

Telford & Wrekin Council

Licensing Committee - 11th October 2016

**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**

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1. Purpose

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 October 2016 to 14th October 2017.

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 the remedial work to the fire alarm system being carried out in accordance with the recommendations in the Fire Detection and Alarm System Inspection and Servicing Report and completed before the Certificate is issued and subject to conditions including a condition that the affected areas of the West stand referred to in paragraph 5 below are closed to the public and cordoned off until the barriers have been repaired, replaced or redesigned to the satisfaction of the Council.

3 Summary

The Report to Licensing Committee on the 4th February 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 the balance of the 12 month period expiring on 14th October 2016. This application is now before Members for consideration and decision for the next 12 month period to October 2017.

4 Previous Minutes

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

5. Update since 4th February 2016

With regard to the issues raised at Committee on 4th February, namely the barrier testing and the fire alarm system, the updated position is as follows:

1. The Council has received from the Club a report of the barrier testing undertaken by Sandberg Consulting on 16th February 2016. The report concludes that ten of the 12 barriers tested meet the safety requirements. Two locations identified as test sites 6 and 7 within the West stand did not accept their full “bedding in load” and the report recommends that “it would be considered prudent to temporarily close areas of the terrace around the barriers identified as tests 6 and 7 until the barriers have been repaired/replaced or redesigned.” Closing off this section of the stand will not cause an issue in terms of spectator capacity and AFC Telford has confirmed in writing that the affected area of the West stand is cordoned off to prevent it being use by spectators.
2. The fire alarm installation is now complete and testing was undertaken on 4th October 2016. The testing has identified 8 No. minor remedial measures that require to be addressed. AFC Telford’s contractor Q Technical has confirmed in writing that there is a programmed works plan in place to be undertaken between 12th and 14th October 2016 to resolve these matters.

As the issues previously highlighted are all actively being addressed, the recommendation is to grant the Safety Certificate applications for the Regulated Stands for the 12 month period expiring in October 2017 subject to conditions regarding the barriers in the West stand and fire detection and alarm system implications and the on-going standard conditions of the certificate e.g. CCTV requirements that will continue to apply and will be monitored by the Safety Group.

6. Legal Comment

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

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

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

The assessment of Certificate applications is carried out by building control officers within existing resources. (AEM 10/10/16)

8. Links with Corporate Priorities

This report has links to the following:

Corporate Priorities

Protect and Create Jobs as a “Business Supporting Winning Council”

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.

It is important for members to note that the Lead Officer at AFC Telford in respect of this matter is now Sharon Bowyer, the General Manager.

9. Risks and Opportunities

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

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