

**Name of meeting: Licensing and Safety Committee**

**Date: 29 October**

**Title of report: TERMS OF REFERENCE DOCUMENT FOR KIKLEES SAFETY ADVISORY GROUP**

<b>Is it likely to result in spending or saving £250k or more?</b> <b>Will it have a significant effect on two or more electoral wards?</b>	<b>No</b>  <b>Yes</b>
<b>Is it in the <a href="#">Council's Forward Plan</a>?</b>	<b>Not applicable</b>
<b>Is it eligible for "call in" by <a href="#">Scrutiny</a>?</b>	<b>Yes</b>
<b>Date signed off by <u>Director</u> &amp; name</b>  <b>Is it signed off by the Director of Resources?</b>  <b>Is it signed off by the Acting Assistant Director - Legal &amp; Governance?</b>	<b>No financial implications</b>  <b>No legal implications</b>
<b>Cabinet member <a href="#">portfolio</a></b>	

**Electoral [wards](#) affected: All wards**

**Public or private: Public**

## **1. Background**

After the tragedy at Hillsborough Football Stadium in 1989 where 96 football fans lost their lives, Lord Taylor's report commissioned as a result, recommended, amongst other things, the creation of **Safety Advisory Groups**, and a move to all seater stadiums. The role of the Safety Advisory Group (SAG) is therefore to develop as a body of expertise and to provide an advisory forum within which the local authority can maintain a consistent approach to spectator safety at both stadiums and public events. Recent Sports Ground Safety Authority (SGSA) guidance has made it clear that all sports grounds, and not just football stadiums, should have the benefit of a SAG. The SAG is not part of the Council's formal decision making or regulatory mechanism. Where decisions are required in relation to Safety Certificates they are made by Local Authority Officers or the Licensing and Safety Committee.

## **2. Purpose of report**

2.1 This report seeks approval for the proposed implementation of a formal Terms of Reference document which sets out the role of local authorities relating to the certification of sports grounds and public events, and to advise Members of the respective roles of the Safety Advisory Group and the Licensing and Safety Committee in protecting public safety at sports grounds and at public events.

## **3. Key points**

3.1

The SAG is made up of a number of core members e.g. Police, Fire, Ambulance, local authority Highways, Environmental Health and Building Control. Occasionally where appropriate other agencies, services, stadium management and event organisers will be invited.

3.2 The Chair of the Safety Advisory Group is normally an officer from the local authority who is able to initiate action in relation to sports grounds and maintain communication between SAG members encouraging them to take action where necessary to protect public safety and prevent dangerous situations arising. However the SAG itself does not have any power to take decisions on behalf of the local authority.

3.3

It is expected that all other local authority staff and representatives of other agencies attending the SAG should be sufficiently senior and be able to speak with knowledge and authority, and be able to take non-policy related operational decisions on behalf of their departments and organisations.

3.4 The Sports Ground Safety Authority (SGSA) recommend that Safety Advisory Group's have a written 'Terms of Reference', and should keep accurate minutes so as to establish an audit trail that verifies:

- That the annual inspection of the sports ground and annual review of the safety certificate has been completed, and any safety issues have been addressed.
- That any recommendations of the SAG have been reported to the local authority and have been communicated to all interested parties, including members of the SAG.

## **4.ROLE OF THE SPORTS GROUND SAFETY AUTHORITY (SGSA)**

4.1 The Sports Ground Safety Authority (SGSA) has the task of auditing local authorities in carrying out their safety certification functions under:

- **The Safety of Sports Grounds Act 1975**, which requires stadium accommodation for over 10,000 spectators, to have a 'safety certificate'.
- **The Fire Safety and Places of sport act 1987**, which requires stadiums with covered stands accommodating over 500 spectators, to have a 'safety certificate' for those stands.

4.2 There is presently one safety certificated sports ground in Kirklees with the benefit of a General Safety Certificate, this is the John Smith's Stadium, the home of Huddersfield Town Football Club, and Huddersfield Giants Rugby League Team.

4.3 There are two stadiums in Kirklees that have regulated stands: The Tetley Stadium, Dewsbury and the Mount Pleasant Stadium, Batley.

4.2 The Sports Ground Safety Authority (SGSA) also promotes the adoption and maintenance of a safety culture and in order to advise and share good practice a representative regularly attends the Kirklees SAG meetings.

## **5.ENFORCEMENT**

5.1 Local authorities have a range of options available to deal with incidents at Stadiums which put the public at risk, and breaches of safety certificate, and all action should be proportionate. The available enforcement options are:

- Reducing the permitted capacity of all or part of the sports ground;
- The issue of a prohibition notice; and
- In the event of a breach of safety certificate conditions, a warning, formal caution or prosecution

5.1 In the case of Public Events individual Safety Advisory Group members such as the Police, Fire Service and Environmental Health etc. may take action using specific legislation available to them.

## **6. Implications for the Council**

6.1 Legal: Duties of the Safety Advisory Group are statutory and failure to have a Safety Advisory Group would be a clear breach of duty on our part.

6.2 Licensing and Safety Committee: In line with the Sports Ground Safety Authority (SGSA) guidance there is a clear distinction between the operational/consultative basis of the Safety Advisory Group and the policy and decision making role of the Licensing and Safety Committee. Accordingly it is considered prudent that Members do not participate in Kirklees SAG discussions, but would receive an annual report from the Safety Advisory Group to assist the Committee in exercising their decision making function.

## **7. Consultees and their opinions**

7.1 The Safety Advisory Group Terms of Reference document has been sent out for consultation to all core members of the Safety Advisory Group, and their responses have been incorporated into the document.

## **8. Officer recommendations and reasons**

10.1 Members are recommended to approve the 'Terms of Reference' document referred to in paragraph 2.1 and attached as appendix A, aiming to enable officers to discharge the Council's functions in respect of certified sports grounds and its role in the Safety Advisory Group.

## **9. Background papers**

Sports Ground Safety Authority (SGSA) Guidance. (Green Guide)

The Health and Safety Executive's, "The guide to health, safety and welfare at pop concerts and other similar events" (Purple Guide)

## **10. Contact officer and relevant papers**

Karen Eastwood, Senior Licensing Officer, telephone: 01484 456860