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The Chief Executives

County Councils
Metropolitan District Councils
London Borough Councils
Common Council of the City of London

Dear Sir

HOME OFFICE CIRCULAR NO 72/1987

**FIRE SAFETY AND SAFETY OF PLACES OF SPORT ACT 1987 :
IMPLEMENTATION OF PART II (SAFETY OF SPORTS GROUNDS) SECTION 25**

**INSPECTIONS UNDER SECTION 10B OF THE SAFETY OF SPORTS GROUNDS ACT
1975**

Introduction

Further to HOC/71/87 giving advice about the effects of changes brought about by implementation of Part II of the Fire Safety and Safety of Places of Sport Act 1987 (the 1987 Act) this circular introduces Statutory Guidance given by the Secretary of State on inspections of designated sports grounds under section 10B of the Safety of Sports Grounds Act 1975 (the 1975 Act) as inserted by section 25 of the 1987 Act.

General

The Statutory Guidance, drawn up following consultation with the local authority associations, has effect in respect of any inspection carried out under section 10B of the 1975 Act after 1 January 1988 when, by virtue of the Commencement Number 1 Order, Part II of the 1987 Act comes into effect.

Local authorities should bear in mind the mandatory nature of the Statutory Guidance on inspections carried out under section 10B of the 1975 Act whereas the supplementary, explanatory memorandum enclosed with the Statutory Guidance is not binding.

Resource Implications

Whilst it is not intended to restrict the time local authorities may feel should be devoted to this task, inspections under section 10B (when taken with existing commitments to inspect designated sports grounds) should not result in significant resource implications. The scope of inspections under paragraphs 3 and 4 of the Statutory Guidance, together with associated report work, are not intended to be as detailed or extensive as that often required of the holder of a safety certificate, or that which may sometimes be necessary prior to the issue of a safety certificate. In general, inspections are not expected to take more than about 2 man days per ground on average.

To assist local authorities prepare a report and record of inspections a suggested basic format which can be adapted according to preference is enclosed at Annex A.

Supplementary

Any enquiries about this circular or the Statutory Guidance should be directed to Mr Macnamara 01-213 7338.

Yours faithfully



P CANOVAN

Copies for information sent to:-

ACC, AMA, LBA, ADC, ACPO
Clerks to Fire and Civil Defence Authorities
Chief Officers of Police
Clerks to Police Authorities
Sports Council

HOC 72/1987

STATUTORY GUIDANCE TO LOCAL AUTHORITIES ON INSPECTIONS TO BE CARRIED OUT UNDER SECTION 10B OF THE SAFETY OF SPORTS GROUNDS ACT 1975

The following guidance is given by the Secretary of State in pursuance of section 10B(2) of the Safety of Sports Ground Act 1975 (as inserted by section 25(1) of the Fire Safety and Safety of Places of Sport Act 1987).

General

1. The local authority should be satisfied that inspections under this guidance are carried out by a person or persons qualified for that purpose.

Scope of inspection

2. Inspection of the ground should, where practicable, include inspection of the following certificates of testing and records as required under the terms and conditions of the safety certificate to be kept by the holder and/or submitted to the local authority.

(a) any certificate covering testing of

(i) strength/loading tests carried out on crush barriers, guard rails, hand rails, balustrading, walls or fences;

(ii) strength, stability of buildings or other structures;

(iii) inspections and condition of electrical installations.

(b) records of the following:-

(i) spectator attendances;

(ii) accidents involving spectators;

(iii) maintenance and other inspections of buildings, components and installations, together with identified deficiencies and recorded remedial measures taken;

(iv) tests and checks on emergency lighting, public address system, fire fighting equipment, fire warning system (if installed);

(v) emergency evacuation procedures and steward training sessions.

3. The inspection of the ground should normally include inspection of the following items:-

- (a) any part of the ground where an accident or incident resulting in serious injury to spectators has occurred since the last inspection;
- (b) any recorded defect or deficiency which has arisen since the last inspection and which, in the opinion of the inspecting officer would be likely to lead to an accident which could result in serious injury to spectators;
- (c) major remedial work carried out since the date of the last inspection to ascertain that it has been satisfactorily carried out;
- (d) all public stairways for their general condition, slip resistance, condition of hand-rails (see also (j) below), trip hazards especially at the head of stairways, adequacy of lighting and structural fire separation;
- (e) all egress routes used by the public, including emergency exit routes, for obstructions, operation of exit gates, adequacy of sign-posting and lighting, presence of any uncleared litter;
- (f) fire fighting equipment and fire warning system (if installed);
- (g) for the presence of any accumulation of litter,
- (h) the emergency lighting system including any generator or batteries
- (i) first-aid facilities and equipment;
- (j) 10% of any crush barriers, balustrading and hand-rails for overt signs of weakness which might signal the need for further testing, remedial action or (additional) restriction on the number of spectators allowed to occupy that part of the ground;
- (k) 10% of the terraces or viewing slopes for general surface condition, even-ness and slip resistance;
- (l) anchorage and fastening of 10% of any fixed seating.
- (m) any provision for the disabled.

Where the inspection of a sample as in paragraphs (j), (k) and (l) reveals matters giving rise to serious concern for the safety of spectators, the authority should go on to inspect all the crush barriers etc, terracing or seating in that part of the ground where the sample indicated that there were deficiencies.

