



**NOTTINGHAM CITY COUNCIL**  
**REGULATORY AND APPEALS COMMITTEE**

**Date:** Monday, 25 September 2017

**Time:** 10.30 am

**Place:** LB 31 - Loxley House, Station Street, Nottingham, NG2 3NG

**Councillors are requested to attend the above meeting to transact the following business**

**Corporate Director for Strategy and Resources**

**Governance Officer:** Mark Leavesley **Direct Dial:** 0115 876 4302

**1 APOLOGIES FOR ABSENCE**

**2 DECLARATIONS OF INTERESTS**

If you need any advice on declaring an interest, please contact the Governance Officer above, if possible before the day of the meeting

**3 MINUTES**

3 - 4

Last meeting held on 03 July 2017 (for confirmation)

**4 HACKNEY CARRIAGE SPECIFICATION - ADDITIONAL VEHICLES**

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Report of Regional Licensing and Policy Manager

**5 PROPOSED AGE AND SPECIFICATION POLICY FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

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Report of Regional Licensing and Policy Manager

**6 CROSS-BORDER ENFORCEMENT**

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Report of Regional Licensing and Policy Manager

**7 REVIEW OF GENERAL SAFETY CERTIFICATES - REGULATED STANDS**

Reports of Operations Manager, Safer Business

**(a) Nottingham Racecourse**

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**(b) Harvey Hadden Athletics Stadium**

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CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT [WWW.NOTTINGHAMCITY.GOV.UK](http://WWW.NOTTINGHAMCITY.GOV.UK). INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

**NOTTINGHAM CITY COUNCIL**

**REGULATORY AND APPEALS COMMITTEE**

**MINUTES of the meeting held at Loxley House, Station Street, on 3 July 2017  
from 1.00pm to 1.24pm**

**Membership**

Present

Councillor Brian Grocock (Chair)  
Councillor David Smith  
Councillor Adele Williams  
Councillor Jim Armstrong

Absent

Councillor Rosemary Healy  
Councillor Mohammed Ibrahim  
Councillor Gul Nawaz Khan  
Councillor Dave Liversidge  
Councillor Carole McCulloch  
Councillor Toby Neal  
Councillor Mohammed Saghir  
Councillor Michael Wildgust  
Councillor Linda Woodings

**Colleagues and others in attendance**

Matthew Daft	- Environmental Health Officer	)	
Paul Dales	- Operations Manager, Safer Business	)	Commercial & Operations
Catrin Styles	- Principal Environmental Officer	)	
Phil Plackett	- Safety Officer	-	Notts County Football Club
Richard Bines	- Solicitor to the Committee	)	Strategy & Resources
Jack Kerr	- Administration Assistant	)	
Mark Leavesley	- Governance Officer	)	

**1 APPOINTMENT OF VICE-CHAIR**

**RESOLVED** that Councillor David Smith be appointed Vice-Chair for the remainder of the municipal year 2017/18.

**2 APOLOGIES FOR ABSENCE**

Councillor Neal	- other City Council business	
Councillor Liversidge	)	
Councillor Wildgust	) personal	
Councillor Woodings	)	

**3 DECLARATIONS OF INTERESTS**

None.

**4 MINUTES**

The Committee confirmed the minutes of the meeting held on 29 November 2016 as a correct record and they were signed by the Chair.

**5 NOTTS COUNTY FOOTBALL CLUB, MEADOW LANE - ANNUAL REVIEW OF GENERAL SAFETY CERTIFICATE**

The Committee considered a report of the Director of Community Protection.

Councillors on the Committee visited Notts County Football Club sports ground to carry out an inspection, accompanied by colleagues and members of the Safety Advisory Group, including Fire and Ambulance Service representatives.

Phil Plackett, Safety Officer at Notts County Football Club, facilitated the visit and attended the meeting to answer questions from the Committee.

Paul Dales, Operations Manager, Safer Business, presented the report, detailing the main issues, such as the changes in ownership of the club and in the Certificate Holder, electrical and fire safety management work, the deviations from the Green Guide and scope of the proposed Certificate.

Committee members were reassured by the action taken and measures in place for dealing with a small identified 'risk group'. The Committee were impressed with the Clubs approach in ensuring the wider public safety at the ground through its co-operation with the Police as well as the other Nottinghamshire League Clubs through the Police and Clubs Together (PACT) arrangements, to ban disruptive persons from all the football grounds where their behaviour has given rise to serious concern and breached the Club's Ground Regulations.

The recommendation of the report proposed to replace the existing Certificate with the Certificate attached to the report as Annexe 1.

**RESOLVED**

- (1) to approve the General Safety Certificate detailed at Annexe 1 to the report as a replacement for the existing Certificate with effect from 03 July 2017 and acknowledge the appointment of Jason Turner as Holder of the Certificate;**
- (2) to note the deviations to the 5<sup>th</sup> edition of the 'Green Guide', as detailed in appendix 4 of the Certificate, which are not considered by the Safety Advisors Group to be of such significance as to jeopardise spectator safety.**

**REGULATORY & APPEALS COMMITTEE – 25 SEPTEMBER 2017**

<b>Title of paper:</b>	Hackney carriage specification – additional vehicles	
<b>Director:</b>	Andrew Errington, Community Protection	<b>Wards affected:</b> ALL
<b>Report author:</b>	Angela Rawson, Regional Licensing & Policy Manager <a href="mailto:Angela.rawson@nottinghamcity.gov.uk">Angela.rawson@nottinghamcity.gov.uk</a> 0115 8761749	
<b>Other colleagues who have provided input:</b>	Ann Barrett <a href="mailto:Ann.barrett@nottinghamcity.gov.uk">Ann.barrett@nottinghamcity.gov.uk</a> 0115 8764411	

**Relevant Council Plan Key Theme:**

Strategic Regeneration and Development	<input type="checkbox"/>
Schools	<input type="checkbox"/>
Planning and Housing	<input type="checkbox"/>
Community Services	<input type="checkbox"/>
Energy, Sustainability and Customer	<input type="checkbox"/>
Jobs, Growth and Transport	<input checked="" type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	<input type="checkbox"/>
Resources and Neighbourhood Regeneration	<input type="checkbox"/>

**Summary of issues (including benefits to citizens/service users):**

Members are asked to determine whether the current Hackney Carriage vehicle requirements should be amended to include 4 additional types of vehicle.

**Recommendation(s):**

- 1 That the Council's current Hackney Carriage specification (reflected in the notes at 1.7 of the Supplementary Testing Manual attached at Appendix 2) be amended to include:
  - the Nissan Dynamo Electric Taxi;
  - The Ford Tourneo Taxi; Vauxhall Vivaro VX8 Taxi and Ford Procab, but only where they have been converted by a specialist to reach the Reduced Emission Euro 6 Diesel Standard (as described in Appendix 1 to this report),
 and in all cases only where the vehicle has a first date of registration no earlier than the date of this meeting;
- 2 That the following, in consultation with the Chair, Vice Chair and opposition spokesperson of the Regulatory & Appeals Committee, each be permitted to approve the addition of further vehicles as they become available to the Hackney fleet, provided the vehicle meets the Councils safety specification requirements:
  - Director of Community Protection;
  - Head of Licensing, Trading Standards and ASB;
  - Regional Licensing & Policy Manager.

## **1 REASONS FOR RECOMMENDATIONS**

- 1.1 Additional models of vehicles licensed as hackney carriages will provide both passengers and proprietors with an increased choice of vehicle to hire/purchase. Whilst 3 of the 4 vehicles do not have London Public Carriage Office approval the Council is entitled to depart from its policy if it has good reason to, and the Council has already done so in the past.

These vehicles are wheelchair accessible and are felt to adequately meet the aims of the Council's specification and the needs and safety requirements of the travelling public so as to enable a departure from the Policy to be justified.

All vehicles can be either be manufactured to our current safety specification or converted so as to be consistent with our current safety specification for Hackney Carriage Vehicles.

The variety of enhanced vehicles will not only aid in improved emissions recorded for the City but also provide a superior alternative for the travelling public.

## **2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

- 2.1 Under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 a Council may require the hackney carriages it licenses to be of such design and appearance or bear such distinguishing marks as shall clearly distinguish it as a hackney carriage.
- 2.2 In 1990 the Council first introduced its policy requiring all Hackney Carriages licensed by the City Council to be of a type approved by the London Public Carriage Office, wheelchair accessible and British Racing Green in colour. This policy withstood a challenge by way of appeal and was phased in over a number of years with all hackney carriages conforming to this requirement since 1995. This policy was subsequently varied to allow Jubilee Automotive Group Mercedes and Fiats (which are not approved by the London Public Carriage Office) to be licensed as in all other respects these vehicles were felt to meet the aims of the Council's specification ; the needs and safety requirements of the travelling public and the Council; and to be suitable as wheelchair accessible hackney carriages.
- 2.3 Whilst the Hackney trade is an important part of Nottingham's transportation system, vehicles and the fleet have become aged, inefficient and ineffective in a business capacity in the 25+ years since The Council's vehicle Specification and Policy were first introduced. Allowing a wider range of vehicles will increase the prospects for current Hackney Carriage owners to update their vehicles to more efficient models which in turn will provide for a better customer experience together with an improved business return.
- 2.4 The Department for Food and Rural Affairs (DEFRA) recently carried out studies into the air quality in the UK. The analysis showed high levels of pollution Nitrogen Dioxide (NOx) to be the main issue for air quality with the main source being the transportation networks and in particular diesel and petrol vehicles. Nottingham, along with other cities, was identified as showing high levels of pollution exceeding legal limits and have therefore been told by Government to implement a Clear Air Zone (CAZ) before the end of 2019.

- 2.5 The majority of NOx is produced by vehicles therefore a charging scheme is required to be implemented under the CAZ for the most polluting types of vehicle to enter designated areas of the City. Whilst the Scheme is yet to be finalised it is envisaged that a charge will apply to all vehicles below Euro 6 diesel and Euro 4 petrol standards.
- 2.6 Nottingham's Hackney Carriage and Private Hire Trades will be affected by the CAZ because of the age of many of the vehicles. To address this, Nottingham developed the Hackney Carriage and Private Hire Vehicles Strategy 2017-2020 with the aim to not only create a younger and greener fleet of vehicles but also attempt to futureproof the trade by introducing the concept of electrification by the use of Zero Emission Capable Ultra Low Emission Vehicles. Following on from this Strategy further work will be carried out in relation to vehicle specifications and the Council's Hackney Carriage and Private Hire Vehicle Age Policy to meet this aim and this is addressed in another report on this agenda.
- 2.7 The vehicles in Appendix 1 have been inspected by Officers and it is felt that it is possible to exceed current standards whilst providing a wider choice of vehicles both for proprietors and the public. Brief details of the vehicles are contained in Appendix 1 to this report and brochures are available for Committee perusal if required. All vehicles will seat up to 6 passengers and have European Whole Type Approval. Wheelchair bound passengers can gain access via side doors, whilst colour coded handles for visually impaired passengers and an induction loop for those with hearing difficulties are all provided. There is also a full partition separating the driver and passenger compartments for comfort/security of drivers/passengers. For these reasons the vehicles are felt to be acceptable and meet the aims of the existing specification (despite the fact that 3 of the 4 are not approved by the London Public Carriage Office).
- 2.8 In addition to the vehicles listed in Appendix 1 there are a number of models of vehicles either in development or being manufactured but not yet available to the general public, which are also likely to meet the aims of the Council's current specification but which may not gain Public Carriage Office approval. This is particularly the case for ULEV Zero Emission vehicles. For this reason, it would be helpful if Officers as defined in recommendation 2 were given delegated power, in consultation with the Chair of the Regulatory & Appeals Committee, Vice Chair and opposition spokesperson, be permitted to approve appropriate new models as hackney carriage vehicles as they are released.

### **3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

- 3.1 Retaining current licence requirements - the Metrocab vehicle which is currently included in the Council's specification is no longer manufactured. It is felt that the inclusion of some new vehicle types will therefore maintain a choice of vehicle available for the trade to purchase whilst meeting the needs and safety requirements of the travelling public as well as the duty of the Council relative to managing emissions.

### **4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)**

- 4.1 None.

**5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

- 5.1 Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 allows a Council to require Hackney Carriages licensed by it to be of such design or appearance or to bear such distinguishing marks as it requires to enable them to be clearly distinguished as hackney carriages. This section therefore provides the authority for the Council to prescribe a vehicle specification.
- 5.2 As indicated in the body of the report, the Council's current specification was originally prescribed in 1990. Whilst the Council is entitled to have a policy as to the type of vehicles it will licence it may depart from that policy where there are good reasons to do so. This has happened previously where vehicles met the aims of the Council's current specification (ie were wheelchair accessible, safe, met the needs of the travelling public, etc) but lacked Public Carriage Office approval
- 5.3 If the Committee is satisfied that the vehicles included in Appendix 1 meet the aims of the Council's policy and specification notwithstanding that some will not receive Public Carriage Office approval it may therefore determine that vehicles of the type described be approved as suitable for licensing as hackney carriages.

**6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)**

- 6.1 Not applicable.

**7 EQUALITY IMPACT ASSESSMENT**

- 7.1 An EIA is not required because wheelchair bound passengers can gain access via side doors, colour coded 'grab' handles are provided for visually impaired passengers and an induction loop for those with hearing difficulties is available. There is also a full partition separating the driver and passenger compartments for comfort, security and safeguarding.

**8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

- 8.1 None

**9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

- 9.1 Local Government (Miscellaneous Provisions) Act 1976



### **ZERO EMISSION CAPABLE ULEV**

#### **Nissan Dynamo electric taxi**

This vehicle is manufactured by the Dynamo Motor Company located in Coventry. It is an all-electric vehicle based on the Nissan e-NV200 which has a proven track record as an electric vehicle.

It is designed as a five seater vehicle with access for wheelchair passengers via a sliding side door and ramp which is stored in the boot. The vehicle also has colour coded handles and seat edges for visually impaired passengers.

There is a full partition separating the driver and passenger compartments for the comfort and safety of drivers and passengers together with a luggage storage area where the front passenger seat is usually located.

This vehicle will maintain the Council's current high standards whilst providing a wider choice of vehicles for both proprietors and the public.

The vehicle will cost £44,995 in the standard format with a grant available of £4,500 and £47,995 for the Transport for London approved vehicle with the tighter turning circle which will have a grant of £7,000 available.

### **REDUCED EMISSION EURO 6 DIESEL**

Specialist taxi conversion companies buy a vehicle from a manufacturer such as Ford, Vauxhall or Mercedes.

The conversion company will then produce a purpose built vehicle which has been adapted both internally and externally to meet the requirements of a Hackney Carriage for the local authority area where the vehicle will be used. This information is retained by the conversion company and when they receive an order from a Nottingham City Council licensed driver, they will be able to build the Hackney Carriage to the same requirements for each vehicle.

The conversions include new wiring, flooring, seat mounting points, Hackney style seating, under floor side loading wheel chair ramps and securing points, security partitions, colour coded grab handles, seats and induction loops. The vehicles are also supplied with a taxi meter, fire extinguisher and first aid kit.

The following vehicles all have European Whole Type Approval.

#### **FORD TOURNEO TAXI**

This vehicle is manufactured jointly Ford and Voyager MPV. It is built on Ford's Tourneo Custom chassis and is powered by 2.0 litre 130 PS diesel engine engineered to meet the Euro 6 emission standards.

It is designed with a six seat rear compartment and the option to have the front passenger seat replaced with a purpose built luggage storage area. It is fitted with fixed side steps to assist with entry and exit through both side doors..

The handles, seat edges and step edges are all colour coded to aid visually impaired passengers. And a hearing induction loop is also included for people who are hard of hearing.

Wheel chair access is via a sliding side opening door with an under floor slide out ramp. Two of the rear seats can be moved forwards and backwards to create more space for disabled passengers.

There is a full partition separating the driver and passengers compartments for the comfort and safety of drivers and passengers together with luggage storage behind the rear seats and a storage area where the front seat is usually located.

The vehicle will maintain the Council's current high standards while providing a wider choice of vehicles for both proprietors and the public.

The vehicle is available in both the short wheel base and long wheel base versions.

The short wheel base vehicle will cost from £33,160 and the long wheel base £34,000.

#### VAUXHALL VIVARO VX8 TAXI

This vehicle is manufactured jointly Vauxhall and Voyager MPV. It is built on Vauxhall's Vivaro VX8 chassis and is powered by 1.6 litre 125 PS diesel engine engineered to meet the Euro 6 emission standards.

It is designed with a six seat rear compartment and the option to have the front passenger seat replaced with a purpose built luggage storage area. It is fitted with fixed side steps to assist with entry and exit through both side doors.

The handles, seat edges and step edges are all colour coded to aid visually impaired passengers. And a hearing induction loop is also included for people who are hard of hearing.

Wheel chair access is via a sliding side opening door with an under floor slide out ramp. Two of the rear seats can be moved forwards and backwards to create more space for disabled passengers.

There is a full partition separating the driver and passengers compartments for the comfort and safety of drivers and passengers together with luggage storage behind the rear seats and a storage area where the front seat is usually located.

The vehicle will maintain the Council's current high standards while providing a wider choice of vehicles for both proprietors and the public.

The vehicle is available in both the short wheel base and long wheel base versions.

The short wheel base vehicle will cost from £30,774 and the long wheel base £31,819.

## FORD PROCAB

This vehicle is manufactured jointly Ford and Cab Direct. It is built on Ford's Tourneo Custom chassis and is powered by 2.0 litre 130 PS diesel engine engineered to meet the Euro 6 emission standards.

It is designed with a six seat rear compartment and the option to have the front passenger seat replaced with a purpose built luggage storage area. It has twin, illuminated electric side-steps as standard which automatically deploy when the passenger door is opened to assist with entry and exit.

The handles, seat edges and step edges are all colour coded to aid visually impaired passengers. And a hearing induction loop is also included for people who are hard of hearing.

Wheel chair access is via a sliding side opening door with an under floor slide out ramp. Two of the rear seats can be moved forwards and backwards to create more space for disabled passengers.

There is a full partition separating the driver and passengers compartments for the comfort and safety of drivers and passengers together with luggage storage behind the rear seats and a storage area where the front seat is usually located.

The vehicle will maintain the Council's current high standards while providing a wider choice of vehicles for both proprietors and the public.

The vehicle will cost from £33,995.

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# **NOTTINGHAM CITY COUNCIL**

## **THE LICENSING OF HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES**

### **SUPPLEMENTARY TESTERS MANUAL**

**Vehicles will be tested to standards as laid down in the MOT Testers Manual and Supplementary Testers manual. Where appropriate the Council may require vehicles to be submitted for examination by a Council appointed Motor Engineer or by Autolign Emissions & Testing Ltd.**

**EFFECTIVE FROM 1.10.98**

**NOTE: THE COUNCIL RESERVES THE RIGHT TO MAKE AMENDMENTS TO STANDARDS AND REQUIREMENTS CONTAINED IN THIS MANUAL**

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Section 2	Hackney Carriage and Private Hire Vehicle Signs
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Section 7	Interior of Vehicles
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Section 9	Fire Extinguishers
Section 10	Road Test
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## 1. EXTERIOR OF THE VEHICLE

### METHOD OF INSPECTION

### REASONS FOR FAILURE

### NOTES

1.1	The exterior of the bodywork, the underside of the vehicle and the engine compartment must be free from mud, oil and grease to allow for proper inspection of these areas (see Notes), ie steam cleaned.	1.	Contamination preventing proper inspection.	If the vehicle is presented for annual inspection in a filthy condition the inspection will not be carried out.
1.2	Check the operation of all external door catches and locks to ensure that all doors can be securely closed and easily opened.	2.	Defective external door catches which prevent a door opening and closing properly. Missing or ineffective door locks.	
1.3	Check all doors to ensure that they are properly aligned and will close easily.	3.	Poorly fitting doors to the vehicle	
1.4	Ensure that the door hinges are in good condition allowing free movement of the door.	4.	Defective door hinges	
1.5	Check all wind-check positions to ensure that doors are held in place when opened.	5.	Wind-checks missing or faulty	Any wind check straps must be of a type approved by the manufacturer.
1.6	Examine the external body panels and structure for evidence of corrosion, damage and/or unsatisfactory repairs.	6.	Corrosion or damage to the vehicle body or structure which adversely affects the appearance and/or safety of the vehicle.	Engineers certification may be required to satisfy the vehicle examiner that repairs have been properly carried out.
1.7	Examine the external paintwork for damage which adversely affects the appearance of the vehicle (see Notes).	7.	Exterior of vehicle so dirty that the overall finish of the paintwork cannot be assessed. Paintwork so deteriorated, damaged, rust blistered or stone chipped, that it detracts from the overall appearance of the vehicle. Renovations to paintwork which produce runs, flat or uneven finish or of non matching colour, ie. not compatible with adjacent panels. Repairs incomplete in primer or undercoat.	

## EXTERIOR OF THE VEHICLE cont'd

### METHOD OF INSPECTION

### REASONS FOR FAILURE

### NOTES

1.7 (cont.)

Vehicle resprayed in unapproved colour or colours.  
Overspray on glass or other fittings.  
Vinyl roof covering dirty, stained, discoloured, painted (other than with vinyl refurbishment product), torn or becoming detached.  
Roof covered in unapproved material.  
Finisher moulding insecure, incorrectly fitted or missing.

Private Hire Vehicles should be one solid colour, and will not be accepted in the colour of Jaguar British Racing Green  
Hackney Carriages should be London Style Public Carriage Office approved wheelchair accessible cabs, as approved by Environment committee on 19<sup>th</sup> April 1990.  
Fiat or Mercedes Eurocabs which meet the specification approved by Environment (Licensing) Sub Committee on 15 November 1999.  
N.B. Hackney carriages must be finished in one colour of Jaguar British Racing Green, paint No BLVC HEN 701, with the City Coat of Arms displayed centrally on each front door panel.

1.8 Check that the nearside and offside door/wing mirrors are fitted to the vehicle in a secure manner and that they function correctly.

8. Missing or defective door/wing mirrors.

1.9 Ensure that the front and rear bumpers are in good order (without damage) and are securely fixed to the vehicle.

9. Damaged or inadequately secured front or rear bumpers

1.10 Ensure that front and rear number plates comply with the Vehicle Excise and Registration Act 1994 and the Road Vehicles (Registration and Licensing) Regulations. (see Notes).

10. Damaged front or rear number plates.  
Number plates which do not comply with the Vehicle Excise and Registration Act 1994 and Road Vehicles (Registration and Licensing) Regulations.

Registration mark obscured or indistinguishable is contrary to Section 43 (1) of Vehicle Excise and Registration Act 1994.  
Registration mark failing to conform is contrary to regulation 17 of Road Vehicles (Registration and Licensing) Regulations and Section 59(1) of the Vehicle Excise and Registration Act 1994.  
Registration numbers should be (cars/minibus)  
80mm Height  
57mm Width  
14mm Stroke width  
11mm Space between letters  
33mm Space between group of letters and figures.

The year letter shall be regarded as a figure.  
Italic or gothic will normally contravene the stroke width measurement. It is an offence to rearrange, alter  
or misrepresent figures to form words or names.



## **EXTERIOR OF THE VEHICLE cont'd**

<b><u>METHOD OF INSPECTION</u></b>	<b><u>REASONS FOR FAILURE</u></b>	<b><u>NOTES</u></b>
1.11 Examine the rubber seals to every door for serious damage, looseness or absence.	11. Damaged, missing or loose door seals which are likely to cause draught, rainwater penetration, unreasonable road noise or a trip hazard.	The vehicle will fail the test where defects in a door seal are considered to be likely to cause rain penetration, excessive draught, excessive road noise inside the vehicle or represent a trip hazard to users of the vehicle.
1.12 Ensure that the vehicle boot lid opens, closes and locks properly, and that the hinges and opening mechanism adequately support the lid when it is in the open position.	12. Worn hinges to boot lid, defective boot lock, weak or defective boot opening device.	
1.13 Check the operation of the number plate light, reversing lights and front and rear fog lights.	13. Inoperable or insufficient number plate, reversing or fog lights.	Lights may be of insufficient intensity when incorrect bulbs have been fitted. Any lamp fitted must work correctly and be properly aligned.

## 2. SIGNS - HACKNEY CARRIAGE SIGNS

<u>METHOD OF INSPECTION</u>	<u>REASONS FOR FAILURE</u>	<u>NOTES</u>
2.1 Examine the roof mounted sign affixed to the vehicle, and ensure that its size, design and construction conform to the Council's standards. Ensure that the sign is undamaged, the lettering clearly legible, and that it is capable of automatic illumination.(See notes)	1. A sign that does not conform to the Council's standards 2. A sign which is damaged or has lettering which is not clearly legible. 3. A sign which cannot be switched off by separate means.	A Hackney Carriage must be equipped with an illuminated sign on the roof of the vehicle bearing the word "TAXI".  The roof sign should be connected to the meter switch so that the cancelling of the meter automatically illuminates the sign and activating or switching off of the meter by other means(e.g. an isolator switch) automatically extinguishes the sign.

## 2. SIGNS - PRIVATE HIRE VEHICLE SIGNS

<u>METHOD OF INSPECTION</u>	<u>REASONS FOR FAILURE</u>	<u>NOTES</u>
2.5 Examine the signs where affixed to the vehicle to ensure that they comply with the Council's vehicle licence conditions.	4. Non compliance with conditions.	The Council's licence conditions require:- No top signs are allowed on Private Hire Vehicles. No signs including the words 'Taxi', 'Cab', 'for hire' etc. are allowed on private hire vehicles which may lead the public to think that the vehicle is a taxi.

