

REGULATORY AND APPEALS COMMITTEE - 16 JULY 2015

Title of paper:	Annual Review of General Safety Certificate: Notts County Football Club		
Director:	Andrew Errington Director Community Protection	Ward affected: Bridge	
Report author and contact details:	Paul Dales, Food and Health & Safety Manager Telephone: 0115 8761479 Email: paul.dales@nottinghamcity.gov.uk		
Other colleagues who have provided input:	Allister Thorn/Matthew Daft, Environmental Health Officers (Health & Safety) Richard Bines, Solicitor		
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):			
<p>This report deals with the annual review and issue by Nottingham City Council as Certifying Authority of the General Safety Certificate for the Meadow Lane Stadium, home to Notts County Football Club ("the Club") for the forthcoming 2015/2016 football season.</p>			
Recommendation:			
1	<p>It is recommended that the existing General Safety Certificate for the Meadow Lane Stadium be replaced by the proposed General Safety Certificate ("the Certificate") substantially in form appended to this report at Annex 1 by a date no later than 24 July 2015. The Certificate will incorporate stewarding diagrams presently being finalised by the Club Safety Officer.</p>		

1. REASONS FOR RECOMMENDATIONS

The Safety of Sports Grounds Act 1975 (as amended) requires that the Certifying Authority carries out an annual inspection of the designated Sports Ground; this has deemed to be satisfied through the match day inspections of 13 December 2014 (versus Swindon Town with no Police attendance) and 7 February 2015 (versus Chesterfield with Police in attendance) as well as a number of non-match day inspections. The present General Safety Certificate requires a review of the Certificate on an annual basis and in confirming

the replacement of the current Certificate, the Council as Certifying Authority will discharge its duty in this respect. The revised General Safety Certificate has been subject to consultation with Notts County FC officials and 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)

The Safety of Sports Grounds Act 1975 (as amended) provides that certain sports grounds be designated by the Secretary of State as requiring a safety certificate under this legislation. Sports stadia with a capacity of more than 10,000 spectators or more than 5,000 spectators for football are so designated, and this classification therefore applies to the Meadow Lane Stadium. The purpose of the Certificate is to ensure that provisions are in place to secure reasonable safety at that ground. The terms and conditions may require alterations or additions to the sports ground and the certificate must contain certain matters such as a plan, capacities, means of access and exit etc.

A safety certificate must be held by an individual who is, in the Council'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 Meadow Lane Stadium comprises 4 stands equipped with seating for spectators; the Kop, Jimmy Sirrel, Pavis and Family Stands. Each stand is divided into blocks. For the season 2015/2016, the Club will play in Football League 2 and in appropriate cup competitions. In addition, the stadium will continue to be used to host Notts County Ladies Football Club who play in the FA Women's Super League. There has been a change during the season in respect of the stadium being used to host Nottingham Rugby Club matches; the Club moved its home to Lady Bay in January 2015.

In relation to the 2014/2015 football season the following matters occurred which are relevant to the Club and safety at the ground :-

- (a) Ray Trew remains the Executive Chairman of the Club with Aileen Trew moving to a new role as Chief Executive Officer and the holder of the Certificate from 18 March 2015. Jim (James) Rodwell is the previous Chief Executive and Holder of the previous General Safety Certificate, who had been in this role since 17 February 2010, resigned to take up a Chief Executive position at another football club. Mr Luke Michael Negus-Hill joined the Board as a Director in June 2015. Aileen Trew has confirmed her awareness of the legal and procedural requirements regarding ground safety and she has the full support of the Board to oversee all matters relating to ground and public safety; she is deemed to be a 'qualified person' and in an active managerial position with authority to prevent contraventions of the terms and conditions of the Certificate.
- (b) Four routine meetings of the Safety Advisory Group were held during the season; 26 September 2014, 4 December 2014, 26 Feb 2015 and 14 May 2015. These meetings are chaired by Community Protection's Food and Health & Safety Manager, and were attended by:
 - the Certificate Holder or where necessary a director of the Club;
 - the Club's Safety Officer/Deputy Safety Officer and the Stadium Manager;
 - Nottinghamshire Police;
 - East Midlands Ambulance Service;