Testing of equipment

4. Tests should if possible be carried out to confirm that the following is in working order:-

- (a) lighting, particularly on stairways and exit routes;
- (b) emergency lighting;
- (c) public address system, including the proper functioning of zoning where this facility is part of the requirements of the safety certificate;
- (d) fire warning system (if installed);
- (e) 10% of any metering system for recording the admission of spectators to parts of the ground.

Home Office

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Supplementary advice and explanatory notes to the Statutory Guidance to local authorities given by the Secretary of State under section 10B(2) of the Safety of Sports Grounds Act 1975

Introduction

1. The following advice does not form part of the Statutory Guidance given under section 10B of the 1975 Act. The following advice is given in good faith but it should be remembered that only the courts can rule authoritatively on interpretation of points of law.

Objective of Inspections

2. The object of the inspections is to monitor the suitability of the terms and conditions of the safety certificate (where issued) in the light of any change in the condition of the ground and secondly, to assist local authorities in enforcing compliance with the terms and conditions of the safety certificate or other notice served on the ground occupier.

3. Local authorities may wish to note that the inspection is not intended to shift responsibility for spectator safety away from the holder of any safety certificate or ground occupier, but rather to help see that he succeeds in achieving (and maintaining) the safety standards intended to be set by any certificate for the number of spectators authorised to enter the ground for a specified activity.

General

4. As the size, age, configuration, condition and usage of designated sports grounds as well as the attitude of management can give rise to different inspection needs, the discretion of local authorities to carry out more frequent or more extensive inspections than is laid down by section 10B of the 1975 Act is not restricted. The requirements of the Statutory Guidance have been set at what is seen as the desired minimum likely to achieve the objective described above leaving authorities free to add to the content of the inspections or increase their frequency according to locally determined needs. In this context local authorities may wish to bear in mind that inspections carried out under section 10B of the 1975 Act are in addition to, not a substitute for those required to be carried out under the terms and conditions of the safety certificate by or on behalf of the holder.

Inspection frequency

5. As section 10B(3) of the 1975 Act stipulates that an inspection should take place of a "designated" ground at least once every twelve months, this frequency must be observed even if the issue of a safety certificate is delayed. Where a safety certificate has not been issued, the inspections carried out prior to its preparation and issue should be such as to fulfil the requirements of the Statutory Guidance. Once a safety certificate has been issued at least one further inspection of

the ground should be carried out either:-

within a year of its issue, or

within a year of the last inspection, whichever is the earlier.

Thereafter, inspections should take place at least annually from the date of the last inspection.

Where an inspection of a sports ground takes place at the discretion of the local authority for some other reason, for example as a result of proposed alterations or an application for amendment to the safety certificate, that inspection can be regarded as an inspection carried out under section 10B of the 1975 Act provided the criteria of the Statutory Guidance are met.

Inspection Team

6. The Statutory Guidance allows the local authority to determine how best to arrange and effect inspections under section 10B of the 1975 Act and does not stipulate that they should be carried out by a particular professional discipline. As it is nonetheless important that inspecting officers are qualified for that purpose, the guidance places an onus on the local authority to be satisfied on this account. (The Guide to Safety at Sports Grounds (paragraph 36) envisages that inspections arranged by ground management will be carried out by someone who is professionally qualified. Local authorities may wish to consider whether inspecting officers should also be professionally qualified.)

7. Local authorities are also asked to bear in mind the potential advantages of a team approach to inspections under the Statutory Guidance and the role of the fire authority, building authority and the police. Local authorities in London and metropolitan counties may therefore wish to arrange at least one inspection per year to be carried out with a representative of the fire authority in attendance. Elsewhere, local authorities will no doubt wish to consider inclusion of a member of the fire service as well as a representative of the building authority. Local authorities may also wish to consult the Chief Officer of Police so that the opportunity can be given for a police officer to attend at least one inspection each year. (It is not intended that these considerations should interfere with any internal or locally agreed arrangements between the local authority, fire authority, building authority, police and any other agency with an interest in safety at the ground.)

Scope of Inspections

8. Where possible all the items listed in paragraphs 3 and 4 of the Statutory Guidance should be inspected and tested. It is recognised however that there may be occasions when one or more of these elements cannot, for some reason, be inspected. For this reason there is a degree of discretion within paragraphs 2 - 4 of the Statutory Guidance. In this way it is hoped to avoid the situation where the local authority has to pay repeated visits to a ground in order to comply with the Statutory

Guidance.

9. The Statutory Guidance does not require that an inspection should take place at any particular time so the local authority's discretion to carry out an inspection whilst the ground is in use is not restricted. An "in-use" or "during performance" inspection could therefore constitute part of the inspection required by section 10B of the Act even though it might not be sufficient (having regard to the requirements of the Statutory Guidance) to be an inspection itself.

Records

10. Local authorities will doubtless need to keep a record of all inspections carried out under the Statutory Guidance and may wish to consider whether a copy of any report/record should be sent to the holder of the safety certificate. Local authorities are also asked to consider affording a reasonable opportunity for any such report to be made available for inspection, if so requested, by members of the public.

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