## 2. SIGNS - ADVERTISING ON HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

NO ADVERTISING IS ALLOWED ON VEHICLES OTHER THAN THAT PREVIOUSLY APPROVED BY THE COUNCIL

### 3. LICENCE PLATES

#### METHOD OF INSPECTION

- 3.1 Inspect the vehicle licence plate fixed to the rear of the vehicle for signs of damage or excessive wear, and ensure that it is securely fixed. Ensure that the information on the plate is clearly legible.

#### REASONS FOR FAILURE

1. A damaged plate or a plate with information not clearly legible.
2. Plate is not securely fixed to the rear of the vehicle.

#### NOTES

The Council's licence conditions require:-  
The licence plate to be displayed at all times in accordance with the instructions of the Council.

#### 4. **TYRES AND SPARE WHEEL** (Where wheel trims are fitted these should be removed by the driver before the test to enable the wheel to be properly checked)

<b><u>METHOD OF INSPECTION</u></b>	<b><u>REASONS FOR FAILURE</u></b>	<b><u>NOTES</u></b>
4.1 Tyres must be of the same type.(see Notes) Ensure that the tyre provided on the spare wheel is of the same size and construction as those fitted to the road wheels(see Notes)	1. Variation in type of Tyre. A spare wheel not provided with the vehicle. A tyre which is of a different size or construction.	SPARE WHEEL MUST BE PROVIDED. (including for vehicles fitted with 'run flat' tyres (RSC).Only exception is where the vehicle comes from the manufacturer with an air generator and tyre repair canister. If a car has tyres in a combination which conforms to current legal requirements (e.g. radial and crossply), the carrying of one spare wheel/tyre cannot be accepted since it can only be used in limited circumstances. The vehicle must therefore fail the test, even if the spare tyre is in good condition and matches one pair of the tyres fitted to the vehicle.
4.2 Examine the tyres for signs of damage or excessive wear(see Notes), ensure that the spare tyre complies with all legal requirements for tyres when fixed to the vehicle.	2. Damaged, worn, substandard or otherwise illegal tyres. Tyres below the Council's minimum tread depth (see Notes).	A mix of steel and cord radials on one axle will not be accepted. Recut tyres are not acceptable.  A remould will only be acceptable if it carries a clearly legible manufacturer's mark that the tyre conforms to the current British Standard - BSAU144E.  Tyre tread pattern should be a minimum of 2mm. Hackney Carriages must have tyres fitted which are marked on manufacture 'TAXI'
4.3 Visually examine all tyres for obvious over or under inflation.	3. A tyre which is obviously over or under inflated.	
4.4 Examine the jack and wheelbrace provided with the vehicle.	4. Failure to provide a suitable jack and/or wheelbrace with the vehicle.	
4.5 Check the spare wheel fixing bracket (or similar securing device) to ensure that the wheel is properly secured in the correct position.	5. Failure to satisfactorily secure the spare wheel.	
4.6 Check the rims of all wheels for any signs of distortion or damage.	6. A damaged or distorted wheel rim.	

## 5. BOOT/LUGGAGE COMPARTMENT

<u>METHOD OF INSPECTION</u>	<u>REASONS FOR FAILURE</u>	<u>NOTES</u>
5.1 Examine for evidence of damage, corrosion or water penetration.	1. Damage or corrosion to the floor inner wing panels or lid, or evidence of water penetration.	
5.2 Examine floor covering to ensure that it is in good condition and offers adequate protection to luggage stored.	2. Excessive wear, damage or staining floor covering	
5.3 Examine the interior for accumulations of dirt, grease, litter etc. or staining of any surface with which luggage may come into contact.	3. Accumulations of dirt, grease, rubbish etc. which could soil or damage luggage stored therein.	
5.4 Check for the presence of containers of any flammable or corrosive material (e.g. oil, petrol).	4. Containers for the storage of oil, petrol or any flammable or corrosive material shall not be carried in the vehicle	These materials are a fire hazard. They may also contaminate passengers luggage, taint food etc.
5.5 Ensure that all interior panels are in position, covering electrical wiring and associated fittings.	5. Panels insecure or missing.	
5.6 Ensure that wheelchair accessible vehicles have suitable ramps marked with plate no.	6. Failure to supply suitable ramps Ramps not clearly marked with plate no.	
5.7 Ensure that if wheelchair accessible vehicle is fitted with a manufacturers step that it is maintained to a suitable standard	7. Appropriate vehicles with missing or unserviceable step.	

### **NOTE:**

**A JACK, FIRST AID KIT, FIRE EXTINGUISHER AND WHEELCHAIR RAMPS (Where applicable) MAY BE CARRIED IN THE LUGGAGE COMPARTMENT.**

## **6. ENGINE COMPARTMENT**

### **METHOD OF INSPECTION**

### **REASONS FOR FAILURE**

### **NOTES**

6.1	Carry out a visual inspection of the engine compartment for signs of oil or fuel leaks.	1. Any fuel leakage 2. Any oil leakage where oil contamination is apparent over parts of the engine or underside of the vehicle or where oil is seen to be dripping from the vehicle.	Inspection to be carried out from both above and below the vehicle.
6.2	Ensure that the battery is properly secured in position.	3. Insecure battery	
6.3	Check the clutch master cylinders for any signs of spillage or leakage of fluid.	4. Leaking clutch master cylinders.	
6.4	Check the clutch mechanisms for correct operation.	5. Fluid leakage or mechanical component wear in the clutch mechanisms.	
6.5	Check the operation of the bonnet release catch	6. Defective bonnet release catch/mechanism.	

## 7. INTERIOR OF VEHICLE

### METHOD OF INSPECTION

### REASONS FOR FAILURE

### NOTES

7.1	Examine the floor and upholstery inside the vehicle for accumulations of dust, dirt, litter, general debris, cigarette ash, staining or excessive wear.	1. A vehicle which is in a dirty condition with accumulations of dust, litter, debris etc. or staining to the carpets or upholstery.	Vehicle will be failed if cushion/backrests, upholstery, carpeting or matting is collapsed, holed, split, temporarily repaired, dirty or stained. Correctly fitted seat covers will be acceptable
7.2	Check that there are no excessive unpleasant odours noticeable inside the vehicle	2. Unacceptable smells of vomit, food or other contaminants.	
7.3	Remove any mats from the floor and examine the carpeting for signs of leakage of water into the vehicle.	3. Evidence of leakage of water into the vehicle from rainwater penetration or leaking cooling/heating system.	
7.4	Examine any mats provided to ensure that they are not worn or damaged.		.
7.5	Sit in each of the passenger seats within the vehicle to ensure that all seat cushions and back rests are in a good condition and offer proper support to passengers and the driver.		
7.6	Examine all seats to ensure that they are properly secured to the vehicle; with a fixed rear seat ensure that the seat cushion is not loose.	4. Seats which are not adequately secured to the vehicle.	
7.7	Examine swivel seats where fitted to ensure correct operation and mechanism	5. Swivel seat not maintained to safe standard.	
7.8	Check the operation of the interior light and dashboard illumination within the vehicle, both the manual switch and the door operated switches.	6. Faulty interior light fitting. Faulty interior light switch. Faulty interior light door switches. Faulty dashboard illumination.	
7.9	Examine the interior rear view mirror and ensure that it is securely fixed.	7. A loose, damaged or missing rear view mirror.	
7.10	Check the operation of the heater/windscreen demister to ensure that it is in satisfactory working order.	8. Defective heater/windscreen demister.	

## **INTERIOR OF VEHICLE cont'd**

### **METHOD OF INSPECTION**

### **REASONS FOR FAILURE**

### **NOTES**

7.11	Examine the clutch and brake pedal rubbers for signs of excessive wear and security.	9.	Worn or missing or insecure brake and/or clutch pedal rubbers.	
7.12	Check the operation of all window winders ensuring that they allow all windows to be fully lowered and raised easily.	10.	Window winders that do not allow windows to be easily lowered or raised.	
7.13	Check the operation of all door release catches to ensure that doors can be opened easily from within the vehicle.	11.	Defective interior door release catches.	
7.14	Ensure that child proof locks (if fitted) to rear doors are in working order.	12.	Defective child proof locks.	
7.15	Check that any ash trays provided for the vehicle are intact and capable of being used. (Where ashtrays have been removed they should be blanked off).	13.	Unserviceable ash trays or ashtrays that have not been blanked off where removed.	
7.16	If a security grille is fitted (hackney carriages) check to ensure that there are no sharp or exposed parts which could cause injury to a passenger or driver.	14.	Loose or incorrectly fitted security grille or exposed parts which could cause injury.	
7.17	Check that estate cars are fitted with a secure luggage guard or cover.	15.	Luggage guard/cover not fitted or ineffective.	



## 8. FIRST AID KIT

### METHOD OF INSPECTION

8.1 Ensure that a first aid kit is provided within the vehicle. Examine the kit to ensure that the contents conform to the requirements laid down in the The Health and Safety (First Aid) Regulations 1981 Specification for travelling First Aid Kits (see Notes)

8.2 Ensure that the first aid kit is suitably sited and accessible. (see Notes).

8.3 See that the first aid kit is permanently legibly marked with the registration No. of the vehicle being tested.

### REASONS FOR FAILURE

1. Failure to provide a first aid kit, or a kit which does not conform to the Council's specification.

A first aid kit which is sited in a position which is not conspicuous or readily accessible to the passengers and where there is no legible sign displayed on the dashboard indicating the location of the kit.

2. A first aid kit which is not permanently legibly marked with the Registration No. of the vehicle

### NOTES

The Health and Safety (First Aid) Regulations 1981 Specification for travelling First Aid Kits states that each kit should contain the following:-

- (a) 6 individually wrapped sterile adhesive dressings.
  - (b) one medium sized sterile unmedicated dressing (approx. 10cm x 8cm; examples of suitable dressings currently available are the Standard Dressings No.8 and No. 13 B.P.C.)
  - (c) One Triangular bandage (this should if possible, be sterile: if not, a sterile covering appropriate for serious wounds should also be included):
  - (d) 6 safety pins
- All contents should be within the expiry date marked.

The first aid kit should be sited in the front centre of the vehicle or in the front passenger compartment and should be visible from the front and rear seats of the vehicle. In certain circumstances where, because of the design of the vehicle, the kit cannot be sited in the above stated positions, a clearly legible sign should be affixed to the dashboard stating the position of the first aid kit.

## 9. FIRE EXTINGUISHERS

### METHOD OF INSPECTION

### REASONS FOR FAILURE

### NOTES

9.1	Ensure that the fire extinguisher provided is a minimum size of 1KG dry powder or a 1Ltr.A.F.F.F. foam of a stored pressure type which complies with both British and European Standards and is marked BS. EN3.	1.	Failure to provide a fire extinguisher, or a fire extinguisher of the stated type, within the vehicle.	A fire extinguisher may be secured in the boot area provided a sign to the effect is displayed prominently and legibly inside the vehicle
9.2	See that the fire extinguisher is sited in a conspicuous and easily accessible position within the vehicle.	2.	A fire extinguisher which is not in a conspicuous and readily accessible position within the vehicle.	
9.3	Examine the fire extinguisher to ensure that it is within the test date and that the seal is not broken. Where a pressure gauge is fitted ensure that the extinguisher is at the correct pressure.	3.	a) A fire extinguisher which has a broken seal. b) A fire extinguisher which is not pressurised (stored pressure type of extinguisher) c) A fire extinguisher which is more than 5 years old from date of manufacture.	
9.4	Examine the fire extinguisher mounting to see that it is sufficiently well secured to the vehicle to prevent it becoming dislodged by normal use of the vehicle.	4.	A fire extinguisher which is not securely fixed within the vehicle or fixed in such a position that it may cause a hazard to passengers.	
9.5	Check whether the fire extinguisher is permanently legible marked with the Registration No. of the vehicle.	5.	A fire extinguisher which is not permanently, and legibly marked with the Registration No. of the vehicle.	

## 10. ROAD TEST (All vehicles will undergo a road test)

<u>METHOD OF INSPECTION</u>	<u>REASONS FOR FAILURE</u>	<u>NOTES</u>
10.1 Check for any vibrations through the steering column or transmission.	1. Any unreasonable vibration through the steering column or transmission.	
10.2 Check that the steering is true and positive and does not 'pull' to the nearside or offside.	2. Steering which pulls to the nearside or offside or which is not positive.	
10.3 Check that the operation of the footbrake does not cause the vehicle to judder, or to pull the vehicle to the nearside or offside.	3. Juddering or pulling to nearside/offside when the footbrake is applied.	
10.4 Listen for any unusual noise from the engine and transmission.	4. Unacceptable engine or transmission noise.	
10.5 Check the clutch for correct operation to ensure that it is positive and smooth.	5. A clutch which fails to give proper clearance slips in operation or is difficult to operate.	
10.6 Check the operation of the gear lever for signs of wear in the mechanism.	6. Evidence of excessive wear in gear lever mechanism.	
10.7 Observe the vehicle emissions for excessive smoke	7. Excessive smoke emissions	
10.8 Observe the performance of the engine during the road test for signs of any misfiring, lack of engine power etc, or any indication that the engine is not functioning in the correct manner.	8. Any evidence that there is a problem affecting the performance or reliability of the vehicle.	
10.9 Check the operation of the speedometer	9. Speedometer inoperative or defective	
10.10 Report any other matters which may affect the fitness of the vehicle for use as a hackney carriage or private hire vehicle.		

## 11. METERS

### METHOD OF INSPECTION

### REASONS FOR FAILURE

### NOTES

11.1	Ensure that the meter is sited in a position where it can be clearly seen from all passenger seats within the vehicle or in accordance with the Authority's licence conditions.	1.	Absence of a meter, or a meter which is not suitably sited within the vehicle.	Private hire vehicle are not required to have a meter fitted within the vehicle. When fitted to a private hire vehicle a meter must comply with the specifications as set out in this sheet.
11.2	Examine the meter mounting to ensure that it is satisfactorily secured within the vehicle.	2.	A meter which is not adequately secured within the vehicle.	
11.3	Check the meter to ensure that the figures indicating the fare are illuminated.	3.	Lack of adequate illumination to the meter display.	
11.4	Ensure that the meter is correctly calibrated and sealed in accordance with the agreed table of fares (see Notes)	4. 5.	An incorrectly calibrated meter. An unsealed meter.	The calibration test should be carried out by test driving the vehicle over the agreed measured distance and ensuring that the appropriate fare displayed corresponds to the distance covered. Check all tariff rates. (The above test can be carried out on a Dynaroller or similar approved equipment if available).
11.5	Check that a table of fares (in the format laid down by the Council), is displayed in the vehicle in a position where it can be clearly seen by passengers in the front and rear of the vehicle.	6.	Failure to display a table of fares in a conspicuous position within the vehicle.	Applies to all hackney carriages and those private hire vehicles fitted with a meter (optional).  Private hire vehicles with a meter should be tested using the tariff set by the P.H. operator and the private hire operators tariff card should be displayed in the vehicle.

## 12. **LIST OF AMENDMENTS**

- 12.1 3 AUGUST 1998 - Addition of items 5.6 & 5.7
- 12.2 2 NOVEMBER 1998 - Frontispiece re:- Motor Engineer & Autolign Emissions & Testing Ltd.
- 12.3 15 November 1999 – Addition to item 1-7 for inclusion of Fiat & Mercedes Eurocabs

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**REGULATORY & APPEALS COMMITTEE – 25 SEPTEMBER 2017**

<b>Title of paper:</b>	Proposed Age and Specification Policy for Hackney Carriage & Private Hire Vehicles	
<b>Director:</b>	Andrew Errington	<b>Wards affected:</b> ALL
<b>Report author:</b>	Angela Rawson – Licensing Manager <a href="mailto:angela.rawson@nottinghamcity.gov.uk">angela.rawson@nottinghamcity.gov.uk</a> 0115 8761749	
<b>Other colleagues who have provided input:</b>	Ann Barrett – Team Leader, Legal Services <a href="mailto:ann.barrett@nottinghamcity.gov.uk">ann.barrett@nottinghamcity.gov.uk</a>  Richard Antcliff <a href="mailto:Richard.antcliff@nottinghamshire.pnn.police.uk">Richard.antcliff@nottinghamshire.pnn.police.uk</a>	
<b>Relevant Council Plan Key Theme:</b>		
Strategic Regeneration and Development		<input checked="" type="checkbox"/>
Schools		<input type="checkbox"/>
Planning and Housing		<input type="checkbox"/>
Community Services		<input type="checkbox"/>
Energy, Sustainability and Customer		<input checked="" type="checkbox"/>
Jobs, Growth and Transport		<input checked="" type="checkbox"/>
Adults, Health and Community Sector		<input type="checkbox"/>
Children, Early Intervention and Early Years		<input type="checkbox"/>
Leisure and Culture		<input type="checkbox"/>
Resources and Neighbourhood Regeneration		<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>		
This report asks members to consider a proposal for the introduction of a revised Age and Specification Policy to be applied to the Hackney Carriage & Private Hire vehicles and to release the proposals for informal consultation.		
<b>Recommendation:</b>		
1	That the 'Age and Specification Policy' be approved for release for consultation, for a period of 4 weeks from the date of this Committee, the results of which will be reported to this Committee at a later date.	

**1 REASONS FOR RECOMMENDATIONS**

- 1.1 The current specification for the Hackney Carriage fleet is now over 20 years old and is subject to a separate report to Committee. The Council has various statutory requirements and targets in relation to air quality which sit alongside its licensing duties to ensure that hackney carriage and private hire vehicles are safe and of a suitable size, type, mechanical construction and design. The existing Hackney Carriage specification has not kept pace with significant advances in design and technology since it was first adopted. The current Hackney Carriage fleet is aging and showing signs of deterioration on a mechanical level.

- 1.2 Whilst the Private Hire fleet is younger due to the requirement that no Private Hire Vehicle is licensed after the age of 10 years from first registration, it is envisaged that with the increase in technology there is still scope for improvement.
- 1.3 The revision of the existing age policy and further amendments to vehicle specifications are necessary to not only introduce new technological advances to the aging fleets but also to support the Council's responsibility in relation to the lowering of emissions and the reduction in pollution levels from inefficient diesel cars.
- 1.4 Section 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 allows a council to prescribe the design and appearance of both Hackney Carriage and Private Hire vehicles with the aim to ensure the safety of the travelling passenger. By amending the age policy and vehicle specifications, the customer will be provided with an identifiable method of transportation which is safe, comfortable and takes into account the technological improvements in the range of vehicle now available.

## **2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

- 2.1 Nottingham City Council (The Council) is required to ensure that all vehicles licensed by them adhere to minimum standards which are applied in a consistent and transparent manner. The standards concerned are defined by legislation, licence conditions and byelaws adopted by the Council. Together they identify what is expected and required of the trade and help to ensure a consistent approach is taken to reach those expectations.
- 2.2 As a City, Nottingham already has a responsibility to maintain a transport system which not only facilitates the needs of its users but which also contributes to meeting the Council's wider duties and responsibilities. The Hackney Carriage and Private Hire vehicles licensed by Nottingham City Council form an important part of that system.
- 2.3 With this in mind the Council formulated the Hackney Carriage and Private Hire Vehicle Strategy 2017-2020 which is committed to ensuring that the taxi and private hire sectors remain integrated in the sustainable transport network whilst continuing to move passengers and contribute to the economy with minimal environmental impact. The Strategy aligns with both the Council Plan and Nottingham Local Transport Plan Policies and reflects the Government's approach to air quality management. In the latter respect Nottingham will be one of the areas ordered by the Government to implement a Clean Air Zone requiring certain vehicles (including taxis and private hire vehicles) to pay a charge to enter designated areas unless they meet stringent emission standards.
- 2.4 The Department for Environment Food and Rural Affairs "Clean Air Zone Framework" requires Councils to use "joined up thinking" in their approach to such issues for example by engaging with stakeholders such as taxi and private hire firms and working with such businesses to incentivise and encourage businesses to meet air quality standards. In particular section 2.5.3 of the Framework looks at "Encouraging Cleaner Vehicles" and suggests that authorities introduce emission requirements for taxis and private hire vehicles, consider setting age limits and encouraging the use of alternative fuels using their licensing powers. The proposed amendments to the age policy and vehicle specifications reflect both this approach and one of the Key Deliverables of the Strategy (Fleet clean). Both the Hackney



and Private Hire trades face challenges due to developments in technology and the delivery of their services and the Council is therefore seeking to proactively create policies and practices which facilitate vehicle owners to meet these requirements and expectations, support businesses, enhance the customer experience, and fulfill the Council's environmental challenges.

- 2.5 The age profiles for the vehicles on the fleets together with a resume of the Council's current age restrictions are attached at Appendix 2. It is clear to see that the private hire vehicles fleet has moved forward naturally due to the current maximum 10 year age restriction. It is however proposed that the age for first licensing private hire vehicles be reduced from 5 to 3 years with a view to the fleet meeting the targets to be 25% ULEV by 2020 and 50% ULEV by 2025 as set out in the Strategy. The Hackney Carriage fleet is by comparison considerably older with some Hackney Carriage vehicles reaching the 20 year mark. It lacks efficiency and has a more aged branding requiring more stringent amendments to Policy in order to attempt to meet the targets set out in the Strategy. Notwithstanding this the target indicated in the strategy of having all ULEV Hackney Carriages by 2025, due to limited ZEC ULEVs being available at this time along with the required infrastructure to support them all vehicles from 1 January 2025 will be required to be ZEC ULEV if licensed for the first time and all hackney carriage vehicles will be required to be ZEC ULEV as from 1 January 2030.
- 2.6 Amongst future proposals is the consideration to change the colour and branding of the Hackney Carriage Fleet. As details are available, a further report will be placed before this Committee for consideration. In the meantime, members are asked to give thought to, and comment on, whether the possibility of a colour change and/or branding should be included in the consultation.
- 2.7 Currently, licensed vehicles under the age of three years are required to undergo an annual MOT and thereafter will continue with a 6 monthly MOT. In addition to the VOSA MOT a vehicle is submitted to additional checks to ensure that the vehicle is fit for its purpose. Statistics taken from the MOT station for the year April 2016 to March 2017, inclusive, show that out of 3,271 licensed vehicles tested, 1,064 of them failed. Failures are varied and consist of mechanical faults as well as bodywork failures, all of which are either defined in the VOSA MOT testing criteria and/or defaults on the requirements of the City Council's Supplementary Testing Manual.
- 2.8 Emissions tests are carried out during the MOT process and vehicles are required to pass the relevant smoke test for the vehicle type and age with levels measured against the date of first use. A table showing the range of emissions of our fleets is attached at Appendix 2 together with required emissions standards. The aim of the Euro standards is the reduction of harmful emissions from exhausts such as Nitrogen oxides (NOx), Carbon Monoxide (CO), Hydrocarbons (HC) and particulate matter (PM). Whilst most vehicles are not failing emissions tests per se, the age of the vehicle is allowing more vehicles with higher emissions readings to continue to travel in and around the City which in itself is contributing to the existing challenges the Council is facing in relation to managing the environmental impact from pollution.
- 2.9 Taking into account the data analysis, the Council's responsibility in relation to the licensing of vehicles together with the environmental impact of the aging diesel fleet of hackney carriages, it has been decided that it is time to re-visit the age and specification policies with the view to overhauling the requirements. The proposals

aim to ensure that the vehicles are distinct in design and appearance whilst enhancing the customer experience in a safe, clean, environmentally friendly means of transportation.

- 2.10 Other local councils are also currently amending their age and specification criteria to take possible environmental impact into account with Rushcliffe and Broxtowe recently finalising their policies which include a minimum vehicle requirements of Euro 6 diesel and Euro 4/5 petrol. It is proposed that this Council take that one step further to include Zero Emission Capable Ultra Low Emission Vehicles (ZEC ULEV (as defined in Appendix 2)) with an aim of having 100% of the Hackney Carriage fleet ZEC ULEV as of 1 January 2030.
- 2.11 The Council has been awarded funding from the Energy Savings Trust to implement a programme of infrastructure improvements for electric Hackney Carriage vehicles by providing a number of charging points specifically for these licensed vehicles.
- 2.12 There is also funding available from a Central Government grant to facilitate a financial incentive for the take up of all electric vehicles such as free home charging units. There will also be the possibility of electric only ranks for the Hackney trade.
- 2.13 It is proposed that the Policy at Appendix 1 be circulated for consultation for a period of 4 weeks following which comments will be collected and the results returned to this Committee for consideration prior to adoption. The consultation is aimed to reach drivers, vehicles owners, private hire operators and relevant trade representatives.

### **3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

- 3.1 Not making proposed changed – would result in the existing fleets becoming unfit for the purpose due to their age and condition and consequently contribute to the CO2 emissions in the City.

### **4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)**

- 4.1 None to the Council, however, there may be financial implications to around 50 existing proprietors of Hackney Carriages.

### **5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

- 5.1 Before the Council may grant a Private Hire or Hackney Carriage vehicle licence it is required to be satisfied of certain statutory criteria regarding its type, size, design, condition and safety and it is lawful for a Council to adopt policies relating to such matters. The policy proposed in this case is set against both the Council's strategies and the Governments own wider agenda in respect of clean air standards. Whilst there is no statutory requirement to do so the proposal at this stage is to consult with the private hire and hackney carriage trades before the changes to the existing policies are potentially adopted. The risk of challenge at this stage is therefore low albeit if the changes are ultimately adopted they may be open to challenge either by way of judicial review or by a vehicle owner on appeal against the refusal of a vehicle licence. As with all policies the Council is permitted to depart

from them if exceptional reasons can be demonstrated as to why the Policy should not be applied.

