

## London Borough of Hammersmith and Fulham

### Issue and Review of The General Safety Certificate for Sports Grounds Policy

#### 1. Introduction

Hammersmith and Fulham Council (the Council) recognises its statutory duty for the safety certification of sports grounds under Safety of Sports Grounds Act 1975 (as amended) (the 1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987(the 1987 Act). It also recognises its responsibilities for spectator safety at all sports grounds within its boundary. In undertaking this role the Council will:

- delegate its power to take and implement decisions on safety certification to designated Council officers
- appoint a designated senior council officer to chair the Safety Advisory Group (SAG) for each sports ground holding a safety certificate. The Chairman will have delegated powers to make decisions on behalf of the Council
- provide for adequate resources and appoint appropriate Council officers and/or engage competent specialist agencies/external consultants as necessary to assist the Council in carrying out its statutory duties relating to the safety of spectators at sports grounds under the 1975 and 1987 Acts
- convene regular SAG meetings to assist in discharging its statutory duty to sports grounds
- determine if any sports grounds contain regulated stands and expediently process and issue safety certificates in respect of those stands and/or any sports ground designated by the Secretary of State under the provisions of the 1975 Act
- put in place policies and procedures for monitoring by inspection and audit compliance with the terms and conditions of any safety certificate issued and take appropriate and proportional action in response to any identified defect or incident compromising spectator safety
- provide prompt advice on spectator safety on request from sports ground venue operators
- keep under review procedures and arrangements for ensuring the reasonable safety of spectators at sports grounds within its responsibility.

#### 2. Definitions

The 1975 Act defines a **sports ground** as a place where sports and other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose.

Under the provisions of section 1 of the 1975 Act the Secretary of State may designate as requiring a **safety certificate** any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales. These sports grounds are referred to as **Designated Grounds**.

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BHSD32k 1.0	Karen Ashdown	Dec 2016	Dec 2017	Ann Ramage - Bi Borough Head of Environmental Health Commercial

A **Regulated Stand** is defined in the Fire Safety and Safety of Places of Sport Act 1987 as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.

The **Safety Advisory Group (SAG)** is a multi-agency advisory group consisting of members of local authority staff and representatives of the emergency services, transport providers and other agencies as appropriate. Membership of the SAG is detailed in the SAG Terms of Reference document for each football club, available on the Council's website [www.lbhf.gov.uk](http://www.lbhf.gov.uk).

### 3. Legislation and Guidance

This policy should be read in conjunction with the following legislation that applies to the safety of spectators at sports grounds:

[Safety of Sports Grounds Act 1975](#)

[Fire Safety and Safety of Places of Sport Act 1987](#)

[Safety of Sports Grounds Regulations 1987](#)

[Safety of Places of Sport Regulations 1988](#)

Guidance on the application of the legislation can be found in the following [Home Office Circulars](#).

**Home Office Circular No 7/1986** – Annex C provides guidance on the procedure regarding applications for general safety certificates under the provisions of the 1975 Act.

**Home Office Circular No 96/1988** – Includes advice on the issue of safety certificates for regulated stands.

**Home Office Circular No 97/1988** – Includes statutory guidance to local authorities under section 26 (8) of the 1987 Act on the methodology that must be applied in determining whether a stand at a sports ground is a "regulated" stand.

Further advice is contained in "[Guide to safety certification of sports grounds](#)" (the "Green Guide") published by the SGSA.

### 4. Purpose

This document sets out the Council's approach to discharging its powers and responsibilities in respect of the issue and review of safety certificates for sports grounds.

### 5. Scope

The sports grounds covered by these arrangements are:

**Chelsea FC at Stamford Bridge Stadium Fulham Road SW6 1HS**

**Queens Park Rangers FC at Loftus Road Stadium South Africa Road W12 7PJ**

**Fulham FC at Craven Cottage Stadium Stevenage Road SW6 6HH**

## **6. Delegated Powers**

The Council has delegated its powers for the enforcement of the Safety of Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987 to:

**Bi-Borough Head of Environmental Health Commercial**

**Food Safety and Health & Safety Environmental Health Officers**

## **7. Qualified person**

On receipt of an application for a safety certificate the Council must determine if the applicant is a “qualified person.” This is defined in the 1975 Act as a person who is likely to be in a position to prevent any contravention of the terms and conditions of the safety certificate. The certificate holder should be in a position of authority within the management of the sports ground and could be the chairman, chief executive, club secretary, ground manager, safety officer or a director, depending on the management arrangements at the sports ground.

Under the 1987 Act, the definition of a person qualified to hold the safety certificate for a regulated stand is more detailed. In the case of a general safety certificate, it is the person responsible for the management of the sports ground; for a special safety certificate, it is the person responsible for organising the activity being watched by the spectators.

