

## CITY OF PLYMOUTH

**Subject:** Plymouth Albion Rugby Football Club Ltd –  
Regulation of east and west stands

**Committee:** Licensing Committee (Miscellaneous)

**Date:** 13 October 2009

**Cabinet Member:** Councillor Brookshaw

**CMT Member:** Director for Community Services

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**Ref:** PF/Planning

**Part:** I

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### **Executive Summary:**

As part of the Council's role as the Chair of the Safety Advisory Group (SAG), it has become aware that Plymouth Albion Rugby Football Club is operating from a premises that meets the criteria for regulation under the Safety of Sports Ground Act 1975. Under this legislation Plymouth Albion will be required to apply for a general safety certificate that meets the health and safety requirements set out in the legislation. The purpose of this report is to seek Committee approval to take the necessary measures to regulate the Plymouth Albion ground under the Safety of Sports Ground legislation.

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### **Corporate Plan 2009- 2012:**

This report links to the delivery of the corporate improvement priorities. In particular:

1. Providing more and better culture and leisure activities.

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**Implications for Medium Term Financial Plan and Resource Implications:  
Including finance, human, IT and land**

No direct financial implications. Costs of staff time involved in this work will be managed within existing Service budgets.

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**Other Implications: eg. Section 17 - Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.**

The matters addressed in this report related directly to the Council's health and safety obligations as outlined in the Safety of Sports Grounds Act 1975 and Fire Safety and Safety of Places of Sport Act 1987

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**Recommendations and Reasons for recommended action:**

It is recommended that Licensing Committee:

1. Make a preliminary determination that east and west stands of grounds of Plymouth Albion Rugby Football Club Limited (the Club) should be regulated under Section 28 of the Safety of Sports Ground Act 1975.  
**Reason:** To enable the Assistant Director of Development (Planning) to issue a Notice of Preliminary Determination to the Club and to require the Club to apply for a General Safety Certificate for the east and west stands.
  2. Authorises the Assistant Director of Development (Planning) to issue all necessary letters of determination with regard to the preliminary determination
  3. Delegate authority to the Licensing Sub Committee (Miscellaneous) the authority to consider any application made by the Club for a General Safety Certificates for the east and west stands  
**Reason:** To enable the applications to be considered within the more frequent calendar of the Sub-Committee so that the Club will be able to continue operating its sports facilities.
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**Alternative options considered and reasons for recommended action:**

The Committee could decide not to determine that the east and west stands of Plymouth Albion should not be regulated. However there would be health and safety implications of this action and the Council would not be carrying out its

statutory duties in accordance with the Fire Safety and Safety of Places of Sport Act 1987 if it failed to take action to regulate the stands.

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**Background papers:**

Fire Safety and Safety of Places of Sport Act 1987  
*Guide to Safety at Sports Grounds*, Department for Culture, Media and Sport,  
2008

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**Sign off:**

Head of Fin	<b>EM Dev F910 0044</b>	Head of Leg	AG 5478. 5.10.09	Head of HR		Head of AM		Head of IT		Head of Strat Proc	
Originating CMF Member											

## **1.0 BACKGROUND**

- 1.1 The Council Chairs the Safety Advisory Group (SAG) which is a group established to advise on safety issues relating to sports grounds that provide covered accommodation in a stand for 500 or more spectators. SAGs were established following the Hillsborough football disaster to enable a co-ordinated approach to be taken to ensure that the local authorities exercise their statutory duties under the Safety of Sports Ground Act 1975, and the Fire Safety and Safety of Places of Sport Act 1987. The Group is advised by the emergency services including the police, ambulance and fire service and Council officers representing Health and Safety and Building Control statutory duties.
- 1.2 The Safety of Sports Grounds Act 1975 provides for certain sports grounds to be designated as requiring a safety certificate and at present Plymouth Argyle Football Club Ltd is the only ground designated under the Safety of Sports Ground Act 1975 that falls within the Council's boundaries. The Fire Safety and Safety of Places of Sport Act 1987 (the Act) applies where sports grounds have covered stands designed to hold more than 500 spectators and are not designated stands under the Safety of Sports Ground Act 1985. It is a function under this Act for the local authority to determine whether any, and if so, which of the stands at sports grounds in their area is a regulated stand and to issue safety certificates. The SAG group has inspected the Plymouth Albion ground and consider that Plymouth Albion Rugby Football Club Limited (the Club) should be regulated under the Act. Appendix one attached sets out the calculations to support this consideration.
- 1.3 The SAG has informed Plymouth Albion Rugby Football Club Limited that they should be applying for a general safety certificate in order to regulate the east and west stands. The Club has indicated that it will be applying for a general safety certificate for these stands. However, even if these applications are received, a determination will still need to be made by Members as to whether these stands will be deemed to be regulated or not. Officers will provide an update on this point to Members at the meeting.

## **2. REASONS FOR REGULATING THE PLYMOUTH ALBION EAST AND WEST STANDS**

- 2.1 SAG feels that it is appropriate to regulate the east and west stands of Plymouth Albion since they both accommodate a spectator capacity of over 500 persons. The general safety certificate would have to be applied for by the Club as a result of a designation that the stands should be regulated stands and would contain information setting out how those stands should operate during a sporting event, including such issues as:

- stewarding and communication
- means of escape in a variety of scenarios
- identification of potential fire risks
- emergency services access arrangements
- medical facilities

## **NEXT STEPS**

3.1 Officers intend to take the following steps if Committee approve the recommendations outlined in this report:

1. Officers will issue a Preliminary Determination to Plymouth Albion Rugby Football Club Limited
2. The Club will then have two months in which to appeal this Preliminary Determination after which the Determination will become final.
3. It will then become illegal for the stand to be used unless an application for a General Safety Certificate has been made.
4. A further report relating to the issue of the General Safety Certificate will need to be brought back for consideration once an application has been received in order that Members may consider, in consultation with SAG, whether the proposed conditions will adequately cover the viewing public's safety.