**6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)**

6.1 None

**7 EQUALITY IMPACT ASSESSMENT**

7.1 No - not required because vehicle specification takes into consideration all areas for the travelling public.

**8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

8.1 None.

**9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

- Local Government (Miscellaneous Provision) Act 1976;
- Police & Town Clauses Act 1947;
- Hackney Carriage and Private Hire Vehicle Strategy;
- Department for Environment Food & Rural Affairs Clean Air Zone Framework (May 2017).

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# CITY OF NOTTINGHAM



**Nottingham**  
**City Council**

## PROPOSALS FOR AGE AND SPECIFICATION POLICIES RELATING TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

### GENERAL

1. No Hackney Carriage or Private Hire vehicle shall be granted a licence unless it meets the City Council's approved vehicle specification.
2. Nottingham City Council will refuse to renew a licence for a vehicle for use as a Hackney Carriage or Private Hire vehicle once the respective upper age limit has been reached.
3. **From 01/01/2020 additional vehicle specifications will be required for all vehicles.** Vehicle owners are encouraged to contact the Licensing Office for advice at least 2 years before the vehicle is due to reach the upper age limit or purchasing a new vehicle.
4. **From 01/01/ 2025**, any vehicle being licensed for the first time as a Hackney Carriage or Private Hire vehicle will be required to be ZEC ULEV
5. **From 01/01/2030**, no vehicle shall be licensed as a Hackney Carriage or Private Hire vehicle unless it is a Zero Emissions Capable Ultra Low Emission Vehicle
6. This policy will have effect from 1 January 2018.

### PRIVATE HIRE VEHICLES

#### **From 01/01/2018**

1. Only Private Hire vehicles THREE (3) years of age and under from the date of first DVLA registration will be considered for first licensing or as a replacement vehicle.
2. Private Hire vehicles over the age of TEN (10) years from the date of first DVLA registration will ordinarily be REFUSED a licence
3. Private Hire vehicles over the age of THREE (3) years from the date of first DVLA registration will be subject to SIX (6) monthly MOT inspections carried out by Nottingham City Council testers

## **WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGE VEHICLES**

### **From 01/01/2018**

1. All applications for replacement Hackney Carriage vehicles will be ordinarily REFUSED unless the vehicle to be licenced is newer than the existing vehicle and is no more than SIX (6) years of age from the date of first DVLA registration
2. All Hackney Carriage vehicles over the age of THREE (3) years from the date of first DVLA registration will be subject to SIX (6) monthly MOT inspections carried out by Nottingham City Council testers.
3. Hackney Carriage vehicles over the age of TEN (10) but less than SIXTEEN (16) years from the date of first DVLA registration will ordinarily be REFUSED a licence UNLESS the vehicle is in exceptionally good road-worthy condition and approved for use following an Exceptional Condition Vehicle Check carried out by an authorised officer.
4. Hackney Carriage vehicles over the age of SIXTEEN (16) years from date of first DVLA registration will ordinarily be REFUSED a licence.

### **From 01/01/2020**

1. Hackney Carriage vehicles over the age of TEN (10) years from date of first DVLA registration will ordinarily be REFUSED a licence unless the vehicle is a Euro 6 diesel or Zero Emissions Capable Ultra Low Emission Vehicle (ZEC ULEV) in which case vehicles over the age of FOURTEEN (14) years from the date of first DVLA registration will ordinarily be REFUSED a licence.

### **From 01/01/2025**

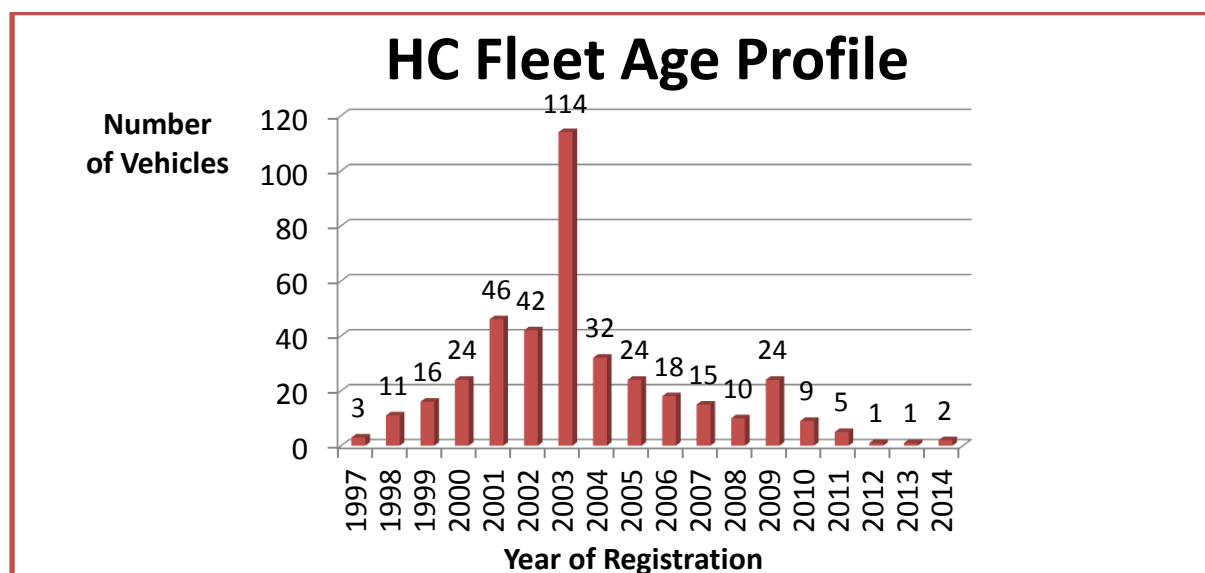
1. The upper age limit for ZEC ULEV Hackney Carriage vehicles will be reduced from SIXTEEN (16) to a maximum of TWELVE (12) years

\* Euro 6 diesel relates to the engine AND vehicle both being manufactured after September 2015.

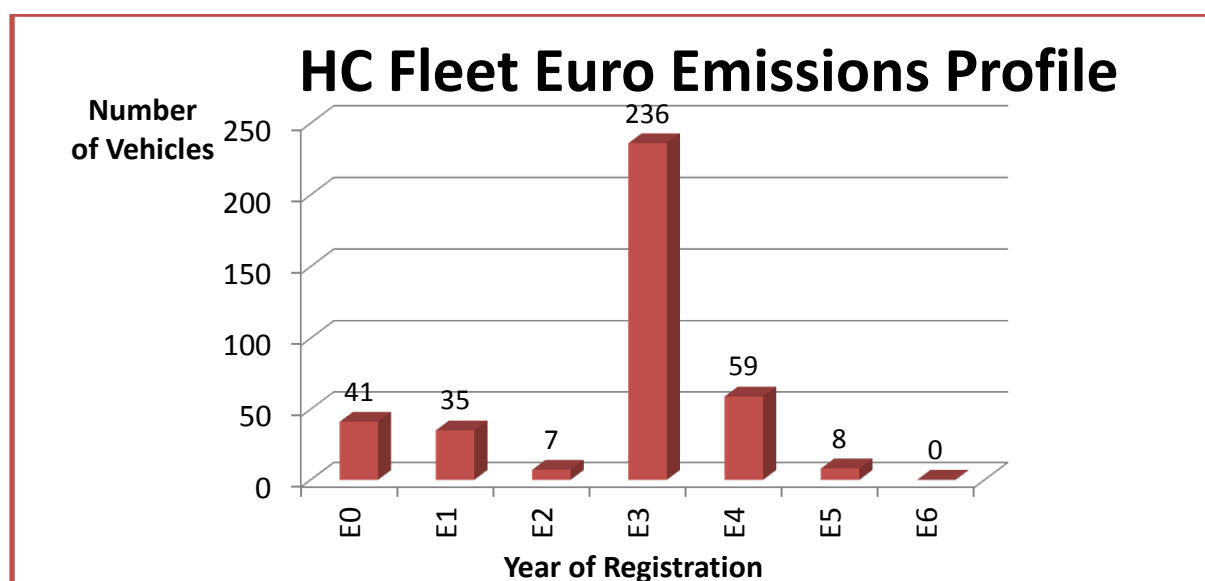
\*\* ZEC ULEV definition – emit up to 50g/km CO<sub>2</sub> with a minimum of 30 mile emission range. A ZEC Hackney Carriage MUST be petrol if an internal combustion engine is used

Statistical Data relating to Hackney Carriage and Private Hire Vehicles

Data shows that the taxi fleet is relatively old with the average taxi being 12.5 years old.

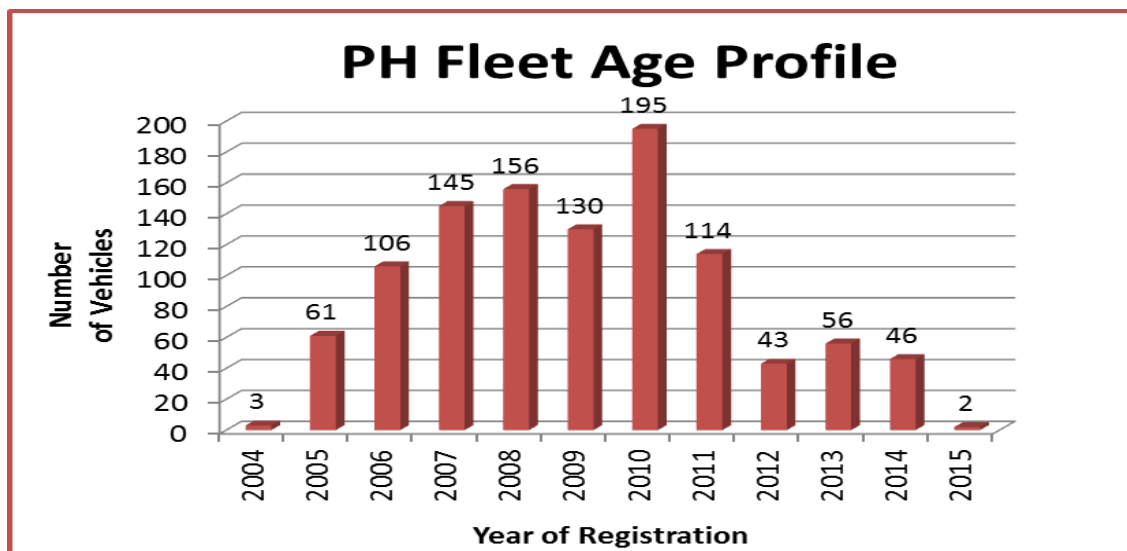


None of the taxis meet the latest Euro emissions standard of Euro 6 which became mandatory in September 2015 and only 2% of vehicles meet the Euro 5 standard which was introduced in 2010/11. Some of the vehicles are of an age that pre-dates the Euro standards and as such their data was not included below.

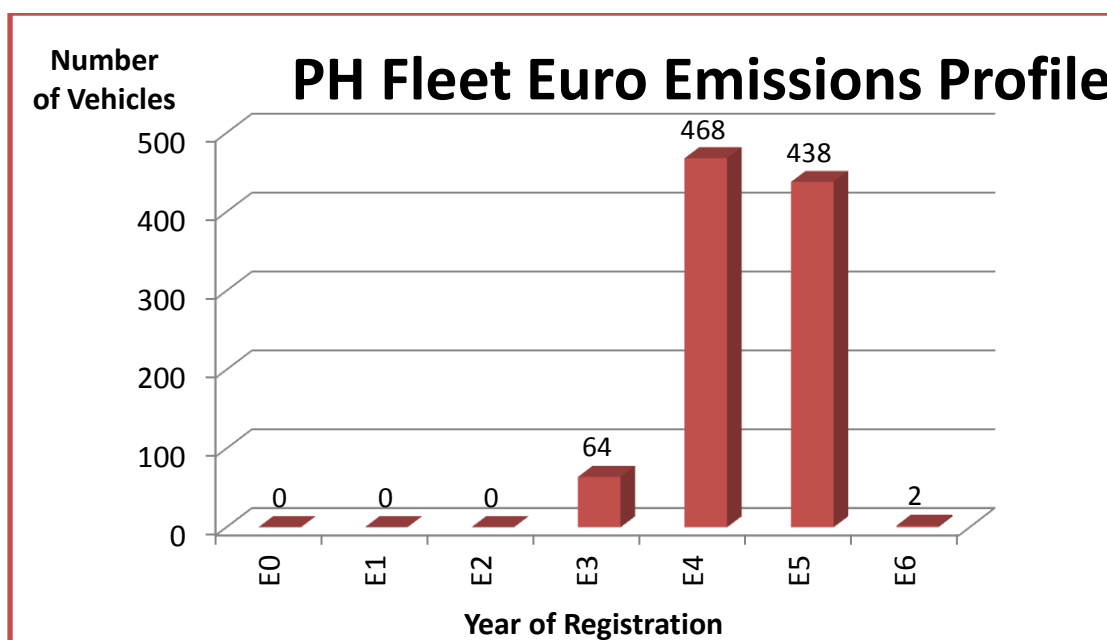


## Private Hire Vehicles

Due to the variety of vehicle options available on the market, the private hire vehicles is naturally of a younger make up and contains a high proportion of greener cars with hybrid engines, therefore the vehicles are generally of a better condition and design.



This reflects in the emission profile which shows that there nearly all private hire vehicles are Euro 4 emissions compliant or better.





## EMISSIONS TABLE

<b>Emissions standard</b>	<b>Applied to new passenger car approvals from</b>	<b>Applied to all new registrations from</b>
Euro 1	1 July 1992	31 December 1992
Euro 2	1 January 1996	1 January 1997
Euro 3	1 January 2000	1 January 2001
Euro 4	1 January 2005	1 January 2006
Euro 5	1 September 2009	1 January 2011
Euro 6	1 September 2014	1 September 2015

## CURRENT AGE RESTRICTIONS/REQUIREMENTS

### Age Policy – Hackney Carriage

Hackney Carriage numbers capped at 420.

Any replacement vehicle must be no more than 7 years and newer than the vehicle being replaced.

Hackney Carriage vehicles are currently permitted to be licensed to 12 years of age, at which point they have to be replaced with a younger vehicle unless the vehicle can successfully pass an Exceptional Condition Vehicle Check carried out by an authorised officer prior to a full MOT taking place which also includes a supplementary test specific to Nottingham. The vehicle can then continue to be licensed provided it passes both tests every 6 months.

### Age Policy – Private Hire

The number of Private Hire Vehicles is not capped – currently around 1200

Private Hire vehicles must be under 5 years old to be first licensed.

If first licensed between 3 and 5 years, the vehicle must undergo an Exceptional Condition Vehicle Check prior to proceeding to MOT

If the vehicle is under 3 years – annual MOT with Supplementary test required

If the vehicle is over 3 years – 6 month MOT with supplementary test required

Vehicle will only be licensed until the age of 10 years after which the vehicle must be replaced or removed from use.

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**REGULATORY & APPEALS COMMITTEE – 25 SEPTEMBER 2017**

<b>Title of paper:</b>	Cross Border Enforcement	
<b>Director:</b>	Andrew Errington	<b>Wards affected:</b> All
<b>Report author:</b>	Angela Rawson <a href="mailto:Angela.rawson@nottinghamcity.gov.uk">Angela.rawson@nottinghamcity.gov.uk</a> 0115 8761749	
<b>Other colleagues who have provided input:</b>	Ann Barrett <a href="mailto:Ann.barrett@nottinghamcity.gov.uk">Ann.barrett@nottinghamcity.gov.uk</a>	

**Relevant Council Plan Key Theme:**

Strategic Regeneration and Development	<input type="checkbox"/>
Schools	<input type="checkbox"/>
Planning and Housing	<input type="checkbox"/>
Community Services	<input type="checkbox"/>
Energy, Sustainability and Customer	<input checked="" type="checkbox"/>
Jobs, Growth and Transport	<input checked="" type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	<input type="checkbox"/>
Resources and Neighbourhood Regeneration	<input type="checkbox"/>

**Summary of issues (including benefits to citizens/service users):**

Public safety is a Council priority. Enabling authorised officers from neighbouring Councils to carry out enforcement checks on vehicles and drivers licensed by Nottingham City Council will benefit the travelling public by adding an additional layer of safeguarding in relation to the safety of vehicles and the status of the people driving those vehicles, ultimately enhancing the customer experience. Work is progressing with neighbouring authorities for reciprocal arrangements to be afforded to duly authorised Nottingham City Council Officers.

**Recommendations:**

<b>1</b>	The enforcement powers of the Council under sections 53(3), 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976 be discharged by the councils listed in the Schedule in Appendix 1, pursuant to the provisions of section 101 of the Local Government Act 1972, such enforcement powers only to be exercised in respect of Nottingham City licensed vehicles and drivers whilst operating within the boundary of the respective councils and only to be exercised by the respective councils' Authorised Officers;
<b>2</b>	The Regional Licensing & Policy Manager be authorised to add to the councils listed in the Schedule where considered expedient, subject to agreeing reciprocal arrangements with the relevant council and subject to consultation with the Chair of the Regulatory & Appeals Committee;
<b>3</b>	The Committee agree to accept a similar transfer of functions from any council listed in the Schedule and any added to that Schedule under the power delegated by recommendation 2.

## **1 REASONS FOR RECOMMENDATIONS**

- 1.1 To promote public safety by more effective use of the Council's powers.

## **2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

- 2.1 Nottingham City Council is a 24 hour vibrant city of which the transportation system is an essential, integral part including the Hackney Carriage and Private Hire trades.
- 2.2 Nottingham is surrounded by a shire of 7 Councils those being, Ashfield District, Bassetlaw District, Broxtowe Borough, Gedling Borough, Mansfield District, Newark & Sherwood District and Rushcliffe Borough.
- 2.3 As such, Nottingham City itself receives an abundance of traffic from the outlying areas, a high proportion of which are hackney carriage or private hire vehicles and their drivers either bringing visitors into the City or facilitating their passage outward bound. Whilst the incoming trade is economically beneficial, the Council also has a duty of care in relation to those visitors.
- 2.4 All of the above Councils are not only legally bound to license their own fleets of Hackney Carriage and Private Hire vehicles and drivers but also have to manage a throughput of vehicles and drivers from other authorities, including the City.
- 2.5 Every licensing authority has a responsibility to ensure compliance with pre-set standards and conditions for both drivers and vehicles licensed by them. However, there is no authority at present for authorised officers of one Council to be able to check driver status and/or vehicle condition of drivers and vehicles licensed outside their jurisdiction.
- 2.6 When a driver/vehicle is outside its licensing area, there is more of a chance that risks may be taken which could have an adverse impact when safeguarding vulnerable persons and/or the safety of the travelling public in general. These could include an unlicensed driver, a vehicle in unroadworthy condition and/or the collection of a fare paying passenger whose journey has not been pre-booked.
- 2.7 Following meetings with some of the outlying Councils, it has been agreed in principle that a system of reciprocal arrangements be established where by Authorised Officers ( ie those identified as being suitably trained and authorised by their employing council in writing) may exercise certain powers in relation to vehicles and drivers licensed by other councils when they are within their employing council's boundary. This will result in the various councils being asked to make resolutions in similar terms albeit timescales will vary as each Council has a different procedure for consent.
- 2.8 The powers proposed to be discharged by other authorities are all contained in the Local Government (Miscellaneous) Provisions Act 1976 and are:
- S53(3) produce drivers badge/licence for inspection
  - S68 to inspect and test vehicles at reasonable times and suspend the licence if not satisfied as to their fitness.
  - S73 obstruction of authorised officer

- 2.9 Once the resolution has been approved, an Operational Protocol will be put in place with those councils who have agreed to reciprocal arrangements. Where issues of concern are found in relation to drivers/vehicles they will be referred to the relevant licensing authority for any necessary sanctions to be considered and administered.

### **3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

- 3.1 None

### **4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)**

- 4.1 None – there are existing officers and support officers in situ to be able to facilitate the power of this resolution.

### **5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

- 5.1 As indicated in the body of the report the intention is to set up a series of reciprocal arrangements with other licensing authorities to enable certain enforcement powers to be used more effectively.
- 5.2 Section 101 of the Local Government Act 1972 can be used to establish these arrangements as it allows this council to transfer the exercise of non-executive functions to another council (without affecting this Council's ability to exercise these functions). Similarly it gives the power for this Council to accept a transfer of powers from other council's.
- 5.3 Under the terms of the resolution the powers are only to be exercised by officers duly authorised under the Act. This should ensure that powers are only exercised by appropriate and suitably trained officers and should thereby reduce any risk involved. Matters of concern will be reported back to this council as the appropriate authority to take action against its own licensed drivers and vehicles.

### **6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)**

- 6.1 N/A

### **7 EQUALITY IMPACT ASSESSMENT**

- 7.1 No- not required because the resolution, if approved, will aid in safeguarding the general public as a whole without discrimination.

### **8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

- 8.1 None

### **9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

- 9.1 Local Government (Miscellaneous) Provisions Act 1976

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**SCHEDULE OF COUNCILS**

Broxtowe Borough Council  
Gedling Borough Council  
Rushcliffe Borough Council

Dated: 25.07.2017

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**NAME OF COMMITTEE / BODY - REGULATORY AND APPEALS 25<sup>th</sup> September 2017**

<b>Title of paper:</b>	Review of General Safety Certificate: Regulated Stand Nottingham Racecourse	
<b>Director(s)/ Corporate Director(s):</b>	Andrew Errington Director Community Protection	<b>Wards affected:</b>
<b>Report author(s) and contact details:</b>	Paul Dales Operations Manager Safer Business Telephone number: 0115 8761479 Email address: <a href="mailto:paul.dales@nottinghamcity.gov.uk">paul.dales@nottinghamcity.gov.uk</a>	
<b>Other colleagues who have provided input:</b>	Catrin Styles– Principal Environmental Health Officer (Health & Safety) Richard Bines – Solicitor	
<b>Date of consultation with Portfolio Holder(s) (if relevant)</b>		
<b>Relevant Council Plan Strategic Priority:</b>		
Cutting unemployment by a quarter		<input type="checkbox"/>
Cut crime and anti-social behaviour		<input checked="" type="checkbox"/>
Ensure more school leavers get a job, training or further education than any other City		<input type="checkbox"/>
Your neighbourhood as clean as the City Centre		<input type="checkbox"/>
Help keep your energy bills down		<input type="checkbox"/>
Good access to public transport		<input type="checkbox"/>
Nottingham has a good mix of housing		<input type="checkbox"/>
Nottingham is a good place to do business, invest and create jobs		<input type="checkbox"/>
Nottingham offers a wide range of leisure activities, parks and sporting events		<input checked="" type="checkbox"/>
Support early intervention activities		<input type="checkbox"/>
Deliver effective, value for money services to our citizens		<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>		
This report deals with the review and issue by Nottingham City Council as Certifying Authority of the General Safety Certificate for the Regulated Stand at Nottingham Racecourse.		
<b>Recommendation(s):</b>		
<b>1</b>	<p>It is recommended that:</p> <p>(i) the existing General Safety Certificate for the Regulated Stand at Nottingham Racecourse be replaced by the proposed General Safety Certificate ("the Certificate") appended to this report at Annex 1.</p> <p>(ii) The Committee notes the deviations to the 5th edition of the Green Guide as listed in Appendix 4 of the Certificate are not considered by the Safety Advisory Group to be of such significance as to jeopardise safety of spectators.</p> <p>(iii) it acknowledges the appointment of James Knox as the Holder of the Certificate.</p>	

## **1. REASONS FOR RECOMMENDATIONS**

Where there is a covered stand that provides accommodation for 500 or more standing or seated spectators at any non-designated ground, such as the Main Grandstand at the Nottingham Racecourse, the local authority (Certifying Authority) is responsible for issuing and enforcing a General Safety Certificate for the Regulated Stand in accordance with the provisions of the Fire Safety and Safety of Places of Sport Act 1987.

The certificate should contain the conditions that the Certifying Authority considers necessary or expedient to secure the reasonable safety of spectators at the ground. A certificate should therefore be regularly reviewed.

A review of the existing certificate has taken place and the proposed Certificate has been subject to consultation with the Certificate Holder, Police, Fire, Ambulance and Building Control Services as well as the Sports Grounds Safety Authority. Any comments or observations received have been carefully considered and incorporated as appropriate, subject to compliance with statutory and non-statutory guidance.

The Certifying Authority carries out periodic inspections of the Regulated Stand during race and non-race days and facilitates an annual Safety Advisory Group (SAG) meeting to discuss and advise on any safety issues that may have implications for Nottingham Racecourse. Safety Advisory Group meetings were held on the 19<sup>th</sup> June 2014, 01 July 2015, 16<sup>th</sup> June 2016 and 24<sup>th</sup> July 2017. Four inspections including race day and non-race day have occurred since the last revision of the certificate in 2014.

## **2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

The Grandstand at Nottingham Racecourse has a standing capacity of more than 500 and is therefore a Regulated Stand. The purpose of a safety certificate is to ensure that provisions are in place to secure reasonable safety at that ground.

A safety certificate must be held by an individual who is, in the Certifying Authority's determination, a person likely to be in a position to prevent contravention of the terms and conditions of a certificate (referred to within the legislation as a "qualified person").

The Grandstand at Nottingham Racecourse comprises of a tiered concrete stepped standing area which has the capacity for 1557 spectators. The Regulated Stand has a number of banqueting suites, bars and catering facilities within it.

