



Licensing Committee

25 September 2013

Report Title	New General Safety Certificate Molineux Stadium Waterloo Road Wolverhampton
Classification	Public
Wards Affected	All
Accountable Strategic Director	Tim Johnson, Education and Enterprise
Originating service	Environmental Health Commercial
Accountable officer(s) Telephone Email	Dan O'Brien Environmental Health Commercial (01902) 554381 dan.obrien@wolverhampton.gov.uk

Recommendation(s) for action or decision:

The Licensing Committee is recommended to:

Note and endorse the replaced General Safety Certificate for Molineux Stadium, Waterloo Road Wolverhampton.

1.0 Purpose of Report

- 1.1 To inform Councillors of the intention to issue a new General Safety Certificate for Molineux Stadium Waterloo Road Wolverhampton and seek endorsement.

2.0 Background

- 2.1 Since 1975, the format of General Safety Certificates has been based upon a prescriptive model template produced by the London District Surveyors Association (LDSA). The Sports Grounds Safety Authority (SGSA) recently reviewed the regulatory regime to bring it into line with modern thinking and look to a more “goal setting” rather than the prescriptive nature of the LDSA model. The regulatory principle permits a far more flexible approach and also means that the person with overall responsibility for the safety of spectators is also the person with ownership of the means of compliance.
- 2.3 During redevelopment of the Stan Cullis stand, both the Club and the Authority agreed that the need to amend the General Safety Certificate was an ideal opportunity to move towards a new style Safety Certificate.

3.0 Certificate Content

- 3.1 The LDSA model certificate consisted of a series of prescriptive statements referencing a list of schedules. Each schedule contained a further list of instructions adherence to which constituted compliance, deviation from which constituted non-compliance. Theoretically changing the location of certain stewards for perfectly good reasons could be deemed an offence, likewise with many other adjustments.
- 3.2 SGSA guidance on the format of a “goal setting” Certificate requires the club draw up an Operations Manual covering all the matters contained within “Safety Management” “Sports Grounds and Stadia Guide no. 4” these include:

- Spectator safety policy statement
- Safety management structure
- Capacity Calculations
- Stewarding Plan
- Medical Plan
- Fire Safety Plan
- Contingency plans
- Risk assessments
- Ticketing strategy / policy
- Event Management Plan

The Authority then reviews the efficacy and appropriateness of the Operations Manual and if satisfied it fulfils the requirements of the Certificate the Certificate can then be replaced.

3.3 During 2012 and 2013 the Club and the Authority have been developing both the Operations Manual and Certificate jointly, the Authority and members of the Safety Advisory Group are now satisfied that the Operations Manual satisfies all the requirements of the replacement Certificate and will contribute further to the enhanced safety and security of spectators at Molineux Stadium.

3.4 A copy of the replacement Certificate is attached at Annex A to this report.

4.0 **Safety of Sports Grounds Policy**

4.1 The move to a less prescriptive type of certificate results in a change to the enforcement approach and the need for policy guidance in order to maintain competencies and officer succession.

4.2 The Managing Safety of Sports Grounds Policy Document is the subject of a further report to Licensing Committee.

3.0 **Financial Implications**

3.1 Councils are permitted to charge for actual work done in preparing and issuing a Safety Certificate. The actual cost is currently being finalised but is expected to be in the region of £3000. [TK/20082013/H]

4.0 **Environmental Implications**

4.1 This report has no direct environmental implications

5.0 **Legal Implications**

5.1 This report concerns the Council's duty in discharging its responsibilities to Designated Sports Grounds. There are no direct legal implications arising from this report.
SH/16082013/R

[NOT PROTECTIVELY MARKED]

ANNEX A

Wolverhampton City Council

SAFETY OF SPORTS GROUND ACT 1975

AS AMENDED

**GENERAL SAFETY CERTIFICATE
FOR**

**MOLINEUX STADIUM
WATERLOO ROAD
WOLVERHAMPTON
WV1 4QR**

[NOT PROTECTIVELY MARKED]

