

Telford & Wrekin Council**Licensing Committee - 20th March 2018****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 2018 to 14th April 2019.

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 load testing and electrical installation testing is undertaken as soon as possible in April and the programme of structural repairs for 2020 is worked on to the satisfaction of the Council.

3 Summary

- 3.1 The Report to Licensing Committee on the 30th March 2017 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 12 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 2019.

4 Previous Minutes

14th October 2015
9th December 2015
4th February 2016
11th October 2016
30th March 2017

5. Update since 30th March 2017

- 5.1 Members will recall that individual certificates expire at various times throughout the year. The latest position is summarised on the attached certificate spreadsheet and the key elements are discussed below.

- 5.2 The structural safety assessment, undertaken in March 2017, identified 11 recommendations of work to be undertaken between now and 2020. AFC Telford confirm these works are programmed, and that discussions over some items will be required with TCAT with the West Stand going up for sale.
- 5.3 In respect of load testing, 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. Similarly the isolated barrier close to the stand tunnel has passed the load test. The upper part of the barrier in front of the corporate box has been replaced with a box section and it now passes the load test, and does not, therefore, require to be cordoned off anymore. Load testing for the current year is due on 14th April.
- 5.4 The fire alarm installation is now complete and was tested with the public address system on 6th March 2018. An update will be provided to the Committee.
- 5.5 A Fire Risk Assessment was undertaken on 6th March 2018 and an update will be provided to the Committee.
- 5.6 The General Safety Certificate includes in paragraph F.7.1. the requirement to inspect and test new electrical installations at least once in every three years. AFC Telford are in the process of arranging for this testing and an update will be provided to the Committee.
- 5.7 While the ground’s CCTV is operational, it now requires a considerable investment in order to replace the obsolete equipment. CCTV supplements the roles of Stewards to observe and monitor crowd activity and the club continues to work with the Safety Advisory Group to look into other ways of recording crowd activity.
- 5.8 Two meetings of the Safety Advisory Group have been held since the last Committee meeting, on 3rd July 2017 and 22nd November 2017. The Group notes progress with the actions and will continue to play an active role in overseeing the certification process and advising the club.
- 5.9 This season’s match day inspection is due to be carried out on Saturday 24th March 2018 by representatives from the Council, Fire and Police.
- 5.10 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.
- 5.11 Therefore, as the outstanding issues highlighted are all actively being addressed, and with the continued involvement of the Safety Advisory Group monitoring the conditions regarding the testing of electrical installations, barrier testing, the on-going programme of structural repairs, and more widely 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 2019.

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 Andy Pryce, Director.

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

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