Since the last revision of the General Safety Certificate by the Committee in 2012, the following changes have occurred at the Racecourse which are relevant to safety at the ground:-

- (a) The certificate holder changed from Claire Kirkby to James Knox. James Knox took over role of General Manager of the Nottingham Racecourse from Claire Kirkby in 2014 and has been the Certificate Holder for the last two and a half years.
- (b) The safety officer Alex McMahon retired at the end of 2016 and was replaced by the current Safety Officer, Paul Simmons in January 2017.

- (c) Four Safety Advisory Group meetings have been held each year since 2014. These meetings are chaired by Community Protection's Safer Business Manager, and were attended by:-
- the Certificate Holder;
  - the Safety Officer;
  - Nottinghamshire Police,
  - Nottinghamshire Fire and Rescue Service.
  - The City Council's Principal/Environmental Health Officers (Health & Safety).
- (d) The revision and renewal of the GSC in 2012 coincided with greater focus on the Regulated Stand at the racecourse and the Jockey Clubs safety management systems. Four inspections have occurred since 2012; two race day inspections (2013, and 2016) and two non-race inspections 2013 and 2014. Recommendations from the inspections has led to a number of improvements in the Regulated Stand, including a reduction in maximum capacity from 2,100 to 1,557, a number of fire safety improvements, tightening of security around suspect packages and a bag storage system.
- (e) The Safety of Sports Grounds Act 1975 provides for the amendment and replacement of a safety certificate, which is supported by the requirement for a review in the present Certificate. A comprehensive review of the style of safety certificates was carried out in 2009 which led to a certificate where the operator of a venue is responsible for identifying any risks and the steps to be taken to reduce those risks to an acceptable level. This approach leaves the initiative and the responsibility with the Holder, who is able to tailor the requirements more closely to its particular needs and circumstances. This style of certificate primarily consists of a requirement for the management to undertake appropriate risk assessments, to set out in a manual or policy, how reasonable safety is to be maintained and a requirement to adhere to the manual or policy. Clause 7 of the proposed Certificate now ensures the Holder produces and complies with a written safety policy to be understood by all involved in the grounds safe operation. The Safety Policy will make reference to various plans that relate to safety matters such as facility maintenance, crowd management, stewarding, medical and first aid arrangements, and fire safety, which are themselves predicated upon appropriate risk assessment. Whilst incorporating the risk based approach, the Certificate also retains a number of prescriptive requirements within the Schedules to the Certificate that the Certifying Authority deems appropriate. Representatives of the Emergency Services and the Sports Grounds Safety Authority who are members of the Safety Advisory Group support the 2017 annual review and replacement of the existing safety certificate with the Certificate at Annex 1.
- (h) The key issues to note on the proposed Certificate are:-
- (i) That it permits a maximum capacity of 1,557 spectators to watch the Racing from the Regulated Stand as detailed in Appendix 1. The permitted capacity has resulted from a calculation produced by a consultant contracted by the Jockey Club. The P and S factors in accordance with the 5th edition of the Green Guide, have been assessed. The P factor (Physical Condition) considers the working condition and effectiveness of structural matters through structural surveys, installation inspections of electrical, mechanical, communication and fire detection systems. Access/egress for emergency vehicles and medical facilities are also considered in a P factor analysis. The S factor (Safety Management) considers how the club manages the stewarding, medical and first aid

provisions, spectator safety, fire safety and compliance with other legislation such as Health and Safety at Work Act. Each factor is given a score, dependant on the Nottingham Racecourse's compliance, between 0.0 and 1.0. The lowest (worst score) of either the P or S factor is then used as a multiplying factor to the maximum ground capacity. The Nottingham Racecourse has been assessed as achieving broad compliance with the Certificate and it is deemed appropriate to set the S factor at 1.0 and the P factor at 1.0. The P and S factor scores are subject to review throughout the term of the Certificate and can be altered by the Certifying Authority. Officers of the Certifying Authority (Community Protection Food/Health & Safety) are committed to undertaking race day inspections during the season to assess on-going compliance with the Certificate.

(ii) That it reflects the deviations to the 5th edition of the Green Guide as listed in Appendix 4 of the Certificate.

(iii) That it acknowledges the appointment of James Knox as the Holder of the Certificate.

(iv) That the scope of the Certificate continues to be restricted to the Specified Activity of Horse Racing. Any spectator events or series of events other than this Specified Activity would require a 'Special Safety Certificate' to be issued by the Certifying Authority. The Club are required to apply to the Certifying Authority at least three months before any such events.

### **3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

None.

### **4. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)**

There are no direct financial implications or value for money issues arising from this report.

### **5. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)**

The Fire Safety and Safety of Places of Sports Act 1987, places on a Certifying Authority the duty to determine whether any of the stands at sports grounds within its area are Regulated Stands within the meaning of the 1987 Act, and to issue a safety certificate in respect of those stands. The Certificate must contain the terms and conditions that the Authority considers are necessary and expedient to secure the reasonable safety of spectators when the stand is in use. Regulated Stands are stands that provide covered accommodation for 500 or more standing or seated spectators, as determined by the local authority under section 26 of the 1987 Act. The terms and conditions may require alterations or additions to the stand and must contain certain matters such as a plan of the stand means of access and exit etc.

A safety certificate may be amended or replaced by the Local Authority if it feels that it is appropriate. Under section 10B of the 1975 Act, it is the duty of the Local Authority to enforce the provisions of the Act and of the Regulations made under it and, for that purpose, to arrange for the periodical inspection of a designated sports grounds within its area. Section 34 of the 1987 Act imposes a broadly similar duty

with regard to sports grounds containing regulated stands. For regulated stands with accommodation for over 2,000 spectators, the 1988 Circular (Home Office Circular 97/88) lays down a minimum of one inspection in the calendar year following the issue of the last safety certificate and once in every calendar year thereafter. In all other cases the minimum is once in every two calendar years.

There is nothing to preclude the Local Authority from inspecting the sports ground more frequently. The number of inspections reasonably required will vary from venue to venue. This will be for the local authority to determine, having regard to its duty to monitor the suitability of the terms and conditions of the certificate and ground management's compliance with the operations manual or safety certificate conditions and to ensure that these are being observed.

In discharging their function of determination as respects the stands at sports grounds in their areas, Local Authorities shall act in accordance with such guidance as the Secretary of State may give them. Home Officer Circular 97/1988 provides such guidance. The Green Guide is guidance issued by the Department for Culture, Media and Sport. It has no statutory force and has advisory status. It does not attempt to provide a universal standard for existing grounds and deviations from it are acceptable provided that they are both necessary and reasonable. The Guidance does however require that any deviations from it should be listed in the General Safety Certificate together with the reasons why those deviations are acceptable. The proposals outlined in the recommendations are therefore within the Local Authority's powers.

The 1987 Act gives powers of entry and inspection of the sports ground in which a Regulated Stand is located, to the Local Authority. Any contravention of the terms of a Regulated Stand Safety Certificate is punishable as a criminal offence under section 36 of the 1987 Act.

**6. EQUALITY IMPACT ASSESSMENT**

Has the equality impact been assessed?

Not needed. This report does not contain proposals or financial decisions and does not include proposals for new or changing policies, services or functions.

**7. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

Current General Safety Certificate: Main Grandstand at Nottingham Racecourse

**8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

Safety of Sports Grounds Act 1975 (as amended)

Fire Safety and Safety of Places of Sports Act 1987 as Amended

Guide to Safety at Sports Grounds (the Green Guide) published by Department of Culture, Media and Sport (5<sup>th</sup> edition, 2008)

# **GENERAL SAFETY CERTIFICATE**

FOR

THE MAIN GRANDSTAND  
AT NOTTINGHAM RACECOURSE  
(Regulated Stand)

Issued by NOTTINGHAM CITY COUNCIL  
(Certifying Authority)

FIRE SAFETY AND SAFETY OF PLACES OF SPORTS ACT 1987 AS AMENDED

SAFETY OF SPORTS GROUND ACT 1975

Dated - 25<sup>th</sup> September 2017



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SAFETY OF SPORTS GROUND ACT 1975  
FIRE SAFETY AND SAFETY OF PLACES OF SPORTS ACT 1987  
(AS AMENDED)

## **INFORMATION**

A safety certificate is required in respect of the use, at sports grounds which provide covered accommodation in stands for spectators and which are not designated sports grounds, for a stand that provided accommodation for 500 or more spectators to view activities at the ground. Responsibility for the safety of spectators lies at all times with sports ground management. It is important to know all the provisions of the Safety of Sports Grounds Act 1975 ('the 1975 Act') and the Fire Safety and Safety of Places of Sports Act 1987 (as amended) ('the 1987 Act'), which are relevant to stadia and stands within their scope. Reference should also be made to the 'Guide to the Safety Certification of Sports Grounds' (The Green Guide).

Reference should be made to the Acts themselves for authoritative information, however the following points are highlighted:

### **Right of Entry and Inspection**

Section 35 of the 1987 Act gives to authorised officers the power to enter and inspect a sports ground at which there is a regulated stand 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 and records relating to the maintenance of safety in a regulated stand at a sports ground.

### **Alterations and Extensions**

While a general safety certificate exists for a regulated stand section 32 of the 1987 Act requires notice of proposals to alter or extend the stand or its Installations, if the alteration or extension is likely to affect the safety of persons in the stand, to be given to the Local Authority ('Certifying Authority') before work is begun on any proposed alteration or extension.

### **Offences and Penalties**

Any responsible person and, if a safety certificate is in operation, the holder of the certificate, shall be guilty of an offence by:—

- (a) contravening any term or condition of a safety certificate for a regulated stand; or
- (b) admitting spectators to a regulated stand at a time when a safety certificate is not in force,

A person guilty of an offence above shall be liable on summary conviction, to a fine of an unlimited amount ; or on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or both.

### **Prohibition Notices**

Section 10 of the 1975 Act (as amended) provides that if the Local Authority are of the opinion 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 ground or that part of the ground ought to be prohibited or restricted, the authority may serve a notice (referred to as a "prohibition notice") on the holder of a general safety certificate or the person who appears to the Local Authority to be responsible for the management of the ground, prohibiting or restricting the admission of spectators. A prohibition notice may be appealed in accordance with section 10A of the 1975 Act. Any restrictions imposed under a prohibition notice remain in force unless or until amended or annulled by the court.

### **Appeal**

Section 30(4) of the 1987 Act provides that an interested party may appeal to a Magistrates Court against the inclusion of anything in, or the omission of anything from, or the refusal to amend or replace a safety certificate for a regulated stand. An appeal under s 30(4) of the 1987 Act must be brought no later than 28 days after receipt of a safety certificate or notice as appropriate by the interested party.

### **Transfer of the Certificate**

If the Holder of the safety certificate ceases to be the person responsible for the management of the Regulated Stand at the Sports Ground, an application must be made to the Certifying Authority for the transfer of the certificate to some other qualified person.

### **Other Legislation/guidance**

A safety certificate holder should be aware that apart from the legislation detailed above other acts and guidance apply to the sports grounds. These include health and safety disabilities and civil contingencies legislation; The Regulatory Reform Fire Safety Order (2005); Sports Ground and Stadia Guide No.4: 'Safety Management' document and any other specific pieces of legislation or guidance that may have relevant safety implications.

NOTE: No variation of the terms and conditions of the certificate will be permitted other than by the formal consent of the Certifying Authority

## GENERAL SAFETY CERTIFICATE

### MAIN GRANDSTAND AT NOTTINGHAM RACECOURSE ("the Regulated Stand")

- Clause 1.** In exercise of the powers conferred by the Safety of Sports Grounds Act 1975 (as amended) ( 'the 1975 Act') and the Fire Safety and Safety of Places of Sport Act 1987 (as amended) ('the 1987 Act') and all other enabling powers, Nottingham City Council ( "the Certifying Authority"), hereby issues to: -
- Mr James Knox ("the Holder"),**
- this General Safety Certificate in respect of **MAIN GRANDSTAND AT NOTTINGHAM RACECOURSE** at Colwick Park, Nottingham NG2 4BE shown on the Plan being the Regulated Stand
- Clause 2.** This General Safety Certificate includes the Schedules, Appendices, and Drawings attached hereto.
- Clause 3.** The words used in this General Safety Certificate shall have the meaning assigned to them by Schedule A, the 1975 Act, the 1987 Act and current edition of the Guide to Safety at Sports Grounds, as appropriate.
- Clause 4.** The Holder shall retain control over the whole and each part of the Regulated Stand and shall take all necessary precautions for the reasonable safety of Spectators admitted to the Regulated Stand. The responsibility for the safety of Spectators at the Regulated Stand lies at all times with the Holder (and not with the Police or Certifying Authority).
- Clause 5.** The use of the Regulated Stand for spectator events under this General Safety Certificate is restricted to those activities specified in Appendix 1 and is subject to the terms and conditions herein unless a Special Safety Certificate has been granted by the Certifying Authority. No ancillary activities, apart from those listed in **Appendix 1**, are permitted without the prior written consent of the Certifying Authority.
- Clause 6.** The Holder shall ensure compliance with the terms and conditions of this General Safety Certificate at all times that the Regulated Stand is in use for any Specified Activity.
- Clause 7.** The Holder shall produce and comply with a written statement of Safety Policy covering the safety of Spectators and employees, outlining a chain of command and covering safety objectives and the means of achieving them. The Holder shall appoint a person at a senior level in the organisation to be responsible for implementation of the Safety Policy. The Holder shall take all necessary steps to ensure that the contents of this Policy is known and understood by all employees and any voluntary workers who may be involved in ground operations. The Holder shall sign and date the Safety Policy and shall ensure that the Policy is implemented, reviewed annually and revised as necessary. The Holder shall forward to

the Certifying Authority upon its request a copy of the Safety Policy and ensure that any revision is sent to the Certifying Authority, within 7 days of the request or of any revision taking effect.

- Clause 8.** The Holder shall appoint a Safety Officer who shall be of sufficient competence, status and authority to take day to day responsibility for safety of the Regulated Stand and be able to authorise and supervise safety measures. Such an appointment shall be notified to the Certifying Authority in writing as soon as practicable and prior to any Specified Activity taking place.
- Clause 9.** The Holder may appoint a replacement Safety Officer or Deputy Safety Officer to carry out or assist in the general duties of the Safety Officer. Such Appointments shall be notified to the Certifying Authority in writing as soon as is practicable and prior to any Specified Activity taking place.
- Clause 10.** Unless the Safety Officer or Deputy Safety Officer is present at the Specified Activity/ies, the capacity of the Regulated Stand will be zero.
- Clause 11.** Without prejudice to **Clause 21**, the Holder shall give the Certifying Authority 14 days' notice in writing of any change of circumstances affecting this Certificate. Any changes affecting this certificate that could not be foreseen shall be notified to the Certifying Authority in writing as soon as is practicable and in any event within 7 days of their occurrence.
- Clause 12.** The Holder (in consultation with the Police, Fire Service, Ambulance Service, the Certifying Authority and such other persons or bodies as may be appropriate) shall produce, review, test and keep up to date documented Contingency Plans for any incident occurring which might prejudice safety or disrupt normal operations at the Regulated Stand. In these Plans, specific tasks shall be assigned to identified post holders or their nominated deputies. The Contingency Plans shall cover all reasonably foreseeable contingencies up to and including the need for partial and/or total evacuation of the Regulated Stand and shall identify appropriate individuals and their respective tasks, including precautions against electrical or mechanical failure.
- Clause 13.** The Holder shall carry out training exercises to ensure the procedures as set out in the Contingency Plans operate correctly. Details of training exercises including persons in attendance shall be recorded.
- Clause 14.** The Holder shall ensure that the maximum number of Spectators that may be admitted at any one time to the Regulated Stand shall not exceed the capacity specified in **Appendix 2** of this Certificate. The Holder shall also ensure that the measures for controlling Spectators prescribed in this Safety Certificate are observed.
- Clause 15.** The Holder shall ensure that suitable and sufficient equipment, and Safety Staff are provided, to monitor, direct, guide, manage and assist Spectators in accordance with **Schedule B** herein during Specified Activities.
- Clause 16.** The Holder shall ensure that suitable and sufficient first aid and medical

staff, equipment, facilities and accommodation are provided in accordance with **Schedule C** and that a rendezvous point for the Emergency Services shall be provided as indicated on the Plan contained in **Appendix 3**.

**Clause 17.** The Holder shall ensure that all Building and Structures, including their means of ingress and egress, and all Installations, referred to in this Certificate are at all relevant times kept unobstructed and maintained in good repair and condition as to fulfill their required functions and comply with the requirements of **Schedule D** and so far as reasonably practicable do not put Spectators at risk.

**Clause 18.** The Holder shall ensure:-

- a. all reasonable precautions are taken to prevent the outbreak and spread of fire;
- b. suitable and sufficient equipment is maintained and competent staff are available to deal with an outbreak of fire; and
- c. compliance with the requirements of **Schedule E** to this Certificate.

**Clause 19.** The Holder shall ensure that the inspections and testing of structures, equipment and systems at the Regulated Stand, are carried in accordance with Schedule F herein, at the frequency indicated, or such shorter periods as may be necessary to ensure the reasonable safety of Spectators, subject to the frequency of any such inspection and test not exceeding any frequency indicated by a relevant manufacturer of such structures, equipment and systems. The results of these inspections and test shall be recorded as kept as specified in **Schedule G**.

**Clause 20.** The Holder shall ensure that any records and or certificates specified in **Schedules F and G** are kept and made available for inspection by the Certifying Authority at all reasonable times.

**Clause 21.** The Holder shall notify the Certifying Authority, in writing detailing any proposed change to the Regulated Stand structure or its Installations, at least 28 days before any proposed change is made. Any changes, which may involve addition to, alterations or conditions at the Regulated Stand, shall be accompanied by two sets of:-

- a. drawings of scale 1:100 to clearly show the proposed change;
- b. such other capacity calculations, drawings and risk assessments as may be necessary or are further required by the Certifying Authority to enable them to undertake the necessary consultation and to make an informed decision on the proposed change.

**Clause 22.** No alteration or addition shall be made to the Regulated Stand, including any structure, installation, fitting, whether temporary or permanent, without prior written authorisation of the Certifying Authority. Any authorised change shall be carried out of the satisfaction of the Certifying Authority.

**Clause 23.** The Holder shall draw up and keep up to date plans showing the layout of

the Regulated Stand, Sports Ground, buildings, equipment, and all details/ documents and certificates considered necessary by the Certifying Authority in connection with this certificate and shall upon request supply the Certifying Authority with copies.

**Clause 24.** Any notice required to be given under this Safety Certificate shall be in writing and address to:-**safety.enforcement@nottinghamcity.gov.uk** or **Food and Health & Safety Team, LH Box 45, Loxley House, Station Street, Nottingham, NG2 3NG.**

**Clause 25.** This Certificate is issued without prejudice to other legislation controlling the construction or use of the Regulate Stand or Sports Ground or otherwise affecting the Holder and does not invalidate any statutory obligation upon the Holder. The specific requirements of this certificate shall not be regarded as the limit of the obligation placed on the Holder to take all necessary precautions for the reasonable safety of Spectators admitted to the Regulated Stand.

**Clause 26.** Notwithstanding **Clauses 7 & 12** the Holder shall ensure the following documentation is produced, kept up dated and signed and dated by the Holder. The Holder shall ensure that up-to-date copies of the following are supplied to the Certifying Authority upon request:-

- a. plans showing the layout of the stand, buildings, equipment, and all details considered necessary by the Certifying Authority in connection with the Safety Certificate.
- b. duties of the Safety Officer;
- c. Safety Policy and
- d. Contingency Plans.

With effect from **25<sup>th</sup> September 2017** this certificate will replace all previous certificates and will be reviewed by the Council.

Signed..... Date.....

**Lorraine Raynor**

**Chief Environmental Health and Safer Housing Officer**

Nottingham City Council  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

## SCHEDULE A      DEFINITIONS

**A.1      ‘the Ambulance Service’**

means the Chief Executive Officer of the Nottinghamshire Ambulance Service NHS Trust or any other such officer designated by him/her.

**A.2      ‘Building Regulations’**

mean the Building Regulations 2010 as amended.

**A.3      ‘Building and Structures’**

in relation to the Regulated Stand means all buildings, structures and parts thereof including means of access and egress.

**A.4      ‘Certifying Authority’**

means Nottingham City Council situate at Loxley House, Station Street, Nottingham, NG2 3NG.

**A.5      ‘Competent Person ’**

**A.5.1.** means in relation to the testing and certification of electrical systems and Installations, one of the following:-

- a. corporate member of the Institution of Electrical Engineers;contractor currently enrolled with the National Inspection Certifying Authority for Electrical Installation Contracting or Electrical Contractors' Association; or a suitably qualified representative of the Electrical Supply Authority.

**A.5.2.** means in relation to First Aid and medical facilities, suitable and properly trained personnel capable of ensuring appropriate medical, nursing; paramedic and first aid provisions are available for Spectators by conducting a medical risk assessment in consultation with the local ambulance service NHS trust or other NHS authority medical and first aid providers and crowd doctors as appropriate.

**A.5.3.** means in relation to the testing and certification of Building and Structures , one of the following, with the appropriate skills and experience:-

- a. Chartered Structural Engineer;
- b. Chartered Surveyor (Building Surveying Division);
- c. Chartered Civil Engineer; or a person who in the opinion of the Certifying Authority possesses similarly qualifications to those at a, b or c above.

**A.5.4.** means in relation to the thorough examination of lifting equipment, a person as defined within the Approved Code of Practice for Regulation 9 of the Lifting Operations and Lifting Equipment Regulations 1998.

**A.5.5.** means in relation to maintenance and testing of the Fire detection and fire alarm systems by a person as defined in Section 6 of the BS 5839-1:2013 Fire detection and fire alarm systems for buildings – Part 1: Code of practice for design,

installation, commissioning and maintenance of systems in non-domestic premises

**A.6 Contingency Plan'**

means a plan for any incident occurring which might prejudice safety or disrupt normal operations at the Regulated Stand, including precautions against electrical or mechanical failure, which assigns specific tasks to identified post holders or their nominated deputies, covering all reasonably foreseeable contingencies up to and including the need for partial and/or total evacuation of the Regulated Stand.'

**A.7 Dedicated First Aid Room'**

means a fully resourced room within Nottingham Racecourse set aside for treating the members of public as required.

**A.8 'Deputy Safety Officer'**

a person, with sufficient training, experience and knowledge to assess and manage risks relating to the Regulated Stand and to the safety, direction and control of spectators, employees, agents, contractors, franchise holders and their employees within the Regulated Stand in the absence of the Safety Officer

**A.9 'Electrical Installation'**

An assembly of associated electrical equipment having co-ordinated characteristics to fulfill specific purposes. (from BS 7671:2008)

**A.10 'Emergency Lighting'**

means a system of escape route lighting which illuminates in the event of a failure of the general lighting circuit to enable free movement within the Regulated Stand and exits therefrom.

**A.11 'Emergency Services'**

means the Police, the Ambulance Service and the Fire Brigade

**A.12 'the Fire Brigade'**

means the Chief Officer of Nottinghamshire Fire & Rescue Service, or such other officer designated by him/her.

**A.13 'Fire Resisting'**

means the construction is capable of resisting the action of fire for not less than half-an-hour, (or such other period as may be specified by the Certifying Authority) in accordance with the appropriate British Standard or as defined in the current version of the Approved Document to Part B (Fire Safety) Volume 2 Buildings other than Dwellings of the Building Regulations 2010.

**A.14 'Fire Safety Management Plan'**

means a document detailing fire safety arrangements to effectively prevent the outbreak, spread and growth of fire, alert persons to the presence of a fire, evacuate persons to a safe area.

**A.15 'Gas Safety Regulations'**

means the Gas Safety (Installation and Use) Regulations 1998

**A.16 'Green Guide'**

means the current edition of the 'Guide to Safety in Sports Grounds' produced by



The Department for Culture Media and Sport.

- A.17 'Holder'**  
Means the person to whom the Safety Certificate was issued as the person responsible for the management of the ground.
- A.18 'Installations'**  
includes all or part of any radial fencing, and any electrical, mechanical and heating installations.
- A.19 'Maintenance Plan'**  
means arrangements for the planned preventative maintenance which includes a planned preventative maintenance schedule covering the testing, inspection, commissioning and servicing of all installations and the arrangements for the identification and actioning of defects;
- A.20 'Medical Practitioner' (also referred to as crowd doctor)**  
means a qualified Medical Practitioner, registered with the General Medical Certifying Authority, who has received training in pre-hospital (immediate) care and major incident management.
- A.21 'Medical Plan'**  
means a document detailing an assessment and provision of medical, ambulance and first-aid needs for the Specified Activity
- A.22 'Paramedic'**  
means a person who holds a current certificate of proficiency in ambulance Paramedical skills, issued by the Institute of Health Care and Development (IHCD), and who has immediate access to the appropriate level of specialist equipment, including drug therapy, as stipulated and approved by the relevant Paramedical Steering Committee. A Paramedic crew, as a minimum, consists of a Paramedic plus an ambulance technician, trained to IHCD Standard.
- A.23 'the Plan'**  
means the document attached to this Certificate in Appendix 3
- A.24 'the Police'**  
means the Chief Constable of Nottinghamshire Police or such other officer designated by him/her.
- A.25 "the Police Commander"**  
means an officer designated by the Police for the purpose of commanding Police activities.
- A.26 'Regulated Stand'**  
means the artificial structure known as the at Main **Grandstand at Nottingham Racecourse** Colwick Park, Nottingham NG2 4BE, which provides covered accommodation for 500 or more spectators to view activities.
- A.27 'Safety Certificate'**  
means this certificate being a general Safety Certificate in respect of the use of the Regulated Stand for viewing an activity or a number of activities' specified at

Appendix1 during an indefinite period commencing on at the date of this certificate, not being a special safety certificate specified under section 26(10)(b) of the 1987 Act.

