to provide specialist advice to the Council so that it may effectively discharge its functions under sports grounds legislation. The SAG does not make any decisions on behalf of the Council or other agencies as its role is advisory and as such it has no authority to either approve or ban events.

Where agencies exercise their own statutory decision-making authority, this is the determination of that authority and not of the SAG. The following is primary legislation that the SAG might consider relevant in relation to the safety of spectators at sports grounds:

- Safety of Sports Grounds Act 1975
- Fire Safety and Safety of Places of Sport Act 1987
- Safety of Sports Grounds Regulations 1987
- Safety of Places of Sport Regulations 1988
- The Regulatory Reform (Fire Safety) Order 2005
- Health and Safety at Work etc. Act 1974
- Licensing Act 2003
- Civil Contingencies Act 2004
- Building Act 1984
- Crime and Disorder Act 1998
- Road Traffic Regulations 1984

- Traffic Management Act 2004

### **3. Terms of reference for the Safety Advisory Group (SAG).**

The purpose of the SAG is:

- To advise the Council in the exercise of its powers under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987 in respect of the safety certification.
- To provide a forum within which the Council and other agencies may develop a coordinated approach to safety of those present at events.
- To advise [Name of District Council] as the enforcing authority as defined in the Health and Safety (Enforcing Authority) Regulations 1998 for enforcement of the relevant statutory provisions.
- To advise [Name of District Council] as the Licensing Authority in the exercise of its powers under The Licensing Act 2003
- To provide advice and assistance to sports grounds certificate holders on public safety related issues.
- To consider the operations of the sports grounds on event days and during events requiring a special safety certificate.
- To have regard for external impacts of sports grounds operations (such as traffic and public disorder) and provide a forum for co-ordinated management of Zone Ex.
- To consider aspects of and possible changes to the terms and conditions in the General/Special Safety Certificate.
- To receive and discuss all proposals for alterations to existing designated sports grounds/regulated stands.
- To receive any relevant reports in relation to matters found during inspections by SAG members.
- Monitor that any matters raised by the SAG have been reported to the Council, other relevant authority and certificate holders, and that these matters are reported back to the Safety Advisory Group.
- To discuss any significant incident with potential safety implications at the sports ground and any significant incidents of note at other grounds where there may be common points of learning.
- To receive notification of the issue of any Prohibition Notice and any prosecutions under sports grounds legislation.

- To consider the advice published in all available guidance documents.

The Safety Advisory Group cannot take any decisions on behalf of GCC whose decision-making power is delegated to the Chair of the Safety Advisory Group.

The Local Authority core members of the Safety Advisory Group must declare any material conflict of interest in relation to any item put before the Group, prior to any discussion on that matter. If the interest could be considered prejudicial, then that person should consider if they should withdraw and be replaced by an appropriate party agreed with the Safety Advisory Group.

#### **4. Composition of the Safety Advisory Group.**

The Safety Advisory Group consists of 'core members' and 'invited representation'.

##### **4.1 Core members.**

The core members are those authorities whom GCC is required to consult under sports ground legislation and as recommended in the Paragraph 31 of the *Final Report into the Hillsborough Stadium Disaster*.

Membership:

- Chair (Gloucestershire County Council)
- SHE representative (lead service for GCC)
- [Name of District Council] Building Control
- Gloucestershire Police Constabulary
- Gloucestershire Fire & Rescue Service
- South Western Ambulance Service NHS Foundation Trust

##### **4.2 Invited representation.**

The following are considered key members that are invited to all Safety Advisory Group meetings:

- [Name of sports ground] representatives (e.g. Certificate Holder, Operations and Safety personnel etc.)
- in the case of a Special Safety Certificate, the person responsible for organising the event.

The following may be invited either to all Safety Advisory Group meetings, or to a particular meeting as appropriate, either by the Chair or [certificate holder].

- District Council representative(s) (e.g. Licensing, Environmental Health, Health and Safety, etc.)
- First aid service representation
- Traffic, Transport and Highways (GCC)
- Primary Care Trust
- Local Authority Civil Protection Team (GCC)
- Legal service representation (GCC)
- Elected Members of the Council (GCC)
- Sports Ground Safety Authority
- Local Supporters Associations/Groups and Members representation

The above list is not exhaustive. The Chair may invite such other specialist as appropriate to assist the Safety Advisory Group fully consider any issue.

