

REGULATORY AND APPEALS COMMITTEE - 3 JULY 2017

Title of paper:	Annual Review of General Safety Certificate: Notts County Football Club	
Director(s)/ Corporate Director(s):	Andrew Errington Director Community Protection	Wards affected: BRIDGE
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Relevant Council Plan Strategic Priority:

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"/>

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

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 2017/2018 football season.

Recommendation(s):

- 1** It is recommended that:
- (i) the existing General Safety Certificate for the Meadow Lane Stadium be replaced by the proposed General Safety Certificate (“the Certificate”) appended to this report at Annex 1.
 - (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.
 - (iii) it acknowledges the appointment of Jason Turner as the Holder of the Certificate.

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;

- 3 September 2016 versus Grimsby Town. An unannounced inspection. 6861 spectators with 2376 away fans,
- 15 September 2016 England Women versus Estonia UEFA 2017 qualifier. 5726 spectators.
- 14 January 2017 versus Mansfield Town. 11328 spectators with 3485 away fans.
- 17 April 2017 versus Portsmouth. 12184 spectators with 4366 away fans.

A number of additional non-match day inspections have also taken place throughout the season to examine documentation and provide compliance advice. The present General Safety Certificate requires a review on an annual basis. By recommending the Certificate following the inspections, the Council as Certifying Authority will discharge its duty in this respect. The Certificate has been subject to consultation with the Club 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 for Culture Media and Sport as requiring a general safety certificate. Sports stadia with a capacity of more than 10,000 spectators or more than 5,000 spectators for football are so designated. The Meadow Lane Stadium has a capacity of more than 10,000 and is therefore a designated sports ground. The purpose of a general safety certificate is to ensure that provisions are in place to secure reasonable safety at that ground. A certificate must contain certain matters such as a plan, capacities, means of access and exit etc. The terms and conditions may therefore require alterations or additions to the sports ground.

A general 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 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 2017/2018, the Club will play in Football League 2 and in appropriate cup competitions.

In relation to the 2016/2017 football season the following matters occurred which are relevant to the Club and safety at the ground:-

(a) Ray Trew the Executive Chairman sold the Club in December 2016 with Alan Hardy taking over as Chairman. Jason Turner, the holder of the General Safety Certificate, remained as the Chief Executive however his role has recently changed to Director of Football Operations. Jason Turner has confirmed his awareness of the

legal and procedural requirements regarding ground safety and he has the full support of the Board to oversee all matters relating to ground and public safety; he 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; 22 September 2016, 8 December 2016, 16 March 2017 and 11 May 2017. These meetings are chaired by Community Protection's Safer Business 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
- the City Council's Principal/Environmental Health Officers (Health & Safety).
- Nottinghamshire Fire and Rescue Service.

(c) Four 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 Safer Business (Food and Health & Safety) Manager. 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 2016 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 (SAG) meetings in the past year are summarised below:-

- Fire Safety Management – Previous years' Committee Reports have highlighted the progress the Club has made 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 the maintenance of fire safety and fire marshals' policy and management plans.

- Electrical Safety – There has been continued progress implementing the 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 sequential manner over a rolling three-year period.

- Major Incident Plan – The Club has cooperated fully with the Emergency Services to review and agree the revised Major Incident Plan in September 2016 and to ensure that the Club's own contingency plans are compatible.

- Pre-match planning and stewarding plans – During the 2015/16 season the Club moved to a risk-based approach for the deployment of numbers and locations of Stewards dependent 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 has been assessed throughout the season. Throughout the season there has been constructive feedback and dialogue with the Club in the season to assess and challenge Safety Officer risk assessments with the inclusion of

Police feedback on the effectiveness of the use of Police intelligence on away fan risk groups travelling to matches and how the Club could deploy stewarding in a manner commensurate with the potential risk. Match day inspections have provided an objective view of the effectiveness of pre-match planning with key areas identified for improvement including, calculation of correct number of mobile stewards and those at fixed positions, effectiveness of communication between regular and contract stewards, robustness of entry search tactics to identify and exclude items such as pyrotechnics, management of queuing at turnstiles to ensure separation from road traffic. There was noted to be an improvement in the planning and management following some deficiencies found at the Mansfield match day inspection; key areas were more robustly managed at the Portsmouth match when a proportionate approach was put in place to secure reasonable safety. For example the use of pyrotechnic search dogs and structured search lanes reduced the use of such devices in the ground. This work has assisted in developing the skills of the Safety Officer and the stewarding team to develop effective planning documentation and implementation on match days. The Stewarding Plan is currently being reviewed by the Club so the version included with this Certificate will be subject to change and will be included within a revised version to be issued through officer delegated powers before the start of the 2017/18 season.

- The report last year advised about an emerging 'risk group' of home supporters comprising approximately 20 males in the 14-20 age range. The Police and Club have continued to monitor the group and their determination to cause disorder and violence. The Club have cooperated and actively worked with the Police as well as the other Nottinghamshire League Clubs through the Police and Clubs Together (PACT) arrangements to ban such disruptive persons from all the football grounds where their behaviour has given rise to serious concern and breached the Club's Ground Regulations. During the season the Club has issued six persons with PACT bans and one other person with an acceptable behaviour contract.