**A.28 'the Safety Officer'**

means a person, with sufficient training, experience and knowledge to assess and manage risks relating to the Regulated Stand and to the safety, direction and control of spectators, employees, agents, contractors, franchise holders and their employees within the Regulated Stand.

**A.29 'Safety Officer's Control Point'** means the control room (CR) as shown as the Racecourse Office on the Plan in **Appendix3**.

**A.30 'Safety Policy'** means the policy produced covering the safety of spectators, employees, outlining a chain of command and covering safety objectives and the means of achieving them. The policy must make reference to the stewarding plan; medical plan; fire safety management plan; Contingency Plan, major incident plan and Maintenance Plan.

**A.31 'Safety Staff'**

means the Holder, the Safety Officer, Deputy Safety Officer and all persons under their control who are engaged in the management of the Regulated Stand and the safety, direction and control of Spectators, including employees, agents, stewards, contractors, franchise holders and their respective employees.

**A.32 'Special Safety Certificate'**

means any safety certificate issued under s26(10)(b) of the 1987 Act in respect of the use of the stand for viewing an activity or a number of activities specified in a such a certificate on an occasion or series of occasion so specified.

**A.33 'Specified Activity'**

means any of the activities listed in Appendix 1 and the duration of the Specified Activity shall be construed as including the whole period when Spectators of the Specified Activity are within the Regulated Stand.

**A.34 'Spectator'**

means persons occupying accommodation provided in the Regulated Stand, viewing a Specified Activity including disabled persons.

**A.35 'Sports Ground'**

means any place where sports or other competitive activities take place in the open air and where the accommodation has been provided for Spectators, consisting of artificial structures or of natural structures artificially modified for the purpose.

**A.36 'SGSA'**

means the Sports Grounds Safety Authority.

**A.37 'Statement of Intent'**

means a written document setting out the respective responsibilities for crowd safety and control between the Police and the Holder where a request has been made for Police attendance. Any variation in the document must be agreed in writing in advance of the Specified Activity to which it relates, taking place. Note: The

Statement of Intent is not a contract but an agreement on respective areas of responsibility.

**A.38 'Steward'**

means a person trained, or being trained, to a recognised national standard, employed or contracted by management to act in accordance with the general recommendation of the Green Guide and the specific requirements of this General Safety Certificate.

**A.39 'Stewarding Plan'**

means a document detailing the number and location of stewards during the Specified Activity. The Stewarding Plan should also detail the chain of command for all stewards and Security Industry Authority personnel.

**A.40 'Thorough Examination'**

as defined and specified in the Lifting Operations and Lifting Equipment Regulations 1998.

## **SCHEDULE B      STAFF AND CROWD CONTROL**

### **B.1      General**

- B.1.1** The Holder shall be responsible for ensuring Spectator safety is effectively managed, ensuring that all checks, inspections, testing, training, recording, remedial works, and other matters relating to Spectator safety are carried out promptly and effectively.
- B.1.2** The Holder shall be responsible for ensuring that mechanisms are in place to enable the effective management of spectator safety by Safety Staff. Mechanisms shall include the production of a stewarding plan in accordance with the Green Guide.
- B.1.3** The Holder shall be responsible for ensuring each event has a suitable and sufficient risk assessment to enable the final number, location and duties of the Safety Staff to be determined so that spectator safety is managed effectively.
- B.1.4** Each member of Safety Staff shall be readily recognisable with a high visibility and distinctly coloured and numbered surcoat or tabard (or such other clothing approved in advance by the Council) uniquely identifiable to the individual and worn outside his/her clothing.
- B.1.5** Each member of Safety Staff shall be adequately trained in safety procedures in accordance with their responsibilities.

### **B.2      Safety Officer**

- B.2.1** During the Specified Activity the Safety Officer or Deputy Safety Officer shall be easily identifiable and but must be easily contactable. The Safety Officer or Deputy Safety Officer on duty shall not be engaged in any task which will prevent him/her from exercising the principal duty of ensuring safety during a Specified Activity.

### **B.3      Stewards**

- B.3.1** The number of Stewards provided should not fall below those stated within the stewarding plan.
- B.3.2** All Stewards shall be fit and active and shall be aged ideally not less than 18 years and have the character and temperament to carry out the duties required of them.
- B.3.3** The Holder is required to ensure a register of Stewards is maintained, recording their training and qualifications, attendance for each event and their stewarding position.
- B.3.4** The basic duties of Stewards include:
  - a. controlling or directing spectators who are entering or leaving the Regulated Stand to help achieve an even flow of people in, to and from the viewing areas;
  - b. recognising crowd conditions so as to ensure the safe dispersal of spectators on terraces or viewing slopes and the prevention of overcrowding;
  - c. staffing entrances, exits and other strategic points, especially exit gates and doors which are not continuously open while the Regulated Stand is in use;

- d. undertaking specific duties in the event of an emergency or as directed by the Safety Officer (or, where appropriate, any senior Police officer present).
- B.3.5.** Before beginning duty at a Specified Activity, each member of the Stewards shall be briefed thoroughly, be handed a copy of his/her instructions and be made fully aware of his/her general responsibilities and his/her duties in the event of an emergency. Records shall be kept of such briefings as specified in **Schedule G**. De-briefing of Stewards shall take place after the Specified Activity to ensure that incidents or problems are referred to the Safety Officer for follow up action.
- B.3.6.** No Stewards shall leave their place of duty during a Specified Activity without the permission of the appropriate Safety Officer, Deputy Safety Officer/ or other person appointed take responsibility for Spectator safety at the Regulated Stand and be able to authorise and supervise safety measures, who shall ensure suitable re-placement Stewards are in place before the position is vacated.
- B.3.7.** Stewards shall be located throughout the Regulated Stand and particularly at key points where control is most needed, such as in gangways, vomitories, tops of staircases, and at each exit or entrance.
- B.3.8.** Each exit in the Regulated Stand shall be enabled to open immediately in the event of an emergency.
- B.3.9.** Stewards shall be made aware of the provisions of Section 35 of the Fire Safety and Safety of Places of Sports Act 1987 which authorises certain Officers of the Certifying Authority to enter a Sports Grounds and inspect a Regulated Stand at any reasonable time, upon production of written authorisation.
- B.3.10.** All Stewards shall be told before each Specified Activity the location of the Safety Officer's Control Point and the name of the Safety Officer or Deputy Safety Officer on duty on the day in question.
- B.3.11.** No Stewards whether directly employed or supplied by an agency, shall be deployed without proper training unless accompanied by Stewards who has been so trained.

#### **B.4 Spectators with Disabilities**

- B.4.1** The Holder shall ensure that accommodation in the Regulated Stand provided for people with disabilities is safe, properly designed and managed. Entrance and exit routes must be made available for disabled spectators together with safe evacuation procedures.

#### **B.5 Spectator Control And Policing**

- B.5.1.** Where a request is made for Police attendance, it shall be for the Police Commander to determine the appropriate level of policing inside the Regulated Stand.
- B.5.2.** The Holder shall enter into a written statement of intent with the Police setting out their respective responsibilities for crowd safety and control where a request has been made for police attendance. Any variation in the statement must be agreed in writing in advance of the Specified Activity to which it relates. Note: The Statement of Intent is

not a contract but an agreement on respective areas of responsibility.

- B.5.3.** Drinks may only be sold or supplied in the Regulated Stand in containers made of paper or plastic materials except:
- a. with the prior written consent of the Certifying Authority; or
  - b. where drink is served at a table accompanying a meal; or
  - c. in those parts of the Regulated Stand not usually open to members of the general public.

Note Attention is drawn to the provisions of the Sporting Events (Control of Alcohol) Act 1985 as amended.

## **B.6 Public Safety Incidents and Evacuation**

- B.6.1.** A public address system shall be provided and operated by a person nominated by the Holder. The system shall be used for the carrying out of emergency evacuation procedures for the Regulated Stand, when considered necessary.
- B.6.2.** No Spectator shall be admitted unless the public address system is in full working order. In case of a failure to the electrical supply serving the public address system fully functioning loud hailer must be available for use.
- B.6.3.** The public address system shall be capable of communicating information to the Regulated Stand.
- B.6.4.** The Holder shall provide a Safety Officer's Control Point within or in close proximity to the Regulated Stand, which must:
- a. accommodate the necessary communications equipment and be a base for the staff required for their operation or supervision;
  - b. be suitable to serve as a command post in the event of an emergency; and
  - c. be capable of being evacuated safely if necessary.
- B.6.5.** The Holder shall assess in writing the risk of incidents prejudicing public safety or disrupting normal operations and where a risk of such an incident is identified shall produce a written plan of action to deal with all contingencies (the Contingency Plan). The Contingency Plan of action shall cover all reasonably foreseeable contingencies up to and including the need for partial and/or the need for total evacuation of the Regulated Stand and shall identify appropriate individuals and their respective tasks.
- B.6.6.** The Contingency Plan of action shall be reviewed after any incident, near miss or exercise or following permanent or temporary changes made to the structures or Installations at the Regulated Stand. Where following any review the Holder revises the Contingency Plan of action a copy of the revisions should be forwarded to the Certifying Authority.
- B.6.7.** The Holder shall also carry out training exercises at least once a year so as to ensure the emergency procedures as set out in a "Contingency Plan" operate correctly. Details of training exercises, including its duration, the instruction provided and the personnel involved shall be entered in a log book and be kept with the Safety Policy.

## **SCHEDULE C      FIRST-AID, MEDICAL FACILITIES**

### **C.1      Accommodation And Equipment**

- C.1.1.** The Holder shall provide a Dedicated First Aid Room which is suitable in size, fitting and facilities and design and location (see Green Guide for details). The Dedicated First Aid Room should have a W.C. suitable for use by disabled people adjacent to it, together with a wash basin and hot and cold water supply.
- C.1.2.** The Holder shall ensure appropriate medical, nursing; paramedic and first aid provisions are available for Spectators. A medical risk assessment shall be conducted by a Competent Person in consultation with a competent medical authority.
- C.1.3.** The Holder shall ensure the development and implementation of a medical plan which takes the results of the medical risk assessment into consideration. The medical plan shall define the levels of medical provision for Spectators.
- C.1.4.** The Holder shall ensure that defibrillators are provided at all events, whether they are provided by the Club or supplied through a medical/ first aid provider. The Holder shall ensure that there are an adequate number suitably trained persons at a Specified Activity to operate a defibrillator.
- C.1.5.** The Dedicated First Aid Room shall be accessible to first aid personnel, ambulances and the public from every part of the ground, and shall be suitably sign-posted throughout the Regulated Stand.
- C.1.6.** The Holder shall clean, heat, light, ventilate and maintain the Dedicated First Aid Room, which shall be used solely for first aid purposes. The Holder shall ensure that all appropriate standards of hygiene are maintained.
- C.1.7.** The Dedicated First Aid Room shall be available for first aid during each Specified Activity.
- C.1.8.** Instruction notices for contacting the Emergency Services shall be displayed in the Dedicated First Aid Room.

### **C.2      Personnel**

- C.2.1.** The Holder shall ensure that suitable and properly trained first aid personnel are present at each Specified Activity in the ratio of at least 1 to every 1,000 spectators, or part thereof, up to 10,000 spectators, and there after one per 2000 spectators anticipated for the Specified Activity.
- C.2.2.** The Holder shall ensure that, at every Specified Activity where the number of spectators is expected to exceed 2,000, a Medical Practitioner able to manage accident and emergency situations is present. The Medical Practitioner shall have specific training in cardia-pulmonary resuscitation and in the use of automatic/advisory or manual defibrillators. The Medical Practitioner shall:-
  - a. be at the Regulated Stand before the start of the Specified Activity
  - b. remain until at least half an hour after the end of the event; and

- c. be made aware of the location and staffing arrangements of the Dedicated First Aid Room and details of the ambulance cover, the local accident and emergency department's major incident plan and the local authority's emergency plan.
- C.2.3.** The whereabouts of the Medical Practitioner shall be known to the Safety Officer, first aid and ambulance staff and to those in the Safety Officer's Control Point who shall be able to make immediate contact with him or her.
- C.2.4.** At every Specified Activity where the number of spectators is not expected to exceed 2,000 the Medical Practitioner need not be present at the Regulated Stand, but the Holder shall ensure that arrangements are made to enable the Medical Practitioner to be summoned to deal with any medical emergency at the Regulated Stand within a maximum of ten minutes. Those arrangements shall be made known to the officers in charge of the Safety Officer's Control Point and the Dedicated First Aid Room.
- C.2.5.** The Holder shall make arrangements for the provision of at least one fully equipped ambulance (either from the NHS or, if from elsewhere, from a source approved by the Ambulance Service), to be in attendance at all events with an anticipated crowd of 5,000 or more. Any additional ambulance cover should be determined after consultation with the Ambulance Service, but in no case shall the ambulance provision be less than the following:

a. Anticipated attendance	Dedicated ambulance provision
5,000 to 25,000	1 Accident and emergency ambulance (with paramedic crew), plus 1 Ambulance Officer



## **SCHEDULE D BUILDINGS, STRUCTURES AND INSTALLATIONS**

### **D.1 Means of Ingress And Egress**

- D.1.1.** The means of ingress and egress shall be maintained in good condition and unobstructed to each part of the Regulated Stand.
- D.1.2.** Means of ingress and egress to each part of the Regulated Stand and all signage relating thereto shall be adequately maintained and shall be marked in a manner that can be understood by Spectators.
- D.1.3.** During a Specified Activity, no door or gate forming part of an escape route from the Regulated Stand shall be locked by a key or fastened in such a way that it cannot easily and immediately be opened by those using that route in an emergency.
- D.1.4.** 'WAY OUT' or 'EXIT' notices shall be provided and maintained over each exit within the Regulated Stand.
- D.1.5.** Each staircase and each corridor within the Regulated Stand shall be maintained enclosed with Fire Resisting construction.
- D.1.6.** Each gangway, exit route, stairway, ramp, stepping and means of access for emergency vehicles to the Regulated Stand shall be kept free of stored goods, litter, ice and snow whilst the Regulated Stand is in use for any Specified Activity. The treads of steps and stairways shall be maintained with non-slip and even surfaces, and shall be adequately drained.
- D.1.7.** Gangways on terraces within the Regulated Stand shall be in a conspicuous colour with a non-slip surface. Conspicuous nosings shall be provided to stepped gangways in seated areas. All gangways shall be kept clear of Spectators.
- D.1.8.** The means of access for Emergency Service vehicles to the Regulated Stand shall be maintained, unobstructed and in good condition.

### **D.2 Electrical, Mechanical And Heating Installation**

- D.2.1.** The Electrical Installations for the Regulated Stand shall be maintained in accordance with the latest BS 7671 British Standard Requirements for Electrical Installation (IEE Wiring Regulations).
- D.2.2.** The Holder shall ensure that a Competent Person familiar with the Electrical Installation in the Regulated Stand is available during a specified activity so as to be able to respond in the event of an emergency.
- D.2.3.** A diagram of the distribution for the mains Electrical *Installation* shall be fixed in an easily accessible positions for reference by Competent Persons. All switch and control gear shall be clearly labelled to indicate the circuits which they control.

- D.2.4.** All cables and conductors of wiring systems shall be sited so that they are, as far as practicable, inaccessible to the public and shall be enclosed throughout in a protective covering of material which has sufficient strength to resist mechanical damage. Where wiring is to be used within confined spaces such as escape routes, Low Smoke and Fume Emission (LSF) sheathed cables should be used.
- D.2.5.** An alternative electricity supply which functions for a minimum of 3 hours in the event of failure of the mains electricity supply shall be provided and shall be sufficient in power to simultaneously run all of the following systems effectively
- a. Emergency Lighting
  - b. Fire alarm
  - c. Safety Officer's Control Point
  - d. Dedicated First Aid Room and
  - e. Other apparatus/areas where required

*Note: Where a generator is used to provide the alternative supply, the start up time of the generator should not exceed 5 seconds.*

- D.2.6.** All Emergency Lighting shall automatically provide illumination in the event of a failure of a lighting circuit or mains electricity.
- D.2.7.** All Emergency Lighting (shall provide a level of illumination which is adequate to allow free movement within the Regulated Stand and exits therefrom.
- D.2.8.** The heating installation (including all boilers, calorifiers and safety devices) for the Regulated Stand, shall be maintained by the Holder in a safe and satisfactory condition; shall be housed in a Fire Resisting enclosure; shall be fitted with automatic energy cut off device(s); shall have an adequate air supply and shall not prejudice the means of escape for spectators. The installation shall also be examined as required by Schedule F. Any gas installations shall be provided and maintained in accordance with the Gas Safety Regulations.
- D.2.9.** The Holder shall ensure that a person who is thoroughly familiar with the electrical and mechanical installations is present within the Regulated Stand during the Specified Activity

### **D.3 General**

- D.3.1.** All glass in doors, windows, partitions, etc. in each part of the Regulated Stand accessible to spectators shall be maintained in a sound condition and any replacement glass shall conform to the Building Regulations and associated Approved Documents.
- D.3.2.** The following areas shall be kept completely free of storage, goods, litter combustible or flammable material or other obstruction and access maintained at all times:-
- a. Electrical intake rooms
  - b. Electrical switch rooms
  - c. Transformer rooms

- d. Lift motor rooms and lobbies
- e. Generator area and
- f. Voids.

**D.3.3.** Except as provided in paragraph D.3.4 or with consent of the Council in writing, no cylinder for the storage of compressed air, oxygen, hydrogen or other gas or liquid under pressure shall be used or stored in the Regulated Stand

**D.3.4.** Within the Regulated Stand, CO2 cylinders may be used for the supply of beer pumps, provided that only one cylinder in use in a bar at any time. In addition a spare cylinder can be chained in an upright position within the bar. All other CO2 cylinders shall be kept in appropriate storage within the Regulated Stand.

**D.3.5.** No special effects, displays or other arrangements (including pyrotechnics, lasers etc.) within the Regulated Stand shall be undertaken without consultation and written prior consent of the Certifying Authority.

**D.3.6.** All fire doors within the Regulated Stand shall be maintained effectively self-closing and shall not be secured open unless otherwise permitted by the Certifying Authority. Doors to stores and plant rooms within the Regulated Stand shall be kept locked whilst spectators are on the premises during a Specified Activity.

## **SCHEDULE E      FIRE AND FIRE FIGHTING**

### **E.1      General**

- E.1.1.** The Holder is required to ensure fire safety arrangements are planned, organised, controlled, monitored and reviewed to effectively prevent the outbreak, spread and growth of fire, alert persons to the presence of a fire, evacuate persons to a safe area.
- E.1.2.** The Holder is required to ensure that these arrangements are documented within a fire safety management plan.
- E.1.3.** The Holder is required to ensure that suitable and sufficient documented fire risk assessments are completed. The control measures identified within these fire risk assessments should be incorporated into the documented fire safety management plan.
- E.1.4.** Fire risk assessments should assess all structures and installations at the Regulated Stand and external installation in close proximity of the Regulated Stand that may have an impact on fire safety at the Regulated Stand
- E.1.5.** This assessment should be reviewed on an annual basis or sooner if changes /incident occurs that affects fire safety and/or its management.
- E.1.6.** The Holder shall ensure that persons competent in fire safety provisions develops and manages the fire safety management plan and fire risk assessments.
- E.1.7.** An effective fire safety management plan should consider the following fire safety aspects within the Regulated Stand:-
  - a. Identifying, removing, reducing the sources of ignition and fuel;
  - b. Restrict the rate of early fire growth and fire spread;
  - c. Provide sufficient protected emergency evacuation routes;
  - d. Provisions for evacuation people with disabilities;
  - e. Adequate provision and illumination of exit and emergency evacuation route through appropriate signage and Emergency Lighting;
  - f. Effective fire detection and warning systems;
  - g. Appropriate fire fighting equipment;
  - h. Appropriately trained staff in fire safety and where applicable the use of fire fighting equipment;
  - i. Unobstructed access, egress and parking for emergency vehicles at all times;
  - j. Preventative maintenance and tests for fire safety equipment;
  - k. The use of lifts should also be considered regarding fire safety.
- E.1.8.** The Holder is required to ensure that there are effective systems in place to monitor the implementation of the fire safety management plan and ensure its effectiveness.

## **SCHEDULE F      TESTING AND INSPECTION BY THE HOLDER**

### **F.1      Introduction**

- F.1.1.** The Holder shall ensure that there is a Maintenance Plan and any relevant records in connection with the same are retained in accordance with Schedule G.

### **F.3      Checks, Inspections And Tests**

- F.3.1.** Any defect found as a result of checks, inspection and tests or otherwise shall be recorded. The record should include detail about the defect, when the defect is discovered and when it is remedied. All defects should be reported to the Safety Officer or Deputy Safety Officer as soon as is reasonably practicable.

- F.3.2.** During each Specified Activity in the Regulated Stand, the Holder shall ensure the following: -

- a. litter and waste are not allowed to accumulate, and are removed to secure containers whenever possible;
- b. materials are not allowed to accumulate or be stored in circulation, exit or escape routes; and
- c. all aisles, exits, emergency exits and escape routes are kept clear.

- F.3.3.** After each Specified Activity, the Holder shall: -

- a. arrange for and have carried out a general visual inspection of the Regulated Stand for signs of damage or deformation which might create a potential danger to the public, with particular attention to the condition of seats, terraces, viewing slopes, barriers and stairways;
- b. ensure that combustible waste and litter in the Regulated Stand are cleared (particularly from voids) and either removed or stored in secure containers;
- c. participate with the ambulance officers and first-aiders in a de-briefing and record any comments and follow up action;
- d. ensure that any outstanding matters of concern are recorded and arrangements made for remedial action before the next Specified Activity; and
- e. liaise with the Police and/or crowd control personnel to gain full benefit from any de-briefing about crowd control

### **F.4      Inspections and tests before a Specified Activity**

- F.4.1.** The Holder shall ensure the following items within the Regulated Stand are inspected before the start of each Specified Activity:-

- a. inspect the general condition and state of maintenance of the fabric of the Regulated Stand paying particular attention to the condition of each terrace, stairway, exit route, access route and directional sign;

- b. inspect all gangways, entry, exit and access routes to ensure freedom from obstructions and trip hazards; that surfaces are not slippery and to ensure that they are capable of being used to their full capacity;
- c. examine each crush barrier and balustrade for corrosion, deformation or any other visible weakness; ensure all structures are free from damage, corrosion or deformation which might cause a potential danger to the public;
- d. remove and dispose of all potential missiles, rubbish and combustible waste and clear each exit, stairway, exit route, boiler room, electrical intake room, void, lift lobby and all areas to which the public have access, including the means of access for Emergency Services vehicles; of goods, litter, combustible or flammable materials, unauthorised products or other obstruction or hazard;
- e. examine all exit doors and gates whether manually or electronically operated to ensure that they can be easily and fully opened.
- f. inspect all voids beneath wooden stands, all kitchens and food preparation areas and all other areas particularly vulnerable to fire for combustible materials or other hazards, and ensure that hazardous materials are removed, or safely stored, well away from public areas;
- g. ensure that the required fire fighting equipment is in position and available;
- h. inspect the Dedicated First Aid Room and the equipment and supplies held there and ensure that sufficient first-aid personnel are present and at their posts and have been properly briefed;
- i. ensure containers used to store combustible waste or litter are secure;
- j. ensure that areas to which public access is prohibited are properly locked or sealed off;
- k. ensure that directional signs are in place and, where appropriate, illuminated;
- l. ensure that media activities do not interfere with, or negate, the normal safety operation of the Regulated Stand and do not hamper the safety, comfort or viewing standards of Spectators.

## **F.6 Inspections and tests at least 24hrs before Specified Activity**

**F.6.1.** The Holder shall ensure the following are inspected and tested in good time before the Specified Activity and ensure the instigation of adequate contingency measures if there is a failure:

- a. loud hailers, video or electronic information boards, radio systems, public address systems and Emergency Lighting systems.
- b. Each generator and associated engine in accordance with the manufacturer's instructions by a Competent Person not more than 48 hours prior to a Specified Activity. The tests must include a simulated mains failure test with the generator taking up its prescribed load within 5 seconds.
- c. The automatic fire detection and fire warning systems (including the repeater panel), in accordance with the method laid down in BS5839: Part 1.

**F.6.2.** All inspections, tests and checks shall be documented together with any problems

identified and corrective actions taken.

- F.6.3.** If problems are identified, the Holder shall ensure appropriate remedial action is taken before the public is allowed access to the affected area of the Regulated Stand.

## **F.7 Inspections and tests at regular intervals.**

- F.7.1.** Notwithstanding F.6 above, the Holder shall ensure the following are inspected and tested at regular intervals(regular intervals in each case should be determined by a suitable and sufficient risk assessment):-
- a. Inspections of extinguishers, spare gas cartridges and replacement charges shall be carried out to ensure that extinguishers are in their correct positions and have not been discharged or suffered a pressure loss or damage. The results of the inspections shall be entered in a log book
  - b. Each generator and associated engine used to provide alternative supplies (in accordance with the manufacturer's instructions by a Competent Person). The generator shall be started under simulated mains failure and tested on full load for not less than one hour. The results of the inspections and tests shall be recorded in a log book
  - c. The Electrical Installations (with aperiodic inspection report, in the form prescribed by the IEE Wiring Regulations, submitted to the Council upon its completion). The certification of the whole of the stands Electrical Installations as satisfactory by a Competent Person at least once every 3 years.
  - d. Any lift installation shall be maintained and inspected at regular intervals by a competent lift engineer.