SAFETY AT SPORTS GROUND ACT 1975

AS AMENDED

GENERAL SAFETY CERTIFICATE

ARRANGEMENT

GENERAL SAFETY CERTIFICATE

APPENDIX 1 OPERATIONS MANUAL

APPENDIX 2 PERMITTED NUMBERS OF SPECTATORS

APPENDIX 3 SPECIFIED ACTIVITIES

APPENDIX 4 GENERAL GROUND ARRANGEMENT DRAWINGS

APPENDIX 5 SCHEDULE OF AMENDMENTS TO THE GENERAL SAFETY CERTIFICATE

APPENDIX 6 DOCUMENTS KEPT WITH THE GENERAL SAFETY CERTIFICATE

SAFETY OF SPORTS GROUNDS ACT 1975 AS AMENDED

INFORMATION

It is important to know all the provisions of the Safety of Sports Grounds Act 1975, which are relevant to stadia within its scope.

The following points are particularly important but reference should be made to the Act itself for authoritative information.

(i) **Right of Entry and Inspection**

Section 11 of the Act gives to authorised officers the power to enter and inspect a sports ground and to make any inquiries as are considered necessary for the purposes of the Act. Authorised officers also have power to examine records of attendance at the ground and records relating to the maintenance of safety at the ground.

(ii) **Alterations and Extensions**

Section 8 of the Act requires notice to be given to the Council before work is begun on any proposed alteration or extension to the stadium.

(iii) **Offences and Penalties**

For the following offences, that is to say: -

- (a) Contravening any term or condition of this certificate (otherwise than in pursuance of a prohibition notice), admitting spectators to the sports ground at a time when no application for a safety certificate has been made or where a certificate does not relate to the current sports ground or has been withdrawn, surrendered or cancelled; or in contravention of a prohibition notice, the penalty is, on summary conviction, a fine not exceeding the statutory maximum or, on conviction on indictment, a fine or imprisonment for a term not exceeding two years, or both.
- (b) Knowingly or recklessly making a false statement or producing, signing, furnishing or otherwise making use of a document containing a false statement, or
- (c) Failing to give notice of an alteration or extension to the sports ground or obstructing an authorised officer, the penalty is on summary conviction, a fine not exceeding level 5 on the standard scale.

(iv) **Prohibition Notices**

Section 10 of the Act (as amended) provides that if the local authority are of the opinion that the admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the ground or that part of the ground ought to be prohibited or restricted, the authority may serve a notice (referred to as a "prohibition notice") on the Holder of the general safety certificate or the person responsible for the management of the ground, prohibiting or restricting the admission of spectators.

(v) **Appeals**

Section 5(3) of the Act (as amended) provides that an interested party may appeal to a Magistrates' Court against the inclusion of anything in, or the omission of anything from, a safety certificate.

(vi) **Transfer of the Certificate**

If the Holder of the safety certificate ceases to be the person responsible for the management of the ground, an application must be made to the Council for the transfer of the certificate to some other qualified person.

(vii) **Other Legislation/guidance**

The holder should be aware that apart from the legislation detailed in (i) above there may be other acts and guidance that apply to the sports ground. These include health and safety legislation, legislation relating to people with disabilities, civil contingencies legislation, The Regulatory Reform Fire Safety Order (2005), Sports Ground and Stadia Guide No.4: 'Safety Management' document and any other specific pieces of legislation or guidance that may have relevant safety implications.