Confidential counter terrorism information and/or intelligence will normally be discussed with relevant parties privately outside of the general SAG as part of the operational planning for events. However, where confidential matters are raised and discussed during the SAG, only the following people/representatives shall be present for those discussions:

- Chair;
- Gloucestershire Constabulary;
- Gloucestershire Fire & Rescue Service;
- South Western Ambulance Service;
- [\[certificate holder\]](#) representatives.

## 5. Administration of the Safety Advisory Group

- **Chair:** Safety, Health & Environment Manager, Gloucestershire County Council, or nominated deputy.
- **Lead Service:** Safety, Health & Environment, Gloucestershire County Council, will act as Lead Service to the Safety Advisory Group.

- **Secretariat:** Safety, Health & Environment, GCC, provides the administrative support to the Safety Advisory Group.
- **Consultation:** The Safety Advisory Group will consult all core members of the Group, invited representation, other council services and national bodies as considered appropriate

## **6. Frequency of meetings of the Safety Advisory Group.**

The Safety Advisory Group shall meet a minimum of twice a year, unless any core member requests an additional special meeting or series of meetings.

The Safety Advisory Group may request an inspection(s) of the [\[stadium/racecourse\]](#) for a sporting event or special event as determined by the Chair of the Safety Advisory Group in consultation with the sports ground management. Such members as the Safety Advisory Group considers appropriate can attend the inspection. Formal minutes/ a record of the inspection will be circulated to all relevant parties.

## **7. Form of minutes of the Group**

Each meeting of the Safety Advisory Group will be arranged to an agenda published in advance of the meeting with minutes recorded in accordance with GCC procedures.

The minutes of the meetings will be circulated to all members of the Safety Advisory Group and to such other parties as may be determined by the Chair.

Any written papers relating to confidential counter terrorism information and/or intelligence shall be marked according to the Government Security Classification Policy (GSCP).

## **8. Roles and responsibilities of the Core Members of the Safety Advisory Group.**

### **8.1 Role of the Chair of the Safety Advisory Group**

- To ensure that the Safety Advisory Group properly discharges its responsibilities (as defined in section 3.).
- To ensure that the conditions of the General Safety Certificate and any Special Safety Certificates issued by GCC are properly monitored, enforced, reviewed and where necessary amended on a regular basis.
- To consider applications for any Special Safety Certificate for events that are not the specified activity and are using the sports ground/ regulated stands.

- To ensure that the membership of the Safety Advisory Group reflects the recommendations in *The Hillsborough Stadium Disaster - Final Report*.
- To ensure that the recommendations made by the Safety Advisory Group accord with the overall strategic policies of GCC.
- To ensure that due account is taken of the views of all members of the Safety Advisory Group, including those attending by invitation.

## **8.2 Role of GCC Safety, Health & Environment in the SAG**

- GCC Safety, Health & Environment will be represented by a SHE Adviser who will attend all meetings of the Safety Advisory Group.
- To act in a coordinating role to the Safety Advisory Group on all matters relating to spectator safety and liaise with Group members in the production of any items or reports to be placed on the agenda for the meetings.
- To provide technical advice and appraisal of published documents relating to safety of sports grounds and inform on any implications arising.
- To provide technical support to the Safety Advisory Group in relation to all matters concerning sports grounds and allied legislation.
- To prepare, monitor, enforce, review and amend as necessary the General/Special Safety Certificate Conditions on a regular basis following consultation with members of the Safety Advisory Group.
- To conduct or arrange such additional inspections as may be necessary during a race day or special event to monitor compliance with the Conditions of any General/Special Safety Certificate.
- To identify and take appropriate action in respect of any breach of the General/Special Safety Certificate.
- To issue, suspend or withdraw Prohibition Notices.
- To contribute any local information that may have a bearing on public safety.

## **8.3 Role of the Building Control Service in the SAG**

[Name of District Council] Building Control Service will be represented by a Principal Officer and/or their appropriately competent appointed deputy who will attend all meetings of the Safety Advisory Group:

- To be the lead officer on advice on structural matters.
- To provide technical support in relation to all aspects of Building Regulations and allied legislation, appraisal of documents within the remit of the service as they relate to sports grounds, and inform on any implications arising.
- To advise on matters relating to the issue of a General/Special Safety Certificate conditions where applicable.
- Liaise with Group members in the production of any items or reports to be placed on the agenda for meetings.
- Advise on matters relating to applications for new sports grounds/stands/alterations to sports grounds received by that Building Control service.
- To contribute any local information that may have a bearing on public safety.
- To identify and take appropriate action in respect of any breach of Building Regulations or any structural or safety matters which present a danger to spectators.
- To advise the Group on any structural hazards within the sports ground.
- To make recommendations on ground and stand capacities.