## **F.8 Inspections And Tests Every Six Months**

- F.8.1.** Any passenger lift installations shall receive a Thorough Examination at least every six months by a competent lift engineer. Copies of Thorough Examination certificates shall be submitted to the Council at least once in every 12 months.

## **F.9 Inspections And Tests Every Twelve Months**

- F.9.1.** The Holder shall ensure that a detailed annual inspection of the Regulated Stand components as described as follows :-
- a. ensure that all Standing surfaces, seats, stairs, ramps, doors, gates, boundary walls, fences and cladding are fit for their intended purpose;
  - b. Ensure that all load bearing elements are capable of withstanding the loads to which they are likely to be subjected and that they perform properly their required functions
  - c. All barriers and handrails should be tested in accordance with the Green Guide;
  - d. Where barriers and handrails fail to meet these test conditions they shall be replaced or strengthened. Such barriers and handrails shall be retested after the

remedial work to ensure compliance.

- F.9.2.** Any lift installation that does not carry people shall receive a 'Thorough Examination' at least every twelve months by a competent lift engineer. Copies of Thorough Examination certificates shall be submitted to the Council at least once in every 12 months.
- F.9.3.** An inspection of the Emergency Lighting shall be carried out by a Competent Person. Where self-contained battery operated escape luminaires are installed, the certificate shall confirm that each luminaire has been energised from its battery for 3 hours. Tests should be carried out at least every 12 months. Copies of certificates with the test results shall be submitted to the Council at least once in every 12 months.
- F.9.4.** An inspection of any electronic locking system, shall be carried out by a Competent Person.
- F.9.5.** An examination of the boiler, calorifier, and all safety devices shall be carried out by a competent boiler engineer at least once every 12 months. A copy of the certificate confirming that they are in a safe condition shall be submitted to the Council at least once every 12 months.
- F.9.6.** The manual electric fire alarm, automatic fire detection equipment and public address system in operation in the Regulated Stand shall be tested by a Competent Person and a certificate confirming that they are in a satisfactory condition shall be submitted to the Council at least once in every 12 months.
- F.9.7.** All fire fighting equipment in the Regulated Stand shall be maintained and overhauled in accordance with BS.5274, BS.5306: Parts 1 and 3, BS.5423 and BS EN 1869 : 1997 as appropriate by a Competent Person or company of fire engineers and a record kept. An inspection and maintenance certificate in respect of all fire fighting equipment at the sports ground shall be submitted to the Council once in every 12 months.
- F.9.8.** The Regulated Stand lightning protection system shall be tested by a Competent Person and a certificate confirming that it is in a satisfactory condition shall be submitted to the Council at least once in every 12 months.

## **F.10 Detailed Structural Appraisal**

- F.10.1.** A risk based plan for the detailed appraisal of all structures and parts of structures within the Regulated Stand should be kept in accordance with the relevant section of the Green Guide.



## **SCHEDULE G      RECORDS AND CERTIFICATES**

### **G.1.      Records To Be Kept By The Holder**

**G.1.1.** The Holder shall keep, separately, for a minimum period of six years, the following records which shall be made available for inspection by the Council's authorised officers or representatives of the Sports Grounds Safety Authority (SGSA) at all reasonable times. (The Holder shall be responsible for the collation of the information required for the records from the relevant organisation). Each record shall specify the name, status and qualifications of any person carrying out a test, inspection or remedial work:-

- a. a record of any accident or incident which causes injury in the Regulated Stand which is brought to the notice of the Holder and which occurs whilst the Regulated Stand is in use for a Specified Activity;
- b. a record of the names of Stewards on duty at each event and the stewarding positions within the Regulated Stand, as specified in **Schedule B**;
- c. a record of details, including attendance, of each training session and pre-match briefing given to staff and Stewards as specified in Section **Schedule B**;
- d. a record of the numbers and posts of all first-aiders present on each occasion and the attendance of the Medical Practitioner as specified in **Schedule C**;
- e. a record of each training exercise as specified in **Clause 13**;
- f. a record of tests of fire alarms and automatic fire detectors and public address system as specified in **Schedule F**;
- g. a record of checks and inspections of fire fighting equipment as specified in **Schedule F**;
- h. a record of tests of the escape lighting, as specified in **Schedule F paragraph F.9.3**;
- i. a record of each inspection carried out at the Regulated Stand to ensure compliance with **Schedule F paragraphs F.4 and F.6**;
- j. a record in a Defects Log Book of any defect relating to the safety of the Regulated Stand, however discovered, including a record of when such defect has been remedied;
- k. a record of the certificates required to be submitted to the Council under **Schedule G, paragraph G.2** below.
- l. a record of all first-aid or medical treatment provided during or in connection with any Specified Activity;
- m. a record of all fire alarms soundings whether or not activated by the automatic fire detector system;
- n. a record of all substantial maintenance work and improvements relating to safety carried out at the Regulated Stand;
- o. a record of all pre-event inspections as specified in **Schedule F**;
- p. a record of any non-routine opening of an exit door or gate; and

- q. a record of any assumption of control by the Police.
- G.1.2.** The Holder shall ensure that all records are kept fully up to date in a tamper proof form. The records shall be kept together in a specified place along with a copy of this certificate and its related documentation.
- G.1.3.** Certificates In Relation To The Regulated Stand To Be Submitted By The Holder To The Council Every 12 Months.
- G.2** The Holder shall submit the following certificates to the Council on an annual basis:-
  - a. an escape-lighting battery test report;
  - b. a certificate of examination of boiler, calorifiers;
  - c. a certificate of inspection of escape lighting generator and engine;
  - d. a certificate of structural safety complying with the recommendations of the Green Guide;
  - e. a certificate of inspection of the manual electric fire alarms and automatic fire detection equipment;
  - f. a certificate of 'Thorough Examination' for lifts;
  - g. a certificate of inspection for the public address installation;
  - h. a certificate of inspection of all fire fighting equipment;
  - i. a certificate of inspection of the electrical installation;
  - j. a certificate of inspection of the lightning conductor;

## Appendix 1

# **SPECIFIED ACTIVITIES COVERED BY THE CERTIFICATE**

Horse Racing

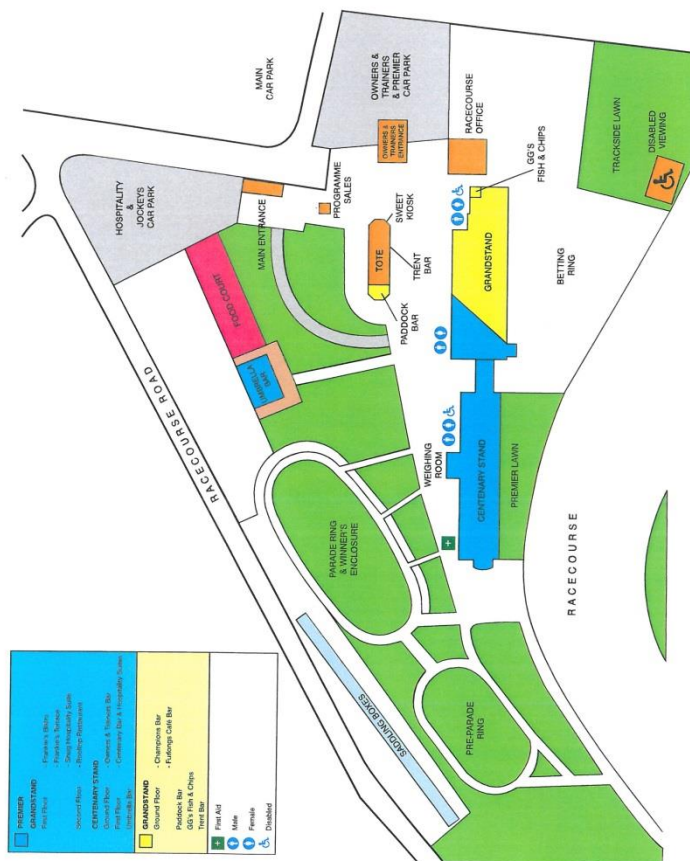
## Appendix 2      **PERMITTED NUMBERS OF SPECTATORS**

The maximum number of spectators that may be admitted to the Regulated Stand at any one time shall be restricted to: -

Total Spectator Accommodation 1,557

# APPENDIX 3

# PLAN RC1



## APPENDIX 4

### DEVIATIONS FROM THE RECOMMENDATIONS IN THE GREEN GUIDE

Deviations	Green Guide	Remarks
Gradient is 25.3%	For existing construction: the angle of slope will be pre-determined. However, it is strongly recommended that the angle of any standing area should not exceed 25°	
2. The generator has a start up of 45 seconds	If a generator is used, it should be able to operate the full Emergency Lighting load within not more than five seconds of start-up.	<b>Accepted delay as the generator does not impact on directly on the stand.</b>
3. Many checks are done by contracted technical companies 4hrs before the Specified activity is due to start.	The Holder shall ensure the following are inspected and tested at least 24hrs before Specified Activity	<b>The Holder shall ensure that the check are carried out in good time before the Specified Activity and ensure the instigation of adequate contingency measures if there is a failure.</b>
5. The risers of the terrace steps (at 190mm) exceed the preferred dimension	The height of risers should not be more than 180mm	<b>These deviations will not impair the safe ingress or egress of spectators</b>
6. The parapet (at 985mm) is below the preferred height	The preferred height is 1020mm	

**NAME OF COMMITTEE / BODY - REGULATORY AND APPEALS 25 September 2017**

<b>Title of paper:</b>	Review of General Safety Certificate: Regulated Stand Harvey Hadden Athletics Stadium	
<b>Director(s)/ Corporate Director(s):</b>	Andrew Errington Director Community Protection	<b>Wards affected:</b> Bilborough
<b>Report author(s) and contact details:</b>	Paul Dales Operations Manager, Safer Business Telephone number: 0115 8761479 Email address: <a href="mailto:paul.dales@nottinghamcity.gov.uk">paul.dales@nottinghamcity.gov.uk</a>	
<b>Other colleagues who have provided input:</b>	Angela Clark- Principal Environmental Health Officer (Health & Safety) Richard Bines - Solicitor	
<b>Date of consultation with Portfolio Holder(s) (if relevant)</b>		
<b>Relevant Council Plan Strategic Priority:</b>		
Cutting unemployment by a quarter		<input type="checkbox"/>
Cut crime and anti-social behaviour		<input checked="" type="checkbox"/>
Ensure more school leavers get a job, training or further education than any other City		<input type="checkbox"/>
Your neighbourhood as clean as the City Centre		<input type="checkbox"/>
Help keep your energy bills down		<input type="checkbox"/>
Good access to public transport		<input type="checkbox"/>
Nottingham has a good mix of housing		<input type="checkbox"/>
Nottingham is a good place to do business, invest and create jobs		<input type="checkbox"/>
Nottingham offers a wide range of leisure activities, parks and sporting events		<input checked="" type="checkbox"/>
Support early intervention activities		<input type="checkbox"/>
Deliver effective, value for money services to our citizens		<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>		
This report deals with the review of the current General Safety Certificate and issue of the proposed for the Regulated Stand at Harvey Hadden Athletics Stadium.		
<b>Recommendation(s):</b>		
<b>1</b>	That the existing General Safety Certificate for the Regulated Stand at Harvey Hadden Athletics Stadium be replaced by the proposed Certificate (the Certificate) attached at Appendix 1 of this report with effect from 25 <sup>th</sup> September 2017.	
<b>2</b>	That Committee note the recommended deviations from the Green Guide at appendix 5 to the General Safety Certificate	

**1. REASONS FOR RECOMMENDATIONS**

The Safety of Sports Grounds Act 1975 ('the 1975 Act') and The Fire Safety and Safety of Places of Sport Act 1987 ('the 1987 Act') require Regulated Stands such as the main



NOTTINGHAMSHIRE  
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City Council

stand at the Harvey Hadden Athletics Stadium to have a Safety Certificate which is held by a “qualified person” (someone with authority and control over the way that the premises and Regulated Stand are run). The purpose of the Certificate is to ensure that provisions are in place to secure reasonable safety at that Regulated Stand. A ‘Regulated Stand’ is defined as any covered stand with accommodation for 500 or more spectators whether seated or standing at a non-designated ground. Responsibility for determining if a stand is a Regulated Stand rests with the Council as the Certifying Authority.

The current terms and conditions of the Certificate require reviewing to ensure that the Certificate remains appropriate and relevant to the circumstances specific to the Harvey Hadden Athletics Stadium. Amendments to the proposed Certificate have been undertaken in consultation with the Certificate Holder, Police, Fire, Ambulance and Building Control Services as well as the Sports Grounds Safety Authority. Any comments or observations received have been carefully considered and incorporated as appropriate, subject to compliance with statutory and non-statutory guidance.

## **2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION) BACKGROUND**

The Harvey Hadden Athletics Stadium Stand comprises 703 capacity for seated spectators and 29 spaces for wheelchair users and their carers. It is therefore a Regulated Stand.

In relation to safety at Regulated Stands, consideration is given, along with the 1975 and 1987 Acts, to the ‘Guide to Safety at Sports Grounds’ (The Green Guide). While the recommendations of the Green Guide are built on evidence and experience, the Guide is prepared with stadia events in mind, as it has its origins in official inquiry reports that came out following several stadia disasters. An athletics stadium is different to other sporting stadia events such as professional league football; the reasons for this are that the spectators are generally characterised by goodwill, tolerance and good behaviour. The stadium is currently used for a variety of sporting activities with a broad range of spectator occupancy levels; it is because of this variability that a risk based approach is required in determining the level of ‘safety staff’ that is commensurate with the event.

Additional Supporting Information:

- a) The Director of Sport and Culture for Nottingham City Council, Hugh White as Holder of the current General Safety Certificate and proposed Holder of the reviewed Certificate recognises that in accordance with the ‘Guide to Safety at Sports Grounds’ issued by the Department of Culture, Media and Sport; the senior management team must keep the Safety Officer (person with delegated responsibility for securing day-to-day safety at the stadium) informed in good time of all proposals and material works taking place at the regulated stand and not make unqualified assumptions about the impact on safety requirements.
- b) The services of the appointed consultant Safety Officer, Chris Parsons – an occupationally qualified safety practitioner with experience of working in sports grounds, have been retained until further notice. A Regulatory Compliance & Assistant Business Support Manager has also now been appointed to specifically enable the on-going management arrangements for the stadium sports grounds safety compliance.
- c) Following the last meeting of the Regulatory & Appeals Committee on 16 July 2015,



at which the General Safety Certificate for Harvey Hadden Athletics Stadium was discussed, key holder agreements have been entered in to with users of the Harvey Hadden Athletics Stadium concerning their use of the facility. This ensures relevant conditions of the Safety Certificate can still be met where only a small number of spectators are present within the Regulated Stand. Where larger events occur, a risk assessment must be undertaken to ensure that a suitable and sufficiently qualified Safety Staff are in attendance to secure spectator safety. This provides a cost effective and reasonable approach to comply with the relevant provisions of the General Safety Certificate.

- d) There have been no significant concerns noted during annual inspections of the Stand undertaken to verify operational compliance with the Certificate.
- e) The Safety Advisory Group (SAG) has met annually since the comprehensive review of the Safety Management System and Safety Certificate for the Harvey Hadden Athletics Stadium in 2015. The SAG is led by the Community Protection Food and Health & Safety Team and a Terms of Reference document has been drawn up and agreed by members consisting of the Emergency Services, Building Control, SGSA and Environmental Health Officers as well as the stadium managers. The SAG continues to meet once a year to support and promote high standards of safety at the Regulated Stand. No significant issues have been raised throughout this process.

Nevertheless, the Certifying Authority is minded to apply the provisions of the 1975 and 1987 Acts and amend the General Safety Certificate as appropriate.

The key issues to note on the revised Certificate are:-

- [I]. That it reflects the following deviation to the 5th edition of the Guide to Safety at Sports Grounds (Green Guide) as listed in Appendix 5 of the General Safety Certificate:

A 'Specified Person', i.e. a person holding the necessary ability, knowledge, and skill as agreed with the Certifying Authority who does not meet the requirement within the Green Guide to be occupationally competent (i.e. hold, or be working towards, a level 4 spectator safety qualification) may carry out the duties of the Safety Officer for certain specified, low risk events, with the express written consent of the Certifying Authority.

This allows for greater flexibility in the provision of Safety Staff certain, well managed events on site.

N.B. Officers of the Certifying Authority (Community Protection Food and Health & Safety Team) are committed to undertaking event day inspections during the season to assess ongoing compliance with the Certificate, in particular with regards the effective carrying out of Safety Officer duties by the Specified Person.

- [II]. That the existing permitted deviation relating to the minimum number of first aiders be removed from the General Safety Certificate, following a recommendation by the East Midlands Ambulance Service NHS Trust and consultation with the Certificate Holder.
- [III]. That a number of duplications, general inaccuracies and inconsistencies have been removed from the General Safety Certificate.

It is recommended that the Committee accept the deviation and other changes to the General Safety Certificate, as they are not considered by the Community Protection, Food and Health & Safety Team to be of such significance as to jeopardise safety of

spectators.

### **3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

To make no amendments to the existing General Safety Certificate, however, this would not be appropriate in meeting the expectations of both the Certificate Holder and the Certifying Authority in ensuring Spectator Safety at the Regulated Stand.

### **4. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)**

There are no direct financial implications or value for money issues arising from this report.

### **5. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)**

The Fire Safety and Safety of Places of Sport Act 1987 places on the Certifying Authority a duty to determine whether any of the stands at sports grounds within its area are Regulated Stands within the meaning of the 1987 Act, and to issue safety certificates in relation to those stands. Such certificates must contain the terms and conditions the Certifying Authority considers are necessary and expedient to secure reasonable safety in the stand when it is in use by spectators. The terms and conditions of the Certificate may require alterations or additions to the stand and must contain certain matters such as a plan of the regulated Stand and the area in the immediate vicinity of it.

A General Safety Certificate may be amended or replaced by the Local Authority if it feels that it is appropriate. Section 34 of the 1987 Act imposes a duty with regard to sports grounds containing regulated stands to enforce the provisions of the Act and arrange for periodical inspection. For regulated stands with accommodation for over 2,000 spectators, the 1988 Circular (Home Office Circular 97/88) lays down a minimum of one inspection in the calendar year following the issue of the last safety certificate and once in every calendar year thereafter. In all other cases the minimum is once in every two calendar years.

There is nothing to preclude the local authority from inspecting the sports ground more frequently. The number of inspections reasonably required will vary from venue to venue. This will be for the local authority to determine, having regard to its duty to monitor the suitability of the terms and conditions of the certificate and ground management's compliance with the operations manual or safety certificate conditions and to ensure that these are being observed.

In discharging their function of determination as respects the stands at sports grounds in their areas, local authorities shall act in accordance with such guidance as the Secretary of State may give them. Home Officer Circular 97/1988 provides such guidance. The Green Guide is guidance issued by the Department for Culture, Media and Sport. It has no statutory force and has advisory status. It does not attempt to provide a universal standard for existing grounds and deviations from it are acceptable provided that they are both necessary and reasonable. The Guidance does however require that any deviations from it should be listed in the General Safety Certificate together with the reasons why those deviations are acceptable. The proposals outlined in the recommendations are therefore within the Local Authority's powers.

Any contravention of the terms of a Regulated Stand Safety Certificate is punishable as a criminal offence under section 36 of the 1987 Act.

**6. EQUALITY IMPACT ASSESSMENT**

Has the equality impact been assessed?

Not needed (report does not contain proposals or financial decisions) ☐

No - This report does not include proposals for new or changing policies, services or functions. ☒

Yes – Equality Impact Assessment attached ☐

The Regulated Stand includes space for 29 wheelchair users and their carers; appropriate ramps are available to enable access to these locations.

**7. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

Current General Safety Certificate: Harvey Hadden Athletics Stadium

**8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

Safety of Sports Grounds Act 1975

The Fire Safety and Safety of Places of Sport Act 1987

Guide to Safety at Sports Grounds (the Green Guide) published by Department of Culture, Media and Sport (5<sup>th</sup> edition, 2008)

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NOTTINGHAM CITY COUNCIL

SAFETY OF SPORTS GROUND ACT 1975  
FIRE SAFETY AND SAFETY OF PLACES OF SPORTS  
ACT 1987

AS AMENDED

# **GENERAL SAFETY CERTIFICATE**

FOR A REGULATED STAND  
AT HARVEY HADDEN STADIUM

SAFETY OF SPORTS GROUND ACT 1975  
FIRE SAFETY AND SAFETY OF PLACES OF SPORTS ACT 1987  
(AS AMENDED)

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## SAFETY OF SPORTS GROUND ACT 1975 FIRE SAFETY AND SAFETY OF PLACES OF SPORTS ACT 1987 (AS AMENDED)

### **INFORMATION**

A general safety certificate is required in respect of the use, at sports grounds which provide covered accommodation in stands for spectators and which are not designated sports grounds, for a stand that provided accommodation for 500 or more spectators to view activities at the ground. Responsibility for the safety of spectators lies at all times with sports ground management. It is important to know all the provisions of the Safety of Sports Grounds Act 1975 ('the 1975 Act') and the Fire Safety and Safety of Places of Sports Act 1987 (as amended) ('the 1987 Act'), which are relevant to stadia and stands within their scope. Reference should also be made to the 'Guide to the Safety Certification of Sports Grounds' (The Green Guide).

Reference should be made to the Acts themselves for authoritative information, however the following points are highlighted:

### **RIGHT OF ENTRY AND INSPECTION**

Section 35 of the 1987 Act gives to authorised officers the power to enter and inspect a sports ground at which there is a regulated stand 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 and records relating to the maintenance of safety in a regulated stand at a sports ground.

### **ALTERATIONS AND EXTENSIONS**

While a general safety certificate exists for a regulated stand section 32 of the 1987 Act requires notice of proposals to alter or extend the stand or its Installations, if the alteration or extension is likely to affect the safety of persons in the stand, to be given to the Local Authority ('Certifying Authority') before work is begun on any proposed alteration or extension.

### **OFFENCES AND PENALTIES**

Any responsible person and, if a general safety certificate is in operation, the holder of the certificate, shall be guilty of an offence by:—

- (a) contravening any term or condition of a general safety certificate for a regulated stand;  
or
- (b) admitting spectators to a regulated stand at a time when a general safety certificate is not in force,

A person guilty of an offence above shall be liable on summary conviction, to a fine of an unlimited amount ; or on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or both.

### **PROHIBITION NOTICES**

Section 10 of the 1975 Act (as amended) provides that if the Certifying Authority is of the opinion 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 ground or that part of the ground ought to be prohibited or restricted, the authority may serve a notice (referred to as a "prohibition notice") on the holder of the general safety certificate or the person who appears to the Certifying Authority to be responsible for the management of the ground, prohibiting or restricting the admission of spectators. A prohibition notice may be appealed in accordance with section 10A of the 1975 Act. Any restrictions imposed under a prohibition notice remain in force unless or until amended or annulled by the court.

## **APPEAL**

Section 30(4) of the 1987 Act provides that an interested party may appeal to a Magistrates Court against the inclusion of anything in, or the omission of anything from, or the refusal to amend or replace a general safety certificate for a regulated stand. An appeal under s 30(4) of the 1987 Act must be brought no later than 28 days after receipt of the general safety certificate or notice as appropriate by the interested party.

## **TRANSFER OF THE CERTIFICATE**

If the Holder of the general safety certificate ceases to be the person responsible for the management of the Regulated Stand at the Sports Ground, an application must be made to the Certifying Authority for the transfer of the certificate to some other qualified person.

## **OTHER LEGISLATION/GUIDANCE**

A general safety certificate holder should be aware that apart from the legislation detailed above other acts and guidance apply to the sports grounds. These include health and safety disabilities and civil contingencies legislation; The Regulatory Reform (Fire Safety) Order (2005); Sports Ground and Stadia Guide No.4: 'Safety Management' document and any other specific pieces of legislation or guidance that may have relevant safety implications.

NOTE: No variation of the terms and conditions of the certificate will be permitted other than by the formal consent of the Certifying Authority.

SAFETY OF SPORTS GROUNDS ACT 1975 (AS AMENDED)  
THE FIRE SAFETY AND SAFETY OF PLACES OF SPORT ACT 1987 (AS AMENDED)

## GENERAL SAFETY CERTIFICATE

FOR A REGULATED STAND  
AT HARVEY HADDEN STADIUM

Clause 1 In exercise of the powers conferred by the Safety of Sports Grounds Act 1975 (as amended) (‘the 1975 Act’) and the Fire Safety and Safety of Places of Sport Act 1987 (as amended) (‘the 1987 Act’) and all other enabling powers, Nottingham City Council (‘the Certifying Authority’), hereby issues to: -

**MR HUGH WHITE** (‘the Holder’),

this General Safety Certificate in respect of **Harvey Hadden Athletics Stand at Harvey Hadden Stadium, Wigman Road, Bilborough, Nottingham, NG8 4PB** shown on the Plan being the Regulated Stand

Clause 2 This Certificate includes the Schedules, Appendices, and Drawings attached hereto.

Clause 3 The words used in this General Safety Certificate shall have the meaning assigned to them by Schedule A, the 1975 Act, the 1987 Act and current edition of the Guide to Safety at Sports Grounds, as appropriate.

Clause 4 The Holder shall retain control over the whole and each part of the Regulated Stand and shall take all necessary precautions for the reasonable safety of Spectators admitted to the Regulated Stand. The responsibility for the safety of Spectators at the Regulated Stand lies at all times with the Holder.