NOTE: No temporary variation of the terms and conditions of the certificate will be permitted other than in accordance with the terms and conditions of any relevant letter of consent by the certifying authority

SAFETY OF SPORTS GROUNDS ACT 1975

GENERAL SAFETY CERTIFICATE

Molineux Stadium, Waterloo Road, Wolverhampton WV1 4QR

1. In exercise of the powers conferred by the Safety of Sports Grounds Act 1975 (as amended) and all other enabling powers, the **Wolverhampton City Council** ("the Council") hereby issues to: -

Wolverhampton Wanderers Football Club (1986) Limited

("The Holder"), this General Safety Certificate in respect of **Molineux Stadium, Waterloo Road, Wolverhampton WV1 4QR** being a sports ground designated by Order of the Secretary of State as requiring a Safety Certificate.

2. This Certificate includes the Appendices and Drawings attached hereto.
3. The words used in this Certificate and the appendices attached hereto shall have the meaning assigned to them by the Safety of Sports Grounds Act, 1975, the Fire Safety and Safety of Places of Sport Act, 1987 and current edition of the Guide to Safety at Sports Grounds.
4. The Holder shall retain control over the whole and each part of the sports ground and shall take all necessary precautions for the reasonable safety of spectators admitted to the sports ground. The responsibility for the safety of spectators at the sports ground lies at all times with the Holder.
5. The Holder shall inform the Council of the name of the person at senior level in the organisation who is responsible for safety policy and its implementation, together with those of the safety officer and deputy safety officer who shall be of sufficient competence, status and authority to take responsibility for spectator safety and be able to authorise and supervise safety measures. Either the safety officer or a nominated deputy shall be present at any event during which spectators are admitted to the ground.
6. Unless a nominated Safety Officer or Deputy Safety Officer whose appointment has been notified to the Council, is present, the capacity of the sports ground will be zero.
7. The Holder shall ensure compliance with the terms and conditions of this certificate at all times the sports ground is in use for a specified activity.
8. The use of the sports ground for spectator events under this General Safety Certificate is restricted to those activities specified in Appendix 3 and is subject to the terms and conditions set out in this Certificate. No ancillary activities, apart from those listed in Appendix 3, are permitted without the prior consent of the Council.
9. The Holder shall produce and comply with a written statement of safety policy for spectators and employees, outlining the chain of command, and covering the safety objectives and the means of achieving them and take steps to ensure that it is known and understood by all staff and voluntary workers who may be involved in ground operations. The Holder shall also ensure that the policy is reviewed annually and revised as necessary. A copy shall be included in the operations manual and a copy of the policy shall be forwarded to the Council.
10. The Holder shall maintain and comply with all sections of the Operations Manual at appendix 1 which relates to the safety of spectators at the sports ground.

Note: *It should include but not be limited to: - the safety policy statement, the written spectator safety policy statement, the chain of command, the steward training policy, the stewarding plan, planned preventative maintenance schedule, medical plan, fire risk assessment, event day procedures, contingency plans, capacity calculations, on site vehicle movement and parking plan, the method of ensuring the safety of persons, site plans (which must include details and widths of all Ingress/Egress gates, doors and/or number of turnstiles) and details of safety equipment. The Operations Manual shall be forwarded to the Council and emergency services and attached to this certificate.*