- Jimmy Sirrel Stand and concourse capacity issues – At previous Committees the issue of capacity of this stand has been raised to keep the matter highlighted as an ongoing management issue. This stand has the capability to be shared between the home and away supporters with the away area located adjacent to the Family Stand end. Other changes first made in the 2010/11 season that will continue this season are 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 provides 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 last season there have been a few matches with a substantial number of away supporters such as the Portsmouth match with 4366 fans occupying the stand. The Club restricted ticket sales to ensure that the safe capacity was below that of the full potential capacity because risk assessments took account of various factors such as the likelihood of the fans to be under the influence of alcohol, likelihood of fans following instruction to sit in reserved seating and also the planned break-out zone for use at half time. The Club will need to continue to carry out a detailed appraisal to assess what the appropriate away

supporter capacity should be, based upon risk information and intelligence, including that provided by the Police.

- A related issue to the capacity of the Jimmy Sirrel stand is the close proximity of the busy County Road immediately behind the final exit gates with only a relatively small apron of pathway. It has been noted during match day inspections that a large contingent of away fans does lead to them spilling over in to the road with the risk of collision. This matter has been raised at SAG meetings with some concerns for the on-going safety of emerging fans. It is pleasing to report to Committee that for the first time a Temporary Traffic Regulation Order was put in place; this was for the Portsmouth match and it temporarily redirected traffic away from County Rd to provide a 'sterile' area to the rear of the stand to enable easier egress by the large number of fans at the match. It enabled away fan coaches to be lined up in this zone at the end of the match for swift access. This worked well and the Club have confirmed that they will use this approach again for matches where it is assessed as being needed.

- There have been some recent changes regarding the Safety Officer. The Safety Officer has left the Club and the Deputy Safety Officer was promoted in to the main role. The new Safety Officer has experience in running matches at the Club and is fully qualified to the NVQ Level 4 standard. The Deputy Safety Officer role is fulfilled by two experienced senior stewards who have been undertaking the NVQ Level 4 safety qualification and it is expected that they will be fully qualified in 2017. In recent 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. At the time of the compilation of this report, information has been received notifying the Certifying Authority that a new post of Stadium Operations Manager has been appointed and this role will incorporate ground safety management. The Club has been instructed to update the Spectator Safety Policy before the start of the season to take this new role and post holder into account. When this is complete to the satisfaction of the Safety Advisory Group, the document will be appended into a revised General Safety Certificate and re-issued under delegated officer powers.

- 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 Officers continue to deliver an effective safety culture in the team and stewards. Pre-match and post-match briefings are delivered in a structured way. Advice has been issued following match day inspections to ensure that briefings achieve clarity and sufficient detail to ensure that all stewards are fully clear about their role on the day.

Matters that require improvement are openly discussed within their own team and feedback from Environmental Health Officers and the Sports Ground Safety Authority is acted upon positively to enhance learning and development. This process has been improved through pre and post-match meetings between Environmental Health Officers and the Duty Safety Officer for higher risk matches.

- 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. There has however been concern raised within the structural survey report about some movement within the wall at the rear of the Kop tea bar. The Club have been requested to follow the structural engineer's advice to more closely monitor this movement so that a more informed judgment can be made about potential remedial measures. Some feedback has been given to the Club following match day inspections about the cleanliness of seating in some areas of the ground.

- The Safety Advisory Group has for some time been seeking a supporter representative to be an invited member. It is pleasing to note that during the last season a representative of the supporters group (also a Supporter Liaison Officer) has been attending SAG meetings and offering views to the Chair about safety with the insight of a supporter. This is a welcome addition to the group and their time to attend is appreciated.

- 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 Director of Football Operations 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 2017/18 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) 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 6 of The Certificate ensures the Holder produces and complies with a written safety policy to be understood by all involved in the grounds

safe operation. Representatives of the Emergency Services and the Sports Grounds Safety Authority who are members of the Safety Advisory Group support the 2016 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 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. Additional deviations have been added; the first relates to the first aid facility not having a wheelchair accessible toilet but it is mitigated by a suitable facility in the adjacent toilet block and secondly the first aid room does not have a telephone connection however the medical provider has radio connection with the control room at all times and there is a telephone located in nearby turnstile 18. 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 notes the additional condition F6.8 relating to the inspection and maintenance of the high mast lighting.

(v) That it acknowledges the appointment of Jason Turner as the Holder of the Certificate.

(vi) That the scope of the Certificate continues to be restricted to 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 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 Safety of Sports Grounds Act 1975 (as amended) places on the Local Authority, 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 a safety certificate must contain certain matters such as a plan, capacities, 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. The Local Authority 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 are therefore within the Local Authority's powers.

The 1975 Act gives powers of entry and inspection of the Sports Ground to the Local Authority. Any contravention of the terms of a General Safety Certificate is punishable as a criminal offence.

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. x

Yes – Equality Impact Assessment attached

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 (as amended)

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