

REGULATORY AND APPEALS COMMITTEE - 16 JULY 2015

Title of paper:	Annual Review of General Safety Certificate: Harvey Hadden Athletics Regulated Stand		
Director:	Andrew Errington Director Community Protection	Ward affected: Bilborough	
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Relevant Council Plan Strategic Priority:			
Cutting unemployment by a quarter			<input type="checkbox"/>
Cut crime and anti-social behaviour			x <input 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			x <input type="checkbox"/>
Support early intervention activities			<input type="checkbox"/>
Deliver effective, value for money services to our citizens			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
This report deals with the review of the current General Safety Certificate and issue of the proposed for the Regulated Stand at Harvey Hadden.			
Recommendation:			
1	It is recommended that the existing General Safety Certificate for the Regulated Stand at Harvey Hadden be replaced by the proposed Certificate (the Certificate) attached at Appendix 1 of this report with effect from 16 July 2015.		

1. REASONS FOR RECOMMENDATIONS

The Safety of Sports Grounds Act 1975 and The Fire Safety and Safety of Places of Sport Act 1987 requires Regulated Stands such as the main stand at the Harvey Hadden Stadium to have a Safety Certificate 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. The terms and conditions of the Certificate may require alterations or additions to the stand and the Certificate must contain certain matters such as a plan,

capacities, means of access and exit etc. 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.

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 carer. It is therefore a Regulated Stand.

In relation to safety at Regulated Stands, consideration is given 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 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 will be 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 stewarding' 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 appointed consultant Safety Officer, Chris Parsons is a qualified safety practitioner with experience of working in sports grounds. He has undertaken and passed structured training to NVQ level 3 safety qualification standards. Chris Parsons is presently working in a part-time temporary role to prepare and set up the various safety management policies related to the Regulated Stand. The ongoing management arrangements of the stadium sports grounds safety compliance are yet to be finalised but an ongoing commitment has been provided at the Safety Advisory Group.
- c) The stadium management team have held some meetings with the various sporting clubs that propose to use the facility in order to determine the levels of occupancy and risk so that a reasonably practicable approach to securing safety can be devised and documented. For example, there will be athletics clubs that have routine training evenings with a small number of the athletes' relatives sitting in the stand to watch. In these circumstances it would be appropriate for a designated person of the athletics club to be trained/instructed in the key safety measures needed to secure reasonable safety of those using the stand. In contrast, a larger event with substantial occupancy of the stand with visiting spectators who would also be unfamiliar with the layout of the stadium may require a more formal approach to stewarding the event with a higher profile presence of experienced and fully trained personnel including an occupationally competent Safety Officer and Deputy Safety Officer. Assessing this need on a documented risk basis will provide a cost effective and reasonable approach to securing safety

of spectators.

- d) The Harvey Hadden sporting complex has seen major building works take place over the past 18 months with a 50m swimming pool, a velodrome and additional leisure centre facilities added to complement the existing athletics stadium sporting offer. The Regulated Stand has been closed for this period of time to enable works to take place on site. This building and refurbishment work is nearing completion and the whole site including the Regulated Stand will be re-opened within the coming weeks.
- e) The Regulated Stand was inspected by the Community Protection Environmental Health Service (Health & Safety) on 11 May 2015 to discuss and verify the seat numbering arrangements, restricted view seating, disabled persons seating areas and the emergency exit capacity calculations. No significant concerns were noted at this inspection. The Community Protection service is committed to carrying out event day and non-event day inspections during the coming year to verify operational compliance with the Certificate.
- f) For the coming year race season the stadium management and its contractors have a programme to complete inspections of various structures, equipment and services in order to comply with a requirement in the Certificate requiring the annual submission of satisfactory certificates for a range of items. Certificates and documents for this season will be submitted to the City Council Community Protection Service for consideration by the Food and Health & Safety Team.
- g) A Safety Advisory Group (SAG) has been set up during the period that the stadium has been closed and it has met a number of times in order to plan and develop documentation to demonstrate compliance with sports grounds safety legislation. The SAG is led by the Community Protection Food and Health & Safety service 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 will continue to meet at regular intervals during the year to support and promote high standards of safety at the Regulated Stand.

The Council is under a duty to review the Certificate from time to time. A comprehensive review of the style of certificate has been carried out this year in line with the model standards within the London Surveyors Association Publication (1997) and the requirements of the 5th Edition of the Green Guide produced by the Department of Culture, Media and Sport.

The key issues to note on the revised Certificate are:

- (a) That it permits a maximum capacity of 703 seated spectators and 29 spaces for wheelchair users and carer in the Regulated Stand. The permitted stand capacity has resulted from the calculation of the P and S factors in accordance with the 5th edition of the Green Guide. 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 organisation 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 stadium management 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 Harvey Hadden stadium 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 event day inspections during the season to assess ongoing compliance with the Certificate.

- (b) That it reflects the deviations to the 5th edition of the Guide to Safety at Sports Grounds (Green Guide) as listed in Appendix 5 of the Certificate. It is recommended that the Committee accept these deviations 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.
- (c) That it acknowledges Hugh White as the Holder of the Certificate.
- (d) That the scope of the Certificate be restricted to Athletics, American Football, Association Football and Rugby activities. Any spectator events or series of events other than these specified activities will require a 'Special Safety Certificate' to be issued by the Council. The Stadium Management is required to apply to the Council 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 Sport Act 1987 places on the Council, as 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 safety certificates in relation to those stands. Such certificates must contain the terms and conditions the Council 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.

The Certificate may be amended or replaced by the Council if it considers that it is appropriate.

The 1987 Act requires the Council to act in accordance with guidance issued by the Secretary of State, and such Guidance was issued by the Home Office in 1988 (Circular 97/1988). 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 cCertificate together with the reasons why those deviations are acceptable. The proposals outlined in the recommendations are therefore within the Council's powers.

The 1987 Act gives powers of entry and inspection of the Regulated Stand to Authorised Officers of the Council. Any contravention of the terms of the Certificate is punishable as a criminal offence.

6. EQUALITY IMPACT ASSESSMENT

No - This report 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: Harvey Hadden

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 (5th edition, 2008)