

Telford & Wrekin Council**Licensing Committee - 19th March 2019****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 - Valerie Hulme, Development Management, Service Delivery Manager****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 2019 to 14th April 2020.

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 following conditions –

- **All certificates indicated in Appendix A are up to date with any recommendations actioned within the prescribed time period indicated within that certificate. These certificates are to be issued to the council for review.**
- **The programme of structural repairs is to be completed by 2020 as set out in the structural report. The programme of repairs is to be issued and reviewed to satisfaction of the Council.**

2.2 Should the above not be implemented the council will look to enforce its legal responsibilities.

3 Summary

- 3.1 The Report to Licensing Committee on the 20th March 2018 is attached at Appendix B. 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 2019. This application is now before Members for consideration and decision for the next 12 month period to April 2020.
- 3.2 The previous certificate highlighted a number of recommendations that needed to be addressed by 2020. To date AFC Telford are actively looking to address these issues, and this review has allowed the Authority an opportunity in time to ensure these are delivered within the timeframe. 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, it is recommended to grant the Safety Certificate applications for the Regulated Stands for the 12 month period expiring in April 2020.

4 Previous Minutes

14th October 2015
9th December 2015
4th February 2016
11th October 2016
30th March 2017
20th March 2018

5. Update since 20th March 2018

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; however they have flagged that discussions over some items will be required with Telford College. The Whitehouse Hotel including the West Stand is currently up for sale. It is understood that the sale may be close to agreement and it will therefore be necessary to work with the new owners to ensure relevant recommendations are actioned.

Load Testing

5.3 In respect of load testing, the two barrier sites identified as test sites 6 and 7 that previously 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 2019. Test certificates are to be issued and any recommendations actioned.

Fire Assessment

5.4 The fire alarm installation is now complete and was tested with the public address system on 6th March 2018. This is to be recertified on or before the 6th March 2019. An update will be provided to the Committee.

5.5 A Fire Risk Assessment (FRA) was undertaken on 6th March 2018. An updated version will be required by the 6th March 2019. The FRA is to be submitted to the council for review with any recommendations actioned. An update will be provided to the Committee.

Electrical Testing

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 have had the testing carried out and it is understood that they are in the process of actioning its four recommendations. The certificate is to be submitted to the council and an update will be provided to the Committee.

CCTV

- 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. A new monitor has now been purchased and this has helped out with the clarity issues, however the system remains obsolete. An update will be provided to the Committee.
- 5.8 A meeting of the Safety Advisory Group on 5th March 2019 along with a match day inspection have been held since the last Committee meeting. The Group notes progress with the actions and will continue to play an active role in overseeing the certification process and advising the club. No major issues were reported at the match day inspection.
- 5.9 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. The individual certificates form part of the conditions of the Regulated Stands Certificate that are monitored by the Safety of Sports Ground Group. All certificates are updated on the basis of an agreed rolling programme and issued to the council for review.
- 5.10 It is noted that AFC Telford United has a home cup match on the 23rd of March 2019 with Leyton Orient. They are expecting a sell-out crowd with the stands at capacity. Capacity numbers are calculated based on the physical condition and the safety management; should numbers look to be increased the Safety Advisory Group must be fully informed with detailed justification in accordance with The Green Guide 6th edition submitted to the authority for consideration.
- 5.11 As the outstanding issues highlighted by the previous review 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, it is recommended to grant the Safety Certificate applications for the Regulated Stands for the 12 month period expiring in April 2020.

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 6th edition)

Current General Safety Certificate
Letter received regarding Deregulation

Report prepared by

Joe Strafford Principal Building Surveyor, Development Team and Valerie Hulme
Development Team Service Delivery Manager.

For further information please telephone 01952 384555 or email joe.strafford@apt-group.co.uk

Appendix A

Certificate		Last Received	Next Due Date	28 days of due date	28 days for any remedial works to be done	Comments
Escape lighting battery test	6 month	21/12/18	21/06/19	21/07/19	17/3/19	Report issued to TWC
Escape lighting generator	12 month	28/2/18	28/2/19	28/3/19	28/4/19	This is being carried out WC 11 March 2019
Structural Safety Assessment and risk assessment	12 month	22/3/17	22/3/18	22/4/18	22/5/18	AFC Telford are confirming the works outstanding. AFC Telford are urgently arranging for a current assessment from a qualified structural engineer..
Structural safety inspection 5 year	5 years	22/03/17	22/03/2022			The Ground Safety Structural Report commissioned by undertaken on 22 nd March 2017 contains 11 recommendations of work to the value of £50,500 to be invested in repairs between now and 2020. Issue due to ownership of stand. AFC Telford are confirming the works outstanding. AFC Telford are urgently arranging for a current assessment from a qualified structural engineer..

Load Testing	12 month	16/07/18	16/07/19	16/8/19	21/8/19	AFC Telford are to issue TWC the report
Fire Alarm:						
West Stand	12 month	6/3/18	6/3/19	6/4/19	6/5/19	TWC awaiting receipt of certificates
East Stand	12 month	6/3/18	6/3/19	6/4/19	6/5/19	TWC awaiting receipt of certificates
North Stand	12 month	6/3/18	6/3/19	6/4/19	6/5/19	TWC awaiting receipt of certificates
South Stand	12 month	6/3/18	6/3/19	6/4/19	6/5/19	TWC awaiting receipt of certificates
Public Address system	12 month	6/3/18	6/3/19	6/4/19	6/5/19	TWC awaiting receipt of certificates
Firefighting equipment	12 month	July 18	July 19	Aug 19	Sept 19	Rolling contract
Fire Risk Assessment	12 month	6/3/18	6/3/19	6/4/19	6/5/19	AFC Telford are working through the required remedial measures Copy of the report requested Scheduled for 14/03/2019 Report to be issued to TWC

Electrical installation	3 year	29/12/17	1/12/20	1/1/22	1/2/22	AFC Telford are working through the 4 recommendations. TWC copy of the report requested.
CCTV	12 month	See notes	See notes	See notes	See notes	<p>AFC Telford advises that, 'The company that we had out to service it, will not service it, as they say the system is obsolete and needs replacing. This will cost several £000s, which we simply do not have, this requires huge investment.'</p> <p>The SAG agreed that, as the system is currently operational, an investigation should be made to the circumstances around which CCTV is required as part of the certification, and alternative means of providing either CCTV coverage or a different means of observing and recording crowd activity is investigated. This is will be monitored at the next match day inspection. CCTV is not required as part of the club's licence to sell alcohol. Stewards are used in those few areas not covered by CCTV. AFC Telford state CCTV is not a requirement of the FA.</p> <p>New monitor has been purchased and this was the cause of some of the clarity issues.</p>
Lightening conductor	12 month	22/2/18	22/2/19	22/3/19	22/4/19	<p>Scheduled to be carried out March 2019</p> <p>Details to be issued to TWC</p>

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.

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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.
- 5.8 A Fire Risk Assessment was undertaken on 6th March 2018 and an update will be provided to the Committee.
- 5.9 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.
- 5.10 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.

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Report prepared by

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