

Policy for the issue and review of safety certificates



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1. INTRODUCTION

Glasgow City Council, (“the Council”) recognises its statutory duty for the safety certification of sports grounds under the Safety of Sports Grounds Act 1975 (as amended) (“**1975 Act**”) and the Fire Safety and Safety of Places of Sport Act 1987 (“**1987 Act**”). The Council also recognises its responsibilities for spectator safety at all sports grounds within its boundary. In undertaking these roles the Council will:

- delegate its power to take and implement decisions on safety certification to a designated Council officer;
- appoint a designated Council officer to chair the Safety Advisory Group for each sports ground subject to a safety certificate;
- provide for adequate resources and appoint appropriate Council officers and/or engage competent specialist agencies/external consultants as necessary, to assist the Council in carrying out its statutory duties relating to the safety of spectators at sports grounds under the 1975 and 1987 Acts;
- convene regular Safety Advisory Group meetings to assist in its statutory duty to sports grounds. The Safety Advisory Group will include representatives of Police Scotland, Fire and Rescue Service, Scottish Ambulance Service, Building Authority and where appropriate the relevant certificate holder;
- determine if any sports grounds contain Regulated Stands and will expediently process and issue safety certificates in respect of those stands and/or any Sports Ground designated as such under the provisions of the 1975 Act;
- put in place policies and procedures for monitoring by inspection/audit compliance with the terms and conditions of any safety certificate issued and taking appropriate and proportional action in response to any identified defect or incident compromising spectator safety;
- provide prompt advice on spectator safety on request from sports ground venue operators; and
- keep under review its procedures and arrangements in pursuit of ensuring the reasonable safety of spectators at Sports Grounds within its responsibility.

2. DEFINITIONS

“**1975 Act**” means the Safety at Sports Grounds Act 1975;

“**1987 Act**” means Fire Safety and Safety of Places of Sports Act 1987;

“**1987 Regulations**” means Safety of Sports Grounds Regulations 1987;

“**1988 Regulations**” means Safety of Places of Sport Regulations 1988;

“**Appendix**” means the appendix attached to this policy;

“Building Authority” has the meaning given to it in section 17 of the 1975 Act;

“Council’s representative” means the chair of the Council’s Safety Advisory Group for sports grounds or such other officer as appointed by the Council from time to time;

“Council’s Scheme of Delegation” means the relevant scheme of delegation prepared by the Council under section 50(G)(2) of the Local Government (Scotland) Act 1993;

“Designated Sports Ground” has the meaning given to it under section 1 of the 1975 Act;

“General Safety Certificate” has the meaning given to it under section 1 of the 1975 Act;

“general safety certificate” has the meaning given to it under section 26 of the 1987 Act;

“Glasgow City Council” or **“Council”** means Glasgow City Council, a Local Authority in terms of the Local Government (Scotland) Act 1994 having its principal place of business at the City Chambers, George Square, Glasgow, G2 1DU;

“Guide to safety certification of sports grounds” means the sixth edition of the guide to safety certification of sports grounds or “Green Guide” produced by the Sports Grounds Safety Authority;

“Safety Advisory Group” is a multi-agency advisory group consisting of the appropriate members of Council staff, representatives of Police Scotland, Scottish Fire and Rescue Service, Scottish Ambulance Service and where appropriate, the certificate holder or event organiser;

“safety certificate” means any of the following: Special Safety Certificate; special safety certificate; General Safety Certificate; and general safety certificate as the context determines;

“Scottish Ambulance Service” means statutory ambulance service having its national headquarters at Gyle Square, 1 South Gyle Crescent, Edinburgh, EH12 9EB;

“Scottish Fire and Rescue Service” is a body corporate established under the Police and Fire Reform (Scotland) Act 2012 and having its registered headquarters at Westburn Drive, Cambuslang, G72 7NA;

“Special Safety Certificate” has the meaning given to it under section 1 of the 1975 Act;

“special safety certificate” has the meaning given to it under section 26 of the 1987 Act;

“sports grounds” means any place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose, as defined in section 17 of the 1975 Act.

“Sports Grounds Safety Authority” means the sports ground safety authority, a not for profit organisation, having its registered office at East Wing, First Floor, Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8JX;

“Police Scotland” is the police service of Scotland having its headquarters at Tulliallan Castle, Kincardine; and

“**Regulated Stand**” means each stand capable of providing covered accommodation for 500 or more spectators to view activities at the ground, as defined by section 26 of the 1987 Act.

3. LEGISLATION AND GUIDANCE

This document should be read in conjunction with the 1987 Act, 1975 Act, 1987 Regulations and 1988 Regulations.