- the Sports Grounds Safety Authority;
 - the City Council's Building Control Service and Principal/Environmental Health Officers (Health & Safety);
 - Nottinghamshire Fire and Rescue Service.
- (c) Two planned match day inspections took place during the season, undertaken by one or more of the Community Protection, Food and Health & Safety team (a combination of an Environmental Health Officer, Principal Environmental Health Officer and the Food and Health & Safety Manager). The matches attended were; 13 December 2014, Notts County versus Swindon Town (a non-Policed match attended by 4697 spectators) and 7 February 2015 Notts County FC versus Chesterfield United (a Policed match attended by 6649 spectators). There have also been a number of non-match day inspections and meetings during the season by Environmental Health Officers to assess and promote safety issues.
- (d) Since the last report to Committee in July 2014 there has been a continuation in the maintenance of match day safety management systems at the Club. The key areas of discussion during Safety Advisory Group meetings in the past year are summarised below :
- Fire Safety Management – Last year's Committee Report highlighted the progress the Club were making through the appointment of their own Fire Safety Professional in January 2014 to lead on implementation of risk assessments and action plans. Progress has continued with safety and fire marshals' policy and management plans presented to the Club's Board of Directors in October 2014. There has been structured training provided to fire marshals, safety stewards and hospitality staff to ensure there is good knowledge and understanding across all team members. The fire alarm system has been fully replaced and a structured risk based works programme to upgrade/renew fire doors highlighted as needing remedial attention is being implemented.
 - Electrical Safety – Good progress has been made in the past year to implement a structured approach to maintenance and inspection of the stadium electrical systems. A risk-based approach has been put in place to ensure that the whole electrical installation is inspected in a planned manner over a rolling three-year period.
 - Floodlighting – last year's committee report highlighted concerns with the inspection reports that indicated significant deterioration in the electrical distribution boards and required renewal. The Club gave an undertaking to plan and carry out this substantial work; it can now be confirmed that the works to replace the defective distribution boards and enclosures did take place during the first part of the 2014/15 season.
 - Stewarding plans – During the past year the Club has requested a review of the existing element of the current Certificate contained in B.2.1 and B.2.2 that specifies the numbers and locations of safety stewards. The Club wishes to move to a risk-based approach for the deployment of numbers and locations of Stewards dependant upon the circumstances of the Specified Activity. The premise of moving towards a risk-based approach is in keeping with the Sports Grounds Safety Authority strategy and this proposal by the Club has been scrutinised for inclusion in the 2015/16 season Certificate. There has been constructive dialogue with the

Club to determine the style, detail and recording of the stewarding risk assessments and plans in order to ensure that there is a suitable level of rigour and traceability to justify the flexible risk-based changes. This process is nearing completion, however at the time of writing this report there are some outstanding diagrams that the Club are producing that need to be included in the Appendices of the Certificate; the Club has committed to providing these for approval by the Safety Advisory Group members by 24 July 2015. When Safety Advisory Group members have approved the documents the Certificate will be re-issued using delegated powers conferred on the Director of Community Protection or the Head of Environmental Health.

- Jimmy Sirrel Stand and concourse capacity issues – At the Committee last year the issue of capacity of this stand was raised to keep the matter highlighted as an ongoing management issue. This stand is shared during most matches between the home and away supporters with the away area located adjacent to the Family Stand end. On occasions when a substantial number of away fans are expected, the whole of the Jimmy Sirrel stand is allocated to these supporters and the home fans are reallocated to other home supporter areas. This arrangement will continue through into the 2015/16 season so as to maintain an increased capacity for away supporters. Other changes first made in the 2010/11 season that will continue this season is the stewarded and cordoned ‘break out’ area ‘external’ to the Jimmy Sirrel stand at half time; this permits a reduction in pressure on the internal concourses and to provide an enlarged area where taking refreshments is permitted for away supporters. This has provided some benefits in reducing the pressure on the limited space in the concourses where the three refreshment bars are located. Due to the limited space on the concourses beneath this stand, the Club Safety Officer carefully assesses the maximum number of away supporters for each match based upon previous knowledge and experience of the teams involved, as well as intelligence reports received from the Police about the crowd profile, behaviour and willingness to comply with Stewards’ instructions. During the past three seasons, there has not been potential for undue strain placed on the concourses as the visiting teams have not brought large numbers of supporters. There is however a concern that the concourses could be under strain should the Club have a successful cup run and a team visits with a large number of supporters; in such circumstances the Club will need to carry out a detailed appraisal to plan for what the appropriate away supporter capacity should be based upon risk information, including that provided by the Police.
- The Safety Officer appointed in January 2014 has previously been the Deputy Safety Officer so is familiar with the Club and its facilities. She has undertaken and passed structured training to NVQ level 4 safety qualification standards. The Deputy Safety Officer is also fully experienced and qualified to carry out this role. During previous years, good progress has been made to ensure there is resilience in securing business continuity by the use of fully qualified and experienced safety officers from Nottingham Forest and Trent Bridge Cricket Ground; they have taken control at some matches, thus ensuring there is familiarity with the stadium and procedures. This will assist in securing flexibility should there be a need for a Safety Officer to stand in at short notice due to illness etc. In addition, during the past season two senior stewards have started training

to be safety officers, which will further build succession planning and resilience at the Club.