#### **8.4 Role of the emergency services in the SAG**

The services will be represented by a person of appropriate experience/competency (or their appointed deputy) who has full authority of the relevant service to give advice and guidance and make recommendations on safety issues.

#### **8.5 Gloucestershire Police**

- Advise the SAG on issues of compatibility and compliance of the sports ground management safety and security plan and contingency plan with the Guide to Safety at Sports Grounds, the Emergency Services Major incident plans and counter terrorism.
- Contribute any local information that may have a bearing on public safety based on current intelligence and agree with the ground management, the Police resourcing levels for each individual [match/race] day or event.
- Advise in relation to possible public disorder and anti-social behaviour inside or in the immediate vicinity of the sports ground on event days and other uses, in so far as they may impact upon the reasonable safety of those present during an event at the sports ground.

- Advise on any breaches of the Safety Certificate and/or other occurrences which did or could affect the safety of those present during an event, remembering that the operations of the sports ground are under the control of the holder of the General Safety Certificate on the day.
- Arrange for local representative(s) to attend SAG meetings and to ensure appropriate contact between the Police Operations and Event Planning and Police Commanders of events, with the sports ground management and the Safety Officer.
- Participate in inspection of the sports ground relating to Policing provisions and facilities and report the findings to SAG.

## **8.6 Gloucestershire Fire and Rescue Service**

- Assist the Council with regard to all matters related to fire safety at the sports ground.
- Provide professional advice in respect of building design and construction in consultation with Building Control.
- Advise the SAG on the Contingency Plans for the sports ground to ensure that they are compatible with the Emergency Services Major Emergencies plan to the sports ground and surrounding areas.
- Advise on any breaches of the Safety Certificate and/or other occurrences which did or could affect the safety of those present during an event, remembering that the operations of the sports ground are under the control of the holder of the General Safety Certificate on the day.
- Arrange for a Fire Officer to attend SAG meetings and to ensure appropriate contact between the GFRS with the sports ground management and the Safety Officer.
- Participate and co-operate in a visual inspection of the sports ground relating to Fire Safety provisions and report the findings to the SAG.

## **8.7 South Western Ambulance Service**

- Advise on all matters relating to the provision of first aid and medical services at the sports ground to ensure compliance with relevant current guidelines and requirements.
- Advise the SAG on the Contingency Plans for the sports ground to ensure that they are compatible with the Emergency Services Major Emergencies Plan to the sports ground and surrounding areas.

- To act as a liaison point for the first aid and medical service providers, the Certificate Holder and local hospitals as required.
- Arrange for an appropriate SWAST representative to attend SAG meetings.
- Participate and co-operate in a visual inspection of the sports ground relating to first aid and medical services provision and report the findings to the SAG.

#### **8.8 [Name of Certificate Holder, Sports grounds]**

- Participate in the discussions of the SAG and provide information on the [name of sports ground] arrangements regarding safety management and general operations of the [stadium/racecourse] and surrounding areas.
- Advise the SAG of any proposed alterations to the [stadium/racecourse] *and regulated stands\**.
- Report to the SAG on the performance of safety management arrangements and of any occurrences which did or could have affected the safety of those present during an event at the [stadium/racecourse] or surrounding areas.
- Take primary responsibility for the reasonable safety and security of those present during an event and own the operational and contingency plans. These plans should be developed, reviewed and tested with effective consultation involving members of the SAG and others as appropriate.
- Report to the SAG on the application of the standards and recommendations of the Guide to Safety at Sports Grounds and any other relevant legislation, guidance and best practice in order to achieve safe conditions.
- Participate in discussions and respond to consultation on any decision to be taken affecting the provisions of the General Safety Certificate.
- Keep the SAG appraised of any matter or information known to the [Name of sports ground] relating to [specified sport activity] and other events to be held that may impact on safety arrangements.
- Arrange for representative(s) with responsibility for event day operations to attend SAG meetings and ensure appropriate contact between the [Name of sports ground] and other SAG members.

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