Clause 5 The use of the Regulated Stand for Spectator events under this General Safety Certificate is restricted to those activities specified in Appendix 1 and is subject to the terms and conditions herein, unless a Special Safety Certificate has been granted by the Certifying Authority. No ancillary activities, apart from those listed in Appendix 1, are permitted without the prior written consent of the Certifying Authority.

Clause 6 The Holder shall ensure compliance with the terms and conditions of this General Safety Certificate at all times that the Regulated Stand is in use for any Specified Activity.

Clause 7 The Holder shall produce and comply with a written statement of Safety Policy covering the safety of Spectators and employees, outlining a chain of command and covering safety objectives and the means of achieving them. The Holder shall appoint a person at a senior level in the organisation to be responsible for implementation of the Safety Policy. The Holder shall take all necessary steps to ensure that the contents of this Policy is known and understood by all employees and any voluntary workers who may be involved in ground operations. The Holder shall sign and date the Safety Policy and shall ensure that the Policy is implemented, reviewed annually and revised as necessary. The Holder shall forward to the Certifying Authority upon its request a

copy of the Safety Policy and ensure that any revision is sent to the Certifying Authority, within 7 days of the request or of any revision taking effect.

- Clause 8 The Holder shall inform the Certifying Authority of the name of the person at senior level in the organisation appointed to take responsibility for the Safety Policy and its implementation, together with those of the Safety Officer, Deputy Safety Officer/s and Specified Person, who shall be appointed and be of sufficient competence, status and authority to take responsibility for Spectator safety at the Regulated Stand and be able to authorise and supervise safety measures. The Holder shall ensure the Safety Officer, Deputy Safety Officer/s and Specified Person are accountable to the person at senior level of the management of the ground who is responsible for safety policy and its implementation. Any change/proposed change in the above roles shall be notified to the Certifying Authority in writing as soon as is practicable and prior to the change if practicable. The Holder shall set out in writing the duties of the Safety Officer, Deputy Safety Officer and Specified Person and the functions of their post.
- Clause 9 The Holder may appoint a replacement Safety Officer or Deputy Safety Officer to carry out or assist in the general duties of the Safety Officer (or Deputy) or duties for a specific event. Such Appointments shall be notified to the Certifying Authority in writing as soon as is practicable and prior to the event taking place.
- Clause 10 Subject to Schedule B, unless the Safety Officer, Deputy Safety Officer or Specified Person is present at Specified Activities, the capacity of the Regulated Stand will be zero.
- Clause 11 Without prejudice to Clause 21, the Holder shall give the Certifying Authority 14 days' notice in writing of any change of circumstances affecting this Certificate. Any changes affecting this Certificate that could not be foreseen shall be notified to the Certifying Authority in writing as soon as is practicable and in any event within 7 days of their occurrence.
- Clause 12 The Holder (in consultation with the Police, Fire Service, Ambulance Service, the Certifying Authority and such other persons or bodies as may be appropriate) shall produce, review, test and keep up to date documented Contingency Plans for any incident occurring which might prejudice safety or disrupt normal operations at the Regulated Stand. In these Plans, specific tasks shall be assigned to identified post holders or their nominated deputies. The Contingency Plans shall cover all reasonably foreseeable contingencies up to and including the need for partial and/or total evacuation of the Regulated Stand and shall identify appropriate individuals and their respective tasks, including precautions against electrical or mechanical failure.
- Clause 13 The Holder shall carry out training exercises to ensure the procedures as set out in the Contingency Plans operate correctly. Details of training exercises shall be entered in a logbook.
- Clause 14 The Holder shall ensure that the maximum number of spectators that may be admitted at any one time to the Regulated Stand shall not exceed the capacities specified in **Appendix 2** of this Certificate. The Holder shall also ensure that the measures for controlling spectators prescribed in this General Safety Certificate are observed.
- Clause 15 The Holder shall ensure that suitable and sufficient equipment, permanent staff, Stewards and others are provided, to monitor, direct, guide, manage and assist Spectators in accordance with **Schedule B** herein during Specified Activities.

- Clause 16 The Holder shall ensure that suitable and sufficient first aid and medical staff, equipment, facilities and accommodation are provided in accordance with **Schedule C**.
- Clause 17 The Holder shall ensure that all Installations, buildings and structures, including their means of ingress and egress, referred to in this Certificate are at all relevant times kept unobstructed and maintained in good repair and condition as to fulfil their required functions and comply with the requirements of **Schedule D**, and, so far as reasonably practicable, do not put Spectators at risk.
- Clause 18 The Holder shall ensure:-
- a. all reasonable precautions are taken to prevent the outbreak and spread of fire,
  - b. suitable and sufficient equipment is maintained and competent staff are available to deal with an outbreak of fire, and
  - c. compliance with the requirements of **Schedule E** to this Certificate
- Clause 19 The Holder shall ensure that the inspections and testing of structures, equipment and systems at the Regulated Stand are carried in accordance with **Schedule F** herein, at the frequency indicated, or such shorter periods as may be necessary to ensure the reasonable safety of spectators, subject to the frequency of any such inspection and test not exceeding any frequency indicated by a relevant manufacturer of such structures, equipment and systems. The results of these inspections and test shall be recorded and kept as specified in **Schedule G**.
- Clause 20 The Holder shall ensure that any records and or certificates specified in **Schedule G** are kept and made available for inspection by the Certifying Authority at all reasonable times.
- Clause 21 The Holder shall notify the Certifying Authority, in writing, of any proposed change to the Regulated Stand structure or its Installations at least 28 days before any proposed change is made. Any changes, which may involve addition to, alterations or conditions at the Regulated Stand shall be accompanied by two sets of:-
- d. drawings of scale 1:100 to clearly show the proposed change,
  - e. such other capacity calculations, drawings and risk assessments as may be necessary or are further required by the Certifying Authority to enable them to undertake the necessary consultation and to make an informed decision on the proposed change.
- Clause 22 No alteration or addition shall be made to the Regulated Stand, including any structure, installation, fitting, whether temporary or permanent, without prior written authorisation of the Certifying Authority. Any authorised change shall be carried out of the satisfaction of the Certifying Authority.
- Clause 23 The Holder shall draw up and keep up to date plans showing the layout of the Regulated Stand, Sports Ground, buildings, equipment, and all details/ documents and certificates considered necessary by the Certifying Authority in connection with this certificate and shall upon request supply the Certifying Authority with copies.
- Clause 24 Any notice required to be given under this General Safety Certificate shall be provided in writing to:- **Food and Health & Safety Team, LH Box 45, Loxley House, Station Street, Nottingham, NG2 3NG.**

- Clause 25 This Certificate is issued without prejudice to other legislation controlling the construction or use of the Regulated Stand within the Sports Ground or otherwise affecting the Holder, and does not invalidate any statutory obligation upon the Holder. The specific requirements of this certificate shall not be regarded as the limit of the obligation placed on the Holder to take all necessary precautions for the reasonable safety of Spectators admitted to the Regulated Stand.
- Clause 26 Notwithstanding clauses 7 & 12, the Holder shall ensure the following documentation is produced, kept up dated and signed and dated by the Holder. The Holder shall ensure that up-to-date copies of the following are supplied to the Certifying Authority upon request:-
- f. plans showing the layout of the stand, buildings, equipment, and all details considered necessary by the Certifying Authority in connection with the General Safety Certificate;
  - g. duties of the Safety Officer;
  - h. Safety Policy; and
  - i. Contingency Plans.

With effect from **25<sup>th</sup> September 2017** this certificate will replace all previous certificates and will be reviewed by the Certifying Authority.

Signed:..... Date.....

**Lorraine Raynor**  
**Chief Environmental Health and Safer Housing Officer**

Community Protection  
Nottingham City Council  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

## SCHEDULE A – DEFINITIONS

### **‘the Ambulance Service’**

means the Chief Executive Officer of the East Midlands Ambulance Service NHS Trust or any other such officer designated by him/her.

### **‘Building Regulations’**

means the Building Regulations 2010 as amended

### **‘Buildings and Structures’**

in relation to the Sports Ground means all buildings, structures and parts thereof including means of access and egress.

### **‘Carer/s’**

means any person assisting or caring for a Wheel Chair Spectator in the Wheel Chair Spectator Area

### **‘Certifying Authority’**

means the Food and Health & Safety Team of Nottingham City Council

### **‘Child’**

means a person who has not attained the age of 17 years, and the word ‘Children’ shall be construed accordingly.

### **‘Competent Person’**

in relation to the testing and certification of electrical systems and Installations, means one of the following:

- a) a corporate member of the Institution of Electrical Engineers; or
- b) a contractor currently enrolled with the National Inspection Certifying Authority for Electrical Installation Contracting or Electrical Contractors' Association; or a suitably qualified representative of the Electrical Supply Authority.

in relation to the testing and certification of Building and Structures , means one of the following:-

- a. Chartered Structural Engineer;
- b. Chartered Surveyor (Building Surveying Division);
- c. Chartered Civil Engineer; or a person who in the opinion of the Certifying Authority possesses similarly qualifications to those at a, b or c above.

### **‘Contingency Plan’**

means a plan for any incident occurring which might prejudice safety or disrupt normal operations at the Regulated Stand, including precautions against electrical or mechanical failure, which assigns specific tasks to identified post holders or their nominated deputies, covering all reasonably foreseeable contingencies up to and including the need for partial and/or total evacuation of the Regulated Stand.

### **‘Dedicated First-Aid Room’**

means a fully resourced room within Harvey Hadden Leisure Complex set aside for treating members of public as required.

### **‘Deputy Safety Officer’**

means a person vested with all the competence and authority normally held by the Safety

Officer

**'Electrical Installation'**

Means an assembly of associated electrical equipment having co-ordinated characteristics to fulfil specific purposes. (from BS 7671:2008)

**'Emergency Lighting'**

means a system of escape route lighting which illuminates in the event of a failure of the general lighting circuit to enable free movement within the Regulated Stand and exits therefrom.

**'Emergency Services'**

means the Police, the Ambulance Service and the Fire and Rescue Service

**'the Fire and Rescue Service'**

means the Chief Officer of Nottinghamshire Fire & Rescue Service, or such other officer designated by him/her.

**'Fire Resisting'**

means the construction is capable of resisting the action of fire for not less than half-an-hour, (or such other period as may be specified by the Certifying Authority) in accordance with the appropriate British Standard. or as defined in the current version of the Approved Document B of the Building Regulations 2010. (Volume 2) -Fire Safety

**'Gas Safety Regulations'**

means the Gas Safety (Installation and Use) Regulations 1998

**'Green Guide'**

means the current edition of the 'Guide to Safety in Sports Grounds' produced by the Department for Culture Media and Sport.

**'Holder'**

Means the person to whom the General Safety Certificate was issued as the person responsible for the management of the ground.

**'Installations'**

includes all or part of any radial fencing, and any electrical, mechanical and heating Installations.

**'Medical Practitioner'**

means a qualified Medical Practitioner, registered with the General Medical Certifying Authority, who has received training in pre-hospital (immediate) care and major incident management.

**'Non Combustible'**

means material capable of being classified as non-combustible if subjected to the test for non-combustibility prescribed in the appropriate British Standard, or such other material or combination of materials as the Certifying Authority accepts as being non-combustible.

**'Occupationally Competent'** means a person who has sufficient training and experience to meet the national occupational standards relevant to the task within their identified role.

**'Paramedic'**

means a person who holds a current certificate of proficiency in ambulance Paramedical skills,

issued by the Institute of Health Care and Development (IHCD), and who has immediate access to the appropriate level of specialist equipment, including drug therapy, as stipulated and approved by the relevant Paramedical Steering Committee. A Paramedic crew, as a minimum, consists of a Paramedic plus an ambulance technician, trained to IHCD Standard

**'the Plan'**

means the documents attached to this Certificate in Appendix 3 and Appendix 4.

**'Planned Preventative Maintenance Schedule'**

means a schedule that complies with the requirement of Schedule F and deals with periodic inspection testing and assessment and details structural appraisal of all structures and installations relating to the Regulated Stand

**'the Police'**

means the Chief Constable of Nottinghamshire Police or such other officer designated by him/her.

**“the Police Commander”**

means an officer designated by the Police for the purpose of commanding Police activities.

**'Regulated Stand'**

means the covered seating area at Harvey Hadden Stadium, Wigman Road, Bilborough, Nottingham, NG8 4PB as shown as Harvey Hadden Athletics Stand on plan [Ref Drawing Number POS/121001/15-2] at Appendix 3 in respect of which a General Safety Certificate under Part III of the 1987 Act is required.

**'General Safety Certificate'**

means this certificate being a General Safety Certificate in respect of the use of the Regulated Stand for viewing an activity or a number of activities specified at Appendix 1 during an indefinite period commencing on at the date of this certificate, not being a Special Safety Certificate specified under section 26(10)(b) of the 1987 Act.

**'Safety Officer'**

means a person, with sufficient training, experience and knowledge to assess and manage risks relating to the Regulated Stand and has sufficient authority for the direction and control of spectators, employees, agents, contractors, franchise holders and their employees within the Regulated Stand.

**'Safety Officer's Control Point'**

means the control room (CR) as shown on the Plan [Ref Drawing Number POS/121001/15-1] at Appendix 4

**'Safety Policy'**

means the policy produced covering the safety of spectators, employees, outlining a chain of command and covering safety objectives and the means of achieving them. The policy must make reference to the Stewarding Plan; Medical Plan; Fire Safety Management Plan; Contingency Plan, Major Incident Plan and Maintenance Plan.

**'Safety Staff'**

means the Holder, a person designated by them, the Safety Officer, Deputy Safety Officer and Specified Person, and all persons under their control who are engaged in the management of



the Regulated Stand and the safety, direction and control of spectators, including employees, agents, Stewards, contractors, franchise holders and their respective employees.

**‘Special Safety Certificate’**

means any Safety Certificate issued under s26(10)(b) of the 1987 Act in respect of the use of the stand for viewing an activity or a number of activities specified in a such a certificate on an occasion or series of occasion so specified.

**‘Specified Activity’**

means any of the activities listed in Appendix 1 and the duration of the Specified Activity shall be construed as including the whole period when Spectators of the Specified Activity are within the Regulated Stand.

**‘Specified Person’**

means a person who does not hold (or is not working towards) a level 4 spectator safety qualification on the relevant qualification framework, but nevertheless has the necessary ability, knowledge, and skill to assess and manage risks relating to the Regulated Stand and has sufficient authority for the direction and control of spectators, employees, agents, contractors, franchise holders and their employees within the Regulated Stand; and the appointment of whom has been agreed in writing with the Certifying Authority.

**‘Spectator’**

means persons viewing a Specified Activity including disabled persons from the Regulated Stand.

**‘Sports Ground’**

means any place where sports or other competitive activities take place in the open air and where the accommodation has been provided for Spectators, consisting of artificial structures or of natural structures artificially modified for the purpose.

**‘SGSA’**

means the Sports Grounds Safety Authority.

**‘Steward’**

means a person trained, or being trained, to a recognised national Standard, employed or contracted by management to act in accordance with the general recommendations of the Green Guide and the specific requirements of this General Safety Certificate.

**‘Surface Spread of Flame Classification’**

means the class into which a material falls when tested for surface spread of flame in accordance with the appropriate British Standard or as defined in the current version of the Approved Document to Part B (Fire Safety) of the Building Regulations 2010.

## **SCHEDULE B - SAFETY STAFF AND CROWD CONTROL**

### **B.1. General**

- B.1.1 The Holder shall be responsible for ensuring that mechanisms are in place to enable the effective management of Spectator safety by Safety Staff, which shall include the production of a Stewarding plan in accordance with the Green Guide.
- B.1.2 Each member of Safety Staff shall be adequately trained in safety procedures in accordance with their responsibilities.
- B.1.3 The Holder must ensure that a suitable and sufficient risk assessment is carried out for every event involving a Specified Activity to:
  - a. determine whether Safety Staff need to be present where 500 or less Spectators are expected at or attend an event.
  - b. enable the final number, location and duties of the Safety Staff to be determined so that Spectator safety is managed effectively.
- B.1.4 Safety Staff shall be made aware of the provisions of Section 35 of the Fire Safety and Safety of Places of Sports Act 1987 which authorises certain Officers of the Certifying Authority to enter a Sports Grounds and inspect a Regulated Stand at any reasonable time, upon production of written authorisation.

### **B.2. Safety Officers**

- B.2.1 The Holder shall ensure the appointment of a Safety Officer and Deputy Safety Officer, both of whom shall be Occupationally Competent, and provide them with detailed job descriptions clearly identifying the functions of their posts.
- B.2.2 The Holder may appoint a Specified Person only with the express written consent of the Certifying Authority. Where a Specified Person is appointed, they must be provided with a detailed job description clearly identifying the function of their post.
- B.2.3 During a Specified Activity, the Safety Officer, Deputy Safety Officer or Specified Person shall be easily identifiable and shall be in attendance at the Safety Officer's Control Point or elsewhere in the Sports Ground but must be easily contactable from there. The Safety Officer on duty shall not be engaged in any task which will prevent him/her from exercising the principal duty of ensuring safety during a Specified Activity.

### **B.3. Stewards**

- B.3.1 The number of Stewards provided should not fall below those stated within the Stewarding plan.
- B.3.2 All Stewards shall be fit and active and shall be aged ideally not less than 18 years and have the character and temperament to carry out the duties required of them.
- B.3.3 The Holder shall be required to ensure a register of Stewards is maintained, recording their attendance and post as well as their training and qualifications.
- B.3.4 Each Steward shall be readily recognisable with a high visibility and distinctly coloured and numbered surcoat or tabard (or such other clothing approved in advance by the Certifying Authority) uniquely identifiable to the individual and worn outside his/her clothing.
- B.3.5 The chief Steward and each senior Steward shall be readily recognisable by the wearing of a high visibility surcoat or tabard (or such other clothing approved in advance by the

Certifying Authority), which is distinctive from that worn by the Stewards, uniquely identifiable to the individual and worn outside his/her clothing.

**B.3.6 The basic duties of Steward include:**

- a. controlling or directing Spectators who are entering or leaving the Regulated Stand to help achieve an even flow of people in, to and from the viewing areas;
- b. recognising crowd conditions so as to ensure the safe dispersal of Spectators on terraces or viewing slopes and the prevention of overcrowding;
- c. staffing entrances, exits and other strategic points, especially exit gates and doors which are not continuously open while the Regulated Stand is in use;
- d. undertaking specific duties in the event of an emergency or as directed by the Safety Officer (or, where appropriate, any senior Police officer present).

**B.3.7 The Holder shall ensure that Stewards are briefed on their deployment, and their general and emergency duties, and a record of the briefing kept in a log book.**

**B.3.8 Before beginning duty at a Specified Activity, each Steward shall be briefed thoroughly, be handed a copy of his/her instructions and be made fully aware of his/her general responsibilities and his/her duties in the event of an emergency. Records shall be kept of such briefings as specified in Schedule G. De-briefing of Safety Staff shall take place after the Specified Activity to ensure that incidents or problems are referred to the Safety Officer/ Deputy Safety Officer/ or other person appointed take responsibility for Spectator safety at the Regulated Stand and be able to authorise and supervise safety measures for follow up action.**

**B.3.9 No Steward shall leave their place of duty during a Specified Activity without the permission of the appropriate Safety Officer, Deputy Safety Officer/ or other person appointed take responsibility for Spectator safety at the Regulated Stand and be able to authorise and supervise safety measures, who shall ensure suitable re-placement Safety Staff are in place before the position is vacated.**

**B.3.10 Stewards shall be located throughout the Regulated Stand and particularly at key points where control is most needed, such as in gangways, tops of staircases, and at each exit or entrance.**

**B.3.11 All Stewards shall be told before each Specified Activity the location of the Safety Officer's Control Point and the name of the Safety Officer/ Deputy Safety Officer/ Specified Person or other person appointed to take responsibility for Spectator safety at the Regulated Stand and be able to authorise and supervise safety measures on the day in question.**

**B.3.12 No Steward, whether directly employed or supplied by an agency, shall be deployed without proper training unless accompanied by a Steward who has been so trained.**

**B.4. Spectators with Disabilities**

**B.4.1 The Holder shall ensure that accommodation in the Regulated Stand provided for Spectators with disabilities is safe, properly designed and managed. Entrance and exit routes must be made available for disabled Spectators together with safe evacuation procedures.**

**B.5. Spectator Control And Policing**

**B.5.1 Where a request is made for Police attendance, it shall be for the Police Commander to determine the appropriate level of policing inside the Regulated Stand.**

- B.5.2 The Holder shall enter into a written statement of intent with the Police setting out their respective responsibilities for crowd safety and control where a request has been made for police attendance. Any variation in the statement must be agreed in writing in advance of the Specified Activity to which it relates. Note: The Statement of Intent is not a contract but an agreement on respective areas of responsibility.

**B.6. Public Safety Incidents and Evacuation**

- B.6.1 The Holder shall assess in writing the risk of incidents prejudicing public safety or disrupting normal operations and where a risk of such an incident is identified shall produce a Contingency Plan
- B.6.2 The Contingency Plan shall be reviewed after any incident, near miss or exercise or following permanent or temporary changes made to the structures or Installations at the Regulated Stand. Where, following any review, the Holder revises the Contingency Plan, a copy of the revisions should be forwarded to the Certifying Authority within 7 days of the revisions taking place.
- B.6.3 The Holder shall carry out training exercises at least once a year so as to ensure the emergency procedures as set out in the Contingency Plan operate correctly. Details of training exercises, including its duration, the instruction provided and the personnel involved shall be entered in a log book.
- B.6.4 Where it has been determined that a Safety Officer, Deputy Safety Officer or Specified Person is not required at a Specified Activity, the Holder shall ensure instructions are made available to the organiser of a Specified Activity to enable them to deal with all reasonably foreseeable contingencies up to and including the need for evacuation of the Regulated Stand.
- B.6.5 A public address system shall be provided and operated by a person nominated by the Holder. The system shall be used for the carrying out of emergency evacuation procedures for the Regulated Stand, when considered necessary.
- B.6.6 The public address system shall be capable of communicating information to the Regulated Stand.
- B.6.7 No Spectator shall be admitted to the Regulated Stand unless the public address system is in full working order. In case of a failure to the electrical supply serving the public address system fully functioning loud hailer must be available for use. The Holder shall provide a Safety Officer's Control Point within or in close proximity to the Regulated Stand, which must:
- a. accommodate the necessary communications equipment and be a base for the staff required for their operation or supervision;
  - b. be suitable to serve as a command post in the event of an emergency; and
  - c. be capable of being evacuated safely if necessary.

## SCHEDULE C - FIRST AID AND MEDICAL FACILITIES

### C.1. Accommodation and Equipment

- C.1.1 The Holder shall provide a Dedicated First-Aid Room which is suitable in size, fitting and facilities and design and location (see Green Guide for details) and is available for use during each Specified Activity. The Dedicated First-Aid Room should have a W.C. suitable for use by disabled people adjacent to it, together with a wash basin and hot and cold water supply.
- C.1.2 The Holder shall clean, heat, light, ventilate and maintain the Dedicated First-Aid Room, which shall be used solely for first aid purposes. The Holder shall ensure that all appropriate standards of hygiene are maintained.
- C.1.3 The Dedicated First-Aid Room shall be accessible to first aid personnel, ambulances and the public from every part of the ground, and shall be suitably sign-posted throughout the Regulated Stand.
- C.1.4 Instruction notices for contacting the Emergency Services shall be displayed in the Dedicated First-Aid Room.
- C.1.5 The Holder shall ensure appropriate medical provisions are available for Spectators during any Specified Activity. The Holder shall ensure that where a Safety Officer, Deputy Safety Officer or Specified Person is required to be present during a Specified Activity, a medical risk assessment shall be conducted by a Competent Person. Consultation shall take place as necessary with the local Ambulance Trust and first aid providers. The Holder shall ensure the development and implementation of a medical plan, which incorporates any control measures as outlined within the medical risk assessment as necessary. The medical plan shall define the levels of medical provision for spectators, subject to a minimum requirement of two first aiders to be present during any Specified Activity.
- C.1.6 The Holder shall ensure that defibrillators are provided at all Specified Activities, whether they are provided by the Club or supplied through a medical/ first aid provider. The Holder shall ensure that there are an adequate number suitably trained persons at a Specified Activity to operate a defibrillator.