Further advice is contained in “Guide to safety certification of sports grounds” published by the Sports Grounds Safety Authority.

4. PURPOSE

This document sets out the Council’s approach to discharging its powers and responsibilities in respect of issuing and reviewing safety certificates for Designated Sports Grounds and Regulated Stands.

5. SCOPE

The Designated Sports Grounds and Regulated Stands covered by these arrangements are:

Stadia:

Celtic Park, Kerrydale Street, Parkhead, Glasgow, G40 3RE
Ibrox Stadium, 150 Edmiston Drive, Glasgow, G51 2XD
Hampden Park, Letherby Drive, Mount Florida, Glasgow, G42 9BA; and
Firhill Stadium, 80 Firhill Road, Glasgow, G20 7AL

Regulated Stands

Glasgow High School, 637 Crow Road, Glasgow, G13 1PL
Scotstoun Stadium, 112 Danes Drive, Glasgow, G14 9HD
Lesser Hampden, Letherby Drive, Glasgow, G42 9BA.

The powers of issue and review of the safety certificate are vested solely in the Council’s officers with delegated authority for this activity under the Council’s Scheme of Delegation.

6. DELEGATED POWERS

In terms of the Council’s Scheme of Delegation, the Council has delegated its powers for the safety certification of Designated Sports Grounds under the 1975 Act and Regulated Stands under the 1987 Act to:

Head of Licensing and Democratic Services, Glasgow City Chambers, George Square, Glasgow

The delegated powers allow for the Head of Licensing and Democratic Services to issue, amend, renew and transfer:

- (a) General Safety Certificates and Special Safety Certificates for Designated Sports Ground;
- and

(b) general safety certificates and special safety certificates for Regulated Stands.

7. QUALIFIED PERSON

Upon receipt of an application for a General Safety Certificate or Special Safety Certificate the Council must determine if the applicant is a “qualified person”. The Council must also on application for a change of name of the certificate holder determine if the potential new holder is a “qualified person”. This is defined in the 1975 Act as a person who is likely to be in a position to prevent any contravention of the terms and conditions of the safety certificate. The certificate holder should be in a position of authority within the management of the sports ground and could include the chairman, chief executive, club secretary, ground manager, safety officer or a director, depending on the sports ground/club.

Under the 1987 Act, the definition of a person qualified to hold the general safety certificate or special safety certificate for a Regulated Stand is stricter. In the case of a general safety certificate for a Regulated Stand, it is the person responsible for the management of the sports ground; for a special safety certificate for a Regulated Stand, it is the person responsible for organising the activity being watched by the spectators. This apart, the procedure mirrors that for the issue of the General Safety Certificate and Special Safety Certificate for a Designated Sports Ground.

If the Council determines the applicant is not a qualified person, it must notify him/her in writing. The applicant may then appeal against this determination by summary application within 28 days or 7 days in the case of a special safety certificate.

8. SAFETY CERTIFICATE APPLICATIONS AND INFORMATION REQUIRED

The format of an application for a General Safety Certificate or Special Safety Certificate for a Designated Sports Ground and for a general safety certificate or special safety certificate for a Regulated Stand are set out in the 1987 Regulations and 1988 Regulations respectively. Application forms for a Special/special safety certificate under either the 1975 Act or 1987 Act and a general safety certificate under the 1987 Act are on the Council’s website at <https://www.glasgow.gov.uk/article/17336/Safety-at-Sports-Grounds>

Applications are processed through the Council’s Licensing Department. The Council must provide the chief officer of Police Scotland, Scottish Fire and Rescue Service and the Building Authority with a copy of any application received. It will also formally consult them about the terms and conditions of the certificate. The normal route for this consultation will be through a Safety Advisory Group meeting.

The application should be accompanied by detailed information as to structure, capacity and safety management systems. The Council may, by writing, require the applicant to submit within a reasonable period such additional information and plans it considers necessary to enable it to determine what terms and conditions to include.

9. TIMETABLE

Whilst there is no set time limit under the legislation for a Council to issue a safety certificate, the Council will aim to determine an application within six months of the application being received.

General Safety Certificates for Designated Sports Grounds are normally issued for a period of 1 year. General safety certificates for Regulated Stands are normally issued for a period of 2 years.

Special Safety Certificates/special safety certificates will usually only be issued to cover the period of the event to which it relates.