11. The Holder shall ensure that the maximum number of spectators that may be admitted at any one time to the sports ground and to each part thereof shall not exceed the capacities specified in Appendix 2, and shall also ensure that any measures for managing crowds prescribed in the Operations Manual and this certificate are observed.
12. The Holder shall, on the basis of a risk assessment, identify and apply precautions to prevent the outbreak and spread of fire; measures to ensure the safety of spectators should fire break out; provision and maintenance of fire safety equipment and the training of staff to deal with an outbreak of fire. These shall be set out in a fire safety plan in Section 6 of the Operations Manual, a copy of which is appendix 1 to this Certificate.
13. The Holder shall undertake or commission a medical risk assessment from a competent person or organisation. In undertaking this assessment the local ambulance NHS trust, crowd doctor and first aid providers should be consulted. From the results of this assessment the Holder shall produce a medical plan defining the levels of medical and first aid provision for staff and spectators at the sports ground which shall be set out in Section 5 of the Operations Manual, a copy of which is at Appendix 1 to this certificate.
14. After conducting all the necessary assessments, the holder shall produce detailed capacity calculations in accordance with the guidance set out in the current edition of the Guide to Safety at Sports Grounds. These calculations shall be reviewed at least once a year, after any structural changes made at the sports ground and/or after any incident that involves implementing the Holder's emergency plans. The calculations shall be submitted to the council. The Holder may within this document specify different capacities for different events that might be held within the Sports Ground.
15. The Holder shall, on the basis of a risk assessment, identify the equipment, permanent staff, safety management personnel, stewards and others necessary to monitor, direct, guide, manage and assist spectators during specified activities. Details of the equipment to be provided, the level of staffing and the training given to those staff shall be set out in Sections 2 and 4 of the Operations Manual, a copy of which is at appendix 1 to this Certificate.
16. The Holder shall, identify the inspections and the testing of structures, equipment and systems necessary to ensure the reasonable safety of spectators. The Holder shall set out the frequency of the inspection and testing in Section 16 of the Operations Manual, a copy of which is at Appendix 1 to this certificate. The frequency of any such inspection and test should not be less than the frequency indicated by the equipment manufacturer.

The Holder shall keep a record of all inspections and tests specified in the Operations Manual. These records shall be available for inspection by authorised officer's at all reasonable times.

17. The Holder shall assess in writing, the risk of incidents prejudicing public safety or disrupting normal operations and produce a plan of action to deal with all contingencies. The plan of action shall be produced in consultation with the Police, Fire Brigade, Ambulance Service and the Council. The plan of action shall cover all reasonably foreseeable contingencies up to and including the need for partial and/or the need for total evacuation of the stadium and shall identify

appropriate individuals and their respective tasks. The Holder shall set out the plan of action in Section 7 of the Operations Manual a copy of which is at Appendix 1 to this certificate. The plans shall be reviewed annually, after any incident, near miss or exercise.

18. The plan of action shall also be reviewed when any permanent or temporary change is made to the structures or installations at the ground. Where following any review the Holder revises the plan of action in Section 7 of the Operations Manual, a copy of which is at Appendix 1 of this certificate details of the revisions should be forwarded to the council.
19. The Holder shall also demonstrate on suitable occasions throughout the season, the emergency procedures as set out in the "plan of action" operate correctly.
20. The Holder shall use his or her best endeavours to agree a Statement of Intent with the police over their respective roles.
21. The Holder shall notify the Council, in writing, at least 28 days before any change of circumstances affecting this certificate. Any changes, which may involve alterations or conditions at the ground, shall be accompanied by sufficient information: -
 - (a) Such information shall include two sets of drawings to an appropriate scale to clearly show the proposed works, capacity calculations and risk assessments and such other drawings as may be necessary,
 - (b) Such calculations, risk assessments and other details as are necessary, or are further required by the council to enable them to undertake the necessary consultation and to make an informed decision on the application.
22. No alteration or addition shall be made to the sports ground or its structures or installations without the prior consent of the Council.
23. The Holder shall draw up and keep up to date plans showing the layout of the sports ground, buildings, equipment, and all details considered necessary by the Council in connection with the Safety Certificate and shall upon request supply the Council with copies.
24. This Certificate is issued without prejudice to other legislation controlling the construction or use of sports grounds or buildings or otherwise affecting the Holder and does not invalidate any statutory obligation upon the Holder. The specific requirements of this certificate shall not be regarded as the limit of the obligation placed on the Holder to take all necessary precautions for the reasonable safety of spectators admitted to the sports ground.
25. The previous Certificate, effective from 1 February 2008 is replaced by this Certificate with effect from 25 September 2013. The Council will review this Certificate annually.

Wolverhampton City Council

Civic Centre

St Peter's Square

Wolverhampton

WV1 1DA

(The Officer appointed for this purpose)

Date: 25.09.13