If the Council determines the applicant is not a qualified person, it must notify them in writing. The applicant may then appeal against this determination to a Magistrates’ Court within 28 days or 7 days in the case of a special safety certificate.

## **8. Safety certificate applications and information required**

The format of an application form for a safety certificate for a Designated Ground and for a Regulated Stand are set out in the Safety of Sports Grounds Regulations 1987 and Safety of Places of Sport Regulations 1988 respectively.

Applications are processed through the Council’s Environmental Health Commercial Services Team. The Council must supply the Metropolitan Police, the London Fire and Emergency Planning Authority and the Council’s Building Control Team as Building Authority with a copy of any application received. The Council will also formally consult them about the terms and conditions of the certificate. The normal forum for this consultation will be through the SAG.

The application should be accompanied by detailed information as to structure, capacity and safety management systems. The Council may, by writing, require the applicant to submit within a reasonable period additional information and plans it considers necessary to enable it to determine whether it can issue a safety certificate and what terms and conditions to include.

## **9. Timetable**

The Council will allocate an officer to lead on the consideration of the application within 24 hours. An initial response advising of the likely time frame for determination and requesting further information if required will be sent to the applicant within 7 days. The timetable for determination will vary from case to case.

## **10. Contents of a safety certificate**

In accordance with section 2 of the 1975 Act and section 27 of the 1987 Act the Council is required to include in the safety certificate such terms and conditions it considers necessary or expedient to secure the reasonable safety of spectators. Safety certificates issued by the Council will include the capacity of the Designated Ground, or Regulated Stand, as well as capacities for each part thereof. The certificate will also include the terms and conditions with which the holder must comply to maintain that capacity. In determining the contents of a safety certificate the Council will take account of the advice of the SAG and the Sports Ground Safety Authority including the [Guide to Safety at Sports Grounds](#).

## **11. Issue of the safety certificate**

In accordance with its Standing Orders, the Council has delegated its power to issue and amend a safety certificate to the Bi-Borough Head of Environmental Health Commercial.

Under the 1987 and 1988 Regulations the Council is permitted to charge a fee for the issue, amendment, replacement or transfer of a safety certificate. The fee charged will be on a cost recovery basis and commensurate with the work carried out by or on behalf of the Council. The Council may only charge a fee for amending a safety certificate if the amendment was at the request of the certificate holder.

## **12. Rights of appeal**

The 1975 and 1987 Acts both provide right of appeal to the Magistrates' Court to:

- any person against a determination by the Local Authority that the applicant is not qualified to hold a safety certificate
- any interested party against the inclusion of anything in or omission of anything from a safety certificate or the refusal of the Council to amend or replace it
- any person upon whom the Council has served a Notice that it has determined that a particular stand is a designated stand, against that determination.

## **13. Review of the safety certificate**

The Council will undertake a review of issued safety certificates annually or at any time in response to physical changes at sports grounds, incidents or 'near misses' brought to their attention which put spectator safety at risk, changes in safety management performance or in response to changes to legislation or spectator safety guidance.

The review will consider the terms and conditions of the safety certificates to confirm that they remain relevant for providing for the reasonable safety of spectators at the designated sports ground or regulated stand. The review will be undertaken by an Environmental Health

Officer who shall consult with the certificate holder, SAG members and other interested parties as appropriate. The outcome of the review will be recorded and relevant matters reported to the SAG.

#### **14. Public access**

The safety certificate is a public document to which any person who is either responsible for complying with it or likely to be affected by it should have access. The Safety at Sports Grounds Regulations 1987 and 1988 require the Council to notify every interested party of the issue or amendment of a safety certificate to:

- the holder of a safety certificate
- any other person who is or may be concerned in ensuring compliance with the terms and conditions of a safety certificate
- the Chief Officer of Police
- the Fire Authority

This notice must specify that a copy of the safety certificate and any application is available for inspection at a specified time and place. The Council must also publish a similar notice in a local newspaper. Copies of the safety certificates are available on the [Council website](#).

#### **15. Suitably trained and competent staff**

Council officers who undertake enforcement duties under the 1975 and 1987 Acts will be suitably trained and qualified to ensure their competency. The Council will ensure that:

- duties are specified in job descriptions and experience is built-up over time with provision made in individual appraisals for monitoring progress
- all Council officers and advisers have professional qualifications, experience in other sectors and complete a scheme of Continuing Professional Development as well as regular participation in sports grounds work and SAGs
- appropriate succession planning is in place to ensure that Council officers have the necessary training and experience to undertake the roles they may be expected to undertake.

#### **16. Policy revisions and review**

This policy will be reviewed at intervals not exceeding 12 months and amended at any stage to reflect any changes that may occur in operational procedures or to current legislation.