

NAME OF COMMITTEE / BODY - REGULATORY AND APPEALS 22 JULY 2014

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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Date of consultation with Portfolio Holder(s) (if relevant)		
Relevant Council Plan Strategic Priority:		
Cutting unemployment by a quarter		<input type="checkbox"/>
Cut crime and anti-social behaviour		<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		<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 annual review of the General Safety Certificate for the Meadow Lane Stadium, home to Notts County Football Club for the forthcoming 2014/2015 football season.		
Recommendation(s):		
1	It is recommended that the existing General Safety Certificate for the Meadow Lane Stadium be replaced by the Certificate appended to this report at Annex 1 with effect from 22 July 2014.	

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 16 November 2013, 11

January 2014 and 22 March 2014 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 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.

The 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 2014/2015, Notts County FC will play in Football League 1 and in appropriate cup competitions. In addition, the stadium will continue to be used to stage Nottingham Rugby Club matches and since early 2014 the stadium has also played host to Notts County Ladies Football Club who play in the FA Women's Super League.

In relation to the 2013/2014 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 also as a member of the Board as a Director. Jim (James) Rodwell is the Chief Executive and Holder of the General Safety Certificate; he has been in this role since 17 February 2010. Mr Mark Ablitt also joined the Board as a Director in April 2013. Jim Rodwell 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 General Safety Certificate.

(b) Four routine meetings of the Safety Advisory Group were held during the season; 19 September 2013, 12 December 2013, 13 March 2014 and 8 May 2014. 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,
- Notts County FC's Safety Officer/Deputy Safety Officer and the Stadium Manager,

- Nottinghamshire Police,
- East Midlands Ambulance Service,
- the Sports Grounds Safety Authority (formerly the Football Licensing 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) Three 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; 16 November 2013, Notts County versus Wolves (attended by 7520 spectators); 11 January 2014 Notts County FC versus Sheffield United (attended by 8564 spectators) and 22 March 2014 Notts County versus Carlisle United (attended by 4014 spectators).

(d) Since the last report to Committee in July 2013 there has been a continuation in the maintenance in match day safety management systems at Notts County FC; there has however been some changes in safety personnel. There has also been a number of ongoing compliance issues raised with the club about general safety issues during Safety Advisory Group meetings. These issues, together with other background information are summarised below :-

- Safety Personnel – During 2013/14 season the Ground Safety Officer, Brian Walton left the Club, as did a colleague that dealt with general health and safety compliance issues at the stadium. Lesley Walton who previously acted as the Deputy Safety Officer on match days with Brian Walton, has stepped up in to the role of Ground Safety Officer on match days. Malcolm Whitt has been appointed as Deputy Safety Officer and acts both during match day events as well as pre-match planning and liaison. Responsibility for day-to-day health and safety compliance has been passed to the existing Stadium Manager as additional duties.

- Fire Safety Management – Last year's Committee Report highlighted issues that the club needed to address in respect of Fire Safety Risk Assessment and action plans that had been emphasised as key compliance issues in a report by a Fire Safety Consultant that carried out a visit in April 2013. There was limited progress in implementing the requirements and this was raised at subsequent Safety advisory Group meetings in September and December. In January 2014, the Club appointed their own experienced Fire Safety professional to drive implementation of finalised risk assessments and subsequent priority action plans. The works include such matters as implementing the compartmentalisation plans that have been drawn up taking in to account the various building structures and previous alterations. The fire alarm panel had previously been identified as having a defect which although not an imminently risk to fire safety, does need rectifying however this has to be through replacement of the fire alarm system as the present one is obsolete and parts cannot be obtained. Work to replace the fire alarm system to compliment the other fire safety works will take place in September 2014.

- Electrical Safety – The management of electrical safety has been raised with the Club; **this has included the issuing of an intervention report requiring action to be taken to remedy electrical deficiencies in January 2014.** Concern has been raised that there is no structured approach to risk assessment and the periodic testing/inspection of the installation and portable appliances. An action plan has been agreed in June 2014 in conjunction with the Council's Environmental Health Technician, who is an electrician, and Environmental Health Officers.

- Floodlighting – previous inspection reports have indicated significant deterioration in the electrical distribution boards and require renewal. The preventative maintenance certificates for the floodlighting have not yet been signed off as satisfactory. The Council's Food and Health & Safety Team have sought confirmation about renewal but at the time of writing this report that assurance has not been available from the Club.
- Stewarding plans – The Club has requested a review of the existing element of the General Safety 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 will be considered. It is proposed that this risk based approach will be tested at the start of the season 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 changes. If successful, the wording within the General Safety Certificate will be amended and the Certificate re-issued.
- Detailed structural appraisal – The Green Guide advises that a detailed structural appraisal should be carried out every 6 to 10 years on the main stadium structures. At Committee last year it was highlighted that there was no record available of this having taken place since the current stadium stands were constructed between 1992 and 1994. It can be reported that a detailed structural survey has been carried out by a person deemed competent for this purpose and a copy of the report provided as evidence. No major issues were highlighted in the engineers report and there is a recommendation that the next survey of this type should take place in 6-10 years.
- Jimmy Sirrel Stand and concourse capacity issues – At the Committee last year the issue of capacity of this stand was raised. 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 2014/15 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 area where smoking 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 two 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 or the Club wins promotion in to the Championship next year were there would be a more consistent pressure week to week with larger numbers of away supporters. The Club was requested last year to produce a detailed appraisal of the options for solutions to ensure a sustainable safe use of the concourses, given the likely scenarios such as those mentioned above. The Club has

not prioritised this matter due to the ongoing low number of routine league match away supporters; there is however a high likelihood that a consequence of drawing a visiting team with a significant support, such as in a cup competition, will result in the full capacity not being available for the reasons mentioned above. The Club is deemed to have accepted this risk.

- 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. 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.
- 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 Notts County FC also work at Nottingham Forest FC and/or Trent Bridge Cricket Ground. Telford College are appointed by Notts County FC to deliver steward training and assessment to meet guidelines. Records of steward training are routinely updated in paper and electronic format. All stewards at Notts County FC are within the training programme.
- Match day inspections have confirmed that the newly appointed 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 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 General Safety 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 2014/15 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 General Safety 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 the General Safety 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 General Safety 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 General Safety 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 General Safety 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 General Safety 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 removal of paragraph F.9.9 and the insertion of F.7.1 to reflect the risk based approach to ensuring that the whole of the stadium's electrical installation is inspected, tested and certified every three years on a structured rolling programme.
- (iv) That it acknowledges the continuation of Jim Rodwell as the Holder of the General Safety Certificate.
- (v) That the scope of the General Safety 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 a duty to determine an application for a 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 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 the 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

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