- A positive culture within the stewarding arrangements continues to be successfully reinforced through the recruitment processes and ongoing monitoring of stewarding standards. Training of stewards to NVQ Level 2 and supervisors to Level 3 has continued throughout the season for new and existing stewards in accordance with national guidelines. Some of the stewards who work at the Club also work at Nottingham Forest FC and/or Trent Bridge Cricket Ground. Telford College are appointed by the Club to deliver steward training and assessment to meet guidelines. Records of steward training are routinely updated in paper and electronic format. All stewards at the Club are within the training programme.
 - Match day inspections have confirmed that the Safety Officer and Deputy Safety Officer continue to deliver an effective safety culture in the team and stewards. Pre-match and post-match briefings are clear, structured and practical with positive feedback from the Club Safety Team to maintain and improve standards in a professional manner. Matters that require improvement are openly discussed within their own team and feedback from Community Protection, Food/Health & Safety Officers and the Sports Ground Safety Authority is acted upon positively to enhance learning and development.
 - The management of the physical condition of the stadium has continued with the maintenance team implementing a structured approach to property maintenance within the limitations of club resources.
 - The Police, Ambulance Service, Community Protection Food/Health & Safety Service, Building Control and the Sports Grounds Safety Authority continue to have general confidence in the safety arrangements at the Club and have not expressed objections to the maintenance of the Club's own assessment of the 'S' and 'P' factors at the current level of 1.0. [see paragraph (h)(i) below]
- (e) The Chief Executive as Holder of the Certificate recognises that in accordance with the 'Green Guide', the Senior Management Team must keep the Safety Officer informed in good time of all proposals and material works taking place at the Sports Ground and not make unqualified assumptions about the impact on safety requirements.
- (f) For the 2015/16 season the Club and its contractors are currently completing inspections of various structures, equipment and services in order to comply with a requirement in the present Certificate requiring the annual submission of satisfactory certificates for a range of items. All certificates and documents will be submitted to the City Council before the commencement of fixtures at the ground.
- (g) There is a requirement to review a Certificate under the terms of the present Certificate, and the Safety of Sports Grounds Act 1975 provides for its amendment and replacement. A comprehensive review of the style of certificate was carried out in 2009 and replaced in line with the model standards within the London Surveyors Association Publication (1997) and the requirements of the Green Guide 5th Edition, published in 2008. Representatives of the Emergency Services and the Sports Grounds Safety Authority who are members of the

Safety Advisory Group support the 2013 annual review and replacement of the General Safety Certificate.

(h) The key issues to note on the revised Certificate are:

- (i) That it permits a maximum capacity of 19,841 spectators at football matches and 20,211 at rugby matches as detailed in Appendix 1. The permitted ground 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 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 club'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 Club 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 match day inspections during the season to assess ongoing 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. It is recommended that the Committee accept these deviations as they are not considered by the Safety Advisory Group to be of such significance as to jeopardise safety of spectators.
- (iii) That it acknowledges the appointment of Aileen Trew as the Holder of the Certificate.
- (iv) That the scope of the Certificate continues to be restricted to Association Football and Rugby. Any spectator events or series of events other than these specified activities would require a 'Special Safety Certificate' to be issued by the Council. The Club are 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 Safety of Sports Grounds Act 1975 (as amended) places on the Council, as a Certifying Authority, a duty to determine an application for a General Safety Certificate for a designated sports ground in its area containing such terms and conditions as it feels necessary or expedient to secure reasonable safety at that sports ground. The terms and conditions may require alterations or additions to the sports ground and the Certificate must contain certain matters such as a plan, capacities, means of access and exit etc.

The Certificate may be amended or replaced by the Council if it feels that it is appropriate. The Council is under a statutory duty to inspect the ground annually.

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 therefore appear to be within the Council's powers.

The 1975 Act gives powers of entry and inspection of the Sports Ground to the Council. Any contravention of the terms of a General Safety 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.

The Meadow Lane Stadium provides access and facilities to enable spectators with disabilities to be accommodated safely. There are 75 spaces for disabled supporters in total accommodated across 3 stands; Derek Pavis stand, Jimmy Sirrel stand and Family stand. In addition, 150 seats in total are allocated for ambulant disabled in the stands mentioned above. For the visually impaired a commentary service is provided in conjunction with Soccer Sight and RNIB; radio headsets are available on a match-by-match basis. Away supporters can access these services by contacting the Club.

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

Current General Safety Certificate: Notts County FC

8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

Safety of Sports Grounds Act 1975

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