## **SCHEDULE D - BUILDINGS, STRUCTURES AND INSTALLATIONS**

### **D.1. Means of Ingress and Egress**

- D.1.1 The means of ingress and egress shall be maintained in good condition and unobstructed to each part of the Regulated Stand.
- D.1.2 Means of ingress and egress to each part of the Regulated Stand and all signage relating thereto shall be adequately maintained and shall be marked in a manner that can be understood by Spectators.
- D.1.3 Each exit gate shall be available for egress during any Specified Activity.
- D.1.4 During a Specified Activity, no door or gate forming part of an escape route from the Regulated Stand shall be locked by a key or fastened in such a way that it cannot easily and immediately be opened by those using that route in an emergency.
- D.1.5 'WAY OUT' or 'EXIT' notices shall be provided and maintained over each exit within the Regulated Stand.
- D.1.6 Each gangway, exit route, stairway, ramp, stepping and means of access for emergency vehicles to the Regulated Stand shall be kept free of stored goods, litter, ice and snow whilst the Regulated Stand is in use for any Specified Activity. The treads of steps and stairways shall be maintained with non-slip and even surfaces, and shall be adequately drained.
- D.1.7 Gangways on terraces within the Regulated Stand shall be in a conspicuous colour with a non-slip surface. Conspicuous nosings shall be provided to stepped gangways in seated areas. All gangways shall be kept clear of Spectators.
- D.1.8 The Services Rendezvous Point for the Emergency Services shall be provided as indicated on the Plan contained in Appendix 4
- D.1.9 The means of access for Emergency Service vehicles to the Regulated Stand shall be maintained unobstructed and in good condition

### **D.2. Electrical, Mechanical And Heating Installation**

- D.2.1 The electrical installation for the Regulated Stand shall be maintained in accordance with the latest BS 7671 British Standard Requirements for Electrical Installation (IEE Wiring Regulations).
- D.2.2 A diagram of the main electrical distribution arrangements shall be fixed in an easily accessible positions for reference by Competent Persons. All switch and control gear shall be clearly labelled to indicate the circuits which they control.
- D.2.3 All cables and conductors of wiring systems shall be sited so that they are, as far as practicable, inaccessible to the public and shall be enclosed throughout in a protective covering of material which has sufficient strength to resist mechanical damage. Where wiring is to be used within confined spaces such as escape routes, Low Smoke and Fume Emission (LSF) sheathed cables should be used.
- D.2.4 An alternative electricity supply which functions for a minimum of 3 hours in the event of failure of the normal supply shall be provided and shall be sufficient in power to simultaneously run all of the following systems effectively

- a. Emergency Lighting
- b. Escape Lighting
- c. Fire alarm
- d. Other apparatus/areas where required

*Note: Where a generator is used to provide the alternative supply, the start-up time of the generator should not exceed 5 seconds*

- D.2.5 All Emergency Lighting shall automatically provide illumination in the event of a failure of a lighting circuit or mains electricity supply.
- D.2.6 All Emergency Lighting shall provide a level of illumination which is adequate to allow free movement within the Regulated Stand and exits therefrom.
- D.2.7 The heating installation (including all boilers, calorifiers and safety devices) for the Regulated Stand, shall be maintained by the Holder in a safe and satisfactory condition; shall be housed in a Fire Resisting enclosure; shall be fitted with automatic energy cut off device(s); shall have an adequate air supply and shall not prejudice the means of escape for Spectators. The installation shall also be examined as required by Schedule F. Any Gas Installations shall be provided and maintained in accordance with the Gas Safety Regulations.
- D.2.8 The Holder must ensure that there is a Competent Person or persons either on site or readily available during any Specified Activity to deal with any problems which might arise in relation to the electrical or mechanical Installations at the Regulated Stand.

### **D.3. General**

- D.3.1 No temporary sales kiosk or stall or other temporary structure (including any mobile stall) shall be installed without prior written consent of the Certifying Authority. Liquefied Petroleum Gas shall not be used unless written consent is obtained from the Certifying Authority.
- D.3.2 The following areas shall be kept completely free of storage, goods, litter, combustible or flammable material or other obstruction and access must be maintained at all times:-
  - a. Cupboard containing electrical distribution board and PA equipment;
  - b. The outside area to the rear of the Regulated Stand;
- D.3.3 No cylinder for the storage of compressed air, oxygen, hydrogen or other gas or liquid under pressure shall be used or stored in the Regulated Stand
- D.3.4 No special effects, displays or other arrangements (including pyrotechnics, lasers etc.) within the Regulated Stand shall be undertaken without consultation and written prior consent of the Certifying Authority.
- D.3.5 The Holder shall ensure that all seating is maintained securely fixed in position, suitably numbered and that damaged seats are promptly repaired or replaced.
- D.3.6 Television cameras, commentary points, camera gantries and the location of outside broadcast vans, for the broadcast or recording of specified activities, and including cables and other portable equipment, shall be specified on plans and submitted to the Certifying Authority for consultation four weeks prior to for the broadcast or recording of the specified activities.

## SCHEDULE E - FIRE AND FIRE FIGHTING

### E.1. General

- E.1.1 The Holder is required to ensure fire safety arrangements are planned, organised, controlled, monitored and reviewed to effectively prevent the outbreak and spread of fire, alert persons to the presence of a fire, and evacuate persons to a safe area
- E.1.2 The Holder is required to ensure that the arrangements as required in E1.1 above are documented within a fire safety management plan.
- E.1.3 The Holder is required to ensure that suitable and sufficient documented risk assessments are completed. The control measures identified within these risk assessments should be incorporated into the documented fire safety management plan.
- E.1.4 Fire risk assessments should assess all Structures and Installations at the Regulated Stand and external Installations in close proximity to the Regulated Stand that may have an impact on fire safety at the Regulated Stand.
- E.1.5 This assessment should be reviewed on an annual basis or sooner if changes /incidents occur that affect fire safety and/or its management.
- E.1.6 The Holder shall ensure that persons competent in fire safety provisions develop and manage the fire safety management plan and risk assessments.
- E.1.7 An effective fire safety management plan should consider the following fire safety aspects within the Regulated Stand:-
  - a. Identifying, removing, reducing the sources of ignition and fuel;
  - b. Restrict the rate of early fire growth and fire spread;
  - c. Provide sufficient protected emergency evacuation routes;
  - d. Provisions for evacuation people with disabilities;
  - e. Adequate provision and illumination of exit and emergency evacuation route through appropriate signage and Emergency Lighting;
  - f. Effective fire detection and warning systems;
  - g. Appropriate firefighting equipment;
  - h. Appropriately trained staff in fire safety and where applicable the use of firefighting equipment;
  - i. Unobstructed access, egress and parking for emergency vehicles at all times;
  - j. Preventative maintenance and tests for fire safety equipment;
  - k. The use of lifts should also be considered regarding fire safety.
- E.1.8 The Holder is required to ensure that there are effective systems in place to monitor the implementation of the fire safety management plan and ensure its effectiveness.



## **SCHEDULE F - TESTING AND INSPECTION BY THE HOLDER**

### **F.1. Introduction**

- F.1.1 The Holder shall ensure the following briefing sessions, checks, inspections and tests are carried out and records kept as specified in Schedule G.
- F.1.2 Any defect found as a result of checks, inspection and tests or otherwise shall be recorded in the Defects Log Book, which shall record when the defect is discovered and when it is remedied. All defects should be reported to the Safety Officer, Deputy Safety Officer or Specified Person as soon as is reasonably practicable. There must be a system in place for the organisers of a Specified Activity to report any defects to the Holder.
- F.1.3 Where it has been determined that a Safety Officer, Deputy Safety Officer or Specified Person is not required at a Specified Activity, the Holder shall ensure instructions to the organiser of a Specified Activity to enable them to comply with F4.

### **F.2. Inspections and tests before a Specified Activity**

- F.2.1 The Holder shall ensure the following are inspected and tested at least 24 hours before the Specified Activity and ensure the instigation of adequate contingency measures if there is a failure to ensure any defects can be corrected before a Specified Activity:-
  - a. loud hailers, radio systems, public address systems and Emergency Lighting systems.
  - b. The automatic fire detection and fire warning systems (including the repeater panel), which shall be tested in accordance with the method laid down in BS5839: Part 1.
- F.2.2 All inspections, tests and checks shall be documented together with any problems identified and corrective actions taken.
- F.2.3 If problems are identified, the Holder shall ensure appropriate remedial action is taken before the public is allowed access to the affected area of the Regulated Stand.
- F.2.4 The Holder shall ensure the following items are carried out within the Regulated Stand before the start of each Specified Activity;-
  - a. inspect the general condition and state of maintenance of the fabric of the Regulated Stand, paying particular attention to the condition of each terrace, stairway, exit route, access route and directional sign;
  - b. inspect all gangways, entry, exit and access routes to ensure freedom from obstructions and trip hazards; and that surfaces are not slippery and are capable of being used to their full capacity;
  - c. examine each crush barrier and balustrade for corrosion, deformation or any other visible weakness; and ensure all structures are free from damage, corrosion or deformation which might cause a potential danger to the public;
  - d. remove and dispose of all potential missiles, rubbish and combustible waste and clear each exit, stairway, exit route, boiler room, electrical intake room, void and all areas to which the public have access, including the means of access for Emergency Services vehicles; of goods, litter, combustible or flammable materials, unauthorised products or other obstruction or hazard;

- e. examine all exit doors and gates whether manually or electronically operated to ensure that they can be easily and fully opened.
- f. inspect all voids and all other areas particularly vulnerable to fire for combustible materials or other hazards, and ensure that hazardous materials are removed, or safely stored, well away from public areas;
- g. ensure that the required fire fighting equipment is in position and available;
- h. inspect the Dedicated First-Aid Room and the equipment and supplies held there and ensure that sufficient first-aid personnel are present.
- i. ensure containers used to store combustible waste or litter are secure;
- j. ensure that areas to which public access is prohibited are properly locked or sealed off;
- k. ensure that directional signs are in place and, where appropriate, illuminated;
- l. ensure that media activities do not interfere with, or negate, the normal safety operation of the Regulated Stand and do not hamper the safety, comfort or viewing standards of Spectators.

### **F.3. Inspections and tests during and after a Specified Activity**

F.3.1 During each Specified Activity in the Regulated Stand, the Holder shall ensure the following: -

- a. litter and waste are not allowed to accumulate, and are removed to secure containers whenever possible;
- b. materials are not allowed to accumulate or be stored in circulation, exit or escape routes; and
- c. all aisles, exits, emergency exits and escape routes are kept clear.

F.3.2 After each Specified Activity, the Holder shall ensure: -

- a. That a general visual inspection of the Regulated Stand is carried out to identify signs of damage or deformation which might create a potential danger to the public, with particular attention to the condition of seats, terraces, viewing slopes, barriers and stairways;
- b. that combustible waste and litter in the Regulated Stand are cleared (particularly from voids) and either removed or stored in secure containers;
- c. participation with the ambulance officers and first-aiders in a de-briefing and record any comments and follow up action;
- d. that any outstanding matters of concern are recorded and arrangements made for remedial action before the next Specified Activity; and
- e. liaison with the Police and/or crowd control personnel to gain full benefit from any de-briefing about crowd control.

### **F.4. Periodic Inspection, testing and servicing of all Installations**

F.4.1 The Holder is required to ensure that a 'Planned Preventative Maintenance Schedule' is prepared that covers the inspection, testing, and servicing of all Buildings, Structures and Installations in accordance with the specifications detailed below.

F.4.2 The Holder shall ensure detailed annual inspections of the Regulated Stand components as described as follows are carried out by appropriately Competent Persons:-

- a. All standing surfaces, seats, stairs, ramps, doors, gates, boundary walls, fences and cladding are fit for their intended purpose;

- b. All load bearing elements are capable of withstanding the loads to which they are likely to be subjected and that they perform properly their required functions
- c. All barriers and handrails shall be tested in accordance with the Green Guide;
- d. Where barriers and handrails fail to meet these test conditions they shall be replaced or strengthened. Such barriers and handrails shall be retested after the remedial work to ensure compliance.

F.4.3 An inspection and 3-hour full load test of the Emergency Lighting batteries shall be carried out by a Competent Person. Where self-contained battery operated escape luminaires are installed, the certificate shall confirm that each luminaire has been energised from its battery for 3 hours. Tests shall be carried out at least every 12 months. Copies of certificates with the test results shall be submitted to the Certifying Authority at least once in every 12 months.

F.4.4 The manual electric fire alarm, automatic fire detection equipment and public address system in operation in the Regulated Stand shall be tested by a Competent Person and a certificate shall be submitted to the Certifying Authority confirming that they are in a satisfactory condition at least once in every 12 months.

All firefighting equipment in the Regulated Stand shall be maintained in accordance with [BS EN 671-1:2001](#), BS.5306: Parts 1 and 3 BS EN 3-10:2009 and BS EN 1869:1997 as appropriate by a Competent Person or company of fire engineers and a record kept. An inspection and maintenance certificate in respect of all firefighting equipment at the Regulated Stand shall be submitted to the Certifying Authority once in every 12 months.

F.4.5 The Holder shall ensure the following are inspected and tested at regular intervals. Regular intervals in each case should be determined by a suitable and sufficient risk assessment:-

- a. Inspections of extinguishers, spare gas cartridges and replacement charges shall be carried out to ensure that extinguishers are in their correct positions and have not been discharged or suffered a pressure loss or damage. The results of the inspections shall be entered in a log book.
- b. The electrical Installations shall be inspected and tested and a periodic inspection report, in the form prescribed by the IEE Wiring Regulations, shall be submitted to the Council. The certification of the whole of the stands electrical installation as satisfactory by a Competent Person at least once every 3 years.

## **F.5. Detailed Structural Appraisal**

F.5.1 A risk based plan for the detailed appraisal of all structures and parts of structures within the Regulated Stand should be kept in accordance with the relevant section of the Green Guide.

## **SCHEDULE G - RECORDS AND CERTIFICATES**

### **G.1. Records To Be Kept By The Holder**

G.1.1 The Holder shall keep, separately, for a minimum period of six years, the following records which shall be made available for inspection by the Certifying Authority's authorised officers or representatives of the Sports Grounds Safety Authority (SGSA) at all reasonable times. The Holder shall be responsible for the collation of the information required for the records from the relevant organisation. Each record shall specify the name, status and qualifications of any person carrying out a test, inspection or remedial work:-

- a. a record of any accident or incident which causes injury in the Regulated Stand which is brought to the notice of the Holder and which occurs whilst the Regulated Stand is in use for a Specified Activity;
- b. a record of any risk assessment as required in Schedule B section B1.3
- c. a record of the names of Stewards on duty at each event and the Stewarding positions within the Regulated Stand, as specified in Schedule B section B.2;
- d. a record of details, including attendance, of each training session and pre match/event briefing given to staff and Stewards as specified in Section Schedule B section B.3;
- e. a record of contingency/evacuation training sessions undertaken in accordance with Clause 13 and Schedule B, B7.3.
- f. a record of the numbers and posts of all first-aiders present on each occasion.
- g. a record of all first-aid or medical treatment provided during or in connection with any Specified Activity;
- h. a record of tests of fire alarms and automatic fire detectors and public address system as specified in Schedule F;
- i. a record of tests of firefighting equipment as specified in Schedule F;
- j. a record of tests of the Emergency Lighting, as specified in Schedule F;
- k. a record of all pre-event inspections as specified in Schedule F;
- l. a record of each inspection carried out at the Regulated Stand to ensure compliance with Schedule F;
- m. a record in a Defects Log Book of any defect relating to the safety of the Regulated Stand in accordance with F1.2;
- n. a record of all fire alarms whether or not activated by the automatic fire detector system;
- o. a record of all substantial maintenance work and improvements relating to safety carried out at the Regulated Stand;
- p. a record of any non-routine opening of an exit door or gate; and
- q. a record of any assumption of control by the Police.

### **G.2. Certificates**

G.2.1 The Holder shall submit an up-to-date copy of the certificates as required by Schedule F to the Certifying Authority on an annual basis.

G.2.2 The Holder shall ensure that all records are kept fully up to date in a tamper proof form. The records shall be kept together in a specified place along with a copy of this certificate and its related documentation.

# **APPENDIX 1 SPECIFIED ACTIVITIES**

## **ACTIVITIES COVERED BY THE CERTIFICATE**

Athletics

American Football

Rugby

Football

## APPENDIX 2 PERMITTED NUMBERS OF SPECTATORS

The maximum number of Spectators that may be admitted to the Regulated Stand at any one time shall be restricted to: -

**Seated Spectator Accommodation - 703 Spectators**

**Wheelchair Spectator Accommodation – 29 Spectators with Carers.**

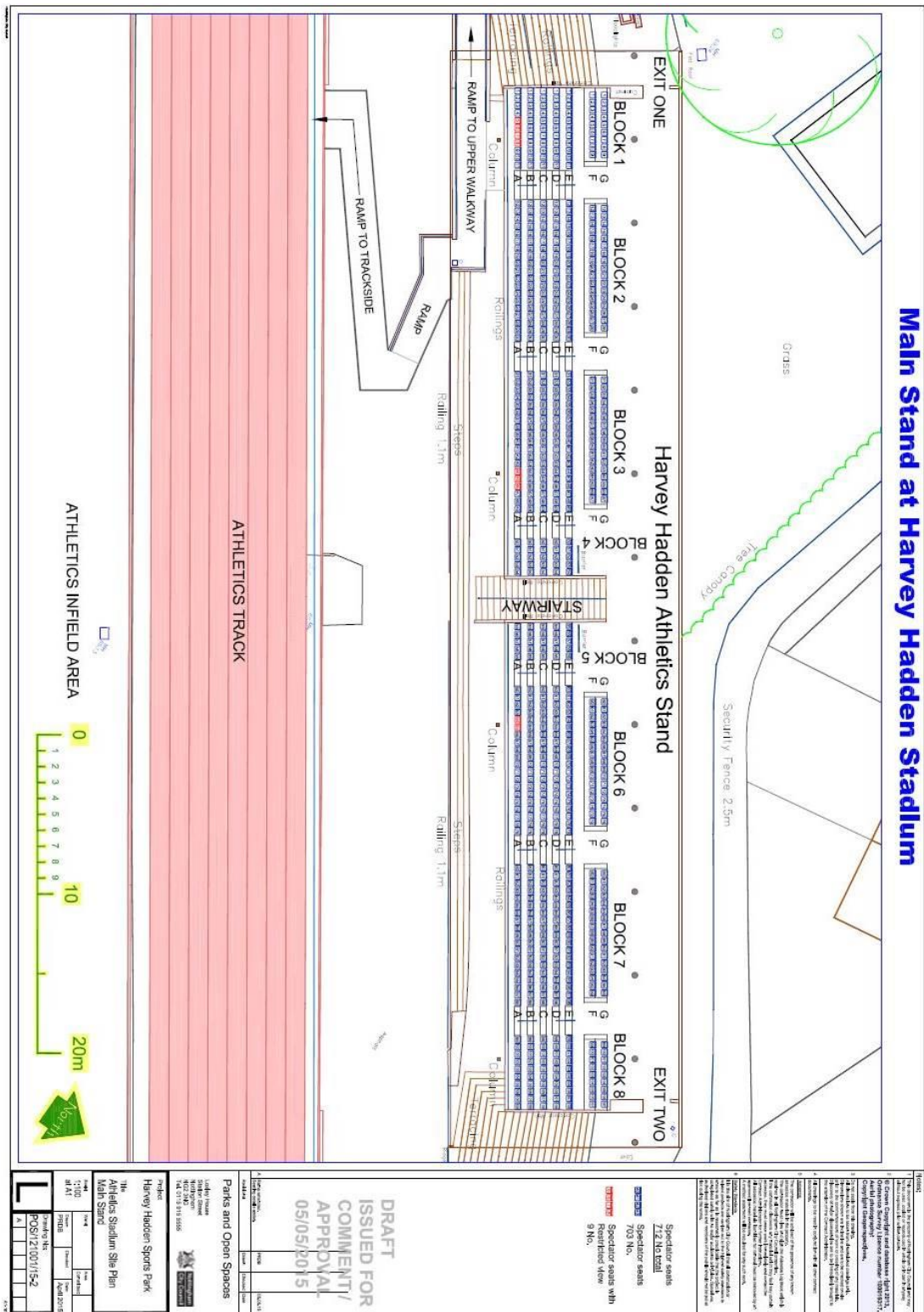
The maximum number of Spectators in wheelchairs can be increased for wheelchaired Spectators who do not have or require assistance of a Carer to evacuate the stand. The maximum capacity should be determined by dimension calculations (detailed in the Green Guide see Note below) and an assessment to ensure that the capacity allows wheel chair Spectator to manoeuvre easily to a space that allows them a clear view of the Specified Activity.

*Note – (Dimensions detailed in the Green Guide)*

*Space required for a wheel chair Spectators without a Carer – dimensions least 900mm (width) X 1400mm (depth).*

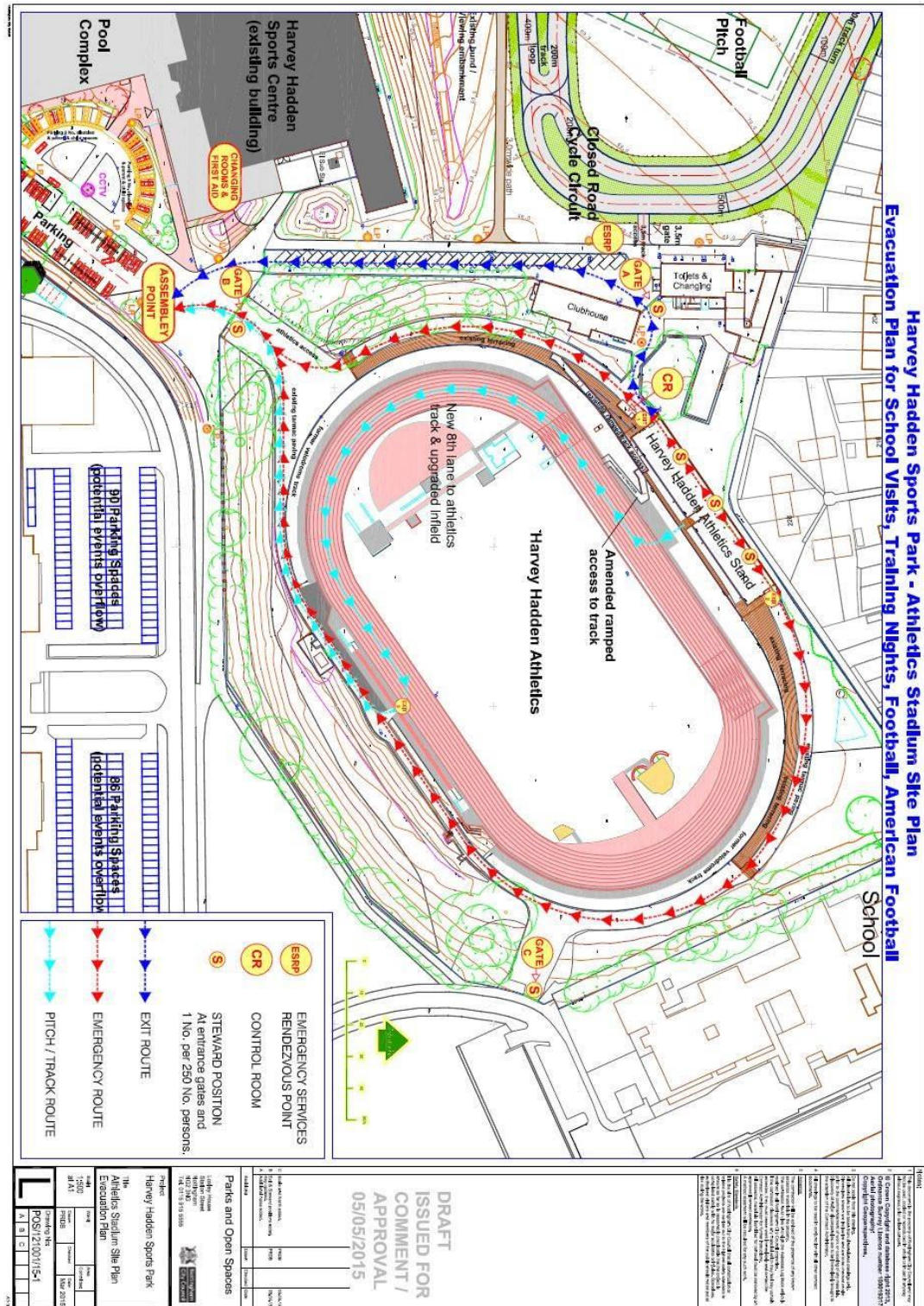
*Space required for a wheel chair Spectators with Carer - dimensions least 1400 (width) X 1400mm (depth).*

APPENDIX 3    PLAN (Ref - Drawing Number POS/121001/15-2)



APPENDIX 4    PLAN OF EVACUATION (Ref Drawing







## APPENDIX 5 DEVIATIONS FROM THE RECOMMENDATIONS IN THE GREEN GUIDE

Deviations	Green Guide	Remarks
Rear Barrier	(Pg. 95) Where the rear of the stand is open, type 6 barriers behind a row of seats should be a minimum of 1.1m, measured from seat level	It is considered that the back of the Regulated Stand is not open and that risk of persons falling can be effectively managed through Stewarding.
Telephones	Telephone lines should be available for direct and immediate telephone communication between the control point and the fire service and/or other Emergency Services	There are no external lines available in the control room. Mobile phone provision during a Specified Activity is a pre-requisite within policies and procedures.
First Aid Room	First aid room should easily accessible to Spectators	The first aid room is located within the Harvey Hadden Leisure Complex and is not within the Regulated Stand.
Public address system back-up power supply	The back-up power supply to the public address system should be such to enable it to continue to function at full load in an emergency, such as a fire or a failure of the mains supply for up to three hours.	There is no back-up power supply for the public address system – fully functioning loud hailer must be available for use in the event of failure of the public address system.
Lightning protection system	The Regulated Stand lightning protection system shall be tested by a Competent Person and a certificate confirming that it is in a satisfactory condition shall be submitted to the Certifying Authority at least once in every 12 months.	There is no lightning protection system on this Regulated Stand
Requirements of a Safety Officer	(Pg. 30) It is recommended that a safety officer should as a minimum have, or be working towards, a level 4 spectator safety qualification on the relevant qualification framework.	a 'Specified Person', i.e. a person holding the necessary ability, knowledge, and skill as agreed with the Certifying Authority who does not meet the requirement within the Green Guide to be 'occupationally competent' (hold or be working towards a level 4 spectator safety qualification) may carry out the duties of the Safety Officer for certain specified, low risk events, with the express written consent of the Certifying Authority only.

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