

Telford & Wrekin Council

Licensing Committee - 30th March 2017

**The Safety of Sports Grounds Act 1975 and Fire and Places of Sport Act 1987 -
Regulated Stands Certificates for AFC Telford Utd Football Stadium**

**Report of Development Team Group Manager and Service Delivery Manager
Development Management**

1. Purpose

- 1.1 For Members to consider the application for Regulated Stand Certificates for the David Hutchison (north), University of Wolverhampton (west) and Frank Nagington (south) stands at AFC Telford for the 12 month period 14th April 2017 to 14th April 2018.

2. Recommendation

2.1 That the Service Delivery Manager Development Management be authorised to grant the Safety Certificate applications for the Regulated Stands for a period of 12 months, subject to a condition that the affected area of the West stand referred to in paragraph 5 below is closed to the public and cordoned off until the barrier has been replaced and retested to the satisfaction of the Council.

3 Summary

- 3.1 The Report to Licensing Committee on the 11th October 2016 is attached at Appendix A and sets out the nature of the application before Committee. Members will recall and note from the Minutes that the Committee was prepared to grant a certificate for a 6 month period expiring on 14th April 2017. This application is now before Members for consideration and decision for the next 12 month period to April 2018.

4 Previous Minutes

14th October 2015
9th December 2015
4th February 2016
11th October 2016

5. Update since 11th October 2016

- 5.1 With regard to the issues raised at Committee on 11th October, namely the barrier testing and the fire alarm system, the updated position is as follows:
1. The two barrier sites identified as test sites 6 and 7 that did not accept their full "bedding in load" have been repaired and retested. The isolated barrier close to

the stand tunnel has now passed the load test but the upper part only of the barrier in front of the corporate box has not. This is because the upper part is made of a tubular rather than box section and is vulnerable to forces placed upon it. AFC Telford are in the process of replacing this part with a box section and a retest will be performed. In the meantime this area will be temporarily closed until the barrier has been replaced and retested. It should be noted that this barrier, being situated in front of one of the corporate spectator boxes, only affects at most 12 spectators who could be present in that area and closing off this section of the stand will not cause an issue in terms of spectator capacity.

2. The fire alarm installation is now complete and following testing a number of remedial measures were identified. Three were repaired between 12th and 14th October 2016 and the remaining minor issues are being attended to by AFC Telford and it is expected the work will be complete by 24th March 2017. An update will be provided to the Committee.
- 5.2 Since the last Committee the emergency lighting battery has been tested as satisfactory for the next 6 months and the lighting generator and the lightning conductor have been tested as satisfactory for the next 12 months.
- 5.3 Two meetings of the Safety of Sports Ground Group have been held since the last Committee meeting, on 3rd November 2016 and 6th March 2017. The Group noted progress with the actions identified in October and will continue to play an active role in overseeing the certification process and advising the club.
- 5.4 This season's match day inspection was undertaken satisfactorily on Saturday 4th March 2017, attended by representatives from the Council, Fire and Police. A small number of minor issues were identified that AFC Telford have or are attending to and these can be seen on the attached Match Day inspection checklist.
- 5.5 The structural safety visual assessment is being carried out during the week beginning 20th March 2017 and any issues that require resolving will be attended to as appropriate. An update will be provided to the Committee.
- 5.6 Since the Regulated Stands Certificate consists of a range of individual certificates that have varying expiry dates, some lasting 6 months and some 12 months, there is a rolling programme of certification. This means there will never be a single point in time when all the certificate dates are aligned. This however is not a problem as the requirements for the individual certificates form part of the conditions of the Regulated Stands Certificate that are monitored by the Safety of Sports Ground Group.
- 5.7 Therefore, as the outstanding issues highlighted are all actively being addressed, and with the continued involvement of the Safety of Sports Ground Group monitoring the conditions regarding the single barrier in the West stand, the minor remedial measures regarding the fire detection and alarm system identified in 5.1 and the ongoing rolling programme of standard conditions of certification, the recommendation is to grant the Safety Certificate applications for the Regulated Stands for the 12 month period expiring in April 2018.

6. Legal Comment

- 6.1 Following the deregulation of the sports ground as a whole, from the 1st of October 2015 the Club has to ensure that the appropriate Regulated Stand Certificates are in place prior to any sporting activity taking place. The Council has a duty to consider and, if appropriate, issue Certificates with appropriate conditions having regard to the relevant legislation contained in the Act.

Rights of Appeal

- 6.2 Section 30 of the Act provides rights of appeal to the magistrate's court including
- An appeal by a person against a determination by the local authority that he /she is not qualified to hold a safety certificate for a regulated stand
 - An appeal by any interested party against the inclusion of anything in or omission of anything, from a safety certificate for a regulated stand or the refusal of the local authority to amend or replace it.

Transparency

- 6.3 The decision that the Licensing Committee are being asked to make must include the following in order to ensure fair, transparent decision making :-
- All members of the Licensing Committee taking part in this decision must read this report in its entirety including the recommendations and the appendices.
 - If any member of the Committee believes that any aspect of the report or document is ambiguous or requires further explanation then questions should be raised with those officers presenting the report before any decision is made.

7. Financial Comment

- 7.1 The assessment of Certificate applications is carried out by building control officers within existing resources.

8. Links with Corporate Priorities

- 8.1 This report has links to the following:

Corporate Priorities

Protect and Create Jobs as a "Business Supporting Winning Council"

- 8.2 Officers have been advising the club for a long time supporting them on what they need to do to meet the standards required for the certificates to be approved.
- 8.3 The Lead Officer at AFC Telford in respect of this matter is Sharon Bowyer, the General Manager.

9. Risks and Opportunities

- 9.1 The following key risk and opportunity associated with this action has been identified and assessed and arrangements put in place to manage them:

(1) The financial risks to the Council in the event of a legal challenge to any decision.

10. Equal Opportunities

There are no equal opportunity implications arising from this report

11. Environmental Impact

There is no environmental impact arising from this report

12. Ward Implications

There are Borough wide implications

13. Background Papers

Safety at Sports Grounds Act 1975
Fire Safety and Places of Sport Act 1987
Safety at Sport Grounds Designation Order 2015
Guide to Safety as Sports Grounds (Green Guide)

Current General Safety Certificate
Letter received regarding Deregulation

Report prepared by

Keith Harris Development Team Group Manager and David Fletcher Service Delivery Manager Development Management

For further information please telephone 01952 384601 or email keith.harris@telford.gov.uk