10. CONTENTS OF A SAFETY CERTIFICATE

In accordance with section 2 of the 1975 Act and section 27 of the 1987 Act the Council is required to include in the safety certificate such terms and conditions it considers necessary or expedient to secure the reasonable safety of spectators. Safety certificates issued by the Council will include the capacity of the Designated Sports Ground, or Regulated Stand, as well as capacities for each part thereof. The certificate will also include the terms and conditions with which the holder must comply with to maintain that capacity. In determining the contents of a safety certificate the Council will take account of the advice of the Safety Advisory Group and guidance published by the Sports Grounds Safety Authority in its "Guide to the Safety Certification of Sports Grounds".

11. RIGHTS OF APPEAL

The 1975 and 1987 Acts both provide a right of appeal to the Sheriff Court to:

- any person against a determination by the Council that he/she is not qualified to hold a safety certificate;
- any interested party against the inclusion of anything in or omission of anything from a safety certificate or the refusal of the Council to amend or replace it; or
- any person, upon whom the Council has served a notice that it, has determined that a particular stand is a Regulated Stand, against that determination.

Appeals must be lodged within 28 days of the decision if they relate to a General Safety Certificate under the 1975 or a general safety certificate under the 1987 Act. If an appeal relates to a Special Safety Certificate under the 1975 Act or a special safety certificate under the 1987 Act they must be lodged within 7 days of the decision.

12. REVIEW OF SAFETY CERTIFICATE

The Council will normally undertake a review of issued safety certificates on an annual basis or at such time as required in response to any physical changes at sports grounds, incidents or 'near misses' brought to their notice, changes in safety management performance or in response to changes to legislation or spectator safety guidance.

The review undertaken will consider the terms and conditions of safety certificates to ensure they remain relevant for providing for the reasonable safety of spectators. The review will be undertaken by the Council's representative or such other appropriate Council officer as determined by the Council, who shall consult with the Safety Advisory Group or any other appropriate body. The outcome of the review shall be recorded and reported to the Safety Advisory Group.

Further detail of the monitoring and inspection process for safety certificates is detailed in the Appendix.

13. Misc.

The 1987 and 1988 Regulations require the Council to notify every interested party, as defined by the Regulations as:

- the holder of a safety certificate;
- any other person who is or may be concerned in ensuring compliance with the terms and conditions of a safety certificate;
- Police Scotland; and
- Building Authority

This notice must specify that a copy of the safety certificate and any application is available for inspection at a specified time and place. The Council must also publish a similar notice in a local newspaper.

APPENDIX

Inspections

Designated Sports Grounds – An inspection will be undertaken once every year, normally upon renewal of the safety certificate. The inspection will be undertaken by representatives of the Building Authority, Police Scotland and the Scottish Ambulance Service. The Council's representative will issue a pro forma checklist to each of the representatives referred to above, ahead of the inspection date. The pro forma should be completed by the said representatives at the time of inspection and submitted to the Council's representative no later than two weeks after the inspection date. The completed pro forma will be discussed at the next meeting of the Safety Advisory Group.

The inspection will cover:

- the certificates covering structural, dynamic performance and electrical tests;
- the records maintained by the management of the Designated Sports Grounds, in particular of attendances, accidents, maintenance, equipment tests, steward training and contingency plans;
- the condition of the Designated Sports Grounds and its fixtures and fittings; and • the lighting, public address, fire warning and entry control equipment.

Regulated Stands – An inspection will be undertaken every second year and will follow the same procedure as detailed above.

Match Day Inspections

Match Day inspections will be made from time to time, usually around October or November, to ensure that the terms and conditions in the safety certificate are suitable and appropriate for the use taking place and to monitor the ground management's compliance with the terms and conditions of the safety certificate. The inspection will be undertaken by representatives of the Building Authority, Police Scotland and the Scottish Ambulance Service. The Council's representative will issue a pro forma checklist to each of the representatives referred to above, ahead of the match day inspection date. The pro forma should be completed by the said representatives at the time of inspection and submitted to the Council's representative no later than two weeks after the inspection date. The completed pro forma will be discussed at the next meeting of the Safety Advisory Group.

When undertaking match day inspections the officers will:

- make their presence known to the duty safety officer and others in the control room;
- tour all accessible parts of the sports ground and 'walk the ground'; and
- observe the safety management arrangements and crowd, recording any problems and noting the time of the incident etc.

Where breaches in the terms and conditions of safety certificates are noted, these will be brought to the attention of the certificate holder and duty safety officer immediately.

The responsibility for the safety of individuals in the stadium lies at all times with the holder of the safety certificate. Therefore, when Safety Advisory Group officers are at the ground,

they should not try to enforce the terms and conditions of the safety certificate on such individuals, but should refer breaches and concerns immediately to the club's duty safety officer and raise these also at the meeting of the Safety Advisory Group.